



FAIRHAVEN SELECT BOARD AGENDA

October 14, 2025 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

FAIRHAVEN TOWN CLERK
RCUD 2025 OCT 9 PM3:13

A. EXECUTIVE SESSION

1. Pursuant to M.G.L. c. 30A, Section 21(a)(3) to discuss strategy with respect to pending litigation if an open meeting may have a detrimental effect on the collective bargaining or litigating position of the public body and the chair so declares (*Mary Freire-Kellogg v. Town of Fairhaven* and *Amanda Blais v. Town of Fairhaven*)
2. Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (Police Union)
3. Pursuant to G.L. c. 30A, s. 21(a)(7) To comply with, or act under the authority of, G.L. c. 30A, s. 22, to approve the minutes of Executive Sessions on 9/22/25 and 9/30/25 and to review the minutes of Executive Session (1/8/24, 2/12/24, 2/26/24, 3/11/24, 4/8/24, 4/22/24, 6/10/24, 8/19/24, 9/23/24, 9/30/24, 10/15/24, 11/12/24, 11/19/24, 11/25/24, 12/16/24, 12/23/24, 12/30/24, 1/13/25, 1/27/25, 2/10/25, 2/19/25, 2/24/25, 3/10/25, 3/17/25, 3/24/25, 3/31/25, 4/7/25, 4/14/25, 4/28/25, 5/12/25, 5/27/25, 6/9/25, 6/23/25, 7/7/25, 7/10/25, 7/14/25, 7/28/25, 8/11/25, 8/25/25, 9/8/25, 9/22/25 and 9/30/25)

B. APPOINTMENTS AND COMMUNITY ITEMS

1. Appointment: Constable: Jeffrey Foisy
2. Appointment: Wiring Inspector: Rick Forand
3. Appointment: Assistant Building Inspector: William Horrocks
4. Tree Removal Appeal: Green Ash trees on Oliver Street (#s 33-42)
5. Special One-Day Liquor License, Temporary Street Closure, Use of Town Hall: Economic Development Committee/Travelers Alehouse: Oktoberfest, Saturday, October 18, 2025

C. PUBLIC COMMENT

D. ACTION / DISCUSSION

1. License: Pledge of Collateral to Bristol County Savings Bank: OEA Restaurant Group dba Olivia's
2. Consider Update to the Charge for the Atlas Tack Working Group
3. Request by Resident to Change the Atlas Tack Working Group to a Committee
4. Town Match for Grant: Hazard Mitigation Plan Update
5. Consideration of Employment Agreement between the Town of Fairhaven and Fire Chief Todd Correia
6. Ratify Collective Bargaining Agreements: Highway, Clerical
7. Consider Non-Union Employee Cost-of-Living Increase
8. Review Special Town Meeting Articles
9. Close and Sign Special Town Meeting Warrant
10. Appoint a Select Board Representative for the joint meeting with School Committee on October 27, 2025
11. Discover Fairhaven: Seasonal Town Hall Clocktower Lighting
12. Town Hall Auditorium Application Process and Deadline Discussion
13. Open Meeting Law Complaint Received October 3, 2025: Patrick Higgins and draft response
14. Consider Release of Executive Session Minutes Reviewed
15. Reauthorize Keith Hickey as Temporary Treasurer for the Town
16. Reauthorize Keith Hickey and Labor Counsel to negotiate Memorandum of Understanding extension with AFSCME for Interim Treasurer and Interim Assistant Treasurer/Collector

E. TOWN ADMINISTRATOR REPORT

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

G. MINUTES

1. Accept the Select Board Open Session minutes of September 22 and 30, 2025
2. Accept the Select Board Executive Session minutes of September 22 and 30, 2025

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.

H. CORRESPONDENCE

1. South Coast Places for People: Route 6 Walk Audit Findings
2. Invitation to the Veterans Day Parade, Tuesday, November 11, 2025
3. Open Meeting Law Determination: OML 2025 – 154

I. NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting: *Monday, October 27, 2025* at 6:30pm

J. ADJOURN



Tuesday, October 14, 2025

Executive Session

Pursuant to M.G.L. c. 30A, Section 21(a)(3) to discuss strategy with respect to pending litigation if an open meeting may have a detrimental effect on the collective bargaining or litigating position of the public body and the chair so declares (*Mary Freire-Kellogg v. Town of Fairhaven* and *Amanda Blais v. Town of Fairhaven*)

and

Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (Police Union)

and

Pursuant to G.L. c. 30A, s. 21(a)(7) To comply with, or act under the authority of, G.L. c. 30A, s. 22, to approve the minutes of Executive Sessions on 9/22/25 and 9/30/25 and to review the minutes of Executive Session (1/8/24, 2/12/24, 2/26/24, 3/11/24, 4/8/24, 4/22/24, 6/10/24, 8/19/24, 9/23/24, 9/30/24, 10/15/24, 11/12/24, 11/19/24, 11/25/24, 12/16/24, 12/23/24, 12/30/24, 1/13/25, 1/27/25, 2/10/25, 2/19/25, 2/24/25, 3/10/25, 3/17/25, 3/24/25, 3/31/25, 4/7/25, 4/14/25, 4/28/25, 5/12/25, 5/27/25, 6/9/25, 6/23/25, 7/7/25, 7/10/25, 7/14/25, 7/28/25, 8/11/25, 8/25/25, 9/8/25, 9/22/25 and 9/30/25)

AND TO RETURN TO OPEN SESSION



Tuesday, October 14, 2025

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2. Appointment: Wiring Inspector: Rick Forand
3. Appointment: Assistant Building Inspector: William Horrocks
4. Tree Removal Appeal: Green Ash trees on Oliver Street (#s 33-42)
5. Special One-Day Liquor License, Temporary Street Closure, Use of Town Hall:
Economic Development Committee/Travelers Alehouse: Oktoberfest, Saturday, October 18, 2025

New submission from Volunteer Opportunities

1 message

JEFFREY FOISY JEFFREY FOISY <no-reply@jgpr.net>

Fri, Sep 5, 2025 at 6:49 PM

Reply-To: JDF68@comcast.net

To: Selectboard@fairhaven-ma.gov

Full Name

JEFFREY FOISY

Address

25 RUTLAND ST NEW BEDFORD MA 02745

Email

JDF68@COMCAST.NET

Phone

(508) 989-4619

How long have you been a Fairhaven resident?

NEW BEDFORD, 56 YEARS

What Board(s) or Committee(s) are you interested in joining? What is your reason for joining?

CONSTABLE

Have you attended a meeting of this Board or Committee?

No

Have you served or are you currently on any Town of Fairhaven Boards? If so, please indicate what Board and number of years

NO

Interests and Qualifications.

I would like to work for Moniz & Latimer Constables Inc . Mr Latimer Is a friend and has offered me a part time position working for his company to serve Civil Process.

Consent

 I agree to the privacy policy.



Town of Fairhaven Commonwealth of Massachusetts

B 2 and 3

Building Department
Town Hall
40 Centre Street
Fairhaven, MA 02719
Phone 508 979 4019

To: Town of Fairhaven Selectboard

From: Richard Forand, Director of Inspectional Services/ Building Commissioner
2025

Date: October 8, 2025

RE: Appointing of Richard Forand as wiring inspector and William Horrocks as assistant building commissioner

Dear Select board members,

As your director of inspectional services, I am proposing to be appointed as an electrical inspector. I have been a licensed electrician since the late 1980's I currently hold a Mass electrical license. This position would only be for emergency inspections or to cover when my other inspectors are not available. This position would not add any cost to the town as I am paid as the Building Commissioner.

I would also ask to appoint William Horrocks as my assistant Building Commissioner only to cover when I am off for a period of time. Mr Horrocks is a licensed Building Commissioner and has held several positions as Building Commissioner as well as State Building Inspector retired. This is a much needed position as permits and inspection are on limited time restraints. Mr. Horrocks has also covered for the Fairhaven Building department in the past and knows what needs to be done. I am proposing he gets the same rate as other inspectors \$45 for each inspection, or \$45 per hour for any needed department oversight, plans reviews or necessary enforcement actions.

Thank you for your consideration in these matters.

Richard Forand
Building Commissioner / Zoning Enforcement Officer
Town of Fairhaven

Town of Fairhaven
Board of Public Works
5 Arsene Street
Fairhaven, Massachusetts 02719
TEL. 508-979-4030
FAX. 508-979-4086
bpw@fairhaven-ma.gov

B 4



NOTICE

PUBLIC HEARING FOR TREE REMOVAL

In accordance with the provision of Massachusetts General Laws Chapter 87, Section 3 and 4, notice is hereby given that a public hearing will be held at 4:30pm, on September 29, 2025 at the board of public works conference room, 5 Arsene Street to consider the removal of the following **hazardous** tree(s):

LOCATION	TYPE	SIZE (in)
31 Oliver St	Green Ash	±14
33 Oliver St	Green Ash x2	±11 & ±11
32 Oliver St	Green Ash	±15
34 Oliver St	Green Ash x2	±10 & ±12
35 Oliver St	Green Ash x2	±11 & ±9
37 Oliver St	Green Ash x2	±11 & ±9
39 Oliver St	Green Ash x2	±10 & ±10
41 Oliver St	Green Ash x2	±12 & ±11
36 Oliver St	Green Ash x3	±11 & ±10 & ±10
38 Oliver St	Green Ash x4	±10 & ±8 & ±7 & ±9
42 Oliver St	Green Ash x3	±9 & ±9 & ±12
65 Oliver St	Green Ash	±8
70 Oliver St	Bradford Pear	±10
73 Oliver St	Paper Birch	±8
22 Rivard St	American Elm	±11
22 Rivard St	Willow	±7
20 Rivard St	Japanese Zelkova	±8

Objections to the removal of this tree (or trees) must be received in writing prior to or at the public hearing. Please direct questions about this proposed removal to the tree warden.

Due to recent changes by the Governor to the Open Meeting Law, G.L. c. 30A. § 20, we are providing public access via the phone number and meeting ID below:

To Access Meeting Remotely log onto: <https://zoom.us/j/86715657094>

Or

Call: 1-929-205-6099

Meeting ID: 867 1565 7094

Passcode: 355150

September 22, 2025

Town of Fairhaven
Board of Public Works
5 Arsene Street
Fairhaven MA, 02719

Dear Madams/Sirs:

This letter is to formally object to the removal of the 24 green ash public shade trees marked with official notices for removal on September 13, 2025 that are now located in front of the homes on 33-42 Oliver Street.

Not only do these shade trees serve to beautify our neighborhood community and town, the location of these shade trees has a direct impact on property values. Real estate studies have shown that shade trees enhance curb appeal, add character to neighborhoods, and can increase home prices by up to 15% which in turn has a positive and real impact on the town's tax base.

These trees also provide countless environmental and health benefits to the entire citizenry, to our ecosystem, and to wildlife. They improve our air quality by absorbing pollutants, sequester carbon dioxide which reduces greenhouse gases, and also helps to control soil erosion and manage rainwater runoff. Additionally, these shade trees block direct sunlight and cool the environment which according to the U.S. Department of Energy results in an overall reduction in energy consumption.

The removal of these 24 green ash trees will have a detrimental and significant impact on the local biodiversity as well. These trees provide homes and food and microhabitats for a multitude of species, and these trees create and support the ecological balance in our local and global environments which is essential for our health and well being.

For these reasons and more, we the residents of Oliver Street, Fairhaven MA object to the removal of the aforementioned green ash trees unless and until there is intention and an official commitment to replant no later than the end of Spring of 2026 with the same or a similar beneficial native species shade tree.

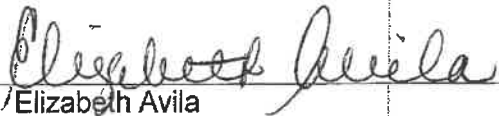
In closing, we would like to remind the Fairhaven Tree Department of their stated mission which is "To preserve, propagate, and maintain a safe, healthy, tree canopy for the Town of Fairhaven," and we beseech the Boards to hold the Tree Department accountable to that mission.

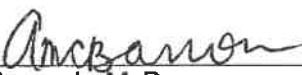
Thank you for your careful consideration and attention to this matter.

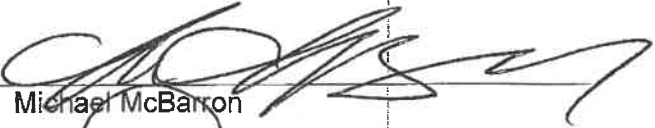
Sincerely,
Residents of Oliver Street
Signatures on following page.

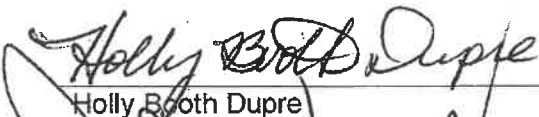
September 22, 2025, Letter to Board of Public Works (continued)


Cheryl Almeida


Elizabeth Avila


Amanda McBarron


Michael McBarron


Holly Booth Dupre

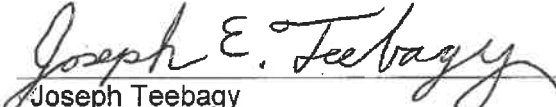

Guy Dupre

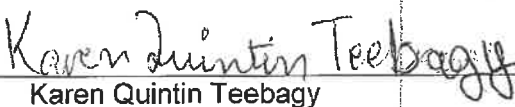

Paul Andrews

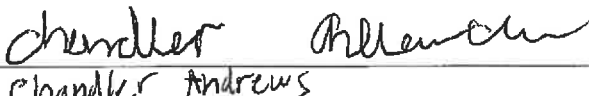

Jared Valles


Stuart King

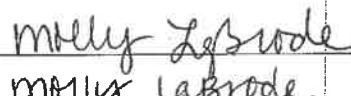

Samantha Valles


Joseph Teebagy


Karen Quintin Teebagy


Chandler Andrews


Jon Beauregard


Molly LaBrode



Green ash Tree ID #2960
42 Oliver Street

Tree

Primary ID:	2960
Status:	Alive
Common Name:	Green ash
Scientific Name:	Fraxinus pennsylvanica
Number of Stems:	1
DSH:	9
Condition:	Critical
Observations:	Pests, Serious Decline, Crown Dieback, Hardscape Damage, Deadwood
Tree Comments:	EAB
DSH Range:	6-12in
Family:	Oleaceae
Genus:	Fraxinus
Cultivar:	
Code:	FRPE
Archived:	No
Last Inspection:	
Next Inspection:	
Inspection Cycle:	
Crown Light Exposure:	
Has Ecobenefits:	Yes

Location

Site Width:	Class II (medium) - 6-10ft
Growing Space:	Planting Strip
Land Use:	Single Family
Address:	42 Oliver Street
Address Number:	42
Address Street:	Oliver Street
City:	Fairhaven
Organization:	
Longitude:	-70.89327146268008
Latitude:	41.66081298490538

Management

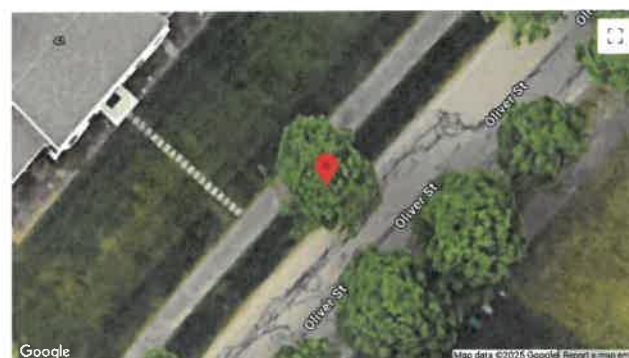
Photos

There are no saved photos for this feature.

Street View



Map



Eco-Benefits

Overall Monetary Benefit:	\$1.96
Stormwater Monetary Benefit:	\$0.26
Runoff Avoided:	3.88 (ft³)
Interception:	34.72 (ft³)
Air Quality Monetary Benefit:	\$0.35
Pollutants Removed:	0.23 (lbs)
Carbon Monetary Benefit:	\$1.34
Carbon Storage:	217.45 (lbs)
CO ₂ Storage:	797.31 (lbs)
CO ₂ Sequestered:	22.79 (lbs)

Maintenance Priority: Priority 3 Removal

Tree Work:

Maintenance Comments:

Wires: No Lines

Clearance Conflicts:

User: Nate

Date Added: 07/01/2025

Last Modified User: Nate

Last Modified: 07/01/2025

Risk Assessment

Assessed Tree Part: Branch

Likelihood of Failure: Probable

Likelihood of Impacting Target: Medium

Likelihood: Somewhat Likely

Consequence of Failure: Severe

Risk Rating: Moderate

Most Recent Changes to this Tree

Nate set City="Fairhaven" on Jul 1, 2025 at 12:30pm

Nate set Address="42 Oliver Street" on Jul 1, 2025 at 12:30pm

Nate set Address Street="Oliver Street" on Jul 1, 2025 at 12:30pm

Nate set Address Number="42" on Jul 1, 2025 at 12:30pm

Nate set Risk Rating="Moderate" on Jul 1, 2025 at 12:30pm

Nate set Consequence of Failure="Severe" on Jul 1, 2025 at 12:30pm

Nate set Likelihood="Somewhat Likely" on Jul 1, 2025 at 12:30pm

Nate set Likelihood of Impacting Target="Medium" on Jul 1, 2025 at 12:30pm

Nate set Likelihood of Failure="Probable" on Jul 1, 2025 at 12:30pm

Nate set Assessed Tree Part="Branch" on Jul 1, 2025 at 12:30pm

Work Records, Work History

No results

Tree Inspections

No results

Report Prepared: October 9, 2025



TOWN OF FAIRHAVEN

B 5

APPLICATION FOR SPECIAL LICENSE

General Law Chapter 138, Section 14

Date: 9/29/25

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 Oktoberfest to be held at

40 center st fairhaven, ma 02719

by EDC/Travelers Alehouse

date 10/18/25

from 12pm to 6pm

Name of Applicant: minh tieu

Address of Applicant: 111 huttleston ave
fairhaven, ma 02719

Telephone: 7742634373

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 ~~\$20.00~~ \$50.00

All Alcoholic ~~\$35.00~~ \$75.00



Town of Fairhaven
Massachusetts
40 Center Street
Fairhaven, MA 02719

2025061311381138

SELECT BOARD

TEMPORARY STREET CLOSURE/BLOCK PARTY APPLICATION

Today's Date: Sept. 29 2025
Date of event: October 18th Time of event: 12:00 - 6:00
Road (s) to be blocked: * Walnut Washington to Union > may be half way
* William Washington to Union * Center William to
Estimated number of attendees: 200/300 Age group: all ages Greer
Have all residents been notified Y/N Not yet How notified: with a note on which street
but will be by 10/4 Please provide of copy of notification with application

Name, address and telephone number of 2 residents as point of contact in addition to the applicant.

Name: <u>Tracy Travers</u>	Name: <u>Keith Silvia</u>
Address: <u>25 Union Street</u>	Address: <u>21 Holiday Drive</u>
Phone: <u>774-263-4905</u>	Phone: <u>774-263-2249</u>

By signing, I attest to having read, understand and will comply with the Temporary Street Closing Policy if this application is approved including conditions for public safety provided by Police, Fire and DPW.

Signature of applicant: Cathy Melanson
Print Name: Cathy Melanson Phone: 508-989-2289
Address: 110 Adams St
Email: cathy.melanson@yahoo.com

OFFICE USE: Review by Police, Fire and DPW for approval, any public safety conditions will be noted.

DPW: [Signature]
Comments: must submit homecare request form + Deposit to DPW
Police: _____
Comments: _____
Fire: _____
Comments: _____
Town Administrator: [Signature]
Comments: _____

October 18, 2025



In front of Fairhaven Town Hall

12:00pm - 6:00pm



Tuesday, October 14, 2025

Action / Discussion

1. License: Pledge of Collateral to Bristol County Savings Bank: OEA Restaurant Group dba Olivia's
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Town of Fairhaven
Massachusetts
40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

To: Select Board

From: Town Administrator's Office

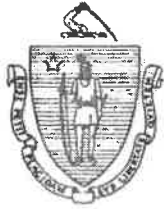
Date: 03/10/2025

Re: Pledge of Collateral

The purpose of the hearing is to request your approval for a pledge of collateral against the liquor license for OEA Restaurant Group dba Olivia's, owner Brandon Roderick to Bristol County Savings Bank. There is no need for this transaction to be advertised.

Application has been completed, as well as the fee associated with the application to the ABCC.

Thank you for your consideration.



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

Rec'd
9/24/25
SR

APPLICATION FOR AMENDMENT-Pledge of Collateral

☒ **Pledge of License** ☐ **Pledge of Stock** ☐ **Pledge of Inventory**

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Pledge of License, Stock or Inventory Application
- Vote of the Entity
- Pledge documentation
- Promissory note

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
OEa Restruant Group Corp, d/b/a Olivia's Restruar	Fairhaven	08156-RS-0384

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation.

The applicant has been granted a loan in the amount of seven hundred nine thousand dollars (\$709,000.00) from Bristol County Savings Bank to be secured by a Mortgage, UCC Financing Statement, and a Pledge of Liquor License

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Brandon Roderick	President	olivasrestaurantfairhaven@gmail.com	774-202-4795

2. AMENDMENT-Pledge Information

Pledge of License

To whom is the pledge being made:

Pledge of Inventory

Bristol County Savings Bank

Pledge of Stock

3. FINANCIAL DISCLOSURE

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Bristol County Savings Bank	\$709,000.00	Term Loan	☐ Yes ☒ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

The funding is being provided by Bristol County Savings Bank in the form of a term loan in the amount of \$709,000.00.

Revised Atlas Tack Working Group Charge

1 message

bradydoug@aol.com <bradydoug@aol.com>

Thu, Oct 9, 2025 at 10:08 AM

To: Amy Hart <ahart@fairhaven-ma.gov>

Cc: Keith Silvia <ksilvia@fairhaven-ma.gov>

Good Morning Miss Amy;

Attached is the original charge of the Atlas group and a "revised" requested charge of the Atlas group.

Mainly due to the fact:

- we now have a full time Town Administrator so that the charge is inclusive of Mr. Hickey
- strike the word "recommendation" since the group does not make recommendations etc..., that is the purview of the TA and Select Board only.

Rather simple and straight forward. Let me know if you have any questions. feel free to call as well 508-951-1379.

If you could let me know you received the email and if anything, else I need to do.

Thank you and have a great weekend!

Doug

2 attachments



Original Charge of the Atlas Tack Working Group 062325.pdf

133K



REVISED Charge of the Atlas Tack Working Group 100825.pdf

109K

Atlas Tack Working Group

The charge of the group and what to accomplish:

First:

Designate a working group member or that person's designee, to obtain for the working group all public documents currently available for review. If needed arrange to speak with appropriate town departments or personnel in matters related to the Atlas Tack property and superfund site either as the designated member or with the working group as a whole.

Second:

As part of the review, to communicate with all appropriate government agencies or non-governmental agencies involved in the atlas tack property and superfund site. Review and provide information on all matters deemed related to the Atlas Tack property. The working group in addition will seek information and ways on to how to best coordinate efforts of the various agencies to work with the town. Once the information has been gathered, compile a current past, present and, if feasible, a future assessment sheets on the atlas tack property.

Third:

Present a final report to the Select Board with recommendations on the next course of action to address the Atlas Tack property.

The working group will consist of appointed members of the community and will continue on as long as the Select Board shall deem and not automatically disband.

The Atlas Tack Work Group does not have any authority to make, promise or sign any document which would bind the town of Fairhaven to any agreements whether verbal or written.

Atlas Tack Working Group

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Designate a working group member or that person's designee, to obtain for the working group all public documents currently available for review. If needed arrange to speak with appropriate town departments or personnel in matters related to the Atlas Tack property and superfund site either as the designated member or with the working group as a whole.

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As part of the review, to communicate with all appropriate government agencies or non-governmental agencies involved in the atlas tack property and superfund site. Review and provide information on all matters deemed related to the Atlas Tack property. The working group in addition will seek information and ways on to how to best coordinate efforts of the various agencies to work with the town. Once the information has been gathered, compile a current past, present and, if feasible, a future assessment sheets on the atlas tack property.

Third:

Present a final report to the Select Board **and Town Administrator** ~~with recommendations~~ **to decide** on the next course of action to address the Atlas Tack property.

The working group will consist of appointed members of the community and will continue on as long as the Select Board shall deem and not automatically disband.

The Atlas Tack Work Group does not have any authority to make, promise or sign any document which would bind the town of Fairhaven to any agreements whether verbal or written.

Fwd: SRPEDD's Q4 FY25 Invoice for the Fairhaven Hazard Mitigation Plan (HMP)

1 message

Anne Carreiro <acarreiro@fairhaven-ma.gov>

Mon, Sep 22, 2025 at 3:46 PM

To: George Samia <gsamia@fairhaven-ma.gov>

Cc: Amy Hart <ahart@fairhaven-ma.gov>, Fairhaven Planner <planner@fairhaven-ma.gov>, Timothy Cox <tc Cox@fairhaven-ma.gov>

Hi George,

At the next Selectboard meeting, can we have the Selectboard review and hopefully approve the 10% town match for the Federal grant relating to the Hazard Mitigation Plan Update.

Additional town grants matches are being requested from Rebecca Roughley (grant consultant) and Tim Cox.

Can I put together the request list to be included on the next agenda?

*Anne Carreiro, CPA, CGA
Assistant Town Administrator of Finance/Town Accountant
Town of Fairhaven
40 Center St
Fairhaven, MA 02719
508-979-4023 ext 8120*

----- Forwarded message -----

From: **Fairhaven Planner** <Planner@fairhaven-ma.gov>

Date: Mon, Sep 22, 2025 at 3:19 PM

Subject: Fwd: SRPEDD's Q4 FY25 Invoice for the Fairhaven Hazard Mitigation Plan (HMP)

To: Anne Carreiro (Town) <acarreiro@fairhaven-ma.gov>

Cc: Sue Masten <cdbg@fairhaven-ma.gov>, Barbara Paczosa <recordingsecretary@fairhaven-ma.gov>

Hi Anne,

Below is the request for the \$4,092.67 in match funds needed for the Hazard Mitigation Plan Update invoice from SERPPD.

Can we request these required match funds from the select board?

I have included both the contract detailing the 10% match, and the invoice in question.

Please let me know if you have any other questions.

Cheers,
Bruce

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

----- Forwarded message -----

From: **Sue Masten** <cdbg@fairhaven-ma.gov>

Date: Thu, Sep 18, 2025 at 12:46 PM

Subject: Fwd: SRPEDD's Q4 FY25 Invoice for the Fairhaven Hazard Mitigation Plan (HMP)

To: Fairhaven Planner <Planner@fairhaven-ma.gov>

Have any idea where the 10% of SRPEDD invoice for \$4,092.67 will be coming from?
This is a July invoice

As the contract states town is responsible for 10%

Thanks

Sue Masten

Planning & Economic Development

CDBG Administrative Assistant

40 Center Street

Fairhaven, MA

P: (508) 979-4023, ext. 8126

cdbg@fairhaven-ma.gov

2 attachments



Fairhaven Hazard Mitigation Plan Update Contract 2023-01 signed.pdf

11382K



SRPEDD-Invoice-4094-125122-Fairhaven-HMP-063025.pdf

261K



Invoice 4094
July 30, 2025

Bruce Webb
Director of Land Use and Planning
Fairhaven Town Hall
40 Center Street
Fairhaven, MA 02719

RE: Fairhaven Hazard Mitigation Plan

For Professional Services Performed from 04/01/25 to 06/30/25:

Total amount due with this invoice: **\$4,092.67**

Progress Report

SRPEDD and the project team held two in-person Steering Committee meetings to discuss the update of the 2018 Fairhaven HMP. The project team discussed the general overview of the HMP process, the proposed project timeline, and the proposed project workflows, including public outreach strategies.

At the meeting on April 8, SRPEDD itemized which mitigation strategies from the 2018 HMP were implemented and which ones were not; the team also discussed the reasons that some strategies were not implemented and revisited the remaining action items to determine if they were still relevant to Fairhaven. The project team also discussed its approach to public outreach, which is a requirement of the FEMA HMP process.

At the meeting on June 10, SRPEDD updated the hazard profiles and discussed them with the Steering Committee. The project team identified which areas of the town were of the most concern for each hazard type (such as coastal flooding, hurricane, and wildfire). SRPEDD completed and presented a draft project survey and a survey flyer; both are now in circulation as physical copies and digital versions. The project team began planning for the first project workshop to be held at Town Hall. The project team also planned for two project tabling events (to take place this summer at Harbor Fest) to pass out survey flyers and encourage survey responses. The SRPEDD team conducted a literature review of the 2018 plan, held internal check-in meetings, and created an outline for the HMP writing work. SRPEDD also submitted an extension request to MEMA on behalf of the town (because the contract was signed 4 months behind schedule).

Expense Detail

Staff	Hours	Direct Salary	OH (105%)	Direct Costs- Detail attached if applicable	Total
Total Staff Charges- detailed attached	63.00	\$1,943.60	\$2,040.78	\$108.29	\$4,092.67



SRPEDD
Southeastern Regional Planning
& Economic Development District

Contract Amount **\$35,955.00**

<u>Current Invoice</u>	04/01/25 to 06/30/25	\$4,092.67
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Total Invoiced	\$4,092.67
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Contract Balance	\$31,862.33
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FAIRHAVEN, MA Hazard Mitigation Plan Update Scope of Work

The Town/City will prepare a Hazard Mitigation Plan Update in accordance with FEMA guidelines for Hazard Mitigation Planning. The Town/City will be assisted by a vendor for this scope of work. The Town/City's updated plan will address mitigation of multiple natural hazards that may affect the community, including flood hazards, winter storm hazards, wind hazards, wildfire hazards and geologic hazards.

Communities are strongly encouraged to undertake the planning process in accordance with the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EEA) Municipal Vulnerability Preparedness (MVP) program objectives. This program, which has funding available will designate municipalities who complete the Community Resilience Building Workshop process and associated deliverables. Municipalities who complete this process and develop a final report, which can be this hazard mitigation plan, could be designated as an "MVP Community," which may lead to increased standing in future funding opportunities and signify the commitment of this municipality to building resiliency and preparing for climate change. The planning process will include the following actions and elements:

Task 1-3

1. Grant Award and Contracting:

The community will procure services to facilitate this planning process update

- Hold kick-off meeting with MEMA
- Execute a contract

2. Select and Hire a Vendor:

The vendor will document the process used to develop the updated plan, including but not limited to:

- Issue an RFR/RFP
- How the plan update was prepared
- Who was involved in this process
- How the public was involved (i.e., Community outreach, local planning team participation)

3. Convene a local Hazard Mitigation Planning Committee:

The Town/City will convene a local Hazard Mitigation Planning Team. Members should include a cross-section of the community, such as residents, government officials, community leaders and business owners. This team will serve as a liaison to the vendor and assist in the plan update by providing access to relevant local data, facilitating community input on plan recommendations and priorities, reviewing draft products, and assisting with outreach to community stakeholders. With the vendor's facilitation and technical assistance, the Town/City Hazard Mitigation Planning Team will:

- Develop a mission statement
- Assign roles and responsibilities
- Develop a specific timeline for planning activities
- Hold a minimum of two community public meetings during the planning process update, one during the production of the plan update, and one during the review of the draft plan update,
- Solicit input from key stakeholders in the community, including business associations, local or regional institutions, local NGO's, and residents.
- Conduct local outreach to stakeholders through postings on the municipal web site, outreach to local print and/or online press, and use of local access cable TV where available. Outreach to neighboring communities will also be conducted.
- Provide input regarding the feasibility and prioritization of mitigation measures.
- Review the draft plan update and its goals and proposed mitigation projects.
- Oversee the implementation, maintenance and updating of the plan update.

Task 4. Revisit the Hazard Profiles for each Hazard that impacts the community:

- Using the best available existing data, the vendor will update a map of areas affected by multiple natural hazards for the Town/City. A set of hazard maps will be included within the updated Hazard Mitigation plan, and GIS files will be made available to the Town/City for integration with their other community plans. These maps will be the basis for the communities known hazards. The hazard identification update will include an assessment of the community's risks that summarizes the vulnerability of each hazard based on the location, extent, probability, and severity of the hazards. A vulnerability analysis will be conducted; your vendor may consider using FEMA's HAZUS-MH, as well as a GIS map analysis to delineate those critical facilities that are located within mapped hazard areas.
- The Town/City/ will update the description and prioritization of the natural hazards that have occurred within the community since the last plan update.

Task 5. Facility Inventory:

The Town/City will prepare an updated inventory of facilities and explain how these facilities intersect with the known hazards for the community. This task will be based on input from the community and the best available state and local information. These data may be used to develop updated GIS maps of the following items:

- Critical facilities, including the following if they exist in the community:
 - Emergency operations centers
 - City or town offices
 - Water and wastewater treatment plants
 - Sewage pumping stations
 - Police or fire stations
 - Schools
 - Hospitals
 - Day-care facilities
 - Public works garages
 - Nursing homes/elderly housing
 - Emergency shelters
- Economic Drivers:
 - Large Businesses
 - Large Employers
 - Historical or Cultural sites
- All repetitive flood loss structures and structures which have incurred substantial damage, if they exist, as defined by FEMA. These buildings(s) must be analyzed by type (Commercial / Residential), number, and general location as it relates to the known hazard areas. The addresses and associated data will be provided upon request to the community by the State NFIP Coordinator.
- Land use maps that depict the location of developed land uses, delineated by categories based on use (e.g., residential, commercial, industrial, institutional, other public use, etc.) and how it intersects with known hazards.
- Anticipated future land use areas and how they intersect with known hazards.

Task 6: Vulnerability:

Based on the previous information from Task 5, the Town/City will update the overview of each of the specific hazards and the community's vulnerability to those specific hazards. This vulnerability assessment, if possible, will include:

- Problem Statements: These will summarize the biggest issues for the community in terms of; Types and numbers of buildings, infrastructure, and critical facilities located in the hazard areas.
- All existing multiple hazard protection measures within the community, including protective measures under the National Flood Insurance Program (NFIP).
- A description of each measure, the method of enforcement, and/or the point of contact responsible for implementation of each measure.
- Historical performance of each measure and a description of improvements or changes needed.
- General description of land uses and development trends to incorporate future land use decisions.

Task 7. Mitigation Goals:

The Town/City with vendor support will update the mitigation strategies specific to the community's exposure to and impacts from identified natural hazards. The strategy will include:

- Create, edit, or delete goals as needed;
- Obtain public input;
- Analyze existing capabilities;
- Review mitigation actions in the previous plan and identify progress implementing those actions (include current status along with reasons why there may have been little or no progress).
- Describe how the community's priorities have changed since the previous Hazard Mitigation Plan.
- Include a description of the NFIP program and how the community will continue compliance over the next five years.
- Update a list of mitigation goal statements that focus on reducing the risks from the identified natural hazards. The goal development and project prioritization will be conducted by the Hazard Mitigation Planning Team. An example of a goal statement and an objective would be:
 - GOAL: Increase coordination between Federal, state, municipal, and private resources in pre-disaster planning, post-disaster recovery, and continuous hazard mitigation implementation.
 - OBJECTIVE: Identify the availability of additional private and public sector financial incentives for homeowners, businesses and municipalities that will allow the development and implementation of cost-effective hazard mitigation measures in high-risk areas.

Task 8. Actions:

A section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure. This section will include a list of prioritized hazard mitigation projects that best meet the communities' needs for multiple hazard damage reduction:

- These projects may be non-structural (e.g., planning, regulatory measures, property acquisition, retrofitting, elevation) or structural (e.g., seawalls, dams, dikes) solutions.
- At a minimum, this list of prioritized projects will be based on a process that results in identification of cost-effective hazard mitigation projects with public input, including:
 - An analysis of proposed mitigation projects focused on several key areas, including but not limited to economic (including benefits and costs), engineering, technical, legal, environmental, social, and political feasibility. Selected options will best fit the community's needs and meet most or all aspects of the feasibility analysis.
 - Coordination with relevant Federal and state agencies for input and technical assistance.
 - *An example of ACTION: Work with the Building Department and Fire Department to waive permit fees for mechanical elevations in the business along the mill river.*
- Revise and update the mitigation action plan.
- Identify integration opportunities throughout the community as well as how the data and information from the previous plan was integrated into other mechanisms over the last five years

Task 9. Plan Review, Evaluation, and Implementation

In order to continue to be an effective representation of the jurisdiction's overall strategy for reducing its risks from natural hazards, the mitigation plan must reflect current conditions. This will require an assessment of the current development patterns and development pressures as well as an evaluation of any new hazard or risk information.

- The plan must describe changes in development that have occurred in hazard prone areas and increased or decreased the vulnerability of each jurisdiction since the last plan was approved.
- The plan must describe the status of the hazard mitigation actions in the previous plan by identifying those that have been completed or not completed. For actions that have not been completed, the plan must either describe whether the action is no longer relevant or be included as part of the updated action plan.
- The plan must describe if and how any priorities changed since the plan was previously approved. If no changes in priorities are necessary, plan updates may validate the information in the previously approved plan.

Task 10. Maintenance:

- The Town/City in conjunction with the planning team will monitor, evaluate, and update the plan.
- The Planning Team will assist the Town/City in the implementation and incorporation of the plan's goals into other local planning processes, such as a Comprehensive Plan, or other local by-laws and ordinances.
- The completed plan update will include an implementation schedule with procedures for ensuring the plan's implementation, updating and revision every five years.
-

Task 11. Public Review of Draft:

- The Planning Team will work with the community for continued public involvement to include public review of the draft plan.

Task 12. Review and Approval / Closeout:

- Submit the plan update to MEMA/FEMA for review; revised based on MEMA/FEMA comments; submit revised plan update for approval pending adoption.
- When APA is received, the plan update will be brought before the City Council or Board of Selectmen in the community for adoption.
- Send the final adopted plan update to MEMA/FEMA, Receive approval by FEMA.
- Grant closeout / final reimbursement

Name of Sub-Recipient		Grant Program	
Town of Fairhaven		HMGP 4496-05Fai	
CFDA #	Federal Identification Number	Budget (Check One)	Budget Period
97.039	04-6001147	New ☒ Revised ☐	From: 01/01/23 To: 12/30/25
FEMA	Activity/Cost Classification	A. Eligible and Approved Total Cost	
Ob#	1 Hazard Mitigation Plan Update	\$40,000.00	
		B. Local Share*	
		\$4,000.00	
		C. Federal Share**	
		\$36,000.00	
Subtotal		\$40,000.00	
Total		\$40,000.00	
		\$36,000.00	
		\$36,000.00	
* Local Share, per regulation, is at most 25% of total eligible and approved costs ** Federal share, per regulation, is at least 75% of total eligible and approved costs			
Please provide a dollar amount that you anticipate spending in each fiscal year listed below for the federal funds only. Please allocate project costs and management costs (if applicable) separately:			
PROJECT COSTS - FEDERAL SHARE		COMBINED PROJECT & MGMT	
FY23	\$10,800.00	FY23	\$10,800.00
FY24	\$10,800.00	FY24	\$10,800.00
FY25	\$10,800.00	FY25	\$10,800.00
FY26	\$3,600.00	FY26	\$3,600.00
TOTAL	\$36,000.00	TOTAL	\$36,000.00
For Phased Projects, the Federal Funds obligations will be broken down by tasks and duration of the tasks.			
Mitigation Project Milestone Work Schedule			
Ob#	FEMA Amendment #	Duration (Months)	Federal Share Amount
1			
2			

MITIGATION PROJECT WORK SCHEDULE

Applicant: **FAIRHAVEN**

Grant: **HMGP 4496-05Fai**

Task ⁱ	Estimated Task Start Month ²	Task Duration (in months)	Estimated Task End Month ³
Grant Award/State Contracting	Jan 23	3	Mar 23
Select and Hire a Vendor	Apr 23	2	May 23
Convene Local Hazard Mitigation Planning Committee	Jun 23	2	Jul 23
Update Hazard Profiles (concurrent)	Aug 23	3	Oct 23
Update Critical Facility Inventory (concurrent)	Sep 23	3	Nov 23
Update Hazard Vulnerability (concurrent)	Sep 23	4	Dec 23
Update Mitigation Goals (concurrent)	Dec 23	6	May 24
Update Actions	Feb 24	6	Jul 24
Plan Review, Evaluation, and Implementation	Aug 24	3	Oct 24
Plan Maintenance	Nov 24	2	Dec 24
Public Review of Draft	Jan 25	6	Jul 25
Review and Approval/Closeout	Jul 25	6	Dec 25
Total Estimated Time for Project Completion:		36 months	

1. Enter tasks in the first column. Tasks listed are examples and should be edited based on actual proposed scope of work. These tasks should be major milestones as detail does not have to be budgeted at the micro level. Tasks could include planning, engineering/design, construction, project management, etc. Tasks for hazard mitigation plans are standard tasks based on FEMA planning requirements. Add "(concurrent)" following those tasks that may happen concurrently with other tasks.

2. Estimated task start month is from time of grant award, which may be unknown at the time of subapplication submission. Schedule can be adjusted post-award based on specific project needs such as time of year restrictions, supply chain issues, etc.

3. The estimated task end month is the month in which that task is complete, not necessarily the month when the following task begins.

FY 2022 DHS Standard Terms and Conditions

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions.

A. Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

- I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency.
- II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002.
- III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

B. General Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

- I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.
- II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel.
- III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.
- V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and

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Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

C. Standard Terms & Conditions

I. Acknowledgement of Federal Funding from DHS

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

II. Activities Conducted Abroad

Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

III. Age Discrimination Act of 1975

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

IV. Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

V. Best Practices for Collection and Use of Personally Identifiable Information

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

VI. Civil Rights Act of 1964 – Title VI

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

VII. Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection

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therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

VIII. Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

IX. Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

X. Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

XI. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

XII. Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

XIII. Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

XIV. False Claims Act and Program Fraud Civil Remedies

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Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

XV. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

XVI. Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.

XVII. Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

XVIII. Hotel and Motel Fire Safety Act of 1990

Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a

XIX. John S. McCain National Defense Authorization Act of Fiscal Year 2019

Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

XX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

XXI. Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract,

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including any extension, continuation, renewal, amendment, or modification..

XXII. National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

XXIII. Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

XXIV. Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

XXV. Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

XXVI. Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

XXVII. Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

XXVIII. Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

XXIX. Reporting of Matters Related to Recipient Integrity and Performance

FY 2022 DHS Standard Terms and Conditions

General Reporting Requirements:

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

XXX. Reporting Subawards and Executive Compensation

Reporting of first tier subawards.

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

XXXI. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

(1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

(2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

(3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers

FY 2022 DHS Standard Terms and Conditions

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements.

(a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

(1) applying the domestic content procurement preference would be inconsistent with the public interest;

(2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at "[Buy America Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#)". For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

XXXII. SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

XXXIII. Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

XXXIV. Trafficking Victims Protection Act of 2000 (TVPA)

Trafficking in Persons.

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

XXXV. Universal Identifier and System of Award Management

FY 2022 DHS Standard Terms and Conditions

Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

XXXVI. USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

XXXVII. Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

XXXVIII. Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.



U.S. Department of Homeland Security
FEMA Region I
99 High Street
Boston, MA 02110-2132

FEMA

November 29, 2022

Dawn Brantley, Acting Director
Massachusetts Emergency Management Agency
400 Worcester Road
Framingham, MA 01702

Re: FEMA-4496-DR-MA
Hazard Mitigation Grant Program (HMGP) Project # 5-P
Local Multi-Jurisdictional Planning Grant Massachusetts – # 2

Dear Acting Director Brantley:

Enclosed please find the obligation reports for the following HMGP subgrant:

4496-5-P	Local Multi-Jurisdictional Planning Grant Massachusetts – # 2
	\$ 415,560.00

Total:	\$ 415,560.00
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The *Prime Award* Period of Performance (POP) for FEMA-4496-DR-MA began on **August 5, 2021**, and currently ends on **July 31, 2026**. POP extension requests must be received by FEMA at least 60 days prior to the grant POP termination date.

If you have any questions, please do not hesitate to call Joan Poundstone with the FEMA Region I Mitigation Division at (202) 600-1806.

Sincerely,

RICHARD H
VERVILLE

Digitally signed by RICHARD H
VERVILLE
Date: 2022.11.29 06:35:57
-05'00'

Richard H. Verville
Deputy Director
Mitigation Division
FEMA Region I

cc: Mark Talbot, State Hazard Mitigation Officer, MEMA
Simon van Leeuwen, Assistant Director for Recovery and Mitigation, MEMA

THE TOWN OF FAIRHAVEN
AND
COUNCIL 93, AMERICAN FEDERATION OF STATE, COUNTY, AND
MUNICIPAL EMPLOYEES AFL-CIO
(July 1, 2025 - June 30, 2028)

This Memorandum sets forth the material terms of a successor collective bargaining agreement reached between the Union's and the Town's negotiating teams, subject to ratification by the Union membership of the Union, approval by the Select Board, and funding by the Town Meeting as required by law.

The Collective Bargaining Agreement which expired on June 30, 2025, shall be extended without change for a period of three years except as provided herein. The following provisions represent the material changes in the parties' agreement for an agreement through June 30, 2028.

GENERAL AGREEMENTS

In addition to the amendments noted below, the parties agree to integrate this Memorandum of Agreement with the existing Collective Bargaining Agreement, as well as make non-substantive modifications to the form of the agreement to correct typographical and grammatical errors. The Parties may also make other agreed upon, non-substantive changes, such as changing the Article numeration from Roman numerals to Arabic numerals.

ARTICLE II, SECTION 1: CHECK OFF OF UNION DUES

Effective July 1, 2025, amend Article II, Section 1 by deleting the language in strikethrough and by adding the underscored, emboldened language as follows:

If, during the term of this agreement, any employee covered by this agreement files with the EMPLOYER an authorization of check-off dues and/or voluntary ~~agency fee~~ **contribution** in the form attached hereto and marked "Attachment A", the EMPLOYER agrees to deduct union membership dues levied in accordance with the contribution of the UNION from the compensation of each such employee. The EMPLOYER further agrees to remit by the tenth day of each month the aggregate amount of such deductions made during the preceding month to the Treasurer of the UNION along with a list of **all UNION employees indicating who is a dues paying member and who is not paying dues.** ~~the employees from whom said dues have been deducted.~~ **Non dues paying members will be subject to a fee for services according to MGL if represented by Council 93 staff according to the Council 93 fee structure.**

The EMPLOYER agrees to notify the UNION whenever deductions are not made in accordance with an authorization of check-off due to the fact that an employee is not on the payroll during any payroll period.

~~All persons eligible to join the UNION must do so after thirty (30) days of continuous employment. Temporary employees shall pay Union Dues after sixty calendar days.~~

ORIENTATION: The employer will provide the Union Steward, **and Council 93 Staff Representative**, the name, title, and starting salary of any new employee hired into the bargaining unit. The Town agrees to allow one-half (1/2) hour to be allotted to the Union representative and the new employee, ~~if the new employee so chooses,~~ during which time the Union **representative can discuss the Union with the new employee.**

ARTICLE II, SECTION 2: AGENCY SERVICE FEE

Effective July 1, 2025, amend Article II, Section 2: Agency Service Fee by deleting the language in strikethrough and by adding the underscored, emboldened language as follows:

Section 2. ~~Agency Service Fee~~ **PEOPLE FUND**

~~An Agency Service Fee in accordance with the provisions of Chapter 150E of the General Laws shall be in effect for this bargaining unit as of the date of the signing of this Agreement. All employees in the bargaining unit shall, as a condition of employment, pay to the Union, the exclusive bargaining agent and representative, an amount equal to the Union's regular and usual membership dues. Every new employee shall be advised of this before he/she is hired so that he/she has knowledge of same.~~

~~In consideration of the Employer's entering into this Collective Bargaining Agreement, which Agreement includes an Agency Service Fee provision the Union agrees to indemnify the said Employer and hold it harmless from any and all claims, liabilities or costs of the Employer which arises out of entering into or enforcement of said provision or which arise out of the payroll deduction of agency service fees, including any and all legal fees and costs incurred by the Town.~~

AFSCME PEOPLE As allowed by MGL, Chapter 180, Section 173, the Employer agrees to deduct from the wages of any Employee who is a member of the Union a PEOPLE deduction as provided for in a written authorization. Such authorization must be executed by the Employee and may be revoked by the Employee at any time by giving written notice to both the Employer and Union. The Employer agrees to remit any deductions made pursuant to this provision promptly to the Union together with an itemized statement showing the name of each Employee from whose pay such deductions have been made and the amount deducted during the period covered by the remittance.

ARTICLE V, DISCRIMINATION

Effective July 1, 2025, amend Article V by deleting the language in strikethrough and by adding the underscored, emboldened language as follows:

Neither the EMPLOYER nor the UNION will discriminate against any employee or applicant for employment because of ~~race, color, creed, sex or national origin~~ **of their status in a class protected by federal or state law.**

ARTICLE XIV, VACATION

Effective July 1, 2025, the parties agree to amend the table in Article XVI, Vacation as follows, with the deletions in strikethrough and the additions in underlined, emboldened text:

Time Employed	Length of Vacation
0-6 months	0 days
6 months to year	10 days (for the entire 18 months covered)
After 2 nd year	10 days each year
After five years	15 days each year
After ten years	20 days each year
After fifteen years	25 days each year
After twenty years	30 days each year

ARTICLE XVII, PERSONAL DAYS

Effective July 1, 2025, the parties agree to amend Article XVII, Personal Days by deleting the language in strikethrough and by adding the underscored, emboldened language as follows:

An employee will be entitled to ~~three (3)~~ **four (4)** free personal days. These days will be taken during the year from July 1 to June 30. If an employee has not worked a full year their personal days will be determined by how many months they have worked. New employees will be entitled to **two (2)** personal days after six (6) months of employment.

~~Personal day requests must be given 48 hours' notice to the department head unless it is an emergency. Personal days will count a sick day when not requested 48 hours in advance and approved.~~

A person will not be paid for any personal days upon resignation.

ARTICLE XX, FUNERAL LEAVE

Effective July 1, 2025, the parties agree to amend Article XX, Funeral Leave by deleting the language in strikethrough and adding the underscored, emboldened language as follows:

~~Four~~(4) **Five (5)** calendar days' leave of absence preceding and including the day of the funeral shall be granted to an employee on request when a death occurs to a member of an employee's immediate family. The immediate family is to be considered father, mother, child, spouse, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, **step-parents**, adopted children and any stepchildren. For the death of a brother-in-law, sister-in-law, current son-in-law, current daughter-in-law, two (2) days; aunt, uncle, niece, or nephew one (1) day of funeral leave will be granted. However, the department head may at his reasonable discretion allow time off for the death of other relatives or members of an employee's household. No payment shall be made for any day's absence during the bereavement period in which the employee is not regularly scheduled to work, e.g. Saturday and Sundays or holidays. No employee shall lose pay to which he is normally entitled while on leave of absence for death in the family nor will it be charged to sick leave or vacation pay. NOTE: Portion of unused funeral leave (days falling on Saturday, Sunday or holidays) may be used for Probate Court Hearings or Will Readings as long as two (2) days advance notice is given to the department head.

ARTICLE XXIII, WORKING OUT OF CLASSIFICATION

Effective July 1, 2025, the parties agree to amend the first paragraph of Article XXIII, Working Out of Classification by deleting the language in strikethrough and adding the underscored, emboldened language as follows:

Employees required to work in a higher classification shall be paid at the higher level of job classification pay receiving a minimum increase of hourly pay of ~~35~~**\$1.50** per hour. An employee who works in another person's classification for more than two (2) weeks while employee is on vacations, workers compensation, sick leave, maternity leave or leave of absence will receive this pay after the two week period, **retro back to day one**. Extra compensation will stay in effect until incumbent returns to work.

ARTICLE XXVII, JOB POSTING AND BIDDING

Effective July 1, 2025, the parties agree to amend the first paragraph of Article XXVII, Job Posting and Bidding to remove the language in strikethrough and add the underscored, emboldened language as follows:

When a position covered by this Agreement becomes vacant, such vacancy shall be posted within ten (10) working days unless the position is to be eliminated **or remain unfilled**. If said position is to be eliminated **or unfilled** the Town will notify the Union

within ten (10) days. Vacancy shall be posted in a conspicuous place listing the pay, duties, qualifications, location, shift and days off. **The Town may simultaneously advertise externally provided that internal candidates have priority over external candidates.** This notice of vacancy shall remain posted for seven (7) working days. Within twenty-one (21) days of expiration of the posting period, the employer will award the position to the most ~~senior~~ qualified applicant. **Where two or more equally qualified applicants who are members of the bargaining unit, the applicant with most seniority shall receive the position.**

Employees who are promoted shall be moved to their new position and rate of pay within five (5) working days of the position being awarded to them. An employee who is promoted will receive a minimum increase of hourly pay of ~~35~~ **\$1.50** per hour.

NEW ARTICLE XXXI, SMOKING POLICY

Effective July 1, 2025, the parties agree to add a new section to the CBA, creating a smoking policy as follows:

The following policy applies to all employees using Town-owned vehicles; failure to adhere to said policy shall result in discipline. Members shall refrain from smoking inside Town-owned vehicles.

Smoking shall be prohibited on any Town property, except in areas designated as smoking areas as determined by the Town. Smoking within 25 feet of any Town building shall be expressly prohibited.

ARTICLE XXXIII, DURATION

Effective July 1, 2025, the parties agree to amend Article XXXIII, Duration as follows, with deletions in strikethrough and additions in underscored, emboldened text:

This agreement is to be effective for a period of three years from July 1, 2022~~5~~ through June 30, 2025~~8~~.

Without amendment to the Agreement, if the Town of Fairhaven passes a proposition 2 ½ override prior to the end of this agreement on June 30, 2028, the parties agree to reopen this contract for discussion of base-wages, cost of living adjustment, only.

ARTICLE XXXVI, TUITION REIMBURSEMENT

The parties agree to amend Article XXXVI, Tuition Reimbursement by adding the following language as a new paragraph at the end of the article:

Employees agree to forgo any and all tuition reimbursement payments to be distributed from FY26 until the conclusion of FY29. During FY26, in lieu of tuition reimbursement payments, sixteen (16) qualifying who were employed at the time of the execution of the July 2025 MOA shall receive a one-time, cash payment of six-hundred and twenty-five (\$625.00) dollars. The parties acknowledge that under no circumstances shall the Town provide more than \$10,000 total for all Employees for this one-time, cash payment. Employees agree that the sixteen (16) qualifying Employees shall share the \$10,000 lump sum equally, such that each employee receives \$625.00.

The Parties agree to revisit this issue during the second and third years of this CBA's duration.

APPENDIX A, SCHEDULE A WAGES

Effective July 1, 2025, the parties agree to update the existing Schedule A, Wage Table to reflect the following change to employee compensation:

FY2026

Effective July 1, 2025	0.0% increase
Effective January 1, 2026	1.0% increase

FY2027

Effective July 1, 2026	1.0% increase
Effective January 1, 2027	1.0% increase

FY2028

Effective July 1, 2027	1.0% increase
Effective January 1, 2028	2.0% increase

APPENDIX B, UNION MEMBERSHIP CARD

Effective July 1, 2025, the parties agree to replace the existing Appendix B, Union Membership Card with a new copy of the Union Membership Card, as attached to this MOA as Exhibit A.

HOUSEKEEPING

The Parties agree to amend the final integrated CBA based on a redlined CBA containing the non-substantive changes, which include conversion of roman numerals to Arabic numerals,

correction of grammatical errors, renumbering and re-formatting, where necessary. The parties also agree to integrate all previous Memorandums of Agreement into the CBA.

The Parties have carefully read the foregoing Agreement, know the contents thereof, and sign the same as their own free acts.

TOWN OF FAIRHAVEN

Charles K. Murphy, Sr., Chair

Andrew Romano, Vice Chair

Natalie A. Mello, Clerk

Keith Silvia, Member

Andrew B. Saunders, Member

Date: _____

**COUNCIL 93, LOCAL 851, AMERICAN
FEDERATION OF STATE, COUNTY,
& MUNICIPAL EMPLOYEES, AFL-CIO**

John C. Roberts

H. Horseman

Lina Nogueira

Patricia M. Lynn

Sean Ryan

Date: 9/25/25

APPROVED AS TO FORM

Katherine McNamara Feodoroff, Esq.

Town of Fairhaven

Draft 3
10/9/25

WARRANT FOR THE SPECIAL TOWN MEETING Wednesday, November 19, 2025 at 7:00 p.m.

D 8

On Wednesday, the nineteenth of November, 2025 at 7:00p.m. in the
Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School,
then and there, the following articles will be before you for a vote.

The Finance Committee has reviewed and provided their recommendation as custom.
Contact the Select Board/Town Administrator's office for more information.

Majority Vote needed unless stated otherwise

ARTICLE 1: BILL OF PRIOR YEAR

To see if the Town will vote to pay the unpaid bills of a prior fiscal year and any others that may be brought forward, or take any other action relative thereto.

Petitioned by: Accounting/Finance Department

<u>Vendor</u>	<u>Amount</u>	<u>Funded From</u>
Polydyne Inc.	\$221.70	Sewer Retained Earnings

Select Board:

Finance Committee:

Vote Required: Nine-Tenths (9/10) Vote

Motion: To approve as listed in the warrant

ARTICLE 2: FUND FY26 LABOR CONTRACTS AND NON-UNION COST-OF-LIVING ADJUSTMENT

To see if the Town will vote to fund the FY26 Labor Contracts for the following bargaining units: Fire Department, Highway Department, Clerical and the FY26 Non-Union Cost-of-Living Adjustment (COLA), or take any other action relative thereto.

<u>Bargaining Unit</u>	<u>Amount</u>	<u>Funded From</u>
Fire	\$35,000	\$15,000 Wage Reserve Fund \$20,000 Reserve Fund, Ambulance Receipts Reserved for Appropriation
Highway	\$ 8,015	\$8,015 Wage Reserve Fund
Clerical (General Fund, Water Fund, Sewer Fund)	\$14,000	\$240 Sewer Retained Earnings \$460 Water Retained Earnings \$3,300 Wage Reserve Fund \$10,000 Article 10-5 May 3, 2025 Town Meeting
Non-Union COLA	\$16,200	\$16,200 Wage Reserve Fund
TOTAL	\$73,215	\$240 Sewer Retained Earnings \$460 Water Retained Earnings \$10,000 Article 9A-5 May 3, 2025 Town Meeting \$20,000 Reserve Fund, Amb. Rcpts. Reserved for Approp. \$42,515 Wage Reserve Fund \$73,215 TOTAL

Petitioned by: Select Board

Select Board:
Finance Committee:

Motion: To waive § 50-9 D of the Town Bylaw, Collective Bargaining Agreements Section in accordance with subsection F

Motion: To adopt as written in the warrant

ARTICLE 3: SEWER ENTERPRISE FUND

To see if the Town will vote to transfer from the Sewer Retained Earnings the amount of \$297,803 which was generated from the Sewer Capital Fee from FY25 and transfer into the Sewer Nitrogen Plant Article 15A of the June 18, 2022 Town Meeting, or take any action relative thereto.

Petitioned by: Board of Public Works

Select Board:
Finance Committee:

Motion: To transfer from the Sewer Retained Earnings the amount of \$297,803 which was generated from the Sewer Capital Fee from FY25 and transfer into the Sewer Nitrogen Plant Article 15A of the June 18, 2022 Town Meeting.

ARTICLE 4: REQUEST TRANSFER OF FUNDS: TOWN HALL EAST RETAINING WALL EMERGENCY REPAIR

To see if the Town will vote to transfer the sum of \$40,000 from Surplus Revenue (Free Cash) back into General Fund Reserves and \$30,000 back into the Preventative Maintenance Article 10-5 of the May 3, 2025 Town Meeting for Town Hall East Retaining Wall emergency repairs, or take any other action relative thereto.

Petitioned by: Facilities

Select Board:
Finance Committee:

Motion: To transfer as written in the warrant.

ARTICLE 5: REQUEST TRANSFER OF FUNDS: PUBLIC SAFETY COMPLEX

To see if the Town will vote to transfer from the Public Safety Complex Stabilization Fund the amount of \$50,000 for the purpose of an environmental study for a possible Public Safety Complex Site located at Assessor's Map 26, Lot 1 (former Fairhaven Drive-In), or take any other action relative thereto.

Petitioned by: Public Safety Complex Committee

Select Board:
Finance Committee:

Motion: To transfer as written in the warrant

ARTICLE 6: GLENHAVEN AVENUE WATER MAIN PHASE 2

To see if the Town will appropriate \$500,000 to fund additional costs of Phase Two of the water main replacement on Glenhaven Avenue to supplement Article 8-1 of the May 3, 2025 Town Meeting 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 action relative thereto.

Petitioned by: Board of Public Works

Select Board:

Finance Committee:

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

Motion: To appropriate \$500,000 to pay costs of water main replacement on Glenhaven Avenue, Phase 2 and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §8(4) or any other enabling authority, and to issue bonds or notes of the Town therefore While this borrowing shall constitute a pledge of the Town's full faith and credit, it is expected that it will be repaid, in the first instance, from amounts in the Water Enterprise Fund.

ARTICLE 7 AMEND BYLAWS CHAPTER 206 ANIMALS

To see if the Town will vote to amend Bylaws, Chapter 206 Animals Section 1 Fee structure as outlined below by replacing existing language in strikethrough with language in bold or take any action relative thereto.

Chapter 206, Part 1 Animal Control Fees [Adopted 5-26-2015]

§ 206-1. Fee structure. The animal control fee structure is as follows:

Type	Fee
Boarding fee	\$25 \$50 per day
Adoption fees	
	Cat \$200 \$300
	Dog \$300 \$600

Petitioned by: Police Department

Select Board:

Finance Committee:

Motion: To adopt as written in the warrant

AND, to transact any other business which may legally come before the meeting.

FURTHER, 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, fourteen days, at least, prior to the date of the meeting.



DISCOVER FAIRHAVEN
(COMMUNITY DEVELOPMENT OFFICE)
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719



To: Fairhaven Select Board

From: Alyssa Botelho, Director of Tourism, Community & Economic Development

Date: September 24, 2025

Subject: Request – Seasonal Clocktower Lighting

I would like to request approval for seasonal lighting of the Town Hall's white clocktower, using the bulbs available through Building Manager Kevin Fournier.

- **Halloween Week:** Purple and orange, October 27–31, 2025
- **Holiday Season:** Red and green, December 1–31, 2025

This initiative will bring festive spirit to the town center during these community-celebrated times of year and will complement events in the Center, including Fairhaven TV's Halloween Party and Olde-Tyme Holiday.

Thank you for your consideration.

Respectfully,

Alyssa Botelho

Director of Tourism, Community & Economic Development



OPEN MEETING LAW COMPLAINT FORM

D 13

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 290 (please send all correspondence to patrick@openmeetinglawenforcer.com)

City: Northport State: AL Zip Code: 35476

Phone Number: 5086743140 Ext.

Email: patrick@openmeetinglawenforcer.com

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☐ Individual

☒ Organization

☐ Media

Public Body that is the subject of this complaint:

☒ City/Town

☐ County

☐ Regional/District

☐ State

Name of Public Body (including city/
town, county or region, if applicable):

Fairhaven Select Board

Specific person(s), if any, you allege
committed the violation:

Charles K. Murphy, Sr. | Chair

Date of alleged violation:

9/30/25

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Fairhaven Select Board violated the open meeting law as follows:

1. Held an illegal emergency board meeting on Sep 30, 2025 to appoint the Town Administrator as the "Temporary Treasurer for the town" because their lack of planning allowed the term of the current interim treasurer to expire on Sep 30, 2025. Their lack of planning does not allow this to be considered an emergency. See video of the meeting at <https://vimeo.com/showcase/11515032?video=1119617153>
2. Held an illegal executive session under section 21(a)(2) with AFSCME without indicating why AFSCME was involved in a non union position and without indicating the non union personnel position to be discussed.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

ALL MEMBERS MUST ATTEND A FORMAL OPEN MEETING LAW WEBINAR WITHOUT DELAY TO LEARN WHAT THEIR RESPONSIBILITIES ARE UNDER THE OPEN MEETING LAW, AND THEN FULLY COMPLY WITH THEM. The Schedule can be found at:

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

Void all actions taken at the Sep 30 2025 meeting as it was not a true emergency it was a lack of planning.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

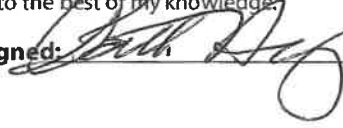
II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 10/3/25

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO:



REVISED

FAIRHAVEN TOWN CLERK
RCUD 2025 SEP 29 PM 2:53
FAIRHAVEN TOWN CLERK
RCUD 2025 SEP 29 PM 3:54

FAIRHAVEN SELECT BOARD AGENDA

September 30, 2025 11:00 a.m.

Emergency Meeting

Town Hall – 40 Center Street – Fairhaven

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

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

A. ACTION / DISCUSSION

1. Authorize Town Administrator as ~~Signature~~ **XXXXXXXXXXXX** Temporary Treasurer for the Town

B. EXECUTIVE SESSION

Pursuant to G.L. c. 30A, § 21(a)(2) "[t]o conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel"; (AFSC 'ME)

C. ADJOURN



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely. Sign and date the second page. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.



Tuesday, October 14, 2025
Town Administrator Report



Town of Fairhaven

Report of the Town Administrator

September 9, 2025

Financial Updates

- A draft Fall Town Meeting warrant has been provided to the Finance Committee. Finance Director Anne Carreiro and I met with the Finance Committee on October 9th to review the draft warrant and answer any questions.

Project Updates

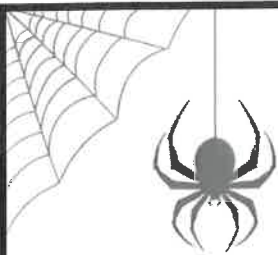
- I met with members of the Atlas Tack Working Group, Building Commissioner, and Select Board member Keith Silvia to discuss the ongoing efforts to address the existing safety concerns regarding the location of and openings of the perimeter fence. I then met with Town and Atlas Tack counsel to request the fencing concerns be addressed by the property owners. I expect an answer from Atlas Tack in the near future. At the recommendation of MassDEP, a letter was sent to the EPA requesting their assistance with the cleanup of the property.
- The Town of Fairhaven was notified that the grant application submitted for the Phoenix Rail Trail Rehabilitation project was approved in the amount of \$500,000. The Phoenix Rail Trail Rehabilitation project consists of providing ADA compliant crossings at all roadway crossings (14 crossing points), and minor improvements to the rail trail layout throughout the approximate 3.4-mile limit of the rail trail from the intersection of South Street and Main Street continuing easterly to the Town line meeting the continued Mattapoisett portion of the rail trail. One primary goal of the project is to create safer crossings and to enhance sight lines for all users relative to the path crossing points. This will also include a review of the existing signage in the immediate proximity of the rail trail crossings and along the rail trail. Another improvement will be the addition of raised crossings at a majority of the roadway crossings, something supported by the Police and Fire Departments. The Town has set aside approximately \$422,000 in matching funds via CPC, Winter Recovery and Shared Streets funding. With this award from Mass Trails this will bring us to a total allotment of \$922,000 for this project. Work is anticipated to commence next spring. Congratulations to everyone that had a hand with filing the grant application.

Personnel Update

- Jodi Duval who works in the Town Clerk's Office has resigned.

Miscellaneous Updates

- School Committee member Colin Veitch has submitted his letter of resignation. The opening has been advertised on the Town website. Anyone interested in applying for the opening can do so by completing the volunteer application on the Town website. A joint meeting of the Select Board and School Committee will be held on October 27th to interview interested individuals.
- Fairhaven TV's eighth annual Haunted Halloween Event will take place on Thursday, October 30th at the Town Hall from 5:00-8:00 pm. Food trucks, live magic, a trivia contest, costume contest, trick or treat tables and much more will be offered. The event is available for everyone so please attend if you are able.
- The Fairhaven Veteran Office, in partnership with the Fairhaven Police and Recreation Departments, and the Bristol Community Outreach will host a Veteran's Outreach and support even at the Recreation Center located at 227 Huttleston Avenue on Thursday, November 13th from 10:00 am to 2:00 pm.



FAIRHAVEN TV'S 8TH ANNUAL

HAUNTED HALLOWEEN PARTY

**JOIN US AT OUR FREE HALLOWEEN EVENT ON
THURS. OCT. 30TH
TOWN HALL**

5:00PM - 8:00PM

PRE-EVENT BLOCK PARTY 4:00PM - 5:00PM

SPOOKY TV STUDIO

BIG SCREEN MOVIES

LIVE MAGIC & TRIVIA

FREAKY PHOTO BOOTH

TRICK-OR-TREATING TABLES

ALL AGES COSTUME CONTEST

ACTIVITIES ROOM

AND MORE!

FAIRHAVENTV.COM/HAUNTEDHALLOWEENPARTY

VETERAN'S OUTREACH & SUPPORT EVENT

13TH
NOV
2025



10AM
TO
2PM

FAIRHAVEN RECREATION
227 HUTTLESTON AVE, FAIRHAVEN, MA

OPEN TO ALL LOCAL COMMUNITIES

IN PARTNERSHIP WITH FAIRHAVEN'S VETERANS AFFAIRS OFFICE,
FAIRHAVEN POLICE DEPARTMENT, FAIRHAVEN RECREATION
DEPARTMENT & BRISTOL COMMUNITY OUTREACH

★ ★ ★ **EVENT PARTICIPANTS**

Local VSO's, The Veterans Transition House, The Vet Center, The Veterans
Association of Bristol County & Veterans Activities Programs. Seven
Hills, Stepping Stone Peer-to-Peer, Community Counseling & Southeaster
Massachusetts Public Health Collaborative (Blood Pressure Clinic).



Tuesday, October 14, 2025

Minutes

1. Accept the Select Board Open Session minutes of September 22 and 30, 2025
2. Accept the Select Board Executive Session minutes of September 22 and 30, 2025



FAIRHAVEN SELECT BOARD

Meeting Minutes September 22, 2025

G 1

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

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

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter into Executive Session Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Civil Service) and Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation where the chair declares that an open session would have a detrimental effect on the Town’s litigating position (Atlas Tack) **and to return to open session.** Ms. Mello seconded. Roll Call Vote. Mr. Saunders, Ms. Mello, Mr. Murphy, Mr. Romano and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

Meeting adjourned to Executive Session from 6:35pm to 7:33pm

PUBLIC COMMENT

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

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

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

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

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

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

APPOINTMENTS AND COMMUNITY ITEMS

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

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

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

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

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

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

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

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

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

ACTION/DISCUSSION

Fairhaven Wind Upgrade Proposal

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

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

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

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

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

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

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

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

Bylaw Consultant Discussion

This item was tabled

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

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

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

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

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

Select Board Support Letters for Local Aid Increases

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

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

Call Special Town Meeting: Tuesday, November 18, 2025

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

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

TOWN ADMINISTRATOR REPORT

Mr. Samia reported:

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

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders reported:

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

Ms. Mello reported:

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

Mr. Murphy reported

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

Mr. Romano reported:

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

Mr. Silvia reported:

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

MINUTES

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

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

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

CORRESPONDENCE

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

Motion: Mr. Saunders motioned to enter the Select Board correspondence as listed into the record. Ms. Mello seconded. The motion passed unanimously (5-0-0).

NEWS AND ANNOUNCEMENTS

- The next regularly scheduled Select Board meeting: *Tuesday, October 14, 2025 at 6:30pm*

Quote:

“We rise by lifting others.” — Robert Ingersoll

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter into Executive Session Pursuant to G.L. c. 30A, § 21(a)(2) To conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with nonunion

personnel. (Police Chief) and Pursuant to G.L. c. 30A, s. 21(a)(6) to consider the purchase, exchange, lease or value of real property where the chair declares that an open session would have a detrimental effect on the negotiating position of the Select Board; and G.L. c. 30A, s. 21(a)(7) to comply with, or act under the authority of, the Public Records Law, G.L. c. 4, s. 7(26) (Fairhaven Wind) and not to return to Open Session. Ms. Mello seconded. Roll Call Vote. Mr. Saunders, Ms. Mello, Mr. Murphy, Mr. Romano and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

Meeting adjourned to Executive Session at 9:06pm

ATTACHMENTS

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

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

Accepted on ____



FAIRHAVEN SELECT BOARD

Meeting Minutes *September 30, 2025*

Present: Charles Murphy Sr., Andrew Romano, Andrew B. Saunders, Keith R. Hickey and Anne Carreiro

Mr. Murphy opened the Select Board meeting at 11:03am

Mr. Murphy explained that this emergency meeting was called due to the expiration of the current Memorandum of Understanding (MOU) for the interim positions of Treasurer and Assistant Treasurer/Collector today. This will ensure continuity for the Town by authorizing the Town Administrator (TA) as Temporary Treasurer until further extension of the two interim positions can be negotiated.

ACTION/DISCUSSION

Authorize Town Administrator as Temporary Treasurer for the Town

Mr. Hickey addressed the Board about the existing MOU between the Town and American Federation of State, County and Municipal Employees (AFSCME) for an Interim Treasurer and Interim Assistant Treasurer/Collector. Labor Counsel recommended the Select Board appoint the TA as the Temporary Treasurer to ensure that business continues until a meeting with AFSCME can be held to extend the MOU beyond September 30, 2025.

Mr. Hickey added that the emergency meeting was needed because not all parties are available to discuss the agreement and appointing the TA as the Temporary Treasurer ensures that there is someone authorized to sign paychecks and bills payable for the Town until a new agreement is signed. The existing agreement was entered into from July 1, 2025 through September 30, 2025 until a new Town Administrator was in place to review and negotiate with AFSCME. Mr. Hickey's first day was yesterday.

Motion: Mr. Saunders motioned Pursuant to G.L. c. 41, § 40, which authorizes the Select Board to appoint a temporary Town Treasurer in the event of a vacancy, and pursuant to Section 2 (aa) of the Town Administrator Act, which authorizes the Town Administrator to perform any other duties or tasks assigned by the Select Board, the Board hereby appoints Town Administrator Keith Hickey to the position of Temporary Treasurer, to serve until a successor temporary or permanent Treasurer is appointed by the Select Board. Mr. Romano seconded. The motion passed unanimously (3-0-0).

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter into Executive Session Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Civil Service) and Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position (Atlas Tack) **and not to return to open session.** Ms. Mello seconded. Roll Call Vote. Mr. Saunders, Ms. Mello, Mr. Murphy, Mr. Romano and Mr. Silvia in favor. The motion passed unanimously (3-0-0).

Meeting adjourned to Executive Session at 11:10am

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

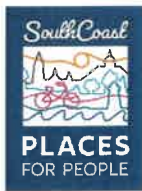
Accepted on ____



Tuesday, October 14, 2025

Correspondence

1. South Coast Places for People: Route 6 Walk Audit Findings
2. Invitation to the Veterans Day Parade, Tuesday, November 11, 2025
3. Open Meeting Law Determination: OML 2025 – 154



Route 6 Walk Audit Findings

September 2025



Background

In the past decade, MassDOT data shows **at least 10 serious injuries and 4 fatalities along this short stretch of Route 6**, with additional recent crashes including a pedestrian struck in July and a fatal car crash on the New Bedford Bridge.

In September, **SouthCoast Places for People** organized a walk audit of this corridor with staff support from SRPEDD. Participants included members of the Fairhaven Select, Planning and School Boards, Fairhaven Fire, Fairhaven Police, New Bedford Police, Fairhaven BPW, Fairhaven Livable Streets, and residents.



Raphaella Cristel (left) was critically injured crossing Pope's Island last July.

We walked the segment from the Pope's Island Marina east to Fairhaven High School to document conditions for people walking, biking, and driving. This corridor is home to major destinations including the municipally owned Pope's Island Marina, Noah's Place accessible playground, and multiple retail businesses on both sides of the road. It also serves as a key connection between Fairhaven and New Bedford.



Key Findings and Observations

1. Highway-Oriented Design Drives Excessive Speeds

- Route 6 on Pope's Island is a four-lane, undivided highway
- Lane widths measured approximately 11.5 feet, with shoulders about 4 feet wide.
- The sidewalk itself is part of the "clear zone," leaving pedestrians unprotected and encouraging higher vehicle speeds.
- We observed no congestion on Route 6 during the weekday peak hour (around 5 PM). The only slowdown occurred when the swing bridge closed to through traffic at the quarter hour. Westbound queuing for the bridge is further exacerbated by left-turning vehicles into the commercial plaza.
- Participants measured average vehicle speeds of 52 mph.
- A law enforcement official reported that vehicles are regularly clocked above 50 mph along Pope's Island and that enforcement is typically reserved for drivers traveling at twice the speed of the posted limit.
- The posted speed drops from 40 to 30 mph at the commercial section, but there are no visual cues (beyond the posted limit) to alert drivers to the change or signal the presence of businesses and pedestrians.
- The main easterly plaza curb cut is wide — over 70 feet — encouraging higher-speed turns and putting pedestrians at risk.
- Many curb cuts along the corridor feature steep grades; at Noah's Place playground, cars bottom out entering/exiting, leaving craters and making the sidewalk less accessible.

2. Unsafe and Inaccessible Conditions for People Walking and Biking

- There is no crosswalk connecting the marina/playground to the retail businesses on the north side, despite this being a common crossing point and the site of a serious pedestrian injury last July.
- The nearest crosswalk for the marina/plaza area is more than 2,000 feet away in Fairhaven.
- The crosswalk on the west side of the Main Street intersection is 71 feet long.
- Signal timing for pedestrians crossing from Fairhaven High is too short for even a group of able-bodied adults to cross safely on time.
- The south sidewalk narrows from about 4.5 feet to 3 feet near Middle Street and is too narrow in multiple locations to accommodate two-way traffic.
- The south sidewalk functions as a de facto multi-use path, carrying most of the pedestrian, bike, and wheelchair activity.
- Most pedestrian and bike traffic is on the south side, but all businesses are on the north side.
- With the high-speed roadway design and only a single faded sharrow approaching Middle Street, people biking overwhelmingly choose the sidewalk instead of the travel lanes.

- Two identical signs near Middle Street indicate “Sidewalk ends at stairway – cross for accessible route.” They are placed well above eye level, out of view from the street, and the sign near the south sidewalk gives incorrect directions to pedestrians and people with disabilities.
- A large, out-of-service electrical cabinet obstructs the south sidewalk.
- Frequent, overly wide and in some cases redundant curb cuts along the north side of Route 6 in the commercial zone disrupt the sidewalk and increase the risk of conflict between entering/exiting traffic and other road and sidewalk users.

3. Lighting and Visibility Deficiencies

- Of the approximately 20 streetlights on this stretch of road, at least 10 of them are not functioning.
- In addition consecutive streetlight poles on the south side are missing, both knocked down by crashes (one over a year ago, the other more recently).
- There is no pedestrian-scale lighting anywhere along the sidewalks.
- Overgrown bushes at Noah’s Place playground limit visibility for drivers exiting the parking lot and for people walking on the sidewalk.
- Lighting standards along this stretch are mounted on breakaway bases — appropriate for highways, but unsafe in an urban context. In a crash, poles can become projectiles that endanger pedestrians.

4. Activity and Street Design in Conflict

- The south side of Pope’s Island is home to two major pedestrian destinations: the municipally owned Pope’s Island Marina and the popular Noah’s Place accessible playground.
 - The north side hosts multiple retail businesses (restaurant, fish market, record store, Dunkin’ Donuts, veterinary/pet daycare, boatyard, and others).
 - Despite this, there is no safe way to cross Route 6 on Pope’s Island, forcing pedestrians to make difficult crossings. Audit participants observed several people attempting to cross with considerable difficulty.
 - Participants noted that walking or biking along the corridor is unpleasant due to high noise levels from fast-moving cars and the lack of any buffer between the sidewalk and the roadway.
-

Recommendations

Immediate Safety Improvements (0–12 months)

- Replace missing streetlight poles and repair unlit fixtures.
- Trim hedges at Noah's Place to restore sightlines.
- Remove the large, out-of-service electrical cabinet obstructing the sidewalk on the Fairhaven bridge.
- Add pedestrian-scale lighting along sidewalks.
- Lengthen the timing of pedestrian signal near the high school
- Remove incorrect signage on SW corner of Middle St./Route 6
- Add safety improvements, including end caps and rub rails for motorcyclists to the guardrail between Dunkin and the RA Mitchell Building
- Elimination of the sidewalk bottleneck near the SW corner of Middle St./Route 6
- **Work with New Bedford DPI/SRPEDD/SouthCoast Places for People to design and launch a near term safety pilot** to reduce the effective design speed of the New Bedford Bridge and of the commercial segment of the roadway. Apply treatments from [MassDOT's Roadway Treatment Toolkit](#) and collect data as needed to measure effectiveness and determine changes.

Mid-Term Safety Improvements (1–3 years)

- Set a target speed of 25 mph for the Pope's Island business and pedestrian area.
- Once speeds are sufficiently lowered, establish **safe, visible pedestrian crossings** linking both the marina and the playground to businesses across the street.
- Work with property owners to amend steep curb cuts that damage vehicles and block ADA access.
- Consider addition of high-visibility crosswalk markings at curb cuts along the corridor to provide greater detection distances for approaching motorists turning into commercial plazas and park entrances.

Longer-Range Improvements (3+ years / full corridor redesign)

- Using data from previous, pilot and demonstration projects, reallocate roadway space to create safer facilities for walking, biking, and transit while calming traffic.
- On segments where a target speed of 25 mph has been achieved, provide continuous, ADA-accessible sidewalks with buffers.
- On segments with a higher design speed, provide a continuous shared use path.
- Improved guardrails placed in a way to prevent out of control vehicles from entering the pedestrian/bike walkway
- Redesign curb cuts and driveway entrances to reduce turning speeds and conflicts.



This sign is incorrect and improperly positioned for pedestrian visibility



Two consecutive streetlight poles on the south side have been taken out by crashes. Approximately 50% of all streetlights here are non-functional.

Wide shoulders and lack of buffer create a large clear zone that induces speeding.

Pedestrians and people on bikes are forced to travel in the clear zone.



We don't know what this (non-functional) black box is, but it's a hazard to people who travel this sidewalk, particularly people on bikes and e-mobility devices at night



Fairhaven
Massachusetts

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

October 1, 2025

Fairhaven Select Board

40 Center Street

Fairhaven MA 02719

Dear Honorable Members,

You are cordially invited to participate in Fairhaven's Veterans Day Parade on Tuesday, November 11, 2025.

Parade participants will assemble at Benoit Square at 8:30 AM and begin marching at 9:00 AM south on Main Street to Fairhaven High School. There will be a program at the High School with speakers and the American Flag will be raised to honor our Veterans.

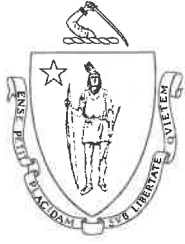
Please join us to commemorate the day.

If you are interested (and we hope you are!), please reply by October 20, 2025 by contacting Mike or Jane for more detailed information at the phone number or email address listed above.

If we experience inclement weather on Veterans Day, a ceremony will be held at the Fairhaven Senior Center, 229 Huttleston Avenue, Fairhaven MA at 10:00 AM.

Sincerely,

Mike Jenney and Parade Committee Members



THE COMMONWEALTH OF MASSACHUSETTS
 OFFICE OF THE ATTORNEY GENERAL
 ONE ASHBURTON PLACE
 BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL
 ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

October 1, 2025

OML 2025 – 154

VIA EMAIL ONLY

Charles K. Murphy, Sr.
 Select Board Chair
 Town of Fairhaven Massachusetts
cmurphy@fairhaven-ma.gov

RE: Open Meeting Law Complaint

Dear Mr. Murphy:

This office received a complaint from Patrick Higgins on August 26, 2025,¹ alleging that the Fairhaven Select Board (the “Board”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Board on or about August 10, and you responded on behalf of the Board by letter dated August 26. The complaint alleges that the notice for the Board’s July 28 meeting was insufficient where it included the topic “Annual Appointment of Election Workers” but did not list the names of the individuals being considered for appointment.

Following our review, we find that the Board violated the Open Meeting Law by failing to list on the notice for its July 28 meeting the individuals to be considered for appointment as election workers. In reaching this determination, we reviewed the Open Meeting Law complaint, the Board’s response, the request for further review, and the notice for and minutes of the Board’s July 28 meeting.

FACTS

We find the facts to be as follows. The town of Fairhaven’s official notice posting location is its municipal website, <https://fairhaven-ma.gov/>. The Board posted notice on the municipal website for a meeting to be held on July 28. Among other topics, the notice included the topic “Annual Appointment of Election Workers.” The meeting notice did not list the individuals to be appointed. The Board posted a separate meeting packet, which was 74 pages

¹ All dates are in 2025, unless otherwise stated.

long, and included at pages 23 to 24 a listing of the individuals to be considered for appointment as election workers.

The Board held its July 28 meeting as scheduled. During the meeting, the Board voted “to approve the appointment of election workers as presented in accordance with Massachusetts General Laws Chapter 54, section 12, for a term from August 16, 2025, through August 15, 2026.”

DISCUSSION

The Open Meeting Law requires that, “[e]xcept in an emergency, . . . a public body shall post notice of every meeting at least 48 hours prior to such meeting.” G.L. c. 30A, § 20(b). Meeting notices must include, among other things, a list of the topics that the chair, and any other individual authorized to create the notice, reasonably anticipates 48 hours (excluding weekends and legal holidays) in advance of the meeting will be discussed at the meeting. See G.L. c. 30A, § 20(b); OML 2022-206; OML 2020-152.² The topics for discussion must be listed on the notice with “sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting.” 940 CMR 29.03(l)(b). We generally consider a topic to include sufficient specificity when a reasonable member of the public could read the topic and understand the anticipated nature of the public body’s discussion. See OML 2019-70. We have consistently explained that the names of applicants for appointment or employment which are known 48 hours in advance of a meeting should be included on the meeting notice. See OML 2025-88; 2022-217; 2019-24; OML 2016-150; OML 2013-163.

The complaint alleges that the notice for the Board’s July 28 meeting was insufficient where it did not identify the individuals who would be considered for appointment as election workers. The Board asserts that the notice was sufficient because the public could learn the names of the individuals to be considered for appointment by accessing the Board’s full public meeting packet on the municipal website, which is the Town of Fairhaven’s designated notice posting location. Our office has previously explained that “even for public bodies that use a website as their official notice posting location, meeting notices should include on the notice itself the level of detail that the Open Meeting Law requires, without requiring that users navigate to separate pages or documents.” OML 2025-88; OML 2020-21; accord OML 2019-24, n. 4 (public bodies that post physical notices to a bulletin board must include all required information on the meeting notice itself, even when the notice is several pages long; it is not acceptable to direct members of the public to additional pages on file in the clerk’s office); see also OML 2024-9 (explaining that “a meeting notice itself must include the level of specificity that the Open Meeting Law requires, without requiring members of the public to search or sift through other documents or sources”); OML 2024-225, n. 4 (clarifying “that the list of candidates for appointment must be included within the notice document itself, . . . it is not sufficient to reference a separate list that is available elsewhere”).

We find that the notice for the Board’s July 28 meeting was insufficient where it did not list the individuals to be considered for appointment and instead required the public to navigate

² Open Meeting Law determinations may be found at the Attorney General’s website, www.mass.gov/the-open-meeting-law.

to a separate document to obtain this information. Although we find a violation here, we commend the Board for publicly posting the meeting packet which contained a list of the proposed appointees, and we find no indication of an intent to conceal information from the public.

CONCLUSION

For the reasons stated above, we find that the Board violated the Open Meeting Law by failing to list on the notice for its July 28 meeting the individuals to be considered for appointment as election workers. We order the Board's immediate and future compliance with the Open Meeting Law and caution that similar future violations may be considered evidence of an intent to violate the Law.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with the Board or with our office. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



Carrie Benedon
Assistant Attorney General
Division of Open Government

Assisted by Cameron Sweeney, Legal Intern

cc: Andrew Romano, Vice Chair, Fairhaven Select Board
(via email: aromano@fairhaven-ma.gov)
Natalie A. Mello, Town Clerk (via email: namello@fairhaven-ma.gov)
Patrick Higgins (via email: patrick@openmeetinglawenforcer.com)

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.