



FAIRHAVEN SELECT BOARD AGENDA

August 10, 2026 6:00 p.m.

Town Hall – 40 Center Street – Fairhaven

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

A. PUBLIC COMMENT

B. APPOINTMENTS / COMMUNITY ITEMS

FAIRHAVEN TOWN CLERK
RCUD 2026 AUG 6 PM3:41

1. Discussion on Flock Cameras
2. Consider Revised Board/Committee Handbook
3. Consider Revised Appointment/Annual Reappointment Process/Policy
4. Appointment Request: Budget Working Group: Kenneth Blanchard, Anne Soares, Jeffrey Messier, Daniel Lopes, Patrick Carr, Gunnar Hexum, Robert Grindrod, Benjamin Reis, Jason Lanagan, Mark Rees, Robert Baldwin
5. Appoint Select Board Liaison to Budget Working Group
6. Appointment Request: Livable Streets Committee: Erin Carr
7. Appointment Request: Atlas Tack Working Group: Keith Silvia

C. EXECUTIVE SESSION

1. 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 (NEPD versus Town of Fairhaven);
2. Pursuant to G.L. c. 30A, § 21(a)(2) [t]o conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with nonunion personnel: Keith Hickey

D. ACTION / DISCUSSION

1. Town Counsel Heather White –Harrington Heep LLP Fee Agreement and Labor Proposal
2. Consideration of Retaining Petrini and Associates for Special Counsel for the Water Facility Upgrades
3. Review Legal Expenses and Protocol for Authorizing Contacting Town Counsel
4. Town Administrator Annual Performance Review
5. Consider Select Board Proposed Annual Evaluation Date Amendment to the Town Administrator's Employment Agreement
6. Establish Town Administrator Goals for FY27
7. Accept the Retirement of Marcy Christ: Fairhaven Police Department
8. Consider Draft Letter to the Environmental Protection Agency (EPA) regarding New Bedford Harbor Combined Sewer Overflow (CSO) Discharge

E. TOWN ADMINISTRATOR

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

G. NEWS AND ANNOUNCEMENTS

1. The next scheduled Select Board meeting will be on *Monday, August 24, 2026* at 6:00pm

H. ADJOURN

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

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



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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.

Anyone interested in volunteering for Town boards committees and commissions, can view a list of current openings by visiting the Town’s website at www.fairhaven-ma.gov. Go to Boards and Committees then select Volunteer Opportunities. Please note, the Board is currently reviewing the Town's Committee Handbook and appointment processes to better align with recent Town Meeting votes that established limits on the number of board and committee appointments an individual may hold. The Board intends to consider and present its proposed revisions in conjunction with the annual reappointment process this fall.

Until the review is complete and any revisions to processes are communicated, the Board will only make appointments necessary to fill essential vacancies. Other applications received will be held and considered at a later date. Thank you for your patience and understanding.

A. PUBLIC COMMENT

B. APPOINTMENTS / COMMUNITY ITEMS

1. **Discussion on Flock Cameras** – Fairhaven Police Chief Dorgan and Captain Gordon will discuss information in the memo from the Board’s packet material and will answer the Board’s questions about “flock cameras,” also known as Automated License Plate Readers (ALPRs).

Suggested Motion:

“No motion needed”

2. **Consider Revised Board/Committee Handbook** – Included in your Board materials is the revised Board Committee Handbook showing changes in red and strikethrough.

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Suggested Motion:

“Move to accept the revised Board/Committee Handbook (as presented/as amended)

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

3. **Consider Revised Appointment/Annual Reappointment Process/Policy** - Included in your Board materials for review are a proposed process to fill vacancies and for annual reappointments, a sample social media post for vacancies and a revised application.

Suggested Motion:

“Move to accept the revised appointment/annual reappointment process and revised application (as presented/as amended).”

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

4. **Appointment of Members to the Budget Working Group:** The Select Board recently voted to create a Budget Working Group to review municipal operations to identify opportunities to strengthen the long-term financial sustainability of the community. The opportunity to serve on the Working Group was advertised on the Town website to fill the seven voting member positions.

Each candidate was asked to identify which position they wanted to be considered under (*in italics*) and with the specific capabilities/experience to fill one of the following group positions:

1. Finance Committee Chair or designated Finance Committee person, if the Chair is unable.
Pat Elliott would designate if he is unable to serve
2. One resident with a CPA, accountant, auditor, CFO or budget professional knowledge.
Mark Rees, Robert Grindrod
3. One resident business owner or operations manager
Ken Blanchard, Jason Lanagan, Anne Soares, Ben Reis, Patrick Carr, Daniel Lopes, Jeffrey Messier, Robert Grinrod
4. One resident with public safety experience, such as retired police, fire, EMS.
Ken Blanchard
5. One resident with education, school finance, or school administration experience.
Robert Baldwin
6. One resident with procurement, construction, facilities, engineering, or public works experience.
Ken Blanchard, Jason Lanagan, Ben Reis, Daniel Lopes, Jeffrey Messier, Robert Grinrod
7. One resident IT professional.
no applicants

The following residents applied by the August 5th at noon deadline: Kenneth Blanchard, Anne Soares, Jeffrey Messier, Daniel Lopes, Patrick Carr, Gunnar Hexum, Robert Grindrod, Benjamin Reis, Jason Lanagan and Mark Rees. Additionally, Robert Baldwin applied post-deadline.

A motion should be made naming the person and the position to be filled.

Suggested Motions:

“Move to appoint _____ to serve as representing the _____ member.”

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

4. **Appointment Request: Livable Streets Committee: Erin Carr** – Ms. Carr has applied to be a member of the Livable Streets Committee. The Committee does not have a limit on the number of members that can serve. There are currently eight members and a Select Board representative. The term for this committee is one year.

Suggested Motion:

“Move to (appoint/not appoint) Erin Carr to the Livable Streets Committee for a term ____”

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

5. **Appointment Request: Atlas Tack Working Group: Keith Silvia.** Mr. Silvia has requested to be appointed to the Atlas Tack Working Group. When established the working group’s term was through the completion of their charge. Included in your Board materials is the letter of interest submitted by Mr. Silvia.

Suggested Motion:

“Move to (appoint/not appoint) Keith Silvia to the Atlas Tack Working Group.”

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

C. EXECUTIVE SESSION

1. 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 (NEPD versus Town of Fairhaven);
2. Pursuant to G.L. c. 30A, § 21(a)(2) [t]o conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with nonunion personnel: Keith Hickey

D. ACTION / DISCUSSION

1. **Town Counsel Heather White –Harrington Heep LLP Fee Agreement and Labor Proposal** – The current law firm providing the Town of Fairhaven’s general counsel needs will be eliminating the Town Counsel services in the near future. Petrini’s lead counsel for Fairhaven has been Attorney Heather White. Effective September 1st, Attorney White has accepted a position at the law firm Harrington Heep, LLP.

Included in your Board materials is a Fee Agreement for Harrington Heep to become Town Counsel beginning September 1st. Harrington Heep also provided labor counsel to a number of municipalities and are interested in representing Fairhaven with labor counsel needs. A proposal for those services is also included in your Board materials.

Attorney White will attend the Board meeting in person to review the proposals and answer any questions the Board may have.

Suggested Motion:

“Move to (approve/not approve) transitioning general and labor counsel to Harrington Heep LLP.”

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

2. **Consideration of Retaining Petrini and Associates for Special Counsel for the Wastewater Facility Upgrades** – Since September, 2025, the Board of Public Works, has used Attorney Christopher Petrini during negotiations on project change orders with the wastewater facility contractor. Attorney Petrini

has a significant amount of experience in construction and infrastructure litigation. The Town Administrator spoke to Public Works Director Vinnie Furtado about the proposal in front of the Select Board this evening. Mr. Furtado indicated that keeping Attorney Petrini for future project related legal needs.

Suggested Motion:

“Move to (retain/not retain) Petrini and Associates as Special Counsel for the Water Pollution Control Facility.”

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

3. Review Legal Expenses and Protocol for Authorizing Contacting Town Counsel – Select Board member Trapilo requested the following information regarding the Town’s legal expense and protocol.

1. A three-year history of the Town of Fairhaven's legal expense line item, including annual expenditures.
2. An explanation of who has the authority to engage Town Counsel and request legal services.
3. Any written Town policies, procedures, or rules governing the engagement of Town Counsel.
4. A copy of the Town's current agreement or contract with our legal counsel, including:
 - i. The scope of services.
 - ii. Any retainer arrangement.
 - iii. Hourly billing rates.
 - iv. Any other applicable terms and conditions.

The requested information has been summarized in a memo with supporting attachments has been included in your Board materials.

Suggested Motion:

“Move to

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

4. Town Administrator Annual Performance Review – The Select Board will present their annual review of the Town Administrator and discuss the results.

Suggested Motion:

“Move to approve the Town Administrator’s annual evaluation (as presented/as amended).”

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

5. Consider Select Board Proposed Amendments to the Town Administrator’s Employment Agreement - The Select Board will review amendments that the Board would like to include in a revised agreement. The draft letter is in the Board’s packet for review.

Suggested Motion:

“Move to _____ amend the Town Administrator’s Employment Agreement to (as presented/as amended).”

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

6. **Establish Town Administrator Goals for FY27** – Included in your Board materials are the goals provided by the Town Administrator for your consideration. The TA is requesting the Board review, comment and amend the proposed goals to align the final goals with the Board’s expectation for the following fiscal year.

Suggested Motion:

“Move to ____ the draft letter (as presented/as amended) and send via email to the EPA representatives.”

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

7. **Consider Draft Letter to the Environmental Protection Agency (EPA) regarding New Bedford Harbor Combined Sewer Overflow (CSO) Discharge** - Member Rick Trapilo’s letter to the EPA regarding CSO discharges into the New Bedford Harbor and the impacts to the environment and the Town of Fairhaven is included in your Board materials. This item was tabled from the July 27, 2026 meeting and Member Trapilo is seeking approval for the letter to be sent to the EPA from the Select Board collectively and will address the Board’s questions.

Suggested Motion:

“Move to ____ the draft letter (as presented/as amended) and send via email to the EPA representatives.”

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

E. TOWN ADMINISTRATOR

F. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

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August 10, 2026

APPOINTMENTS AND COMMUNITY ITEMS

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Commonwealth of Massachusetts
TOWN OF FAIRHAVEN
POLICE DEPARTMENT
1 Bryant Lane
Fairhaven, MA 02719
Phone 508-997-7421
Fax 508-997-3147
www.fairhavenpolice.org

Daniel M. Dorgan
Chief of Police

August 6, 2026

From: Daniel M. Dorgan, Chief of Police

Fairhaven Police Department

To: Keith Hickey, Town Administrator

Andrew Romano, Chair, Town of Fairhaven Select board

The Fairhaven Police Department (FPD) initiated a five-year contract with Flock Safety for four ALPR (Automatic License Plate Reader) cameras in September 2023 using \$62,700.00 in ARPA funding to pay for the initial project.

A second contract was entered into with Flock Safety in March of 2026 for the deployment of two more ALPR cameras. This project, totaling \$4,500.00, was paid using Federal monies received from seizures related to drug investigations.

Currently, funding supports two contracts for 6 cameras strategically placed at entrances to the town and other choke points on the roadway with both contracts set to expire in September of 2028. The department also utilizes an array of other non-ALPR Avigilon cameras that are owned by the town and were approved at town meeting in 2018. These cameras are strategically positioned on main thoroughfares and intersections throughout town, as well as in town owned parks and other recreation areas. We also utilize businesses and residents privately owned cameras when possible to assist us in solving cases.

Operational Mechanics:

ALPR technology captures static images of passing vehicles and license plates.

Data Captured:

- The system records basic vehicle descriptions alongside the date and time of the image. The technology does not track people.
- There is no race or gender identification or biometrics in a FLOCK ALPR device.

- FLOCK ALPR does not collect sensitive information like names or addresses. Does not have access to personal identifiers, the cameras only see license plates and vehicle characteristics, all things that are public information in the plain view in which there is no expectation of privacy.
- FLOCK ensures privacy protections are deeply embedded in how the system functions.

System Limitations:

- The equipment does not capture video, identify vehicle occupants, or monitor continuous vehicle movements.
- Technology was built to provide transparency and accountability
- All photographs are deleted within 30 days unless flagged by our department as involved in an active investigation.
- Most photos that exist are never viewed and are deleted without being reviewed and they are only viewed if a police officer has reason to believe that a vehicle has been used in the commission of a crime.
- FLOCK does not share data. FLOCK enables the sharing of data by their users. Users choose who they share with. They can turn on national lookup and share with every other FLOCK user in the country, or they can share with just their local agencies. Agencies make sharing decisions, not FLOCK.
- FLOCK does not have facial recognition technology.
- ICE does not use FLOCK technology to find undocumented immigrants. Flock does not have a direct contract with ICE.

Security, Monitoring and Privacy Safeguards:

Strict internal policies govern ALPR utilization to ensure ethical implementation and operational integrity.

Query Requirements:

- All system searches must serve a valid law enforcement objective, accompanied by any corresponding incident report number and a documented rationale as well as the username of the officer requesting the query.
- Enforcement Protocol: An ALPR alert provides no independent legal justification for enforcement. Visual confirmation by an officer is mandatory prior to action.
- Information Sharing: FPD system data is actively shared with law enforcement agencies.
- Accountability: The software incorporates comprehensive auditing features to monitor compliance with departmental directives.
- The department remains dedicated to the transparent and ethical deployment of technology. Sustaining this capability requires strict adherence to operational guidelines, continuous oversight, and the maintenance of public confidence.
- Each use is preserved in an audit log permanently and that document is a public record.
- AI assistance can be utilized by municipalities to audit logs and flag abnormal use.
- Enterprise grade and top of the line information security protecting FLOCK systems and data.
- Requires multi factor authentication for every user to log into the system/layers of protection.

Law Enforcement Application:

The system generates an alert when a captured license plate corresponds to a stolen vehicle, a wanted individual, missing/endangered person or a reported offense. Upon receiving a notification, officers must visually verify the alert's accuracy before initiating an appropriate response.

Departmental personnel investigating offenses may query the ALPR database in conjunction with an investigation. It is important to note that information derived from the system serves strictly as an investigative lead; it does not constitute probable cause for criminal charges or apprehension.

Vehicles are frequently utilized in criminal activity. Consequently, ALPR technology is instrumental for the following objectives:

- Recovering stolen property.
- Apprehending violent offenders and wanted individuals.
- Locating missing or endangered persons.
- Generating critical leads for active investigations.

This capability enhances investigative precision and operational effectiveness. These incidents represent just a few of numerous cases resolved using ALPR data. Since acquiring ALPR in 2019, this technology has provided dramatic benefits in the prevention and investigation of criminal offenses.

In addition to assisting in criminal investigations, LPR's act as a first alert system, notifying officers when stolen vehicles enter the town. Every such notification generates a patrol response deterring further incidents within our jurisdiction.

I feel that as an investigative tool this technology had proved to be extremely valuable. The Fairhaven Police Department, our mission, and the values of the Town Fairhaven align with using the technology ethically, and to enhance the overall safety of our residents, visitors, and businesses. Having had advanced camera technology in Fairhaven since 2018 there have been no issues or instances regarding privacy violations. Removal of this technology at this time would only negatively effect the citizens and visitors of the Town of Fairhaven, as the loss of ALPRs would not affect our proactive policing, only slowing our ability to build cases, locate endangered people, and solve crimes that effect our community.

Respectfully Submitted,

Daniel M. Dorgan
Chief of Police
Fairhaven Police Department

Automated License Plate Reader (ALPR)



- ✓ Solar powered with a battery backup
- ✓ Sits 12-14 feet high, typically on a municipal pole
- ✓ Used for criminal investigations
- ✓ Provides law enforcement with precision policing
- ✓ Is a force multiplier, allowing law enforcement to do more, faster



Product

Search

Offense Type Dropdown

Offense Type and Search Reason are prefilled required dropdown options.

This list was pulled from National Incident-Based Reporting System (NIBRS) and supplemented and adjusted with customer feedback and further data analysis.

The screenshot displays a search interface with a dark green header bar containing navigation links: Search, Alerts, FlockOS, VMS, Devices, Sharing, Insights, Admin, and Planning Center. Below the header, a search bar is visible. The main section is titled 'Investigative Purpose' and includes several input fields and a list of offense types. The 'Offense Type*' dropdown is open, showing a list of options: Animal Cruelty, Arson, Assault Offenses, Bond Default, Bribery, Burglary, and Counterfeiting/Forgery. To the right of the dropdown is a 'Search Reason' field. Below the dropdown is a 'Plate State' dropdown set to 'Any'. There are also checkboxes for 'Nationwide Lookup' and '[State] Lookup'. At the bottom of the 'Investigative Purpose' section is a 'Location & Time' section with a 'Location' field, a 'Map & Devices' button, and 'Start' and 'End' date/time pickers. The 'Start' date is 11/09/23, 3:00 AM and the 'End' date is 11/09/23, 5:00 AM. Below these are buttons for 'Last 15 Min', 'Last 2 Hours', 'Last 24 Hours', and 'Last 3 Days'. At the very bottom is a '+ Advanced Filters' link.

Search Alerts FlockOS VMS Devices Sharing Insights Admin Planning Center

Search

Investigative Purpose

Offense Type*
Enter offense type

Search Reason
Enter search reason

☐ Animal Cruelty

☐ Arson

☐ Assault Offenses

☐ Bond Default

☐ Bribery

☐ Burglary

☐ Counterfeiting/Forgery

Plate State
Any

☐ Nationwide Lookup ☐ [State] Lookup

Location & Time

Location
Enter address or place

Map & Devices

Start
11/09/23, 3:00 AM

End
11/09/23, 5:00 AM

Last 15 Min Last 2 Hours Last 24 Hours Last 3 Days

+ Advanced Filters



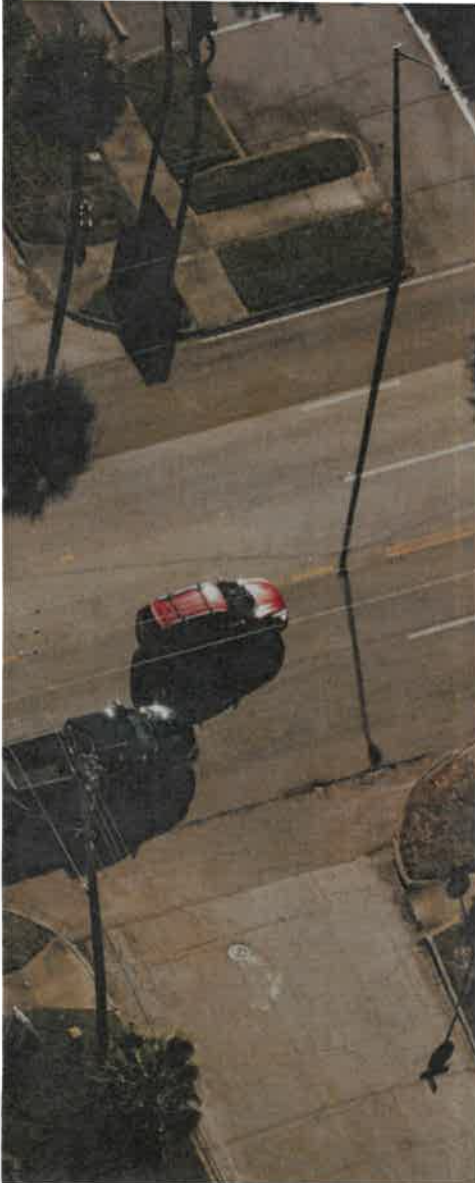
What Flock Does—and Doesn't Do

Flock Does

- Capture make, color, model, and license plate at the rear of a vehicle
- Support only criminal investigations
- Keep permanently a record of every search made
- Allow for proactive oversight and compliance

Flock Does Not

- Use facial recognition
- Allow for the search of people, pets, clothing
- Connect to DMV systems or contain any information about the driver or the vehicle
- Generate automatic traffic enforcement tickets
- Track a vehicle continuously



Built with Privacy in Mind

Protecting privacy by design

- ✓ Data is 100% owned by customers and will never be sold.
- ✓ Private customers never have access to government data or hotlists.
- ✓ Flock automatically deletes data after 30 days by default.
- ✓ Flock LPR only take images of publicly available information.
- ✓ Only your agency decides who to share with, not Flock.
- ✓ No facial recognition

All data is encrypted in transit and at rest including and aligned with:

- FBI Criminal Justice Information Services (CJIS) Compliant
- NDAA
- SOC2 (Type II) Independently audited controls covering security, availability, and confidentiality.
- ISO 27001 (Data Security and Privacy) Information security management aligned with international standards.
- ISO 42001 (AI)
- Higher Education Community Vendor Assessment Tool (HECVAT)

We are also aligned with the security protocols established by NIST Cybersecurity as well as the Cloud Security Alliance CAIQ framework. Stored on the AWS GovCloud.

LPR Transparency Portal

- Customizable for each agency
- Display technology policies
- Publish usage metrics

- ✓ Every search requires a registered ID with an offense type
- ✓ Offense type and user ID are saved in a permanent audit trail.
- ✓ Flock encourages all agencies to conduct regular audits to ensure proper usage.
- ✓ Proactive Auditing to flag to potential misuse.



Newport RI PD Transparency Portal

Last updated: Mon Jul 20 2026

OVERVIEW

Newport Police uses Flock Safety's Operating System to capture objective evidence without compromising on individual privacy. Newport Police utilizes retroactive search to solve crimes after they've occurred. Additionally, Newport Police utilizes real-time alerting of hotlist vehicles to capture wanted criminals. In an effort to ensure proper usage and guardrails in place, we have made the following policies and usage statistics available to the public.

POLICIES

What's Detected

Vehicle registration plates and identifiable vehicle characteristics (make, vehicle type, color, and bumper stickers)

What's Not Detected

Facial recognition, People, Gender, Race

Acceptable Use Policy

Data is used for law enforcement purposes only and in compliance with Rhode Island General Law. Data is owned by Newport RI Police Department and is never sold to third parties.

Prohibited Uses

Immigration enforcement, traffic enforcement, harassment or intimidation, usage based solely on a protected class (i.e. race, sex, religion), Personal use.

Access Policy

All system access requires a valid reason and is stored indefinitely. This data is audited per policy.

Hotlist Policy

Hotlist alert hits are verified as accurate by Newport police officers prior to any enforcement action being taken.

USAGE

Data Retention

The number of days data is retained.

30 days

Total Cameras

Number of LPR and other cameras.

6

Receiving Network Data From

Organizations sharing their data with Newport RI PD.

Acushnet MA PD	Adrian MI PD
Ahoskie NC PD	Akon OH PD
Albany City NY PD	Alcoa TN PD
Allentown PA PD	Anderson IN PD
Auburn NY PD	Avoca PA PD
Avon IN PD	Baldwin County GA SO
Baldwinstville Central School District L.	Barnstable MA PD
Barnstons TN PD	Barnstons TN NY PD

Hotlists Alerted On

National and statewide hotlist sources.

NCIC, NCMEC Amber Alert

Unique Vehicles Detected

Number of unique plate reads over the last 30 days.

332,608

Number of Hotlist Hits

Total hotlist hits over the last 30 days.

1,031



† Flock Safety



Myths and Facts

Myth

LPRs can track people and show police everywhere they go.

Fact

LPRs take a point-in-time image of the rear of vehicles on public roadways. They do not continuously track vehicles. Any images not used for an investigation are deleted. Courts have consistently found that taking images of public documents (license plates) on public roads is not a violation of privacy.

Myth

LPRs violate the Fourth Amendment.

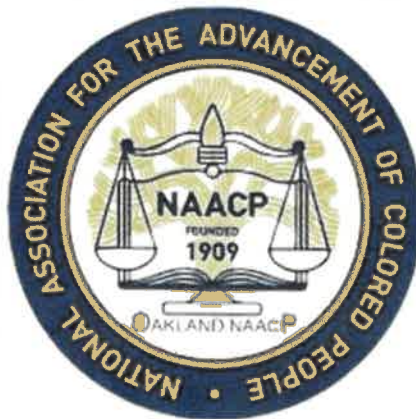
Fact

Appellate and federal district courts in at least fourteen states, including the 9th and 11th Circuits, have upheld using evidence from license plate readers as constitutional without requiring a warrant.

Proven Impact, Trusted Partner



“By utilizing technology like Flock’s License Plate Recognition (LPR) camera system, we have seen remarkable results. **Over 100 missing children cases have been resolved thanks to the swift action enabled by this technology.**”
-NCMEC



“In a moment when our communities are demanding both public safety and equitable justice, Flock Safety’s LPR technology offers a **powerful tool to reduce bias in policing.**”
-Oakland Branch of the NAACP



“We believe that any technology that **increases post-crash responsiveness and accountability** will help to raise awareness and change behaviors to avoid impaired driving”
- Mothers Against Drunk Driving (MADD)

Fairhaven Police Department
Daniel M. Dorgan
Chief of Police

TYPE OF ORDER	NUMBER/SERIES	EFFECTIVE DATE	ISSUE DATE
General Order	420.04	November 1, 2023	Nov. 2023
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Automatic License Plate Recognition System			
CALEA		RE-EVALUATION DATE	
41.3.9		February 20, 2025	
SUBJECT AREA		DISTRIBUTION	
Support Services		All Personnel	

AUTOMATIC LICENSE PLATE RECOGNITION SYSTEM

1.0 **PURPOSE**

The purpose of this policy is to establish guidelines and procedures for the proper use and application of the Automatic License Plate Recognition (ALPR) System.

2.0 **POLICY**

The availability and use of the ALPR System provides opportunities for the enhancement of law enforcement agencies' productivity, effectiveness, and protection of public and officer safety. The Fairhaven Police Department shall only utilize this technology in furtherance of official and legitimate law enforcement operations and public safety. All Department employees shall abide by the guidelines set forth in this policy when using the ALPR System.

3.0 **PROCEDURES**

A. DEFINITIONS AND ACRONYMS

1. Automatic License Plate Recognition (ALPR): Automatic license plate recognition technology uses high-speed cameras combined with sophisticated computer algorithms capable of converting the images of license plates to electronically readable data. The ALPR system captures the image of a license plate and converts it to a text file using Optical Character Recognition (OCR) technology. The technology also compares the digital images of license plates to the CJIS/NCIC Hot File database. The ALPR System is configured as either fixed, mobile or portable.

2. Alert: A visual and/or auditory notice that is triggered when the ALPR System receives a potential hit on a license plate.
3. Alert Data: Information captured by an ALPR relating to a license plate that matches the license plate on a hot list.
4. ALPR Data: Scan files, alert data, and any other documents or data generated by, or obtained through, utilization of the ALPR System.
5. ALPR Data Query Logs: A record of a search or query of ALPR's data.
6. Hit: An alert that a license plate matches a record maintained in the ALPR database related to stolen vehicles, wanted vehicles, or other alert type files that support investigations or which have been manually registered by a user for further investigation.
7. Hot List: License plate numbers of vehicles of interest, such as stolen vehicles, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts, Missing Child Alerts, Missing College Student Bulletins, Silver Alerts, Be On Look Out (BOLO), Attempt to Locate (ATL), and Wanted or Missing Person broadcasts or bulletins in which a license plate number is included, or other license plate numbers of interest entered by the Department or an authorized Officer.
8. Hot List Download: The method by which the hot list data is transferred to a computer within a law enforcement agency.
9. Optical Character Recognition (OCR): The technology that supports the automated reading and digitizing of images of license plates that are captured by the ALPR System.

B. ALPR ADMINISTRATOR AND OVERSIGHT

The Detective Unit Supervisor, under the authority and supervision of the Chief of Police or his/her designee, shall be designated as the ALPR Administrator. The Chief of Police or his/her designee shall ensure the ALPR Administrator has oversight for the ALPR System deployment, operations, and maintenance.

The ALPR Administrator shall be responsible for the following:

1. Ensuring the proper selection of the personnel approved to operate the ALPR System and maintaining an adequate number of trained and authorized users.
2. Authorizing any requests for ALPR System use or data access according to Department policy.

3. Ensuring that designated, trained personnel check equipment on a regular basis to ensure functionality, camera alignment, and removing from service any equipment that falls outside expected functionality until deficiencies are corrected.
4. Designating users who have been properly trained in the use and operational protocols of the ALPR System.
5. Allowing access to the ALPR System for those users with an approved login and password.
6. Ensuring that any changes in hardware, software, policy, or law are the subject of continuing in-service training or bulletins.

C. PROCEDURES, GUIDELINES, AND USE

The use of ALPR technology shall be approved by the Chief of Police or his/her designee.

ALPR System and information shall be:

1. Accessed and used only for official and legitimate law enforcement purposes;
2. Used for searches of historical ALPR data, in accordance with this policy and other Department policies or regulations where applicable; and
3. Used for searches of ALPR data by members of this Department or by other law enforcement agencies through the ALPR Administrator.
4. Queries made through the ALPR System shall be conducted by authorized Fairhaven Police Department users only. The list of authorized users shall be maintained and updated, as required, by the ALPR Administrator.
5. Requests for ALPR queries after hours, or when there are no authorized users working, should be made through the on-call Detective or the Detective Unit Supervisor.
6. Due to widespread use of police scanner technology, officer safety reasons, and to preserve the integrity of on-going criminal investigations, Officers should make every attempt to keep ALPR requests, locations, and other related information off of police radio transmissions, absent emergency circumstances.

D. ALPR OPERATIONS (OPERATOR'S RESPONSIBILITY)

Authorized users of the ALPR System shall:

1. Ensure at the start of each shift the ALPR System has been updated with the most current hot list available;
2. Verify prior to use, the aim of the ALPR camera(s) to ensure it is focused on the correct lanes of traffic;
3. Ensure ALPR equipment be cleaned and maintained according to the manufacturer's recommendations; and
4. Notify the ALPR Administrator of any malfunctions.

E. TRAINING

Training in the use of the ALPR System shall consist of a complete review of this policy, as well as being taught in the proper functionality of the Department's ALPR System that will be coordinated by the ALPR Administrator.

F. ALPR ALERTS & HITS

Prior to initiation of a stop, based on an ALPR hit or alert, the initiating Officer shall:

1. Visually verify that the vehicle plate number matches the plate number run by the ALPR System, including both:
 - Alphanumeric characters of the license plate; and
 - The state of issue.
2. Verify the current status of the plate through:
 - The Commonwealth's Criminal Justice Information System (CJIS), or
 - National Crime Information Center (NCIC), or
 - Department's Records Management System (RMS), or
 - Other appropriate source of data, when circumstances allow, or as soon as practicable.

G. MANUAL ENTRY OF DATA/MANUAL HOT LIST (DATA ENTRY)

Manual entries may include, but should not be limited to:

1. AMBER Alerts;
2. Missing Child Alerts;

3. Missing College Student Bulletins;
4. Kidnapping/attempted abductions;
5. Silver Alerts;
6. Active investigations;
7. Be On Look Out (BOLO);
8. Attempt to Locate (ATL);
9. Wanted or Missing Person broadcast or bulletin in which a license plate number is included.

Manual entries entered into the ALPR System shall be:

1. Manually updated when the information changes or is no longer current;
2. Documented with the specific reason by the member;
3. Documented with agency case number; and
4. Given a retention date of 1 year or less.

H. ALPR DATA: LOGS, SHARING, AND DISSEMINATION (ACCESS TO DATA AND RETENTION)

The following process shall apply to ALPR data:

1. Data can be accessed, retrieved, or shared for official and legitimate law enforcement business only; and
2. Retention of data shall be determined by the Department of Criminal Justice Information Services (DCJIS) policy.

I. STATE CENTRAL REPOSITORY (DATA STORAGE AND SECURITY)

The Department and its users agree to the terms of this policy and to the Commonwealth of Massachusetts Global Justice and Public Safety Information Sharing Policy of the DCJIS.

J. POLICY REVIEW

The ALPR Administrator shall be responsible for an annual review of this policy and the procedures contained herein. He/she shall also be responsible for making

recommendations through appropriate channels to the Chief of Police for any necessary amendments.

As use of this technology progresses, the Department shall continue to monitor and assess the appropriateness of this policy, as new technology may raise both legal and technological issues.

Approved By _____ Date _____
Chief Daniel M. Dorgan, Fairhaven Police Department *(Effective Date November 21, 2023)*

Revised Handbook

Boards and Committees Handbook

Town of Fairhaven Boards and Committees Handbook v.4 2026

(TOWN SEAL)

Boards and Committees Handbook
Town of Fairhaven, MA

Table of Contents

Introduction

Thank you for volunteering for your board or committee. You are about to undertake a very important role within the Town of Fairhaven. Committees and boards serve as planning and implementation bodies for the Town and in some cases, as enforcement agencies for State statutes and local bylaws. The volunteer members who serve on these boards and committees are an essential part of running an effective and efficient local government.

This handbook has been prepared by ~~Selectmen~~ **Select Board**/Town Administrator's office as a general informational aid to all Town committees and boards. It provides a brief description of procedures and an introduction to important State statutes that govern the conduct of boards and committees and their members. These statutes include the Open Meeting Law, and the Conflict of Interest Law (also known as the State Ethics Act).

Participation in Town Government

The ~~Board of Selectmen~~ **Select Board** actively encourages Fairhaven residents to participate in local government by volunteering to serve on a board or committee. Through service to the community, board and committee members have an opportunity to learn about the workings of our Town and to support fellow members of our community. The ~~Board of Selectmen~~ **Select Board** recognizes that serving on a board or committee takes dedication and commitment. We appreciate your volunteer service.

Types of Boards and Committees

Appendix A contains a listing of the current Town committees and boards. This appendix identifies the type of committee, the appointing authority and the number of regular, associate and alternate members. All boards and committees appointed by the ~~Board of Selectmen~~ **Select Board** must follow the general policies set by the ~~Board of Selectmen~~ **Select Board**. Other boards and committees are encouraged to function in a manner which is consistent with these general policies.

Statutory Boards and Committees

State statutes outline the powers and duties of statutory boards and committees, such as the Board of Assessors, Board of Health, Commission on Disability, Conservation Commission, Council on Aging, Historical Commission, the Planning Board and the Zoning Board of Appeals. The Town by-laws and appointing authorities may further define the work of these committees.

Advisory Committees

The ~~Board of Selectmen~~ **Select Board** may from time to time create advisory and/or “ad hoc” committees to aid the ~~Board of Selectmen~~ **Select Board** in the performance of its duties to the public. The ~~Board of Selectmen~~ **Select Board** is the appointing authority for advisory committees. The ~~Board of Selectmen~~ **Select Board** prepares the charge, sets the number of members and their terms, approves the membership and receives the reports and recommendations of the advisory committee. Advisory committees may be temporary for short term assignments or may have ongoing responsibilities. When a committee is appointed on a temporary basis for the purpose of a specific goal (i.e. “ad hoc”), the members will serve until the ~~Board of Selectmen~~ **Select Board** determines the committee assignment has been completed **or until resignation or otherwise removal of such member.**

Residency: All advisory committees serve at the discretion of the ~~Board of Selectmen~~ **Select Board**. The ~~Board of Selectmen~~ **Select Board** will typically show appointing preference to **appoint** full-time Town residents. However, the Board maintains the right to appoint

non-residents to ad hoc or advisory committees as appropriate to the mission of the committee only where outlined by state law.

Important Reading

All board and committee members, associate members and alternate members should read the most recent Annual Town Report, **Charter** and Town by-laws. ~~Both~~ **All** are contained within the Town's website, <https://www.fairhaven-ma.gov/where> (Find it Fast). The Town website is also a valuable source of information to the boards and committees, especially when all boards and committees submit their activities to the Web Administrator for inclusion on the site. If you wish to submit information on your board or committee for the Town website, please submit it to the Web Administrator at selectmen@Fairhaven-MA.gov **selectboard@fairhaven-ma.gov**.

All boards and committees members should review State laws pertaining to their board, commission or committee. For assistance in obtaining those State laws, please refer to the committee Chairman/~~Selectmen~~ **Select Board**/Town Administrator's office.

Summaries of the Open Meeting Law and the Conflict of Interest and Ethics laws are included in this document. For more information on the Open Meeting Law, Conflict of Interest and Ethics laws, please contact the Town Clerk's office.

Members, Associate Members, and Alternate Members

The charge for most boards and committees specifies the number of full members and the number of alternate and/or associate members. Serving as an alternate or associate member is an excellent way to become familiar with the work of a particular board or committee before taking on the responsibility of a full member.

The exact role of alternate and associate members varies by board and committee and committee members should familiarize themselves with those roles by looking at the statutory regulations on ~~Board of Selectmen~~ **Select Board** charges for the individual committee.

Application Procedure

Interested residents file an application with the ~~Selectmen~~ **Select Board**/Town Administrator's office by ~~submitting a letter of interest to~~ **completing the volunteer application under volunteer opportunities section on the Town website.** ~~the Board of Selectmen.~~ The ~~Board of Selectmen~~ **Select Board** review, consider, and vote on appointments.

Appointment, Reappointment, Resignation, Removal

All appointments made by the ~~Board of Selectmen~~ **Select Board** are made by majority vote in an open, posted meeting.

Most terms begin on or around ~~June~~ **July** 1 and end on ~~May 31~~ **June 30**. Term length ranges from one to five years. Some advisory/ad hoc committees however, are formed to accomplish a specific task and then dissolved when the task is completed. Terms are generally not specified for these short-term advisory committees. A committee member is under no obligation to ~~accept~~ **apply for** reappointment, nor is the appointing authority obligated to offer such reappointment. **In preparation of annual reappointments, Chairs of board and committees will be required to provide attendance records to the appointing authority.**

In accordance with the Town Meeting vote taken May 2026, elected officials may not serve on a board or committee outside of that for which they are elected to serve. A resident seeking appointment to a board or committee who is not an elected official, excluding town meeting members, may not seek appointment to more than two (2) boards or committees at any one time. See reference Town Bylaw XXXXX

A board or committee member who is no longer able to serve, or who moves out of Town, should resign promptly so that the vacancy may be filled as soon as possible. Any resignation should be submitted in writing to the ~~Board of Selectmen~~ **Select Board** and the Town Clerk. ~~If a board/committee member moves out of Town but still believes they can significantly contribute to the board/committee, they should contact the Board of Selectmen for consideration in continuing or completing their term.~~

The ~~Board of Selectmen~~ **Select Board** may remove for stated cause, any of the officers or members of Town boards or committees appointed by them. Causes for removal include such matters as ~~repeated~~ **3 consecutive** non-attendance at posted meetings, failure to discharge the duties of office, violation of State or Town statutes, failure to follow Town policies, or obstruction of the discharge of the duties of fellow board members. The ~~Board of Selectmen~~ **Select Board** reserves the right to hold a hearing before the removal of a board/committee member, ~~but is under no obligation to do so.~~

Appointments to fill vacancies will cover the remaining term of the vacated position.

Orientation

Every newly appointed member of every board or committee must be sworn in by the Town

Clerk and must be sworn in annually after reappointments are made by the ~~Selectmen~~ **Select Board**. At the time of being sworn in, committee members will be given a copy of this handbook and the Town's Harassment Policy, Conflict of interest Law Summary and Open Meeting Law Summary and will sign to confirm receipt of these documents. To make arrangements to be sworn in, or for questions related to swearing in, please contact the Town Clerk. An appointed member may not vote on any matters until ~~he is~~ **they are** duly sworn in.

The ~~Board of Selectmen~~ **Select Board** recognizes that volunteers are not always experienced in the workings of municipal government. New members should contact their board or committee chairperson for an orientation to the board or committee's role, responsibilities, and recent issues.

Whenever possible, all issues related to the board or committee should be resolved with the chairperson of the committee, or other committee members.

Meeting Definition

Meetings of Town boards and committees are subject to Massachusetts Open Meeting Law. This law is based on the premise that the public is entitled to see the process of government and not simply its end result.

The Open Meeting Law was adopted by Section 18 of Chapter 28 of the Act of 2009. Follow this link for the full Open Meeting Law: <http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html>

The Massachusetts Attorney General has the authority to interpret and enforce the Open Meeting Law and is expected to issue guidance documents and conduct training. All Town board and committee members should familiarize themselves with the Open Meeting Law. Please do not ever hesitate to call the Division of Open Government with your questions:

Massachusetts Division of Open Government

Web address: <http://www.mass.gov/ago/bureaus/government/the-division-of-open-government/>

Email: openmeeting@state.ma.us

Phone: (617) 963-2540

A board or committee meeting must be posted at least 48 hours in advance, and held in public even if there will be no vote or decision reached. Polling of board members for a decision prior to an open meeting of the board or committee is illegal and in violation of the Open Meeting Law. Except in very specific cases spelled out in the law, the public and the press have the right to attend all open meetings of government bodies.

All boards and committees must follow Open Meeting Law. A meeting occurs any time a

quorum (usually a simple majority) of the members convenes and discusses or considers any public business or policy over which the board or committee has some jurisdiction or advisory power. A quorum shall not meet in private for purposes of deciding or deliberating toward a decision on public business unless it does so in a valid Executive Session. (See the Open Meeting Law section about Executive Session). Substantive discussions or deliberations on public business involving a quorum of members that occur via email, by telephone, or by sequential communications violate the Open Meeting Law. A board or committee may only conduct administrative business, such as scheduling meetings and setting agendas, by phone and email.

Posting a Meeting

The meeting notice that must be posted with the Town Clerk 48 hours prior to the meeting (excluding holidays and weekends) must follow a format that includes the location of the meeting (including address and Zoom information), the name of the board or committee meeting, the date and time, and the officer posting the notice. If there are any changes in the location, time, etc., the posting should be revised with the Town Clerk as soon as possible. See Appendix B for a sample Meeting Notice and agenda. Blank copies of this notice are available through the ~~Selectmen~~ **Select Board**/Town Administrator's office and the Town Clerk's Office. Please note that the ~~Board of Selectmen~~ **Select Board** voted in 2017 to make the Town website (www.Fairhaven-MA.gov) the official posting location of all boards and committees; agendas must be uploaded here for a meeting to comply with the 48 hour OML rule. It is advisable that chairs review the website to make sure that the agenda, as submitted to the Town Clerk, has been posted to the website shortly after submission.

Posting Agendas

Meeting agendas should **clearly** outline the topics that will be deliberated and voted upon. It should be reasonably accurate, enough so that a resident would be able to determine whether or not they wish to attend a meeting. The meeting agenda must also be posted 48 hours in advance of the meeting (excluding holidays and weekends) and can be combined with the meeting notice if the board/committee prefers. See Appendix B1 for a sample agenda. The meeting notice may also be posted with the agenda included. See Appendix B2a for a sample.

Board and Committee Officers

Committees and boards shall annually elect a chairperson, vice-chairperson and a secretary or a clerk. Newly formed boards or committees should elect these officers at their first meeting. Ongoing boards or committees should elect officers at the first meeting on or after their ~~May/June~~ **July** term renewal, or at such time after Town Meeting **Election** is customary. It is the responsibility of the chairperson to notify the appointing authority, the Town Clerk, and the

Web Administrator of any changes in membership and officers **in order for the town website to be updated accordingly**. The chairperson sets the agenda and presides at all meetings, decides questions of order, calls special meetings, and signs official documents that require the chairperson's signature. The chairperson has the same rights as other members to offer resolutions, make or second motions, discuss questions, and vote thereon.

The vice chairperson acts for the chairperson whenever the latter is absent from meetings, and performs other necessary duties. The secretary **or clerk** is responsible for taking and transcribing the committee's minutes, scheduling the place, date, and time of meeting and posting the meetings with the Town Clerk and Web Administrator no later than 48 hours before a meeting (excluding Sundays and holidays). The secretary should also check for committee/board mail in the mail boxes at the Town Hall on a regular basis.

Conducting a Meeting

A board or committee is encouraged to follow Robert's Rules of Order **(See Appendix C.)** Although many small committee discussions may seem too casual to be called debate, it is advisable for the committee to observe a minimum of generally accepted parliamentary procedures. Guidance by the chairperson and adherence to customary parliamentary procedures or adopted rules of order can increase efficiency as well as maintain objectivity. Briefly, these procedures include:

- +Decisions of the board or committee should be recorded by a member making a "motion" which clearly states what action the Board will be voting on. In order for a "motion" to be acted upon, it must be "seconded" by another member. Reference: Appendix C: Intro to Robert's Rules.
- +In most instances, a decision is made by a simple majority vote of those board or committee members present and voting at the meeting.
- +No votes taken in open session by a governmental body may be made by secret ballot.

Members of the public should be allowed to speak at a board or committee meeting only **with permission at the discretion** of the chairperson. Any person may record a meeting with a tape recorder or any other means of audio reproduction and/or videotape equipment provided ~~he or she~~ **they** announces ~~his~~ **their** intention to do so and there is no active interference with the conduct of the meeting. On May 4, 2019 the town meeting members voted to adopt a by-law that states "All meetings of Town boards, commissions and committees shall be broadcast live and/or recorded for future broadcast over the local cable television network and online viewing unless emergency, operational or technical conditions suspend the requirements hereof, as determined by Town Administrator, for broadcasts over the public access and government channels or the School Superintendent for broadcasts over the education channel."

Quorum

Except as otherwise specified by law, a majority of the regular members of the board or committee constitutes a quorum. A quorum must be present to call a meeting to order and a decision ordinarily requires the supporting vote of a majority of the members present and voting.

In the absence of a quorum, the chairperson may designate an **appointed** alternate or associate member to sit for the duration of the meeting. If a quorum cannot be achieved, even with an associate(s), the meeting must disband and no deliberation or votes can be taken.

Public Hearing Process

Many boards and committees (such as the ~~Board of Selectmen~~ **Select Board**, the Planning Board and the Zoning Board of Appeals) are required by Massachusetts General Laws to conduct formal public hearings on some issues that come before them. Others may choose to conduct a public hearing on a matter before them in order to receive input from the community.

All formal public hearings must be conducted in accordance with Massachusetts General Laws and Town by-laws. Written hearing notices, the initiation of the hearing and the conclusions of a hearing may have strict legal time limitations that vary with the nature of the hearing and the board or committee.

It is recommended that all public hearings follow a formal procedure. Appendix D outlines a recommended process.

For all hearings, the chairperson or other designated person should state guidelines and time allowances at the outset of the hearing. Detailed minutes must be kept. All questions should be directed to the chairperson who, in turn, may ask for a response from board or committee members, staff or a member of the public.

It is the responsibility of the chairperson to maintain order and decorum at the hearing. In the interest of consistency and fairness, the chairperson may put restrictions on the nature, number, and frequency of an individual's comments and questions.

Meeting Logistics

Depending on a board or committee's workload, meetings may be held weekly, bimonthly, monthly, or less frequently. When possible, a regular meeting day, hour, and location should be established **and displayed on the Town website**. Except in cases of emergency, boards and committees should not meet on weekends, major religious or official government holidays and on Election Day while the polls are open. In addition, boards and committees should not meet

while Town Meeting is in session, except as necessary to participate in the proceedings of Town Meeting.

It is the responsibility of the board or committee to provide a timely notice to the Town Clerk of the committee's meetings with time, date, and location by emailing them to Clerk@Fairhaven-MA.gov or by dropping the meeting notice/agenda by hand to the Town Clerk's office. Except for emergency meetings, all meetings must be posted at the Town Hall at 48 hours in advance by the Town Clerk (Saturdays, Sundays and holidays excluded).

In the case of emergencies – items not reasonably anticipated to be on the agenda 48 hours in advance may be added. But as soon as an emergency meeting is scheduled, notice must be posted. Although not required by law, it may also be appropriate to notify the press and other observers of an emergency meeting.

The Town Clerk maintains a current listing of all posted meetings on the bulletin board at Town Hall and the Town website calendar. The Town Clerk and the Web Administrator posts agendas, minutes, and other documents to the website for boards and committees, when submitted by the committee's chair.

Meetings must be held in a place that is open to the public and accessible to persons with disabilities. Boards and committees should meet in a public building; meetings shall not be held in private homes or restaurants. A board or committee may reserve a room in a municipal building by using the following contacts:

Town Hall, ~~Selectmen~~ **Select Board**/Town Administrator's Office – 508-979-4023 ext. 2
Board of Public Works – 508-979-4030
Millicent Library – 508-992-5342
Fire Department – 508-994-1428

Record Keeping

As a governmental body, each board and committee shall maintain accurate minutes of its meetings, setting forth at a minimum, the date, time, place, committee members present or absent, the meeting agenda and all votes or actions taken at each meeting, including executive session, provided that the records of any executive session may remain secret as long as publication may defeat the lawful purposes of the executive session, but no longer. The minutes of each meeting shall become a public record and be available to the public once accepted by the committee. Draft, unapproved minutes of the committee, are also considered public records and must be released if requested prior to the Committee accepting them. All votes taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. No votes taken in open session shall be by secret ballot. Each board and committee shall vote to approve the minutes of their previous meeting at their next scheduled meeting and issue the approved minutes to the Town Clerk within 10 working days of the approval vote.

Public Records Law

Massachusetts General Laws, Chapter 66, Section 10 the Public Records Law, gives a right of public access to “public records”, which are defined by Chapter 4, Section 7, Clause 26 to include any document, regardless of physical form or characteristics, made or received by a public official or employee to serve a public purpose, unless subject to a statutory exemption. Government records generated, received or maintained electronically, including electronic mail, constitute “public records” under this standard. Retention and destruction of these records should follow the schedule specified by Massachusetts General Laws, Chapter 66, Section 8. No public records should be deleted or destroyed without first consulting the Town Clerk. The Massachusetts Secretary of State’s Public Records Division also provides guidance on public records matters at www.sec.state.ma.us/pre/preidx.htm. Printed records should be filed with related files of the board or committee. There is limited space available at Town Hall for files storage.

Use of Town Equipment and Facilities

Each board or committee is responsible for its own clerical work. However, with advance notice, the ~~Selectmen~~ **Select Board**/Town Administrator’s office may provide some assistance in coordinating photocopying, mailings, and other services. Depending on services provided, and depending on whether or not a committee has a budget or a gift account, the ~~Board of Selectmen~~ **Select Board**/Town Administrator’s office may charge expenses to that board/committee for such services as photocopies, use of supplies, mailings, etc. Town equipment and facilities may be used for official board or committee business. Most Boards and committees are assigned a mail slot in the Town Hall that should be checked on a weekly basis. Board or committee mailing addresses should be the Fairhaven Town Hall, 40 Center Street, Fairhaven, MA 02719 (except for the Board of Public Works and any BPW subcommittees, which would be 5 Arsene Street, Fairhaven, MA 02719. **All School Committee or SC subcommittees should use 128 Washington Street, Fairhaven, MA 02719**).

Staff Support

Some boards and committees have a staff person who acts as secretary. In such cases, the staff person provides assistance, rather than the duties that are expected of members. For instance, the staff administrative assistant may record minutes of meetings, prepare and circulate information for meetings and perform other administrative duties. Please be aware that most staff persons have limited hours and boards and committees should not ask for more than can reasonably be accomplished in those hours.

Some boards and committees have a professional staff person assigned as a liaison to the ~~Board of Selectmen~~ **Select Board**. The responsibility of the staff member is to provide technical support and information. The staff person keeps the ~~Selectmen~~ **Select Board**/Town

Administrator's office informed of the body's work and any items of significance which may come up.

Use of Town Counsel

Town Counsel provides legal services to all Town departments, boards and committees upon request of the ~~Board of Selectmen~~ **Select Board** and/or Town Administrator. A board or committee chairperson must make a request to the ~~Selectmen~~ **Select Board**/Town Administrator's office for approval to use Town Counsel. Boards and committees may not contact Town Counsel directly without following this procedure.

The request for legal services is submitted to the ~~Selectmen~~ **Select Board**/Town Administrator's office and must include the subject matter of the legal advice requested and any written materials to provide background information for the request. With certain exceptions, questions presented to and advice received from Town Counsel are ordinarily protected by the Town's attorney-client privilege. That information should be labeled as such and kept separately in the board or committee's files to avoid inadvertent disclosure and waiver of the privilege.

CONDUCT: Open Meeting Law

The Open Meeting Law is designed to insure that governmental activities are conducted in public except in very specific situations. The full Open Meeting Law can be read here: <http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html>

A hard copy can be provided to you by the Town Clerk or ~~Selectmen~~ **Select Board**/Town Administrator's office if you do not have access to a computer.

The Open Meeting Law applies to every meeting of a quorum of a governmental body if any public business over which the governmental body has jurisdiction is discussed or considered. The Open Meeting Law does not apply to chance meetings or social meetings; however, no chance or social meeting can be held to circumvent the open meeting requirements.

The following is a summary of the lawful manner in which meetings of boards, committees and sub-committees are to be conducted:

1. The Open Meeting Law gives the public and the press the right to attend (although not necessarily to participate in) all committee meetings except those portions held in

Executive Session.

2. The law requires that notice of meetings be publicly posted at least 48 hours in advance (except in a case of emergency) and that minutes be taken.
3. All meetings must have a quorum of members and be open to the public.
4. No private meetings are permitted where a quorum of members discusses or deliberates about any matter over which the board or committee has jurisdiction.
5. An on-site inspection of a project or program is not considered to be a “meeting” so long as the members do not deliberate during the inspection. A board or committee should not, during such an inspection, make any decisions or take any votes about matters within its jurisdiction. If a committee or board intends to make a decision or take a vote while on such a visit, then the visit would be considered a board or committee meeting and all Open Meeting Law requirements must be observed, such as proper meeting posting and taking of minutes.
6. Under the Open Meeting Law, an executive session may only be called for very specific purposes. See Appendix E for permissible reasons to enter Executive Session.
7. Executive Session procedure – the following steps must be taken prior to entering Executive Session:
 - a. Open Session must be convened first;
 - b. The presiding officer (ordinarily the chairperson) must give the purpose of an Executive Session. The purpose of the Executive Session must be one of the permitted purposes summarized above;
 - c. The presiding officer must indicate whether the board or committee will reconvene after Executive Session;
 - d. A majority roll call vote is needed to go into Executive Session;
 - e. The vote of each member must be recorded on a roll call vote and recorded in the minutes.

E-mail Usage

It is important for all board and committees members to know that there is no distinction in the law between written and electronic records. As a result, it is likely that email message written or received in the capacity of a board, committee or commission member are public records which must be made available for public inspection in the same manner as hardcopy documents. Use of one’s own home computer and personal email accounts may not exempt such communications depending on the context. In addition, the ease by which emails are sent and forwarded may facilitate the improper discussion of public policy issues. The discussion of public policy issues among a quorum of board or committee members via email is a violation of the Open Meeting Law. All electronic mail sent and received at a Town-issued email address should be considered a public record subject to inspection and disclosure and scheduled retention and disposition. Employees and board and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail as it relates to board/committee business.

It is important for boards and committees to be responsive to emails that are sent to them in their official capacity. It is advised that the chairperson or clerk be assigned this responsibility. Boards and committees need to be careful not to allow replies to citizens become discussions among the members of the board/committee, as this is in violation of the Open Meeting Law.

Social Media

Board and Committee members using social media platforms (including, but not limited to: Facebook, ~~Twitter~~ X, Instagram, YouTube, etc.) should remember that their online persona reflects their character. Social media is not exempt from Open Meeting Law or Records Retention law. (For boards and committees using social media pages to share their news, please see the Town's separate Social Media policy. See Appendix F.

The Town's Media & Communications Specialist will assist you in creating and maintaining your Social Media pages. For the purposes of individual board/committee members using social media, please note:

All board/committee members ("Officials") are expected and required to conduct themselves online in a manner consistent with the Town's policies and standards of Conduct. Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors. Officials must not harass others in contravention of the Town's computer use policy, harassment policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this policy even if the Town's name or name(s) of any individual is not specifically referenced. Officials should be honest and accurate when posting information or news. Officials should not use social media to post rumors or conjecture about the Town, its employees, constituents, officials, suppliers, vendors, contractors, or any other entities or individuals. Officials may only express their personal opinions and should never represent themselves on social media as a spokesperson for the Town, unless specifically designated to do so. Officials must also recognize that posting content regarding Town-related matters may result in a violation of the Open Meeting Law. (For example, if three members of a five member committee exchange comments on a social media post regarding a Town issue, this could be deemed "deliberation" and would be a violation of Open Meeting Law).

Conflict of Interest Law for Public Officials and Employees

The ~~Board of Selectmen~~ **Select Board** seeks to ensure that compliance with the conflict of interest law is achieved by all and strongly urges all Town officials, including volunteer board and committee members, to familiarize themselves with the Conflict of Interest Law and to direct any questions they may have to the ~~Selectmen~~ **Select Board**/Town Administrator's office or the State ethics commission by calling "their attorney of the day" at (617) 371-9500.

To assist with compliance, the State Ethics Commission has posted an online training program on their website. This training must be completed upon appointment to a committee and the board/committee member must present the Town Clerk with a certificate of completion within

one month of being appointed. The following overview of the Conflict of Interest Law is excerpted from the Ethics Commission's website <http://www.mass.gov/ethics> and may be based on the recent passage of the amendments to the State Ethics Act. Contact the Town Clerk for instructions on staying current with your Conflict of Interest certification throughout your term.

Chapter 268A of the Massachusetts General Laws governs your conduct as a public official. Below are some of the general rules that you must follow. You could face civil and criminal penalties if you take any prohibited action. There are some exemptions to these rules, so you may wish to seek legal advice from the State Ethics Commission – (617) 371-9500; or Town Counsel regarding how the law would apply in a particular situation. The term “public employee” includes both elected and appointed municipal employees, whether paid or unpaid, full-time or part-time. An unpaid volunteer board member is considered a public employee for purposes for the conflict of interest law.

In general:

- a. You may not ask for, or accept anything (regardless of its value), if it is offered in exchange for you agreeing to perform or not perform an official act.
- b. You may not ask for, or accept anything worth \$50 or more from anyone with whom you have official dealings. If a prohibited gift is offered, you may refuse it or return it; you may donate it to a non-profit organization, provided you do not take the tax write-off; you may pay the giver the full value of the gift; or, in the case of certain types of gifts, it may be considered “a gift to your public employer”, provided it remains in the office and does not ever go home with you. You may not accept honoraria for a speech that is in any way related to your official duties.
- c. You may not hire, promote, supervise or otherwise participate in the employment of your immediate family or your spouse's immediate family.
- d. You may not take any type of official action which will affect the financial interests of your immediate family or your spouse's immediate family. For instance, you may not participate in licensing or inspection processes involving a family member's business.
- e. You may not take any official action affecting your own financial interest, or the financial interest of a business partner, private employer, or any organization for which you serve as an officer, director, or trustee. For instance: you may not participate in licensing, inspection, zoning or other issues that affect a company you own, or its competitors; if you serve on the board of a non-profit organization, you may not take any official action which would affect that organization, or its competitors.
- f. Unless you qualify for an exemption, you may not have more than one job with the same municipality or county, or more than one job with the state.
- g. Except under special circumstances, you may not have a financial interest in a contract with your public employer. For instance: if you are a Town employee, a company you own may not be a vendor to that Town unless you meet specific criteria, the contract is awarded by a bid process and you publicly disclose your financial interest.
- h. You may not represent anyone but your public employer in any matter in which your

public employer has an interest. For instance, you may not contact other government agencies on behalf of a company, an association, a friend or even a charitable organization.

i. You may not ever disclose confidential information, data or material which you gained or learned as a public employee.

j. Unless you make a proper, public disclosure – including all relevant facts – you may not take any action that could create an appearance of impropriety, or could cause an impartial observer to believe your official actions are tainted with bias or favoritism.

k. You may not use your official position to obtain unwarranted privileges, or any type of special treatment, for yourself or anyone else. For instance: you may not approach your subordinates, vendors whose contracts you oversee, or people who are subject to your official authority to propose private business dealings.

l. You may not use public resources for political or private purposes. Examples of “public resources” include: office computers, phones, fax machines, postage machines, copiers, official cars, staff time, sick time, uniforms, and official seals.

m. You may not, after leaving public service, take a job involving public contracts or any other particular matter in which you participated as a public employee.

Abutting or nearby property may affect a public official's financial interest:

Under the Conflict of Interest Law, a property owner is presumed to have a financial interest in matters affecting abutting and nearby properties. Thus, unless he or she can clearly demonstrate that he or she does not have a financial interest, a public employee should not take any action in his or her official capacity on matters affecting property that is near or directly abuts: his or her own property; property owned by a business partner; property owned by any immediate family members; property owned by a private employer, or prospective employer; or property owned by any organization in which the public employee is an officer, director, partner or trustee. Otherwise, he or she risks violating the Conflict of Interest Law.

Recusal Process

If a member believes that he or she may face a conflict of interest or other reason that may justify recusal as to any particular matter, the member should contact the ~~Selectmen~~ **Select Board** /Town Administrator's office – (508) 979-4023 ext. 2. Some potential conflicts are cured by a simple disclosure form filed in advance; others cannot be waived and require recusal. It is important for the member to understand and follow the proper course of action before proceeding. The various disclosure forms can be found on the State Ethics Commission's website: <http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>

If you do not have access to a computer, the necessary forms will be printed for you by the ~~Selectmen~~ **Select Board**/Town Administrator's office. All completed forms must be completed in

triplicate and filed with the Town Clerk, the ~~Selectmen~~ **Select Board**/Town Administrator's office, and one copy should be kept for the board or committee's personal files. If the board or committee member is recused, he must leave the room while the matter causing the conflict is being discussed to avoid any appearance of exerting undue influence.

The Conflict of Interest Law (Chapter 28 of the Acts of 2009) does the following:

It strictly prohibits public officials from accepting gifts of "substantial value" for or because of their position.

It increases the maximum punishment for bribery to \$100,000 and 10 years imprisonment.

It increases the maximum penalties for conflict of interest law violations involving gifts and gratuities, revolving door violations and other abuses to \$10,000 and 5 years imprisonment.

It increases penalties for civil violations of the conflict of interest laws up to \$10,000 per violation (up to \$25,000 for bribery).

It makes compliance with the Ethics Commission's summons mandatory

It increases the amount of time the Ethics Commission can proceed on an ethics violation from three (3) years to five (5) years.

It gives the Attorney General concurrent jurisdiction with the Ethics Commission to enforce civil violations of the conflict of interest law.

Campaign Finance Law

Massachusetts General Laws Chapter 55, the Campaign Finance Law, regulates political activity by public employees and the use of public buildings and resources in campaigns and ballot issues. If a board or committee member receives a stipend of any amount, he or she is considered a public employee for the purpose of the Campaign Finance Law. This does not apply to elected officials. Public employees who take part in the political campaigns and the candidates and committees they support should be aware of this law. Public resources (government vehicles, office equipment and supplies and the paid time of public employees) may not be used for political campaign purposes, such as the election of a candidate or the passage or defeat of a ballot question. Soliciting or receiving campaign contributions in a government building is prohibited.

Speaking for a Board or Committee

An individual board member has a right to speak publicly as a private citizen but should not purport to represent the board or committee or exercise the authority of the board or committee except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the board or committee. Such a perception should be avoided. In addition, it is the policy of the ~~Board of Selectmen~~ **Select Board** that a recused board or committee member refrain from

using this individual right of free speech to speak on matters on which a member has been recused in front of that member's board or committee.

Civil Discourse

The ~~Board of Selectmen~~ **Select Board** recognizes the importance of civil discourse at all levels of the government including those who volunteer their time and services on behalf of the Town. Boards and committees should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should strive at every meeting to treat every person fairly and with respect. In turn, it is expected that those members from our community attending Town board or committee meetings will display respect to the public, board and committee members and Town staff. Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them; swearing, profanity, disparaging remarks, malicious gossip, slander, etc., both during a meeting and in other settings is behavior unbecoming of a Town official and will not be tolerated. It is expected that the Chair of all Boards and Committees will hold his/her membership to this standard. Failure to adhere to this standard is grounds for removal by the ~~Board of Selectmen~~ **Select Board** from appointed boards. Everyone should strive for civil discourse on all Matters.

Liaison with ~~Board of Selectmen~~ **Select Board**

Each year, the ~~Board of Selectmen~~ **Select Board** votes to assign each ~~Selectman~~ **Select Board Member** to be a liaison to several Town boards and committees. The duty of the liaison is to maintain communication with the board or committee, review its minutes, and keep updated on issues of concern. The liaison is not expected to attend the meetings, but may do so; nor is the liaison an ex officio member. The ~~Board of Selectmen~~ **Select Board** recommends that the board or committee chairperson report regularly to its liaison about the board or committee's actions and plans so that the liaison can keep the ~~Board of Selectmen~~ **Select Board** updated.

Annual Town Report

All appointed boards and committees are required to file an annual report of activities for the Annual Town Report, due in December/January of each year (deadline to be announced each year by the ~~Selectmen~~ **Select Board**/Town Administrator's office). The chairperson or another designated member should detail board or committee membership, including any changes, and report on major accomplishments and future plans for the year.

Appendix G: Official State Holidays

The current list of official State holidays is:

New Year's Day – January 1

Martin Luther King Day – third Monday in January

President's Day – Third Monday in February

Patriot's Day – Third Monday in April

Memorial Day – Last Monday in May

Juneteenth- Friday the week of June 19th each year

Independence Day – July 4

Labor Day – First Monday in September

~~Columbus~~ **Indigenous Peoples'** Day – Second Monday in October

Veterans' Day – November 11

Thanksgiving Day – Fourth Thursday in November

Day After Thanksgiving- Fourth Friday in November

Christmas Day – December 25

The Town Hall offices are closed on these observed holidays and only emergency personnel is available.

Please Note: Christmas Eve and New Year's Eve are half-days and the Town Hall offices close at noon. Also, the Town Hall offices are closed the Friday after Thanksgiving. If Christmas falls on a Tuesday, the Town Hall offices will be closed on the Monday Christmas Eve. If Christmas falls on a Thursday, the Town Hall offices will be closed on the following Friday.

Adopted by vote of the ~~Board of Selectmen~~ **Select Board** on September 10, 2018

Revised by vote of the ~~Board of Selectmen~~ **Select Board** on December 7, 2020

Revised by vote of the Select Board on August 10, 2026

ACKNOWLEDGEMENT OF RECEIPT OF BOARD AND COMMITTEE HANDBOOK

Please sign and return this page to the Town Clerk's Office.

I, _____, hereby acknowledge that I have
(Print Name)

received a copy of the "Town of Fairhaven's Board and Committees Handbook" and agree to familiarize myself with the contents thereof.

Proposed Process-NEW

PROPOSED Process- Appointments to Boards and Committees

1- Filling a Vacancy

- A. Receive the resignation of a current Board / Committee member
- B. Stamp at the Town Clerk and Send to the Entire Select Board
- C. Announce the resignation of the member at the next regularly scheduled SB Meeting
- D. Announce at SB Meeting that we will be accepting applications until the Wednesday preceding the next **regularly scheduled** meeting
- E. Next Morning, Post volunteer graphic for that Board / Committee on Social Media with link to application. Also send the information of the vacant position to be listed in the *About Town* section of **Neighborhood News**.
- F. Mention opening during the weekly *Town Administrator weekly town report*.
- G. All applicants need to be listed on the posted agenda to comply with Open Meeting Law regulations. No applicants received after agenda posting will be considered.
- H. Applicants will be expected to attend the Select Board meeting either in person or via Zoom to answer any questions of the Board. If the applicant may not attend, they may request the item to be moved to another meeting.
- I. If there are multiple applicants, and one can not attend, the seat will not automatically be filled by the applicant in attendance. The Select Board may use their discretion to appoint the applicant that is present, or wait until they have an opportunity to interview all applicants.
- J. The Select Board is under no obligation to fill a seat at any given time. Should the Select Board wish to seek further applicants, that is their discretion and steps D-G will be repeated until the seat is filled.

2- Annual Reappointments

- A. Board / Committee appointments will be 1-to-5 year terms that run from July 1 to June 30
- B. One month prior to appointment, the **application** will be sent to all Board / Committee members. All members will be expected to reapply at the end of their term, and attend the night designated for Board / Committee Appointments
- C. One month prior to appointments, the Select Board will announce that **ALL** expiring terms are considered available and encourage all who are interested to apply. Availability to apply for any available seat will be publicized in the same manner as E. listed in **1- Filling a Vacancy**
- D. On or Before June 30th, the Select Board will hold a special meeting for all open Board and Committee seats to interview applicants and make appointments. All applications must be received no later than the Wednesday prior to the special meeting to allow for time to review, plan, and prepare questions.
- E. Applicants will be strongly encouraged to attend the special meeting to answer questions from the Select Board. If an applicant is not available to attend, their application will still be considered, but the Select Board is under no obligation to offer reappointment.
- F. Any seats not filled at this special meeting will be considered a vacancy, and the process will follow the steps of **1- Filling a Vacancy**,

Seeking Volunteers

BELONGING COMMITTEE



The Belonging Committee will strive to identify and promote activities designed to further efforts of the core values of diversity, Equity and Inclusion, and to advocate for the human and civil rights of all. To ensure clarity for all, the committee will use the following definitions

APPLY NOW

Contact us:

508-979-4023 Ext: 2

<https://fairhaven-ma.gov/volunteer-opportunities/>

Revised Application

Full Name

Street Address and Town

Email

Phone

~~How long have you been a Fairhaven resident?~~ Are you currently a Fairhaven resident, how long?

Which board, committee or commission are you interested in serving on? ~~What is your reason for joining?~~

Why are you interested in serving on this board or committee?

~~Interests and Qualifications:~~ What relevant skills, experience, education, or knowledge would you bring to this position?

~~Have you served or are you currently on any Town of Fairhaven Boards? If so, please indicate what Board and number of years.~~ Please describe any professional, volunteer, civic, or community experience that you believe would be beneficial to this public body, please include the name and number of years for any Fairhaven Town board, committee, commission or working group, etc.

Are you familiar with the charge and issues currently before this board, committee or commission and what do you hope to contribute through your service?

Consent

~~I agree to the privacy policy~~

By submitting this form, I certify that the information provided in this application is true and complete to the best of my knowledge. I understand that appointment to a Town board, committee, commission, or other municipal position is subject to approval by the appropriate appointing authority and that appointment does not guarantee a specific term or continued service. I understand that, if appointed, I will be expected to comply with applicable laws, regulations, Town policies, and requirements associated with the position.

New submission from Volunteer Opportunities

B 4

1 message

Kenneth F. Blanchard Kenneth F. Blanchard <no-reply@jgpr.net>

Wed, Jul 15, 2026 at 9:50 PM

Full Name

Kenneth F. Blanchard

Address

Email

Phone

How long have you been a Fairhaven resident?

36 years

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

Budget Working Group

I feel I can be an asset to this committee due to my professional experience and my service on the Finance Committee for last two years.

Have you attended a meeting of this Board or Committee?

No

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

Finance Committee, 2 years (currently serving as vice-chairman)

Atlas Tack Working Group 1 year (currently serving as chairman)

Rogers School Re-Use Committee (have not had a meeting since I was named to the committee as the FinCom rep)

Interests and Qualifications.

I worked for the City of New Bedford for 40 years in varying capacities including the Chief Electrical Inspector, Superintendent of Public Works, Superintendent of Parks, Superintendent of Public Facilities finally retiring in 2018 as the Director of Facilities and Fleet Management during which I was responsible for the care, maintenance and space rental of 90+ buildings and 500 vehicles

As a result of my positions with the City of New Bedford I was required to serve on varying boards, commissions and committees.

During my tenure as the Superintendent of Public Works we contracted for the privatization of the municipal curbside refuse and recyclables collection and disposal service.

I personally built and managed multimillion dollar budgets and supervised over 150 FTE's.

I worked directly for five different mayors over my 40 year career.

I also served on the Board of Directors of the New Bedford Credit Union for 20 years in varying capacities including the credit committee, personnel committee and audit committee.

I have also served as the Fairhaven representative on the Greater New Bedford Regional Vocational Technical High School Committee.

Consent

☒ I agree to the privacy policy.

Budget Working Group - Appointment

1 message

Anne Soares

Thu, Jul 16, 2026 at 9:23 AM

To: Selectboard@fairhaven-ma.gov

Dear Members of the Select Board,

Attached for your consideration are my Letter of Interest and résumé for the Fairhaven Budget Working Group.

Thank you for your time. I appreciate the opportunity to be considered and look forward to speaking with you during the appointment process.

Respectfully,

Anne Soares

2 attachments



Letter of interest -BWG.pdf

66K



Anne Soares - Resume' .pdf

84K

July 16, 2026

Dear Members of the Select Board,

I am writing to express my interest in serving on the Fairhaven Budget Working Group under *Category 3 – Resident Business Owner / Operations Manager*. I appreciate the Select Board's decision to establish this Working Group and its commitment to thoughtfully examining the Town's long-term financial challenges and identifying practical solutions. I would welcome the opportunity to contribute to that effort.

Over the past several years, I have developed a growing interest in local government and the important role municipal decision-making plays in shaping affordability, public services, and the long-term health of our community. What began as a desire to better understand how local government functions gradually evolved into a desire to become more actively involved. As I learned more about municipal government, attended meetings, and became involved through Town Meeting and civic participation, I found myself wanting to contribute in a more meaningful way.

As a business owner, I have spent the last sixteen years making operational and financial decisions involving budgeting, forecasting, strategic planning, and long-term stewardship. Guiding our organization through the uncertainty of the COVID-19 pandemic reinforced the importance of forecasting early, making proactive decisions, and balancing fiscal responsibility with a commitment to protecting the people who depended on the organization.

In addition, my professional background includes internal auditing, with experience evaluating governance, operational risk, internal controls, and organizational processes across community banking, global financial services, and publicly traded organizations. Together, these experiences have shaped the way I approach both operational and financial decision-making and prepared me to contribute thoughtfully to the work of the Budget Working Group.

If appointed, I would approach the role with careful preparation, intellectual curiosity, and respect for the responsibility entrusted to the Working Group. My goal would be to understand each issue thoroughly, evaluate the evidence objectively, consider reasonable alternatives, and contribute recommendations that I can confidently explain.

Thank you for your time and consideration. I appreciate the opportunity to be considered and would welcome the chance to contribute to the stewardship of our community through service on the Budget Working Group.

Respectfully,

Anne Soares

Anne Soares

Financial Analysis | Governance | Strategic Decision-Making

Professional Summary

Over more than two decades, my career has included community banking, global financial services, business ownership, and real estate. While the industries have changed, the work itself has remained remarkably consistent: evaluating financial and operational risk, strengthening governance, challenging assumptions, and helping organizations and individuals make informed decisions. These experiences have shaped the way I approach leadership and decision-making, grounded in objective analysis, careful preparation, and responsible stewardship.

Decision-Making Approach

- Seek to understand a recommendation before evaluating it.
- Verify the facts and evidence before reaching a conclusion.
- Evaluate both immediate and long-term implications.
- Consider whether a recommendation represents the best long-term solution vs. the most immediate response.
- Communicate conclusions objectively and remain accountable for the reasoning behind each decision.

Professional Experience

Owner / Business Manager

Soares Martial Arts

Lead the financial and operational management of a family-owned business, with responsibility for budgeting, forecasting, payroll, and long-term planning. Guided the organization through periods of financial uncertainty, including the COVID-19 pandemic, by forecasting early, making proactive financial decisions, and balancing fiscal responsibility with a commitment to protecting employees and students.

Real Estate Advisor

Revolv Real Estate

Advise buyers and sellers through significant financial decisions using objective market analysis, strategic planning, and thoughtful communication. The experience has reinforced the importance of listening first, remaining objective, and helping people navigate emotionally significant decisions with clarity and confidence.

Senior Internal Auditor

Ahold USA

Evaluated governance, operational risk, and internal controls within a publicly traded organization while preparing and presenting evidence-based conclusions to senior leadership. The experience reinforced the importance of thorough preparation and communicating difficult conclusions with professionalism and objectivity.

Internal Auditor

State Street Corporation

Worked within a complex global financial institution during a period of significant industry scrutiny, strengthening my ability to remain composed under pressure, listen before responding, and return discussions to objective facts when opinions differed.

Internal Auditor

Healy & Healy

Began my career auditing community financial institutions throughout Massachusetts and Rhode Island, where I developed a disciplined approach to evaluating risk, asking thoughtful questions, and supporting conclusions with evidence that continues to shape my decision-making today.

Civic Engagement

My interest in local government began with a desire to better understand how municipal decisions shape affordability, public services, and the long-term health of our community. As I learned more about how municipal government functions, my interest gradually became a desire to contribute through thoughtful public service.

Town Meeting Member

Elected representative for my precinct.

Secretary

Fairhaven Republican Town Committee.

Podcast Host / Candidate Moderator

Facilitate thoughtful public conversations with local candidates and community leaders.

Education & Credentials

Bridgewater State University

Bachelor of Science, Finance

Massachusetts & Rhode Island Real Estate Licenses

Accredited Buyer's Representative (ABR®)

Pricing Strategy Advisor (PSA)

New submission from Volunteer Opportunities

1 message

Jeffrey A Messier Jeffrey A Messier <no-reply@jgpr.net>

Thu, Jul 16, 2026 at 9:59 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Jeffrey A Messier

Address

Email

Phone

How long have you been a Fairhaven resident?

37

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

Budget working group

Have you attended a meeting of this Board or Committee?

No

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

10 years Fincom 5 as Chairman

Interests and Qualifications.

37 business owner, mechanical contractor, design build , 20 plus years serving on multiple board of directors from secretary, treasurer, VP, President, CEO, chairman.

Consent

☒ I agree to the privacy policy.

Dear Members of the Select Board,

I am writing to express my interest in volunteering to serve on the Town of Fairhaven's Budget Working Group.

As a lifelong Fairhaven resident, I have always believed in giving back to the community that has given so much to me and my family. I recently completed my elected term on the Board of Public Works, where I gained valuable experience working collaboratively to address complex municipal issues, balance competing priorities, and make decisions that served the best interests of all our residents.

Professionally, I serve as the Director of Environmental Health & Safety at the Woods Hole Oceanographic Institution, where I oversee institution-wide programs, manage operational budgets, support strategic planning, and work collaboratively with diverse stakeholders to achieve organizational goals while maintaining regulatory compliance. These experiences have strengthened my ability to evaluate complex issues, analyze financial and operational impacts, and work toward practical, long-term solutions.

Beyond my professional and elected service, I have also dedicated time to fostering a positive sense of community through the administration of the Old Town Fairhaven Facebook group. My goal has always been to encourage respectful dialogue, celebrate our community, and promote collaboration among residents with differing perspectives. I firmly believe that the best outcomes are achieved when people listen to one another and work together toward shared goals.

If selected to serve on the Budget Working Group, I would bring a thoughtful, collaborative, and solutions-oriented approach. I understand the difficult financial decisions facing Fairhaven and would welcome the opportunity to contribute my experience while working respectfully with fellow committee members to identify responsible, sustainable recommendations that serve the long term interests of our town.

Thank you for your consideration. I appreciate the opportunity to be considered and have attached my resume for your review. I would be honored to continue serving the Town of Fairhaven in this capacity.

Respectfully,

A handwritten signature in dark ink, appearing to read "Daniel Lopes", written in a cursive style.

Daniel Lopes

A faint, horizontal line or signature, possibly a second signature or a decorative flourish, located below the name "Daniel Lopes".

DANIEL LOPES

ENVIRONMENTAL HEALTH & SAFETY EXECUTIVE

CONTACT



EDUCATION

B.S. EMERGENCY MANAGEMENT
MASSACHUSETTS MARITIME ACADEMY
2012

Licenses

MA HE-3A Hoisting Engineer

CERTIFICATIONS & TRAINING

- Radiation Safety Officer 40-Hour (RSCS)
- Laser Safety Officer (KENTEK)
- Fundamentals of Laser Safety (KENTEK)
- OSHA HAZWOPER First Responder Operations Level
- EPA & MA Hazardous Waste Management (RCRA)
- DOT Hazardous Materials Shipping & Transportation
- DOT/IATA Radioactive Material Shipping & Transportation
- AIHA Elemental Industrial Hygiene
- NCSH 446 Indoor Air Quality
- OSHA 7100 Introduction to Machinery & Machine Guarding

PROFILE

Environmental Health & Safety executive with 14+ years of progressive leadership experience overseeing comprehensive EH&S programs. Expertise includes laboratory safety, radiation safety, laser safety, biosafety, industrial hygiene, hazardous materials, risk mitigation, and emergency management. Proven leader in building collaborative safety cultures while supporting complex scientific research and engineering operations.

EXPERIENCE

EH&S Director, Woods Hole Oceanographic Institution
2024-PRESENT

Leads institution-wide EH&S programs supporting over 1,000 employees across 300+ research laboratories and engineering spaces. Establishes program priorities and conducts safety trainings. Provides safety engineering and lab design support. Oversees operational budget and manages EH&S staff and contractors.

Liaison to Falmouth Fire Department and Falmouth Local Emergency Planning Committee (LEPC). Maintains EH&S plans, procedures, and EH&S website. Supports all safety committees (Institution Safety Committee, Radiation Safety Committee, Institution Biosafety Committee, and Integrated Safety Committee) as a voting member.

Ensures compliance with OSHA, EPA, DOT, and other applicable federal and state regulations. Leads the institution's Radiation Safety Program under the NRC and Massachusetts Broad Scope licenses, maintaining a record of zero NRC or MA Radiation Control Program violations.

Coordinates OSHA compliant accident/incident investigations and ensures that EH&S concerns are adequately addressed. Coordinates emergency drills and exercises. Supports enterprise risk management functions and provides support to all EH&S program areas as needed.

VOLUNTEERISM

Board of Public Works, Town of Fairhaven 2023 (Elected) - 2026

Public Works in Fairhaven is governed by the five-member, unpaid elected Board of Public Works Commissioners. The Board sets policy and establishes the rules, regulations, fees, and procedures of the public works in the Town of Fairhaven. This also includes management and maintenance of the town roadway, park and utility infrastructure systems, including roads, parks, cemeteries, beach, bike paths, water, sewer, storm drainage, trash collection, vehicle maintenance, and recycling center.

The Board sets policy and establishes rules, regulations, fees, and procedures. The Commissioners are empowered with the duties and responsibilities of Water Commissioners, Sewer Commissioners, Park Commissioners, and Cemetery Commissioners, as provided under state law.

First Aid Team, Woods Hole Oceanographic Institution 2025 – PRESENT

Oversees operational budget and manages oversight of the voluntary First Aid Team and Training Program. Program offers 12 in-person classes per year to all institution employees.

PUBLICATIONS

Reif, R.H. & Lopes, D. Thyroid bioassay and dose assessments system for I-125 at WHOI. Health Phys. 122(6):732-736; 2022

Reif, R.H. & Lopes, D. & Medeiros S. Machine shop safety: a look at WHOI's program. Professional Safety 63(4): 30-35, 2018

- **Radiation Safety Officer** for broad scope materials licenses for Massachusetts Radiation Control Program and Nuclear Regulatory Commission.
- **Laser Safety Officer** for class 3B and class 4 high powered lasers.
- **Lead Emergency Coordinator** and emergency HAZMAT responder.

Laboratory Safety Officer, Woods Hole Oceanographic Institution

2014-2024

Served as the Facilities Safety representative. Oversaw hazardous, universal, and radioactive waste management/minimization efforts. Conducted regulatory safety inspections of facilities spaces, machine shops, class 3b & 4 laser laboratories, radioactive material laboratories, X-Ray generating device facilities, fork trucks, Satellite Accumulation Areas, and Main Accumulation Areas. Emergency coordinator/responder to hazardous material spills. Conducts accident/incident investigations and compiled the OSHA 300 Log.

- **Assistant Radiation Safety Officer** for broad scope materials licenses for Massachusetts Radiation Control Program and Nuclear Regulatory Commission.

Safety & Health Officer, Woods Hole Oceanographic Institution

2012-2014

Served as the safety representative of all research departments. Program management of the following areas: PPE, minors working or volunteering at WHOI, fall protection, respiratory protection, ergonomic assessments, and hearing conservation. Emergency responder to hazardous material spills. Conducted accident/incident investigations.

- **Chemical Hygiene Officer** overseeing regulatory compliant laboratory safety inspections.

Additional Work Experience

2010-2012

- **Emergency Operations Intern**, Medical Academic Scientific Community Organization (MASCO)- 2012
- **EH&S Intern**, Woods Hole Oceanographic Institution - 2011
- **Harbormaster Assistant/Deputy Shellfish Constable**, Town of Fairhaven - 2010

New submission from Volunteer Opportunities

1 message

Patrick J Carr Patrick J Carr <no-reply@igpr.net>

Tue, Jul 21, 2026 at 10:19 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Patrick J Carr

Address

Email

Phone

How long have you been a Fairhaven resident?

45 years

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

Budget Working Group

Have you attended a meeting of this Board or Committee?

No

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

Zoning Board of Appeals - 07/22 to present

Planning Board - 04/23 to present

Capital Planning - 02/26 to present

Interests and Qualifications.

3 – One resident business owner or operations manager

I have been a resident for 45 years and a business owner of A1 Crane Company that has done business in town for 30 years. I am the Vice President of Operations and I am responsible for the day to day operations including scheduling, safety protocols, maintenance of equipment, and management of all employees. I oversee all financial aspects of the business including invoicing and purchasing and sales, insurance requirements and licensing/permitting requirements. I believe this business knowledge and experience can be transcended to assist the Town of Fairhaven to better analyze their budget with the expectation of helping to find ways to offset the forecasted budget deficit.

Consent

☒ I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Gunnar Hexum Gunnar Hexum <no-reply@jgpr.net>

Mon, Jul 20, 2026 at 10:22 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Gunnar Hexum

Address

Email

Phone

How long have you been a Fairhaven resident?

23 years

Have you attended a meeting of this Board or Committee?

No

Interests and Qualifications.

Budget Working Group

BA - Political Science

Master of Public Policy - Public Administration

Juris Doctorate Candidate, UMass Law

MCPPO (Chapter. 30B)- TBA

22 years as Company President, Mass Info Tech, Quincy, Taunton, Fall River - Workforce Development

17 year EMS Operations and Training Career

Complete Resume on request.

Consent

☒ I agree to the privacy policy.

Fairhaven Select Board Remarks – Budget Task Force Application
8/10/2026

2026AUG4 9:53 9:53
SELECT BOARD

Mr. Ramon, Select Board Members, Mr. Hickey:

Thank you for the opportunity to apply for membership. This advisory project may bring improved budget discipline and will contribute to my contemporary objectives as well. I have provided copies of my resume and written remarks.

I believe the Budget Task Force is an endeavor that could substantially assist the board and Mr. Hickey with additional data analysis capacity for possible budget choices. With more hands-on deck, the subsequent budget recommendations are more likely to be better understood by all concerned.

My education and experience include substantial public policy and management work regarding research and analysis to implementation. I have used the DOR, Division of Local Service (DLS) reports and databank for several studies. I completed a recent reading and review of the MA state assessor's handbook, Town By Laws, Union Contracts (2022-2025) posted on the Town website and have completed the Fairhaven Board/Committee Handbook. I am ready to submit to the Clerk both open meeting and conflict of interest training documentation.

Thank you again for the opportunity to apply.

Gunnar F. Hexum

GUNNAR F. HEXUM

Relevant skills: General ledger management. HR supervision/planning, regulatory compliance, grant and contract research, writing, reporting supervision. Superior political and diplomatic wisdom, excellent judgement skills. Expert Microsoft Office, Google Suite, Westlaw, proficient with several proprietary databases including accounting/ERP applications.

EMPLOYMENT OVERVIEW

1996 – 2018

PRESIDENT, MASS INFO TECH – QUINCY, TAUNTON, FALL RIVER — Retired

3 Divisions — Adult Workforce Development predicated upon third-party IT credentialing. Out-of-school youth ages 16–24 GED Instruction and DESE testing. Small business/municipal CRM/ERP and IT infrastructure management.

Licensed by the Massachusetts Department of Education, annual State Auditor's Office/DOR certification. Approved MA Combuys IT Vendor.

Business Development:

North Bristol County Workforce Investment Board

Plymouth County Workforce Investment Board – Chair Youth Council, Executive Committee

Transition Team Member, Governor Deval Patrick's Workforce Development Team

Nominated for MA Ballot Law Commission, Declined

Transition Team Member for Taunton Mayors Bob Nunes and Theodore Strojny,

Workforce Development and City IT Infrastructure

Board of Directors Massachusetts Association of Private Career Schools

Board of Directors, Heart of Taunton

Taunton Rotary Executive Board

1974 – 1992

PARAMEDIC, NEW YORK CITY

Numerous operation and policy positions. Trained at Columbia Presbyterian Hospital.

EMT/Paramedic Instructor, ACLS Instructor Trainer, several other certifications.

DIRECTOR EMERGENCY SERVICE TRAINING, DIVISION OF CONTINUING EDUCATION, UNIVERSITY OF MASSACHUSETTS — BOSTON

Led the development of a DPH licensed paramedic/EMS training program between UMass

Boston Didactic/Lab, Boston City Hospital – Field Internship, and MGH-Clinical, Operational Role:

Merger of UMass Boston and Boston State College. Six years MA professional staff service.

EDUCATION

UNIVERSITY OF MASSACHUSETTS — DARTMOUTH, BA POLITICAL SCIENCE 2024
MAGNA CUM LAUDE, CHANCELLOR'S LIST, PI SIGMA ALPHA

UNIVERSITY OF MASSACHUSETTS — DARTMOUTH 2026
MASTER OF PUBLIC POLICY — PUBLIC MANAGMENT

UNIVERSITY OF MASSACHUSETTS SCHOOL OF LAW – JURIS DOCTORATE CURRENT '29

MCPPO - TBA

New submission from Volunteer Opportunities

1 message

Robert C. Grindrod Robert C. Grindrod <no-reply@jgpr.net>

Tue, Jul 21, 2026 at 5:00 PM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Robert C. Grindrod

Address

Email

Phone

How long have you been a Fairhaven resident?

8 years most recently; 60 in total

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

Budget Working Group

Have you attended a meeting of this Board or Committee?

Yes

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

Finance Committee

Special Bylaws Review Committee

Interests and Qualifications.

Six years on Fairhaven Finance Committee.

47 Years in private industry with specialties in organization planning, budgets, financial analysis and performance review.
Last twelve years served as President & CEO of Railway Company until retirement.

Consent

☒ I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Benjamin Reis Benjamin Reis <no-reply@jgpr.net>

Fri, Jul 24, 2026 at 10:48 PM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Benjamin Reis

Address

Email

Phone

How long have you been a Fairhaven resident?

29 years

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

Budget Working Group

Reason: I love this town. Hope to help identify areas where efficiency can be increased and funds can be saved while still delivering the same or better level of service to residents.

Have you attended a meeting of this Board or Committee?

No

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

I am not currently on, nor have I ever served on any Town Board.

Interests and Qualifications.

I am a business owner. I work in real estate. I come from a construction background. I grew up in my family's construction business. In business I am always looking for ways to streamline processes and increase efficiency. Looking forward to working with departments to identify cost saving opportunities.

Consent

☒ I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Jason Lanagan Jason Lanagan <no-reply@jgpr.net>

Mon, Aug 3, 2026 at 4:23 PM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Jason Lanagan

Address

Email

Phone

How long have you been a Fairhaven resident?

6

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

Budget Working Group

Have you attended a meeting of this Board or Committee?

No

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

NO

Interests and Qualifications.

I own multiple businesses in New Bedford, Fairhaven, and Plymouth and I have developed real estate for 20 years here on the South Coast. I sit on a number of community Boards and advisory groups including the NBEDC Regeneration Committee.

Consent

☒ I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Mark Rees Mark Rees <no-reply@jgpr.net>

Wed, Aug 5, 2026 at 10:18 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Mark Rees

Address

Email

Phone

How long have you been a Fairhaven resident?

6 years

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

Budget Working Group, Category 2 Member

Have you attended a meeting of this Board or Committee?

No

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

Fairhaven Retirement Board, approximately 10 years
Town Administrator search committee

Interests and Qualifications.

I have 40+ years of experience in municipal management, most of which has been in Massachusetts. In each of my positions, I have been responsible for the development and implementation of operating and capital budgets. As a resident of Fairhaven, I have a vested interest in ensuring the continuation of essential municipal services and would also like to assist in keeping Fairhaven the vibrant and special community that we all enjoy and appreciate. Resume provided on request.

Consent

 I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Robert Baldwin Robert Baldwin <no-reply@jgpr.net>

Wed, Aug 5, 2026 at 1:49 PM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Robert Baldwin

Address

Phone

How long have you been a Fairhaven resident?

1978

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

The economic study committee. Since 2005, I have been heavily involved in the Town of Fairhaven budget process **Have you attended a meeting of this Board or Committee?**

No

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

No

Interests and Qualifications.

I am interested in the greater good of my town and want to give back to a community that gave me so much

While I no longer serve as the Superintendent of Schools, I am active in my roles leading the Massachusetts School Administrators Association and working with State and community stakeholders throughout the Commonwealth

New submission from Volunteer Opportunities

1 message

Erin Carr Erin Carr <no-reply@jgpr.net>

Mon, Jul 20, 2026 at 7:08 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Erin Carr

Address

Mattapoisett, MA

Email

Phone

How long have you been a Fairhaven resident?

I'm currently a non-resident. I lived in Fairhaven from 1985 - 2024

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

Livable Streets Committee

Have you attended a meeting of this Board or Committee?

No

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

No

Interests and Qualifications.

As a lifelong outdoor enthusiast and an avid runner, walker, and cyclist, I have experienced Fairhaven from the perspective of a pedestrian for decades. Between 2014 and 2021, I led running groups throughout Fairhaven and neighboring communities. This roll required me to map out routes that prioritized safety and accessibility by considering which streets, sidewalks, and crossings were optimal for pedestrians and which areas should be avoided due to a lack of pedestrian infrastructure or heavy traffic.

Today, I run with a group of 5 to 10 runners and frequently bike with my family to the beach, for ice cream, and other destinations throughout town. Most recently, I volunteered as an assistant coach for Wood School's after-school running club, where we would run and walk between the school and the bike path.

These experiences have given me firsthand knowledge and a practical understanding of which streets and sidewalks could benefit from crosswalks, signage, bike lanes, and other transportation improvements that would have a positive impact on safety and accessibility for Fairhaven's residents and visitors of all ages and abilities.

I'm currently a member of the Board of Directors of the Acushnet-Fairhaven Basketball League which has given me some experience working within the context of a board/committee. I think I'd enjoy being a part of the work that Livable Streets Committee engages in and I believe I could contribute in a meaningful way.

Thank you for your consideration.

Consent ☒ I agree to the privacy policy.

New submission from Volunteer Opportunities

1 message

Keith Silvia Keith Silvia <no-reply@jgpr.net>

Tue, Jul 21, 2026 at 7:58 AM

Reply-To:

To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Full Name

Keith Silvia

Address

Email

Phone

How long have you been a Fairhaven resident?

45 years

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

Atlas Tack Working Group

Have you attended a meeting of this Board or Committee?

Yes

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

ZBA 1 year

BPW 2 years

Select Board 6 years

EDC currently

Former Liaison to the Commission on Disability, Marine Resource, Dog Park, Atlas Tack, Historical Commission, EDC, New Bedford Harbor Master Plan.

Interests and Qualifications.

I initiated the Atlas Tack Working Group as a Select Board Member and would appreciate the opportunity to serve as a member of this working group.

Consent

☒ I agree to the privacy policy.



August 10, 2026

EXECUTIVE SESSION

1. 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 (NEPD versus Town of Fairhaven);
2. Pursuant to G.L. c. 30A, § 21(a)(2) [t]o conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with nonunion personnel: Keith Hickey



August 10, 2026

ACTION / DISCUSSION

1. Town Counsel Heather White –Harrington Heep LLP Fee Agreement and Labor Proposal
2. Consideration of Retaining Petrini and Associates for Special Counsel for the Water Facility Upgrades
3. Review Legal Expenses and Protocol for Authorizing Contacting Town Counsel
4. Town Administrator Annual Performance Review
5. Consider Select Board Proposed Annual Evaluation Date Amendment to the Town Administrator's Employment Agreement
6. Establish Town Administrator Goals for FY27
7. Accept the Retirement of Marcy Christ: Fairhaven Police Department
8. Consider Draft Letter to the Environmental Protection Agency (EPA) regarding New Bedford Harbor Combined Sewer Overflow (CSO) Discharge

khickey@fairhaven-ma.gov

From: Heather C. White <hwhite@petrinilaw.com>
Sent: Tuesday, August 4, 2026 4:06 PM
To: Keith Hickey
Cc: Christopher J. Petrini; Donna Brewer; Christopher Brown
Subject: Fairhaven Town Counsel - Labor Counsel - Special Counsel
Attachments: FA Muni 2026 Fairhaven.pdf; Fairhaven Labor Counsel proposal 2026.pdf; 2026.08.04 Fairhaven Special Counsel LOE (620-34).pdf

Keith,

As we discussed, please distribute this email and the attachments to the Select Board in advance of the meeting on August 10, 2026.

Effective September 1, 2026, I will be leaving Petrini & Associates and joining the law firm of Harrington Heep based in Wellesley. I hope and am prepared to continue serving as Fairhaven Town Counsel after this transition. Additionally, Harrington Heep has 13 other excellent attorneys whose services will be available to the Town. Attached is a proposed fee agreement with Harrington Heep for the Board's consideration. We are proposing to keep a tiered fee structure similar to the one in place with Petrini & Associates. P&A currently charges \$265 per hour for the named/founding partner and \$235 for other attorneys. Harrington Heep proposes to charge \$240 per hour for all senior attorneys (partners and counsel) and \$215 per hour for associates.

Also attached is a proposal from Harrington Heep to serve as Fairhaven's Labor Counsel. The proposal highlights the benefits of having one firm serve as both Town Counsel and Labor Counsel and the expertise of Harrington Heep's attorneys in this area. The proposed fee agreement includes Labor Counsel should the Board choose to add these services, and if not we can modify it accordingly.

Last but not least, attached is a proposed Letter of Engagement for Chris Petrini to serve as Special Counsel to the Board of Public Works and staff in connection with the construction of the Water Pollution Control Facility upgrades. Vinnie Furtado would like to continue working with Attorney Petrini on this matter given his familiarity and expertise as summarized in the letter, and I welcome the opportunity to continue to work with him on it if the Board approves.

We will be in attendance at the Board's meeting to discuss these matters and look forward to answering any questions the Board may have.

Thanks,
 Heather

Heather C. White
 Petrini & Associates, P.C.
 372 Union Avenue
 Framingham, MA 01702
 508-665-4310 tel
 508-665-4313 fax
hwhite@petrinilaw.com



TOWN OF FAIRHAVEN - PROPOSAL FOR LABOR COUNSEL SERVICES

Donna M. Brewer
Christopher L. Brown
HARRINGTON HEEP, LLP

40 Grove Street, Suite 190,
Wellesley, MA 02482
Tel. (617) 489-1600
Fax. (617) 489-1630
dbrewer@harringtonheep.com
cbrown@harringtonheep.com

August 10, 2026

Keith Hickey
Town Administrator
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Re: Proposal for Labor Counsel Services

Dear Mr. Hickey,

Harrington Heep LLP is pleased to submit this proposal for Labor Counsel Services. Our firm is dedicated to the practice of law in the public interest and concentrates its professional work in municipal and related areas of law. We currently serve as Special Counsel to the cities of Haverhill and Boston, and Town Counsel to Billerica, Blackstone, Bourne, Carlisle, Dracut, Grafton, Lancaster, Littleton, Mansfield, Monterey, Needham, Norfolk, Reading, Scituate, Stockbridge, Templeton, and Wellesley. We also serve as Labor Counsel, in addition to Town Counsel, in Bourne, Dracut, Lancaster, Littleton, Monterey, Norfolk, Reading, Stockbridge, and Templeton. We also serve as special counsel to numerous other Cities and Towns (often in complex matters), and as counsel to the Berkshire Regional Planning Commission and the Dedham-Westwood Water District.

Town Counsel Heather White will be joining Harrington Heep beginning September 1, 2026, and we are pleased to propose that Fairhaven build on its existing relationship with Attorney White by gaining access to the larger team of attorneys at Harrington Heep having expertise in labor and employment law. A single firm serving as both Town Counsel and Labor Counsel can represent and advise the Town based on a comprehensive understanding of the Town's operations, organizational structure, policies, personnel, and priorities. This institutional knowledge will allow us to provide advice informed by the Town's broader legal and operational considerations rather than viewing labor matters in isolation. General municipal matters frequently intersect with labor and employment issues. By having both practices within the same firm, the Town can obtain coordinated advice more efficiently and without the need to duplicate efforts or reconcile differing recommendations or approaches. The integrated model also enables us to identify potential issues earlier and assist the Town in addressing them before they develop into disputes or litigation.

We propose designating Donna Brewer as lead Labor Counsel, and Chris Brown as backup Labor Counsel. We offer competitive rates, years of experience, personal service, diligent attention to our clients' needs, and good humor. We are confident that our firm's record of legal excellence, our deep, diverse, and experienced roster of practitioners, and our enthusiasm for partnering with local government will be an excellent match for Fairhaven.

Thank you for the opportunity to express our interest and provide this information. We look forward to discussing our interest and qualifications in more detail.

Respectfully Submitted,
Harrington Heep LLP



Donna M. Brewer



Christopher L. Brown

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BACKGROUND

Harrington Heep was founded in 1988 as Pickett and Miyares LLP, and, more recently, known as Miyares and Harrington LLP. In 2023, the firm adopted the new name of Harrington Heep LLP, after the retirement of esteemed municipal law attorney J. Raymond Miyares.

While the name of our firm has evolved over the years, its core focus has remained unchanged throughout its 38-year existence: serving the legal needs of municipal clients. Every attorney and staff member at our firm works here because we believe in local government. For that reason, our work has remained constant over the last three decades, and our focus has remained the same.

Harrington Heep LLP is a full-service municipal law firm with sufficient size, expertise, and experience to provide superior legal advice to Fairhaven on labor issues and areas it typically confronts. The firm consists of 13 (soon to be 14) attorneys, all focused on practicing municipal law and assisting communities and other public entities. An organizational chart of our firm is attached as **Exhibit 1**.

RÉSUMÉS

Donna Brewer is proposed as Lead Labor Counsel, and Chris Brown is proposed as Backup Labor Counsel. Donna will be your primary point of contact, but under our proposed arrangement, Donna and Chris will collaboratively be responsible for all labor matters, providing a depth of legal experience enhanced by each attorney's complementary skills in different specific subject matters. Both attorneys will coordinate with Town Counsel Heather White and will also be in regular contact with Town officials. Of course, all our attorneys are available to Fairhaven, and we will staff your matters with those best suited to each issue.

We have attached, as **Exhibit 2**, the résumés of Donna Brewer and Chris Brown, as the attorneys designated to serve as primary Labor Counsel for Fairhaven. However, all our attorneys will be available to provide legal services within their areas of experience. In addition, for your convenience, we provide brief backgrounds for each attorney designated as part of the core team providing Labor services to Fairhaven below.

Donna M. Brewer, BBO#: 545254 (Proposed Lead Labor Counsel)

Donna has been practicing for over 40 years, first as a civil litigator, and for the past 28 years in municipal law. She is the head of the firm's litigation and employment practice groups. Donna got her start in the municipal field by serving as a volunteer appointed member of her town's Historic District Commission and later as its chairman before being appointed as Town Counsel. She currently serves as Town Counsel to Stockbridge and Monterey (including both towns' labor work), and as Special Counsel to Boston, as well as

providing general and labor/employment counsel services to other municipalities served by the firm. In addition to her years of Town Counsel and Labor Counsel representation, Donna has decades of experience in private and public-sector litigation on such disparate topics as zoning and land use, insurance coverage disputes, contracts and procurement, and election law. She is an experienced litigator at all levels of regional federal and state courts and alternative dispute resolution forums.

Donna has conducted investigations of employment disputes by town employees both for towns represented by the firm and as special counsel to municipalities represented by others, provided training on how to conduct an investigation, and negotiated resolutions to union grievances. Donna has provided advice to the firm's clients regarding civil service, issues arising from voluntary and involuntary retirement, defended towns in opposing unemployment in hearings before the Division of Unemployment Assistance, and represented towns in grievance hearings. She has drafted position statements in matters before the Massachusetts Commission Against Discrimination to defend towns against claims for discrimination in employment. Donna's 28 years as a lead Town Counsel provide the firm's clients with depth of knowledge in the full range of matters of particular concern to municipal government, including ethics, labor, conflict of interest, land use, zoning, planning, environmental, and procurement.

Donna was selected as a Massachusetts Super Lawyer® for three years' running in the area of litigation and is currently a multi-year honoree as a Massachusetts Super Lawyer® in the field of state, local, and municipal law. Donna is named in the Martindale-Hubbell® Bar Register of Preeminent Women Lawyers™ for achieving the highest possible rating in both legal ability and ethical standards (AV® Preeminent™).

Prior to joining Harrington Heep LLP, Donna was a partner in the Boston law firm of Casner & Edwards, LLP, and an associate with the New York law firm of Hughes Hubbard & Reed. She received her A.B. degree *cum laude* from Middlebury College and her J.D. from New York University School of Law. She is a co-author of Ch. 25, "Municipal Code Enforcement" in MCLE's *Massachusetts Municipal Law* (3rd edition 2024). Donna co-drafted the comments of the Massachusetts Municipal Lawyers Association regarding the Compliance Guidelines for the MBTA Communities Act and was a co-presenter at a Webinar on the Act to over 200 municipal officials on the Guidelines. She is the current co-chair of REBA's Land Use and Zoning section.

**Christopher L. Brown, BBO#: 663176
(Proposed Backup Labor Counsel)**

Chris Brown joined the firm in 2022 and brings nearly two decades of experience to our team. He currently serves as Town Counsel for Blackstone, Dracut, Grafton and Mansfield, as Labor Counsel for Bourne, Dracut, Lancaster, Littleton, and Norfolk, and in his prior practice served as Town Counsel or as a supporting counsel for several other municipalities. Chris is well experienced in general municipal law topics, with a particular expertise in the areas of labor/employment and procurement law, including advising Massachusetts municipalities regarding contract procurement and disputes under G.L. c. 30B, §§39M and 149 (including contracts with state and federal grant requirements). His general municipal law experience includes issues arising under the Public Records Law, the Open Meeting Law and the Conflict of Interest Law. He has drafted and negotiated hundreds of contracts during

his career, some with significant levels of complexity, and regularly assists our clients in developing and refining contract and procurement templates to streamline municipal procurement operations. He is regularly consulted by other attorneys on insurance, indemnification and public procurement issues, and has presented on these topics on many occasions to the municipal bar over the course of his career.

Chris has served as both a lead and backup Town Counsel in multiple towns with open and representative town meeting forms of government, with varied executive structures, including charter and non-charter town governments. He has drafted warrant articles and motions and special legislation for a variety of issues. In Framingham Chris worked closely with the Charter Commission in the development of a home rule charter by which Framingham became a city in 2018, and then with several committees and the City Council on the transition of Town bylaws to City ordinances. He has assisted many of his municipal clients in addressing Open Meeting Law compliance and complaints, public records appeals and conflict of interest issues and has provided training on these topics to the boards and officials in communities he has represented on many occasions. Chris has taken the same MCPPO certification courses offered to municipal procurement officials through the Inspector General's Office, and using his public procurement expertise, in addition to helping clients solve day-to-day contracting issues he developed and refined contract forms for Framingham and his other regular municipal clients and as special counsel has provided comprehensive contract reviews and updates for several other communities.

What sets Chris apart from other general municipal law practitioners and litigators is his expertise in labor and employment law as well. Chris served as lead negotiator with the City of Framingham's public safety unions for over a decade in addition to labor work for his other municipal clients, developing expertise in defending grievance and interest arbitrations (including multiple arbitrations before the Joint-Labor Management Committee). In his current role with Harrington Heep, Chris most recently has led or participated in collective bargaining with a variety of public safety and school bargaining units. He also has defended employers and appointing authorities in multiple matters at the Department of Labor Relations, Massachusetts Commission Against Discrimination, and the Civil Service Commission. He has conducted workplace investigations, holding a certificate from the Association of Workplace Investigators, and has served as a hearing officer for disciplinary hearings.

His experience also includes advising both public and private employers with regard to a wide array of employment issues, including review and development of personnel policies, employment agreements for town managers, police and fire chiefs, termination and severance agreements, performing investigations of personnel misconduct, advising employers regarding personnel records management, ADA and FMLA compliance, FLSA classification of exempt and non-exempt employees, Massachusetts Wage Act issues, USERRA compliance with regard to the hiring and reemployment of military service members and veterans, public employee involuntary retirement and pension forfeiture issues, and injured-on-duty leave and workers' compensation issues.

A graduate of the Illinois Institute of Technology and the Northeastern University School of Law, Chris is President of the Massachusetts Municipal Lawyers Association and is admitted to practice in all state and federal courts in Massachusetts. He is also a proud military veteran, serving as a field artillery officer in the U.S. Army, where he deployed to Germany and Kosovo while on active duty. Chris was the past Chair of the Board of

Directors for Leadership MetroWest, and also served as an appointed member of the Framingham Charter Review Committee in 2023-24.

SPECIALIZED AREAS OF EXPERIENCE

We have much to offer Fairhaven in the fields of labor and employment law and other municipal matters.

Collective Bargaining, Labor, Employment, and Benefits. We have extensive experience assisting municipalities with human resource administration, development of employee policies and handbooks, employee benefits contracting and administration, disciplinary matters, sexual harassment and discrimination investigations, and other related employment matters. Our staff includes attorneys with experience in collective bargaining, Joint Labor Management Committee mediation, grievance hearings, and arbitration of contract disputes. Donna Brewer and Chris Brown have represented municipalities in hearings before the Massachusetts Commission Against Discrimination, the Department of Labor Relations, the Civil Service Commission, the Division of Unemployment Assistance, and regional or local retirement boards, negotiated collective bargaining agreements, and conducted investigations into charges of discrimination, harassment, and bullying.

One factor that separates Harrington Heep from other firms that provide labor counsel services is our extensive experience with all aspects of municipal law. We appreciate the impact that labor and employment decisions can have in the context of broader municipal concerns. We briefly summarize some of the more common areas below:

General Municipal Law. Open Meeting Law, Ethics, Public Records Act, Town Meeting, these are the bread and butter of municipal practice. All the lawyers at Harrington Heep are highly experienced in these topics.

Land Use, Zoning, and Real Estate. Our land use lawyers protect Town boards and Town interests from beginning to end. We advise boards and commissions through all steps of the decision-making process and defend decisions in court.

State Procurement Laws. We draft, review, and defend town contracts and procurement documents and represent towns in bid protests. Our lawyers have completed the three Massachusetts Certified Public Procurement Official (MCCPO) courses offered by the Massachusetts Inspector General's Office and various advanced course offerings by the same office.

Environmental. Harrington Heep LLP has represented municipal clients in a wide range of natural resource conservation and environmental protection matters arising under federal, state and local laws and regulations pertaining to water quality and management issues, air emissions, odor control, toxic and hazardous materials, noise abatement and control, traffic mitigation, public nuisances, noisome trades and site assignments, and environmental impact analysis, including compliance advice, regulatory drafting, strategic planning, site selection review, permitting assistance, enforcement, administrative appeals, and litigation.

APPROACH FOR PROVIDING LEGAL SERVICES

We respond to any inquiry promptly and within 24 hours of receiving the email. In all cases, we will respond as necessary and as circumstances dictate, including faster if needed. We typically expect to provide legal opinions within one week, but we will do so more promptly if the situation requires it.

As Lead Labor Counsel, Donna Brewer will commit to that availability, except during preplanned absences, which will be communicated in advance, and for which Chris Brown will fill the role. The Town is encouraged to call, text, or email Donna at any time if a response or other action is needed on an emergency basis. Put simply, our job is to provide legal services to Fairhaven in the time that the Town and circumstances require. We recognize that, in municipal government, last-minute requests are routine and not unexpected. We encourage our municipal clients to contact us at any time, including at home, to make necessary requests, and we have structured our team to answer last-minute requests when needed.

Notwithstanding Donna's role as "Lead Labor Counsel," we propose, and highly encourage, that any request for legal services by email be directed to both Donna and Chris, and that Town officials not hesitate to call either Donna or Chris (or both if one proves unavailable in the short-term), irrespective of "Lead" and "Back-up" designations. Additionally, for many matters, other firm attorneys will be involved with either Donna or Chris and will therefore also be available to support Fairhaven in any labor and/or employment-related matters.

Donna and the team are dedicated to ensuring that every matter submitted to our office is responded to promptly and thoroughly. Donna may assign a particular question or matter to another attorney, but she will supervise the work and continue to be included in all communications related to the matter. This team approach allows us to provide you with excellent service, giving you the reassurance that all matters are handled quickly and by an attorney with a focus or a background dealing with the issue at hand.

Our team's collaborative approach ensures that issues and matters are not viewed in isolation. Donna and Chris, as well as other firm attorneys, will ensure that Fairhaven's unique profile is considered and analyzed when approaching any labor question. This collaborative effort guarantees a comprehensive and well-rounded approach to addressing legal matters for the Town of Fairhaven.

At any time, the Town may request changes to the principal staffing assignments. We are here to support you and are flexible in accommodating your needs.

We provide regular updates on regulations, legislation, and court decisions affecting municipalities at no expense to the Town. Our firm subscribes to numerous legal update services, ensuring we stay informed about new developments in the law. We publish a monthly newsletter, prior versions of which can be found on our blog at: <https://www.harringtonheep.com/blog>. We have attached recent examples of our newsletter to this proposal as **Exhibit 3**. We also have an active LinkedIn page where we post information.

In addition, and perhaps most critically, when we believe that a new court ruling, statute, regulation, or other legal development is of particular relevance to one or more of our municipal clients, we provide this information to the relevant boards or officials, either by memorandum or email, so that they will have ready access to the most current developments in the law relevant to their concerns and activities. The Town Administrator will always be copied on these Client Alerts.

Upon request, we present training programs to our municipal clients on issues such as conflict of interest, ethics, freedom of information, open meeting law, and harassment. Additionally, we would be pleased to provide a yearly training session to the Town on a topic of your choice at no charge.

We devote a substantial portion of our practice to preventive maintenance and believe that proper training of Town staff and officials can help prevent problems before they emerge. As noted above, we also issue written advisories to our municipal clients to address important new developments in case law and statutory amendments. We also encourage them to participate in relevant associations that support various aspects of their municipal work. When we identify an unrecognized problem within a municipality, we inform the Town staff of the issue and, with the concurrence of the applicable officials, take the necessary steps to address it.

MASSACHUSETTS MUNICIPAL REFERENCES

TOWN COUNSEL			
Client Name & Address	Contact Name & Title	Dates of Appointment/ Service	Telephone & Email
Town of Billerica 356 Boston Road Billerica, MA 01821	Christopher Dillon, Town Manager	Town Counsel (Lead: Ivria Fried) 2025 to present	(978) 671-0943 cdillon@billerica.gov
Town of Blackstone 15 St. Paul Street Blackstone, MA 01504	Lauren Taylor, Interim Town Administrator	Town Counsel (Lead: Chris Brown) 2021 to present	(508) 883-1500 ltaylor@townofblackstone.org
Town of Bourne 24 Perry Avenue Buzzards Bay, MA 02532	Marlene McCollem, Town Administrator	Town Counsel (Lead: Bryan Bertram) 2021 to present Labor Counsel (Lead: Chris Brown) 2022 to present	(508) 759-0600 mmccollem@townofbourne.co m

Town of Carlisle 66 Westford Street Carlisle, MA 01741	Ryan McLane, Town Administrator	Town Counsel (Lead: Tom Harrington) 2013 to present	(978) 371-6688 rmclane@carlislema.gov
Town of Dracut 62 Arlington Street Dracut, MA 01826	Kate Hodges, Town Manager	Labor Counsel (Lead: Donna Brewer) 2020 to 2023 Town Counsel/ Labor Counsel (Lead: Chris Brown) 2025 to Present	(978) 452-1227 khodges@dracutma.gov
Town of Grafton 30 Providence Road Grafton, MA 01519	Evan Brassard, Town Administrator	Town Counsel (Lead: Chris Brown) 2023 to present Special Counsel (Lead: Chris Brown) 2020-2021	(508) 839-5335 brassarde@grafton-ma.gov
Town of Hopkinton 18 Main Street Hopkinton, MA 01748	Elaine Lazarus, Town Manager	Town Counsel (Lead: Bryan Bertram) 2021 to 2025 (Lead: Ray Miyares) 2007 to 2021	(508) 497-9700 elainel@hopkintonma.gov
Town of Lancaster 701 Main Street Lancaster, MA 01523	John Woodsmall, Town Administrator	Town Counsel (Lead: Ivria Fried) 2022 to present Labor Counsel (Lead: Chris Brown) 2022 to present	(978) 365-3326 jwoodsmall@lancasterma.gov
Town of Littleton 37 Shattuck Street Littleton, MA 01460	James Duggan, Town Administrator	Town Counsel (Lead: Tom Harrington) 2001 to present Labor Counsel (Lead: Chris Brown) 2024 to present	(978) 540-2461 jduggan@littletonma.org

Town of Monterey 435 Main Road P.O. Box 308 Monterey, MA 01245	Roger MacDonald, Town Administrator	Town and Labor Counsel (Lead: Donna Brewer) 2022 to present	(413) 528-1443 (ext. 111) admin@montereyma.gov
Town of Mansfield 6 Park Row Mansfield, MA 02048	Mallory Aronstein, Town Manager	Town Counsel (Lead: Chris Brown) 2025 to Present	(508) 261-7370 mallory@mansfieldma.com
Town of Needham 1471 Highland Ave. Needham, MA 02492 (781) 455-7500	Katie King, Town Manager	Town Counsel 2020 to present (Lead: Chris Heep) Special Land Use Counsel 2012 to 2020 (Lead: Chris Heep)	(781) 455-7500 kking@needhamma.gov
Town of Norfolk One Liberty Lane Norfolk, MA 02056	Anita Mecklenburg, Chair, Select Board	Town Counsel (Lead: Tom Harrington) 2021 to present Labor Counsel (Lead: Chris Brown) 2023 to 2025 (Lead: Donna Brewer) 2026-present	508-440-2855 amecklenburg@norfolkmass.g ov
Town of Reading 16 Lowell Street Reading, MA 01867	Jayne Wellman, Acting Town Manager	Town Counsel (Lead: Ivria Fried) 2020 to present (Lead: Ray Miyares) 2014 to 2020 Labor Counsel (Lead: Donna Brewer) 2022 to present	(781) 942-9043 jwellman@ci.reading.ma.us
Town of Stockbridge 50 Main Street Stockbridge, MA 01262	Michael Canales, Town Administrator	Town and Labor Counsel (Lead: Donna Brewer) 2020 to present (Lead: Ray Miyares) 1996 to 2020	(413) 298-4170 townadministrator@stockbridg e-ma.gov

Town of Scituate 600 Chief Justice Cushing Highway, Scituate, MA 02066	James Boudreau, Town Administrator	Town Counsel (Lead: Bryan Bertram) 2023 to present	(781) 545-8700 jboudreau@scituatema.gov
Town of Templeton 160 Patriots Road East Templeton, MA 01438	James Ryan, Town Administrator	Town Counsel (Lead: Tom Harrington) 2018 to present Labor Counsel (Lead: Chris Brown) 2025 to present	(978) 894-2755 jryan@templetonma.gov
Town of Wellesley 525 Washington Street, 3rd Floor Wellesley, MA 02482	Meghan Jop, Executive Director	Town Counsel (Lead: Tom Harrington) 2014 to present	(781) 431-1019, ext. 2201 mjop@wellesleyma.gov

SPECIAL COUNSEL			
Client Name & Address	Contact Name & Title	Dates of Appointment/ Service	Telephone & Email
Town of Barnstable 367 Main Street Hyannis, MA 02601	Mark S. Ells, Town Manager	Special Counsel (Lead: Chris Brown) 2022 to present	(508) 862-4610 mark.ells@town.barnstable.ma.us
City of Boston Law Department 1 City Hall Square Room 615 Boston, MA 02201	Jason Lederman, First Assistant Corporation Counsel	Special Counsel (Lead: Donna Brewer) 2025 to present	(617) 635-4022 Jason.Lederman@boston.gov
Town of Burlington 29 Center Street Burlington, MA 01803	James Tigges, Selectman	Special Counsel (Donna Brewer) 2019 to 2023	(781) 270-1600 jtigges@burlington.org
Chelmsford Water District 20 Watershed Lane Chelmsford, MA 01824	Lisa Quatrale, Business Director, Treasurer	Special Counsel (Lead: Donna Brewer) 2021-2025	(978) 256-2381 lisa@chelmsfordwater.com

Town of Concord 22 Monument Square Concord, MA 01742	Ryan Ferrara, Assistant Chief Financial Officer	Special Counsel (Lead: Tom Harrington) 2026 to present	(978) 318-3090 rferrara@concordma.gov
Town of Falmouth 157 Locust Street Falmouth, MA 02540	Maura O'Keefe, Town Counsel	Special Counsel (Lead: Chris Brown) 2022 to present	(508) 548-8800 maura.okeefe@falmouthma.gov
City of Fitchburg 718 Main Street Fitchburg, MA 01420	Mary Delaney, Chief Procurement Officer	Special Counsel (Lead: Chris Brown) 2021-2023	(978) 829-1850 mdelaney@fitchburgma.gov
Town of Groveland 183 Main Street Groveland, MA 01834	Rebecca Oldham, Town Administrator	Special Counsel (Lead: Donna Brewer) 2023 to present	(978) 556-7204 rldham@grovelandma.com
City of Haverhill 4 Summer Street Haverhill, MA 01830	Christine Lindberg, Chief of Staff	Special Counsel (Lead: Donna Brewer) 2025 to present	(978) 420-3613 clindberg@haverhillma.gov
Town of Holden 1196 Main Street Holden, MA 01520	John Woodsmall, former Director, Dept. of Public Works (currently Town Administrator for Lancaster)	Special Counsel (Lead: Chris Brown) 2022 to 2024	(978) 365-3326 ext. 1016 jwoodsmall@lancasterma.gov
Town of Palmer 4417 Main Street Palmer, MA 01069	Michael Marciniac, Planning Board Chair	Land Use Permitting Advice and Litigation (Lead: Chris Heep) 2015 to 2024	(413) 283-2600 Ext. 2605 mmarciniac@aol.com
Town of Somerset	Mark Ullucci, Town Administrator	Special Counsel (Lead: Ivria Fried) 2025 to present	(508) 646-2800 mullucci@town.somerset.ma.us
City of Westfield 59 Court Street Westfield, MA 01085	Shanna Reed, City Solicitor	Special Counsel (Lead: Chris Brown) 2022 to present	(413) 572-6260 s.reed@cityofwestfield.org

Town of West Newbury 381 Main Street West Newbury, MA 01985	Angus Jennings, Town Manager	Special Counsel (Lead: Ivria Fried) 2023 to present	(978) 363-1100 Ext. 111 townmanager@wnewbury.org
Town of Weymouth Legal Department 75 Middle Street Weymouth, MA 02189	Richard M. McLeod, Town Solicitor	Litigation and Environmental Counsel (Lead: Chris Heep) 2022 to present (Lead: Ray Miyares) 1988 to 2022	(781) 682-3503 rmcleod@weymouth.ma.us
Wellesley Municipal Light Department 4 Municipal Way Wellesley, MA 02481	Christopher Chan, Assistant Director	Counsel (Leads: Jennie Merrill and Tom Harrington) 2014 to present	(781) 235-7600 X3388 chan@wellesleyma.gov

PROPOSAL OF FEE STRUCTURE AND COSTS

We propose the following hourly billing rates for labor matters with annual increases of \$10 per hour:

Partner/Counsel Rates:	\$240 per hour
Associate Rate:	\$215 per hour
Paralegals and Law Clerks:	\$150 per hour

All out-of-pocket expenses and disbursements will be billed at cost. There is no charge for routine copying, scanning, or online legal research. Out-of-the-ordinary copying projects or fees will be subject to approval by the Town. Mileage charges are incurred at the then-current IRS rate. Hourly billings would be recorded in tenths of an hour and billed monthly. We bill attorney time that must be conducted out of the office at our regular rates when the attorney performs legal work. Travel time is calculated on a portal-to-portal, or the Firm's Wellesley Office-to-portal basis, whichever is less, and will be billed at a reduced rate of \$180.00 per hour for attorneys and \$35.00 per hour for law clerks and paralegals.

COST CONTAINMENT

Irrespective of whether we bill hourly, under a retainer, or through a hybrid of both models, we believe strongly that the foundation of cost-effective legal services is communication and planning. Legal fees can (and often do) vary based on the complexity of an issue and the timing under which it must be resolved. But while they may vary, legal fees should not be a surprise. We are committed to regular review of open matters with the appropriate Town officials, to ensure a complete understanding of all pending matters and proper planning for all matters reasonably anticipated.

We believe strongly that the foundation of cost-effective legal services is communication and planning. We are committed to regularly reviewing open matters with the appropriate Town officials to ensure a complete understanding of all pending matters and proper planning for all matters anticipated in the future. We provide itemized monthly invoices detailing all the work performed for the Town and the time spent on each matter, allowing for tracking and accountability for all our costs. In addition, we believe that regular communication is the key to remaining within the legal budget and keeping costs reasonable; if a particular task or matter that has been assigned to us begins to require more time than may have been initially anticipated, we will alert the Town immediately to ensure that there are no surprises or large unanticipated legal costs.



Harrington Heep LLP ORGANIZATIONAL CHART



Donna M. Brewer

PARTNER

(617) 804-2423
dbrewer@harringtonheep.com



MEMBER OF THE BAR

Massachusetts
United States District Court
for Massachusetts
United States Southern and Eastern
Districts of New York
United States Southern District of Texas
United States Court of Appeals,
First Circuit
United States Court of Appeals,
DC Circuit
Supreme Court of the United States

Our partner, Ms. Brewer is experienced in the broad range of matters of particular concern to towns and regional school districts, including budget disputes, labor, citizens' petitions, Proposition 2 1/2, local board practice and procedure, Open Meeting Law, Public Records Act, intermunicipal agreements, public works and construction projects, elections, and zoning and non-zoning land use matters. She has advised municipalities and lectured on local regulation of Small Wireless Facilities in light of FCC Rulings.

In addition to her background in litigation, Ms. Brewer has substantial litigation experience in such varied fields as zoning and land use, 5G, real estate, business contracts, civil rights, consumer protection, professional malpractice, products liability, guardianship and conservatorship, employment, surety and insurance coverage disputes on behalf of individuals, corporations, partnerships, non-profit organizations and municipal clients. She has experience in all levels of regional federal and state courts and alternative dispute resolution forums.

Ms. Brewer is a member of the Massachusetts Municipal Lawyers Association. She is a board member of the Lawyers for Civil Rights.

Ms. Brewer is rated AV in Martindale-Hubbell®, assessed by her peers as holding the highest ethical standards and professional ability. She received her A.B. degree, cum laude, from Middlebury College and her J.D. from New York University School of Law.

ACADEMIC BACKGROUND

Juris Doctor New York University
School of Law
Bachelor of Arts Middlebury College
(cum laude)

PROFESSIONAL EXPERIENCE

Partner
Harrington Heep, LLP 2014-present
(formerly Miyares and Harrington, LLP)
Partner 2001-2014
Associate 1984-2000
Casner & Edwards LLP
Associate 1982-1984
Hughes Hubbard & Reed
New York, NY

COMMUNITY SERVICE

Board Member 2011-present
Lawyers for Civil Rights
Contributor
Massachusetts Municipal Lawyers
Association
Co-Author
"Municipal Code Enforcement,"
Massachusetts Municipal Law, Ch. 24
(MCLE 2024)
Lecturer
MCLE
Municipal Law Issues

Dive Volunteer 2017-present
New England Aquarium

HONORS

AV® Martindale-Hubbell®
Massachusetts Super Lawyers®
2011 Bar Register of Preeminent Women
Lawyers™ Inaugural Edition

Christopher L. Brown

PARTNER

(617) 804-2420

cbrown@harringtonheep.com



MEMBER OF THE BAR

Massachusetts
United States District Court
for Massachusetts
United States Court of Appeals,
First Circuit

Chris joined the firm in 2022 and brings over two decades of legal experience to our team, focusing his practice on labor and employment, contract procurement, public construction, and general municipal law issues.

In his general municipal role, Chris currently serves as primary Town Counsel for Blackstone, Dracut, Grafton, and Mansfield, and advises our clients on public records, Open Meeting Law, ethics, and other local issues. In his general practice he has handled eminent domain, betterment, insurance coverage and other miscellaneous litigation matters on behalf of municipalities and districts.

As a seasoned labor and employment attorney, Chris serves as Labor Counsel for several of our towns and has represented public employers in a wide variety of agency matters including proceedings before DLR, the JLMC, the Civil Service Commission and MCAD. He has over a decade of experience in collective bargaining, including health insurance coalition bargaining under G.L. c. 32B. His experience also includes advising employers regarding various employment issues, including personnel policies, employment and severance agreements, discipline, records management, and compliance with state and federal law. Chris also has been tasked to perform workplace investigations of alleged misconduct by public officials and holds a certificate from the Association of Workplace Investigators.

Outside of labor and employment, his litigation experience includes various construction disputes, including bid protests, defective design and installation, extra work claims, environmental issues and jobsite injuries. Chris frequently advises local governments on procurement issues and has drafted and negotiated hundreds of public contracts on their behalf. He is regularly consulted by other municipal attorneys on public construction matters, especially including bond, insurance and indemnification issues, and has presented on these and other municipal-related topics to MMLA, MCLE, the Massachusetts Bar Association, and the International Municipal Lawyers Association.

A graduate of the Illinois Institute of Technology and the Northeastern University School of Law, Chris is admitted to practice in all state and federal courts in Massachusetts. He currently serves as Vice President of the Massachusetts Municipal Lawyers Association, and has served on several local non-profit boards and the Charter Review Committee in Framingham, where he lives with his wife and two children. Chris is a proud veteran of the U.S. Army, having served as a field artillery officer in the 1st Armored Division before attending law school.

ACADEMIC BACKGROUND

Juris Doctor Northeastern University

**Bachelor of Arts
History
and Political Science** Illinois Institute of
Technology

PROFESSIONAL EXPERIENCE

Partner 2022-present
Harrington Heep, LLP

Principal 2017-2022
Associate 2010-2016
Petrini & Associates, P.C.

Attorney 2005-2010
McDonough, Hacking & Lavoie, LLC

Captain, Field Artillery 1998-2002
United States Army

COMMUNITY SERVICE

**Framingham Charter Review
Committee** 2023-2024

Vice President 2025-present
Executive Board Member 2020-2025
Massachusetts Municipal
Lawyers Association

Board of Directors 2019-2025
Leadership MetroWest

Board of Directors 2015-2018
Amazing Things Art Center
Framingham, MA

HONORS AND AWARDS

**MMLA Robert W. Ritchie
Special Achievement Award** 2025

**International Municipal
Lawyers Association -
Amicus Service Award** 2016

**New England SuperLawyers®
Super Lawyer
Rising Star** 2017-present
2009-2015



**Harrington
Heep**

JUNE 2026



The year is getting away from us, we are already at the end of June! Congratulations to **Christopher Brown** for his election as President of the Massachusetts Municipal Lawyers Association for FY 2027. There have been many interesting developments in municipal law, so let's get to it.

- Town Does Not Lose Right of First Refusal When Purchaser of c. 61A Agricultural Land Changes its Mind

- And Another Case Involving c. 61A Agricultural Land, but Abutters Have No Standing to Challenge Sale to Third Party

- General Contractor's Surety Must Pay Out for Fringe Benefits to Subcontractors' Workers

- Rapid Fire Update - Guidance on the Energy Revolving Loan Fund

- Trivia



**READ FULL ARTICLES
ON OUR BLOG**



Town Does Not Lose Right of First Refusal When Purchaser of c. 61A Agricultural Land Changes its Mind

Notice of sale of c. 61A land for non-agricultural purposes is irrevocable.



And Another Case Involving c. 61A Agricultural Land, but Abutters Have No Standing to Challenge Sale to Third Party

Abutters' property interests are not among the zone of interests protected by G.L. c. 61A.



General Contractor's Surety Must Pay Out for Fringe Benefits to Subcontractors' Workers

A third-party beneficiary has a contractual relationship sufficient to seek payment from the surety.

Rapid Fire Update:

Guidance on the Energy Revolving Loan Fund

The Division of Local Services has issued a new Informational Guidelines Release (IGR) 2026-10 regarding G.L. c. 44, § 53E3/4, which allows municipalities to borrow funds to provide loans to private landowners for energy conservation and renewable energy projects on their property. This may be a helpful tool to municipalities whose citizens are interested in lowering the carbon footprint but who may need financial assistance.



Trivia!

Question: What are the consequences if one fails to complete playing or singing the Star-Spangled Banner?

Last issue's trivia question: This Nineteenth century femail author from Dorchester outsold all male authors from that period, including Melville and Hawthorne, and all authors other than Harriet Beecher Stowe. Who was she?

Answer: Maria Susanna Cummins wrote The Lamplighter, a story about a female orphan rescued by a kind lamplighter, addressing issues of 19th century feminism and morality. It sold over 40,000 copies in eight weeks and was translated into French and German. Nathaniel Hawthorne, undoubtedly peeved that she far outsold his works, complained, "America is now wholly given over to a d___d mob of scribbling women."

Sadly, Ms. Cummins died at age 39.

Winner: No winners this month either. For those who are interested in reading this blockbuster, it can be downloaded for free in many formats.



www.harringtonheep.com



June and July saw many important developments in the field of municipal land use and zoning. Some raise critical questions of interpretation, so we'll be sure to keep you up to date as regulations and case law provide answers. For those not so interested in land use and zoning, we include an interesting Public Education Letter from the State Ethics Commission interpreting the application of the financial interest shared with a substantial segment of the population under G.L. c. 268A, § 19.

**- The Supreme Court Answers Some Questions Left Open
by *Tyler v. Hennepin County***

**- Permits for Solar Energy Facilities are to be Judged on
Site-Specific Factors**

**- Important Amendments to the Zoning Act, G.L. c. 40A,
are Enacted as Emergency Legislation**

**- How to Determine Whether a Substantial Segment of
the Population Shares Financial Interest with a Public
Official Under G.L. c. 268A, § 19**

- Trivia



**READ FULL ARTICLES
ON OUR BLOG**



**The Supreme Court Answers Some
Questions Left Open by *Tyler v.
Hennepin County***

Surplus equity after foreclosure sale is based on the sale price, not assessed value or fair market value.



**Permits for Solar Energy Facilities are to
be Judged on Site-Specific Factors**

Generalized concerns about the effect on the neighborhood are not sufficient to deny a solar energy facility.



Important Amendments to the Zoning Act, G.L. c. 40A, are Enacted as Emergency Legislation

By-right changes are expanded and variance standard is loosened.



How to Determine Whether a Substantial Segment of the Population Shares a Financial Interest with a Public Official Under G.L. c. 268A, § 19

Ten percent of the population must share a substantially similar financial interest for a public official to participate in a matter in which he has a financial interest.

Trivia!

Question: What Berkshire County municipality is named after a battle in the Mexican-American War?

Last issue's trivia question: What are the consequences if one fails to complete playing or singing the Star-Spangled Banner?

Answer: Per G.L. c. 264, § 9:

Whoever plays, sings or renders the "Star Spangled Banner" in any public place, theatre, motion picture hall, restaurant or café, or at any public entertainment, other than as a whole and separate composition or number, without embellishment or addition in the way of national or other melodies, or whoever plays, sings or renders the "Star Spangled Banner", or any part thereof, as dance music, as an exit march or as part of a medley of any kind, shall be punished by a fine of not more than one hundred dollars.

Jimi Hendrix's version runs afoul of this law, which is almost certainly unconstitutional.

Winner: We are awarding kudos this month to **Jim Boudreau**, Scituate Town Administrator, who stated that there are no consequences. He is likely correct.

Your musically-challenged editor would support a less challenging national anthem to sing.



www.harringtonheep.com

FEE AGREEMENT

The Town of Fairhaven, having an address of 40 Center Street, Fairhaven, MA, the "Client," hereby agrees to retain Harrington Heep LLP to serve as Town Counsel and Labor Counsel.

1. Harrington Heep LLP agrees to provide legal services in connection with the above matter and to keep the Client fully informed of all significant developments, and to send copies of relevant documents necessary to achieve that purpose. The payment received shall be applied against both the bills for the legal services performed for the Client and the costs and disbursements as described below.

2. Time charges for the services will be billed at the following hourly rates with annual increases of \$10 per hour:

(a) Partner/Counsel rates	\$240.00 per hour.
(b) Associate rate	\$215.00 per hour.
(b) Paralegals and Law Clerks' rates	\$150.00 per hour.
(c) Travel rates	\$180.00 per hour.

3. Interim billing may be made approximately monthly. All interim bills are due and payable upon receipt. Failure to pay interim bills promptly will permit Harrington Heep LLP, after notice to the Client, to terminate representation of the Client as permitted by applicable rules and law.

4. The time charges include but are not limited to court and administrative appearances, including waiting time, travel to and from court or agency, telephone conferences, telephone calls to and from the Client (all telephone calls are billed at a minimum of 1/10th of an hour), office conferences, legal research, depositions, review of file materials and documents sent or received, drafting of pleadings, correspondence and memoranda, and preparation for trials, hearings and conferences.

5. The Client agrees to pay for costs incurred and out-of-pocket disbursements made by Harrington Heep LLP, including, but not limited to, filing fees, witness fees, travel, sheriff's and constable's fees, expenses of depositions, investigative expenses, expert witness fees, charges for photocopies and telephone, and other incidental expenses. Harrington Heep LLP agrees to obtain the Client's approval before incurring

any single cost or disbursement in excess of \$500.00 and incurring total costs in excess of \$1,000.00.

6. Harrington Heep LLP and Client state that no results have been guaranteed by Harrington Heep LLP to the Client and that this agreement is not based upon any such promises or anticipated results.

7. The parties understand that in some cases a court may award legal fees to one party and order the other party to pay the amount awarded. Any award of legal fees is solely in the discretion of the court and cannot be relied upon with certainty. In other cases, a settlement agreement may provide that one of the parties will contribute to the other party's legal expenses, but such contribution is solely one of agreement and likewise cannot be relied upon. Client understands that it is very difficult to predict whether either of the above situations will occur. In any case, the Client is responsible to pay the bills of Harrington Heep LLP directly.

The Client and Harrington Heep LLP, have read this Fee Agreement and agree to its terms and have signed it as our free act and deed on this ____ day of _____, 2026.

Keith Hickey, Town Administrator
Duly authorized

Donna M. Brewer
Harrington Heep LLP



372 Union Avenue | Framingham, MA 01702
 (Tel) 508-665-4310 | (Fax) 508-665-4313
www.petrinilaw.com

August 4, 2026

BY ELECTRONIC TRANSMISSION ONLY

(aromano@fairhaven-ma.gov)

Andrew Romano, Esq.
 Select Board Chair
 Town of Fairhaven
 40 Center Street
 Fairhaven, MA 02719

(khickey@fairhaven-ma.gov)

Keith R. Hickey
 Town Administrator
 Town of Fairhaven
 40 Center Street
 Fairhaven, MA 02719

Re: **PETRINI & ASSOCIATES, P.C.**
FAIRHAVEN SPECIAL COUNSEL SERVICES
WPCF CLAIM HANDLING AND POTENTIAL LITIGATION

Dear Town Administrator Hickey and Select Board Chair Romano:

After nearly 40 years of practice, and after representing many cities and towns as full town counsel and city solicitor for more than 25 years, I have decided to step away from the general municipal law/town counsel practice, and instead focus my practice and the efforts of Petrini & Associates, P.C. ("P&A") on special counsel municipal construction and infrastructure cases and related matters. Accordingly, Heather White will be leaving P&A to join Harrington Heep effective September 1, 2026, and is prepared to continue her service as Fairhaven's very capable Town Counsel from her new firm. Heather's departure is entirely amicable, we continue to maintain a close professional relationship, and anticipate that we will continue to work on a number of cases for various clients going forward.

Since September of 2025, Heather and I have been assisting the Board of Public Works and DPW Director Vinnie Furtado in navigating a complicated and challenging dispute with

Proposal for Fairhaven Special Counsel

August 4, 2026

Page 2

Methuen Construction, Inc., the general contractor on the reconstruction and renovation of the Water Pollution Control Facility ("WPCF"). Director Furtado has expressed interest in my continuing in this role. If Fairhaven is interested, I am happy to continue to work closely with Heather, Vinnie, and Fairhaven's consultants project as special counsel to the Town, and to help defend the Town in litigation should litigation be filed.

Since P&A was founded in 2004, we have represented over 40 municipalities as special counsel to handle public construction and infrastructure litigation and claims. We have defended and prosecuted public construction litigation on behalf of our public clients, and have provided pre-litigation advice, contract negotiations, bid protest services, and legal guidance on design and construction issues that often arise on public construction projects. We also have represented numerous public owners on water and sewer projects that have presented issues similar to those presented on the current WPCF Project. Attached as **Exhibit A** is a list of municipal clients and agencies that P&A has represented in public construction matters; **Exhibit B** includes the firm's Public Construction brochure; and **Exhibit C** is my curriculum vitae and the resume of Arthur J. Goldberg, who assists me in construction matters.

If Fairhaven wishes to move forward with engaging P&A as Special Counsel on the WPCF Project after August 31, 2025, we will need a vote of the Select Board and a signed Letter of Engagement. Our services as Special Counsel are provided on an hourly basis. My hourly rate is \$375 per hour. The hourly rate of Arthur Goldberg and other attorneys with 10 years or more experience is \$350, attorneys with fewer than 10 years experience will be billed at \$325 per hour, and paralegal services (if needed) will be billed at \$200 per hour. The rates set forth herein are subject to a 5% annual increase for each timekeeper effective July 1 of each year, beginning on July 1, 2027. Hours will be billed in 1/10th hour increments. Out of pocket expenses such as local travel, copying and mailing expenses will be billed at cost with no mark-up. If retained, P&A will invoice Fairhaven via email on a monthly basis, usually by the 15th day of the succeeding month, and such bills are due and payable within thirty (30) days of receipt. Failure to make timely payment could result in the cessation of our representation, although this has never been a problem with any of our municipal clients over the years.

If we are retained as Special Counsel, P&A will maintain a client file related to Fairhaven's representation for six (6) years after this matter is concluded. You may request the file at any time during, upon conclusion of, or after conclusion of, this representation. Six years after the conclusion of this matter, the file may be destroyed without further notification.

If the terms of this Letter of Engagement are acceptable to the Town and the Select Board votes to retain P&A as Special Counsel on the WPCF Project and any litigation that results therefrom, please execute and date the signature block below and return it to me via email.

Proposal for Fairhaven Special Counsel

August 4, 2026

Page 3

We hope to have the opportunity to continue to work together on this important project. Please let me know if you have any questions regarding the foregoing. Thank you.

Very truly yours,



Christopher J. Petrini
Founding Principal

AGREED AND ACCEPTED:
Town of Fairhaven

NAME:

POSITION:

DULY AUTHORIZED

Dated: August ____, 2026

cc: (by electronic transmission)
Heather C. White, Esq., Principal (w/enclosures)

Exhibit A



372 Union Avenue | Framingham, MA 01702
(Tel) 508-665-4310 | (Fax) 508-665-4313
www.petrinilaw.com

Here is a list of cities, towns and public agencies that Petrini & Associates has represented since its founding in 2004. (Bold entries reference currently active clients and "W/S" denotes water and sewer projects.)

A. **PUBLIC CONSTRUCTION/INFRASTRUCTURE**

1. Abington – W/S
2. Barnstable - CWMP
3. **Barnstable – W/S**
4. Beverly
5. Beverly Housing Authority
6. Billerica – Howe School, PHR Recreation & Fire Station
7. **Boston Public Library (BPL)**
8. **Boston Water & Sewer Commission (BWSC)**
9. Brockton
10. Falmouth – W/S
11. Fitchburg
12. Franklin
13. Gloucester
14. Grafton
15. Hardwick
16. Harwich
17. Harvard
18. **Hatfield**
19. Holbrook – W/S
20. **Holden – W/S**
21. Mansfield
22. Needham
23. Pepperell – W/S
24. Springfield
25. Sutton – W/S
26. Taunton – W/S
27. Tewksbury – W/S
28. Tri-Town Regional Sewer District (Braintree, Holbrook, Randolph) – W/S
29. **Tyngsborough Sewer Commission – W/S**
30. Webster
31. West Springfield – W/S

B. SCHOOL CONSTRUCTION

- 32. Framingham H.S. Building Committee**
- 33. Framingham - Fuller Middle School Building Committee**
- 34. Groton - Florence Roche Elementary School**
- 35. Manchester Essex Regional School District**
- 36. Marblehead - Gerry Elementary School Building Committee**
- 37. Nashoba Regional School District**
- 38. Rockland**
- 39. Stow**
- 40. Webster Public Schools**
- 41. Whittier Regional School District**

Last Updated: June 11, 2026

2026.06.10 Special Counsel Construction Clients (2700-06).docx

Exhibit B



P&A WORKS PROACTIVELY TO ADVISE CLIENTS REGARDING THE MANY DISTINCT PHASES OF THE PUBLIC CONSTRUCTION PROCESS

Numerous phases of the public construction process require sound legal advice. P&A strives to protect its clients' interests at each of these sensitive junctures, including with regard to the following common stages of the public construction process:

- * Procurement, including OPM and Designer selection
- * Insurance and bond claims
- * Correcting defective work
- * Responding to and prosecuting contractual claims

"P&A's thoroughness, knowledge, persistence and experience in representing Holden during 11 years of litigation were critical to obtaining a final judgment of \$27 million in favor of Holden ratepayers. P&A attorneys were always prepared, effective and diligent in favor of the public interest."

John R. Woodsmall III, P.E.
Director of Public Works
Town of Holden

Town of Holden v. City of Worcester & Department of Conservation and Recreation. P&A successfully represented the Town of Holden in litigation that spanned over a decade challenging the amount of fees for wastewater transport through Worcester. After an eight-day trial and extensive post-trial motion practice, P&A obtained a \$27 million final judgment against the City of Worcester, and a finding of breach of contract against DCR.

Town of Abington v. City of Brockton. P&A represented the Town of Abington and its Board of Sewer Commissioners in a complex inter-municipal sewer transport and rate dispute between Abington and the City of Brockton. After commencing an action against Brockton in Superior Court, P&A negotiated a successful resolution for Abington that resulted in Brockton's reimbursement of certain overcharges, adopted a transparent billing structure tied to Abington's proportionate use of the Brockton system, and included increased sewer capacity that substantially enhances Abington's future commercial development opportunities.

Town of Framingham v. Town of Ashland. P&A successfully represented the Town of Framingham in sewage transport litigation before the Massachusetts Department of Telecommunications and Energy that addressed the question of the amount Ashland should pay to transport its sewage through the Framingham system to the MWRA. After extensive litigation, Ashland was ordered to increase its annual payment from \$5500 per year to between \$800,000- \$1,000,000 based on usage. Ashland also paid Framingham \$1 million for damage caused to Framingham's system. P&A then represented Framingham in the negotiation of a new 20-year IMA that assures Framingham these annual payments. As of 2019, Framingham has been paid over \$8 million under the IMA.

P&A PETRINI & ASSOCIATES, P.C.
Counselors at Public Law

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Framingham, MA 01702
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Petrini & Associates, P.C.

Public Construction & Infrastructure Law Practice

PUBLIC CONSTRUCTION IS A COMPLEX ENVIRONMENT WHERE OWNERS NEED SOUND ADVICE AT EVERY PHASE.

THINKING PROSPECTIVELY
DEFENDING EFFECTIVELY



P&A provides advice and representation at all stages of the public construction process, in both vertical and horizontal construction projects. We have abundant experience in construction litigation. We represent numerous public owners in litigation involving a variety of issues arising in public construction, including with respect to:

- Contractual disputes arising from the bidding process
- Claims alleging changed circumstances or scope of work
- Claims in quantum meruit to recover contract balances
- Claims seeking liquidated damages for Delay
- Claims for breach of contract arising from contractor default

Our clients include large cities, towns and public agencies in this specialized area of practice.

P&A also has significant experience representing municipalities in disputes and litigation over public infrastructure, such as sewer and related services.

Recent Successes

Town of Stow Elementary School Building Committee. P&A represented the Town of Stow in connection with the MSBA funded construction of an elementary school, including negotiation of the owner-contractor agreement, resolution of change order claims during construction, and negotiations with the performance bond surety to complete and resolve contractor claims after the original contractor abandoned the project.

Town of Framingham Department of Public Works. P&A successfully represented the Framingham Department of Public Works through all phases of planning, design, construction and dispute resolution of a 14 year, \$550 million Capital Improvement Program to repair, modernize and expand the Town's water and sewer infrastructure, with multiple projects occurring each construction season.

Contractor Indemnity Litigations. P&A has successfully represented a number of public owners in contract negotiations and follow-on disputes wherein the contractor has been required to defend and indemnify the public owner, resulting in the transfer of all or most legal fees and settlement costs to the contractor.

Bid Protest Disputes. P&A has successfully represented a number of cities, towns and school districts in bid protests filed to challenge contract awards, including the Towns of Framingham, Rockland, and Tewksbury.

Whiteway Construction Corporation v. Town of Tewksbury. P&A negotiated a favorable settlement on behalf of the Town of Tewksbury in resolution of a major construction dispute where the contractor submitted large invoices for compensation for alleged extra costs incurred in the construction of a town senior center.



CHRISTOPHER J. PETRINI is the founding principal of Petrini & Associates, P.C. in Framingham. Mr. Petrini is special counsel on public construction and infrastructure litigation and counseling engagement to cities and towns throughout Massachusetts. Mr. Petrini has

represented over 35 Massachusetts cities, towns and public owners in public construction and infrastructure disputes and litigation over the past two decades. As of 2024, Mr. Petrini has been named a New England Super Lawyer by Thomson-Reuters twelve times, a Top 100 Lawyer in New England three times, and was recognized by the American Lawyer magazine as one of the top rated attorneys nationally in construction law. Mr. Petrini is a graduate of Georgetown University (cum laude) and Duke University School of Law (with high honors).



HEATHER C. WHITE is a principal with Petrini & Associates, P.C. Her practice focuses on municipal law, including public works, conservation, real estate, procurement, Town Meeting and drafting bylaws. She served as P&A designated attorney in house with the Framingham Department of Public Works for five years during the peak of its massive capital program. Ms. White is a

graduate of American University and Boston College Law School.



MICHAEL K. TERRY is of counsel with Petrini & Associates, P.C. His practice focuses on land use and general civil litigation. His legal experience includes construction litigation representing owners and contractors, real estate title and zoning appeal litigation and general business disputes. Mr. Terry has tried

cases in the Massachusetts District Court, Superior, Probate and Land Courts and in the Massachusetts and New York Federal District Courts. Mr. Terry is a graduate of Castleton University and Suffolk University Law School.



ARTHUR J. GOLDBERG is of counsel with Petrini & Associates, P.C. His practice focuses on project-based issues and litigation matters. Substantive areas include municipal law, public construction, litigation, open meeting law, public records, conflict of interest and land use issues. Mr. Goldberg is a graduate of Brandeis University and Boston

University School of Law.

Exhibit C



CHRISTOPHER J. PETRINI
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I. EMPLOYMENT

A. Legal Employment & Municipal Counsel Appointments

2004-Present	PETRINI & ASSOCIATES, P.C. Framingham, MA <u>Founding Principal</u> Manage a five attorney law firm specializing in municipal law, public construction, land use and zoning
2018-2022	CITY SOLICITOR, CITY OF FRAMINGHAM Framingham, MA Handle or supervise all litigation and legal affairs for the City of Framingham
2001-2107	TOWN COUNSEL, TOWN OF FRAMINGHAM Framingham, MA Handle or supervise all litigation and legal affairs for the Town of Framingham
2011-Present	TOWN COUNSEL, TOWN OF WEST BROOKFIELD Christopher J. Petrini
2018-Present	TOWN COUNSEL, TOWN OF LEICESTER Christopher J. Petrini
2020-Present	TOWN COUNSEL, TOWN OF SHERBORN Christopher J. Petrini
2022-Present	TOWN COUNSEL, TOWN OF FAIRHAVEN Heather C. White
2023-Present	TOWN COUNSEL, TOWN OF BERLIN Heather C. White

2000-Present

SPECIAL COUNSEL, PUBLIC CONSTRUCTION
(Current Active Clients in Bold)

Barnstable (2010; 2022-2024)
Beverly (2020-2022)
Beverly Housing Authority (2024)
Billerica (2022, 2024)
Boston Water & Sewer Commission (2025-Present)
Braintree (2009-2010)
Brockton (2016-2019)
Falmouth (2006-2009)
Franklin (2012)
Framingham Fuller School Building Committee (2018-2022)
**Framingham Hemenway Elementary School Building
Committee (2025-Present)**
Framingham High School Building Committee (2002-2009)
Gardner (2014-2015)
Groton (2021-Present)
Holbrook (2006-2008)
Leicester (2016-Present)
Mansfield (2000-2002)
Manchester Essex Regional School District (2020-Present)
Mansfield Municipal Electric Light Department (2001-2002)
Needham (2010)
Rockland (2010-2013; 2022-Present)
Springfield (2013-2015; 2021-2023)
Stow (2010-2015)
Taunton (2003-2009)
Tewksbury (2008-2012)
Tri-Town Board of Water Commissioners (2005-2007)
Webster (2012-2014, 2017-2019; 2023-Present)
Weymouth (2005, 2011)
Westfield (2020-2025)
West Springfield (2011-2013; 2023-Present)

2006-Present

OTHER SPECIAL COUNSEL ASSIGNMENTS
(Current Active Clients in Bold)

Abington (2011-2014, 2022-Present) (Sewer IMA
Infrastructure Litigation)
Attleboro (2006) (land use/zoning)
Charles River Pollution Control District (2017-present)
(general counsel)
Dighton (2010) (employment)
Everett (2025-Present) (Conflict of Interest, ethics)
Fitchburg (2018-present) (public records; conflict of interest)
Framingham (2022-2025) (Special Counsel Assignments)

Franklin Regional Council of Governments (2009) (public records)
 Gardner (2021-Present) (Public Records, 1st Amendment;
 zoning)
Holden (2013-Present) (Sewer IMA Infrastructure Litigation)
 Marlborough (2009, 2013-2016) (charter; land use)
 Marlborough Economic Development Corporation
 (2016-2017) (land use)
 Milford (2018-2022) (litigation and miscellaneous)
Metacomet Emergency Communications Center (2016-Present)
 (general counsel)
 Milford Retirement Board (2016-2020) (employment
 discrimination)
 Nashoba Regional School District (2006-2016) (school law, labor)
 Pepperell (2017-2020) (sewer IMA)
 Sudbury (2017) (interpretation of septage facility agreement)
 Tyngsborough (2018-19) (zoning)
**Tyngsborough Sewer Commission (2018-Present) (Sewer
 Betterment Litigation; Miscellaneous Advice)**
 Sutton (2006-08) (Sewer IMA; labor/municipal)
 Weymouth (2011-2015) (sex offender bylaw challenge)

2007-2016

PRIOR TOWN COUNSEL APPOINTMENTS

Town of Blackstone (2021-2022)
 Town of Medway (2007-2016)
 Town of Sherborn (2010-2016)
 Town of Sudbury (2015-2016)
 Town of Millville (2015-2016)

B. Past Legal Employment

1993-2004

CONN, KAVANAUGH, ROSENTHAL,
 PEISCH & FORD, L.L.P., Boston, MA
 Boston, Massachusetts
Partner, 1998 – 2004
 Member, Management Committee
 Co-Chair, Construction Practice Group
 Co-Chair, Hiring Committee
Associate, 1993-1997

1990-1993

HINCKLEY, ALLEN & SNYDER, Boston, MA
Litigation Associate, Construction Department

1989-1990

UNITED STATES COURT OF APPEALS, EIGHTH CIRCUIT
Law Clerk to Honorable Theodore McMillian, St. Louis, MO
 Drafted opinions on criminal, employment, securities, civil
 rights and statutory matters. Several opinions received national

attention.

1987-1989 SONNENSCHN, NATH & ROSENTHAL, Chicago, IL
Litigation Associate, Litigation and Employment

II. EDUCATION

Legal: DUKE UNIVERSITY SCHOOL OF LAW, Durham, N.C.
Juris Doctor with High Honors, 1987
Law and Contemporary Problems, Staff Editor, 1986-87
Co-Chair, Forum for Legal Alternatives, 1984-86

Graduate: DUKE UNIVERSITY GRADUATE SCHOOL
Master of Arts, Philosophy, 1987 (3.8 GPA)

Undergraduate: GEORGETOWN UNIVERSITY, Washington, D.C.
A.B., *Cum Laude*, 1983 (3.6 G.P.A.)
Double Major: Philosophy & Government
MacNamee Ethics Award Recipient, 1983
Rhodes Scholar Nominee: State Finalist, 1982

III. BAR ASSOCIATIONS

* **Massachusetts Bar Association**

- Co-Chair, Construction Litigation Committee, Civil Litigation
Section Council (2010-Present)
- Member, Public Law Section Council, 2004-2007
- Member, Law Practice Management Council, Massachusetts Bar
Association, 2004-2006
- Member, 1990-Present

* **Massachusetts Municipal Lawyers Association**

- President 2009-2010
- Member, Executive Board, 2005-Present
- Chair, MMLA Amicus Committee, 2015-2016
Member, Amicus Committee, 2013-2018

* **International Municipal Lawyers Association**

- Member, 2002-Present
- Regional Vice President (1st Circuit), 2013-Present

IV. PUBLICATIONS

- * *"For lawyer, sitting on jury a learning experience"* Massachusetts Lawyers Weekly, (Vol. 42, Issue 40) May 16, 2014
- * *"Ten Do's and Don'ts in Public Procurement and Construction"* 10th Annual Municipal Law Conference (MCLE 2012)
- * *"What's Up with the Attorney-Client Privilege? Recent Developments in the Wake of Suffolk Construction v. DCAM,"* Massachusetts Lawyers Journal, August 2011, pp. 15, 17 (with Heather Kingsbury)
- * *"Notice: Pleasantville Considers New Open Meeting Law,"* Massachusetts Bar Association Section Review, Vol. 12, No. 3 (2010) (with Heather Kingsbury)
- * *"May Comp Time Be Provided for Gap Hours in Over 40 Hour Workweeks?"*, Fair Labor Standards Handbook (Thompson Publishing Co., Inc. September 2010)
- * *Secrets To A Successful Public Construction Project*, Massachusetts Municipal Law (Chapter 14) (2002, 1st Supplement 2008, 2nd Supplement 2012, 3rd Supplement 2019) (updates 2020 & 2022) (with Jane E. Estey.)
- * *The Owner's Perspective on the 2007 Changes to the AIA Documents*, Standard Form Construction Contracts (McNamara, J., Ed.) (MCLE 2008)
- * *The Attorney-Client Privilege Between Municipalities and Their Counsel in Light of Suffolk Construction Co., Inc. v. Division of Capital Asset Management*, 449 Mass. 444 (2007), 6th Annual Municipal Law Conference 2008, pp. 231-37 (Lampke, J. and Ritchie, R., eds.) (MCLE 2008)
- * *When Your Public Construction Project Goes Bad*, 5th Annual Municipal Law Conference 2007 (Lampke, J. and Ritchie, R., eds.) (MCLE 2007)
- * *Private Construction Contracts*, Massachusetts Construction Law and Litigation, (Peloquin, J., ed.) (MCLE 2006)
- * *Privileges at Risk: Restoring the Rights of the Public Sector Client*, Massachusetts Lawyers Weekly, April 24, 2006
- * *Local Health Boards Empowered to Promulgate and Enforce Smoking Bans in Face of Contrary Town Bylaw*, *Framingham Restaurant Association v. Town of Framingham*, Massachusetts Bar Association Section Review, 2003 MBA Section Review, Vol. 6, No. 1, p. 51.
- * *Recent Developments in Scrutiny of Municipal Actions*, Municipal Law Conference 2002 (Section 8) (MCLE 2002)
- * *What Do You Do When OSHA Comes Knocking At Your Door*, Boston Business Journal, (October 5-11, 2001) (with James B. Peloquin)

- * *What Do you Do With a Defective Bid?* in Massachusetts Construction Law: What do You do When . . .? (National Business Institute 2000)
- * *What Do you Do When the Plans and Specifications are Deficient?* in Massachusetts Construction Law: What do You do When . . .? (National Business Institute 2000)
- * *What Do you Do When it is Time to Sign the Contract?* in Massachusetts Construction Law: What do You do When . . .? (National Business Institute 2000)
- * *Key Changes in Contract Benefits and Risk Allocations Effected by 1997 Revisions to AIA Forms*, in Current Developments in Massachusetts Construction Law (MCLE 1999)
- * *An Owner's Perspective in Negotiating and Drafting Construction Contracts* (MCLE 1998)
- * *Drafting Construction Contracts: Subcontractor's Perspective* in Construction Contracts: Building Them Up and Tearing Them Down (MCLE 1997)
- * *Batson v Kentucky: A Promise Unfulfilled*, 58 U.Mo.K.C. L. Rev. 361 (1990) (with the Honorable Theodore McMillian)
- * *Drug Testing and Public Employment: Toward A Rational Application Of The Fourth Amendment*, 51 Law & Contemp. Probs. 253 (1988) (with James E. Felman)

V. LEGAL EDUCATION: FACULTY APPOINTMENTS AND SERVICE

A. Construction Seminars and Programs

1. Program Chair or Moderator

- * Moderator, "PFAS=More Risks + More Money (and Where to Find the Dollars)," International Municipal Lawyer's Association 89th Annual Conference, Orlando, FL (2024)
- * Chair, MMLA 13th Annual Public Construction & Infrastructure Conference, "Stay out of the Trenches—Avoiding Traps at Every Phase of Your Public Construction Project" (June 2024)
- * Chair, MMLA 12th Annual Public Construction & Infrastructure Conference, "Strategies and Tips for Preparing and Trying Complex Construction and Infrastructure Cases" (June 2023)

- * Chair, MMLA 11th Annual Public Construction & Infrastructure Conference, “Diversity, Equity and Inclusion Issues in Public Construction”, Massachusetts Municipal Lawyers Association Annual Meeting (October 2021)
- * Chair, MMLA 10th Annual Public Construction & Infrastructure Conference, “Construction Projects and the COVID-19 Crisis – a Tool box for Municipal Officials and Boards”, Massachusetts Municipal Lawyers Association Annual Meeting (May 2020)
- * Chair, MMLA 9th Annual Public Construction & Infrastructure Conference, “My Client’s Public Construction Project is in Trouble...Now What?”, Massachusetts Municipal Lawyers Association Annual Meeting (May 2019)
- * Moderator, “Construction Contract Drafting Initiative – CM At Risk”, 83rd Annual International Municipal Lawyers Association Conference, Houston, Texas (October 2018)
- * Chair, MMLA 8th Annual Public Construction & Infrastructure Conference, “The Role of Municipal Council – Public Construction Agency Practice and Litigation,” Massachusetts Municipal Lawyers Association Annual Meeting (April 2018)
- * Chair, MMLA 7th Annual Public Construction Update & Infrastructure Conference, “From All Sides: A Multi-Dimensional Perspective on Current Issues in Public Construction,” Massachusetts Municipal Lawyers Association Annual Meeting (April 2017)
- * Chair, MMLA 6th Annual Public Construction & Infrastructure Conference, “Secrets of A Successful Public Construction Project: Working with Outside Professionals From Design Through Project Close-Out,” Massachusetts Municipal Lawyers Association Annual Meeting (April 2016)
- * Chair, MMLA 5th Annual Public Construction & Infrastructure Conference, “Public Construction Cross Training—Construction Procurement ABCs, On Call Building Services and A Decade of Reform: A Panel Discussion Retrospective of the 10th Anniversary of the Construction Reform Act of 2004,” Massachusetts Municipal Lawyers Association Annual Meeting (April 2015)
- * Chair, MMLA 4th Annual Public Construction & Infrastructure Conference, “Protecting the Public Owner When Drafting Design and Construction Contracts—Success Through Risk Allocation,” Massachusetts Municipal Lawyers Association Annual Meeting (April 2014)
- * Chair, MMLA 3rd Annual Public Construction & Infrastructure Conference, “Protecting the Public Owner: Alternative Delivery Systems, Essential Contractual Protections and What’s Next? The Proposals of the Construction Reform Working Group and Likely Impacts on the Public Owner,” Massachusetts City Solicitors and Town Counsel Association Annual Meeting (April 2013)

- * Chair, MMLA 2nd Annual Public Construction & Infrastructure Conference, “Avoiding Traps for the Unwary on Public Construction Projects,” Massachusetts City Solicitors and Town Counsel Association Annual Meeting (April 2012)
- * Chair, MMLA 1st Annual Public Construction & Infrastructure Conference, The Municipal Counsel and Public Construction—Common Issues Faced by Municipal Counsel,” Massachusetts City Solicitors and Town Counsel Association Annual Meeting (April 2011)
- * Moderator, “Meet the In-House Counsel,” MBA Civil Litigation Section Construction Law Committee Seminar, (July 2011)
- * Co-Chair, “From the Nuts and Bolts to the Cutting Edge: What Construction Lawyers Need to Know,” MBA Civil Litigation Section Council Construction Law Committee Seminar (December 2010)
- * Co-Chair, “Annual Trial Practice Program: Bid Protests--The Law and Practical Tips for Defending a Protest,” Massachusetts City Solicitors and Town Counsel Association Annual Meeting (October 2008)
- * Chair, “Contracts Checklist,” Massachusetts City Solicitors and Town Counsel Association Monthly Meeting (May 2006)
- * Chair, “Public Clients’ Views of the AIA Contract Documents,” Build Boston 2005 Seminar, Boston Society of Architects (November 2005)
- * Program Chair, “Construction Reform: One Year Later,” (September 2005) Massachusetts Bar Association
- * Program Chair, “Negotiating and Drafting Construction Contracts: Building Them Up and Tearing Them Down,” (MCLE 1998)
- * Moderator, “Updates on Public Construction, Litigation and Procurement, Massachusetts Municipal Association Annual Meeting (2000)

2. Faculty Member, Panelist or Speaker

- * Panelist MCLE 24th Annual Municipal Law Conference (Federal Government Update: What are the current directives from Washington) (May 13, 2026)
- * Panelist, “Anatomy of the Life of a Typical Construction Dispute: Advice for Municipal Counsel to Navigate Each Step of the Process,” International Municipal Lawyer’s Association Construction Law Webinar (September 2, 2025)

- * Panelist, “Anatomy of the Life of a Typical Construction Dispute: Advice for Municipal Counsel to Navigate Each Step of the Process” IMLA Special Providence, RI Seminar (June, 2025)
- * Panelist, “Overview of Trump Administration Executive Orders and Actions on Public Construction and Protective Measures Available for Municipalities” Massachusetts Municipal Lawyers Association Annual Meeting (June, 2025)
- * Panelist, 2024 IMLA Mid-Year Conference, “Getting Your Municipal Money’s Worth: Navigating Multi-party Construction Litigation” (April, 2024)
- * Panelist, Utilizing Experts in Complex Cases – Key Issues to Consider, Arcadis Contract Solutions Webinar (2023)
- * Panelist, Alternative Project Delivery in Public Construction: Effective Contract Distinctions for DB And CMAR Projects, IMLA Mid-Year Meeting (2023)
- * Panelist, “Effective Use of Experts in Environmental and Construction Litigation,” IMLA 87th Annual Conference (2022)
- * Co-Presenter, “Secrets and Strategies to Successful Public Construction Projects,” IMLA Webinar 2022
- * Co-Presenter, “The Impact of Government Shutdowns on Construction Contracts,” IMLA Mid-Year Meeting Webinar (2020)
- * Co-Presenter, “Indemnification, Insurance and Bond Issues for Public Construction Projects,” IMLA Webinar 2017 (with Christopher L. Brown)
- * Co-Presenter, “Municipal Finance: Municipal Bonds/Insurance,” IMLA Webinar 2016 (with Christopher L. Brown)
- * Panelist, “Contract Drafting Initiative for Horizontal Projects,” 81st IMLA Annual Conference, San Diego, California (September, 2016)
- * Panelist, “Improving The House Odds: Risk Allocation in Construction Contracts,” 80th IMLA Annual Conference, (Las Vegas, Nevada) (2015)
- * Panelist, “Construction Contract Drafting Initiative: Owner’s Changes to AIA B101 Design Contracts,” 79th IMLA Annual Conference, (Baltimore, Maryland) (2014)
- * Speaker, “Ten Construction Pointers That Every Municipal Lawyer Should Know About Public Construction Law,” 12th Annual MCLE Municipal Law Conference Update (2014)

- * Speaker, "Ten Dos and Don'ts of Construction Procurement...or Trekking in Nepal?" 10th Annual MCLE Municipal Law Conference Update (2012)
- * Speaker, "The Public Construction Process," Public Law Conference, June 2010, (MCLE: Dealing Effectively with and for Municipalities)
- * Panelist, "Standard Form Construction Documents: The Owner's Perspective" (MCLE 2008)
- * Speaker, "What to Do When Your Public Construction Project Goes Bad," 5th Annual MCLE Municipal Law Conference (2007)
- * Speaker, Public Construction Update, 4th Annual MCLE Municipal Law Conference (2006)
- * Faculty Member, "Massachusetts Municipal Association Forum on the New Public Construction Law", College of the Holy Cross, (November 2004)
- * Speaker, "Overview of the Recently Enacted Public Construction Reform Act, Chapter 193 of the Acts of 2004," City Solicitors and Town Counsel Association Seminar (September 2004)
- * Panelist, "How to Evaluate, Prosecute and Defend Construction Tort Cases" (MCLE 2003)
- * Panelist, Public Construction: Critical Issues for Municipalities (sponsored by Conn Kavanaugh) (May, 2002)
- * Faculty Member, Massachusetts Construction Law: What Do You Do When . . .? (National Business Institute 2000 and 2001)
- * Panelist for Various MCLE Seminars on Various Construction Law Topics, (MCLE 1997 and 1999)
- * Faculty Member, Construction Claims (American Institute for Professional Training and Development, 1997)

B. Municipal Law and Employment Law Topics (Chair or Panelist)

- * Moderator, "Update on Section 1983 Appellate Litigation," IMLA Mid-Year Meeting (2023)
- * Panelist, "Amicus Brief Writing Tips and Update on Cases Supported by MMLA," 2017 MMLA Annual Meeting (2017)
- * Panelist, "Municipal Law Updates," Massachusetts Municipal Association Annual Conference (2013-2015)

- * Panelist, "Holy Moly-Religion, Prayer, and Displays in the Work Place and on Public Property," 13th Annual MCLE Municipal Law Annual Conference (2015)
- * Co-Chair, "Sober Houses and the ADA: Hard Stops and Opportunities for Municipalities," CSTCA Monthly Dinner Meeting (2012)
- * Co-Chair, "Open Meeting Law Update," 9th Annual MCLE Municipal Law Conference (2011)
- * Panelist, "Update on the New Open Meeting Law," Massachusetts Municipal Association Annual Conference (with Britte McBride, Director of Open Government, Office of Attorney General) (2011)
- * Panelist, "The New Open Meeting Law," 8th Annual MCLE Municipal Law Conference (2010)
- * Co-Chair, CSTCA Summer Meeting 2010, "Cutting Edge Technology"
- * Panelist, "Freedom of Information & Public Records Law," (MCLE, Inc. 2009)
- * Chair, "The FLSA and the 29 U.S.C. § 207(k) Public Safety Employee Exemption--the recent Framingham Federal District Court Work Period Case and the City of Boston SJC Impact Bargaining Cases and How They Affect Your Community," City Solicitors and Town Counsel Association Monthly Dinner Meeting (May 2009)
- * Chair, "Open Meetings and Public Records," 7th Annual MCLE Municipal Law Conference (2009)
- * Moderator, "Ensuring that Town Hall Doors (and Files) Are Open," Massachusetts Municipal Association Annual Meeting (2009)
- * Speaker, "The Attorney-Client Privilege: Practical Tips for its Implementation," 6th Annual MCLE Municipal Law Conference (2008)
- * Panelist, "Document Management in the Electronic Age," Massachusetts Municipal Management Association Monthly Meeting (October 2008)
- * Co-Chair, "Insurance Issues," City Solicitors and Town Counsel Association Monthly Meeting (January 2007)
- * Panelist, "Managing Town Counsel Services," Massachusetts Municipal Managers Association Monthly Meeting (February 2006)
- * Panelist, "Survivor's Guide to the Open Meeting and Public Records Laws," Massachusetts Municipal Association Annual Meeting (2006)

- * Panelist, “Local Board Regulations v. Town Meeting-City Council Authority: Which Govern?,” City Solicitors and Town Counsel Association Seminar (November 2003)
- * Panelist, “Recent Developments in Scrutiny of Municipal Actions,” 1st Annual MCLE Municipal Law Conference (Sept. 2002)
- * Panelist, “Serving the Public Through Private Practice: Careers in Private Public Interest Law Firms,” Boston University Law School & Mid-Sized Firm Week (2012)
- * Panelist, Massachusetts Association of Planning Directors Annual Conference, Seminar on Community Preservation Act (2001)
- * Presenter, Annual Pavement Maintenance Expositions (1997 and 1999) (handicap discrimination laws, handicap access regulations, and collections)
- * Speaker, Insurance Women of North America (sexual harassment law and Employment Practices Liability Insurance) (1999)

C. Amicus Briefs

Authored or co-authored numerous Amicus Briefs for the Massachusetts Municipal Lawyers Association, the Massachusetts Municipal Association, the International Municipal Lawyers Association and other non-profit organizations in various appellate cases, including:

Attleboro Redevelopment Authority v. Civil Service Commission, 84 Mass. App. Ct. 1122 (2013), (Appeals Court clarifies the Civil Service Commission just cause standard in cases of abolishment of positions due to unavailability of funding)

Chadwick v. Duxbury Public Schools, 475 Mass. 645 (2016), (SJC agreed with amicus that there is no statutory or common law privilege protecting union member communications with union representatives outside presence of an attorney)

Fordyce v. Town of Hanover, 457 Mass. 248 (2010), (SJC adopted the MMLA’s position in affirming the awarding authority’s discretion to waive omissions by bidder that awarding authority knew of and considered in making award decision)

Gray v. Cummings, 917 F.3d 1 (1st Cir. 2019)
(Whether and to what extent ADA protections apply to arrests and apprehension of suspect by police officers)

Lopez v. City of Lawrence, 823 F.3d 102 (1st Cir. 2016) (finding civil service sergeant promotional exam was a valid selection tool without an available acceptable alternative despite some evidence of disparate impact on minority officer candidates for police sergeant)

Regis College v. Town of Weston, 462 Mass. 280 (2012), (SJC adopted amicus position in expressly affirming for the first time that Dover Amendment applicant under G.L c. 40A, sec. 3 must establish that it is a non-profit corporation and that the predominate or primary use of the proposed project is educational)

Suffolk Construction Co., Inc. v. Division of Capital Asset Management, 449 Mass. 444 (2007), (SJC adopted amicus position that the attorney-client privilege applies to communications between governmental and municipal lawyers and their clients)

D. Other

- * Massachusetts Law Review Editorial Board (2023-Present)
- * Member, Public Works Subcommittee, Massachusetts Municipal Association (2015-2019)
- * Assistant to Public Works Subcommittee, Massachusetts Municipal Association (MMA 2004) Draft various construction reform legislation provisions for Massachusetts Municipal Association for 2003-04 Legislative Session, including Design-Build Legislation enacted within Chapter 193 of the Acts of 2004
- * Speaker, Portrait Unveiling Ceremony for the Honorable Theodore McMillian, United States Circuit Judge, St. Louis University Law School (October 2006)

VI. COMMUNITY SERVICE

- * Framingham Board of Selectmen, Member, 1996-2001, Chairman, 1998-99
- * Framingham School Committee, Member, 1991-1996, Chairman, 1993-95
- * Framingham Partners in Education, Founder & Trustee, 1991-1997, 2000 –2003
- * Massachusetts Turnpike Authority Advisory Board, Member, 1997-2002, Chairman, 1997-99 (Gubernatorial Appointment)
- * Metrowest Health, Inc., Trustee, 2001-2004
- * McAuliffe Charter School, Trustee 2019-Present

Vice-President, Board of Directors 2021-Present

- * Danforth Museum of Art, General Counsel and Trustee, 1995-2001
- * Board of Trustees, Marian High School, Framingham, MA, 2013-2016
- * Knox Trail Council, Boy Scouts of America, Board of Directors, 1997-2012;
Vice-President, Endowment, 2008-2012

VII. HONORS & AWARDS

- * Outstanding Regional Vice President and State Chair Award, 90th Annual International Municipal Lawyers Association Conference (New Orleans) (2025)
- * “Lawyer of the Year” Award Recipient, *Massachusetts Lawyers Weekly* (2023)
- * “Go to Construction Lawyer” Award Recipient, *Massachusetts Lawyers Weekly* (2023 and 2025)
- * *New England Super Lawyer Selection*, Government, Cities, Municipalities (2009, 2010, 2014-2025 (selected by Thomson-Reuters; only 5% of attorneys selected for this honor) (14 times)
- * *New England Super Lawyer Top 100 Selection* (2016-2018) (3 times)
- * Quoted or case featured in more than 40 *Massachusetts Lawyers Weekly* Front Page Articles (2003-Present)
- * AV Attorney Rating, Martindale-Hubbell (1999-Present). (AV Rating is the highest possible professional rating available under Martindale-Hubbell's Peer Review Rating System)
- * Obtained Jury Verdict in wastewater transport utility litigation on behalf of the Town of Holden against the City of Worcester resulting in \$26.5M Judgment (August 2022). Judgment affirmed on appeal by Massachusetts Appeals Court (August, 2025).
- * Recognized as a leading national construction lawyer in America by *American Lawyer Magazine* (2012)
- * Massachusetts Municipal Lawyers Association President's Award Recipient (awarded for “leadership, outstanding commitment to the advancement of municipal law and outstanding service to local government”) (2017)
- * Robert W. Ritchie Special Achievement Award for Service to Municipal Law Awarded by Massachusetts City Solicitors and Town Counsel Association (2008)

- * Salute to Framingham Award (2002)
- * Knox Trail Council Good Scout Award (2003)
- * Eagle Scout, Troop 3 Framingham (1976)
- * Life Member, National Eagle Scout Association

Additional information regarding professional associations, publications, and pro bono and public service activities available upon request

Last Updated: 5/12/26

2026.05.12 Petrini Curriculum Vitae (with Photo) (2700-07).doc



ARTHUR J. GOLDBERG
Petrini & Associates, P.C.
372 Union Avenue
Framingham, MA 01702
Tel. (508) 665-4310, Fax (508) 665-4313
www.petrinilaw.com
agoldberg@petrinilaw.com

WORK EXPERIENCE

Of Counsel, Petrini & Associates, P.C., Framingham, MA Present
Perform legal services for a variety of firm clients. Work includes project-based issues and litigation matters. Substantive areas include municipal law, public construction, litigation, open meeting law, public records, conflict of interest, and land use issues.

Deputy City Solicitor, City of Cambridge, MA	2013-2022
First Assistant City Solicitor, City of Cambridge, MA	2002-2012
Supervising Legal Counsel, City of Cambridge, MA	1997-2002
Legal Counsel, City of Cambridge, MA	1992-1997

Supervise in-house municipal law department staff of seven experienced attorneys in litigation and other legal work. Advise senior city officials on variety of municipal legal matters. Caseload includes construction, real estate, employment, zoning, personal injury, civil rights, and environmental cases. Review and negotiate commercial contracts involving construction, easements, consultant services, land transfers and leases. Draft ordinances and advisory opinions. Develop and present seminars for city employees on ethics, public records, and open meeting laws. Appointed city liaison to State Ethics Commission.

Recipient of City of Cambridge Employee of the Year Award in 2007

Acting Chairman, Cambridge License Commission 2015
Chaired three-member board for five months that issues licenses for, and has enforcement authority over, restaurants, alcoholic beverages service, entertainment, hackneys, commercial parking facilities, antique dealers, and hotels. Also served as Acting Chairman of Pole and Conduit Commission for same period, which is permitting authority for utilities using public ways for utility locations. At the same time, served as City department head for thirteen person Licensing Department.

Assistant City Solicitor, City of Worcester, MA 1989-1992
Litigated cases including construction contracts, school discipline, environmental, personal injury, civil rights, zoning and tax collection. Tried cases to judges and jury. Drafted appellate briefs. Argued cases before Supreme Judicial Court, Appeals Court and First Circuit Court of Appeals.

Acting City Solicitor, City of Gloucester, MA 1988-1989
Assistant City Solicitor, City of Gloucester, MA 1987-1988
Advised city officials on municipal legal matters. Handled cases concerning environmental issues, zoning, personal injury, benefits, development, takings, and competitive bidding. Drafted civil pleadings, legal opinions, ordinances, realty documents and agreements. Appeared in courts, at administrative hearings and before local boards at public hearings. Special projects included landfill closure and update of code of ordinances.

Associate Attorney, Hayt, Hayt & Landau, Peabody, MA 1984-1987
Handled collection cases, realty closings, bankruptcies and personal injury claims. Drafted civil pleadings, realty and consumer contracts. Argued in courts and at administrative hearings.

EDUCATION

Boston University School of Law, Boston, MA
J.D. awarded 1984. Honors: Paul J. Liacos Scholar
Boston University Legal Aid Program, 1982 and 1983

Brandeis University, Waltham, MA
B.A., *cum laude*, with Honors in Political Science, 1981

RELATED EXPERIENCE

Publications:

"The Curious Case of the Underfunded Quinn Bill," Municipal Law Update, MCLE, 1991.

"The Attorney-Client Privilege and the Municipal Attorney," Municipal Law 2000, MCLE.

"Unique Representation Issues in the Municipal Context," Chapter 4 and

"Public Records" Chapter 21, Massachusetts Municipal Law, MCLE, 2002.

Instructor, National Academy of Paralegal Studies, Worcester, MA, 1990-1991

MEMBERSHIPS

Admitted to Massachusetts, Federal District Court, and First Circuit Court of Appeals Bars, 1985.

Massachusetts Municipal Lawyers Association Member, 1988-present

COMMUNITY ACTIVITIES

Elected Wellesley Town Meeting Member, 2010-2020

Wellesley Town Government Study Committee member, 2014-2016

Wellesley Affordable Housing Trust trustee, 2026-



Tel: (508) 979-4023

Town of Fairhaven
Massachusetts
 40 Center Street · Fairhaven, MA · 02719
www.fairhaven-ma.gov

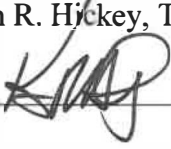
Select Board
Andrew Romano, Chair
Natalie A. Mello, Vice Chair
Pamela Kuechler, Clerk
Andrew B. Saunders
Richard Trapilo

Town Administrator/
Keith R. Hickey

MEMO

DATE: August 6, 2026

TO: Select Board

FROM: Keith R. Hickey, Town Administrator


RE: Requested Legal Information

Recently, Select Board member requested the following information regarding the Town's legal representation be provided to the Select Board.

1. **A three-year history of the Town of Fairhaven's legal expense line item, including annual expenditures.** Attached to this memorandum are spreadsheets detailing the Town's legal expenditures for the past three fiscal years. During this period, the Town has primarily utilized two law firms:

- **Mead, Talerman & Costa, LLC** for labor and employment-related legal services.
- **Petrini & Associates, P.C.** for general municipal legal services.

The FY24 and FY25 expenditure summaries for Petrini & Associates include approximately \$60,000 in labor-related legal expenses. These costs were incurred in connection with matters involving members of Town boards appointed by the Select Board. Although these services involved Board-related issues, they were appropriately billed through the Town's general counsel due to the nature of the matters being addressed.

In FY26, Petrini & Associates has represented the Board of Public Works in mediation with the general contractor for the Wastewater Treatment Plant Upgrade Project. These legal expenses are being charged directly to the sewer project rather than the Town's general legal services budget. Below is a summary of the annual legal expenses for FY24-FY26.

Summary of Annual Legal Expenses			
<u>Legal Firm</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>
Clifford and Kenny	\$ 113,766.25	\$ 111,353.75	\$ 2,093.75
Mead, Talerman and Costa	\$ 7,261.00	\$ 56,767.98	\$ 83,865.00
Petrini and Associates	\$ 281,213.58	\$ 198,614.70	\$ 230,251.48
Harrington Heep LLP			\$ 12,407.50
Employment Settlement	\$ 25,768.44		
Total Legal Expenses by Fiscal Year	\$ 428,009.27	\$ 366,736.43	\$ 328,617.73
Legal Expenses Charged to General Fund	\$ 353,129.68	\$ 347,222.95	\$ 325,086.34
Original Legal Appropriation	\$ 180,000.00	\$ 385,777.00	\$ 300,000.00

A detailed list of the legal matters are attached to this memo.

- 2. An explanation of who has the authority to engage Town Counsel and request legal services.** Department Heads, with the exception of the Director of Public Works, must receive authorization from the Town Administrator before contacting Town Counsel.

Historically, the administration of the Board of Public Works has been permitted to engage legal counsel directly without prior approval from the Town Administrator due to the specialized legal matters associated with the Department's operations and capital projects.

The Select Board has also adopted a protocol governing requests for legal opinions by Select Board members.

Protocol 13 Process of Seeking Legal Opinion

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

Similarly, all other Town boards and commissions must obtain approval from the Town Administrator before engaging Town Counsel.

- 3. Any written Town policies, procedures, or rules governing the engagement of Town Counsel.** The Town's procedures governing requests for legal services are outlined in the Select Board's adopted communication protocols, specifically **Protocol 13**, which is summarized above.

Beyond this protocol, there are no additional written Town-wide policies governing the engagement of legal counsel. Administrative practice has been that Department Heads obtain prior approval from the Town Administrator before contacting legal counsel, with the historical exception of the Board of Public Works as described above.

- 4. A copy of the Town's current agreement or contract with our legal counsel, including:**
- i. The scope of services.**
 - ii. Any retainer arrangement.**
 - iii. Hourly billing rates.**
 - iv. Any other applicable terms and conditions.**

Copies of the Town's current legal services agreements are attached. These agreements include the requested information regarding the scope of services, billing arrangements, hourly rates, and all other applicable contractual terms and conditions.

P A PETRINI ASSOCIATES, P.C.
Counselors at Public Law

372 Union Avenue | Framingham, MA 01702
(Tel) 508-665-4310 | (Fax) 508-665-4313
www.petrinilaw.com

August 22, 2022

VIA EMAIL ONLY
(alopesellison@fairhaven-ma.gov)

Angeline Lopes Ellison
Town Administrator
Town of Fairhaven
20 Center Street
Fairhaven, MA 02719

**Re: Letter of Engagement – Town Counsel Services
Town of Fairhaven**

Dear Angie:

This letter will memorialize the terms of engagement for Petrini & Associates, P.C. ("P&A") to serve as Town Counsel for the Town of Fairhaven ("Town") pursuant to the terms outlined in P&A's proposal to the Town dated July 18, 2022, which is incorporated herein by reference, and the Select Board's appointment vote on August 1, 2022. P&A will undertake this representation on an hourly basis for all legal matters as directed by the Town, with the exception of Appellate Tax Board, Industrial Accident Board, bond, development/redevelopment and tax title matters, for which matters P&A will, upon request, recommend special counsel or work with the Town's existing special counsel. P&A will provide an annual discount each fiscal year of up to \$10,000 after \$90,000 in retainer work is performed and billed.

I will serve as lead counsel for P&A's representation, at my municipal counsel rate of \$195.00 per hour. My colleague, Christopher Petrini will serve as primary back-up Town Counsel at his municipal rate of \$225 per hour. Where assistance from other attorneys at the firm is necessary, their hourly rate is \$195.00 per hour for attorneys at P&A with eight (8) or more years of experience (Attorneys Terry and Goldberg currently fall in this category), and \$180 per hour for attorneys who have fewer than eight (8) years of experience. In the event that paralegal assistance is needed, it will be billed at \$125 per hour as set forth in P&A's proposal. Out of pocket expenses such as any local travel, copying and mailing expenses, if needed, will be billed at cost with no markup. As set forth in



August 22, 2022

Page 2

our proposal, if the Town chooses to renew P&A's appointment for subsequent fiscal years, P&A reserves the right to increase the hourly rate by \$10.00 per year per timekeeper.

P&A will send you monthly invoices via email, usually within 15 days of the end of each month. Invoices will identify the attorney rendering the service, the date work was performed and the amount of time expended (billed in 1/10th hour increments), a description of the work performed and the applicable hourly rate. Reimbursable expenses will be similarly itemized. Payments to P&A are due and payable by the Town within thirty (30) days of receipt.

P&A will maintain a client file related to our representation of the Town for six (6) years after the representation is concluded. You may request the copy of your files at any time during, upon conclusion of, or after conclusion of, P&A's representation. Six years after the conclusion of P&A's representation, such files may be destroyed without further notification.

If this Letter of Engagement is acceptable to you and the Town, kindly execute this Letter of Engagement and return it to by email to hwhite@petrinilaw.com, copying Chris at cpetrini@petrinilaw.com.

Please let me know if you have any questions regarding the foregoing. Chris Petrini, myself and the rest of our team here at P&A look forward to working with you and the Town as your Town Counsel. Thank you.

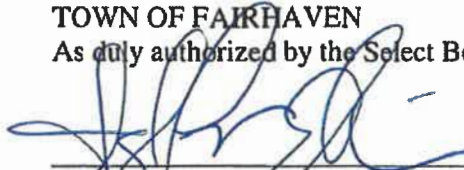
Very truly yours,

Heather C. White (CCP)

Heather C. White

AGREED AND ACCEPTED:

TOWN OF FAIRHAVEN
As duly authorized by the Select Board



Angeline Lopes Ellison, Duly Authorized
Town Administrator

cc: Christopher J. Petrini, Esq.

Dated: August 22, 2022

CLIENT FEE AGREEMENT

1. The Town of Fairhaven, having an address of 40 Center Street, Fairhaven, MA 02719 (the "Client"), hereby agrees to retain the Law Firm of Mead, Talerman & Costa, LLC, with offices of 227 Union Street, Suite 606, New Bedford, MA 02740; 730 Main Street, Suite 1F, Millis, MA 02054 and 30 Green Street, Newburyport, MA 01950 (the "Firm"), in connection with:

Labor counsel services on all matters as may be directed by the Town.

2. Legal services actually performed by the Firm for the Client shall be charged at the rate of \$225.00 per hour for each hour for all legal work performed by the firm's partners, associates and/or attorneys-of-counsel. Hourly charges shall only apply to services provided by attorneys.

3. The firm does not charge for work performed by paralegals and support staff.

4. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the municipality's responsibility. Nor are standard mailing fees or routine copying costs charged to the Client. Filing fees, the cost of bulk copying and extraordinary mailing fees (e.g. certified mailings, overnight mailings), recording costs, and costs for other similar items, however, will be billed on a direct basis. Expert consultant fees, title examinations and costs for stenographic transcripts shall also be the Client's responsibility.

5. The firm bills in increments of one-tenth (1/10) of an hour. Substantive telephone calls and conferences and receipt, review and drafting of correspondence and e-mail are billed at a minimum rate of two-tenths (2/10) of an hour. It is the Firm's practice NOT to charge for insubstantial telephone conversations or insubstantial email exchanges with the Client's officials.

6. Travel time will be billed on a portal to portal basis provided that travel to the Town will be capped at 1.5 hours.

7. The Client is not required to provide a retainer for the services covered by this agreement. Monthly invoices will be submitted to the Client at the above noted address and said invoices will be paid in full by the Client within sixty (60) days of their date.

8. The Client understands that it has the right to consult with another lawyer in connection with any of the terms of this agreement prior to signing it.

9. It is understood and agreed that the hourly time charges for legal services include, but are not limited to, the following: court or agency appearances; travel; conferences; telephone calls; correspondence; legal research; preparing for and conducting depositions; preparation of pleadings and memoranda; reading and reviewing file materials; preparation for agency, pre-trial hearings, and trial; and post-trial proceedings.

10. It is understood that the Firm is bound by various ethical responsibilities governing the practice of law and, accordingly, the Engagement contemplated hereunder shall be limited to those services that are permissible under the firm's ethical responsibilities.

11. The Firm shall not at any time be required to continue to represent the Client unless all of the Firm's prior bills have been paid when due.

12. In the event that the Firm ceases to represent the Client, and the Client owes an outstanding indebtedness to the Firm, the Firm shall return to the Client all papers, documents and tangible materials which the Client furnished to the Firm, if requested by the Client. The Client is not entitled to any other items such as investigative reports, depositions, or the lawyers' work product, unless said items have been paid for.

13. It is understood and agreed that interim bills, and the final bill, to be rendered by the Firm shall, in addition to reflecting the time expended, take into account the factors prescribed by the Supreme Judicial Court to be considered as guides when determining the reasonableness of fees for legal services, including the following:

- (a) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (b) the fee customarily charged in the locality for similar legal services;
- (c) the amount involved and the results obtained;
- (d) the time limitations imposed by the Client or by the circumstances;
- (e) the nature and length of the professional relationship with the Client;
- (f) the experience, reputation and ability of the lawyer or lawyers performing the services.

14. The foregoing represents the entire agreement between the Firm and Clients. By signing below, Client acknowledges that it has carefully read this agreement, understands its contents, and agrees to be bound by all of its terms and conditions; that the Firm has made no representation to the Client as to the likelihood of the outcome of any proceeding now pending or to be brought by or against the Client; and that the Client believes this agreement to be fair and reasonable.

15. This agreement may be signed in multiple counterparts and scanned or electronic signatures shall be sufficient to bind the parties.

[SIGNATURES ON NEXT PAGE]

By: 
~~Andrew B. Saunders, Clerk~~ George Samia
~~Select Board~~
duly authorized
Dated: 3/11/25
Interim Town Administrator

By: /s/ Katherine McNamara Feodoroff
Katherine McNamara Feodoroff, Esq.
Mead, Talerman & Costa, LLC
Dated: December 16, 2024

40R
**FEE AGREEMENT
TOWN OF FAIRHAVEN
LEGAL SERVICES**

1. The Town of Fairhaven, a Massachusetts municipal corporation, acting by and through its Select Board, with an address of 40 Center Street, Fairhaven, Massachusetts 02719, (the "Client") hereby agrees to retain the law firm of Mead, Talerman & Costa, LLC, with offices at 30 Green Street, Newburyport, Massachusetts 01950, and with associated offices in Millis, Massachusetts, and New Bedford, Massachusetts, (the "Firm") as special legal counsel.

2. The legal services contemplated hereunder are generally described in the "Scope of Services" annexed hereto and incorporated herein by reference. Said "Scope of Services" is a summary of anticipated legal services, with an estimate of approximate costs by task, but is neither all-inclusive nor determinative of total cost. The Client may request from time-to-time that the Firm provide additional but related legal services.

3. Legal services actually performed by the Firm for the Client shall be charged at the following hourly rate: \$265.00 per hour for partners and associates, with no charge for work completed by paralegals or other office staff. Billing shall not exceed \$17,000.00 for fiscal year 2022; billing shall not exceed \$15,000.0 for fiscal year 2023, subject to upward adjustment if and as necessary but only upon mutual agreement of the parties hereto.

4. No retainer is required under this Agreement.

5. The Client understands that it has the right to consult with another lawyer in connection with any of the terms of this Agreement prior to signing it.

6. The Client agrees to assume and pay for all out-of-pocket disbursements incurred in connection with the engagement and all other work performed by the Firm, from and after the date hereof (e.g. filing fees, courier fees, photocopying, printing, binding, certified and/or overnight mail, witness fees, sheriffs' and constables' fees, document recording fees, asset and information searches, deposition expenses, investigative expenses, other incidental expenses). If a particular charge is substantial, the Firm may request that the Client pay it directly to the vendor or reimburse the Firm immediately. The Firm agrees to obtain the Client's prior approval before incurring any disbursement in excess of \$1,000.00, except with regard to the expenses of noticed depositions. The Client agrees to pay for all of said out-of-pocket expenses within thirty (30) days of the date of any bill or statement of account for said out-of-pocket expenses.

7. It is understood and agreed that the hourly time charges for legal services include, but are not limited to, the following: reading and reviewing file materials; legal research; appearances at meetings, conferences and public hearings, and in court or before administrative agencies; preparation for the same; travel; telephone calls and conferences; correspondence; preparation of pleadings, motions and memoranda; preparing for and conducting depositions; and post-trial proceedings. Telephone calls and correspondence shall be billed at a minimum rate of two-tenths (2/10) of one (1) hour.

8. The Firm shall not at any time be required to continue to represent the Client unless

all of the Firm's prior bills have been paid when due. In addition, the Firm shall not be required to represent the Client at trial unless the Client has paid to the Firm a retainer to cover the reasonably expected fees and expenses of trial required by the Firm.

9. In the event that the Firm ceases to represent the Client and the Client owes an outstanding indebtedness to the Firm, the Firm shall return to the Client all papers, documents and tangible materials which the Client furnished to the Firm, if requested by the Client. The Client is not entitled to any other items such as investigative reports, depositions or the lawyer's work product, unless said items have been paid for.

10. It is understood and agreed that interim bills, and the final bill, rendered by the Firm shall, in addition to reflecting the time expended, take into account the factors prescribed by the Supreme Judicial Court to be considered as guides when determining the reasonableness of fees for legal services, including the following:

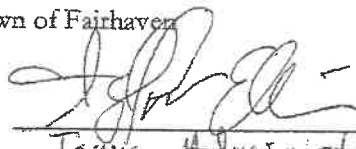
- (a) the time and labor required, the novelty and difficulty of the questions involved and the skill requisite to perform the legal service properly;
- (b) the fee customarily charged in the locality for similar legal services;
- (c) the amount involved and the results obtained;
- (d) the time limitations imposed by the Client or by the circumstances;
- (e) the nature and length of the professional relationship with the Client;
- (f) the experience, reputation and ability of the lawyer or lawyers performing the services.

11. The Firm will retain the Client's file for six (6) years following the close of the Client's matter. After that time, the Firm will destroy the Client's file. All originals will be provided to the Client during the representation of the Client.

12. The foregoing represents the entire agreement between the Client and the Firm. By signing below, the Client acknowledges that it has carefully read this Agreement, understands its contents and agrees to be bound by all of its terms and conditions; that the Firm has made no representation to the Client as to the likelihood of the outcome of any proceeding now pending or to be brought by or against the Client; and that the Client believes this Agreement to be fair and reasonable.

Date: June 13, 2022

Town of Fairhaven

By: 

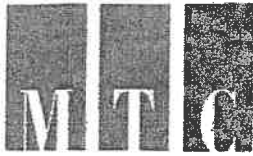
Town Administrator

Duly-authorized

Mead, Talerman & Costa, LLC

By: 

Adam J. Costa, Manager



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

Phone 978.463.7700
Fax 978.463.7747

www.mtclawyers.com

SCOPE OF SERVICES[†]
FOR THE
TOWN OF FAIRHAVEN'S DEVELOPMENT OF
A CHAPTER 40R SMART GROWTH OVERLAY DISTRICT

MAY 19, 2022

1. Research, due diligence and assisting with mapping and associated calculations
 - A. Meet with Town official(s) and staff and with the Town's chosen planning and design consultant to review the Chapter 40R process, assign responsibilities and establish deadlines. Including a walking and/or driving tour of the proposed District(s).
 - B. Review existing Zoning Bylaw and other code(s), rule(s) and/or regulation(s) that may affect by-right development within the proposed District(s).
 - C. Confer with the Department of Housing and Community Development (DHCD), informally, about eligibility of the aforesaid District(s) under Chapter 40R, subzones (if applicable), etc.
 - D. Assist the Town's planning and design consultant with mapping the District(s), including preparation of the so-called Locator Map(s), Residential Density Map(s) and Smart Growth Zoning Map(s), all required to accompany the Application referenced below.
 - E. Assist the Town's planning and design consultant with creating the so-called Density Data Spreadsheet and District Summary Information Spreadsheet, both required to accompany the Application referenced below.
 - F. Hours, estimated:

Total hours	22
Billing rate	<u>\$265.00/hour</u>
Approximate cost	\$5,830.00

[†] The total hours attributed to each of the tasks to follow and the accompanying approximate costs are estimates only; actual hours required for the completion of these tasks may vary depending on a variety of factors, including but not limited to the extent and quality of services provided by third parties, any legal training or assistance required in connection with tasks associated with but separate from those described above and the number, frequency and/or length of meetings and conferences, whether in-person or virtual. All required travel is billed on a portal-to-portal basis from the office where the attorney providing services originates; provided, however, that roundtrip travel shall not exceed two (2) hours irrespective of actual travel time.

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

2. Zoning and design standards/guidelines

- A. Draft an amendment to the Town's Zoning Bylaw, creating the District(s). The smart growth zoning provisions will address: the boundaries of the District(s) and any subzones therein; the applicability thereof; permitted and non-permitted uses; substantially developed land; density; design; parking; affordability; procedures for project review and approval; and amendments.
- B. Meet and/or consult, e.g. by telephone or virtual means, with Town official(s) and staff to review the aforesaid Zoning Bylaw amendment, up to three (3) times; and prepare up to two (2) subsequent versions of the same, incorporating any corrections received, suggested revisions and other feedback.
- C. Work cooperatively, on an as-needed basis, with the Town's planning and design consultant to create appropriate design standards and/or guidelines for the District(s), consistent with the principles of Chapter 40R and of by-right development.
- D. Hours, estimated:

Total hours	25
Billing rate	<u>\$265.00/hour</u>
Approximate cost	\$6,625.00

3. Complete, file and advance the Application

- A. Complete the 40R District/Zoning Application Form for a Preliminary Determination of Eligibility, as provided by DHCD.
- B. Identify, obtain and assemble all attachments required for submittal of the Application package to DHCD, except as previously prepared (and identified above).
- C. Meet with the Town's Planning Board and Economic Development Committee, together or separately, to review the Zoning Bylaw amendment and Application package; and subsequently incorporate any appropriate revisions thereto.
- D. Attend the Board of Selectmen's public hearing on the Application, required by Chapter 40R.
- E. Finalize the Application package as aforesaid, and copy and submit the same to DHCD, in pursuit of a Letter of Eligibility.
- F. If and as required by DHCD, revise and re-submit the Application and/or any of the attachments thereto.

G. If and as (routinely) required by DHCD, revise and re-submit the Chapter 40R Zoning Bylaw amendment. Coordinate with the Town's planning and design consultant revision(s) to the design standards and/or guidelines, if any. Confer with Town staff regarding the effect(s) of any required revisions on the Town's objectives in creating the District(s).

H. Hours, estimated:

Total hours	25
Billing rate	<u>\$265.00/hour</u>
Approximate cost	\$6,625.00

4. Adoption of the Bylaw amendment

A. Attend the Planning Board public hearing on potential adoption of the Zoning Bylaw amendment, required by G.L. c. 40A, § 5.

B. Attend the Annual or Special Town Meeting at which the aforesaid Zoning Bylaw amendment is presented for action.

C. Upon adoption, aid the Town in submitting the approved Zoning Bylaw amendment to DHCD for final approval.

D. Hours:

Total hours	15
Billing rate	<u>\$265.00/hour</u>
Approximate cost	\$3,975.00



Fairhaven Town Administrator Proposed FY28 Annual Goals

Performance Goals and Objectives



Goal 1 – Maintain Long-Term Financial Stability

- Develop and present a balanced FY28 operating budget.
- Update the Town's five-year financial forecast.
- Maintain structural balance between recurring revenues and expenditures.
- Identify opportunities to increase local revenues and reduce long-term operating costs.
- Continue implementation of financial policies regarding reserves, free cash, stabilization, and capital planning.
- Monitor enterprise fund finances to ensure long-term stability of water and sewer operations.

Goal 2 – Strengthen Capital Planning



- Provide a more complete multi-year Capital Improvement Plan.
- Prioritize municipal building improvements.
- Advance planning for Police and Fire facility replacement.
- Continue roadway, drainage, sidewalk, and ADA improvement projects.
- Pursue state and federal grant opportunities for capital improvements.

Goal 3 – Improve Organizational Effectiveness



- Meet regularly with department heads to review priorities.
- Continue fostering teamwork between departments.
- Evaluate opportunities to improve organizational efficiency.
- Implement technology improvements that increase efficiency and customer service.
- Review departmental policies and procedures where appropriate.

Goal 4 – Labor Relations and Human Resources



- Begin to identify recommended changes and appropriate wage and benefit schedule to present to the Select Board in preparation for upcoming negotiations of collective bargaining agreements.
- Continue regular communication with employee unions.
- Improve recruitment and retention of employees.
- Review compensation and benefit practices for long-term sustainability.

Goal 5 – Improve Public Communication and Transparency



- Continue preparation of citizen-friendly budget documents.
- Improve communication regarding major projects and financial issues.
- Increase availability of information on the Town website.
- Provide timely reports to the Select Board and residents.

Goal 6 – Economic Development



- Work with Planning and Economic Development officials to encourage appropriate commercial investment.
- Pursue redevelopment opportunities for underutilized properties.
- Review Town owned property for need and present a list of recommended properties that can be sold or leased to provide additional recurring revenues to the Town.
- Support local businesses through improved permitting and interdepartmental coordination.
- Seek grant funding for economic development initiatives.

Goal 7 – Grant Administration



- Identify and pursue applicable state and federal grants.
- Successfully administer awarded grants.
- Coordinate grant opportunities among Town departments.
- Report annually on grants received and associated financial benefits.



Goal 8 – Select Board Support



- Prepare complete and timely meeting agendas.
- Provide objective policy recommendations.
- Ensure timely implementation of Board decisions.
- Maintain regular communication with individual Board members.



Goal 9 – Community Partnerships



- Continue collaboration with regional agencies.
- Maintain positive working relationships with state legislators and state agencies.
- Support regional public safety and emergency management initiatives.
- Work cooperatively with schools, nonprofits, and community organizations.



Stretch Goals – Strategic Initiatives

- Develop a long-range financial strategy for future public safety facilities.
- Complete an organizational review of Public Works operations.
- Develop a long-term facilities master plan.
- Continue enterprise fund financial planning.
- Develop departmental performance measures (KPIs).

Marcy Christ

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July 27, 2026

Dear Fairhaven Select board Members,

I am writing to inform you that I have decided to retire from the Fairhaven Police Department as of September 9, 2026.

As a little girl growing up in the Midwest, I would've never dreamt that I would have ever become a Police Officer. I am sincerely grateful for the training and experiences that I have obtained over the last 13 years as part of this department. I've made many memories while on and off duty with my coworkers- that I shall never forget. I have truly enjoyed serving this town as a First Lady in my early 20's then as a Police Officer in my 40's and 50's!

As I have discussed with Chief Dorgan, Policing is changing very rapidly. And for me, it is simply time to move on. Thank you for allowing me to serve and protect the residents of this town in many rolls over the years, but my favorite specifically- as a School Resource Officer.

Sincerely,


Officer Marcy Christ

SELECT BOARD
2026JUL27 14:44:44



Town of Fairhaven, Massachusetts Office of the Select Board

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Selectboard@fairhaven-ma.gov
www.fairhaven-ma.gov

Andrew Romano, Chair
Natalie A. Mello, Vice Chair
Pam Kuechler, Clerk
Andrew B. Saunders, Member
Richard F. Trapilo, Member

July 28, 2026

Aaron Shaheen and Matthew Audet

Via email: Shaheen.Aaron@e.a.ov Audet.Matthew@e.a.ov

Dear Mr. Shaheen and Mr. Audet,

We, the Fairhaven Select Board, request your support regarding another significant environmental issue that directly impacts the residents of Fairhaven, the greater New Bedford Harbor region, and Buzzards Bay.

The City of New Bedford's antiquated Combined Sewer Overflow (CSO) system continues to discharge an estimated 600 to 800 million gallons of untreated wastewater annually into the inner and outer harbor and the waters we share throughout Buzzards Bay. During significant rainfall events, millions of gallons of raw sewage and stormwater are released into our coastal waters, resulting in recurring shellfish bed closures and raising serious concerns regarding public health, environmental protection, and the long-term sustainability of our marine resources.

New Bedford's continued failure to develop and aggressively pursue a comprehensive plan and funding strategy to address this issue deeply concerning. It is particularly frustrating as a Fairhaven resident and taxpayer, given that our community is investing approximately \$72 million to comply with EPA-mandated nitrogen reduction requirements. Fairhaven's taxpayers are making a substantial financial commitment to environmental responsibility, and I believe all communities sharing these waters should be held to a similar standard.

The potential solution is one that has been successfully implemented by the Narragansett Bay Commission facilities in Providence and Pawtucket and Fall River have implemented large-scale CSO mitigation systems, including underground storage facilities designed to capture excess flows during storm events. These projects demonstrate that effective and proven solutions exist. Furthermore, the remarkable recovery of Boston Harbor serves as a national example of what can be accomplished when communities commit to long-term environmental investment and accountability.

In contrast, we have seen little evidence of the urgency necessary to address this ongoing environmental challenge from the City of New Bedford. While the complexity and cost of such projects are understood, continued delay only prolongs the environmental damage and economic impacts borne by neighboring communities.

Accordingly, we respectfully request your guidance on the following questions:

1. Does the EPA possess the authority to require the City of New Bedford to develop and implement a comprehensive plan to significantly reduce or eliminate CSO discharges into New Bedford – Fairhaven Harbor and Buzzards Bay?
2. Can the EPA require New Bedford to pursue available federal and state funding opportunities to support such infrastructure improvements?
3. If a direct EPA mandate is not feasible, what course of action would you recommend for affected municipalities, elected officials, and citizens seeking a meaningful solution on this issue?

We would welcome the opportunity to discuss this matter further and would be pleased to provide additional information or meet personally at your convenience.

Thank you for your time, consideration, and continued commitment to protecting the environmental health of our region.

Respectfully,

Fairhaven Select Board,
Andrew Romano, Chair
Natalie A. Mello, Vice-Chair
Pam Kuechler, Clerk
Andrew B. Saunders
Richard F. Trapilo

PS: effective July 7th second shellfish closure, 63 million gallons of untreated waste, dumped in just 5 weeks from New Bedford CSO design



August 10, 2026
TOWN ADMINISTRATOR REPORT



Town of Fairhaven

Report of the Town Administrator

August 10, 2026

Financial Updates

- The FY25 Single Audit was received over the past week. This is a required annual audit for communities that receive a total of \$1 million in federal funds or more. There were no audit findings in the report.

Project Updates

- Department heads and I met with Attorney Heather White to discuss the impact of current and proposed development on West Island. The meeting addressed the application of current health, building and zoning bylaws when considering improvements on individual building lots.

Personnel Update

- The Board of Public Works has hired a new Water Superintendent. His name is Michael Sanford. He began work on August 3rd.
- Susan Rizzo has been hired as Payroll Coordinator, a stipend position. She began training this week.

Miscellaneous Updates

- Fairhaven Recreation is hosting a special outdoor movie night on Friday, August 28, at 7:00 PM, featuring a 55th Anniversary showing of Willy Wonka and the Chocolate Factory. Admission is just \$10 per family, and popcorn and a sweet treat are included. Bring your blankets and lawn chairs and enjoy a fun evening under the stars. Registration is available now at fairhavenrecreation.activityreg.com.