



Town of Fairhaven

ELISABETH E. HORAN
TOWN CLERK

ANNUAL TOWN MEETING

SATURDAY, MAY 2, 2026

WALTER SILVEIRA AUDITORIUM

ELIZABETH I. HASTINGS MIDDLE SCHOOL

TOWN MEETING MEMBERS PRESENT 231 – QUORUM REQUIRED 100

The meeting was called to order by Moderator Mark D. Sylvia at 9:18 a.m.

The Town Clerk certified that the warrant had been properly served and that a quorum was present.

The Pledge of Allegiance was recited.

The National Anthem was performed by Brianna Gavins.

The Moderator recognized Aria Andrade, an eighth-grade student at Elizabeth I. Hastings Middle School and the school's 2026 Project 351 Ambassador, for her leadership and community service, including a clothing drive benefiting Cradles to Crayons.

The invocation was delivered by Deacon Doug Medeiros of St. Joseph's Church.

A moment of silence was observed in memory of those Fairhaven Town Officials and Town Meeting Members who passed away in 2025.

The Moderator recognized Select Board Chair, Charles K. Murphy, Sr. and Select Board Member, Keith Silvia for their many years of service to the Town of Fairhaven, noting that this was their final Annual Town Meeting as members of the Select Board.

The Town Clerk administered the oath of office to Town Meeting Members who had not previously been sworn in.

The Moderator introduced the Town Officials seated on the stage.

Instructions were given to the Town Meeting Members.

VOTED: That the reading of the warrant and the return of service be omitted.

VOTED: That the Moderator be allowed to refer to the articles by number and title only.

The Moderator announced the tellers: Sean Powers, Scot Pomfret, Terrence Meredith, Brian Bowcock, Ann Richard, Paul Foster, and Kevin Pestana.

Town Meeting Members present:

Precinct 1 – 50

Precinct 2 – 40

Precinct 3 – 24

Precinct 4 – 38

Precinct 5 – 39

Precinct 6 – 40

TOTAL – 231

ARTICLE 1: MEASURER OF WOOD AND BARK

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

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 3: REPORT OF COMMITTEES

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

The article was passed over.

ARTICLE 4: TRANSFER BUDGET FUNDS FOR FY26

To see if the Town will vote to transfer the sum of \$22,453 from the wage reserve account to Public Safety, Police Salary and Wage line item for FY26 to fund FY26 Cost-of-Living Adjustment (COLA) per the collective bargaining agreement or take any other action relative thereto.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 5: SETTING FY26 SALARIES OF TOWN OFFICERS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$421 from the wage reserve account to fund operating expenses for the Town Clerk's department. Said sum to be added to previously voted appropriations for FY26 Departmental Expenses, or to take any other action relative thereto.

Motion: To adopt as written in the warrant with the funds to be transferred from the Wage Reserve Account.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 6: SUPPLEMENTAL FY26 SNOW AND ICE APPROPRIATION

To see if the Town will vote to transfer the sum of \$377,929 from the Stabilization Fund to the FY26 Winter Storm Emergency Special Revenue Fund to fund costs associated with the 2026 blizzard or take any other action relative thereto.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

ARTICLE 7: UNION WHARF CONSTRUCTION APPROPRIATION

To see if the Town will vote to transfer the sum of \$280,000 from Surplus Revenue (Free Cash) to the FY26 General Operating Budget to fund costs associated with Union Wharf Construction or take any other action relative thereto.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 8: GENERAL FUND OPERATING BUDGETS FY27

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the amounts listed on the accompanying table to fund the Fiscal Year 2027 General Fund Operating Budget or take any other action relative thereto:

GENERAL GOVERNMENT

Motion: To raise and appropriate the sum of \$3,123,614 to fund general government departments FY27 budget, which includes salaries and wages for appointed and elected officials and operating expenses and to defray the cost, transfer \$8,000 from the Wetlands Protection Fund.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

PUBLIC SAFETY

Motion: To amend the Police Department/Animal Control budget by increasing operating expenses in Line Item 34 by \$24,700 for purposes of operating the animal shelter, to a total of \$408,707, said increase to be appropriated from State Revenues; and further to increase salaries and wages in Line Item 33 by \$30,861 for the animal control officer to a total of \$4,990,380, said increase to be appropriated from State Revenues; for a total Public Safety departments FY27 budget of \$9,896,551 and to defray the cost, transfer \$1,683,580 from Ambulance Receipts Reserve Fund and \$15,000 from the Animal Shelter Gift Fund and \$53,000 from Waterways Improvement Fund.

Amendment: To amend the main motion by increasing the Police Department/Animal Control budget salaries and wages in Line Item 33 by \$25,000 to police overtime for a total of \$5,015,380, said increases to be appropriated from State Revenues, and further to increase Fire Department Emergency Management salaries and wages in line item 35 by \$9,439 for fire overtime to a total of \$3,705,725, said increases to be appropriated from state revenues.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to move the question by the required two-thirds (2/3) vote.

The Moderator declared that the amendment had not been adopted by majority vote.

A question of the vote on the amendment having been raised, the Moderator ordered a standing count.

The Town Clerk administered the oath of office to the tellers.

VOTED: Upon standing count, Town Meeting voted to adopt the amendment by majority vote (affirmative 125, opposed 97).

VOTED: Town Meeting voted by show of hands to adopt the main motion, as amended, by majority vote.

EDUCATION

Motion: To raise and appropriate the sum of \$29,750,111 to fund school operations by the amounts listed in the accompanying table FY2027.

EDUCATION	<u>FY27 Budget No Override</u>
Subtotal Fairhaven Public Schools	\$26,530,067
Subtotal New Bedford Regional Technical HS	\$2,928,534
Subtotal Bristol County Agricultural HS	<u>\$291,510</u>
Subtotal Education	<u>\$29,750,111</u>

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

PUBLIC WORKS

Motion: To raise and appropriate the sum of \$4,318,547 to fund Public Works departments FY27 budget, which includes salaries and wages for appointed and elected officials and operating expenses and to defray the cost, transfer \$10,000 from Stormwater Subdivision Fund.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

HEALTH AND ENVIRONMENT

Motion: To raise and appropriate the sum of \$190,059 to fund Health and Environmental departments FY27 budget, which includes salaries and wages for appointed and elected officials and operating expenses.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

COMMUNITY SERVICES

Motion: To raise and appropriate the sum of \$2,014,876 to fund Community Services departments FY27 budget, which includes salaries and wages for appointed and elected officials and operating expenses and to defray the cost, transfer \$30,000 from the Council on Aging Social Day Program.

Amendment: To amend the tourism department budget by increasing sales and wages in line item 66 by \$65,000 by \$15,000. Said increase to be funded by transfer from free cash for a total community service department's FY27 budget of \$2,094,876.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands not to adopt the amendment by majority vote.

VOTED: Town Meeting voted by show of hands to adopt the main motion by majority vote.

NON-DEPARTMENTAL

Motion: To raise and appropriate the sum of \$12,679,638 to fund the Non-Departmental departments FY27 budget, which includes operating expenses.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

DEBT SERVICE

Motion: To raise and appropriate the sum of \$1,017,891 to fund debt services FY27 budget.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

Town Meeting recessed prior to consideration of Article 9 and later reconvened.

ARTICLE 9: GENERAL FUND OPERATING BUDGET OVERRIDE

To see if the Town will vote to raise and appropriate and/or transfer from available funds such additional sums of money considered necessary to defray the Town's expenses for a twelve month period beginning July 1, 2026 and appropriate the same to several departments provided, however that the vote taken hereunder shall be expressly contingent upon approval by the voters at an election of a Proposition 2½, so-called, override question, in accordance with G.L. c. 59, §21C, allowing such funds to be raised in excess

of the limit otherwise imposed by said law, and/or take any other action relative thereto.

DEPARTMENT	LINE ITEM	Amended Override Amounts
Public Safety Salaries and Wages	Animal Control Wages	\$0
Public Safety Operating Expenses	Animal Control Operating Expenses	\$0
Public Safety Salaries and Wages	Police Overtime	\$0
Public Safety Salaries and Wages	Fire Overtime	\$15,561
Community Services Salaries and Wages	Tourism Department Wages	\$76,532
Community Services Operating Expenses	Tourism Dept Operating Exp	\$25,709
Public Works Highway	Wages	\$50,000
Education	Fairhaven Public Schools	\$481,376
Total Override Recommended		\$649,178

Motion: To raise and appropriate the sums of money set forth in the warrant for community services salaries and wages, community services operating expenses, public works highway wages, education, and \$15,561 for public safety salaries and wages – fire overtime, for a total amount of \$649,178. Provided, however, that the vote taken hereunder shall be expressly contingent upon the approval by the voters at an election of a Proposition 2½, so-called, override question, in accordance with G.L. c. 59, § 21C, allowing such funds to be raised in excess of the limit otherwise imposed by said law.

Finance Committee Amendment: Moved to amend the main motion by eliminating Public Works Highway - Wages and Education - Fairhaven Public Schools, for a total of \$117,802.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands not to move the question by two-thirds (2/3) vote.

A question of the vote having been raised, the Moderator ordered a standing count.

VOTED: Upon standing count, Town Meeting voted to move the question by the required two-thirds (2/3) vote (affirmative 147, opposed 65).

VOTED: Town Meeting voted by show of hands not to adopt the Finance Committee amendment by majority vote.

VOTED: Town Meeting voted by show of hands to adopt the main motion by majority vote.

ARTICLE 10: WATER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Water Enterprise Fund for FY27 or take any other action relative thereto:

Motion: To raise and appropriate a sum of \$3,690,246 to fund the Water Enterprise Fund for FY27, and to defray this cost, transfer \$78,282 from Water Enterprise Fund Retained Earnings.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 11: SEWER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Sewer Enterprise Fund for FY27 or take any other action relative thereto:

Motion: To raise and appropriate a sum of \$6,602,279 to fund the Sewer Enterprise Fund for FY27, and to defray this cost, transfer \$896,715 from Sewer Enterprise Fund Retained Earnings.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 12: TOWN CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Town Cable Enterprise Fund for FY27 or take any other action relative thereto:

Motion: To raise and appropriate a sum of \$225,979 to fund the Town Cable Enterprise Fund for FY27, and to defray this cost, transfer \$111,204 from the Town Cable Enterprise Fund Retained Earnings.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 13: SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the School Cable Enterprise Fund for FY27 or take any other action relative thereto:

Motion: To raise and appropriate a sum of \$180,455 to fund the School Cable Enterprise Fund for FY27, and to defray this cost, transfer \$76,755 from the School Cable Enterprise Fund Retained Earnings.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 14: GENERAL FUND CAPITAL PLAN

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

<u>Line</u>	<u>Department/Project</u>	<u>Amount</u>	<u>Funding Source</u>
	Public Works Department		
1	Town wide Gas Pump System Replacement	\$100,000	Free Cash
2	Roadwork	\$100,000	Free Cash
3	Street Sweeper Replacement	\$200,000	Free Cash
	Fire / Emergency Management		
4	Light Tower	\$16,895	Free Cash
5	PFAS Free Firefighting Gear	\$133,285	Free Cash
6	Brush Truck Replacement (Unit 5)	\$85,000	Free Cash
	Information Technology (IT)		
7	Replacement of Technology	\$30,000	Free Cash
	Council on Aging		

8	Replace COA Tables and Chairs	\$43,000	Free Cash
9	Replace Ceiling Tiles	\$33,505	Free Cash
	Building		
10	Replace Vehicle	\$48,000	Free Cash
	Police		
11	Cruiser Replacements	\$172,066	Free Cash
12	Body Worn Camera and Taser Project	\$24,748	Free Cash
	Harbormaster		
13	Harbormaster/Shellfish Warden Truck Replacement	\$59,539	Free Cash
	School		
14	FHS Football Field Bathroom Project	\$210,000	Free Cash
15	Tripp School Roof Replacement	\$700,000	Free Cash
	Town Hall		
16	Repair West Retaining Wall	\$40,000	Free Cash
	Total recommended General Fund Capital Budget	\$1,996,038	

Motion: To transfer a sum of \$1,996,038 from Surplus Revenue (Free Cash), to fund the capital projects as listed (items 1-16) for fiscal year 2027.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 15: WATER ENTERPRISE FUND CAPITAL PLAN

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

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>	<u>Select Board Vote</u>	<u>FinCom Vote</u>
1	Replace Backhoe #36	\$126,000	Water Retained Earnings	5-0-0	12-0-0
2	Water Telemetry for Wells	\$200,000	Water Retained Earnings		12-0-0
	TOTAL	\$326,000			

Motion: To transfer the sum of \$326,000 from Water Retained Earnings to fund the capital equipment and projects listed on lines 1-2 above with each amount as specified in the article.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 16: WATER ENTERPRISE FUND BORROWING

To see if the Town will vote to borrow or transfer from available funds the following sum of money to fund the capital equipment and projects of the Water Enterprise Fund listed below, including the payment of all

costs incidental and related thereto, and to authorize the Treasurer, with the approval of the Select Board, to borrow said sum under and pursuant to M.G.L. Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; or take any other action relative thereto:

Motion: That the Town appropriates \$756,000 to pay costs of the Wolf Island Well Replacement 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.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

ARTICLE 17: SEWER ENTERPRISE FUND CAPITAL PLAN

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

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>	<u>Select Board Vote</u>	<u>FinCom Vote</u>
1	Vehicle Replacement: Dump Truck #43	\$125,000	Sewer Retained Earnings	5-0-0	12-0-0
2	West Island Sewer Plant Generator & Portable Generator	\$400,000	Sewer Retained Earnings		12-0-0
3	Inflow & Infiltration	\$100,000	Sewer Retained Earnings		12-0-0
TOTAL		\$625,000			

Motion: To transfer the sum of \$625,000 from Sewer Retaining Earnings to fund the capital equipment and projects listed on lines 1-3 above with each amount as specified in the article.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 18: OTHER APPROPRIATIONS

18A: FUNDING OF ARTICLES

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

<u>Line</u>	<u>Fund</u>	<u>Amount</u>	<u>Source</u>	<u>Select Board Vote</u>	<u>FinCom Vote</u>
1	Paramedic Training Tuition	\$20,000	Ambulance Fund	5-0-0	12-0-0
2	Transfer to the Ambulance Stabilization Fund	\$75,000	Ambulance Fund		12-0-0
3	Shellfish Propagation	\$18,600	Free Cash		11-0-1
4	Rogers School Maintenance	\$20,000	Free Cash		11-1-0
5	Town Facility Emergency Repairs	\$40,000	Free Cash		12-0-0
6	Transfer to Other Post- Employment Benefit (OPEB) Trust Fund	\$250,000	Free Cash		12-0-0

7	Replacement Equipment – Recreation Center	\$10,000	Free Cash	12-0-0
8	Compensated Absences	\$75,000	Free Cash	12-0-0
	Total	\$508,600		

Motion: To transfer the sum of \$413,600 from Surplus Revenue (Free Cash); and the sum of \$95,000 from the Ambulance Reserve Receipts Fund for the amounts as written in the article.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

18B: INCREASE AND FUND COLA BASE FOR RETIREES

To see if the Town will vote to raise and appropriate, borrow or transfer from Surplus Revenue (Free Cash) the amount of \$98,000 to increase the cost of living (COLA) base for retirees, beneficiaries, and survivors beginning July 1, 2026, from \$17,000 to \$18,000 consistent with the provisions of Chapter 188, Section 19 of the Acts of 2010.

Motion: To transfer the sum of \$98,000 from Surplus Revenue (Free Cash) to fund the COLA Base for Retirees for the amounts as written in the article.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.
Town Meeting recessed prior to consideration of Article 19 and later reconvened.

ARTICLE 19: FY27 COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee (CPC) to expend or reserve, from the Community Preservation Fund available funds and FY27 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

Motions:

- A. To adopt and to reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.
- B. To adopt and to reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Historic Resources.
- C. To adopt and to reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Community Housing.
- D. To adopt and to reserve for future appropriations \$100,000 from Estimated Receipts for the Emergency Reserve Account.
- E. To adopt and to appropriate \$100,000 from the existing Community Housing Reserve for the Fairhaven Housing Authority - Oxford Terrace Window Replacement.
- F. To adopt and to appropriate \$30,000 from the existing Open Space Reserve for the Board of Public Works- Big Belly Trash.
- G. To adopt and to appropriate \$3,505 from the existing Open Space Reserve for the Macomber/Pimental Park Native Garden.
- H. To adopt and to appropriate \$35,000 from the existing Open Space Reserve and \$35,000 from Estimated Receipts for the Livesey Park Tennis/Basketball courts.
- I. To adopt and to appropriate \$25,000 from existing Estimated Receipts for the Fairhaven Improvement Association-Millicent Library Center Street Lighting.
- J. To adopt and to appropriate \$10,000 from the existing Historic Reserve for the Fairhaven Historical Commission-Historic Property Survey.
- K. To adopt and to appropriate \$95,000 from the existing Historic Reserve for the Fairhaven Protecting

Society - Firetruck #1 Restoration.

L. To adopt and to appropriate \$54,000 from the existing Historic Reserve and \$266,000 from Estimated Receipts for the Town Hall Repairs-West Retaining Wall.

M. To adopt and to appropriate \$10,000 from the Unreserved Fund and \$15,000 from the Historic Reserve Balance for the Millicent Library Restoration /Preservation Project.

N. To adopt and to appropriate \$5,000 from the Historic Reserve for the Riverside Cemetery Project.

O. To adopt and to appropriate \$140,000 from the Unreserved Fund for the Fairhaven High School Exterior Masonry /Flashing.

P. To adopt and to appropriate \$5,000 from Estimated Receipts to CPC Administrative Spending Appropriation.

Amendment: To remove letter K for \$95,000 and make the new total \$733,505.

VOTED: Town Meeting voted by show of hands not to adopt the amendment by majority vote.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 20: REVOLVING FUNDS

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

Revolving Fund	Authorized to Spend	Revenue Source	FY27 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$100,000
Sustainability	Sustainability Committee	Fees/charges	\$10,000
Hoppy's Landing	Select Board and/or Town Administrator	Fees/charges from users of Hoppy's Landing	\$25,000
Town Hall Auditorium	Town Administrator	Town Hall Auditorium rental fees	\$5,000
Park Utilities	Board of Public Works	User fees	\$2,000
Shellfish Mitigation	Marine Resources	Mitigation fees	\$25,000
Mooring Fees	Marine Resources	Mooring fees	\$4,000
Mattress Recycling	Board of Health	Fees from mattress disposal	\$3,000
Hoarding Remediation	Board of Health	Revenue from textile recovery boxes	\$2,000
Supportive Social Day Program	Council on Aging Director	Receipts reserved for appropriation for supportive social day	\$250,000
Roger A. Grimshaw Park	Council on Aging Director	Receipts from events at Grimshaw Park	\$5,000

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 21: ADOPT CHAPTER 22I OF THE HERO ACT

To see if the Town will vote to accept Mass General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E, and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1,2026 or take any other action relative thereto.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 22: ADOPT CHAPTER 22J OF THE HERO ACT

To see if the Town will vote to accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A Clause 22B, Clause 22C, Clause 22E and Clause 22F by 100% of the personal amount, subject to the conditions in Clause 22J, to be applicable exemptions granted for any fiscal year beginning on or after July 1, 2026 or take any other action relative thereto.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 23: CIVIL SERVICE REVOCATION – FIRE CHIEF

To see if the Town will vote to authorize the Select Board to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, for a special act in the form set forth below, exempting the fire chief from Massachusetts General Laws chapter 31, Civil Service law and the rules and regulations relating to the same, provided that this revocation will not affect the Civil Service status of the existing fire chief as long as they occupy their current position; and provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approve amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, as follows:

AN ACT EXEMPTING THE FIRE CHIEF OF THE TOWN OF FAIRHAVEN FROM THE CIVIL SERVICE LAW.

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

SECTION 1. Notwithstanding Chapter 388 of the Acts of 1972, or any other general or special law to the contrary, the fire chief shall be exempt from chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the civil service status of the incumbent fire chief in the town of Fairhaven on the effective date of this act.

SECTION 3. This act shall be effective upon its passage.
or act in any other manner in relation thereto.

Motion: To adopt as written in the warrant.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands not to adopt the motion by majority vote.

A question of the vote having been raised, the Moderator ordered a standing count.

VOTED: Upon standing count, Town Meeting voted not to adopt Article 23 by the required two-thirds (2/3) vote (affirmative 75, opposed 93).

ARTICLE 24: FAIRHAVEN AFFORDABLE HOUSING TRUST

To see if the Town will vote to accept the provisions of G.L. c. 44, s. 55C to establish a trust to be known as the Fairhaven Affordable Housing Trust, the purpose of which shall be to provide for the preservation and creation of affordable housing in Fairhaven for the benefit of low- and moderate-income households, to support efforts to improve housing affordability in Fairhaven in general, and to fund community housing, as defined in G.L. c. 44B, and, in implementation thereof, to amend the General Bylaws by adding a new Bylaw entitled "Affordable Housing Trust" as printed in the warrant, or take any other action relative thereto.

Section 1. Statutory authority

The Fairhaven Affordable Housing Trust shall be constituted and operation under MGL c.44, § 55C, and subject to the limitations contained in this bylaw.

Section 2. Title

The Trust shall be called the "Fairhaven Affordable Housing Trust"

Section 3. Purpose

The purpose of the Trust shall be to provide for the preservation and creation of affordable and community housing in the Town of Fairhaven for the benefit of low- and moderate-income households and for the funding of community housing, as defined in and in accordance with the provisions of the Community Preservation Act, G.L. c. 44B ("Chapter 44B"). In furtherance of this purpose, the Trustees are hereby authorized, in accordance with the procedures set forth herein, to acquire by gift, purchase or otherwise real property, personal property, or money, both tangible and intangible, of every sort and description; to use such property, both real and personal, and money in such manner as the Trustees shall deem most appropriate to carry out such purpose, provided however, that all property and money held by the Trust and the net earnings thereof shall be used exclusively for the preservation and creation in the Town of Fairhaven of affordable housing.

Section 4. Composition

There shall be a Board of Trustees of the Fairhaven Affordable Housing Trust Fund (the "Board"), composed of seven members (7) members: two (2) ex officio non-voting members and five (5) voting members. A member of the Select Board (chosen by the Select Board) and The Town Administrator or the Town Administrator's designee, shall serve as the ex officio members. The voting members shall include: five (5) members appointed by the Select Board, with a preference for members who have professional expertise in fields such as real estate law, architecture, planning, banking, finance, real estate, or a member who currently lives in affordable housing. Excluding the Town Administrator, members must be residents of the Town of Fairhaven. Any Trustee who ceases to be a resident of the Town of Fairhaven shall cease to be a Trustee hereunder and shall promptly provide a written notification of the change in residence to the Board and to the Town Clerk. Any Trustee may resign in writing, signed and acknowledged by such Trustee and duly filed with the Town Clerk. If a Trustee ceases to be a Trustee hereunder before his/her term of office expires, a successor shall be appointed by the Select Board to fill such vacancy provided that in each case the said appointment and acceptance in writing by the Trustee so appointed is filed with the Town Clerk. Upon the appointment of any succeeding Trustee and the filing of such appointment the title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees. Reference to the Trustee shall mean the Trustee or Trustees for the time being hereunder.

Section 5. Declaration of Trust

The Trustees are hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Fairhaven Affordable Housing Trust Fund to be recorded with the Bristol County Registry of Deeds and filed with the Bristol County Registry District of the Land Court.

Section 6. Meetings of the Trust

The Trust shall meet at least quarterly at such time and at such place as the Trustees shall determine. Special Meetings may be called by the Chair or by two (2) Trustees. Notice of all

meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25. A quorum at any meeting shall be a majority of the Trustees, qualified and present in person.

The Trustees shall annually elect one Trustee who shall not be a member of the Select Board, to serve as Chairperson. The Chairperson may establish subcommittees and/or ad hoc task related committees to carry out the purposes of the Trust; the Chairperson of any such subcommittee or ad hoc task related committee shall be selected by vote of the subcommittees.

Section 7. Powers of Trustees

The Trustees shall have the following powers, all of which shall be carried on in furtherance of the purposes set forth in General Laws Chapter 44 Section 55C, except that it shall have no ability to borrow money, or mortgage, or pledge Trust assets, purchase, sell, lease, exchange, transfer or convey any interest in real property without prior approval of the Fairhaven Select Board.

(A) To accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or bylaw or any General law or Special Act of the Commonwealth or any other source:

(1) Accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any ordinance or by-law or any general or special law or any other source, including money from Chapter 44B;

(2) Purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) Sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

(4) Execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) Employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;

(6) Pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) Apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) Participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) Deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) Carry property for accounting purposes other than acquisition date values;

(11) Borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral; however, the Trust borrowing shall not exceed fifteen million dollars (\$15,000,000) at any one time without Town Meeting approval.

(12) Make distributions or divisions of principal in kind;

(13) Comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) Manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) Hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) Extend the time for payment of any obligation to the trust.

(B) Notwithstanding anything to the contrary herein, Select Board approval shall be required for any of the following actions:

(1) To purchase real or personal property

(2) To sell, lease, exchange, transfer or convey any personal, mixed, or real property; and

(3) To borrow money, or mortgage or pledge Trust assets as collateral to the extent of the Trust's assets.

(C) Notwithstanding anything to the contrary herein, the Trustees may not borrow, mortgage, or pledge greater than the current Trust assets unless approved by the Select Board.

Section 8. Acts of Trustees

A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

Section 9. Liability

Neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town, except in the manner specifically authorized herein. The Trust is a public employer, and the Trustees are public employees for the purposes of G.L. Chapter 258. The Trust shall be deemed a municipal agency and the Trustees special municipal employees for the purposes of G.L. Chapter 268A.

Section 10. Custodian of Funds

The Town Treasurer shall be the custodian of the funds of the Trust and oversee investments. The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities.

Section 11. Duration of Trust

This Trust shall be of indefinite duration, until terminated in accordance with applicable law. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

Section 12. Amendments

The provisions of this Trust can only be amended by a vote of the Fairhaven Town Meeting.

Section 13. Authority regarding documents

The Select Board may authorize the Trustees to execute, deliver, and record with the Registry of Deeds any documents required for any conveyance authorized hereunder.

Section 14. Section titles

The titles to the various Articles herein are for convenience only and are not to be considered part of said Articles nor shall they affect the meaning or the language of any such Article; or take any other action thereon.

Motion: To adopt as written in the warrant, except that the words "Subject to Town Meeting authorization," shall be inserted at the beginning of Section 7(A)(11), and the words "however, the Trust borrowing shall not exceed fifteen million dollars (\$15,000,000) at any one time without Town Meeting approval" shall be deleted.

Motion: To indefinitely postpone.

Amendment: To strike Number 6 of Section 7, "Pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable."

VOTED: Town Meeting voted by show of hands to indefinitely postpone.

ARTICLE 25: AMEND BYLAWS CHAPTER 169 §13 REMOVAL OF SNOW AND ICE

To see if the Town will vote to amend to Chapter 169-13 Removal of snow and ice by striking some of the existing language as indicated in strikethrough, or adding language as indicated in bold/underlined; or take any other action relative thereto.

Request to amend as follows:

§ 169-13 Removal of snow and ice.

The tenant, occupant, owner or agent of any building or lot of land bordering on any street, lane, square or public place shall not allow or permit any accumulation of snow or ice to remain on the sidewalk adjacent to said building or lot of land within **48 hours of snow event** after being ordered to remove same by the Police Department. Upon Failure to comply with the order **will result in a fine of one hundred dollars (\$100)**, ~~within six hours after notification, by the tenant, occupant, owner or agent above specified, it is hereby ordered that said snow or ice shall be removed by the Board of Public Works, and costs of removal shall be assessed to the owner of the building or lot of land so involved.~~

Motion: To adopt as written in the warrant.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

ARTICLE 26: CITIZENS PETITION – Adopt Municipal Housing Trust Fund

Affordable Housing opportunities urgently needed. This petition is for the adoption of a Municipal Housing Trust Fund MGL c.44s.55. Further explanation attached to this petition with the initials of each signature signed. Petition Brought forward on February 5, 2026 By signed Residents of Fairhaven. Affordable Housing opportunities, Urgently Needed in Fairhaven. Increasing rents and

the price of homes are exorbitant, and outpacing the majority of Fairhaven residents, median (H-L) and Moderate incomes. – Median & Moderate income earners of Fairhaven have been priced out of the housing market. Massachusetts zoning laws has purposed housing to be provided for all income levels.

We petition for this Article to go on the Town Meeting warrant at the spring Town Meeting held on May 2, 2026-for the adoption of a Municipal Housing Trust Fund governed by (MGL c.44 s.55) to begin to help solve this Affordable Housing Crisis, Common known, and which has placed seniors, young adults, and residents who offer Vital Services to the community, in a financially unsustainable and displaced, position. We also request that our community preservation, CPA funds, a portion there of-at least 50%, be recommended to be held in reserve, for an approved Municipal Housing Trust Fund for FY2027.

Motion: That the Town accept the provisions of G.L. c 44 § 55C to establish an affordable housing trust.

Motion: To indefinitely postpone.

VOTED: Town Meeting voted by show of hands to indefinitely postpone.

ARTICLE 27: CITIZENS PETITION – Amend Bylaws c. 56-13

To see if Town Meeting will vote to amend Division 1: Bylaws, Part 1: Administration, Chapter 56 by adding “Subsection 56-13 Service by Elected Officials” An elected official shall serve only on the board or body to which they have been duly elected. Notwithstanding the foregoing, an elected official may serve on additional boards, committees or commissions solely in the capacity of a liaison, provided such an appointment is made by the elected officials appointing or governing board. An elected official serving as a liaison shall not be considered a voting member of such board, committee or commission unless otherwise expressly authorized by law or bylaw. An elected official appointed or elected pursuant to this section shall continue to serve in such capacity until the earlier of their next reappointment or re-election, unless sooner removed in accordance with applicable law or bylaw.

Motion: To adopt as written in the warrant.

Amendment: To insert at the end of the language “Town Meeting Members are not considered elected officials with regard to this bylaw.”

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands to adopt the motion, as amended, by majority vote.

ARTICLE 28: CITIZENS PETITION – Amend Bylaws c. 56-14

To see if Town Meeting will vote to amend Division 1: Bylaws, Part 1: Administration, Chapter 56 by adding “Subsection 56-14 Service by Appointed Officials” An individual who is not an elected official may seek appointment to and serve on no more than two (2) boards, committees or commissions concurrently, unless otherwise authorized by a specific vote of the appointing authority. Any individual appointed pursuant to this section shall remain in their appointed capacity until the earlier of their next reappointment or re-election, unless sooner removed in accordance with applicable law or bylaw.

Motion: To adopt as written in the warrant.

VOTED: Town Meeting voted by show of hands to grant the speaker an additional thirty seconds.

Motion: To move the question.

VOTED: Town Meeting voted by show of hands to adopt the motion by the required two-thirds (2/3) vote.

VOTED: Town Meeting voted by show of hands to adopt the motion by majority vote.

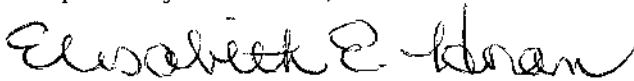
ARTICLE 29: OTHER BUSINESS

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

Motion: To adjourn *sine die* at 3:55 p.m. on Saturday, May 2, 2026.

VOTED: Town Meeting voted by show of hands to adjourn *sine die*.

Respectfully Submitted,

A handwritten signature in black ink that reads "Elisabeth E. Horan". The signature is written in a cursive, flowing style.

Elisabeth E. Horan
Town Clerk