



FAIRHAVEN SELECT BOARD AGENDA

March 2, 2026 6:00 p.m.

Town Hall – 40 Center Street – Fairhaven

The meeting can also be viewed on Channel 97 or on FairhavenTV.com

A. ACTION / DISCUSSION

1. Consider Lifting the State of Emergency in Fairhaven

B. EXECUTIVE SESSION

1. Pursuant to G.L. c. 30A, s. 21(a)(1) to discuss results of complaints regarding the constructive approval of the Timothy/Hiller Subdivision under the Former Land Use & Planning Director.
2. Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the litigating position of the board and the chair so declares (*Jodi Donahue v. Fairhaven Police Department, 2533CV000869 New Bedford District Court*)
3. Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or 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 (*Police Memorandum of Agreement*)
4. Pursuant to G.L. c. 30A, § 21(a)(7) to comply with or act under the authority of the Public Records Law (Discuss confidential Fire Department personnel investigation report)

C. ACTION / DISCUSSION

1. Consider the Release of the Executive Summary Report: Timothy-Hiller Subdivision Constructive Approval
2. Consider a Stipend for Town Collector Pam Bettencourt
3. Parking Fee Waiver Request: Hoppy's Landing: All Abilities Fishing Derby on Friday, June 19, 2026 from 12:00-3:00pm

D. PUBLIC COMMENT

E. MINUTES

1. Accept the Open Session minutes of February 2 and 9, 2026
2. Accept the Executive Session minutes of February 2 and 9, 2026

F. CORRESPONDENCE

1. Emails: Michelle Costen: Ref: Citizens Petition Submitted; Public Comment-Ref 2/9/2026 SB Meeting; MGL c. 44 s. 55 quick note; Fwd: Affordable Home Ownership-Domino Effect; From the White House-21st century Housing Act; Reference to zoning delays-PB meeting 2/10/26 public comment; FWD: MAHT; Home Sweet Home Committee; (no subject)

G. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting will be on **Monday, March 9, 2026** at 6:30pm

H. ADJOURN

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.



FAIRHAVEN SELECT BOARD AGENDA ADDENDUM

March 2, 2026 6:00 p.m.

Town Hall – 40 Center Street – Fairhaven

ANNOUNCEMENTS:

On March 28th, 2025, the bill to extend Open Meeting Law regulations governing remote participation has passed MA legislation and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through June 30, 2027.

Pursuant to an amendment to Town By-Law Chapter 50-13, all government meetings are available through web/video conference and are recorded.

This meeting is being recorded by the Government Access Channel. It will be replayed on Channel 97 and posted on FairhavenTV.com. Anyone intending to make an audio or video recording of this meeting should notify the Chair at this time.

Due to recent security breaches, Fairhaven TV has implemented a new protocol: Zoom camera video for all participants is disabled. If participants would like to speak or be recognized, click “raise hand” under “reactions”, and change your name to a full name to be unmuted. Thank you for your cooperation in protecting the integrity of Fairhaven government meetings.

- For anyone interested in volunteering, there are several vacancies on various boards committees and commissions. To see a complete list of the openings, please visit our website at www.fairhaven-ma.gov

A. ACTION / DISCUSSION

1. Consider Lifting the State of Emergency in Fairhaven – At the recommendation of Emergency Management Director Correia, the Select Board should discuss and if in agreement, lift the State of Emergency in Fairhaven effective immediately.

Suggested Motion:

“Move to (life/not lift) the State of Emergency in Fairhaven.”

Moved by, seconded by. Any discussion on the motion. Vote.

B. EXECUTIVE SESSION

1. Pursuant to G.L. c. 30A, s. 21(a)(1) to discuss results of complaints regarding the constructive approval of the Timothy/Hiller Subdivision under the Former Land Use & Planning Director.
2. Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the litigating position of the board and the chair so declares (*Jodi Donahue v. Fairhaven Police Department, 2533CV000869 New Bedford District Court*)
3. Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or 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 (*Police Memorandum of Agreement*)
4. Pursuant to G.L. c. 30A, § 21(a)(7) to comply with or act under the authority of the Public Records Law (Discuss confidential Fire Department personnel investigation report)

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.

C. ACTION / DISCUSSION

1. **Discussion on the Release of Documents Related to the Timothy-Hiller Subdivision Constructive Approval Investigation** – The Select Board should discuss whether to release the Executive Summary or the entire investigative report if the Board agrees to release any of the attorney/client privileged information.

Suggested Motion:

“Move the Selectmen waive the attorney/client privilege to (release/not release) the full Investigative Report (and/or) Executive Summary Report prepared by legal counsel regarding the Timothy-Hiller Subdivision Constructive Approval.”

Moved by, seconded by. Any discussion on the motion. Vote.

2. **Consider a Stipend for Town Collector Pam Bettencourt** – Ms. Bettencourt provide the Town of Fairhaven a two-year notice for her intention to retire. Per the Personnel Policy, an employee receives an annual stipend of \$2,500 (\$48.08 per week) to allow the Town to proactively plan for the upcoming vacancy. Ms. Bettencourt was scheduled to retire on Friday, February 20, 2026. Due to the staffing challenges within the office, Ms. Bettencourt has agreed to remain in her position to provide critical training and support to Treasurer/Collector Department staff. The Town Administrator is requesting the Select Board approve continuing the weekly stipend request of \$48.08 per week while Ms. Bettencourt remains a full-time employee.

Suggested Motion:

“Move to (approve/not approve) the stipend of forty-eight dollars and eight cents (\$48.08) per week for Pamela Bettencourt while she remains employed full time to recognize her dedication to the Town of Fairhaven.”

Moved by, seconded by. Any discussion on the motion. Vote.

3. **Parking Fee Waiver Request: Hoppy’s Landing: All Abilities Fishing Derby on Friday, June 19, 2026 from 12:00-3:00pm** – The Recreation Center has organized the 3rd Annual All Abilities Fishing Derby at Hoppy’s Landing and is requesting a waiver of the parking fees for participants during the event. The Harbormaster has supported this event in the past and is in favor of the parking fee waiver for participants of the event. For last year’s event, the Harbormaster’s staff prepared a parking pass for participants to display on their dashboard during the event and will do so for this year’s event.

Suggested Motion:

“Move to (approve/not approve) Parking Fee Waiver Request at Hoppy’s Landing for the 3rd annual All Abilities Fishing Derby on Friday, June 19, 2026 from 12:00-3:00pm (as presented/as amended).”

Moved by, seconded by. Any discussion on the motion. Vote.

D. PUBLIC COMMENT

E. MINUTES

1. Accept the Open Session minutes of February 2 and 9, 2026

Suggested Motion:

“Move to (accept/not accept) the open session minutes of February 2 and February 9, 2026 (as presented/as amended)”

Moved by, seconded by. Any discussion on the motion. Vote.

2. Accept the Executive Session minutes of February 2 and 9, 2026

Suggested Motion:

“Move to (accept/not accept) the executive session minutes of February 2 and February 9, 2026 (as presented/as amended)”

Moved by, seconded by. Any discussion on the motion. Vote.

F. CORRESPONDENCE

1. Emails: Michelle Costen: Ref: Citizens Petition Submitted; Public Comment-Ref 2/9/2026 SB Meeting; MGL c. 44 s. 55 quick notes; Fwd.: Affordable Home Ownership-Domino Effect; From the White House-21st century Housing Act; Reference to zoning delays-PB meeting 2/10/26 public comment; FWD: MAHT; Home Sweet Home Committee; (no subject)

Suggested Motion:

“Move to (enter/not enter) the Select Board correspondence as listed into the record”

Moved by, seconded by. Any discussion on the motion. Vote.

G. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting will be on *Monday, March 9, 2026* at 6:30pm

H. ADJOURN



Monday, March 2, 2026

ACTION / DISCUSSION

1. Consider Lifting the State of Emergency in Fairhaven



Monday, March 2, 2026

EXECUTIVE SESSION

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2. Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the litigating position of the board and the chair so declares (Jodi Donahue v. Fairhaven Police Department, 2533CV000869 New Bedford District Court)

3. Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or 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 (Police Memorandum of Agreement)

4. Pursuant to G.L. c. 30A, § 21(a)(7) to comply with or act under the authority of the Public Records Law (Discuss confidential Fire Department personnel investigation report)



Monday, March 2, 2026

ACTION / DISCUSSION

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MEMORANDUM**To:** Selectboard**From:** Susan Roderiques/ Interim Human Resource Director**Date:** February 20, 2026**Re:** Weekly Training Stipend for Pamela Bettencourt

I am writing to request the Selectboard's consideration of a temporary weekly stipend for Pamela Bettencourt in the amount of \$50.00 per week.

Ms. Bettencourt was scheduled to retire on Friday, February 20, 2026. However, due to current staffing challenges within the office and the transition to a new Treasurer/Collector, she has agreed to remain in her position as Town Collector in order to provide critical training and support, specifically with the Vadar financial system.

Until February 20, 2026, Ms. Bettencourt has been receiving a weekly early retirement incentive payment in the amount of \$48.08. With her retirement date reached, that incentive will cease. As a result, her weekly compensation will decrease despite her continued service and additional responsibility of training her successor.

This situation is unprecedented, and the current Personnel Policy does not address circumstances of this nature. Ms. Bettencourt's willingness to postpone her retirement and assist with the transition represents a significant benefit to the Town, ensuring continuity of operations, preservation of institutional knowledge, and proper training on essential financial software.

In recognition of her continued service and the added responsibility of training, I respectfully request that the Selectboard approve a temporary weekly stipend of \$50.00 for the duration of her training period.

Thank you for your consideration.

Respectfully submitted

**TOWN OF FAIRHAVEN
RECREATION DEPARTMENT**

C 3



227 Huttleston Ave. Fairhaven, MA 02719
Phone 508-993-9269 Fax 508-993-9257
e-mail bbarreira@fairhaven-ma.gov
www.fairhaven-ma.gov



To: Fairhaven Select Board
CC: Dept. of Marine Resources
From: Bernadette Barreira, Recreation Director
Date: January 13, 2026
Subject: Request to Waive Hoppy's Landing Parking Fees for All Abilities Fishing Derby

Dear Members of the Select Board,

I am writing to formally request the waiver of parking fees at Hoppy's Landing on Friday, June 19th from 12:00pm to 3:00pm for the upcoming All Abilities Fishing Derby, organized by the Recreation Department.

The Recreation Department is excited to host this 3rd annual event. Our aim is to provide an outdoor recreational opportunity for all members of our community, regardless of ability or background. The fishing derby will feature accommodations to ensure that individuals of all abilities can participate and enjoy the experience.

By waiving parking fees during the specified time frame, we hope to remove any financial barriers that may prevent individuals and families from attending the event. This gesture aligns with the spirit of inclusivity and accessibility that we strive to promote in all our recreational activities.

We believe that events like the All Abilities Fishing Derby not only provide enjoyable experiences for participants but also contribute to the overall well-being and cohesion of our community. By supporting this initiative, the Select Board will demonstrate its commitment to creating a welcoming and inclusive environment for all residents.

We kindly request that the Select Board consider our proposal and approve the waiver of parking fees at Hoppy's Landing on June 19th from 12:00pm to 3:00pm for the duration of the event.

Thank you for your continued support.

Best regards

Bernadette Barreira
Recreation Director
Town of Fairhaven



Monday, March 2, 2026

MINUTES

1. Accept the Open Session minutes of February 2 and 9, 2026
2. Accept the Executive Session minutes of February 2 and 9, 2026:



FAIRHAVEN SELECT BOARD

Meeting Minutes

February 2, 2026

E 1

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

Also Present: Planning Board: Jessica Fidalgo, Sharon Simmons, Patrick Carr, Ruy daSilva, Miles Grant, Kevin Grant, Sean Powers and Jeffrey Lucas

Mr. Murphy opened the Select Board meeting at 5:48pm

Ms. Fidalgo opened the Planning Board meeting at 5:51pm and confirmed a quorum was present.

EXECUTIVE SESSION – joint with the Select Board

Motion: Mr. Carr motioned to enter Executive Session 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, and G.L. c. 4, s. 7(26), to review the minutes of Executive Sessions of the Planning Board dated 6/14/2022, 12/13/2022, 2/19/2025, 9/9/2025, 10/14/2025, 10/28/2025, 11/18/2025 and 12/16/2025 in response to a request for release and discuss whether to waive attorney-client privilege AND not to return to open session. Mr. Miles Grant seconded. Roll Call Vote. The motion passed unanimously (8-0-0).

EXECUTIVE SESSION – joint with the Planning Board

Motion: Mr. Saunders motioned to enter Executive Session 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, and G.L. c. 4, s. 7(26), to review the minutes of Executive Sessions of the Planning Board dated 6/14/2022, 12/13/2022, 2/19/2025, 9/9/2025, 10/14/2025, 10/28/2025, 11/18/2025 and 12/16/2025 in response to a request for release and discuss whether to waive attorney-client privilege 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).

The Planning Board adjourned to Executive Session at 5:54pm

The Select Board adjourned to Executive Session from 5:54pm to 7:03pm.

APPOINTMENTS AND COMMUNITY ITEMS

Proclamation: Fairhaven High School Football Team

Mr. Murphy read the proclamation. Each board members shared a personal message congratulating the team and coaches on their winning season.

Motion: Mr. Saunders motioned to approve the proclamation for the Fairhaven High School Football Team. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Recognition: Derek Almeida: New England Patriots Coach of the Year for 2025

Coach Almeida was recognized for being awarded the New England Patriots Coach of the Year for 2025.

Motion: Mr. Saunders motioned to recognize the selection of Coach Derek Almeida as New England Patriots Coach of the Year for 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Coach Almeida thanked the Board for honoring a true team that committed to each other and played their hearts out at Gillette Stadium.

Recognition: Zach Moura: 2025 Otto Graham Award Recipient

Zach Moura was recognized for being awarded the 225 Otto Graham Award.

Motion: Mr. Saunders motioned to recognize Zach Moura for being awarded the 2025 Otto Graham Award. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Event Request: Fairhaven Father's Day Road Race: June 21, 2026

The Board reviewed the event request details.

Motion: Mr. Saunders motioned to approve the Event Request for the Fairhaven Father's Day Road Race on June 21, 2026 as presented, contingent upon the approval of MassDOT. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Historical Commission: Application for the National Registry of Historic Places: Old Stone School House

Historical Commission Chair Rick Martin presented the request to the Select Board (*Attachment A*) and answered questions about the benefits to the Town and potential downside of future limited use. Doug Brady addressed the Board and clarified that the recognition would be for the exterior and not the interior; there are mechanisms to allow what the Town may want to do in the future. Mr. Martin added that the Rogers Grammar School was recently awarded a certificate and placed on the National Registry.

Motion: Mr. Saunders motioned to support the Historical Commission application to place the Old Stone School House on the National Registry of Historic Places. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Atlas Tack Working Group Update

Rick Trapilo of the Atlas Tack Working Group (ATWG) presented an update to the Board (*Attachment B*). Mr. Trapilo recognized the members of the ATWG and wished Brandon Estrella a speedy recovery from his recent surgery. Building Commissioner Rick Forand prepared a memo regarding the demo order (*Attachment C*).

The Board thanked Mr. Trapilo for the update and asked for a follow-up in March after the anticipated contamination assessment report from the Environmental Protection Agency (EPA) is received.

Consider Establishing an Affordable Homes Committee

Michelle Costen addressed the Board about establishing an Affordable Homes Committee (*Attachment D*) to bring small homes on small lots back that would be lower cost and bring affordable home ownership to Fairhaven. Mr. Forand advised the Board that it is a good idea and land would be needed first then zoning changes, then interested developers or contractors. At this time, it's too early to discuss building the homes which is where he would come in. The Board asked if Mr. Forand has worked in a town with an Affordable Homes Committee. He said he has not.

The Board asked what the charge and scope of the committee would be and what would they be asked to do. Ms. Costen said the committee should be five people if the Town were to present a housing trust fund and place something on the warrant. She suggested current members of other boards that are interested in bringing forth affordable homes like the Planning Board or Economic Development.

Brief discussion ensued about the process, research needed, potential membership of an Affordable Homes Committee, next steps and the use of Community Preservation Act funds for a community land trust. The Board asked Ms. Costen to work with the Town Administrator on a scope and charge to bring back for a future agenda.

Motion: Mr. Saunders motioned to take items C3 and C4 out of order. Ms. Mello seconded. The motion passed unanimously (5-0-0).

ACTION/DISCUSSION

Review the Timothy-Hiller Subdivision Investigation Process and Scope of Services

Bob Espindola addressed the Board about the request related to the Timothy-Hiller Subdivision (*Attachment E*) and asked for the additional people outlined in the email be added to the investigation interview list. Brief discussion on the interviews as part of the investigation process ensued. Mr. Hickey explained that the interviewee list has expanded as the interview progresses and that communications are vague to maintain the integrity of the investigation.

Petition to Expand the Timeline of Timothy Hiller Subdivision Investigation

Jennifer Cardoza of Main Street addressed the Board in support of the petition (*Attachment F*) to extend the investigation to the date of Diane Tomassetti's resignation on October 19, 2025. Ms. Cardoza made a statement to

the Board about volunteers, reputations publicly challenged and unsubstantiated accusations shared on social media platforms. She mentioned the Select Board's social media policy, acknowledgement of the tone of public discourse and responsibilities of public service. Ms. Cardoza asked for the extension of the investigation to ensure a thorough, fair and complete process and to show that Fairhaven values ethical leadership.

Discussion ensued about the scope of the investigation, the social media policy and enforcement challenges, potential consequences to appointed versus elected members of boards, civil tools available to individuals outside of the current investigation, impacts on the Town in attracting a Town Planner, the role of the Planning Board for the Town and the concepts of relevance and materiality in regards to evidence as part of the investigation process.

Erin Carr of Main Street addressed the Board about the investigation, the twenty-eight signatures on the petition under the previous item on the agenda tonight and triple that on the petition submitted here to expand the timeframe and asked what the consequences of the investigation would be.

Mr. Hickey could not speak to consequences due to the ongoing investigation and said the Select Board would discuss the results and debate any potential action as a result at a future meeting. Brief discussion ensued about the independent investigation, restoring the public trust and getting back to normalcy. Outside of this investigation, if facts are brought forward to the Board about a potential violation of the social media policy the Board can hold a hearing and consider acting if the member is appointed and if elected, it would be up to the electorate to decide.

Patrick Carr of Pleasant Street addressed the Board about the petition under the previous agenda item asking for individuals outside of the constructive approval date, holding people back from appointments, impacts to the families of those being investigated, impacts to their businesses, the Fairhaven Neighborhood News and false accusations. He said Ms. Tomassetti had no safe haven with the Select Board and the question remains as to what happens if you break the social media policy as an appointed or elected official. He asked what the law says about recall and added that Mr. Espindola should be on the list too.

Mr. Murphy said the Board will ask Town Counsel to provide an opinion on recourse for breaking the social media policy. Mr. Silvia added that he felt the investigation is a waste of money and that no matter what the results are, there will still be finger pointing.

Town Administrator's Recommended FY27 Budget Presentation

Mr. Hickey and Anne Carreiro reviewed the recommended FY27 budget (*Attachment G*). Mr. Hickey spoke to a potential proposition 2 ½ override and impacts to services. He added that the Veteran's Services budget reflects a reduction that will not impact services, historically Veteran's Service has turned back a significant amount and that average was used to make the reduction. The cost of a one point two million dollars (\$1,200,000) override for a home valued at four hundred and fifty-thousand dollars (\$450,000) would be approximately one hundred and eighty-nine dollars (\$189) annually. The recommended override would be for two to three fiscal years.

Discussion ensued regarding what net school spending is (minimum state required spending), what non-departmental costs are insurance benefits, medicare, etc., the measures the Town is looking at to save on employee costs like asking to move to electronic paystubs and offering a new prescription provider. The original estimate for health insurance was a fifteen percent (15%) increase and new figures show it closer to an eight percent (8%) increase. Mr. Hickey will be available to hold meetings to discuss a potential override and impacts and asked for suggestions of groups or organizations that he can set up meetings with.

Accept Retirement Notification: Lieutenant Timothy Souza

Per the Personnel Policy, the Board was asked to accept Lt. Souza's retirement notification.

Motion: Mr. Saunders motioned to accept the written notification of intent to retire from Lieutenant Timothy Souza as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Consideration of Agreement with the School Department on the Construction of Restrooms at the Fairhaven High School Athletic Fields

Mr. Hickey addressed the Board about the proposed agreement on a certificate of occupancy for the Fairhaven

High School Athletic Field (*Attachment H*). The Board asked for confirmation of where the funds for the bathroom project are coming from.

Motion: Mr. Saunders motioned to accept the Agreement with the School Department on the Construction of Restrooms at the Fairhaven High School Athletic Fields as presented. Ms. Mello seconded.

Mr. Hickey asked the Board about the update within the agreement to replace Keith Silvia with the Town Administrator (TA). The Board's consensus was to accept the agreement as presented in the packet that has the Town Administrator for the Town which replaces Mr. Silvia who had been a point of contact under Interim TA George Samia.

On the Motion: Mr. Saunders motioned to accept the Agreement with the School Department on the Construction of Restrooms at the Fairhaven High School Athletic Fields as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Approve the Select Board's 2025 Annual Report

The Board reviewed the draft report.

Motion: Mr. Saunders motioned to accept the Select Board's 2025 Annual Report as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

PUBLIC COMMENT

Bob Espindola of John Street addressed the Board via zoom. He said he wanted to reiterate prior meeting comments that the Board consider long-term planning when reviewing any potential override and include capital needs with the projections.

Erin Carr of Main Street addressed the Board to voice her concerns on the way some members are approaching appointments to boards; in January Cathy Melanson was the only applicant for one Zoning Board of Appeals (ZBA) position and Ms. Carr described Ms. Melanson's leadership and accomplishments and that there was a motion and no second for her appointment to the ZBA. Ms. Carr said that it does not seem like a benefit to the Town when having another Associate ZBA member would prevent a meeting being cancelled. Ms. Carr urged members to put away personal or political influence when making these decisions.

TOWN ADMINISTRATOR REPORT

Mr. Hickey reviewed his report (*Attachment I*). He added that the Recreation Center will present at a future meeting an option for free childcare the day of Town Meeting for Town Meeting members; more details will be provided.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no meetings to report on.

Ms. Mello reported:

- She participated in the Community Kindness Tunnel at East Fairhaven, it was a great opportunity.

Mr. Murphy reported:

- He also participated in the Community Kindness Tunnel at East Fairhaven. Lagoa meets soon and the Sister City meets monthly.

Mr. Romano reported:

- Sustainability met to prioritize FY27 goals for Town initiatives like adopt a drain and recycling.

Mr. Silvia reported:

- The Recreation Center had a great Family Feud event that was well attended

Mr. Hickey reminded everyone that sidewalk snow removal is residents' responsibility under the Town Bylaws

MINUTES

An amended copy was distributed to the Board, a line referring to "*A moment of silence was observed*" was removed; the Board is being asked to accept the amended Open Session minutes of January 20, 2026.

Motion: Mr. Saunders motioned to accept the Open Session Minutes of January 20, 2026 as amended. Ms. Mello seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE (Attachment J)

1. Emails: Michelle Costen: Towns with Housing Trust through CPA; Authority of Town Meeting & Select Board & Housing Trust Fund-Public Comment; Municipal housing trust fund-important info; FWD: From the Center of State Policy Analysis; A correction in Ref to meeting held on 1/12/26 on CPA App deadlines; Fwd., Correction needed-; Take a look-; From the White House-Protecting Home Buyers
2. Commonwealth of Massachusetts: Rogers Grammar School: National Registry of Historic Places

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 regular Select Board meeting will be on Monday, February 9, 2026 at 6:30pm.

FINAL THOUGHT... "May we meet this moment with patience, compassion, and a commitment to peace."

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter Executive Session Pursuant to G.L. Chapter 30A Section 21 (a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Police Union) 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).

Mr. Murphy added, *We all we got, we all we need, Go Patriots!*

Meeting adjourned to Executive Session at 9:35pm

ATTACHMENTS

- A. Historical Commission: Old Stone Schoolhouse National Registry of Historical Places
- B. Atlas Tack Working Group Presentation
- C. Building Commissioner letter re: Atlas Tack demo order independent inspections
- D. Affordable Homes Presentation: Michelle Costen
- E. Email: Update on Timothy Hiller Constructive Approval Investigation: Bob Espindola
- F. Petition request re Timothy-Hiller Subdivision Investigation
- G. FY27 Recommended Budget Presentation
- H. Agreement with School Committee and the Town of Fairhaven on the construction of bathrooms at the Fairhaven High School Athletic Fields
- I. Town Administrator Report
- J. Correspondence: Emails: Michelle Costen: Towns with Housing Trust through CPA; Authority of Town Meeting & Select Board & Housing Trust Fund-Public Comment; Municipal housing trust fund-important info; FWD: From the Center of State Policy Analysis; A correction in Ref to meeting held on 1/12/26 on CPA App deadlines; Fwd., Correction needed-; Take a look-; From the White House-Protecting Home Buyers; and; Commonwealth of Massachusetts: Rogers Grammar School: National Registry of Historic Places

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

Accepted on ____



FAIRHAVEN SELECT BOARD

Meeting Minutes

February 9, 2026

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

Also Present: Planning Board: Jessica Fidalgo, Sharon Simmons, Patrick Carr, Ruy daSilva, Kevin Grant, and Jeffrey Lucas. **Not Present:** Planning Board: Miles Grant and Sean Powers

Mr. Murphy opened the Select Board meeting at 6:00pm

Ms. Fidalgo opened the Planning Board meeting at 6:02pm and confirmed a quorum was present.

EXECUTIVE SESSION – Planning Board joint with the Select Board

Motion: Ms. Simmons motioned to enter Executive Session 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, and G.L. c. 4, s. 7(26), to review the minutes of Executive Sessions of the Planning Board dated 6/14/2022, 12/13/2022, 2/19/2025, 9/9/2025, 10/14/2025, 10/28/2025, 11/18/2025 and 12/16/2025 in response to a request for release and discuss whether to waive attorney-client privilege AND not to return to open session. Mr. Grant seconded. Roll Call Vote. Ms. Fidalgo, Ms. Simmons, Mr. daSilva, Mr. Carr, Mr. Grant and Mr. Lewis all in favor. The motion passed unanimously (6-0-0).

EXECUTIVE SESSION – with the Planning Board

Motion: Mr. Saunders motioned to enter Executive Session 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, and G.L. c. 4, s. 7(26), to review the minutes of Executive Sessions of the Planning Board dated 6/14/2022, 12/13/2022, 2/19/2025, 9/9/2025, 10/14/2025, 10/28/2025, 11/18/2025 and 12/16/2025 in response to a request for release and discuss whether to waive attorney-client privilege 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).

The Planning Board adjourned to Executive Session at 6:04pm

The Select Board adjourned to Executive Session from 6:04pm to 6:58pm

PUBLIC HEARING 6:30PM

Modify the Town of Fairhaven Personnel Policy per Chapter 61 § 5-B of the Town Bylaws

The purpose of this hearing is to align Non-Union Employee Vacation and Personal Days Benefit (§ 27.0 Vacation; § 29.0 Personal Days) to be consistent with the Clerical Collective Bargaining Agreement

The Public Hearing was opened at 6:58pm and Mr. Murphy read the notice.

Mr. Hickey addressed the Board regarding the changes requested to sections 27.0 Vacation and 29.0 Personal Days of the Town of Fairhaven's Personnel Policy and as shown in the mark-ups included in their packet (***Attachment A***). The Board reviewed the proposed changes at a prior meeting and had no questions.

Public Comment: No public comments

The Public Hearing was closed at 7:01pm

Motion: Mr. Saunders motioned to approve amendments to the Town of Fairhaven Personnel Policy as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

PUBLIC COMMENT

Erin Carr of Main Street addressed the Board; she thanked the Board, Town Administrator and/or Public Works for cleaning the bike path of snow. She added how impactful it is for those who use it. Ms. Carr encouraged the Board to continue having this happen and if needed can come in the future to discuss community options to pay for clean-up of the bike path and track.

APPOINTMENTS AND COMMUNITY ITEMS

Childcare Service at the Recreation Center for Town Meeting, Saturday, May 2, 2026

Recreation Center Director Bernadette Barreira addressed the Board and reviewed the services the Recreation Center will offer the day of Town Meeting on May 2, 2026 (*Attachment B*). The Board thanked Ms. Barreira for the opportunity and brief discussion ensued about parents providing lunch and snacks for their child, registration limited to Town Meeting members, not staff and the age range is five to twelve years old (5-12).

Event and Parking Fee Waiver Request: 13TH Annual West Island 5K on Sunday, April 26, 2026

The Board reviewed the event and parking fee waiver request for the 13th Annual West Island 5K on Sunday, April 26, 2026.

Motion: Mr. Saunders motioned to approve the West Island 5k Run/Walk, contingent upon police, fire and emergency management coordination, and the no-fee use of Hoppy's Landing for parking during the West Island 5k Run/Walk on April 26, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Special One-Day Beer and Wine License, Buzzards Bay Coalition, Saturday, June 20, 2026, 7:00-11:00am

The Board reviewed the application for a Special One-Day Beer and Wine License from the Buzzards Bay Coalition for the 33rd Annual Buzzards Bay Swim at Fort Phoenix.

Motion: Mr. Saunders motioned to approve the Special One-Day Beer and Wine License on Saturday, June 20, 2026 from 7:00-11:00am for the Buzzards Bay Coalition's 33rd Annual Buzzards Bay Swim at Fort Phoenix. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Appointment Request: Belonging Committee: Suzanne Bellanger

The Board reviewed Ms. Bellanger's application, Mr. Romano advised the Board she had reached out to him about the opportunity and was unable to attend tonight.

Motion: Mr. Saunders motioned to appoint Suzanne Bellanger to the Belonging Committee for a term through May, 2026. Ms. Mello seconded. The motion passed (4-0-1) Mr. Romano abstained.

Appointment Request: Associate Zoning Board of Appeals: Cathy Melanson

Cathy Melanson addressed the Board about her application, volunteer work, accomplishments on other boards and in the community. Brief discussion ensued and the Board asked clarifying questions to confirm, if appointed, that Ms. Melanson would act in the best interests of the citizens when exercising the deliberative powers of the Zoning Board of Appeals (ZBA), what Ms. Melanson's role volunteering in the Planning Office entails. Mr. Hickey advised the Board that he limited it to work that could be done outside of Town Hall to answer questions as needed. Ms. Melanson said she meets with the Planning Board chair to prepare meeting materials but does not attend the meetings or tell the Planning Board what to do. Mr. Romano expressed concerns about additional board work and the need for diverse volunteers.

Motion: Mr. Saunders motioned to appoint Cathy Melanson as an Associate Member of the Zoning Board of Appeals for a term through May, 2026. Mr. Silvia seconded. The motion passed (3-2-0) Ms. Mello and Mr. Romano opposed.

Appointment Request: Open Space and Recreation Plan Committee: Bob Espindola

Mr. Espindola addressed the Board via zoom. Mr. Silvia expressed concerns about correspondence Ms. Espindola submitted ahead of a January meeting requesting the Select Board not appoint Ms. Melanson or Mr. Carr due to an ongoing investigation and that in Mr. Silvia's opinion, Mr. Espindola's actions should be part of the investigation. Brief discussion ensued regarding why the investigation concern would not apply to Ms. Melanson or Mr. Carr.

Mr. Carr asked to address the Board and no public comments were allowed by the Chair.

Motion: Mr. Saunders motioned to appoint Bob Espindola to the Open Space and Recreation Plan Committee. Ms. Mello seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Mr. Hickey reviewed his report and congratulated Sergeant Michael Bouvier who retired after thirty years of distinguished service to the Town (*Attachment C*). The Board also thanked Sgt. Bouvier and congratulated him on his retirement; Mr. Murphy added recognition for Sgt. Bouvier's work with the developmentally disabled.

There will be two ribbon cuttings with the Economic Development Committee on Friday, February 13, 2026; 11:00am at Fairhaven Tattoo & Gallery and at 1:00pm at the Sail House Tavern.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no updates or meeting updates to report.

Ms. Mello reported:

- The Historical Commission met and discussed that the Historical Society will host a talk with author Charles Slack at 6:30pm on April 24, 2026 at Town Hall.
- There is a new sign being put up at the Delano Cemetery on Sconticut Neck Road by Public Works. The Board asked for notice of any installation or rededication date.

Mr. Murphy had no updates or meeting updates to report.

Mr. Romano reported:

- The Belonging Committee met, they reviewed their yearly agenda and member capacity to attend or support events.
- He will be out of town and miss the ribbon cuttings.
- He thanked Ms. Carr for her comments on the bike path snow removal and added that there are bus stops along Huttleston Avenue where people wait in the street due to the snow. The suggestion was made to contact SRTA (Southeastern Regional Transit Authority) because Huttleston Avenue is a state road.
- Interviews start tomorrow for the Treasurer/Collector position.

Mr. Silvia reported:

- No meetings to report on
- He has seen the crossing guard shoveling snow at the corners she is stationed at when the plow has left snow and also Facilities Manager Kevin Fournier needing help at Town Hall especially on the weekend with snow removal. Mr. Hickey will speak with Mr. Fournier.

CORRESPONDENCE (Attachment D)

1. Email: Wayne Hayward; Agenda item comment
2. Email: Anne Morton Smith; Sidewalk Bylaw
3. Email: Ann Richard; CPC info on Housing projects-FYI
4. Emails: Michelle Costen; Municipal Affordable Housing Trust-Proposal in the Making and Ref: Request for full investigative disclosure, -1/2/26 meeting
5. Petition to Extend the External Investigation through October 19, 2025

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 regular Select Board meeting will be on Monday, February 23, 2026 at 6:30pm.

FINAL THOUGHT... "Our greatest glory is not in never falling, but in rising every time we fall. Confucius."

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter Executive Session Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or 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 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 7:38pm

ATTACHMENTS

- A. Proposed Personnel Policy Changes to § 27.0 Vacation and § 29.0 Personal Days
- B. Memo: Bernadette Barreira: Childcare at the Recreation Center for Town Meeting
- C. Town Administrator Report
- D. Correspondence: Email: Wayne Hayward; Agenda item comment; Email: Anne Morton Smith; Sidewalk Bylaw; Email: Ann Richard; CPC info on Housing projects-FYI; Emails: Michelle Costen; Municipal Affordable Housing Trust-Proposal in the Making and Ref: Request for full investigative disclosure, - 1/2/26 meeting and Petition to Extend the External Investigation through October 19, 2025

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

Accepted on ____



Monday, March 2, 2026

CORRESPONDENCE

1. Emails: Michelle Costen:
Ref: Citizens Petition Submitted;
Public Comment-Ref 2/9/2026 SB Meeting;
MGL c. 44 s. 55 quick note;
Fwd: Affordable Home Ownership-Domino Effect;
From the White House-21st century Housing Act;
Reference to zoning delays-PB meeting 2/10/26 public comment;
FWD: MAHT;
Home Sweet Home Committee
(no subject)

Ref:Citizens Petition Submitted-

1 message

michelle costen <michcosten@gmail.com>

Fri, Feb 6, 2026 at 11:56 AM

To: Charlie Murphy <cmurphy@molifeinc.com>, selectboard@fairhaven-ma.gov, planningsecretary@fairhaven-ma.gov, buildingcommissioner@fairhaven-ma.gov, Jessica Fidalgo <jessica.wilder13@yahoo.com>, pjcarra@a1crane.com, ksilvia2@yahoo.com, Keith Hickey <khickey@fairhaven-ma.gov>

Dear Select Board & Planning Board,

I have recently submitted a Citizens Petition for the town of Fairhaven to adopt a Municipal Affordable Housing Trust Fund, Ref-(MGL. C.44 s.55c) To tangibly help us, create avenues on how we need to move forward in making homeownership affordability, possible again. Which if we do this right, will cause a domino effect over the next several years, for helping our community get out of debt-and begin to thrive-

We currently have funds (CPA) available, still, to help us with this Affordable Homeownership initiative, and we have had them available for many years, but we haven't used them to our best financial advantage, to address our most urgent housing needs. And where we could apply CPA funds that would bring a greater Financial Return to the community.

Ex: Pickleball courts Or restoring an antique firetruck will not provide you with Opportunities for additional state grants. Nor will these things bring in yearly tax revenue, and most importantly, help solve Housing affordability for our residents. -Home is a Basic #1 Need-along with food and water.

While there is a 10% requirement for all the four categories of CPA funds, we have used high percentages Over and above, on projects we cannot get a return in revenue, from, and some of these projects that have used a good portion over and above 10% of our CPA funding, has not helped our housing affordability crisis at all- in fact, housing has received the least amount of attention. When it should've been receiving the greatest amount of attention.

—Now that this is being brought to Light, there really wouldn't be a good excuse to continue on as we have, with ignoring our affordability housing crisis.

—CPA funds is what will help us fuel the process. And Using a good percentage of the CPA funds will also make us eligible for more state grants. It is true that there is 70% of undesignated CPA funds that are left to the your recommended discretion. Especially in addressing urgent needs.

-But to help us coordinate and collaborate on this process, we need to have the adoption of a MAHT established. And thereafter, form a board of trustees to generate the process Of making homeownership affordability a tangible reality.

-We can look at it this way, an MAHT Is the municipal employer, and the trustees are the employees. —And the Mission Is to Create Affordable Home ownership—

—Which will also bring in revenue to the town consistently every year. But more importantly, it will give homeowners the opportunity to have consistent monthly payments that aren't increasing every month exorbitantly, and it will also give them the opportunity to grow some equity in a steady growing pace. —All of this as I mentioned, will bring us financial stability. And begin putting an end to the cycle of displacement and deficits-

—In order to grow and begin creating a healthy cash flow again in this town, We must grows Financial Stability at a healthy pace. It's OK if we grow each year slowly, then to not grow at all.

—I have sent you all, a Visual Presentation on building smaller homes, and have sent you information on how we can begin to TANGIBLY CREATE homeownership opportunities, here in Fairhaven. We must start this year before it's too late.

—We have property already available to get this ball rolling. Each year for the next 3-7 Years, we can be growing steadily, building adorable quality smaller homes, In order to meet the need.

—We are not an MBTA, nor are we a city who needs to bring in a plethora of housing complexes, and high cost apartments with yearly rental increases that continues the cycle of displacement And un affordability-.

—We are a small town. The need to grow slowly, but surely, is by far better than slapping up a few apartment Complexes, like the one on Route 6, that look like Army barracks, which do not fit the culture of our suburban town, and

while charging high rents. Which is not helping our Affordability crisis at all.

—We need Homes but we also need them to be Affordable—

Do you realize we have developers receiving incentives from a bond bill of 5 billion, to build affordable housing, but where is the affordable housing? Also, a bond bill has to bring a return to the investors. Who is really making out with this \$5 billion Affordable Homes Act bill, that was passed in August 2024?

As you all know, Many of our residents, here in Fairhaven have been priced out of the housing market, and rents are becoming too exorbitant. Rents sometimes increasing as much as \$500 in a month. Forcing young, hard-working people to move back in with their parents, and with their children. Some of these people are actually couch surfing in other peoples homes, I know firsthand of the scenarios I'm talking about. Seniors, too, with physical limitations, are being greatly affected by these rent increases, with no ability to purchase a small affordable home anymore, in order to keep monthly payments, steady, To fit their budgets. And to help them grow a little equity, so if there's an emergency in their lives, they can maybe tackle it with their equity.

I hate to say it this way, hard-working Citizens, our young educated adults & seniors are being Financially Blood Sucked, and they have lost their inspiration and dreams for the future. it's got to stop here in Fairhaven.

—We don't have to be like every other town who submits under the energy of the heartless & avaricious-

—Through CLT's, & CPA funds, and by building/perserving small homes again, we can create affordable Home ownership that will cost less than entry-level rents of today. But this is not all we have to do.

—There is another huge culprit here. We have many of our smaller homes being used as profit commodities. We need to keep guard that family homes we are building are not going to continue to be bought up by investors for just profit purposes. —This was the start of a serious destabilization, allowed to happen, in our family neighborhoods. This is where community land trust will be very helpful to guard against this.—(On January 20, 2026, an executive order has been signed by the President, to stop investors from purchasing small family homes). So along with building smaller homes, we also need to uphold this executive order in our local towns.

—The only people that would have a problem with what I'm talking about here in this email, Would be those who are avaricious in their intentions.-

It will be important that we have a MAHT established, this year, and CPA funds held in reserve, in order to begin to seriously address our common known, Home ownership/ rental, affordability crisis.

Tell me what I can more do to help, as an advocate for Fairhaven?

Michelle Costen
Fairhaven, Mass
508-564-3086

Fwd: Public Comment- Ref 2/9/2026 SB Meeting

1 message

michelle costen <michcosten@gmail.com>

Sun, Feb 8, 2026 at 10:46 AM

To: Charlie Murphy <cmurphy@molifeinc.com>, Keith Hickey <khickey@fairhaven-ma.gov>, selectboard@fairhaven-ma.gov, planningsecretary@fairhaven-ma.gov, pjcarra@a1crane.com, Jessica Fidalgo <jessica.wilder13@yahoo.com>, buildingcommissioner@fairhaven-ma.gov

Ref: CPC FYI Public Comment- Important that I bring this to your attention.

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

From: **michelle costen** <michcosten@gmail.com>

Date: Sun, Feb 8, 2026 at 10:35 AM

Subject: Public Comment- Ref 2/9/2026 SB Meeting

To: michelle costen <michcosten@gmail.com>

Dear Keith Hickey, Select board & Planning Board.

-The CPC chairman, has sent an FYI, public comment to be recognized and recorded at the next meeting being held on February 9, 2026- I received this public FYI late on Friday.

-I want to thank the chairman of the CPC for being a little bit transparent in revealing housing appropriations over a 21 year period. (Since 2005)

-However, I wasn't very grateful for the fact that the CPC Chair did not give total transparency in appropriation amounts for CPA funds in her FYI public comment, to include open space, recreation, and historic, over a 21 year period. So that the public could fairly measure the CPA amounts of appropriations between each of the four categories, according to community urgent needs and Fairhaven polling-

-Urgent Needs are listed on CPC instructions, as goals in Determining Recommendations for CPA appropriations-

The Public is not being given a fair and fully transparent opportunity in this CPC FYI correspondence to see and understand that out of these four categories, If appropriations and the 70% undesignated amounts are being Recommended and appropriated towards our most urgent needs.

Which I repeat for the last 8 years our most urgent needs has been housing,— according to both Fairhaven polling, and according to the Finalized 2018, 2040 MPV- And even according to the CPC plans that listed housing being a major concern. The Housing affordability crisis, is common known-

- As a standalone amount in CPC Chair's FYI info, it can seem to the public, like a lot of money that has gone towards housing, \$1,499,371- but not so much when you consider it being over a 21 year period. In fact, it's only a 15% amount of CPA appropriations that has gone towards housing compared to a 56% amount of total appropriations of CPA funds that went to historic purposes. 5,156,830 as of 2024- and more than that for the 2025 Total distributions for historic purposes. (I was not able to yet find the 2025 most recent total appropriation amounts. Perhaps it has not been uploaded yet on the website or I just can't find it)

- I also researched the CPA database for the entire state of Massachusetts. Some of the numbers appeared skewed when you compared them to the numbers you get at the local level.

My further research showed me that over the last eight years, especially, and since Fairhavens have been priced out of the housing market, and have realized a dire need For the creation of Affordable home ownership- 55% of total appropriations still went towards historic and only 15% went towards housing. With no creative solutions, listed or even discussed in the meeting minutes. No public library outreach was ever done asking the public if they could help bring creative solutions for the CPC committee. It is a public process as stated in the law, and Even when the public did try to come forward and speak about creative solutions for housing, the public was blocked from speaking. I'm sorry that I have to reiterate this, but there's never even been an apology or some sort of recognition from the CPC Chair that you care about what the public in good Faith, is trying to share with you.

Why is this important to know? People need to Realize that historic maintenance preferences, were more important than housing people, and more important than creating new ways to make homeownership affordable again for our Fairhaven families. Over these last eight years, we could've done a lot of good things for bringing back affordable home ownership to our community.

A little bit of transparency in the CPC Chair's FYI- is like offering no transparency at all.

Take a look at the recorded documents I have Attached to this email. You will see the FYI correspondence from CPC Chair , and then you will see Total appropriation amounts on the next attachment, over the last 21 years showing 56% Of our CPA appropriations have gone towards historic Maintenance.

I know we are all volunteers, including myself, and Though I'm retired, I still work too. But someone needs to bring this to everyone's attention, or this housing crisis will get so bad that we'll be seeing a lot more people walking on the streets in the next 5 to 10 years with their children, as I have already witnessed.

And will be paying a whole lot more in our taxes to build and keep building more shelters paid by the taxpayers.

My friends, We've got to do something!

Michelle

2 attachments



IMG_0693.jpg
155K



IMG_0691.jpg
188K

DRAFT COPY - Appendix – All Approved CPC Projects

Project Name	Description	Approval Date	Categories	Status
BBC Carvalho Woods Conservation	For the Town, by and through the Conservation Commission, to purchase a conservation restriction (\$80,000) and pay for project costs and public access enhancements (\$30,000) on a 5.92 acre vacant lot at 144 Shaw Road. The CR would permanently protect the lot and allow for the creation of a walking trail from the Phoenix Bike Path near the north of the property to Shaw Road and the existing Carvalho Farm trail to the south.	05/04/2024	Open Space	In Progress
FHA – Anthony Haven Window Replacement	Replace 75 windows to preserve the integrity of the public housing complex with 24 one-bedroom apartments for seniors over 60 and handicapped/disabled tenants.	05/04/2024	Housing	In Progress
Town Hall Repairs – East Retaining Wall	Repair the Town Hall East Retaining Wall along the Walnut Street Side of the building. The repair would require disassembling the wall and accompanying wrought iron fence and sidewalk, rebuilding the stonework, fence, and sidewalk, and installing a new drainage system to mitigate future issues.	05/04/2024	Historic	In Progress

Overview of Projects By Type – Total Appropriations Calculated Based on the Community Preservation Coalition Database Listings						
Project Type	Total Appropriations	Percentage of Appropriations	Completed	In Progress	Total	Percentage of Projects
Open Space	\$1,455,915	16%	10	6	16	13%
Historic	\$5,156,830	56%	49	14	64*	53%
Housing	\$1,399,371	15%	18	4	22	18%
Recreation	\$1,244,282	13%	11	8	19	16%

*The Fort Phoenix Restoration project from 2006 was cancelled.

CPC info on Housing projects- FYI

1 message

Ann Richard <ann.richard@gmail.com>

To: khickey@fairhaven-ma.gov, Selectboard@fairhaven-ma.gov

Here are some facts about Fairhaven CPC grants given to housing in town since 2005.

Total in Grants for Housing given: \$1,499,371.

New Units: 126.

Supported Units: 444

Total Units: 570.

We have a representative from the Fairhaven Housing Authority on the CPA. There has always been a representative on the Fairhaven (worked with a few different Directors of the Housing Authority.

Please let me know if you have any questions.

Ann Richard-she/her

Chair-CPC

MGL c.44 s. 55 quick note-

1 message

Michelle Costen <michcosten@gmail.com>

Mon, Feb 9, 2026 at 11:00 AM

To: Keith Hickey <khickey@fairhaven-ma.gov>, selectboard@fairhaven-ma.gov, planningsecretary@fairhaven-ma.gov

There was a Citizen petition that was sent out last week on adopting a Municipal Affordable Housing Trust Fund. Just wanted to make sure everyone knew that MGL c.44 s55 specifically includes, section, C, referencing Municipal Affordable Housing Trust fund (MAHT). For those who may have not know that.

Regards,

Michelle Costen

Fwd: Affordable Home Ownership- Domino Effect

1 message

Michelle Costen <michcosten@gmail.com>

Tue, Feb 10, 2026 at 11:23 AM

To: selectboard@fairhaven-ma.gov, "Patrick J. Carr" <pjcarr@a1crane.com>, Jessica Fidalgo <jessica.wilder13@yahoo.com>, Keith Hickey <khickey@fairhaven-ma.gov>, buildingcommissioner@fairhaven-ma.gov

Hello to you all,
Forgive me for my persistence-I'm
Forwarding a review on affordable home ownership, and opportunity initiatives-

----- Forwarded message Ord -----

From: michelle costen <michcosten@gmail.com>
Date: Tue, Feb 10, 2026 at 10:52 AM
Subject: Affordable Home Ownership- Domino Effect
To: michelle costen <michcosten@gmail.com>

Dear Select Board & Planning Board -

Just a quick note with key notes-

If We can bring a Creative Housing Initiative Solution to Fairhaven, where we once again have the ability to build really nice smaller affordable homes, on smaller lots, like we used to do, and build beautiful small home villages on bigger parcels in the rural areas, in order to grow and build equitable & affordable housing stock inventory each year, - Over a 3-7 year period, this will create a domino effect for other local towns to adopt similar Affordable Home Ownership initiatives.

So that we begin to see tangibly in the state of Massachusetts our affordable housing crisis, beginning to be resolved.

—Remember, it's not just about more housing Inventory- What's equal and even more important, is housing affordability for all income levels.

—It will initially involve CLT's & CPA funds to kick start the process for making homes affordable again. But this will also open the door to state & federal grants. And Increased yearly revenues, But most, especially it will create affordability for residents - and this is what will help make our community thrive-

—Both the state & federal government want local towns to be Creative like this, and tangibly work together to solve our affordable home ownership and housing crisis, by the means and the funds that we already have at our disposal.

—Also, the fact that we have a new executive order, as of January 20, 2026, not allowing big investors To buy family homes that are supposed to be affordable, it will help us tremendously as we enforce that rule here in our local towns. In fact, it should be a bylaw as it is for ADU's.-

- When we use our funding appropriately to solve urgent housing Needs of the people, it shows both the state and federal government, that we know what we're doing with the taxpayers hard earned money. And that's what opens the door for more state and federal grants.

I have presented this visual idea to people in town, everyone is receiving it as a wonderful idea and opportunity.

—In fact, some people have felt that it's too good to be true, and that it will end up being a complicated process.

—I don't believe that at all, it will only be complicated if we make it complicated. It's really a very straightforward plan as I have outlined in previous emails.

—What I'm trying to say here is let's not make this difficult. Yes it will involve work & specific steps, but it does not have to be difficult to unfold this process.

—Both state and federal government have released the many restrictions that have held us back. Although there are certain bylaws and laws, we must always honor. We also know there are laws that have restricted us from providing the community what it needs and with what is in the keeping of Each towns unique culture-

I hope this correspondence helps to relieve any negative thoughts, that this is too complicated or too good to be true. And it does not have to be dragged out. Once a Municipal Housing Trust Fund is approved, and it should by right of the people, be approved - then we can begin working right away on what we need to do to make it happen and bring affordable home ownership back into the town, Fairhaven.

Michelle Costen
Fairhaven Advocate-

From the White House-21st century Housing Act

1 message

michelle costen <michcosten@gmail.com>

Tue, Feb 10, 2026 at 12:26 PM

To: Keith Hickey <khickey@fairhaven-ma.gov>, selectboard@fairhaven-ma.gov, Jessica Fidalgo <jessica.wilder13@yahoo.com>, "Patrick J. Carr" <pjcarr@a1crane.com>, buildingcommissioner@fairhaven-ma.gov, Amy Hart <ahart@fairhaven-ma.gov>, Charlie Murphy <cmurphy@molifeinc.com>

The Housing for the 21st Century Act -passed today.

February 10, 2026-

With a vote of 390 to 9-

—The act aims to address the housing affordability crisis by increasing the build of more affordable homes and streamlining regulatory process-

—Prior to this, in December of 2025, the act had been approved by the House Financial Services Committee with significant bipartisan support-

Best Regards,

Michelle Costen

Reference to zoning delays-PB meeting 2/10/26 public comment

1 message

Michelle Costen <michcosten@gmail.com>

Thu, Feb 12, 2026 at 10:00 AM

To: Jessica Fidalgo <jessica.wilder13@yahoo.com>, "Patrick J. Carr" <pjcarr@a1crane.com>, selectboard@fairhaven-ma.gov, Keith Hickey <khickey@fairhaven-ma.gov>, Mark Sylvia <msylvia11@comcast.net>, buildingcommissioner@fairhaven-ma.gov

Dear Planning Board Members-

This email is specific to zoning -

It was mentioned at the meeting that there would be delays for zoning changes to go back to building on smaller lots, and building smaller homes-waiting until November-

Zoning waivers for example, under chapter 40B in Massachusetts, do include the option to build single affordable homes on smaller lots -the law promotes affordable housing development by allowing builders to apply for a comprehensive permit, which can waive local zoning regulations- if they set aside a certain percentage of the homes built as affordable.

—And because this is true, there really should be no need for town meeting to want to deny or delay until November, an opportunity for us to begin building on smaller lots like we used to do.

—We also have zoning waivers in emergency zoning through the housing affordable act-Which is all about moving past all the legislative drawn out processes-When it comes to providing affordable housing-

In other words, why not allow for an immediate zoning waiver approvals this Spring at TM, to be able to build on smaller lots, like we used to do, because the way the law is set in Massachusetts, it makes it allowable already through zoning waivers and emergency zoning provisions, as like the buy right provision for ADU's

The laws are giving us permission already, so why are we waiting until November for zoning to be approved on smaller lots to build smaller affordable homes- It doesn't make sense.

We are being counterproductive to streamlined zoning laws. To have to wait until November for zoning Approvals.

We are in a housing crisis. We should not be stalling the process.

-With this in mind, I wouldn't see a need to wait until November to be able to approve zoning on smaller lots like we used to do, so we can build smaller affordable homes, sooner than later-

The comprehensive housing plan laws in Massachusetts was specifically designed for, and encourages streamline zoning and permitting processes, in order to build affordable homes for median (H-L) income earners.

Think of it this way, this process streamlined the ability to put an ADU by right on your property. The process was deliberately streamlined to begin the process of housing people. It should be no different for providing Streamline zoning on smaller lots for affordable homes - As I said, the State of Massachusetts is encouraging local communities to be Pro creative, in providing affordable homes-And housing opportunities.

Requirement to be functioning under these laws is that we have a Master plan, which includes a section on housing and our specific housing needs unique to our small town -which we already have that in place - via our 2040 Master Plan, which highlights the need for affordable homes that fit into our small town culture-

Just something I wanted to bring to your attention when it comes to providing affordable homes-and not expecting that we have to delay the process for zoning till next November.

Building on smaller lots has been supported by the TA and the Building Commissioner- We all know the great need to build homes that people can afford. We have priced people out of the housing market and displaced many of them.

No reason to delay zoning changes for approval to build affordable homes until November-Because our new laws are already encouraging that we are creative and can consider zoning change approvals/waivers- to make affordable homes a tangible reality.

The TA said that he would furnish a Lot list of land, including land that we own.

Zoning waiver approvals exclusively for housing affordability, on smaller lots, like we used to do in Fairhaven, really needs to be approved by Spring TM- So that we can begin building smaller homes on smaller lots, this summer. We must begin healing our Affordable Home Ownership Crisis, this year-

Regards,

Michelle Costen

Fairhaven Advocate

Fwd: MAHT-

1 message

michelle costen <michcosten@gmail.com>

Sat, Feb 14, 2026 at 2:13 PM

To: Keith Hickey <khickey@fairhaven-ma.gov>, Jessica Fidalgo <jessica.wilder13@yahoo.com>, "Patrick J. Carr" <pjcarr@a1crane.com>, selectboard@fairhaven-ma.gov, buildingcommissioner@fairhaven-ma.gov

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

From: **michelle costen** <michcosten@gmail.com>

Date: Sat, Feb 14, 2026 at 2:06 PM

Subject: MAHT-

To: michelle costen <michcosten@gmail.com>

Hi Kieth,

This might also be helpful information for town meeting, if you want to add this or portions of this to the warrant- specifically as it relates to

MAHT law-you may find this is all you need. I'm just providing this to you as a brief synopsis' -Options that might be helpful To add to the warrant with the Citizens Petition —to establish a municipal affordable housing trust fund-

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46K

Massachusetts General Laws Chapter 44, Section 55C allows cities and towns to establish a Municipal Affordable Housing Trust Fund to create and preserve affordable housing for low and moderate-income households. The section outlines the powers of the board of trustees managing the fund, including accepting property and funds, purchasing real estate, and managing trust assets.

Massachusetts General Laws Chapter 44, Section 55C

Purpose of the Municipal Affordable Housing Trust Fund

- 1 A city or town may establish a trust called the Municipal Affordable Housing Trust Fund.**
- 1 The trust aims to create and preserve affordable housing for low and moderate-income households.**

2. Board of Trustees

- 1 The trust will have a board of at least five trustees.**
- 1 The chief executive officer of the city or town must be included on the board.**
- 1 Trustees are appointed by the mayor or city manager, depending on the municipality's governance structure.**

3. Powers of the Board

The board has several powers, including:

- 1 Accepting real property, personal property, or money from various sources.**
- 1 Purchasing and retaining real or personal property.**
- 1 Selling, leasing, or transferring property as deemed appropriate.**

4. Additional Provisions

- 1 The board may have additional powers granted by local ordinances or by-laws.**
- 1 The trust is designed to operate in accordance with the provisions of Chapter 44B of the Massachusetts General Laws**

Home Sweet Home Committee

1 message

Michelle Costen <michcosten@gmail.com>

Sat, Feb 14, 2026 at 1:10 PM

To: Keith Hickey <khickey@fairhaven-ma.gov>, buildingcommissioner@fairhaven-ma.gov, selectboard@fairhaven-ma.gov, Jessica Fidalgo <jessica.wilder13@yahoo.com>, "Patrick J. Carr" <pjcarr@a1crane.com>, Mark Sylvia <msylvia11@comcast.net>

Dear Mr. Hickey, Cc- as addressed-

In our last meeting, we talked about putting a brief synopsis together for Town Meeting, to bring forward with the Submitted Citizens Petition to adopt an MAHT. —And As to also address the charge, to form an Affordable Housing committee, that we will need to officially appoint *after* the adoption of a Municipal Affordable Housing Trust as per MGL c.44 s.55c-

—However, It seems the team is already forming itself. Which is wonderful! So maybe we will have a team of five ready to be appointed comes the time After spring TM-

(For those who may not know, when I initially presented the idea of an Affordable Home Committee, I was not aware that we did not have an established Municipal Affordable Housing Trust fund) **MAHT**

I took it upon myself to name the committee that will need to be officially appointed, after the adoption of a MAHT, **Home Sweet Home Committee**, or like in the abbreviated, pronounced name of Matthew, we can simply call the committee, the **MAHT committee** And leave the H silent. If someone comes with a better name, that will feel good and uplift the community. Let me know.

Mr. Hickey, I leave the document attached for your review, to go on the warrant, or if you want to streamline or add something to it, let me know. —I hope this helps, and what you were looking for-

Feedback appreciated.

Michelle Costen
Fairhaven Advocate



Home Sweet Home Committee.pdf

35K

Establishing A Municipal Affordable Housing Trust Fund-MGL c.44 s.55C
-Presented by the Home Sweet Home Committee-

Ref- to Citizens Petition & The Common Known Housing Affordability Crisis.

Establishing a Municipal Housing, Trust Fund (aka MAHT) will significantly enhance the affordable opportunities for homeownership and affordable housing at the local level.

Here are reasons why we must adopt an MAHT, on May 2, 2026, to help solve our affordable home ownership & housing crisis.

Affordable Housing Development Opportunities -Housing families, individuals, seniors, & First Time Homebuyers- Will Keep Fairhaven Thriving!

—A Housing Trust Fund will provide the *essential financing, most notably through Community Preservation Funds (aka CPA Funds)-(MGL Chapter 44B-specifically section 5f)* Along with opening the door to other state and federal funds and grants, to support the development of affordable Homes, ensuring that our median (H-L) income residents, have re-entry into the Real Estate Market and other Housing Opportunities.

An MAHT offers financial flexibility in order to meet our housing crisis supply & demands.
—Over the past six years, especially, our median/moderate income working residents, offering vital services to the community, seniors, first time homebuyers, which makes the majority, have been completely **Priced Out** of the housing market. And **rentals are exorbitantly increasing** every year, even beyond in many instances, the price of mortgage payments.

—MAHT,s have been reported from other local towns in Massachusetts, as being very successful in helping their community stabilize & thrive -

—MAHT's can financially work like hand in glove with the legal formations for EX: a Community Land Trust (aka CLT's) and Affordable Housing Crisis Initiative zoning waivers, in order to help solve our Housing affordability crisis, in a more timely, streamlined fashion as befits our current state and federal housing laws of today

MAHT -Supporting Community & Stimulating Local Economy

—MAHT's financial support, will allow families, and residents who offer various **VITAL services to the community to flourish in a stable & sustainable environment. And because it would offer affordable housing initiatives that will bring stability and more sustainability, there will then be be more opportunities for business growth too. MAHT's will kick start \$ fuel the process in contributing to the necessary, yearly revenues our town must have, in order to keep from prolonged deficits and hardships.**

—MAHT's will give us the financial opportunity to be Pro Creative in developing more affordable homes & sustainable living. Establishing MAHT can attract matching grants and investment from state and federal programs, multiplying the impact of local funds, and creating more robust housing solutions.

— — Once we adopt a Municipal Affordable Housing Trust Fund in Fairhaven, We then will have ready to have the Select Board, officially appoint a team of 5 trustees as per the MGL c.44 s.55c explains, And form A **"Home Sweet Home Committee"** - **To formally outline Goals and Purposes unique and specific to the Housing needs in Fairhaven, and in accordance with the 2040 Master Plan.**

(no subject)

1 message

Michelle Costen <michcosten@gmail.com>

Wed, Feb 25, 2026 at 11:56 PM

To: Keith Hickey <khickey@fairhaven-ma.gov>, selectboard@fairhaven-ma.gov, ksylvia2@yahoo.com, Charlie Murphy <cmurphy@molifeinc.com>, Jessica Fidalgo <jessica.wilder13@yahoo.com>, "Patrick J. Carr" <pjcarra1crane.com>, Mark Sylvia <msylvia11@comcast.net>

Kieth,

What on earth happened ? Residents, neighbors, and even people at work today are all talking about the complete unpreparedness and the abandonment that so many people felt during one of the worst blizzards we've ever had.

Didn't Governor Healy have any kind of Emergency backup plan Issued out to all of the local town administrators, in the event they were hit bad by blizzard conditions?
Especially those who lost electricity and got hit the hardest?

Was there not an emergency plan in place between local administrations and the state administration? If so, where is it?
I'd like to see it in writing.

This can never happen again. And needs to be fully reported.

Firetrucks couldn't get to houses that had caught fire. Because the roads were so bad. Where were those big front end loaders when we needed them? Why wasn't an emergency team of people prepared and ready to go if needed?

We had elderly people stuck in their homes with breathing machines without heat for two days in cold weather. All the neighbors were sitting in their cars, with children, trying to stay warm, because they lost heat and they couldn't even leave the street to drive to a family members home where they had electricity. No plows came for 2 1/2 days after the storm, not one single plow-

Residents were completely abandoned for 2 days.

There was some kind of disconnect between local town administrations and the state emergency plan.

We have billions of dollars in a disaster fund, but when a disaster hits, we are left abandoned for two days not knowing how long it would be before we could leave our homes and get shelter, or go to a family member who had Generators working.

People were not even able to use their phones to get help or hear news updates. Because they lost the Internet, and their cellular was not working either.

This needs to be reported, and this can never happen again, and someone needs to be held accountable. Especially because of the fact that it was known we were going to be hit by a big blizzard -

-The Coast Guard went to locations where people had electricity, first, and plowed, but didn't come to the locations where there was no electricity. That is just complete negligence in emergency planning-

Please understand Keith, I'm not just speaking for myself, I'm speaking for a lot of people right now.

This can never happen again, it needs to be reported and someone needs to be held accountable. And I start with the State first. They should've had some kind of written emergency plan sent out to every local town-and with a methodical understanding of priorities of who gets plowed first-

We really learn a lot about people and our government leaders when a disaster like this hits.

But thank God, there are some angels in the world-

-And I want to personally thank Kieth Silva for going out in the storm and in terrible conditions plowing people out of their driveways. He worked all day selflessly helping others. I want to commend him for that.

Michelle Costen