



FAIRHAVEN SELECT BOARD AGENDA

May 11, 2026 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

A. PUBLIC HEARING – 6:30PM

1. This hearing was continued from April 27, 2026.
The purpose of this hearing is to consider expanding the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. He is requesting to increase the number of vehicles from 2 to 40. Building Commissioner, Richard Forand, has inspected the property and reviewed plans for compliance.

B. PUBLIC COMMENT

C. APPOINTMENTS / COMMUNITY ITEMS

1. Bike Path Fund Presentation: Erin Carr
2. Outdoor Seating: OEA Restaurant Group dba Olivia's Restaurant
3. Discussion on Town-Owned Lots: John Hinds, Economic Development Committee
4. Use of Town Hall Auditorium: Cultural Council Grant Recipient Reception: May 27, 2026 from 6:00-8:30p
5. Use of Town Hall Auditorium: Art Event: A Night at the Town Hall, July 18, 2026 from 6:00-10:00pm
6. Use of Town Hall Bathrooms and Temporary Street Closure: Belonging Committee, Fairhaven's Got Pride: June 28, 2026 from 11:00am to 5:30pm
7. Special One-Day, All Alcohol License: Fairhaven's Got Pride: June 28, 2026
8. Appointment Request: Joint Transportation Planning Group: Josh Crabb and Vinnie Furtado

D. ACTION / DISCUSSION

1. Flag/Banner Request: Belonging Committee: Juneteenth Flag and Pride Flag: June
2. Flag/Banner Request: Fairhaven Improvement Association: Homecoming Banner: June

E. TOWN ADMINISTRATOR

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

G. MINUTES

1. Accept the Open Session minutes of April 27, May 2 and May 4, 2026

H. CORRESPONDENCE

1. South Coast Places for People: Re: Main Street and Middle Street One-Way Flow Assessments-Comments
2. Emails: Michelle Costen: Ref SB meeting 4/27/26-Education; Fwd: The cake is in the oven
3. Email: Elizabeth Khoury: Converting Main Street to one way

I. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting will be on *Tuesday, May 26, 2026* at 6:30pm

J. 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

May 11, 2026 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

ANNOUNCEMENTS:

On March 28th, 2025, the bill to extend Open Meeting Law regulations governing remote participation has passed the MA legislature 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.

A. PUBLIC HEARING – 6:30PM

1. This hearing was continued from April 27, 2026. Building Commissioner, Richard Forand provided additional context based on questions from the Select Board, his memo is in the Board’s packet.

The purpose of this hearing is to consider expanding the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. The use of the proposed properties is a preexisting nonconforming use. Mr. Da Silva is requesting to increase the number of vehicles from 2 to 40.

The Town Administrator sought a legal opinion on the proposed expansion of the existing business. Counsel opined that the expansion of a pre-existing nonconforming use is not granted automatic protection from zoning. G.L. c.40A, § 6 provides in pertinent part as follows:

Except as hereinafter provided, a zoning ordinance or by-law shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing on such ordinance or by-law required by section five, **but shall apply to any change or substantial extension of such use...** Pre-existing nonconforming structures or uses may be extended or altered, provided, that **no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.**

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

The relevant zoning bylaw provides as follows:

§ 198.21 Nonconforming uses.

The lawful use of any structure or land existing at the time of the enactment of this chapter may be continued although such structure or use does not conform with provisions of this chapter subject to the following conditions and exceptions:

- B. Extension.** No increase in the area or **extent of the nonconforming use** of a structure or land may be made.

The existing nonconforming use of the property may continue its nonconforming use, but the proposed expansion of that use (car sales increased from 2 to 40) is not protected and ought not be approved by the Building Department without the referenced Planning Board finding.

Suggested Motion:

“Move to (approve/not approve) the application to expand the number of vehicles at Artistic Auto Body, Inc. from 2 to 40 as outlined in the submitted plans.”

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

C. PUBLIC COMMENT

D. APPOINTMENTS / COMMUNITY ITEMS

1. **Bike Path Fund Presentation: Erin Carr** - Ms. Carr will review a presentation regarding funding snow removal and maintenance on the Phoenix Bike Trail and Cushman Park Track. Ms. Carr presented to the Board of Public Works on March 2, 2026 and discussion included the processes and priorities with snow removal. Ms. Carr is seeking a Revolving Fund be established for maintenance. A Town Meeting vote is required to establish a new Revolving Fund. If approved, an article will be included on the Fall Town Meeting warrant.

Suggested Motion:

“I move to include a warrant article to establish a Phoenix Bike Trail and Cushman Park Track Revolving Fund for maintenance of the facilities on the 2026 Fall Town Meeting Warrant.”

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

2. **Outdoor Seating: OEA Restaurant Group dba Olivia’s Restaurant** – In 2024 the Board approved guidelines for outdoor seating and parklets. Brandon Roderick, the applicant for Olivia’s Restaurant is seeking a permit under this policy. His application, seating plan and insurance policy is included in the Board’s packet. Multiple Town Departments are part of the review process and the Licensing Clerk Sue Rizzo will be monitoring the feedback for any contingencies. Mr. Roderick will work with Ms. Rizzo to care for any comments prior to each department signing off.

Suggested Motion:

“Move to (approve/not approve) the application the Outdoor Seating and Parklet Permit for OEA Restaurant Group Corp dba Olivia’s Restaurant as outlined in the submitted plans and contingent upon conditions from Town Departments.”

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

3. **Presentation on Leasing Vacant Town Property to Construct Privately Owned Housing: John Hinds, Economic Development Committee** – Mr. Hinds will present a proposal to lease specific vacant Town lots to developers to construct apartments with the goal to provide entry level pricing” for young professionals and trades people. Mr. Hinds has met with the Fairhaven Housing Authority who has indicated they would be willing to provide administrative support if a project was constructed. Mr. Hinds is seeking Board support to apply for a feasibility grant from the Massachusetts Housing Partnership to determine the if the property at the intersection of Spring and Main Streets, abutting Cushman Park.

Suggested Motion:

“Move to (approve/not approve) the Economic Development Committee applying for a feasibility grant from the Massachusetts Housing Partnership to determine the if the property at the intersection of Spring and Main Streets, abutting Cushman Park.”

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

4. **Use of Town Hall Auditorium: Cultural Council Grant Recipient Reception: May 27, 2026 from 6:00-8:30p** – The Cultural Council is seeking the Board’s approval to use the Town Hall Auditorium on May 27, 2026 to hold a reception for recipients of Cultural Council Grants. As a Town Affiliated Group, the custodian fee applies but no rental fee applies for the Cultural Council. They anticipate about 30-40 attendees.

Suggested Motion:

“Move to (approve/not approve) the use of the Town Hall Auditorium on May 27, 2026 as requested in the application from the Fairhaven Cultural Council with applicable fees.”

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

5. **Use of Town Hall Auditorium: Art Event: A Night at the Town Hall, July 18, 2026 from 6:00-10:00pm** – Susan Darwin is seeking the Board’s approval to use the Town Hall Auditorium on July 18, 2026 for a Summer Art Gallery. Ms. Darwin hosted a similar event in 2025.

Suggested Motion:

“Move to (approve/not approve) the use of the Town Hall Auditorium on July 18, 2026 as requested in the application from Susan Darwin with applicable fees.”

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

6. **Use of Town Hall Bathrooms and Temporary Street Closure: Belonging Committee, Fairhaven’s Got Pride: June 28, 2026 from 11:00am to 5:30pm** – The Belonging Committee has submitted a request to use Town Hall bathrooms and have temporary street closure around Town Hall on Center Street between Main and Green Streets; on William Street from Union to Washington; on Walnut Street from Union to Washington; and on Union from William to Walnut for their event on June 28, 2026. This request has been made and approved in past years.

Suggested Motion:

“Move to (approve/not approve) the use of the Town Hall bathrooms and temporary street closures on June 28, 2026 as requested in the application from the Belonging Committee with applicable fees.”

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

7. **Special One-Day, All Alcohol License: Fairhaven’s Got Pride: June 28, 2026** – The Belonging Committee is seeking a Special 1-Day All Alcohol License to be used during the Fairhaven’s Got Pride event that will take place on the Walnut Street Side of Town Hall. The Board’s packet materials include details of the event.

Suggested Motion:

“Move to (approve/not approve) a Special One-Day All Alcohol License for The Belonging Committee at the Fairhaven’s Got Pride event on June 28, 2026.”

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

8. **Appointment Request: Joint Transportation Planning Group (JTPG): Josh Crabb and Vinnie Furtado** – The JTPG committee advises the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) and offers a regular space for public involvement in the region’s transportation planning programs and discussions. Historically, the Highway Superintendent serves as the representative and Public Works Superintendent serves as the alternate representative for this annual appointment.

Suggested Motion:

“Move to (appoint/not appoint) Josh Crabb as the Joint Transportation Planning Group representative and Vinnie Furtado as the Joint Transportation Planning Group alternate representative for a one-year term.”

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

E. ACTION / DISCUSSION

1. **Flag/Banner Request: Belonging Committee: Juneteenth Flag and Pride Flag** – The Belonging Committee has submitted a request to hang a flag/banner on the Town Office Building for the month of June. This request has been made and approved in past years.

Suggested Motion:

“Move to (approve/not approve) the flag/banner request for the month of June for the Juneteenth Flag and Pride Flag.”

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

2. **Flag/Banner Request: Fairhaven Improvement Association: Homecoming Banner** – The Fairhaven Improvement Association is requesting permission to hang a flag/banner at the Town Offices to promote the annual Homecoming event in June. This request has been made and approved in past years.

Suggested Motion:

“Move to (approve/not approve) the flag/banner request for the month of June for the Fairhaven Improvement Association’s Homecoming Banner.”

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

F. TOWN ADMINISTRATOR

G. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

H. MINUTES

1. Accept the Open Session minutes of April 27, May 2 and May 4, 2026

Suggested Motion:

“Move to (accept/not accept) the open session minutes of April 27, May 2 and May 4, 2026 (as presented/as amended)”

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

I. CORRESPONDENCE

1. South Coast Places for People: Re: Main Street and Middle Street One-Way Flow Assessments-Comments
2. Emails: Michelle Costen: Ref SB meeting 4/27/26-Education; Fwd: The cake is in the oven
3. Email: Elizabeth Khoury: Converting Main Street to one way

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.

J. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting will be on *Tuesday, May 26, 2026* at 6:30pm

K. ADJOURN



Monday, May 11, 2026

PUBLIC HEARING – 6:30PM

Continued from April 27, 2026

The purpose of this hearing is to consider expanding the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. He is requesting to increase the number of vehicles from 2 to 40. Building Commissioner, Richard Forand, has inspected the property and reviewed plans for compliance.



Town of Fairhaven Commonwealth of Massachusetts

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

To: Fairhaven Select Board members
From: Richard Forand, Director of Inspectional Services/ Building Commissioner

Date: April, 28th 2026

RE: Used cars additional amount
Mr. Ruy DaSilva
98 Middle Street
Fairhaven MA, 02719

On Questions from the Board

As I have stated I have inspected both properties at 98 and 99 Middle and have reviewed said plans.

I believe the concerns were, is the use allowed in the existing zone, yes and no, The property falls in a mixed use zone which would need a special permit to have auto repairs and sale so no, unless a special permit is granted.

In this case the use is already allowed as existing, so yes it is allowed and can continue as auto repairs body shop and sales as existing until and if such time the use is discontinued or changed.

A mention was given about the sale of the properties. If the properties are sold together and the new owner keeps the existing use and applies a transfer of the used car license. All would remain as is and allowed. If the property is sold separately, a special permit would be needed to allow the use for each property in fact any use now would be a change of use.

Hope this clarifies any concerns.

Richard Forand
Building Commissioner / Zoning Enforcement Officer
Town of Fairhaven



110

16.41

101

29

17.47Rods

12

30

25.36Rods

88.93

122

31

11.07R

62.27

10

19.70Rods

91.67

110

7.79Rods

24

Middle St

60

Bridge St

Bridge St

BRIDGE

164

345

Bridge St

106.20

14

99

9995

116

14A

66

76.12

98

1

6827

86.08

Middle St

101

27.87

24.75

116

17

34.86

123.25

89.12

34.63

94

4

79.92

11022

84

Middle St

99

119

15

38.19Rods

112

82.50

99

41.25

28.67

20

6

152.82

153.50

5138

83.60

Middle St

116.84

117.02

89

15.25Rods

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110.84

12.51

86.05

141.00

90

2975

85

35

Middle St

87

16

15.63R



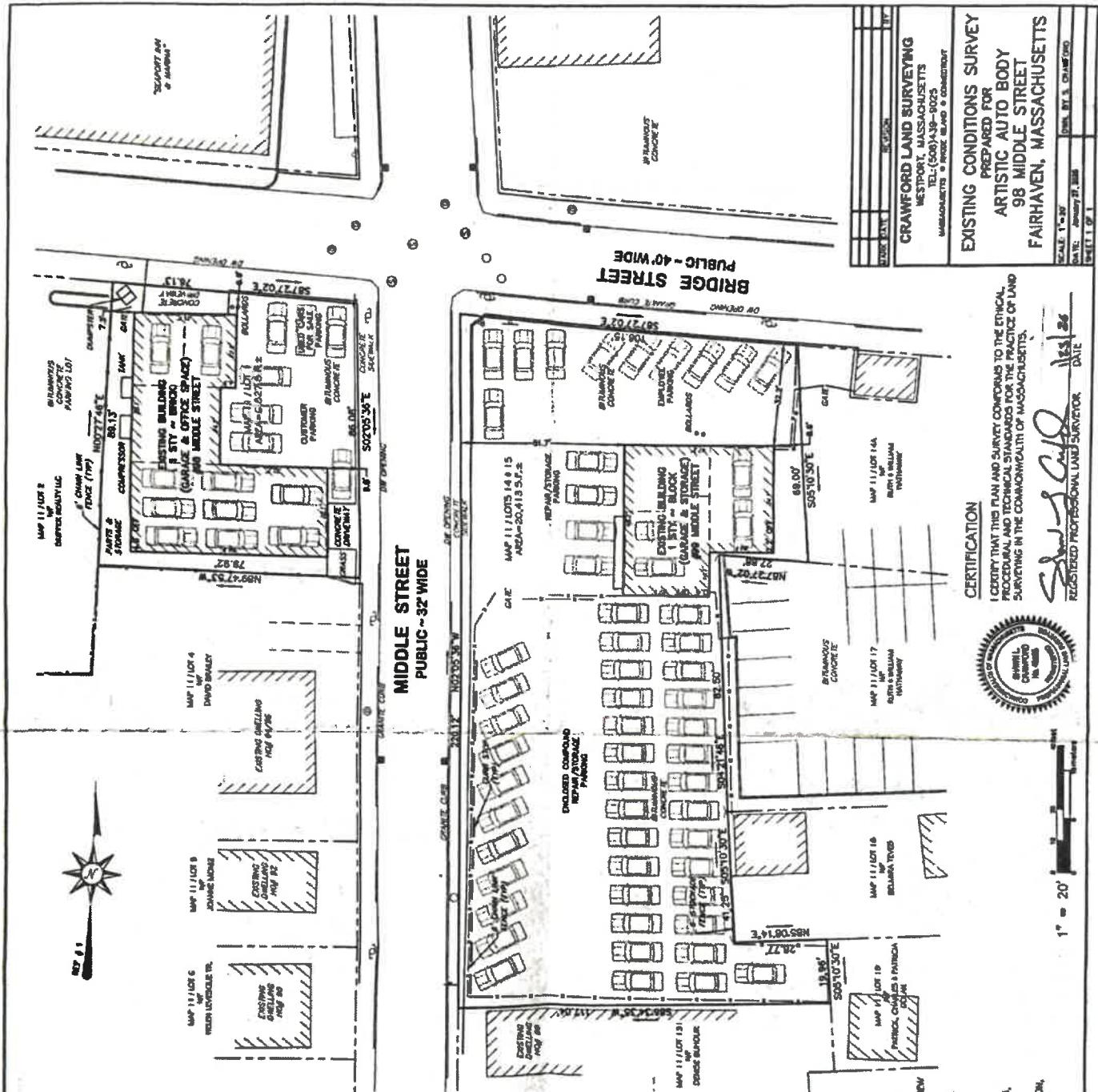
PARCEL DATA	
MAP 11, LOTS 1, 14 & 15	MAP 11
90 MIDDLE STREET REALTY TRUST	DEED BK. 7840/PG. 233
DEED BK. 8433/PG. 321	50 & 85 MIDDLE STREET

NOTES:

- THE PURPOSE OF THIS PLAN IS TO DOCUMENT THE LOCATION AND NUMBER OF VEHICLES THE LOCUS SITE CAN STORE AS OBTAINED IN ACCORDANCE WITH THE TOWN OF FAIRHAVEN, MASSACHUSETTS REGULATIONS FOR THE TOWN OF FAIRHAVEN. ALL DIMENSIONS APPROXIMATE AND ARE BASED ON REASONABLE SPACING AND PARKING PATTERNS WITHOUT BLOCKING THE FLOW OF TRAFFIC.
 - NUMBER OF CARS WITHIN THE GARAGE SPACE - 14
 - NUMBER OF CARS FOR CUSTOMERS - 5
 - NUMBER OF CARS FOR STORAGE AND REPAIR - 10
 - NUMBER OF CARS FOR SALE - 10
- ESTIMATED NUMBER OF CARS IS APPROXIMATELY 75 CARS SHOWN REPRESENT POSSIBLE PARKING CONFIGURATION AND NOT ACTUAL CARS ON THE LOT AT THE TIME OF SURVEY.
- DIMENSIONS SHOWN TO BUILDING CORNERS ARE NOT TO BE USED TO REFINISH PROPERTY LINES.

REFERENCES:

- PLAN OF LAND IN FAIRHAVEN, MASS SURVEYED FOR EDWARD DENIS, DATED OCTOBER 19, 1903, PREPARED BY ARTHUR THOMPSON, INC. ENGINEERS AND SURVEYORS, RECORDED IN PLAN BOOK 103 PAGE 66.
- PLAN AND PROFILE OF PROPOSED PRIVILEGE STREET BRIDGE STREET TO THE NEW BRIDGE STREET DATED APRIL 1895, RECORDED IN PLAN BOOK 9 PAGE 49.
- PLAN OF LAND IN FAIRHAVEN, MASS SURVEYED FOR EDWARD DENIS, DATED DECEMBER 11, 1916, PREPARED BY FRANK WATSON & CO., RECORDED IN PLAN BOOK 12 PAGE 71.
- PLAN OF LAND OWNED BY JAMES M. GIFFORD, FAIRHAVEN, MASS, DATED NOVEMBER 1, 1915 RECORDED IN PLAN BOOK 14 PAGE 33.
- PLAN OF LAND IN FAIRHAVEN, MASS SURVEYED FOR EDWARD DENIS, DATED DECEMBER 11, 1916, PREPARED BY FRANK WATSON & CO., RECORDED IN PLAN BOOK 9 PAGE 49.
- PLAN OF ROAD IN THE TOWN OF FAIRHAVEN ALTERED AND LAD OUT AS THE STATE HIGHWAY BY THE DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, AUGUST 31, 2013, RECORDED IN PLAN BOOK 160 PAGE 27.

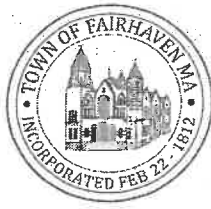


CERTIFICATION

I CERTIFY THAT THIS PLAN AND SURVEY CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

Shirley C. Cull
 REGISTERED PROFESSIONAL LAND SURVEYOR
 DATE: 1/13/26

CRAWFORD LAND SURVEYING	
WESTPORT, MASSACHUSETTS	
TEL: (508) 438-9025	
MASSACHUSETTS • PIVOT SURVEY • CONSULTANT	
EXISTING CONDITIONS SURVEY	
PREPARED FOR	
ARTISTIC AUTO BODY	
98 MIDDLE STREET	
FAIRHAVEN, MASSACHUSETTS	
SCALE: 1" = 30'	DRAWN BY: S. CRAWFORD
DATE: January 27, 2026	FILE NO: 1



Town of Fairhaven
Massachusetts
40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

To: The Select Board

From: Town Administrator Office

Date: April 27, 2026

Re: Expansion of Car Dealer/Repair

Dear Board Members,

This Public Hearing is to consider your approval for expanding the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. He is requesting to increase the number of vehicles from 2 to 40. Building Commissioner, Richard Forand, has inspected the property and reviewed plans for compliance. This has been advertised and abutters have been notified.

Application submitted by Rui DaSilva, owner of Artistic Auto Body.

Thank you for your consideration.

Sincerely,
Susan Rizzo



Fairhaven

MASSACHUSETTS

March 24, 2026

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Fairhaven Select Board will conduct a public hearing at 6:30 p.m. on Monday April 27, 2026 in the Town Hall 40 Center Street, Fairhaven, MA. The purpose of this hearing is to consider expanding the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. He is requesting to increase the number of vehicles from 2 to 40. Building Commissioner, Richard Forand, has inspected the property and reviewed plans for compliance.

Town of Fairhaven
Select Board Office
40 Center St
Fairhaven, MA

[← Back](#)

Public Notices

03/26/2026

Notice of Public Hearing

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Town of Fairhaven

Select Board Office

40 Center St

Fairhaven, MA

March 26 2026

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Town of Fairhaven Commonwealth of Massachusetts

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

To: Fairhaven Select Board members

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

Date: March, 18th 2026

RE: Used cars additional amount

Mr. Rui DaSilva
98 Middle Street
Fairhaven MA, 02719

Mr. DaSilva is asking for an additional amount of vehicles for sale from his original license of 2 to be increased to 40. There are other vehicles listed on the plot plan as this is two existing lots with office and body shop space. I have inspected the property and reviewed the attached plans for parking of exterior and interior spaces and have found the plan to be accurate

If the board so chooses to approve the additional vehicle count I believe that the property does comply with the proposed parking as per the civil drawing attached.

Richard Forand
Building Commissioner / Zoning Enforcement Officer
Town of Fairhaven



Monday, May 11, 2026

APPOINTMENTS AND COMMUNITY ITEMS

1. Bike Path Fund Presentation: Erin Carr
2. Outdoor Seating: OEA Restaurant Group dba Olivia's Restaurant
3. Discussion on Town-Owned Lots: John Hinds, Economic Development Committee
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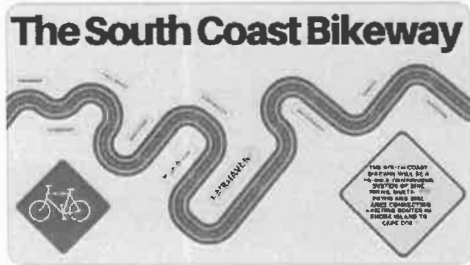
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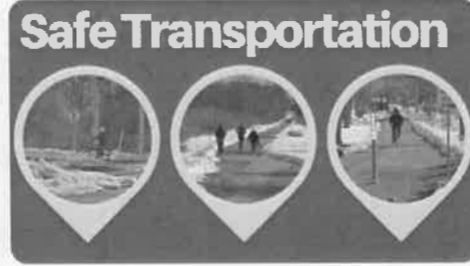
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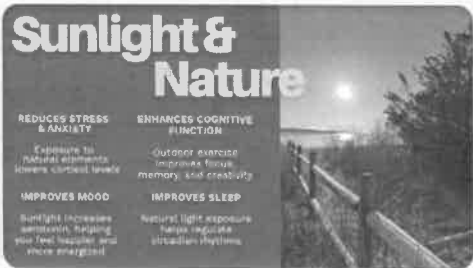
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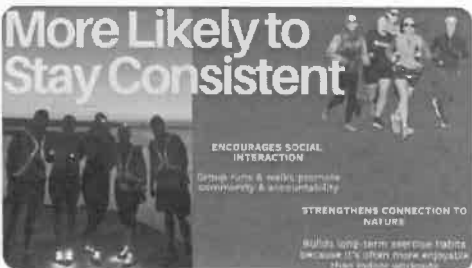
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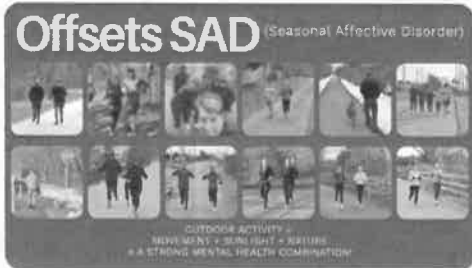
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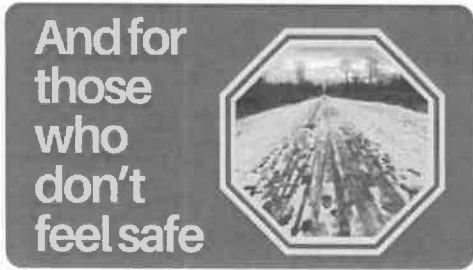
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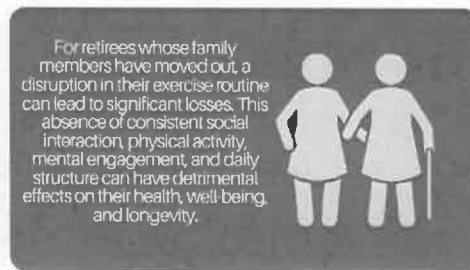
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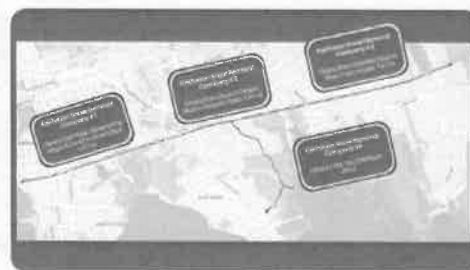
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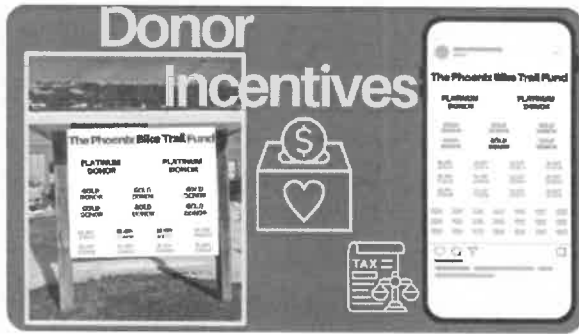
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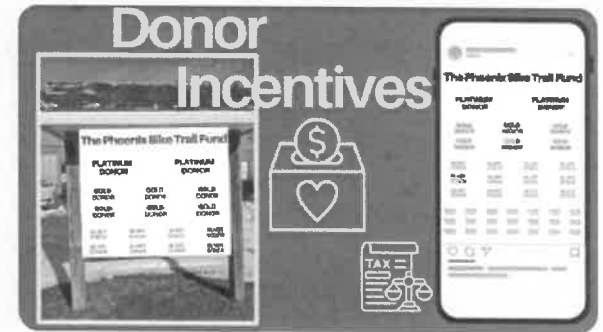
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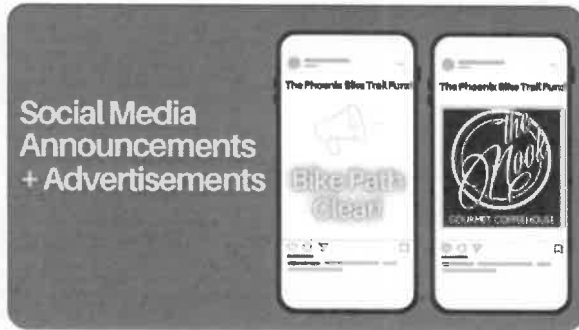
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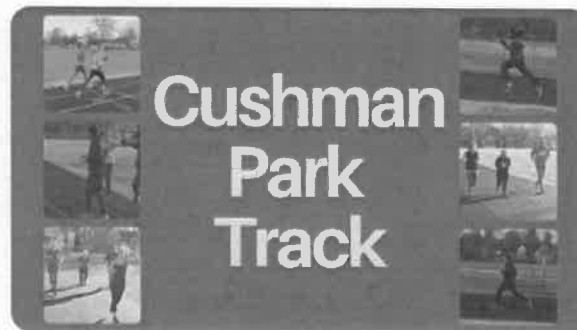
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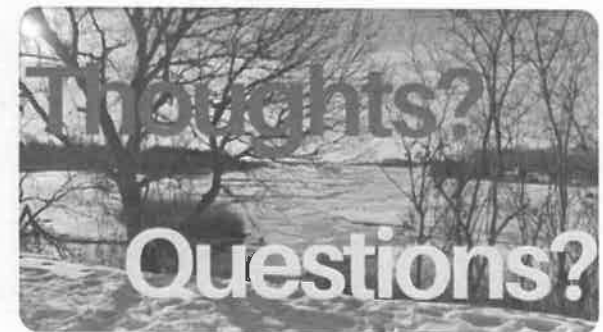
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**Town of Fairhaven
Board of Public Works Meeting
March 2, 2026**

IV. Executive Session A

- A. Pursuant to G.L. c. 30A, s. 21(a)(1) to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. (Highway Department Employee)
- B. 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 (14 Cherrystone Road)

V. Appointments

A. Erin Carr, Bike Path Snow Removal

Ms. Carr – I would like to speak with the Board about clearing the snow from the bike path. I had this scheduled prior to the storm, and I do not expect the bike path to be cleared right away. I understand that it would be the last thing to get done.

Mr. Carr shared a presentation (Attachment A).

Mr. Hobson – You need special equipment to clear the bike path because the pavement is thin, maybe only 2–3 inches.

Mr. Wotton – Like Mr. Hobson mentioned, the bike path is thin and there is a sewer line that runs under it. We are in the process of overlaying the bike path, which will make it thicker. When we cleared the bike path after the last storm, we used the skid steer, and it was only done because many of the sidewalks on Route 6 had not been cleared and people were walking in the street. Also, there are just as many people in favor of not clearing the bike path, who use it for cross-country skiing, as there are people who want it plowed for walkers and runners.

Ms. Smith – I appreciate you bringing this forward to the Board. In this area, there are many places where people can cross-country ski. A lot of people would like to see the bike path cleared, but we would need the right machinery so the path is not damaged.

Mr. Wotton – Once all the roads are clear and we have the right equipment and personnel, we would be able to clear the path.

Mr. Crabb – We have purchased a piece of equipment that would be able to clear the bike path.

Mr. Furtado – Mr. Crabb, once the bike path is overlaid, how do you feel about clearing the path?

Mr. Crabb – I don't see an issue once the staff is trained on the equipment.

**Town of Fairhaven
Board of Public Works Meeting
March 2, 2026**

Mr. Lopes – If the Board is in favor of doing this, I think we should mention to the public that the department would focus on roads and throughways first, and the bike path would be last.

Ms. Carr – Do you know if the track at Cushman Park can be cleared?

Mr. Wotton – The track is maintained by the School Department; you would have to speak with them.

VI. Item for Action

A. Water & Sewer Rates

Mr. Furtado – Mr. Furtado reviewed the Water and Sewer budgets with the Board. I am recommending that the Board raise the water rate by 10% and the sewer rate by \$2.00 effective immediately.

Mr. Lopes motioned to raise the water rate by 10% and the sewer rate by \$2.00 effective immediately. Mr. Hobson seconded. Vote unanimous.

B. FY27 Article - Amendment to Removal of Snow and Ice

Mr. Hobson motioned to approve the Amendment to Removal of Snow and Ice Bylaw Chapter 169-13 as presented. Ms. Smith seconded. Vote unanimous.

C. Dig-It Construction, Spring Street Water Main Replacement

1. Payment #7 \$87,716.10

Ms. Smith motioned to approve Dig-It Construction, Spring Street Water Main Replacement, Payment #7 in the amount of \$87,716.10. Mr. Lopes seconded. Vote unanimous.

2. Certificate of Substantial Completion

Mr. Lopes motioned to sign the Certificate of Substantial Completion with Dig-It Construction for Spring Street Water Main Replacement. Mr. Hobson seconded. Vote unanimous.

D. FTI Consulting, WPCF Upgrades, Payment #1 \$27,202.26

Mr. Hobson motioned to approve FTI Consulting, WPCF Upgrades Payment #1 in the amount of \$27,202.26. Ms. Smith seconded. Vote unanimous.

E. North Fairhaven Improvement Association, North Fairhaven Open Air Market at Livesey Park May 2026 to September 2026

Mr. Furtado – This is a request from the North Fairhaven Improvement Association to hold their Open Air Market again this year at Livesey Park. They are requesting that the \$25 per week fee be waived.



TOWN OF FAIRHAVEN
GUIDELINES FOR FOR PERMITTING
OUTDOOR SEATING AND PARKLETS¹

A. Process Checklist for Outdoor Seating Approval:

1. Applicants should have a pre-application consultation with the Director of Planning and Economic Development to discuss the proposal and understand the requirements.
2. Written application describing the proposed area with a specific plan outlining the outdoor seating area/table service area² must be submitted to the office of the Town Administrator for approval. The Town Administrator will notify Select Board Members of the application and any conditions therein.
3. Permitting fees are \$75 with common victualler license and \$150 for extension of liquor license.

¹ On April 30, 2024, Governor Healey signed into law “An Act Making Appropriations for the Fiscal Year 2024 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.” Chapter 88 of the Acts of 2024. Section 4 of the new law made changes to Section 3A of Chapter 40A by adding a new Section 3B. Under the new law, notwithstanding the provisions of this chapter (Chapter 40A), any special permit, variance or other approval issued thereunder or any general or special law to the contrary, a town may approve a request for expansion of outdoor table service, including in the description of the licensed premises as described in subsection (c), or an extension of an earlier granted approval. Before such approval, the select board shall establish a process for approving such requests. Such process shall not be required to comply with the notice and publication provisions of section 11. An approval under this section may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

Also, pursuant to subsection (b), a local licensing authority may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the local licensing authority deems reasonable and proper and may issue an amended license to existing license holders, without further review or approval from the ABCC prior to issuance. Upon approval of an amended license, the local licensing authority shall provide notice of the amended license to the commission. Nothing in this section shall prevent the commission from exercising the commission’s enforcement authority over an amended license nor limit any appeals that can be submitted to the commission pursuant to section 67 of chapter 138.

Lastly, before approving any request to extend an earlier granted approval, the Select Board may modify the scope of the approval as the Select Board deems proper and appropriate, including, but not limited to, modifying the terms of an earlier granted approval to address potential issues with snow removal, pedestrian traffic or similar concerns.

² “Outdoor table service” is defined restaurant service that includes food prepared on-site and under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area or other outdoor space.

4. If outdoor seating area includes a request to serve alcoholic beverages, applicant must already be licensed, and application must include explanation as to how the proposed area will comply with ABCC outdoor patio guidelines (even if area is not a patio).
5. A certificate of insurance naming the Town of Fairhaven as an additional insured.
6. Advertisement and notice to abutters. If the parklet extends in front of adjacent properties, written consent from affected property owners.
7. A signed agreement indemnifying the town against any claims related to the use of the public right-of-way.
8. Written approval or food service permit is issued by Select Board and filed with Town Clerk.
9. Only after issuance by the Select Board and filing with Town Clerk will outdoor seating area be permitted to be used.
10. Approval/Permit will be effective one year from date of issuance as long as compliance with applicable law, terms and conditions or otherwise no longer permitted by state or local law. The permit must be renewed annually.
11. Approval/Permit may be suspended or revoked by Select Board for any violation of applicable laws and regulations or violation of any term or condition.

B. Restrictions: Limitations and Conditions.

1. Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy and be shown on a design plan.
3. The outdoor area/premises must be enclosed by a fence, rope, barriers or other means to prevent access from a public walkway or injury from vehicles where applicable.
4. The outdoor area/premises must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
5. The Select Board will consider the type of neighborhood and the potential for noise in the environs.
6. All outdoor seating must be compliant with ADA accessibility standards.

Fairhaven Outdoor Seating and Parklet Permit Application

Applicant Information

Business Name: OEA Restaurant Group Corp dba Olivia's Restaurant
Business Address: 1 Middle Street Fairhaven, MA 02719
Applicant Name: Brandon Roderick
Applicant Phone: 774-451-1010
Applicant Email: Brandon@oliviafairhaven.com

Property Owner Information (if different from Applicant)

Owner Name: Orange Hat Realty LLC
Owner Address: 2570 Acushnet Ave New Bedford, MA 02745
Owner Phone: 774-451-1010
Owner Email: orangehatrealtyllc@gmail.com

Proposal Details

Type of Application:

Outdoor Seating on Private Property
 Outdoor Seating in Public Right-of-Way

Description of Proposal:

Proposed Seating Area Location: on sidewalk (Ferry Street)
Dimensions of Seating Area: 11 ft x 60 ft = 660 sq-ft.

Other Installations (e.g., planters, umbrellas):

Planters, umbrellas, rope, stanchion, mobile bar/station
tables, chairs

Required Attachments

Site Plan: Detailed site plan showing the location, layout, and dimensions of the proposed seating area, including furniture and other installations.

Insurance Certificate: Naming the Town of Fairhaven as additional insured.

Operational Plan: Including proposed hours of operation and maintenance plan.

Abutter Consent: If the seating area extends in front of adjacent properties, written consent from affected property owners. N/A.

Hold Harmless Agreement: Signed agreement indemnifying the town against claims related to the use of public right-of-way.

Additional Information (if applicable)

- Liquor License:** Yes No
 - If yes, please attach a copy of the current liquor license.
- Historical District:** Yes No
 - If yes, please attach a copy of the Certificate of Appropriateness from the Fairhaven Historical Commission.

Applicant Certification

I hereby certify that the information contained in this application is true and complete to the best of my knowledge. I agree to comply with all applicable laws and regulations regarding the proposed outdoor seating area. I understand that any misrepresentation or omission of information may result in the denial or revocation of this permit.

Applicant Signature: *Oran R. Bluh*
Date: 5/1/20

For Office Use Only

- Application Received By:**
- Date Received:**
- Application Fee:**
- Review Completed By:**
- Date of Review:**
- Approval:**
 - Approved
 - Approved with Conditions
 - Denied
- Conditions (if any):**

Departmental Sign-Offs

Planning Department:

- Signature:**
- Date:**
- Comments:**

Health Department:

- Signature:**
- Date:**
- Comments:**

Police Department:

- Signature:**
- Date:**
- Comments:**

Fire Department:

- Signature:**
- Date:**
- Comments:**

Department of Public Works:

- Signature:**
- Date:**
- Comments:**

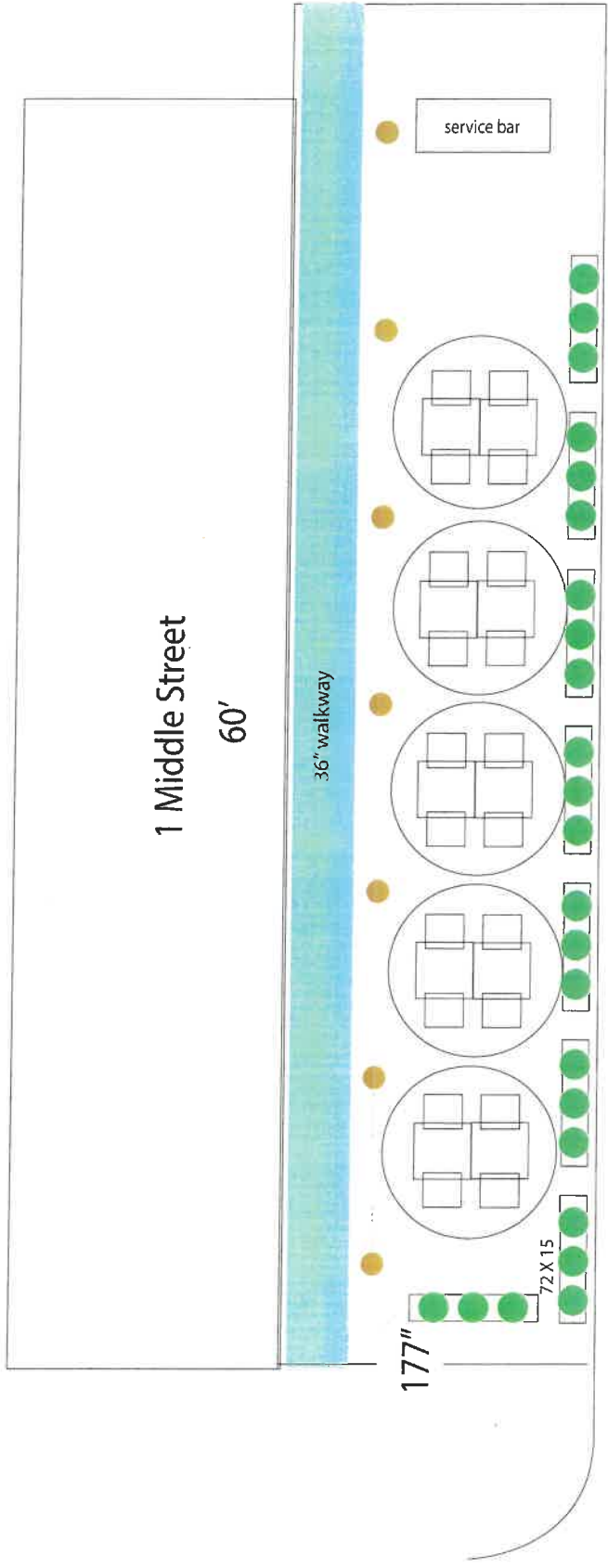
Licensing Board:

- Signature:**
- Date:**
- Comments:**



Comments:

OLIVIAS OUTDOOR SEATING PLAN



LAUREN GRANT DESIGN



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/29/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Alera Group, Inc. 700 Pleasant Street Suite 300 New Bedford MA 02740	CONTACT NAME: Jo Ann Tavares PHONE (A/C No, Ext): (508) 995-4553 E-MAIL ADDRESS: joann.tavares@aleragroup.com	FAX (A/C, No): (508) 995-4525
	INSURER(S) AFFORDING COVERAGE	
INSURED OEA RESTAURANT GROUP, CORP. DBA: OLIVIA'S, ORANGE HAT 1 MIDDLE ST FAIRHAVEN MA 02719-6603	INSURER A : Selective Insurance Group, Inc.	NAIC # 12572
	INSURER B : Selective Insurance Co of The Southeast	39926
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 26-27 GL LIQ WC **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	S 2637656	04/01/2026	04/01/2027	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC 9126868	04/01/2026	04/01/2027	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			S 2637656	04/01/2026	04/01/2027	Limit \$1,000,000 Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is included as an Additional Insured on the Commercial General Liability policy on a Primary and Non-Contributory basis when required in a written contract, written agreement, or written permit. Waiver of Subrogation applies when required by written contract, in accordance with the with the policy's ElitePac General Liability Extension Endorsement, and subject to all terms, conditions, and limitations of the policy.

CERTIFICATE HOLDER**CANCELLATION**

Town of Fairhaven
40 Center Street

Fairhaven

MA 02719

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Rosemarie S Lopes

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ElitePac®

General Liability Extension Endorsement

COMMERCIAL GENERAL LIABILITY
CG 73 00 04 25

SUMMARY OF COVERAGES (including index)

This is a summary of the various additional coverages and coverage modifications provided by this endorsement. No coverage is provided by this summary. Refer to the actual endorsement (Pages 3-through-9) for changes affecting your insurance protection.

DESCRIPTION	PAGE FOUND
Additional Insureds — Primary and Non-Contributory Provision	Page 8
Blanket Additional Insureds — As Required By Contract	Page 5
<ul style="list-style-type: none">• Owners, Lessees or Contractors (includes Architects, Engineers or Surveyors)• Lessors of Leased Equipment• Managers or Lessors of Premises• Mortgagees, Assignees and Receivers• Any Other person or organization other than a joint venture• Grantors of Permits	
Broad Form Vendors Coverage	Page 7
Damage To Premises Rented To You (Including Fire, Lightning or Explosion)	Page 3
Electronic Data Liability (\$100,000)	Page 4
Employee Definition Amended	Page 9
Employees As Insureds Modified	Page 5
Employer's Liability Exclusion Amended (Not applicable in New York)	Page 3
Incidental Malpractice Exclusion modified	Page 7
Knowledge of Occurrence, Claim, Suit or Loss	Page 7
Liberalization Clause	Page 8
Mental Anguish Amendment (Not applicable to New York)	Page 9
Newly Formed or Acquired Organizations	Page 5
Non-Owned Aircraft	Page 3
Non-Owned Watercraft (under 60 feet)	Page 3
Not-for-profit Members — as additional insureds	Page 5
Personal And Advertising Injury — Discrimination Amendment (Not applicable in New York)	Page 8
Products Amendment (Medical Payments)	Page 4
Supplementary Payments Amended — Bail Bonds (\$5,000) and Loss of Earnings (\$1,000)	Page 4
Two or More Coverage Parts or Policies Issued By Us	Page 8
Unintentional Failure to Disclose Hazards	Page 8
Waiver of Transfer of Rights of Recovery (subrogation)	Page 8
When Two or More Coverage Parts of this Policy Apply to a Loss	Page 3

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ElitePac®
General Liability Extension Endorsement

COMMERCIAL GENERAL LIABILITY
CG 73 00 04 25

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies the insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The **SECTIONS** of the Commercial General Liability Coverage Form identified in this endorsement will be amended as shown below. However, if (a) two or more Coverage Parts of this policy, or (b) two or more forms or endorsements within the same Coverage Part apply to a loss, coverage provision(s) with the broadest language will apply, unless specifically stated otherwise within the particular amendment covering that loss.

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

COVERAGES — Amendments

SECTION I — COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY

EXCLUSIONS

Employer's Liability Amendment

(This provision is not applicable in the State of New York).

The following is added to Exclusion e. **Employer's Liability** under **COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions:**

This exclusion also does not apply to any "temporary worker".

Non-Owned Aircraft, Auto or Watercraft

A. Paragraph (2) of Exclusion g. **Aircraft, Auto Or Watercraft** under **COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions** is deleted in its entirety and replaced with the following:

- (2) A watercraft you do not own that is:
- (a) Less than 26 feet long and not being used to carry persons or property for a charge; or
 - (b) At least 26 feet, but less than 60 feet long, and not being used to carry persons or property for a charge. Any person is an insured who uses or is responsible for the use of such watercraft with your expressed or implied consent. However, if the insured has any other valid and collectible insurance for "bodily injury" or "property damage" that would be covered under this provision, or on any other basis, this coverage is then excess, and subject to Condition 4. **Other Insurance, b. Excess Insurance** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS.**

B. The following is added to Exclusion g. **Aircraft, Auto Or Watercraft** under **COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions:**

This exclusion does not apply to:

- (6) Any aircraft, not owned or operated by any insured, which is hired, chartered or loaned with a paid crew. However, if the insured has any other valid and collectible insurance for "bodily injury" or "property damage" that would be covered under this provision, or on any other basis, this coverage is then excess, and subject to Condition 4. **Other Insurance, b. Excess Insurance** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS.**

Damage To Premises Rented to You

A. The last paragraph of Paragraph 2. **Exclusions** under **COVERAGE A BODILY INJURY AND PROPERTY DAMAGE** is deleted in its entirety and replaced with the following:

Exclusions c. through n. do not apply to damage by fire, lightning or explosion to premises rented to you or temporarily occupied by you with the permission of the owner. A separate limit of insurance applies to this coverage as described in **SECTION III — LIMITS OF INSURANCE.**

B. Paragraph 6. under **SECTION III — LIMITS OF INSURANCE** is deleted in its entirety and replaced with the following:

6. Subject to Paragraph 5. above, the most we will pay under **COVERAGE A** for damages because of “property damage” to any one premises, while rented to you, or in the case of damage caused by fire, lightning or explosion, while rented to you or temporarily occupied by you with permission of the owner, for all such damage caused by fire, lightning or explosion proximately caused by the same event, whether such damage results from fire, lightning or explosion or any combination of the three, is the amount shown in the Declarations for the Damage To Premises Rented To You Limit.

C. Paragraph a. of Definition 9. “Insured contract” under **SECTION V — DEFINITIONS** is deleted in its entirety and replaced with the following:

- a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning or explosion to premises while rented to you or temporarily occupied by you with the permission of the owner is not an “insured contract”;

Electronic Data Liability

A. Exclusion p. **Electronic Data** under **COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, Paragraph 2. **Exclusions** is deleted in its entirety and replaced by the following:

p. Electronic Data

Damages arising out of the loss of, loss of use of, damage to, corruption of, inability to access, or inability to manipulate “electronic data”.

However, this exclusion does not apply to liability for damages because of:

- (1) “Bodily injury”; or
- (2) Loss of, loss of use of, damage to, corruption of, inability to access, or inability to manipulate “electronic data” that results from physical injury to tangible property.

The exception in the paragraph above does not apply to claims for damages because of “bodily injury”, “property damage”, notification costs, credit or identity monitoring expenses, forensic expenses, public relations expenses, data restoration expenses, extortion expenses or any other similar cost or expense incurred by you or others arising out of a “cyber incident”.

B. The following paragraph is added to **SECTION III — LIMITS OF INSURANCE**:

Subject to the Each Occurrence Limit in Paragraph 5., the most we will pay under **COVERAGE A** for “property damage” because of all loss of “electronic data” arising out of any one “occurrence” is a sub-limit of \$100,000.

SECTION I — COVERAGE C MEDICAL PAYMENTS

EXCLUSIONS

Any Insured Amendment

Exclusion a. **Any Insured** under **COVERAGE C MEDICAL PAYMENTS**, 2. **Exclusions** is deleted in its entirety and replaced with the following:

a. Any Insured

To any insured.

This exclusion does not apply to:

- (1) “Not-for-profit members”;
- (2) “Golfing facility” members who are not paid a fee, salary, or other compensation; or
- (3) “Volunteer workers”.

This exclusion exception does not apply if **COVERAGE C MEDICAL PAYMENTS** is excluded by another endorsement to this Coverage Part.

Product Amendment

Exclusion f. **Products-Completed Operations Hazard** under **COVERAGE C MEDICAL PAYMENTS**, 2. **Exclusions** is deleted in its entirety and replaced with the following:

f. Products-Completed Operations Hazard

Included within the “products-completed operations hazard”.

This exclusion does not apply to “your products” sold for use or consumption on your premises, while such products are still on your premises.

This exclusion exception, does not apply if **COVERAGE C MEDICAL PAYMENTS** is excluded by another endorsement to this Coverage Part.

SECTION I — SUPPLEMENTARY PAYMENTS — COVERAGES A AND B

Expenses For Bail Bonds And Loss Of Earnings

A. Subparagraph 1.b. under **SUPPLEMENTARY PAYMENTS — COVERAGES A AND B** is deleted in its entirety and replaced with the following:

- b. Up to \$5,000 for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.

B. Subparagraph 1.d. under **SUPPLEMENTARY PAYMENTS — COVERAGES A AND B** is deleted in its entirety and replaced with the following:

- d. All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or “suit”, including actual loss of earnings up to \$1,000 a day because of time off from work.

SECTION II — WHO IS AN INSURED — Amendments

Not-for-Profit Organization Members

The following paragraph is added to **SECTION II — WHO IS AN INSURED**:

If you are an organization other than a partnership, joint venture, or a limited liability company, and you are a not-for-profit organization, the following are included as additional insureds:

1. Your officials;
2. Your trustees;
3. Your members;
4. Your board members;
5. Your commission members;
6. Your agency members;
7. Your insurance managers;
8. Your elective or appointed officers; and
9. Your “not-for-profit members”.

However only with respect to their liability for your activities or activities they perform on your behalf.

Employees As Insureds Modified

- A.** Subparagraph 2.a.(1)(a) under **SECTION II — WHO IS AN INSURED** does not apply to “bodily injury” to a “temporary worker” caused by a co-“employee” who is not a “temporary worker”.
- B.** Subparagraph 2.a.(2) under **SECTION II — WHO IS AN INSURED** does not apply to “property damage” to the property of a “temporary worker” or “volunteer worker” caused by a co-“employee” who is not a “temporary worker” or “volunteer worker”.
- C.** Subparagraph 2.a.(1)(d) under **SECTION II — WHO IS AN INSURED** does not apply to “bodily injury” caused by cardio-pulmonary resuscitation or first aid services administered by a co-“employee”.

With respect to this provision only, Subparagraph (1) of Exclusion 2. e. **Employer’s Liability** under **SECTION I — COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY** does not apply.

Newly Formed Or Acquired Organizations

- A.** Subparagraph 3.a. under **SECTION II — WHO IS AN INSURED** is deleted in its entirety and replaced with the following:

- a. Coverage under this provision is afforded only until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier. However, **COVERAGE A** does not apply to “bodily injury” or “property damage” that occurred before you acquired or formed the organization.

- B.** The following paragraph is added to **SECTION II — WHO IS AN INSURED**, Paragraph 3:

If you are engaged in the business of construction of dwellings three stories or less in height, or other buildings three stories or less in height and less than 25,000 square feet in area, you will also be an insured with respect to “your work” only, for the period of time described above, for your liability arising out of the conduct of any partnership or joint venture of which you are or were a member, even if that partnership or joint venture is not shown as a Named Insured. However, this provision only applies if you maintain or maintained an interest of at least fifty percent in that partnership or joint venture for the period of that partnership or joint venture.

This provision does not apply to any partnership or joint venture that has been dissolved or otherwise ceased to function for more than thirty-six months.

With respect to the insurance provided by this provision, **Newly Formed or Acquired Organizations**, the following is added to **SECTION IV — COMMERCIAL GENERAL LIABILITY**, Paragraph 4. **Other Insurance**, Subparagraph b. **Excess Insurance**:

The insurance provided by this provision, **Newly Formed or Acquired Organizations**, is excess over any other insurance available to the insured, whether primary, excess, contingent or on any other basis.

(All other provisions of this section remain unchanged)

Blanket Additional Insureds — As Required By Contract

- A.** Subject to the **Primary and Non-Contributory** provision set forth in this endorsement, **SECTION II — WHO IS AN INSURED** is amended to include as an additional insured:
1. **Owners, Lessees or Contractors/Architects, Engineers and Surveyors**
 - a. Any person or organization for whom you are performing operations when you and such person or organization have agreed in a written contract, written agreement or written permit that such person or organization be added as an additional insured on your commercial general liability policy; and
 - b. Any other person or organization, including any architects, engineers or surveyors not engaged by you, whom you are required to add as an additional insured under your policy in the contract or agreement in Paragraph a. above:

Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

- (1) Your acts or omissions; or
- (2) The acts of omissions of those acting on your behalf;

in the performance of your ongoing operations performed for the additional insured in Paragraph a., above.

However, this insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services by or for you, including:

- (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
- (2) Supervisory, inspection, architectural or engineering activities.

Professional services do not include services within construction means, methods, techniques, sequences and procedures employed by you in connection with your operations in your capacity as a construction contractor.

A person or organization's status as an additional insured under this endorsement ends when your operations for the person or organization described in Paragraph a. above are completed.

2. Other Additional Insureds

Any of the following persons or organizations with whom you have agreed in a written contract, written agreement or written permit that such persons or organizations be added as an additional insured on your commercial general liability policy:

a. Lessors of Leased Equipment

Any person or organization from whom you lease equipment, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person or organization.

With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

b. Managers or Lessors of Premises

Any person or organization from whom you lease premises, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by you or those acting on your behalf in connection with the ownership, maintenance or use of that part of the premises leased to you.

This insurance does not apply to any "occurrence" which takes place after you cease to be a tenant of that premises.

c. Mortgagees, Assignees or Receivers

Any person or organization with respect to their liability as mortgagee, assignee or receiver and arising out of the ownership, maintenance or use of your premises.

This insurance does not apply to any "occurrence" which takes place after the mortgage is satisfied, or the assignment or receivership ends.

d. Any Person or Organization Other Than A Joint Venture

Any person or organization (other than a joint venture of which you are a member), but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts of omissions of those acting on your behalf in the performance of your ongoing operations or in connection with property owned by you.

e. State or Governmental Agency or Political Subdivision — Permits or Authorizations

Any state or governmental agency or subdivision or political subdivision, but only with respect to:

- (1) Operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization; or
- (2) The following hazards for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization in connection with premises you own, rent or control and to which this insurance applies:

- (a) The existence, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decorations and similar exposures;
- (b) The construction, erection or removal of elevators; or
- (c) The ownership, maintenance or use of any elevators covered by this insurance.

This insurance does not apply to:

- i. "Bodily injury" or "property damage" arising out of operations performed for the federal government, state or municipality; or
- ii. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

With respect to Paragraphs 2.b. through 2.d., this insurance does not apply to structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

B. The insurance coverage afforded to the additional insureds in this coverage extension:

- 1. Does not apply unless the written contract or written agreement has been signed by the Named Insured or written permit issued prior to the "bodily injury" or "property damage" or "personal and advertising injury";
- 2. Only applies to the extent permitted by law; and
- 3. Will not be broader than that which you are required by the written contract, written agreement, or written permit to provide to such additional insured.

Broad Form Vendors Coverage

Subject to the **Primary and Non-Contributory** provision set forth in this endorsement, **SECTION II — WHO IS AN INSURED** is amended to include as an additional insured any person or organization (referred to below as vendor) for whom you have agreed in a written contract or written agreement to provide coverage as an additional insured under your policy. Such person or organization is an additional insured only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business. However, the insurance afforded the vendor does not apply to:

- a. "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement; however this exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;
- b. Any express warranty unauthorized by you;
- c. Any physical or chemical change in the product made intentionally by the vendor;
- d. Repackaging, unless unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;
- e. Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business in connection with the sale of the product; or
- f. Products which, after distribution or sale by you, have been labeled or re-labeled or used as a container, part of ingredient of any other thing or substance by or for the vendor; however this insurance does not apply to any insured person or organization, from who you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

The provisions of this coverage extension do not apply unless the written contract or written agreement has been signed by the Named Insured prior to the "bodily injury" or "property damage".

Incidental Malpractice

Subparagraph 2.a.(1)(d) under **SECTION II — WHO IS AN INSURED** is deleted in its entirety and replaced with the following:

- (d) Arising out of his or her providing or failing to provide professional health care services.

This does not apply to nurses, emergency medical technicians or paramedics if you are not in the business or occupation of providing any such professional services.

This also does not apply to "bodily injury" caused by cardio-pulmonary resuscitation or first aid services administered by a co-"employee".

This provision does not apply if you are a Social Service or Senior Living risk.

SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS — Amendments

Knowledge Of Occurrence, Claim, Suit Or Loss

The following is added to Paragraph 2. **Duties in the Event of Occurrence, Offense, Claim or Suit** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

The requirements under this paragraph do not apply until after the "occurrence" or offense is known to:

1. You, if you are an individual;
2. A partner, if you are a partnership;
3. An "executive officer" or insurance manager, if you are a corporation;
4. Your members, managers or insurance manager, if you are a limited liability company; or
5. Your elected or appointed officials, officers, members, trustees, board members, commission members, agency members, or your administrator or your insurance manager if you are an organization other than a partnership, joint venture, or limited liability company.

Primary and Non-Contributory Provision

The following is added to Paragraph 4. **Other Insurance, b. Excess Insurance** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

This insurance is primary to and we will not seek contribution from any other insurance available to an additional insured under this policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and
- (2) You have agreed in a written contract, written agreement or written permit that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

Unintentional Failure To Disclose Hazards

The following is added to Paragraph 6. **Representations** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

However, if you should unintentionally fail to disclose any existing hazards in your representations to us at the inception date of the policy, or during the policy period in connection with any additional hazards, we shall not deny coverage under this Coverage Part based upon such failure to disclose hazards.

Waiver Of Transfer Of Rights Of Recovery

The following is added to Paragraph 8. **Transfer of Rights Of Recovery Against Others To Us** under **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

We will waive any right of recovery against a person or organization because of payments we make under this Commercial General Liability Coverage Part. This waiver applies only if the insured has agreed in a written contract or written agreement to:

1. Waive any right of recovery against that person or organization; or
2. Assume the liability of that person or organization pursuant to a written contract or written agreement that qualifies as an "insured contract"; and

3. Include such person or organization as an additional insured on your policy.

Such waiver by us applies only to that person or organization identified above, and only to the extent that the insured has waived its right of recovery against such person or organization prior to loss.

Liberalization

The following condition is added to **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

If we revise this Coverage Part to provide more coverage without additional premium charge, subject to our filed company rules, your policy will automatically provide the additional coverage as of the day the revision is effective in your state.

Two or More Coverage Parts or Policies Issued By Us

(This provision is not Applicable in the state of New York or Wisconsin).

The following condition is added to **SECTION IV — COMMERCIAL GENERAL LIABILITY CONDITIONS**:

It is our intention that the various coverage parts or policies issued to you by us, or any company affiliated with us, do not provide any duplication or overlap of coverage. We have exercised diligence to draft our coverage parts and policies to reflect this intention. However, if the facts and circumstances that will respond to any claim or "suit" give rise to actual or claimed duplication or overlap of coverage between the various coverage parts or policies issued to you by us or any company affiliated with us, the limit of insurance under all such coverage parts or policies combined shall not exceed the highest applicable limit under this coverage, or any one of the other coverage forms or policies.

This condition does not apply to any Excess or Umbrella policy issued by us specifically to apply as excess insurance over this coverage part or policy to which this coverage part is attached.

SECTION V — DEFINITIONS

Discrimination

(This provision does not apply in New York).

- A. The following is added to Definition 14. "Personal and advertising injury":

"Personal and advertising injury" also means "discrimination" that results in injury to the feelings or reputation of a natural person, however only if such "discrimination" or humiliation is:

1. Not done by or at the direction of:
 - a. The insured; or
 - b. Anyone considered an insured under **SECTION II — WHO IS AN INSURED**;
2. Not done intentionally to cause harm to another person.

3. Not directly or indirectly related to the employment, prospective employment or termination of employment of any person or persons by any insured.
4. Not arising out of any "advertisement" by the insured.

B. The following definition is added to SECTION V — DEFINITIONS:

"Discrimination" means:

- a. Any act or conduct that would be considered discrimination under any applicable federal, state, or local statute, ordinance or law;
- b. Any act or conduct that results in disparate treatment of, or has disparate impact on, a person, because of that person's race, religion, gender, sexual orientation, age, disability or physical impairment; or
- c. Any act or conduct characterized or interpreted as discrimination by a person based on that person's race, religion, gender, sexual orientation, age, disability or physical impairment.

It does not include acts or conduct characterized or interpreted as sexual intimidation or sexual harassment, or intimidation or harassment based on a person's gender.

Electronic Data

The following definition is added to **SECTION V — DEFINITIONS:**

"Electronic data" means information, facts or programs stored as or on, created or used on, or transmitted to or from computer software, including systems and applications software, hard or floppy disks, CD-ROMS, tapes, drives, cell, data processing devices or any other media which are used with electronically controlled equipment. For the purpose of the Electronic Data Liability coverage provided by this endorsement, Definition 17. "Property damage" is deleted in its entirety and replaced by the following:

17. "Property damage" means:

- a. Physical injury to tangible property, including all resulting loss of use of that property. All such loss of use shall be deemed to occur at the time of the physical injury that caused it; or
- b. Loss of, loss of use of, damage to, corruption of, inability to access, or inability to properly manipulate "electronic data", resulting from physical injury to tangible property. All such loss of "electronic data" shall be deemed to occur at the time of the "occurrence" that caused it.

For the purpose of the Electronic Data Liability coverage provided by this endorsement, "electronic data" is not tangible property.

Employee Amendment

Definition 5. "Employee" under **SECTION V — DEFINITIONS** is deleted in its entirety and replaced by the following:

5. "Employee" includes a "leased worker", or a "temporary worker". If you are a School, "Employee" also includes a student teacher.

Golfing Facility

The following definition is added to **SECTION V — DEFINITIONS:**

"Golfing facility" means a golf course, golf club, driving range, or miniature golf course.

Mental Anguish Amendment

(This provision does not apply in New York).

Definition 3. "Bodily injury" under **SECTION V — DEFINITIONS** is deleted in its entirety and replaced with the following:

3. "Bodily injury" means bodily injury, sickness or disease sustained by a person, including death resulting from any of these at any time. This includes mental anguish resulting from any bodily injury, sickness or disease sustained by a person. (In New York, mental anguish has been determined to be "bodily injury").

Not-for-profit Member

The following definition is added to **SECTION V — DEFINITIONS:**

"Not-for-profit member" means a person who is a member of a not-for-profit organization, including clubs and churches, who receives no financial or other compensation.

Olivia's

Operational Plan for Patio

Hours of Operation

The patio operating hours will follow the current operating hours of Olivia's Restaurant:

Tuesday thru Thursday: Dinner at 5 pm, Last seating: 9 pm, Last Call 9:45 pm

Friday: Dinner at 5 pm, Last seating: 9:30 pm, Last Call: 10:30 pm

Saturday: Dinner at 4 pm, Last seating: 9:30 pm, Last Call: 10:30 pm

Closed on Sundays & Mondays.

Maintenance Plan

We will sweep daily, power wash when needed and keep our furniture and fixtures clean, tidy and safe for our patrons.

This patio will be staffed with a team member at all times during service. This team member will have the necessary certifications needed to serve alcohol.

All alcohol bottles will be brought in overnight and locked in the liquor room. We will set up the bar daily for service weather permitting.



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

40 Center Street | Fairhaven, MA 02719
Tel: (508) 979-4023 | Fax: (508) 979-4079

PARKLET HOLD HARMLESS AGREEMENT

This Hold Harmless Agreement ("Agreement") is made and entered into as of this 1st day of May, 2024, by and between the Town of Fairhaven ("Town") and OEA Restaurant Group Corp dba Olivia's Restaurant ("Business").

Business Information:

- Business Name: OEA Restaurant Group Corp dba Olivia's Restaurant
- Business Address: 1 Middle Street Fairhaven, MA 02719
- Contact Person: Brandon Roderick
- Phone Number: 774-451-1010
- Email Address: Brandon @ divas fairhaven.com

WHEREAS, Business has applied for and received a permit from the Town for the use of public right-of-way for outdoor seating and/or a parklet located at 1 Middle Street (the "Location");

WHEREAS, the Town has granted such permit subject to certain conditions, including the execution of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

1. Indemnification and Hold Harmless:

- Business agrees to indemnify, defend, and hold harmless the Town, its officers, agents, employees, and volunteers from and against any and all claims, damages, losses, liabilities, and expenses, including reasonable attorneys' fees, arising out of or in connection with Business's use of the public right-of-way for outdoor seating and/or a parklet, including but not limited to claims for bodily injury, personal injury, property damage, or death, except to the extent such claims, damages, losses, liabilities, or expenses are caused by the sole negligence or willful misconduct of the Town.

2. Insurance:

- Business shall maintain, at its own expense, a policy of commercial general liability insurance with coverage of not less than \$1,000,000 per occurrence and

Adopted by the Select Board June 24, 2024

\$2,000,000 aggregate, naming the Town of Fairhaven as an additional insured. A certificate of insurance evidencing such coverage shall be provided to the Town prior to the commencement of the use of the public right-of-way for outdoor seating and/or a parklet.

3. Compliance with Laws:

- Business agrees to comply with all applicable federal, state, and local laws, regulations, and ordinances in connection with its use of the public right-of-way for outdoor seating and/or a parklet.

4. Term and Termination:


- This Agreement shall commence on the date first written above and shall remain in effect for as long as Business is permitted to use the public right-of-way for outdoor seating and/or a parklet. The Town may terminate this Agreement immediately upon written notice to Business for any violation of the terms of this Agreement or applicable laws and regulations.

5. Miscellaneous:

- This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether written or oral, relating to such subject matter.
- This Agreement may be amended only by a written instrument executed by both parties.
- If any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.
- This Agreement shall be governed by and construed in accordance with the laws of the State of Massachusetts.

IN WITNESS WHEREOF, the parties hereto have executed this Hold Harmless Agreement as of the day and year first above written.

Business:

By: 
Name: Brandon Rodenich
Title: President

Town of Fairhaven:

By: _____
Name: _____
Title: _____

**LICENSE
ALCOHOLIC BEVERAGES**

**The Licensing Board of
The Town of Fairhaven
Massachusetts**

**Hereby Grants A
RESTAURANT
License to Expose, Keep for Sale, and to Sell
ALL ALCOHOLIC BEVERAGES**

To Be Drunk on the Premises

**To: OEA Restaurant Group Corp, d/b/a OLIVIA'S RESTAURANT
1 Middle Street, Brandon Roderick Manager.**

On the following described premises: Two entrances/exits; Small kitchen on east side, office on Northeast side, liquor storage on Northeast side, bar on Northeast side, two restrooms on North side.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made hereunder by the licensing authorities. *This license expires December 31, 2026 * unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 31st day of December 2025.

**The hours during which Alcoholic Beverages
may be sold are:**

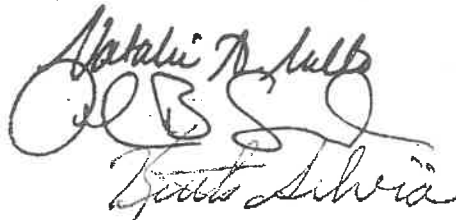
**Mon.-Saturday 8:00 AM-2:00 AM
Sunday 10:00 AM- 2:00 AM**

*****AMENDED LICENSE-AS OF January 1, 2004*****

"Said Licensee shall certify in writing, on the first business day of each quarter, beginning January 1, 2004, that all employees who sell or serve alcohol within said establishment, have completed a TIPS (Training for Intervention Program) Program. Said Licensee shall send, by certified mail, such certification, along with a list of all employees who sell or serve alcohol with their individual TIPS completion dates, to The Licensing Board."


LICENSING BOARD

**Lic. No. 08156-RS-0384
\$1,500.00**


**Natalie M. Kelly
Scott Silvia**

FAIRHAVEN GROUND LEASE PROGRAM FOR “ENTRY LEVEL” APARTMENT RENTS

CONCEPT:

Many people have the home or apartment of their choice, with no government assistance.

Many receive government assistance – 40R, 40B, SRPEDD Plans, Senior Housing Authorities

This plan is for **people in the middle** – do not want government help or do not qualify; but need lower rents to save for the future, or were displaced by rising rents where they were.

THE BENEFITS:

- Create additional apartment housing with “entry level” rents; “Strings Attached” in Developer’s contract to specify the rent for the majority of apts.
- **Provide ongoing tax and “Ground Lease” revenue to Fairhaven.**
- Provide the Developer a long term “Ground Lease” providing long term rental income; with minimal annual paperwork tracking requirements; and financial advantages.

A positive program for the Town, residents, renters, and the Developer.

CURRENT ELIGIBLE LOTS – WE’D START WITH ONE:

- Spring St. Apartment Area. MAP 9, LOT 19 - 6 Spring St. **PRIORITY PICK**
MAP 11, LOT 50 – 87 Main St.
- 150 Sconticut Neck Rd - The Emergency Management Public Safety Annex.
- 8 Pease St - the boat ramp area and more of Pease Park.

REQUEST FOR SELECTBOARD APPROVAL:

- 1.) We hope you agree with the concept and our priority lot – Spring St. apartment area
- 2.) Please approve the first step of our process:
To work with Mass Housing Partnership to obtain a grant to fund the Feasibility Study for our Spring St. apt area lot; and once funded to conduct the Feasibility Study.

FOLLOW UP WITH SELECTBOARD:

When Feasibility Study is completed, we’ll return to present the findings and possible next steps.

John Hinds, the EDC & Subcommittee, and invited contributors: Finance, Town Mgr., Assessor, Building Inspector, Selectboard member, Fairhaven Housing Authority, Independent Licensed Contractor, Planning Board member.



**Town of Fairhaven
Massachusetts
Select Board**

Today's Date
time stamped

40 CENTER STREET
FAIRHAVEN, MA 02719

TEL: (508) 979-4023
FAX: (508) 979-4079
Selectboard@Fairhaven-MA.gov

APPLICATION FOR THE USE OF TOWN HALL

Name of Organization Fairhaven Cultural Council

Responsible Officer Katharine MacPhail Tel. No. 617 489 8535

Address 34 Oxford Street

Purpose of Use Fairhaven Cultural Council Grant Recipient reception

Space Requested Town Hall Auditorium Date Requested Tues 5/26 or Weds 5/27.

Begin Time 6 PM set up (6:30 start) End Time 8 PM end, finish clean up 8:30

Number of attendees about 30 to 40 (occupancy to be reviewed by Building Commissioner, not to exceed 299)

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES NO

Fee will be \$100.00 (up to three hours). Each additional hour will be charged \$25.00.

Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven.

Select Board / Town Administrator

Police Chief / Representative

Board of Health

Fire Department / Inspection

*Must have full review from applicable departments
prior to Select Board approval*

Building Department Inspection

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

			<i>Office Use only</i>
Rental Fee x _____ hrs. at \$ 150.00 / hr.	=	\$ <u>n/a</u>	<i>(minimum 3 hours)</i>
Plus refundable security deposit in the amount of the rental fee	=	\$ <u>n/a</u>	
_____ Audio \$100.00 plus _____ hrs. at \$25.00 /hr.	=	\$ <u>n/a</u>	
_____ Custodian x <u>2.5</u> hrs. at \$ 50.00 /hr.	=	\$ <u>125.00</u>	
_____ Police x _____ hrs. at \$ _____ hr.	=	\$ <u>n/a</u>	
TOTAL FEES	=	\$ <u>125.00</u>	

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

Organization

Date: _____ Signed: _____
Select Board Office

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



TOWN OF FAIRHAVEN

FAIRHAVEN TOWN HALL FACILITIES RULES AND REGULATIONS

Use of the Fairhaven Town Hall Facilities/Auditorium ("Town Hall") is available to non-profit, civic, charitable and governmental organizations for cultural or educational purposes, and for private events¹, but not for the purpose of partisan use to influence elections for office or ballot questions. However, Town government's (the "Town") programs and functions will have first priority in the scheduling of events in Town Hall including the Auditorium. Otherwise, requests will be reserved on a first come first served basis.

The following rules and regulations must be observed in the use of Town Hall:

1. All requests for use of Town Hall must be submitted to the Select Board on the Application for the Use of Town Hall form at least thirty (30) days in advance of the requested event date.
2. The applicant is required to sign and complete the Application, the Release and Indemnification Agreement, and an acknowledgment that they have read, understood and agreed to comply with these rules and regulations
3. Nothing shall be sold, given, exhibited, advertised or displayed without prior permission of the Select Board.
4. Use of Town Hall shall be limited to the hours of 8:00a.m. to midnight and no event may extend beyond 12 midnight or be held on any other day unless permission is granted by the Select Board.
5. No scenery shall be installed that is nailed or otherwise attached to any floors or walls of the stage, Auditorium or other Town Hall area. Set pieces, platforms, etc. must be free-standing or hung from overhead grid. No decorations may be stapled, tacked or tied to any walls or fixtures. No walls or floors of the stage may be painted or otherwise altered. No scenery shall be installed that blocks safe access to stage, Auditorium doors or fire exits. If scenery or backdrop curtains, teasers, side legs, etc. are hung from overhead grid, all such materials must be removed following the production, and the Auditorium's drops, curtains, etc. must be re-hung in the correct positions. All scenery materials, curtain fabrics and decorations must meet fireproof or flame-retardant regulations of Massachusetts and/or Federal and/or local code. All such materials may be subject to inspection and approval, and any such installation may be subject to inspection. Under no circumstances shall scenery or other property of a using organization be stored in Town Hall without

¹Private Events are defined as those functions that are closed to the general public and an admission fee is not charged. It includes such events as weddings, reunions, and birthday/anniversary parties. Use of the auditorium by private parties for the purpose of selling services and/or products is not permitted.

express permission, and in no event when such storage will interfere in the use of the Auditorium or Town Hall Facilities by the Town. All scenery and electrical equipment and any equipment supplying light, sound, atmospheric, i.e., water-based fog machines, or similar effects must be inspected and approved by the Chief of the Fire Department and the Building Inspector or their designees prior to the use of the stage or Auditorium. Pyrotechnic displays or artificial smoke of any sort are strictly prohibited.

6. The applicant shall be held responsible for the preservation of order and shall secure all licenses and permits require for public performances, including the provision for a police detail if required by the Select Board or the Chief of Police and food preparation and serving licenses as required by the Board of Health. Unless waived by the Select Board, Police details shall be required at all events to be attended by two hundred or more persons, all events serving alcoholic beverages, and any other events which the Select Board determine to require a police officer to maintain public order and safety. The applicant is responsible for the cost of police security. The applicant shall be required to provide liability insurance coverage and rented property insurance coverage, each in the amount of not less than \$1,000,000, naming the town as additional insured*.
****Proof of coverage must be provided to the Town Administrator at least seven days prior to the date of the scheduled event.***
7. Consumption of Alcoholic Beverages in the Auditorium may be allowed by the Select Board under the following provisions:
If the applicant intends to sell/serve alcoholic beverages at the event, the applicant must apply for and be granted a Special "one day" license pursuant to M.G.L. Chapter 138, Section 14 and the Rules and Regulations for Special "one day" licenses of the Select Board, acting in their capacity as the Local Licensing Authority. If the applicant intends to serve alcoholic beverages but not charge for them, the applicant must obtain a special events insurance policy that provides for liquor liability coverage in the amount of not less than \$1,000,000 and that names the Town as an additional insured*.
*** Proof of coverage must be provided to the Town Administrator at least seven days prior to the date of the scheduled event.**
8. Consumption of Marijuana in any form or manner is prohibited.
9. A custodian will be required to be on duty during the event and thirty minutes prior to and following the event. The applicant is responsible for the cost of custodial services at the rate of Fifty dollars per hour (\$50).
10. The applicant is responsible for paying in advance at least seven days prior to the event, the Town Hall Use Fee at a rate of \$150 per hour with a minimum of three hours per event for private events and non-Town affiliated groups**, plus the cost of custodial services (see above). Additionally, the applicant is responsible to contact the appropriate department(s) and for all applicable costs associated with Police Details, Fire/Emergency Management Services, Audio/Visual and Public Works fees.
11. A refundable security deposit in the form of a certified check made out the Town of Fairhaven and in the amount of the total rental fee shall be submitted at least seven days prior to event. The Town, at its sole discretion, may deduct from this security deposit any and all funds necessary to make repairs or clean the facility including the cost of custodial services not paid for by the applicant. The providing of a security deposit does not reduce, lessen or remove any obligation the applicant may have under the

Release and Indemnification Agreement.

12. Applicant is responsible for delivery, pick-up and rental of additional chairs and tables if required. The Auditorium/Town Hall space used is to be swept clean and all trash removed after use by the applicant. The set-up and break-down of chairs and tables and additional clean-up by the custodian will be an additional charge at a rate of \$10 per hour (in addition the rate provided for in Section 9) and must be pre-arranged at the time of application. Restrooms are to be left clean after use.
13. No smoking is permitted within the Town Hall or within 15 ft. of any entrance of the building.
14. The event is limited to the occupancy limit as determined by the event and as approved by the Building Commissioner, not to exceed 299. **The balcony area is not available for use.**
15. Only the preparation of light refreshments involving no cooking will be permitted in Auditorium area. Water is available for use in preparing coffee or tea. Any group serving refreshments must provide their own dishes, utensils, linens, etc.
16. The custodian is responsible for the opening and closing of the Town Hall.
17. The Select Board reserves the right to revoke permission to use Town Hall for an applicant's non-compliance with the Rules and Regulations. The Select Board reserves the right to waive any or all fees under these Rules and Regulations when it is in the public interest to do so.

** Town Affiliated groups as defined by the Select Board:

- Fairhaven Improvement Association (FIA)
- North Fairhaven Improvement Association (NFIA)
- West Island Improvement Association (WIIA)
- East Fairhaven Improvement Association (EFIA)
- Whitfield-Manjiro Friendship Society
- Fairhaven Dollars for Scholars
- Town Departments, Committees, Boards, Commissions

ADOPTED BY THE FAIRHAVEN SELECT BOARD – January 9, 2017
Revised by the Select Board on September 23, 2024
Revised by the Select Board on November 10, 2025



**Town of Fairhaven
Massachusetts
Select Board**

Today's Date
time stamped

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

APPLICATION FOR THE USE OF TOWN HALL

Name of Organization FAIRHAVEN SUMMER ART GALLERY
 Responsible Officer Susan Darwin Tel. No. 917-545-5428
 Address 525 RIDGEWOOD ROAD MAPLEWOOD, NJ 07040
 Purpose of Use Art Event -- A Night at the Town Hall
 Space Requested Auditorium
 Date Requested JULY 18, 2025 Begin Time 6 pm End Time 10 pm
 Number of attendees 200 *(occupancy to be reviewed by Building Commissioner)*

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES NO
 Fee will be \$100.00 (up to three hours). Each additional hour will be charged \$25.00.
 Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven.

Select Board / Town Administrator

Police Chief / Representative

Board of Health

Fire Department / Inspection

*Must have full review from applicable departments
prior to Select Board approval*

Building Department Inspection

FEES <i>(To be completed by the Office of the Select Board)</i>	<i>Office Use only</i>
Rental Fee x _____ hrs. at \$ 150.00 / hr. =	\$ _____ <i>(minimum 3 hours)</i>
Plus refundable security deposit in the amount of the rental fee =	\$ _____
_____ Audio \$100.00 plus _____ hrs. at \$25.00 /hr. =	\$ _____
_____ Custodian x _____ hrs. at \$ 50.00 /hr. =	\$ _____
_____ Police x _____ hrs. at \$ _____ hr. =	\$ _____
TOTAL FEES =	\$ _____

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

Organization

Date: _____ Signed: _____
Select Board Office

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



**Town of Fairhaven
Massachusetts
Select Board**

40 Center Street
Fairhaven, MA 02719

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

Release and Indemnification Agreement

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

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

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

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

Signature: 
Printed Name: _____ Susan Darwin

Date: April 2, 2026

Before me: _____
Witness Signature

To be signed in the presence of Town Hall staff

I will come in and sign this again :)



MARKEL AMERICAN INSURANCE COMPANY

P.O. Box 906, Pewaukee, Wisconsin 53072-0906
(800) 236-2862 www.markelamerican.com

Special Event Liability Insurance Policy Declarations Page

Policy Number:	MEL00000976468	Date of Issue:	02/26/2026	Event Date:	07/18/2026
Policy Period:	07/18/2026				
Named Insured:	SUSAN DARWIN				
Mailing Address:	SUSAN DARWIN 525 RIDGEWOOD RD Maplewood, NJ 07040-2157				
Honoree(s):					
Insured Event:	Business or Organization Event				
Policy Premium:	\$188.00				
Surcharges and Taxes :	\$0.00				
Territory Surcharge :	Not Applicable				
Multi Policy Discount :	Not Applicable				
Total:	\$188.00				
Event Location 1.:	FAIRHAVEN TOWN HALL				
Hosting Facility Insured Extension: <input checked="" type="checkbox"/>	40 CENTER ST				
<i>(coverage applies if box checked)</i>	Fairhaven, MA 02719				
Policy Coverage:		Limit:		Deductible:	
General Aggregate		\$1,000,000		\$0	
Each Occurrence		\$1,000,000		\$0	
Property Damage		\$1,000,000		\$1,000	
Administered by:	USAA EVENT PROGRAM				
Agency:	10371-000002	9800 FREDRICKSBURG RD			
Agency Phone:	800-388-0169	SAN ANTONIO, TX 78288			
For Policy Questions Call Toll Free:	800-388-0169				
For Claims Call Toll Free:	800-236-3113				
Policy Form(s):	EV500-0810, MPIL 1007 01 20, EVL100-0708, EVL129-0904, EVL138-0708				
Countersignature (if required):	<i>John K. Clarke</i>				

Forms and endorsements made a part of this policy at inception are those which numbers are entered above.

CERTIFICATE OF LIABILITY INSURANCE

ISSUE DATE : 02/26/2026

PRODUCER USAA EVENT PROGRAM 9800 FREDRICKSBURG RD SAN ANTONIO, TX 78288	800-388-0169	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.
INSURED SUSAN DARWIN SUSAN DARWIN 525 RIDGEWOOD RD Maplewood, NJ 07040-2157	Event Date: 07/18/2026	INSURERS AFFORDING COVERAGE INSURER A: MARKEL AMERICAN INSURANCE COMPANY HONOREE(S)

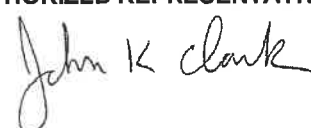
COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE ABOVE NAMED INSURED FOR THE POLICY PERIOD INDICATED. NOT WITH STANDING ANY REQUIREMENT, TERM OF CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS												
A	GENERAL LIABILITY <input checked="" type="checkbox"/> GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> HOST LIQUOR INCL. <input checked="" type="checkbox"/> TPPD GENERAL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	MEL00000976468	07/18/2026	07/18/2026	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td>\$1,000,000</td></tr> <tr><td>FIRE DAMAGE (Any one fire)</td><td>\$1,000,000</td></tr> <tr><td>MED EXP (Any one person)</td><td>Excluded</td></tr> <tr><td>PERSONAL INJURY</td><td>\$1,000,000</td></tr> <tr><td>GENERAL AGGREGATE</td><td>\$1,000,000</td></tr> <tr><td>DAMAGE TO RNTD PROP</td><td>\$1,000,000</td></tr> </table>	EACH OCCURRENCE	\$1,000,000	FIRE DAMAGE (Any one fire)	\$1,000,000	MED EXP (Any one person)	Excluded	PERSONAL INJURY	\$1,000,000	GENERAL AGGREGATE	\$1,000,000	DAMAGE TO RNTD PROP	\$1,000,000
EACH OCCURRENCE	\$1,000,000																
FIRE DAMAGE (Any one fire)	\$1,000,000																
MED EXP (Any one person)	Excluded																
PERSONAL INJURY	\$1,000,000																
GENERAL AGGREGATE	\$1,000,000																
DAMAGE TO RNTD PROP	\$1,000,000																
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> _____				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>COMBINED SINGLE LIMIT (Each Accident)</td><td></td></tr> <tr><td>BODILY INJURY (Per Person)</td><td></td></tr> <tr><td>BODILY INJURY (Per Accident)</td><td></td></tr> <tr><td>PROPERTY DAMAGE (Per Accident)</td><td></td></tr> <tr><td>AUTO ONLY-EA ACCIDENT</td><td></td></tr> <tr><td>OTHER THAN AUTO EA ACC ONLY: AGG</td><td></td></tr> </table>	COMBINED SINGLE LIMIT (Each Accident)		BODILY INJURY (Per Person)		BODILY INJURY (Per Accident)		PROPERTY DAMAGE (Per Accident)		AUTO ONLY-EA ACCIDENT		OTHER THAN AUTO EA ACC ONLY: AGG	
COMBINED SINGLE LIMIT (Each Accident)																	
BODILY INJURY (Per Person)																	
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PROPERTY DAMAGE (Per Accident)																	
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OTHER THAN AUTO EA ACC ONLY: AGG																	
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> _____				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td></td></tr> <tr><td>AGGREGATE</td><td></td></tr> </table>	EACH OCCURRENCE		AGGREGATE									
EACH OCCURRENCE																	
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	EXCESS LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>WC STATU</td><td>OTHER</td></tr> <tr><td>E.L. EACH ACCIDENT</td><td></td></tr> <tr><td>E.L. DISEASE-EA EMPLOYEE</td><td></td></tr> <tr><td>E.L. DISEASE-POLICY LIMT</td><td></td></tr> </table>	WC STATU	OTHER	E.L. EACH ACCIDENT		E.L. DISEASE-EA EMPLOYEE		E.L. DISEASE-POLICY LIMT					
WC STATU	OTHER																
E.L. EACH ACCIDENT																	
E.L. DISEASE-EA EMPLOYEE																	
E.L. DISEASE-POLICY LIMT																	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY																
	OTHER																

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

The Certificate Holder is included as an insured under the Hosting Facility Liability Coverage, but only in respects to claims arising out of the negligence of the Named Insured. If the event continues past 12:00 a.m., at the location named on Declarations Page, such continuation shall be considered as the event date. Event includes set up and break down and the scheduled rehearsal or rehearsal dinner scheduled within 48 hours of the event if the event is a wedding. Set up and break down means decoration and removal of decoration at the event location that occurs no more than 24 hours prior to the event and 24 hours after the event.

CERTIFICATE HOLDER TOWN OF FAIRHAVEN FAIRHAVEN TOWN HALL 40 CENTER ST Fairhaven, MA 02719	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--



Town of Fairhaven
Massachusetts
Select Board

40 CENTER STREET
FAIRHAVEN, MA 02719

TEL: (508) 979-4023
FAX: (508) 979-4079
Selectboard@Fairhaven-MA.gov

Today's Date
time stamped

C 6
SELECT BOARD
2026 APR 30 11:55:11:55

APPLICATION FOR THE USE OF TOWN HALL

Name of Organization BELONGING COMMITTEE/FAIRHAVEN'S GOT PRIDE
Responsible Officer ALLIEA GROUPE Tel. No. 617-435-4220
Address 228 SCONTICUT NECK ROAD FAIRHAVEN MA 02719
Purpose of Use TO SUPPORT THE FAIRHAVEN'S GOT PRIDE EVENT
Space Requested BATHROOMS
Date Requested JUNE 28, 2026 Begin Time 11:00 AM End Time 5:30 PM
Number of attendees 150 (occupancy to be reviewed by Building Commissioner, not to exceed 299)

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES NO X
Fee will be \$100.00 (up to three hours). Each additional hour will be charged \$25.00.
Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven.

Select Board / Town Administrator

Police Chief / Representative

Board of Health

Fire Department / Inspection

Must have full review from applicable departments
prior to Select Board approval

Building Department Inspection

Table with columns for item, quantity, rate, and total. Includes rows for Rental Fee, security deposit, Audio, Custodian, Police, and TOTAL FEES.

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

Organization

Date: Signed: Select Board Office

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



Town of Fairhaven
Massachusetts
Select Board
40 Center Street
Fairhaven, MA 02719
Tel: (508) 979-4023
Fax: (508) 979-4079
selectboard@Fairhaven-MA.gov

Release and Indemnification Agreement

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

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

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

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

Signature: _____

Printed Name: _____

ALLIEA E. GROUPE

Date: _____

4.21.26

Before me: _____

Witness Signature

To be signed in the presence of Town Hall staff



Town of Fairhaven
Massachusetts
 40 Center Street
 Fairhaven, MA 02719

TEMPORARY STREET CLOSURE/BLOCK PARTY APPLICATION

Today's Date: APRIL 21, 2026
 Date of event: JUNE 28, 2026 Time of event: 11 AM-5 PM
 Road (s) to be blocked: CENTER FROM MAIN TO GREEN; WILLIAM ST FROM UNION TO WASHINGTON; WALNUT STREET FROM UNION TO WASHINGTON; UNION STREET FROM WILLIAM TO WALNUT STREET.
 Estimated number of attendees: 150 Age group: ALL
 Have all residents been notified Y / N NOT YET How notified: THEY WILL BE NOTIFIED VIA FLYER
Please provide of copy of notification with application

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

Name: Kelly Ochoa Name: Rachel Medeiros
 Address: 148 Green St. Address: 255 Huttleston Ave
 Phone: 508 264-7399 Phone: 508 206-0195

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

Signature of applicant: *[Signature]*
 Print Name: ALLIEA E. GROUPE Phone: 617-435-4220
 Address: 228 SCONTICUT NECK RD FAIRHAVE MA 02719
 Email: AEGROUPE@GMAIL.COM

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

DPW:
 Comments:
 Police:
 Comments:
 Fire:
 Comments:
 Town Administrator:
 Comments:



TOWN OF FAIRHAVEN

APPLICATION FOR SPECIAL LICENSE

General Law Chapter 138, Section 14

Date: 4/22/26

SELECT BOARD
2026MAY6 14:53:14:59

To the Licensing Board:

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

to sell

All Alcoholic Beverages

(Beer and Wine)

or

(~~All~~ Alcoholic Beverages)

For a Fairhaven's Got Pride to be held at

Town of Fairhaven, Town Hall (Walnut St. Side)

by _____

date June 28th, 2026

from 11 AM to 4 PM

(Marco Moura)

Name of Applicant: The Gallery Bar, LLC.

Address of Applicant: 20 Kenyon Street,
New Bedford, MA 02740

Telephone: (508) 493-0649

At a banquet or public dinner, the applicant should be responsible, manager of the banquet or picnic, field day or outing, applicant should be a representative of responsible organization

K. Ochoa@comcast.net.

**JOINT TRANSPORTATION PLANNING GROUP (JTPG)
MUNICIPAL REPRESENTATIVE APPOINTMENT
2026 - 2027**

Please be advised that the following individual, _____ has been appointed to represent the City/Town of _____ on the JTPG for the period June 1, 2026 through May 31, 2027.

Signed: _____

Mayor or Chair/President, Board of Selectmen or Town Council

Please Verify Contact Information for JTPG Appointee

JTPG REPRESENTATIVE Name: Josh Crabb
 Title: Highway Dept.
 Street: 5 Aulsebrook St
 City/Town: Fairhaven
 Telephone: 508 979 4031
 Email address: jcrabb@fairhaven-ma.gov

Please Verify Contact Information for JTPG Alternate

ALTERNATE: (OPTIONAL) Name: Vincent Fortado
 Title: Public Works Dept
 Street: 5 Aulsebrook St
 City/Town: Fairhaven
 Telephone: 508 979 4030
 Email address: vfortado@fairhaven-ma.gov

**PLEASE RETURN THIS FORM TO ANDREA DUARTE-CAMPOS BY MAY 15, 2026 VIA
EMAIL: (ADUARTE@SRPEDD.ORG)**



Monday, May 11, 2026

ACTION / DISCUSSION

1. Flag/ Banner Request: Belonging Committee: Juneteenth Flag and Pride Flag: June
2. Flag/ Banner Request: Fairhaven Improvement Association: Homecoming Banner: June



Town of Fairhaven
Massachusetts
40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

To: Select Board

From: The Belonging Committee

Date: April 25, 2026

Re: Flag/Banner request for June, 2026

The Belonging Committee would like to request the Juneteenth and Pride Flag be displayed on the exterior of Town Hall during the month of June.

Thank you.

Please let me know if any additional information is required.

Thanks,

Alliea

**General Release and Indemnity
Flag/Banner Policy**

I/we, Belonging Committee in consideration of the approval of my/our request to the Town of Fairhaven to be allowed to display a flag or banner on public property, do hereby agree to release the Town, and its officers, agents, and employees, from any and all liability for damage or injury suffered by me/us including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner: and further I/we agree to indemnify, defend and hold harmless the Town, and its officers, agents, and employees, from any and all claims for damage or injury, including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner.

April 17, 2026

Date:

Alliea E. Groupp

Name (print)

Chair, Belonging Committe

Title (if signed on behalf of an organization):


Signed:

Office Use only

Received on 4/25/26

By @

Approved by Select Board

Dates to be displayed June 2026

SELECT BOARD
2026APR28 10:33:10:33

**General Release and Indemnity
Flag/Banner Policy**

I/we, FAIRHAVEN IMP ASSC. in consideration of the approval of my/our request to the Town of Fairhaven to be allowed to display a flag or banner on public property, do hereby agree to release the Town, and its officers, agents, and employees, from any and all liability for damage or injury suffered by me/us including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner: and further I/we agree to indemnify, defend and hold harmless the Town, and its officers, agents, and employees, from any and all claims for damage or injury, including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner.

4/28/26
Date:

FRANK FOSTIN
Name (print)

President
Title (if signed on behalf of an organization):

Frank Fostin
Signed:

Date range of request: 6/1 - 6/30

Please see the Town's Flag/Banner Policy

Office Use only

Received on April 28, 26
By (Signature)
Approved by the Select Board _____
Dates to be displayed 6/1 - 6/30/26



Monday, May 11, 2026

TOWN ADMINISTRATOR REPORT



Town of Fairhaven Report of the Town Administrator May 11, 2026

Financial Updates

- The Senate has released their FY27 recommended budget. Below is the latest Cherry Sheet information. As you will see, the Senate revenues have increased by \$81,653 from the House proposal with no increases in State charges. The next step in the State budget process will be a committee of conference that includes representatives from the House and Senate to determine a final budget recommendation.

PROGRAM	FY2026 Cherry Sheet Estimate	FY2027 Governor's Local Aid Proposal	FY2027 House Budget	FY2027 Senate Budget
Education Receipts:				
Chapter 70	\$ 10,036,083	\$ 10,152,933	\$ 10,285,363	\$ 10,285,363
School Transportation	0	0	0	0
Charter Tuition Reimbursement	9,961	6,420	16,883	16,883
Smart Growth School Reimbursement	0	0	0	0
General Government:				
Unrestricted Gen Gov't Aid	2,807,148	2,877,162	2,828,364	2,933,153
Regional Public Libraries	0	0	0	0
Veterans Benefits	394,286	367,697	367,643	367,643
Exemp: VBS and Elderly	133,669	146,934	146,934	123,798
State Owned Land	310,988	310,988	310,988	310,988
Offset Receipts:				
Public Libraries	45,057	45,006	45,006	45,006
Sub-Total, All General Government:	3,691,148	3,747,787	3,698,935	3,780,588
Total Estimated Receipts:	\$ 13,737,192	\$ 13,907,140	\$14,001,181	\$ 14,082,834

Project Updates

- The Public Works Department held a public informational session focused on presenting the results of recently completed traffic studies. The discussion covered three main areas: commercial vehicle exclusions, speed regulations, and one-way traffic flow assessments. The commercial vehicle study found insufficient truck traffic (0-3%) on proposed routes to warrant exclusions. The speed study

evaluated 11 roadways, with recommendations to lower speed limits on Bridge Street (40 to 30-35 mph), Neck Road (40 to 25-30 mph), and Green Street (25 mph), while 7 roadways were not advanced due to insufficient data or poor enforceability. The one-way flow study examined three locations (Main and Green streets, and Main and Middle streets) and recommended converting these roads to one-way traffic to address safety concerns, particularly due to narrow roadways (15-17 feet for two-way traffic with parking), limited sight distances, and 40 crashes over 5 years on Middle Street. Residents raised concerns about enforcement, safety impacts, and potential effects on local businesses and parking. The consultants emphasized this was the first phase of a multi-stage process and noted that final decisions would require additional public input and state approval for any recommended changes.

- Fairhaven received a State Community Compact Grant in the amount of \$63,700 to purchase new, improved permitting software. This software will allow customers to apply for various permits through the building department, shell fishing and parking permits, and any other permits that currently need to be purchased in person. IT will be implementing the new software during the summer.

Personnel Update

- The Planner position has been advertised. The deadline to submit a resume and letter of interest in May 9th. Select Board member Mello was chosen a while ago to represent the Select Board in the resume review and first interview. I have contacted Planning Board Chair Jessica Fidalgo requesting a Planning Board member participate as well.

Miscellaneous Updates

- Select Board Vice Chair Andrew Romano and I met with property owners of six properties at the end of Peirces Point Road regarding the proposed apartment complex proposed at the former G. Bourne Knowles property on Huttleston Ave. The property owners voiced their concerns about the size of the proposed project and the impact they believe it may have on their property. I am in the process of scheduling a meeting with the developers and Peirces Point residents to establish a dialog between the two parties.



Monday, May 11, 2026

MINUTES

1. Accept the Select Board Open Session minutes of April 27, May 2 and May 4, 2026



FAIRHAVEN SELECT BOARD

Meeting Minutes

April 27, 2026

G 1

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

Mr. Murphy opened the Select Board meeting at 6:30pm

A moment of silence was observed to reflect on recent events that have affected communities across our nation and beyond. We pause to acknowledge those who have experienced loss, hardship, or uncertainty, and to keep them in our thoughts.

PUBLIC HEARING – 6:30P.M.

Mr. Murphy opened the Public Hearing at 6:33pm and read the notice. Application to expand the number of vehicles at car dealer/repair Artistic Auto Body, Inc. located at 98 Middle St., submitted by Mr. Rui Da Silva. He is requesting to increase the number of vehicles from 2 to 40. The Building Commissioner, Richard Forand, has inspected the property and reviewed plans for compliance.

Mr. Silvia recused himself and exited at 6:34pm

Mr. DaSilva addressed the Board. The Board asked clarifying questions about the application, zoning, address details, the spelling of Mr. DaSilva's name, the plans that were submitted and number of spots visible in the plans versus the number to he is looking to expand to. Based on the Board's concerns Mr. Hickey asked Mr. DaSilva his preference to move forward with application as is, continue the public hearing to May 11, 2026 or have the Board vote contingent upon verification of current zoning by the Building Commissioner.

Mr. Murphy added that he has no conflict to recuse himself under on this item.

No public comments received.

Motion: Mr. Saunders motioned to keep the hearing open and continue the Public Hearing to May 11, 2026 at 6:30pm. Ms. Mello seconded. The motion passed (4-0-1) Mr. Silvia recused.

Mr. Silvia returned at 6:52pm

APPOINTMENTS / COMMUNITY ITEMS

Public Safety Complex Committee Update

Fire Chief Correia and Police Chief Dorgan addressed the Board and provided an update from the Committee. They are reviewing options on a potential lease of land and will be meeting next week remotely at the old Citizen's Bank building. Mr. Saunders commended the chiefs and added his recommendation that the chiefs educate the electorate due to this large financial task. Chief Correia said meetings are recorded and can be reviewed.

Bike Path Fund Presentation: Erin Carr

This item will be on the May 11, 2026 agenda.

Request to use Rogers School: Susan Darwin: Summer Art Museum: June 19-August 2, 2026

Ms. Darwin addressed the Board about the request and plans to paint, have portable restrooms and address conditions necessary to make the location safe and accessible for the event. Mr. Hickey advised the Board that Town Counsel drafted a contract after reviewing the request (*Attachment A*). Discussion ensued with the Board including clarifying questions about the use of Rogers School versus other Town locations, safety concerns, an email from Sue Loo of the Rogers Reuse Committee (*Attachment B*), concerns about open litigation, contingencies, liability and risk to the Town if unexpected issues are uncovered.

Mr. Hickey spoke in support of the request due to potential tourism benefits and the opportunity to highlight the Town. Brief discussion ensued with some on the Board in support of the event and some concerned about the potential risks, unknown issues that could arise and potential liability to the Town. Ms. Darwin explained that her

proposal is a love letter to Rogers School and will be an immersive experience in the historic portion within Rogers School, if it is not fully funded by her organization, Susan Darwin Artwork, the project will not move forward.

Motion: Ms. Mello motioned to approve leasing a portion of the Rogers School to hold a “Summer Art Museum-Rogers School” from June 12, 2026 to August 9, 2026. Further, prior to allowing entrance into the Rogers School to stage the art event, all improvements must be made to the satisfaction of Town staff, a lease prepared by Town Counsel is signed by both parties and a certificate of insurance naming the Town of Fairhaven be provided. Lastly, the Select Board authorizes the Town Administrator to sign the lease on behalf of the Select Board. Mr. Murphy seconded. The motion failed (2-3-0) Mr. Saunders, Mr. Romano and Mr. Silvia opposed.

Appointment Request: Registrar of Voters, 3-Year Term: Joan Kilroe

Mr. Murphy referred to the request and recommendation of the Town Clerk.

Motion: Mr. Saunders motioned to appoint Joan Kilroe, a registered Democrat, to the Board of Registrars of Voters for a term expiring May, 2029. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Special One-Day All Alcohol License and Temporary Street Closure: Discover Fairhaven: Harbor of Courage event, May 16, 2026 (rain date May 17, 2026)

The Board reviewed the application and asked if Ms. Botelho would be back for this event.

Motion: Mr. Saunders motioned to approve a Special One-Day All Alcohol License for Discover Fairhaven at the Harbor of Courage event on May 16, 2026 with a rain date of May 17, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Special One-Day All Alcohol License: Annual Full Bloom Festival at Cushman Park: June 28, 2026

The Board reviewed the application. Samantha Dungca and Alexis Costa of Soul Flower Yoga addressed the Board about the event and details. Mr. Hickey suggested the applicants contact Media Director Derek Frates to promote the event through Fairhaven TV.

Motion: Mr. Saunders motioned to approve a Special One-Day All Alcohol License for Soul Flower Yoga at the Annual Full Bloom Festival on June 28, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Town Hall and Temporary Street Closure: Fairhaven Improvement Association: Home Coming Fair: June 27, 2026 from 10am-4pm

The Board reviewed the application.

Motion: Mr. Saunders motioned to approve the use of Town Hall and Temporary Street Closure on June 27, 2026 as requested contingent upon any conditions required by Police, Fire and Public Works. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Rogers School for Vendor Parking: Fairhaven Improvement Association: Home Coming Fair: June 27, 2026

The Board reviewed the request and clarified that there will be someone directing vendors parking at the lot.

Motion: Mr. Saunders motioned to approve the use of the Rogers School parking lot for vendor parking for the Home Coming Fair on June 27, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Town Hall: Fairhaven Improvement Association: Concerts Under the Stars: Thursdays from July 9, 2026 through August 6, 2026 from 6:00-9:00pm

The Board reviewed the request.

Motion: Mr. Saunders motioned to approve the use of the Town Hall grounds for the annual Concerts Under the Stars events scheduled on five consecutive Thursdays starting July 9, 2026 through August 6, 2026 from 6-9pm. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Event Request: Tour de Crème Bike Ride: May 31, 2026

The Board reviewed the request.

Motion: Mr. Saunders motioned to approve the event request for the Tour de Crème Bike Ride on May 31, 2026

as requested contingent upon any conditions required by Police, Fire and Public Works. Ms. Mello seconded. The motion passed unanimously (5-0-0).

PUBLIC COMMENT

Joan Frye, former Fairhaven resident addressed the Board in support of the Animal Shelter and asked if it would be discussed later on the agenda. Mr. Hickey said there is an action item where it will be discussed.

Zach Aubut of Mill Road addressed the Board as an advocate for the Animal Shelter, shared an experience his mother had with Fairhaven's shelter compared to other towns, he described how he supports the shelter by buying litter when needed. He thanked Mr. Murphy for responding to his messages over the years.

Michelle Costen of Spring Street addressed the Board and said she had questions about the flag article and whether it was disability or the "additional flag." She added that people are opposed to the "additional flag" because it is a lifestyle choice, caused division in prior years and because many people are upset with the other flag she asked the Board to go back to the original flag.

Eleanor Chew of Main Street addressed the Board via zoom in support of the Tourism Department and that it is unfair to cut one department. If money was found for the shelter, find money for tourism. Tourism brings people in.

Bob Espindola of John Street addressed the Board via zoom and thanked Ms. Mello for requesting the update from the Public Safety Complex Committee and said he was looking forward to the Capital Plan discussion item.

ACTION / DISCUSSION

Consider Designating the Harbormaster and Building Commissioner as Authorized Signatories for Ch. 91

Mr. Murphy read the request details and discussion ensued about the current process and whether the Town has authority. Mr. Hickey added that the Building Commissioner and Harbormaster brought the request forward due to the process and need for oversight. Mr. Saunders asked the Board to table the request so that research could be done on Chapter 91 authority and rights.

Motion: Mr. Saunders motioned to table item D1 to May 26, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Consider Acceptance of Deed for Parcel ID 27-334, Washburn Ave. for Conservation Purposes, Sign Deed

Mr. Hickey reviewed the request and advised the Board that the Conservation Commission is also signing off.

Motion: Mr. Saunders motioned to accept a deed from Rachel Beth Feldman, Personal Representative of the Estate of Frieda Feldman, to property located on Washburn Avenue in Fairhaven (Parcel ID 27-334), which is to be held under the care, custody and control of the Conservation Commission for conservation purposes under the provisions of G.L. c.40, §8C. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Flag/Banner Request: Commission on Disability: July-Disability Pride Month

Mr. Murphy read from the request made by the Commission on Disability to hang their banner at Town Hall in July in celebration of Disability Pride month in honor of the history, achievements, and experiences of the disabled community. It commemorates the signing of the Americans with Disabilities Act (ADA) on July 26, 1990, a landmark civil rights law. The month promotes a positive view of disability as a natural part of human diversity rather than a deficiency. Mr. Silvia confirmed that the banner hung is the Commission on Disability banner.

Motion: Mr. Saunders motioned to approve the flag/banner request for the month of July for Disability Pride Month. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Discussion of Police Details at Polling Location for Elections

Discussion ensued about an email from Frank Crowell (*Attachment C*) questioning the need for three police detail officers at Town elections. Some members of the Board were opposed to decreasing the number of officers due to traffic, the need for overseeing certain election activities or incidents and potential security needs while other members felt two officers would be sufficient. Mr. Hickey referred to discussions with the Police Chief and Town

Clerk about reducing the number of officers from three to two for elections.

Motion: Mr. Saunders motioned to approve the use of two detail officers at the Town elections in May. Ms. Mello seconded. The motion failed (2-3-0) Mr. Silvia, Mr. Romano and Mr. Murphy opposed.

Mr. Murphy said it will remain at three officers.

Annual Town Election Ballot Question to Revoke Acceptance of Section 47 of Chapter 31 of the General Laws, Civil Service (Police Officers and Firefighters)

The process to remove police officers and firefighters from Civil Service includes including a ballot question on a Town ballot. Acceptance of this ballot question would remove the rules and requirements of Civil Service in the hiring and administration of future police officers and firefighters. Existing firefighters and police officers will retain Civil Service protection as long as they occupy their current positions. Both the Administration and the Police and Fire Unions support leaving Civil Service. Labor Counsel and Town Counsel have reviewed the question that would be included on the ballot.

The Select Board needs to review and approve the inclusion of the following question on the June 9th ballot: “Shall the acceptance by the Town of Fairhaven of section 47 of Chapter 31 of the General Laws, placing the members of both the official and labor service of the Town of Fairhaven within the classified civil service be revoked? YES _____ NO _____”

Mr. Hickey advised the Board that when concerns were raised on whether revoking Civil Service was supported by the union, he asked the Fire Chief and former Human Resource Director about discussions during contract negotiations. They confirmed that revoking Civil Service was discussed and included the chiefs. Mr. Hickey met with three representatives of the Fire Union and Fire Chief about their concerns. Mr. Hickey confirmed that the compensation and raises negotiated and paid to members of the Police and Fire Departments cannot be taken back. The next step is for the Town to vote and that the chiefs do support this process.

Motion: Mr. Saunders motioned to approve the language of the ballot question to remove police officers and firefighters from civil service and to request that the Town Clerk place said question on the ballot for the June 9, 2026 election. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Discussion on Possible Town Sponsored Amendments at Annual Town Meeting

The Board reviewed proposed amendments to the budget in Article 8 based on additional state revenue of \$94,000. Mr. Hickey proposed an amended motion to add \$90,000 of the \$94,000 to the General Fund budget and utilize the \$90,000 as follows: \$30,861 for Animal Control wages, \$24,700 for Animal Control Expenses, \$25,000 for Police Wages (Overtime) and \$9,439 for Fire Wages (Overtime).

Mr. Hickey advised the Board that the proposed funds for the Animal Shelter would restore one full-time Animal Control Officer and further, within the FY27 year, there would be time for assessment of the shelter, review of potential non-profit entities and by the Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA). The goal of the assessments would be if the shelter is able to move forward under a non-profit versus with Town funding. Mr. Hickey said that he discussed the proposed use of the \$90,000 additional state revenue with the School Superintendent for her awareness, then reviewed his proposal with the Finance Committee at their meeting on April 23, 2026 and is seeking the Board’s approval. If additional state funds are received, those funds could later be appropriated to the School at a special town meeting.

Motion: Mr. Romano motioned that the additional \$90,000 FY27 General Fund budget be used in the following manner to the Fairhaven School Department. Ms. Mello seconded.

Discussion ensued about the process, the perceived message about an override and educating the residents.

On the Motion: Mr. Romano motioned that the additional \$90,000 FY27 General Fund budget funds be used in the following manner to the Fairhaven School Department. Ms. Mello seconded. The motion failed (2-3-0) Mr. Saunders, Mr. Murphy and Mr. Silvia opposed.

Motion: Mr. Romano motioned to that the additional \$90,000 FY27 General Fund budget be used in the following manner: \$30,861 to Animal Control Wages, \$24,700 to Animal Control Expenses and \$34,439 to the Fairhaven School Department. Ms. Mello seconded. The motion passed (3-2-0) Mr. Saunders and Mr. Silvia opposed.

Mr. Hickey reviewed the proposed amended language in Article 24, Section 7 (A) (11) (*Attachment D*) and explained that the concerns raised about borrowing were sent to Town Counsel for clarification. Town Counsel reviewed and proposed amending the language in Section 7 (A) (11) through the motion at Town Meeting if the Board supports. Brief discussion ensued about the Board reconsidering their recommendation so that additional research can be done.

The proposed amended motion language would be: move 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: Mr. Saunders motioned to support the revised language for Section 7(A)(11) in Article 24 of the Annual Town Meeting Warrant.. Ms. Mello seconded. The motion passed (4-1-0) Mr. Romano opposed.

Discussion on Five-Year Capital Plan

Mr. Hickey referred the Board to the email from Bob Espindola regarding the Capital Plan and process (*Attachment E*). Mr. Hickey explained that the Capital Planning Committee sent recommendations that he reviewed and adjusted after discussions with department heads. Due to the reduced time to review background, the FY27 projects were presented in Article 14 and a five-year plan is before the Board for review (*Attachment F*).

Discussion ensued to clarify FY27 requests, potential changes in future fiscal years and how the report is laid out. Bob Grindrod of the Capital Planning Committee commented that the Committee spent time exclusively on FY27. Bob Espindola of John Street addressed the Board via zoom and said his questions were on the Public Safety Complex project, column set up and the debt service plan. Mr. Espindola referred to Town Bylaw and requested the Town publish the debt schedule. Mr. Hickey clarified the data in the plan (*Attachment F*).

Patrick Carr of Pleasant Street addressed the Board via zoom and asked clarifying questions about the Public Safety Complex and the Committee update provided in an earlier agenda item.

Motion: Mr. Saunders motioned to approve the FY27-FY31 Capital Improvement Plan. Ms. Mello seconded. The motion passed (4-1-0) Mr. Silvia opposed.

TOWN ADMINISTRATOR REPORT

Mr. Hickey reviewed his report (*Attachment G*) and addressed questions.

- The Board asked about the Public Works notice regarding one-way streets and encouraged residents to attend the public meetings.
- The Board asked how many applicants for Planner. Mr. Hickey will check with HR.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no meetings to report

Ms. Mello reported:

- The Library is working on a Capital Campaign
- Historical Commission meets next week

Mr. Murphy reported:

- The Cherry Blossom Festival will be on Sunday, May 3, 2026. He said he will be appointed to the Executive Board of the Whitfield-Manjiro Friendship Society once his term as a member of the Select Board is complete
- He wished Mark Sylvia and Natalie Mello Happy Birthday

Mr. Romano reported:

- Sustainability is focusing on shore birds/plovers on West Island, they are looking for grant funds for other initiatives.
- SRPEDD has a healthy living survey, Mr. Romano will send the flyer in to post online.

Mr. Silvia had no meetings to report

MINUTES

Motion: Mr. Saunders motioned to accept the open session minutes of April 13 and 15, 2026 as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to accept the executive session minutes of April 13, 2026 as presented. Ms. Mello seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

Correspondence: 2026 July 4th Parade invitation; Public Works: Proposed One Way Traffic Alterations: Public Informational Meeting Notice (*Attachment H*).

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

NEWS AND ANNOUNCEMENTS

Precinct Meetings followed by the Annual Town Meeting Preview will be on Thursday, April 30, 2026 starting at 6:30p.m. at the Elizabeth Hastings Middle School, 30 School Street. Classroom locations will be posted for the Precinct Meetings and the Town Meeting Preview will take place immediately following the Precinct Meetings in the Walter Silveira Auditorium. Town Meeting will be on Saturday, May 2, 2026 at 9:00a.m. in the Walter Silveira Auditorium at the Elizabeth Hastings Middle School, 30 School Street. The Select Board will meet before Town Meeting on Saturday, May 2, 2026 at 8:00am.

The next regularly scheduled Select Board meeting will be on **Monday, April 27, 2026** at 6:30pm.

The Select Board adjourned at 9:12pm

ATTACHMENTS

- A. Draft Contract: use of Rogers School for Summer Art Gallery
- B. Email: Sue Loo: Rogers School agenda item
- C. Email: Frank Crowell: Police details at the polling stations
- D. Annual Town meeting Article 24: Fairhaven Affordable Housing Trust draft revision to Section 7(A)(11)
- E. Email: Bob Espindola: Five year Capital plan in debt service plan
- F. General Fund Summary, Department Capital Requests
- G. Town Administrator Report
- H. Correspondence: 2026 July 4th Parade invitation; Public Works: Proposed One Way Traffic Alterations: Public Informational Meeting Notice

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

Accepted on __



FAIRHAVEN SELECT BOARD

Meeting Minutes

May 2, 2026

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

Mr. Murphy opened the Select Board meeting at 8:10am

ACTION / DISCUSSION

Review Select Board Article Recommendations

Preparation for Town Meeting

Mr. Hickey addressed the Board about his discussion with the Town Moderator and potential alternate motions that Town Meeting Members may propose on the floor for Article 19: FY27 Community Preservation Appropriations. Questions were raised as to whether Community Preservation Act funds could be used for the Tripp School Roof and at this time, they cannot. Other discussion included responsibility of the owner to maintain the property. The current lease was extended for a year through the School Committee. An assessment of the Tripp School roof showed several spots of wet insulation and at least ninety spots of water penetration.

The Historical Commission Chair and former Tourism Director have been contacted about the historical significance of the Tripp School.

Discussion ensued regarding how alternate motions would be handled.

Annual Town Election Ballot Question for June 9, 2026 regarding the Charter

The Governor needs to sign the Bill. The Board posted an emergency meeting for Monday, May 4, 2026

Annual Town Election Ballot Question for June 9, 2026 regarding Proposition 2 ½ Override

The Board will recess until after Town Meeting adjourns and discuss based on Article 9's vote

The Board recesses from 8:27am to 4:00pm

Mr. Romano called the meeting to order at 4:00pm

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

Not Present: Charles Murphy Sr.

Annual Town Election Ballot Question for June 9, 2026 regarding Proposition 2 ½ Override

Town Meeting voted in the affirmative for Article 9 with a total Override of \$649,178 with \$15,561 to Fire Overtime; \$76,532 to Tourism Wages, \$25,709 to Tourism Expenses; \$50,000 to Highway Wages and \$481,376 to Education.

Motion: Mr. Saunders motioned to approve the language of the ballot question, shall the Town of Fairhaven be allowed to assess an additional \$649,178 in real estate and personal property taxes for the purposes of Public Safety Salaries and Wages: Fire Overtime; Community Services Salaries and Wages: Tourism Department Wages; Community Services Operating Expenses: Tourism Department Operating Expenses; Public Works Highway wages and Education: Fairhaven Public Schools for the fiscal year beginning on July 1st, 2026? Yes or No. Ms. Mello seconded. The motion passed (4-0-1) Mr. Murphy not present.

The Select Board adjourned at 4:04pm

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

Accepted on ___



FAIRHAVEN SELECT BOARD
Emergency Meeting
Meeting Minutes
May 4, 2026

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

Present: Amy Hart

Not Present: Keith Silvia, Andrew Saunders

Mr. Romano opened the Select Board meeting at 5:31pm

ACTION / DISCUSSION

Annual Town Election Ballot Question for June 9, 2026 regarding the Charter

The Board posted this emergency meeting in anticipation of the Governor signing the Bill for the Town Charter. The Bill was signed and a Town Election ballot question is needed for the final step to adopt the Charter.

Mr. Romano read the summary: The state legislature has adopted Chapter 71 of the Acts of 2026 “An Act relative to the charter of the town of Fairhaven,” which provides that the proposed Charter for the Town of Fairhaven will take effect if approved by a majority of the voters at the election. If accepted, the Charter will consolidate and replace the provisions of various special acts that currently establish the government structure of the Town of Fairhaven. The Charter substantially retains the current government structure with a few exceptions. Significant changes include: roles of the Select Board and Town Administrator are clarified; the number of Planning Board members is changed from 8 to 9; the number of School Committee members is changed from 6 to 5.

The proposed Ballot Question: “Shall An Act Relative to the Charter of the Town of Fairhaven be accepted? YES __, NO __”

Motion: Ms. Mello motioned to approve the language for the ballot question, to accept the Charter of the Town of Fairhaven and to request the Town Clerk place the question and summary on the ballot for the June 9, 2026 election. Mr. Murphy seconded. The motion passed (3-0-0).

The Select Board adjourned at 4:04pm

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

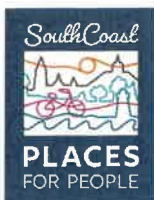
Accepted on __



Monday, May 11, 2026

CORRESPONDENCE

1. South Coast Places for People: Re: Main Street and Middle Street One-Way Flow Assessments-Comments
2. Emails: Michelle Costen: Ref SB meeting 4/27/26-Education;
Fwd: The cake is in the oven
3. Email: Elizabeth Khoury: Converting Main Street to one way



April 28, 2026

To: Fairhaven Select Board

cc: Keith Hickey, Town Administrator, Jessica Fidalgo, Planning Board Chair, Cathy Melanson, Economic Development Committee Chair

Re: Main Street & Middle Street One-Way Flow Assessment — Comments

Dear Members of the Select Board,

SouthCoast Places for People is a volunteer movement of people working to make our neighborhoods more connected and vibrant. We recently reviewed the study commissioned by the Fairhaven Department of Public Works to assess the conversion of Main Street and Middle Street to one-way streets. We offer the following comments to help the Town weigh the recommendations in this study against the values put forth in its Master Plan and the broader goal of safe and productive streets.

While this study was commissioned by the Department of Public Works rather than directed by the Select Board, Planning Board, or Economic Development Committee, its scope aligns with the Town's 2017 Master Plan, which called for evaluation of traffic flow on these corridors. With that evaluation now completed, the question is whether a one-way conversion advances or undermines the Town's broader vision for the Center.

The Town's Vision Statement, put forth in the Master Plan, emphasizes preserving Fairhaven's "unique history and built and natural characteristics." The area addressed in this study is at the heart of Fairhaven's historic village, and the streetscape here undoubtedly embodies that character. Like any great historic town center, this area is quirky and can appear "messy" on paper. This is a feature, not a bug. **Converting these streets to one-way prioritizes vehicle throughput at the expense of the slow, two-directional, human-scaled pattern that defines a historic New England downtown.** Two-way streets are also widely understood to support local business visibility, with storefronts seen by traffic in both directions throughout the day.

The Town's Master Plan identifies the priority of **becoming a more walkable community.** Fairhaven Center already has a high degree of walkability, and with new, popular businesses opening in this area recently, the Center is becoming more vibrant. One-way conversions are widely known to increase vehicle operating speeds, directly working against walkability. Higher vehicle speeds in this area will make it a less pleasant and less safe place to walk, let alone drive.

We have a significant technical concern with this study. The study is premised on a 30 mph statutory speed for these streets. This is incorrect. **The statutory speed for these corridors**

(and all thickly settled areas of town) is [25 mph](#), as established by Town Meeting and a unanimous vote of the Select Board in 2018. This discrepancy is significant, as it changes both the sight distance requirements referenced and the implications of the speed data. Most significantly, the observed 85th percentile speeds (28-30 mph) are over the legal speed limit, not consistent with it. The study notes that current speeds are held down by the friction of two-way operation. Removing that friction will likely push vehicle speeds to higher levels.

The study identifies additional ways to address speeding and sightline obstacles along these streets, including daylighting and adding curb extensions at key intersections. **These design-based approaches address the documented safety problems directly, without the speed and character impacts of one-way conversions.** They should be evaluated as the primary remedy first. If the Town does ultimately move forward with any change of this scale, a clear plan for monitoring speeds and crashes post-implementation — with a commitment to reverse course if outcomes worsen — should be part of the adoption.

Although constructing and maintaining streets falls under the purview of Public Works, any plan that will clearly impact the economic viability, historic character, and quality of life of the Town Center **ought to be driven by the vision and values set forth by the Select Board and Planning Board.** We respectfully suggest that the Planning Board and the Economic Development Committee review this proposal and be involved in setting priorities for any such proposals in the future.

In summary, we're asking that the Town:

1. Direct TEC to revise the existing analysis using the correct 25 mph statutory speed.
2. Refer this (and any similar) proposal to the Planning Board and Economic Development Committee.
3. Evaluate the study's identified design-based alternatives, like daylighting, curb extensions, and parking restrictions at sight-triangle locations, before pursuing one-way conversion.
4. Include a speed and crash monitoring plan for any change that is adopted.

SouthCoast Places for People appreciates the efforts of the Department of Public Works and the Town to improve our streets. We realize it is an exceedingly difficult task to balance the many needs of the community with very finite resources. We are happy to discuss further and look forward to being part of the process of making Fairhaven's streets safer and more economically productive.

Will Gardner



Founder
SouthCoast Places for People

-Ref SB meeting 4/27/26 -Education

1 message

Michelle Costen <michcosten@gmail.com>

Mon, Apr 27, 2026 at 11:41 PM

To: selectboard@fairhaven-ma.gov

To Ms Mello, and to the Elected Select-

As per your comments at last nights meeting-

-I can appreciate that you value education, so do I, and very much so.

-However, I know people who have worked very hard for their education. Went through grade school, high school, and college. They did all the right things-

—They earned their precious and very expensive degrees, and yet they're still living at home because they cannot find a place to afford to live, where they can also start a decent savings, or purchase a home of their own.

—What good is all that work towards education, if it can't also be used to step into an independent life?

—I work with young girls in college, and they all say the same thing to me, that they'll never be able to have a home of their own.

—They don't even see it as a possibility like we did, when we were younger.

—Last night I spoke with a young lady who just received her PhD. She's looking desperately to find a Home that she can afford and grow her life and family in. A Home that she can invest in, and grow equity too.

—Equity is a very important commodity for families to have. —Emergencies arise, and many other reasons why we need to have equity and not be subject to landlords and exorbitant rents that increase every year, for the rest of our lives.

—Stop and think of this, really think of it. What good is an education if you can't take yourself further into a more independent life? What do our children have to look forward to, that we had growing up?

—Let's be pragmatic, how valuable is education for our children today, if they can't leave the nest?

—Sure, they may love the services that they will be able to provide with their education, But let's face it, at the end of the day, you're not going to wanna be going home to your parents house at the age of 35-

-Per the words of a young educated women that I spoke with last night.

Let's hope town meeting will vote in a Municipal Housing Trust Fund this weekend -

Michelle Costen

Fwd: The cake is in the oven

1 message

Michelle Costen <michcosten@gmail.com>

Sun, May 3, 2026 at 8:02 AM

To: selectboard@fairhaven-ma.gov, "Patrick J. Carr" <pjcarr@a1crane.com>, Jessica Fidalgo <jessica.wilder13@yahoo.com>, Ksilvia2@yahoo.com

Regards,

Michelle Costen

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

From: **Michelle Costen** <michcosten@gmail.com>

Date: Sun, May 3, 2026 at 7:59 AM

Subject: The cake is in the oven

To: Mark Sylvia <msylvia11@comcast.net>, Charlie Murphy <cmurphy@molifeinc.com>

Hi Mark,

I hope you will keep an eye on the cake -we don't want to burn it.

—I realized after yesterday's meeting, that the part where people are not understanding, is that the Municipal Housing Trust Fund, gives us an opportunity not just to preserve the housing we have, but more importantly, to **Create** Affordable Home Ownership Opportunities, that we don't have.

—It became apparent to me that the part that both the Finance Dept, and the TM members are not understanding about the Housing Trust, is the Municipal Co-Creative part of the Trust.

—It's hard to understand something that has not yet been Collaborated upon and Created. Which is why I wanted to just begin with adopting the Chapter, as a starting point and Create- from there.

Adopting the statute was the starting point to create an Affordable home ownership initiative.

—Having that particular Statute in place, which supports the Creation for affordable home ownership, would have shown the State how serious we are about providing affordable, living for our town.

— unfortunately, when people hear affordable housing, they immediately think low income and more drain on our taxes and community.

— However, Creating Affordable Home Ownership Opportunities for the middle income residents, will do just the opposite. It will create a robust cash flow for the town, and give an opportunity for more people to grow equity And have stable monthly payments.

—whereby, just more apartments, will do the exact opposite.

—Building single-family homes fits into a small single family Homer culture and what the residents were asking for eight years ago in the 2040 master plan.

The Big question yesterday was, where will the funds come from?

—I thought that at least the finance department understood that the housing trust fund works directly with CPA funds initially. I thought Mr. Hickey would've explained that to them.

— I know a way to get this started without having to borrow money. And just using CPA funds as the initial funding point. - I went over this with Mr. Hickey, but he has not shared that information with any one, and I'm not sure why?

Out of the four categories for CPA funds being, Preservation,, Historic, Recreation, and Housing—The only 1 category of the 4, that will give us the greatest financial return and State fund in flow , is in the creation of Affordable Home Building- especially on land that we already own-

The State gives back financial incentives and increased funding, When local towns put forth the effort in putting people in affordable home living.

To Provide affordable home ownership for our local towns, brings a revenue return to both State and local government. And it keeps people placed, rather than displaced and or moving out of Massachusetts.

Tufts University Center of Policy did an analytical study on CPA funds and how they are not being used for the best financial advantage for local towns, especially during a housing crisis. That study was done in 2023 But even after that study was done there, haven't been enough legislators or representatives to really take a look at it and make changes. Tufts was exactly right, and yesterdays meeting proved it when \$95,000 to make a fire truck look pretty, at a time when we still have a housing crisis, In my estimation, it's very telling as to why we are in a deficit-

Please I Mark if you really are concerned and care about our housing situation in Fairhaven, please review this analytical study that was done by Tufts Center for State Policy on Housing Trust and CPA funds, and pass this information along to our finance department - they may find this information very helpful. And it may open up their eyes and expand their awareness-

—The finance department really could learn some new ways, on how to bring cash flow back into the town through Affordable Home building opportunities-

https://media.wbur.org/wp/2023/06/06-07GBREB_CPA_Report.pdf

I hope this helps - and that it's not too late-

Michelle

Regards,

Michelle Costen

Converting Main Street to one way

1 message

Elizabeth Khoury <sweetlizzieats@gmail.com>

Mon, May 4, 2026 at 4:26 PM

To: selectboard@fairhaven-ma.gov

Cc: Will Gardner <southcoastplacesforpeople@gmail.com>

To whom this may concern,

I am writing as the owner of Sweet Lizzie's Bake Shop to express my concern regarding the proposed change to convert our street from a two-way street to a one-way street.

As a small business, we rely heavily on ease of access, visibility, and convenience for our customers. Changing the traffic flow may create confusion, limit accessibility, and reduce the natural flow of pass-by traffic that supports not only my business but others along the street. Many of our customers make quick, spontaneous stops, and any added difficulty in reaching us could discourage those visits.

Additionally, a one-way street could impact parking availability and overall traffic patterns in ways that may unintentionally harm local businesses that are already working hard to serve the community.

I respectfully ask that the town carefully consider the potential economic impact on small businesses before moving forward with this proposal. We value our place in the community and hope to continue serving residents without added barriers.

Thank you for your time and consideration

Sincerely,
Elizabeth Khoury
Sweet Lizzie's Bake shop