



FAIRHAVEN SELECT BOARD AGENDA

October 26, 2026 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

FAIRHAVEN TOWN CLERK
ROUD 2026 OCT 22 PM3:36

A. PUBLIC COMMENT

B. APPOINTMENTS / COMMUNITY ITEMS

1. Discussion on Blue Light Emergency Communication Project and Request for Support Letter: Tim Garcia
2. Request to Use the Academy Building: Fairhaven Historical Society
3. Appointment Requests:
 - a. Mattapoisett River Valley Water District Representative: Mike Sanford
 - b. Bell Committee: Doug Brady
 - c. Belonging Committee: Denise Barr
 - d. Cable Advisory Committee: John Methia
 - e. Conservation Commission: Karyn Ferreira
 - f. Economic Development Committee: Keith Silvia
 - g. Historical Commission: Associate Member: Allysia Berthelette
4. Cultural Council Term Corrections: Denise Barr and Brian Cass
5. Review of Open Volunteer Opportunities

C. ACTION / DISCUSSION

1. Consider Revision to Waterway Rules and Regulations Regarding the Collection of Fees
2. Vote to Amortize FY26 Snow & Ice Deficit Per DLS Bulletin BUL-2026-04
3. Discussion on the Zoning Board of Appeals Openly Discussing the Use of the Atlas Tack Property
4. Continue Deliberation and Potential Selection of Town General and/or Labor Counsel
5. Discussion on Budget Working Group Liaison's Response to Correspondence from Department Heads of Police, Fire, Schools and Public Works to the Budget Working Group
6. Select Board Vote Special Town Meeting Article Recommendations and Sign the Warrant
7. Consider the Release of Executive Session Minutes of: 9/14/26 redacted, 8/10/26 redacted, 8/10/26 redacted, 4/13/26 redacted, 3/9/26 redacted, 3/2/26 redacted, 11/24/25 redacted, 9/22/25 redacted, 8/11/25 redacted, 7/28/25 redacted, 7/14/25 redacted, 7/10/25, 7/7/25, 6/9/25 redacted, 5/12/25 redacted, 4/14/25 redacted, 3/31/25 redacted, 3/24/25 redacted, 3/17/25 redacted, 3/10/25 redacted and 2/24/25 redacted

D. TOWN ADMINISTRATOR

E. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

F. MINUTES

1. Accept the Open Session minutes of October 13, 14 and 15, 2026
2. Accept and Consider the release of the Executive Session minutes of October 13, 2026

G. NEWS AND ANNOUNCEMENTS

1. The next scheduled Select Board meeting will be on *Monday, November 9, 2026* at 6:00pm

H. ADJOURN

Log on or call 1-929-205-6099, Meeting ID: 860 2838 7081, Passcode: 484211

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



FAIRHAVEN SELECT BOARD AGENDA ADDENDUM

October 26, 2026 6:30 p.m.

ANNOUNCEMENTS:

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

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

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

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

A. PUBLIC COMMENT

B. APPOINTMENTS / COMMUNITY ITEMS

1. **Discussion on Blue Light Emergency Communication Project and Request for Support Letter: Tim Garcia.** Tim Garcia is seeking the Board's support for a proposed blue light emergency communication project along the Phoenix Rail Trail and at Livesey and Cushman Parks. He has applied for CPC funding and is exploring potential Commonwealth funding. The Board's packet contains a formal letter outlining his request.

Suggested Motion:

"Move to (approve/not approve) the request for a (as presented/as amended)."

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

2. **Request to Use the Academy Building: Fairhaven Historical Society.** This item was tabled from October 13, 2026/ The Historical Commission and Historical Society are seeking the Board's approval to use the first floor and multi-purpose room of the Academy Building. The Board's packet contains a letter from member Beth Luey and one from Eleanor Chew.

Suggested Motion:

"Move to (approve/not approve) use of the Academy Building by the Historical Commission and Historical Society (as presented/as amended)."

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

3. **Appointment Requests:**

a. Mattapoisett River Valley Water District Representative: Mike Sanford

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) Mike Sanford as Mattapoisett River Valley Water District Representative."

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

Log on or call 1-929-205-6099, Meeting ID: 860 2838 7081, Passcode: 484211

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.

- b. Bell Committee: Doug Brady.** Mr. Brady has requested the Select Board reconsider his request to be reappointed to the Bell Committee. The Board voted at a recent meeting not to reappoint Mr. Brady because his appointment would violate the new bylaw. The Town Administrator asked for a legal opinion. Town Counsel indicated that the new bylaw applies to a Committee, Ad Hoc Committee or Working Group. However, the bylaw includes the ability for an exception if the Board deems it appropriate. The legal opinion is included in the Board's packet.

Suggested Motion:

"I will entertain a motion to (waive/not waive) the limit set forth in bylaw Chapter 56 §14 for the appointment request submitted by Doug Brady to the Bell Committee."

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

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) Doug Brady to the Bell Committee for a 1-year term."

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

- c. Belonging Committee: Denise Barr.** Ms. Barr was appointed in July, 2026 to a shortened term through September, 2026 and this item seeks to appoint her to full term.

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) Denise Barr to the Belonging Committee for a 1-year term."

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

- d. Cable Advisory Committee: John Methia.** Mr. Methia submitted a reappointment application shortly after the deadline for the October 14, 2026 meeting agenda. He is seeking reappointment to the Cable Advisory Committee.

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) John Methia to the Cable Advisory Committee for a 1-year term."

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

- e. Conservation Commission: Karyn Ferreira.** Ms. Ferreira was unable to address the Board on October 14, 2026 due to technical issues. She is seeking reappointment to the Conservation Commission.

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) Karyn Ferreira to the Conservation Commission for a 3-year term."

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

- f. Economic Development Committee: Keith Silvia.** Mr. Silvia was appointed in July, 2026 to a shortened term through September, 2026 and this item seeks to appoint him to full term.

Suggested Motion:

"I will entertain a motion to (appoint/not appoint) __ to the Economic Development Committee for a 1-year term."

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

- g. **Historical Commission: Associate Member: Allysia Berthelette.** Ms. Berthelette applied for the Historical Commission and had not indicated whether the request was for a full or associate member, Chair Romano reached out to Ms. Berthelette to confirm her interest in being considered for an Associate Member position on the Commission.

Suggested Motion:

“I will entertain a motion to (appoint/not appoint) ____ as an Associate Member of the Historical Commission for a 1-year term.”

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

4. **Cultural Council Term Corrections: Denise Barr and Brian Cass.** MGL Chapter 10 in Section 58 contains term length stating in part: *Members of the local and regional cultural council shall be appointed for staggered terms of three years and any such member shall not be appointed to more than two consecutive terms.* Ms. Barr and Mr. Cass were appointed to terms through September, 2026, this item seeks to correct their terms per MGL referenced.

Suggested Motion:

“Move to (update/not update) the term for Cultural Council members Denise Barr and Brian Cass to expire in 2029.”

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

5. **Review of Open Volunteer Opportunities.** As part of the Board’s efforts to highlight volunteer opportunities, the list of openings on the Volunteer Opportunities page of the Town’s website as of the morning the agenda is posted is included in the Board’s packet.

Suggested Motion:

“No motion needed”

C. ACTION / DISCUSSION

1. **Consider Revision to Waterway Rules and Regulations Regarding the Collection of Fees.** The Marine Resource Committee is requesting the Select Board consider amend the Waterway Rules and Regulations Section 2.2, Waterway User Fee by accepting their recommended changes. The Committee is recommending the facility providing mooring space, docking, slips or summer in and out services collect the fee charged by the Town of Fairhaven when entering into a contract to provide space for their boat rather than the current practice of informing the boater when signing the contract of the Town fee. The facility will remit Town fees to the Town at the end of each month the fee is collected. The current fees are \$2 per foot for residents and \$6 per foot for nonresidents. The Waterway Rules that outline the recommended changes in included in your Board materials.

Suggested Motion:

“Move to (approve/not approve) the changes to Waterway Rules and Regulations Section 2.2, Waterway User Fee (as presented/as amended).”

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

2. **Vote to Amortize FY26 Snow & Ice Deficit Per DLS Bulletin BUL-2026-04.** The Massachusetts Department of Revenue's Bulletin BUL-2026-04 provides revised guidance allowing municipalities to amortize FY2026 snow and ice removal deficits over FY2027 through FY2029 in equal installments or more rapidly. Before setting the FY2027 tax rate, the Select Board must adopt an amortization schedule if the Town chooses this option; otherwise, the deficit must be fully funded through the FY2027 tax rate or another funding source. The bulletin also outlines special accounting procedures for anticipated **Winter Recovery Assistance Program** (WRAP) reimbursements, including how funds may be applied to deficits or handled if the deficit has already been funded. Municipalities must follow the specified accounting and reporting procedures for amortized deficits and WRAP funds

Suggested Motion:

"Move to () (as presented/as amended)."

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

3. **Discussion on the Zoning Board of Appeals Openly Discussing the Use of the Atlas Tack Property.** The Atlas Tack Working Group is seeking the Select Board's support to being discussing the recommended reuse of the Atlas Tack property. Atlas Tack Working Group Chair Ken Blanchard will attend the Board meeting to discuss their request.

Suggested Motion:

"No motion needed"

4. **Continue Deliberation and Potential Selection of Town General and/or Labor Counsel.** The Select Board interviewed four law firms on Thursday, October 15th. After discussion, the Board requested the Town Administrator to request each legal firm provide a monthly and annual fee based on a consistent list of the legal services included in their fees. Included in your Board packet is the additional supporting requested on October 15th. Through September, the General Fund has expended \$44,637, including \$6,475 for the Rogers School litigation.

Suggested Motion:

"Move to appoint () as general and labor counsel for a three year period ending December 31 2029 based on the terms discussed this evening."

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

5. **Discussion on Budget Working Group Liaison's Response to Correspondence from Department Heads of Police, Fire, Schools and Public Works to the Budget Working Group.** Member Trapilo asked for this agenda item and discussion to address the communication between the Budget Working Group, Mr. Trapilo and the Superintendent of Schools, Fire and Police Chiefs and Public Works Director.

Suggested Motion:

"No motion needed"

6. **Select Board Vote Special Town Meeting Article Recommendations and Sign the Warrant.** The Board's packet contains an addendum with additional context per article. The Board historically votes their recommendation per article to either recommend adoption of the article or one of the following if the recommendation is not to adopt the article: recommend pass over, recommend indefinite postponement or recommend yield to petitioner. The Finance Committee will be reviewing the warrant and taking their votes on October 29th.

Suggested Motion:

“Move to recommend: _____ (adoption / pass over / indefinite postponement / yield to petitioner) for article ____.”

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

7. **Consider the Release of Executive Session Minutes of: 9/14/26 redacted, 8/10/26 redacted, 8/10/26 redacted, 4/13/26 redacted, 3/9/26 redacted, 3/2/26 redacted, 11/24/25 redacted, 9/22/25 redacted, 8/11/25 redacted, 7/28/25 redacted, 7/14/25 redacted, 7/10/25, 7/7/25, 6/9/25 redacted, 5/12/25 redacted, 4/14/25 redacted, 3/31/25 redacted, 3/24/25 redacted, 3/17/25 redacted, 3/10/25 redacted and 2/24/25 redacted.** As established through previous Board discussions, Member Mello has met with Mr. Hickey to review the Executive Session minutes for the Board to consider releasing. The Board’s packet contains recommended Executive Session minutes for release, some with redactions. The redactions can be categorized as: ongoing matters, attorney-client privileged discussions or personnel matters.

Suggested Motion:

“Move to (release/no release) the Executive Session minutes of ____ as listed on the agenda and redacted as indicated.”

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

D. TOWN ADMINISTRATOR

E. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

F. MINUTES

1. Accept the Open Session minutes of October 13, 14 and 15, 2026

Suggested Motion:

“Move to (accept/not accept) the Open Session Minutes of October 13, 14 and 15, 2026 (as presented/as amended).”

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

2. Accept and Consider the release of the Executive Session minutes of October 13, 2026

Suggested Motion:

“Move to (accept/not accept) the Executive Session Minutes of October 13, 2026 (as presented/as amended) and release them.”

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

G. NEWS AND ANNOUNCEMENTS

1. The next scheduled Select Board meeting will be on ***Monday, November 9, 2026*** at 6:00pm

H. ADJOURN



October 26, 2026

APPOINTMENTS AND COMMUNITY ITEMS

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 - g. Historical Commission: Associate Member: Allysia Berthelette
4. Cultural Council Term Corrections: Denise Barr and Brian Cass
5. Review of Open Volunteer Opportunities

BI

Date: October 7, 2026

To:

Chair Andrew Romano and Members of the Fairhaven Select Board
Fairhaven Town Hall
40 Center Street
Fairhaven, MA 02719
508.979.4107
selectboard@fairhaven-ma.gov
aromano@fairhaven-ma.gov
khickey@fairhaven-ma.gov

From:

Timothy Garcia, Fairhaven Livable Streets Committee & Sustainability Committee
356 Alden Road
Fairhaven, MA 02719
508.817.2925
TimMattGarcia@gmail.com

Request for Select Board Agenda Placement and Letter of Support – Fairhaven Blue Light Emergency Communication Project

Dear Chair Romano and Members of the Fairhaven Select Board,

I respectfully request that the proposed Fairhaven Blue Light Emergency Communication Project be placed on the agenda for your next available regular meeting for presentation, discussion, and consideration of a Board-authorized letter of support.

The project proposes (10) ten emergency communication towers at three recreational properties: (6) six along the Phoenix Rail Trail, (2) two at Livesey Park in North Fairhaven, and (2) two at Cushman Park. Its purpose is to provide residents and visitors with a visible, accessible means of requesting emergency assistance without relying on a personal cellphone.

Each proposed station would include hands-free emergency calling, solar power and battery storage, camera capability, and blue locator illumination throughout the night. The objective is emergency calling capability around the clock, subject to reliable equipment, communications, and an approved receiving arrangement. Connection to Fairhaven Police dispatch or the appropriate 911 answering point would require review and approval by the responsible public-safety personnel.

The proposed locations are:

- **Phoenix Rail Trail:** Main Street; open-space location between Elizabeth Street and Alden Road; Sconticut Neck Road; Pierces Place; Weeden Road; and the open-space and bench area near the Shaw Road baseball fields.
- **Livesey Park:** North Side and South Side of the park alongside the designated walking paths.
- **Cushman Park:** East Side and West Side of the park alongside the designated walking paths.

Coordinates have been identified for all (10) ten stations. Final placement remains subject to property verification, written consent, accessibility review, technical evaluation, and applicable approvals.

The preliminary capital estimate is **\$180,000**, based on **\$18,000 per installed tower**, pending written quotations and confirmation of the complete installation scope. Code Blue, Aiphone, and Transportation Solutions & Lighting (TS&L) are the three vendor options currently identified.

I am pursuing the project through the Community Preservation Committee application process and considering a request for earmarked Commonwealth funding through Representative Mark D. Sylvia and Senator Mark C. Montigny. A letter of support from the Select Board would help communicate the Town's position during funding review and legislative discussions.

For the agenda, I suggest the following description:

"Proposed Blue Light Emergency Communication Project — Presentation, Discussion, and Possible Vote on a Letter of Support and Direction for Municipal Coordination."

At the meeting, I would appreciate the Board's consideration of:

1. **A letter of support** addressing the project's public-safety purpose, proposed recreational locations, and benefit to residents and visitors, subject to necessary technical, financial, and regulatory review.
2. **Municipal coordination** through the Town Administrator and appropriate departments to establish sponsorship, site permissions, implementation responsibilities, and long-term stewardship.
3. **Committee participation**, with the Livable Streets Committee and Sustainability Committee as the first two proposed advisory partners, supported by the relevant public-safety, public works, recreation, accessibility, conservation, planning, and finance representatives.
4. **Funding coordination** for the CPC process and potential state funding, including confirmation of eligible expenses, award administration, and ongoing operating costs.

Support for developing the project can be distinguished from authorization to purchase equipment, begin construction, or commit Town funds or personnel. I am also seeking input from the Police Chief and Town Administrator so that the proposal reflects operational requirements and the Town's administrative needs.

The planning target is approximately six to nine months after funding becomes available and the Town authorizes implementation, subject to approvals, procurement, and vendor lead times.

Please confirm whether this item can be included on the next available regular meeting agenda, the deadline for submitting supporting materials, and the presentation time available. If the next agenda cannot accommodate it, I would appreciate the earliest suitable meeting date.

I can provide the project narrative, location coordinates, site-control explanation, preliminary scope and cost estimate, and feasibility attachment for inclusion in the Board's meeting packet.

Thank you for considering this request. I welcome the opportunity to present the proposal and discuss a coordinated path forward.

Respectfully,



Timothy Garofa

Fairhaven Livable Streets Committee and Sustainability Committee

From: Beth Luey <beth.luey@gmail.com>

Sent: Sunday, September 27, 2026 12:18 PM

To: Natalie A. Mello <namello@fairhaven-ma.gov>; Ricky Goytizolo <inquiries@georgianmanorantiques.com>; Keith Hickey <khickey@fairhaven-ma.gov>

Subject: Re: Academy Building Use

Here's a description of our plans for the Select Board.

The Historical Commission and the Historical Society have two large projects coming up that would benefit from the use of the first-floor office and the multipurpose room.

The Commission, with a grant from the Community Preservation Committee, is developing a survey of the town's historical resources. This space would give us room to keep and use research materials and to meet with our consultant and volunteers. While it cannot be used for Commission meetings, because there are no facilities for televising the meetings, it will be useful for information sessions and focus groups. We will be careful not to violate the open meeting law in such gatherings.

The Society is planning to modernize the museum, bringing it up to current museum standards, and eventually providing audio tours for those who cannot negotiate the stairs. (The first floor, with CPC funds, is now ADA compliant.) The new space will give us a place to meet, to hold small lectures and workshops, to plan changes to exhibits, and to store artifacts not currently on display. It will also give us space for an exhibit on Fairhaven's Indigenous groups, who are not currently represented in our collection.

Rick Martin and I are the chair and vice chair of the Commission, and we both serve on the Society's board. We will head up these projects and would be happy to answer any questions you might have.

Beth Luey

141 Main St.
Fairhaven, MA. 02719

SELECT BOARD
2026 OCT 20 12:32:32

Andrew Romano, Chair
Fairhaven Select Board
40 Center St.
Fairhaven, MA. 02719

Dear Mr. Romano and Members of the Select Board,

First of all, thank you for agreeing at your last meeting to table the discussion on the Academy Building until we were able to discuss this.

At our meeting (10-13-26) the Historical Commission had an extended discussion about the building, its use and the responsibilities for oversight. There are still details to finalize. However, we believe that we can come to a collaborative and mutually agreeable arrangement that will benefit both groups and the town as well.

At the end of our discussion the Historical Commission made a motion that we request the Select Board turn over full decision-making authority to the Historical Commission. It passed 7-0. Based upon our vote, we hope that you will support this vote to allow us to have full oversight of the building, and operations at the Academy Building.

Thank you for your consideration of our request. We await your decision. Please reach out should you desire more information. We look forward to working together with the Historical Society and the Select board to make this a successful venture.

Sincerely yours,



Eleanor Chew
Secretary, Fairhaven Historical Commission

Mike Sanford Mattapoisett River Valley Rep Appointment

1 message

B3a

Vincent Furtado <vfurtado@fairhaven-ma.gov>

Wed, Oct 14, 2026 at 4:33 PM

To: Keith Hickey <khickey@fairhaven-ma.gov>, Amy Hart <ahart@fairhaven-ma.gov>, Rebecca Vento <rvento@fairhaven-ma.gov>

Hi Amy and Keith

As part of this email, I have included the legislation that created the Mattapoisett River Valley Water District and the appointed representatives from the member Towns (listed in Section 2(a)).

Jeff Furtado, who is the joint (mutually agreed upon) representative (meaning BPW (as Water Commissioners) and the SB) is retiring at the end of this month and I request that Mike Sanford (our new Water Superintendent) be appointed.

I plan on having the BPW appoint Mike at our meeting on the 19th. Then, when I appear before the SB on the 26th (Highway budget), I can answer any questions they may have about my request.

Thanks and please reach out if you have any questions.

Vinnie

AN ACT ESTABLISHING THE MATTAPOISETT RIVER VALLEY WATER DISTRICT.

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

SECTION 1. The establishment of the Mattapoisett River Valley Water District, hereinafter referred to as the district, pursuant to [section 25 of chapter 40N](#) of the General Laws by votes of the towns of Fairhaven, Marion, Mattapoisett and Rochester passed at town meetings in 2004 and in accordance with the agreement among said towns for the establishment of the district approved pursuant to said votes, hereinafter referred to as the agreement, and all actions heretofore taken by the district commission which were not inconsistent with this act or with the terms of the agreement, are hereby validated, ratified and confirmed in all respects, notwithstanding any failure to comply with the procedural requirements of said section 25. The purpose of the district shall be to provide for the supply, treatment and distribution of water to the member towns.

SECTION 2. The powers, duties and liabilities of the district shall be vested in and exercised by a district commission organized in accordance with this section and the agreement. The commission shall choose a chairman and secretary by ballot from its membership. It shall appoint a treasurer who need not be a member of said commission. The treasurer shall receive and take charge of all money belonging to the district and shall pay any bill of the district which shall have been approved by the commission. The treasurer may, by vote of said commission, be compensated for his services. The treasurer of the district shall be subject to sections 35, 52 and 109A of chapter 41 of the General Laws, to the extent applicable.

(a) Each of the member towns shall appoint 3 commission members. One of the 3 members shall be appointed by the board of selectmen; 1 by the water commissioners, or the board in that town having the authority of water commissioners; and 1 mutually agreed to by the board of selectmen and by the water commissioners; but, in the event of a failure to make a mutual selection of the third commission member in a town after a vacancy has existed for 45 days, the position shall be filled by appointment by the town moderator.

B36

New submission from Volunteer Opportunities

1 message

Douglas Brady Douglas Brady <no-reply@jgpr.net>
Reply-To: bradydoug@aol.com
To: ahart@fairhaven-ma.gov, selectboard@fairhaven-ma.gov

Sun, Oct 18, 2026 at 6:35 PM

Full Name Douglas Brady

Address 97 Pleasant Street

Email bradydoug@aol.com

Phone (508) 951-1379

Are you currently a Fairhaven resident; how long?

yes 27+ years

What Board, Committee or Commission are you interested in serving on? (please be specific)

Fairhaven Bell Committee

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

I have been a member since 2015 at inception of the committee. We are in the final stages of completion of our task to display the 1796 Paul Revere Bell for future generations to enjoy. I seek to be re-instated so that we can finish the job.

What relevant skills, experience, education, or knowledge would you bring to this position?

Since 2015. We have researched and officially proved that the town is indeed in possession of a 1796 Paul Revere Bell that was removed from the former Oxford School prior to the sale of the building.

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

I have attended every Fairhaven Bell Committee meeting since 2015. In process of determination of the current town bodies I serve on.

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?

I am aware of the charge and I request for re-instatement to bring this project to fruition of finalizing the 1796 Paul Revere Bell display which is located on the east wing town hall lawn, now that the town hall east wall repair is nearing completion.

Consent

 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 and may be removed by the appointing authority as outlined in Town policies.

B3c

Volunteer Opportunities : Entry # 28093

Full Name

Denise Barr

Address

19 Adams Street

Email

deniselynnbarr@gmail.com

Phone

(508) 846-3251

How long have you been a Fairhaven resident?

24 years

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

Either the Belonging Committee or Cultural Council. I know there is a need for more volunteers in the Town at this time and these are the two committees which have openings that I believe I would provide the most value.

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

Sustainability 1 year (several years ago)

Finance Committee for 1 year (I was unable to make the meetings due to work commitment which no longer is an issue)

Interests and Qualifications.

I believe both of these committees make real contributions in our community. What I bring is love and commitment to Fairhaven and its future. Also I have quite a bit of experience working with groups of diverse people, with event planning and DEIB activities within my professional life in human resources.

Consent

☒ I agree to the privacy policy.

Notes



Admin Notification (ID: 66b50ea310403)

added June 18, 2026 at 10:01 am

WordPress successfully passed the notification email to the sending server.

New submission from Volunteer Opportunities

1 message

B3d

john d methia john d methia <no-reply@igpr.net>

Thu, Oct 8, 2026 at 5:18 PM

Reply-To: john.methia@gmail.com

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

Full Name

john d methia

Address

3 SHAWMUT ST

Email

john.methia@gmail.com

Phone

(508) 728-3650

Are you currently a Fairhaven resident; how long?

Yes. I have been a Fairhaven resident for 42 years.

What Board, Committee or Commission are you interested in serving on? (please be specific)

I am seeking reappointment to the Fairhaven Cable Advisory Committee.

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

I would like to continue serving to help guide the Town through the Comcast cable contract renewal process. My priority is to represent the interests of Fairhaven residents and Xfinity subscribers, working toward a fair agreement that addresses community needs, service quality, and provider accountability.

What relevant skills, experience, education, or knowledge would you bring to this position?

I am an Emmy Award-winning producer and director and a seasoned broadcast television executive with extensive knowledge of television production, broadcasting, and cable television. Combined with my years of service on the Cable Advisory Committee, this experience provides both an industry perspective and a strong understanding of the Committee's responsibilities and the Town's needs.

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.

I have served on the Fairhaven Cable Advisory Committee for over 10 years. That service has given me valuable knowledge of the issues affecting local cable subscribers and the importance of consistent, informed oversight. My professional career in broadcast television also brings practical experience evaluating production capabilities, programming needs, and the role of local television in keeping residents informed and connected.

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?

Yes. Through my years on the Committee, I am very familiar with its charge and the issues currently before it, particularly the renewal of the Town's agreement with Comcast. I hope to contribute continuity, industry knowledge, and an informed community perspective to the negotiations, helping secure a fair agreement that protects the Town's interests and serves Fairhaven residents.

Consent

✓ 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 and may be removed by the appointing authority as outlined in Town policies.

B3e

Volunteer Application

all fields are required

Full Name: Maryn Ferreira
 Address: 13 Jeannette Street
 Email: trinity143 @comcast.net
 Phone: 508-742-5934

Are you currently a Fairhaven resident, how long? 30 years

What Board, Committee or Commission are you interested in serving on? *Please be specific*

Conservation

Economic Development

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

I have been on both for 2 years. I believe I have been an asset on both Committees by being involved and bringing new ideas.

What relevant skills, experience, education or knowledge would you bring to this position?

I am very involved in community events and have had much experience with planning events and being organized.

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.

Conservation 24 years
 Economic 34 years
 Friends of Jack 6 years

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?

To continue to see Fairhaven grow to become a thriving town.

To continue to protect of wetlands and keep this town beautiful.

Attach additional sheets if needed

Consent

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 and may be removed by the appointing authority as outlined in Town policies.

B 3f

Volunteer Opportunities : Entry # 28086

Full Name

Keith Silvia

Address

21 Holiday Dr

Email

ksilvia2@yahoo.com

Phone

(774) 263-2249

How long have you been a Fairhaven resident?

44 years

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

I would like to join the Atlas Tack Working Group as I was one of the originators of the group and I am very interested in following through to the completion of the groups mission.

I am also interested in joining the EDC as I am very interested in promoting the growth of business' throughout the Town for the betterment of the Town.

As a Select Board member, I was the liaison to both of these committees, therefore feel I have the knowledge of what is expected as a Board member.

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

I was a member of the Select Board for the past 6 years.

Prior to the Select Board, I was a member of the BPW for 3 years and the ZBA for 1 year.

Interests and Qualifications.

I believe my 6 years as a Select Board Member has given me opportunity to observe how important each Board and Committee is to the ongoing improvement of the Town of Fairhaven. I have attended, on an ongoing basis, several Board and Committee meeting, not necessarily as their liaison, but in dedicated interest as to what each Board and Committee is contributing toward promoting the best financial and economic growth of the Town.

Consent

☒ I agree to the privacy policy.

Notes



Admin Notification (ID: 66b50ea310403)

added June 17, 2026 at 3:02 pm

New submission from Volunteer Opportunities

1 message

B3g

Allysia Berthelette Allysia Berthelette <no-reply@jgpr.net>

Reply-To: allysialafleur5@gmail.com

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

Wed, Sep 30, 2026 at 6:49 PM

Full Name Allysia Berthelette

Address 9 Rochambeau St

Email allysialafleur5@gmail.com

Phone (508) 942-3639

Are you currently a Fairhaven resident; how long?

Yes, 8 months (just purchased out home this year!)

What Board, Committee or Commission are you interested in serving on? (please be specific)

Historical Preservation Committee. I'm most interested in keeping our community's quaint, sea-side charm but would be open to other opportunities!

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

I believe in getting involved with your community and modeling the change you hope to see.

What relevant skills, experience, education, or knowledge would you bring to this position?

I have a bachelor's degree in business management. I am also a workforce consultant and am very tuned into the economy and what drives it.

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.

My professional experience in leadership, team management, client relations, and problem-solving has provided me with skills that I believe would be beneficial to this public body. Through my career in staffing and workforce management, I

have developed strong communication, organizational, and decision-making skills, along with the ability to work collaboratively with people from diverse backgrounds and perspectives.

As a Fairhaven resident and parent, I have a personal interest in the well-being of our community and its future. I would welcome the opportunity to contribute my professional experience, practical perspective, and commitment to helping Fairhaven remain a strong, welcoming community for families and residents.

I have not previously served on a Fairhaven Town board, committee, commission, or working group.

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?

Yes, I'm familiar. I'd like to bring a fresh perspective as someone new to the community.

Consent

✓ 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 and may be removed by the appointing authority as outlined in Town policies.



B4

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

MEMORANDUM

Re: Appointment Term Correction

After reviewing the appointments made to the Cultural Council and a section of MGL regarding Cultural Councils, terms are three years including appointments to fill vacancies.

Denise Barr and Brian Cass were appointed on July 13, 2026 for terms through September, 2026.

In light of the MGL regarding Cultural Council terms, this item is to correct both terms to expire in 2029.

Board or Committee	Vacancy available
Belonging Committee	Three Members
Cable Advisory Committee	Three Members
Capital Planning Committee	Business Representative
Economic Development Committee	One Member
Historical Commission	Associate Members, not to exceed number of Full Members
Lagoa Friendship Pact Committee	Three Members
Livable Streets Committee	Unlimited
Millicent Library Board of Trustees	One Member
Sustainability Committee	Two Members



October 26, 2026

ACTION / DISCUSSION

1. Consider Revision to Waterway Rules and Regulations Regarding the Collection of Fees
2. Vote to Amortize FY26 Snow & Ice Deficit Per DLS Bulletin BUL-2026-04
3. Discussion on the Zoning Board of Appeals Openly Discussing the Use of the Atlas Tack Property
4. Continue Deliberation and Potential Selection of Town General and/or Labor Counsel
5. Discussion on Budget Working Group Liaison's Response to Correspondence from Department Heads of Police, Fire, Schools and Public Works to the Budget Working Group
6. Select Board Vote Special Town Meeting Article Recommendations and Sign the Warrant
7. Consider the Release of Executive Session Minutes of: 9/14/26 redacted, 8/10/26 redacted, 8/10/26 redacted, 4/13/26 redacted, 3/9/26 redacted, 3/2/26 redacted, 11/24/25 redacted, 9/22/25 redacted, 8/11/25 redacted, 7/28/25 redacted, 7/14/25 redacted, 7/10/25, 7/7/25, 6/9/25 redacted, 5/12/25 redacted, 4/14/25 redacted, 3/31/25 redacted, 3/24/25 redacted, 3/17/25 redacted, 3/10/25 redacted and 2/24/25 redacted



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

C1

MEMORANDUM

To: Select Board

From: Tim Cox, Harbormaster

Date: September 30, 2026

Re: Revision to Waterway Rules and Regulations Regarding the Collection of Fees

The Marine Resources Committee proposes to change a portion of the Waterway Rules and Regulations regarding the Collection of fees. Specifically, having the facility collect the fee and submit it to the Town.

The proposed change is below.

Waterway Regulations, § 2.2 Waterways User Fee, paragraph three, by striking some of the existing language as indicated in strikethrough, and adding language as indicated in bold/underlined below.

Facilities providing services such as mooring space, docking, slips or summer in-and- out services shall, as a condition of their permit to operate as a business in Fairhaven, MA, **collect** ~~notify all of their customers' of this required~~ **waterways user fee and make payment of such fees** to the Town of Fairhaven, MA, when signing a contract or agreements that allows them to keep their boat in the Town of Fairhaven qualifying them for the waterway users fee under the guidelines as described herein. **This fee, when collected, will be submitted to the Town by the facility on a monthly basis by the end of each month.**



Town of Fairhaven, Massachusetts

40 Center Street · Fairhaven, MA · 02719

ACTION / DISCUSSION ITEM C2

The Massachusetts Department of Revenue's Bulletin BUL-2026-04 provides revised guidance allowing municipalities to amortize FY2026 snow and ice removal deficits over FY2027 through FY2029 in equal installments or more rapidly. Before setting the FY2027 tax rate, the Select Board must adopt an amortization schedule if the Town chooses this option; otherwise, the deficit must be fully funded through the FY2027 tax rate or another funding source. The bulletin also outlines special accounting procedures for anticipated **Winter Recovery Assistance Program (WRAP)** reimbursements, including how funds may be applied to deficits or handled if the deficit has already been funded. Municipalities must follow the specified accounting and reporting procedures for amortized deficits and WRAP funds.



Bulletin

BUL-2026-04

FY2026 Snow and Ice Amortization

TO: City/Town Accounting Officials

FROM: Deborah A. Wagner, Director of Accounts

DATE: July 2026

SUBJECT: Revised Guidance - Amortization of FY2026 Snow and Ice Removal Deficit and Special Accounting Treatment for Commonwealth Reimbursement

The intent of this bulletin is to provide updated accounting guidance related to WRAP program reimbursements as outlined below. The updated guidance relates to the section “**Special Accounting Treatment for Intended WRAP Reimbursement and Amortization Procedures.**” This bulletin replaces all prior guidance related to the FY2026 WRAP program.

Chapter 101 of the Acts of 2026, “AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2026 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS,” (“the Act”), Section 36, authorizes cities and towns to amortize their FY2026 snow and ice removal budget deficits over the next three fiscal years, in equal installments or more rapidly.

In order to amortize the deficit over fiscal years 2027 to 2029, inclusive, the local appropriating authority as defined in section 21C of chapter 59, shall adopt a deficit amortization schedule before setting the municipality’s FY2027 tax rate. In a town, this is the selectboard; in a city, the council, with the mayor’s approval, when required by law; in a municipality having a town council form of government, the town council.

Additionally, the Fiscal Year 2026 Fair Share Supplemental budget provided \$100 million in funding for the Winter Recovery Assistance Program (WRAP) for payments to municipalities to provide financial relief for extraordinary snow, ice, and winter recovery costs incurred during the winter of 2026.

This funding is divided into two allocations: \$80 million will be distributed using a formula based on each municipality’s share of locally owned road mileage (“formula funds”) and \$20 million will be made available as additional relief to municipalities, at the discretion of the secretary of the Massachusetts Department of Transportation (MassDOT), that have experienced extraordinary costs due

to extreme weather impacts relative to other geographic areas of the commonwealth during the winter of 2026 (“extraordinary hardship funds”).

The [WRAP Program](#) is administered by MassDOT. Questions regarding the program requirements and the distribution of these funds should be directed to “Local aid district contacts – Winter Recovery Assistance Program (WRAP)” listed at the bottom of the WRAP Program page. Questions regarding the FY2026 deficit amortization procedures outlined below can be directed to your [Bureau of Accounts \(BOA\) field representative](#).

Special Accounting Treatment for Intended WRAP Reimbursement and Amortization Procedures

BOA will allow city and town accounting officials to transfer the portion of their FY2026 snow and ice deficit expected to be offset by WRAP reimbursement into a special revenue fund in anticipation of this reimbursement. According to the MassDOT WRAP page, the WRAP funds should be available in July 2026. The amount of the FY2026 snow and ice deficit transferred may be no more than the total of the FY2026 snow and ice deficit. Reimbursements from the WRAP will then be applied to this fund to offset the deficit. Once the final WRAP reimbursement is received to offset this deficit, any deficit remaining in the special revenue fund must be added to the amortization schedule, if during the amortization period. If the municipality has chosen not to amortize the deficit, such remaining deficit must be raised on the next annual tax rate in full.

Any FY2026 snow and ice deficit, not transferred to the special revenue fund will become the FY2026 snow and ice deficit eligible for amortization. In order to amortize the deficit over fiscal years 2027 to 2029, inclusive, the local appropriating authority as defined in section 21C of chapter 59, shall adopt a deficit amortization schedule before setting the municipality’s FY2027 tax rate. In a town, this is the selectboard; in a city, the council, with the mayor’s approval, when required by law; in a municipality having a town council form of government, the town council. The deficit must be amortized in equal installments or more rapidly. The amortization form that must be completed can be found on the tax rate landing page in Gateway under “Downloadable Templates”.

If a municipality chooses not to amortize any FY2026 snow and ice deficit, that deficit must be raised in full on the FY2027 tax rate recap or otherwise funded prior to setting the FY2027 tax rate. WRAP reimbursements received related to that deficit may be deducted from the amount to be raised.

If a municipality has extinguished, in whole or in part, the FY2026 snow and ice deficit by an appropriation of an available fund prior to June 30, 2026, any WRAP reimbursement pertaining to the amount of the FY2026 snow and ice deficit extinguished *may* be treated as follows:

- If the deficit was funded by a free cash appropriation, the WRAP reimbursement in an equal amount or less may be reserved in a special revenue fund and appropriated for any legal purpose until June 30, 2027, with appropriation by the legislative body. Any amount remaining at June 30, 2027, must close to the general fund and become part of certified free cash. Alternatively, if the amount is not placed in a special revenue fund, the WRAP reimbursement *may* close to the general fund and become part of certified free cash prior to expenditure. The selectboard, in a town, or mayor in a city must make the determination regarding which of the two options above will be used.
- If the FY2026 deficit was funded by an appropriation from stabilization funds, the WRAP reimbursement *may*, without appropriation, be returned to the stabilization fund.
- If the FY2026 was funded by any source other than free cash or stabilization, the WRAP reimbursement pertaining to those costs *may* close to the general fund and be certified as part of free cash prior to appropriation.

If a municipality receives WRAP reimbursement and chooses not to offset their FY2026 snow and ice deficit, they may use the WRAP funds for any purpose approved by MassDOT WRAP officials and account for such expenditures as they would Chapter 90 funds.

Accounting Treatment for Amortized Snow and Ice Deficit

If amortizing the deficit, record the following actual entry on the FY2026 balance sheet:

DEBIT	Fund Balance Reserved for Authorized Snow and Ice Amortization
CREDIT	Undesignated Fund Balance

(To record the total net deficit to be amortized)

On the balance sheet for fiscal years 2027 through 2029 inclusive, this entry shall be reversed by at least one-third, matching the amount funded in each fiscal year.

Procedures to Expend for WRAP-Eligible Reimbursement After July 1, 2027

Any expenditure of funds after July 1, 2027 eligible for WRAP reimbursement should be recorded in the ledger consistent with regular Chapter 90 expenditures. Please refer to the MassDOT WRAP page for deadlines related to spending and reimbursement submissions.



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

C4
Select Board
Andrew Romano, Chair
Natalie A. Mello, Vice Chair
Pamela Kuechler, Clerk
Andrew B. Saunders
Richard Trapilo

Town Administrator/
Keith R. Hickey

Tel: (508) 979-4023

MEMO

DATE: October 22, 2026
TO: Select Board
FROM: Keith R. Hickey, Town Administrator

RE: Additional Information for General and Labor Counsel Services o

Attached please find the updated scope and pricing proposals from Mead, Talerman and Costa, Harrington Heep and KP Law. Each firm provided two prices. The first includes all general and labor counsel services. The second includes all general and labor matters, ***excluding non-litigation labor matters.***

I sent an email to the three firms requesting their first annual fee include legal representation for the following:

The Select Board requests that your firm either submit a revised flat fee or confirm that the flat fee included in your original proposal covers all of the following services:

- All general municipal legal services and non-litigation labor matters.
- Legal opinions involving general municipal, land use, zoning, labor, and employment matters.
- Legal representation in land use, zoning, Board of Health, and Conservation Commission litigation, including mediation and arbitration.
- All work performed by paralegals and support staff.
- Participation in and ongoing support for collective bargaining negotiations.
- Attendance at the Town's Annual and Special Town Meetings.
- Licensing matters under the jurisdiction of the Select Board.
- Assistance with procurement matters and the preparation and review of contracts.
- An attorney's availability at the Fairhaven Town Offices twice per month for two hours per visit.
- Attendance at up to two Select Board meetings per month.

The following page is a summary of the monthly and annual proposals from each firm ***excluding*** litigation involving labor matters.

<u>All Litigation-Excluding Litigation Involving Labor Matters</u>		
Firm	Monthly Fee	Annual Fee
Mead, Talerman and Costa	\$15,000	\$180,000
Harrington Heep	\$13,000	\$156,000
KP Law	\$16,000	\$192,000

Attendance at Board meetings:

Mead, Talerman and Costa	3 per month
Harrington Heep	2 per month
KP Law	2 per month

Hourly rates for representation not included in the price:

Mead, Talerman and Costa	\$225 per hour
Harrington Heep	\$225 per hour
KP Law	\$355 per hour

Representation not included in the price:

Mead, Talerman and Costa:

- Representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.
- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.

Harrington Heep

- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.

KP Law

- Paralegal services are billed at one half the quoted attorney rate.
- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.

The following page is a summary of the monthly and annual proposals from each firm *including* litigation involving labor matters.

<u>All Litigation-Including All Labor Matters</u>		
Firm	Monthly Fee	Annual Fee
Mead, Talerman and Costa	\$17,250	\$207,000
Harrington Heep	\$15,000	\$180,000
KP Law	\$14,000	\$168,000

Attendance at Board meetings:

Mead, Talerman and Costa	3 per month
Harrington Heep	2 per month
KP Law	2 per month

Hourly rates for representation not included in the price:

Mead, Talerman and Costa	\$225 per hour
Harrington Heep	\$225 per hour
KP Law	\$355 per hour

Representation not included in the price:**Mead, Talerman and Costa:**

- Representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.
- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.

Harrington Heep

- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.

KP Law

- Paralegal services are billed at one half the quoted attorney rate.
- The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G.



THE LEADER IN PUBLIC SECTOR LAW

101 Arch Street, 12th Floor
Boston, MA 02110
Tel: 617.556.0007 | Fax: 617.654.1735
k-plaw.com

October 22, 2026

Lauren F. Goldberg
lgoldberg@k-plaw.com

BY ELECTRONIC MAIL ONLY (khickey@fairhaven-ma.gov)

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

Re: Fee Proposal – Town Counsel and Labor and Employment Legal Counsel

Dear Mr. Hickey:

Below please find responses to each of the questions posed by the Select Board, as well as an enclosure setting forth our hourly and Fixed Fee proposals, as well as an updated proposal with a Labor and Employment General Services adder. See Exhibit A for a description of these three proposals.

The Select Board has asked whether the following are included in our Fixed Fee proposal:

- All general municipal legal services and non-litigation labor matters.

The Fixed Fee proposal includes general municipal services as outlined, excluding the specific services listed and those matters on our Specialty Legal Services page.

- Legal opinions involving general municipal, land use, zoning, labor, and employment matters.

The original Fixed Fee proposal does not include labor and employment matters, but does cover the other subject matters listed. We have included an updated Fixed Fee proposal with a Labor and Employment adder.

- Legal representation in land use, zoning, Board of Health, and Conservation Commission litigation, including mediation and arbitration.

Litigation, as well as mediation and arbitration, are excluded from the Fixed Fee proposals.

- All work performed by paralegals and support staff.

We do not charge for work performed by staff, and work performed by paralegals would be included in the fixed fee.



Mr. Keith R. Hickey
Town Administrator
October 22, 2026
Page 2

- Participation in and ongoing support for collective bargaining negotiations.

The original Fixed Fee proposal does not include labor and employment matters. Our Fixed Fee and Labor and Employment General Legal Services (the updated proposal prepared at the Select Board's request) includes general counsel and advice on labor and employment matters, but not participation in collective bargaining negotiations.

- Attendance at the Town's Annual and Special Town Meetings.

Yes, the Fixed Fee includes any pre-meeting, post-meeting debriefing, preparation and review of warrant articles, motions, and anything else Town Meeting related.

- Licensing matters under the jurisdiction of the Select Board.

Licensing matters, other than Cable Licensing, are included in the Fixed Fee. If such matters were to proceed to litigation, however, that portion would not be included in the Fixed Fee.

- Assistance with procurement matters and the preparation and review of contracts.

Yes, this is included within the Fixed Fee.

- An attorney's availability at the Fairhaven Town Offices twice per month for two hours per visit.

Yes, our Fixed Fee Proposal includes up to six hours of meetings per month, which could include Office Hours.

- Attendance at up to two Select Board meetings per month.

Yes, we can provide this service as part of the Fixed Fee.

In addition to the hourly and Fixed Fee proposals previously provided, we have included a Fixed Fee and General Labor and Employment Legal Services Proposal, as requested, all of which are described in Exhibit A.



Mr. Keith R. Hickey
Town Administrator
October 22, 2026
Page 3

In closing, I would also like to convey that we are available to further explain our proposal, and to discuss and adjust as needed to best align with the Board's legal services needs and protocols. Please contact me with any further questions about our proposed fee structure.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Lauren F. Goldberg".

Lauren F. Goldberg

LFG/aem
Enc.

Exhibit A

EXHIBIT A TO OCTOBER 22, 2026 LETTER TO KEITH HICKEY

**Fee Proposal for Town of Fairhaven
Prepared for Select board October 26, 2026 Meeting**

Hourly Legal Services: Legal services provided at a rate of \$285/hour, with Specialty Legal Services at the rates set forth in *Exhibit 1*. If reappointed, hourly legal services rates will annually increase by \$10.00.

Fixed Fee:¹ Legal services provided at the annual rate of \$168,000 (\$14,000/month) for all Town Counsel services, excluding Specialty Legal Services as listed in *Exhibit 1*, and the following, which will be billed at the rate for Hourly Legal Services:

- Labor and employment;
- Litigation and other adversarial matters, including mediation and arbitration;
- Real estate transactions;
- Meetings and/or Office Hours in excess of six hours (unrelated to Specialty Legal Services matters), which could include Office Hours or attendance at meetings, as requested;
- Drafting decisions, permits or orders (unrelated to Specialty Legal Services matters);
- Construction and building committee issues and related litigation; and
- Special projects.

Fixed Fee and General Labor and Employment Legal Services: Includes the same legal services as provided in the Fixed Fee option described above, but with an additional monthly fee of \$2,000 for general labor and employment advice, specifically excluding:

- Collective Bargaining;
- Labor and employment litigation and other adversarial matters including grievances and arbitrations;
- Dismissal/Removal Hearings (i.e., not general guidance about processes which are included in the Fixed Fee, but actually advising and participating in the process in connection with particular individual employees); and
- Proceedings before state and federal agencies (i.e., MCAD, CRAB, LRB, etc.).

¹ The standard Fixed Fee option does not include any labor and employment legal services. Those services are, however, included in the Fixed Fee and General Labor and Employment Legal Services proposal as requested by the Select Board.

Exhibit 1



THE LEADER IN PUBLIC SECTOR LAW

**SPECIALTY LEGAL SERVICES RATES
(Town Counsel/City Solicitor)**

FY27 and FY28

“Specialty Legal Services” rates reflect the high demand for such services and the intensity of the work required to provide such services.

- Comprehensive permit matters, including hearings, and similar matters paid for by third parties such as host community agreement negotiations and the like, and including any administrative or court appeals (\$385/hour if fees are not paid by municipality; or \$355/hour if paid by the municipality);
- Comprehensive general or zoning bylaw revision or review and comprehensive form of government charter or special act adoption or amendment services (\$340);
- Election recounts (\$340);
- Cable television licensing (\$340);
- Employment Investigations (\$340); and
- Bond counsel work (fees calculated based upon “standard” factors in the field).

Note: Paralegal services are billed at one-half the quoted attorney rate. Disbursements and other costs incurred by the firm are passed through to the City or Town. We do not charge for any in-house costs.

Please contact Lauren Goldberg at lgoldberg@k-plaw.com or at (617) 654-1759 with questions.

825625/KP/0005



Thomas J. Harrington Christopher H. Heep Donna M. Brewer Jennie M. Merrill
Ivria Glass Fried Bryan F. Bertram Christopher L. Brown Heather C. White
Ethan B. Dively Anthony J. Riley Eric B. Reustle Rian R. Holmquest Emily A. Meehan

October 20, 2026

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

Mr. Hickey,

Harrington Heep submits the following fee proposal as the Select Board requested.

Flat Fee #1

\$13,000 per month for the following matters as listed in your request:

- All general municipal legal services and non-litigation labor matters.
- Legal opinions involving general municipal, land use, zoning, labor, and employment matters.
- Legal representation in land use, zoning, Board of Health, and Conservation Commission litigation, including mediation and arbitration.
- All work performed by paralegals and support staff.
- Participation in and ongoing support for collective bargaining negotiations.
- Attendance at the Town's Annual and Special Town Meetings.
- Licensing matters under the jurisdiction of the Select Board.
- Assistance with procurement matters and the preparation and review of contracts.
- An attorney's availability at the Fairhaven Town Offices twice per month for two hours per visit.
- Attendance at up to two Select Board meetings per month.

Flat Fee #2

\$15,000 per month for the above-listed matters and representation of the Town in litigation involving labor and employment matters.

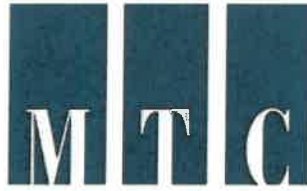
Excluded from each of these flat fees are 1) all litigation not listed above; and 2) matters for which the Town's legal fees are paid by others. Excluded matters will be billed in 1/10 of an hour increments at a rate of \$225 per hour for all attorneys and \$150 per hour for paralegals.

As noted in our original proposal, we propose a six-month and year-end review of this arrangement, to ensure the number agreed-upon in initial discussion remains fair and transparent for both parties. We also refer the Board to our original proposal should the Board decide to engage us for all services at an hourly rate instead of a flat fee.

Thank you for your consideration. I enjoy working with the staff and officials of Fairhaven and hope to have the opportunity to continue to serve.

Sincerely,

Heather C. White



Mead, Talerman & Costa, LLC
Attorneys at Law

**REVISED FEE PROPOSALS
TOWN OF FAIRHAVEN
TOWN COUNSEL**

Our experienced administrative staff generates monthly invoices for each of our clients. Each invoice details the work performed, the hourly rate, if applicable, and by whom the work was performed. Invoices including expenses are similarly detailed. Our staff can create individualized sub-billing categories to fit the bookkeeping and organizational needs of the Town.

We propose four (4) fee structures for your consideration, as follows:

Proposal No. 1

Flat Fee Including ALL LITIGATION

1. The Firm proposes a **flat monthly fee of \$17,250.00**, equal to **an annual fee of \$207,000.00**, which shall include **substantially all general municipal and labor services work, including litigation**, performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of \$225.00 per hour.
3. The flat fee includes defense and prosecution of all customary land use litigation; mediation and arbitration relating to zoning, planning, board of health and conservation matters; as well as litigation relating to the enforcement of general and zoning by-laws. Excluded litigation will be billed at the firm's hourly rate of \$225.00 per hour.
4. The flat fee includes all opinions, negotiations and contracts relating to labor and employment matters, as well as any litigation or adversarial proceedings relating to the same.

5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.
7. The flat fee does not include representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.
8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of \$225.00 per hour.
9. The firm does not charge for work performed by paralegals and support staff.
10. The flat fee also includes monthly or bi-weekly "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.
11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. 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 are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
12. For matters subject to hourly billing, 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-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

Proposal No. 2

Flat Fee Including GENERAL LITIGATION ONLY

1. The Firm proposes a **flat monthly fee of \$15,000.00**, equal to an **annual fee of \$180,000.00**, which shall include **substantially all general municipal and all non-litigation labor services work** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town

Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of \$225.00 per hour.

3. The flat fee includes defense and prosecution of all customary land use litigation; mediation and arbitration relating to zoning, planning, board of health and conservation matters; as well as litigation relating to the enforcement of general and zoning by-laws. Excluded litigation will be billed at the firm's hourly rate of \$225.00 per hour.
4. The flat fee includes all opinions, negotiations and contracts relating to labor and employment matters, but excludes any litigation or adversarial proceedings relating to the same.
5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.
7. The flat fee does not include representation at routine hearings before the Appellate Tax Board that can be, and are typically, undertaken without counsel; but does include all Appellate Tax Board hearings on more substantial matters that do routinely require the assistance of counsel. Nor does the flat fee include prosecution of tax titles or negotiation of cable services agreements, as these specialized items are generally handled by special counsel with related expertise.
8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of \$225.00 per hour.
9. The firm does not charge for work performed by paralegals and support staff.
10. The flat fee also includes monthly or bi-weekly "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.
11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. 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 are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
12. For matters subject to hourly billing, 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-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-

portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

Proposal No. 3

Flat Fee EXCLUDING Litigation

1. The Firm proposes a **flat monthly fee of \$11,000.00**, equal to an **annual fee of \$132,000.00**, which shall include **substantially all non-litigation legal services** performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. The flat fee includes all representation and legal opinions for general and land use matters as well as preparation for and attendance at Annual and/or Special Town Meetings, as necessary, and three (3) board hearings or meetings per month. Attendance at additional meetings per month will be billed at the firm's hourly rate of \$225.00 per hour.
3. The flat fee does not include prosecution or defense of litigation, mediation and arbitration, whether in Massachusetts courts or before administrative agencies. Such matters will be billed at the firm's hourly rate of \$225.00 per hour.
4. The flat fee does not include matters relating to labor and employment. Such matters will be billed at the firm's hourly rate of \$225.00 per hour.
5. The flat fee includes all reviews of municipal contracts and assistance with procurement issues.
6. The flat fee includes representation of the Town on all significant licensing matters handled by the Select Board, including liquor licensing.
7. The flat fee does not include negotiation of cable services agreements, which is a specialized item generally handled by special counsel with related expertise.
8. The flat fee does not include matters for which fees are required to be paid by permit applicants under G.L. c. 44, § 53G. For such matters, the firm will bill at the rate of \$225.00 per hour.
9. The firm does not charge for work performed by paralegals and support staff.
10. The flat fee also includes monthly or bi-weekly "office hours" at Town Hall, as may be directed by the Town, as well as two (2) training seminars per year.
11. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. 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 are billed on a direct basis, i.e. with no markup by the firm. Expert

consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.

12. For matters subject to hourly billing, 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-mails are billed at a minimum rate of two-tenths (2/10) of an hour. For matters billed hourly, travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

Proposal No. 4

Hourly Rate

1. The Firm proposes **an hourly rate of \$225.00 per hour**, which shall include substantially all legal work performed by the firm's partners, associates and/or attorneys-of-counsel and related services performed by the firm's support staff. For the Town's convenience, all services provided by the firm will be itemized.
2. Where applicable, legal fees will be paid by permit applicants under G.L. c. 44, § 53G; and billed separately.
3. At the request of the Town, the firm is available to conduct "office hours" at Town Hall, at the hourly rate.
4. The firm does not charge for work performed by paralegals and support staff.
5. The firm will provide one (1) training seminar per year, at no charge to the Town.
6. The firm's internal costs, such as telephone services, utilities and clerical assistance, are not the Town's responsibility. Nor are standard mailing fees or routine copying costs charged to the Town. 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 are billed on a direct basis, i.e. with no markup by the firm. Expert consultant fees, fees for title examinations and the costs for stenographic transcripts shall also be the Town's responsibility, if and as applicable.
7. 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-mails 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 e-mail exchanges with Town officials. Travel time will be billed on a portal-to-portal basis; provided, however, that travel to and from Town offices shall not exceed 1.5 hours roundtrip irrespective of origin.

**Summary of Annual Legal Expenses
For Fiscal Years 2024-2026**

<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	<u>\$ 428,009.27</u>	<u>\$ 366,736.43</u>	<u>\$ 328,617.73</u>
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

Request to include in Agenda October 26, 2026

1 message

Rick Trapilo <rtrapilo@fairhaven-ma.gov>

Thu, Oct 22, 2026 at 10:01 AM

To: Keith Hickey <khickey@fairhaven-ma.gov>, Andrew Romano <aromano@fairhaven-ma.gov>, Amy Hart <ahart@fairhaven-ma.gov>, kblanchard1959@gmail.com

Cc: Tara Kohler <tkohler@fairhavenps.net>, Todd Correia <tcorreia@fairhaven-ma.gov>, Daniel Dorgan <daniel.dorgan@fairhavenpolice.org>, Vincent Furtado <vfurtado@fairhaven-ma.gov>

Fairhaven Needs Cooperation, Not Criticism: A Call for Accountability .

I believe the joint letter signed by the department heads of the Schools, Police, Fire, and BPW deserves a serious discussion from the Select Board.

Let me be clear: I respect the responsibilities, expertise, and authority of our department heads. I have never suggested that the Budget Working Group should manage their departments or interfere with their day-to-day operations. That is not our mission.

The BWG mission is to help Fairhaven identify solutions to a serious and ongoing budget problem, and to report to our Town Administrator on solutions worthy of review.

What concerns me at this early juncture, is that four of our most important departments have joined together to emphasize their autonomy and tell our volunteer Budget Working Group to respect their authority yet have offered no comparable solutions to the financial challenges facing our town.

Respectfully, that is not the response our taxpayers deserve.

We are facing significant, continuing budget pressures. Our residents expect their elected officials, Town Administrator, and department heads to work together to identify efficiencies, control costs, and protect essential services before asking taxpayers to shoulder additional burdens.

Instead, we risk creating an environment in which each department defends its own territory while the Select Board and Town Administrator are left responsible for the town's overall financial health.

Departmental autonomy cannot become a shield against financial scrutiny, accountability, or the responsibility to help solve a town-wide problem.

I also believe we need to consider the difference between the resources available to our professional leadership and the commitment being made by our volunteer citizens.

The combined salaries, benefits, and pension-related costs associated with these four department heads are estimated at approximately \$1 million annually. Collectively, they bring more than 50 + years of experience to their positions. These are substantial public investments in the people entrusted with managing important town operations.

By contrast, the members of the Budget Working Group are volunteer citizens. They receive no compensation for their time. They have stepped forward because they care about Fairhaven, recognize the seriousness of our financial challenges, and are willing to devote their personal time and experience to finding solutions.

I find it deeply disappointing if the response to these volunteers is criticism of their efforts rather than constructive participation in their mission.

Our volunteers are not the problem. They are part of the solution.

If a department head believes a proposed cost-saving measure will not work, I welcome that professional judgment. Explain the facts. Show us the financial analysis. Identify the operational concerns. Most importantly, offer a workable alternative.

That is cooperation. That is leadership. And that is what responsible stewardship of taxpayer dollars should look like.

I am not suggesting that we compromise public safety, educational quality, or essential public services without careful analysis. I am insisting that every department be willing to examine existing practices, staffing costs, benefits, purchasing, contracting, regionalization, privatization where appropriate, and other opportunities to improve efficiency.

We cannot tell taxpayers that we are serious about addressing our budget challenges while treating established practices as beyond examination.

Our residents have already expressed their concerns about additional tax burdens. They expect us to do the difficult work of evaluating spending and finding savings before returning to them for more money.

That responsibility belongs to all of us.

The Select Board and Town Administrator must lead a coordinated effort. The Budget Working Group must be allowed to fulfill its advisory mission. Department heads should be expected to participate professionally, share relevant information, evaluate proposals fairly, and help develop alternatives when they disagree with a recommendation.

The Schools have their own governance responsibilities, and those boundaries must be respected. But that does not eliminate the need for cooperation and responsible financial planning across town government.

I will not criticize a department simply because it disagrees with a proposal. Healthy disagreement is part of good government. What I will challenge is an approach that emphasizes autonomy without demonstrating an equal commitment to finding solutions.

This is not about personalities, departmental turf, or who has the most authority. It is about whether we are willing to put the financial future of Fairhaven ahead of defending the status quo.

I was elected to represent Fairhaven's taxpayers. I intend to take that responsibility seriously. I believe our volunteer citizens deserve support, our department heads must be held to a standard of constructive cooperation, and our Town Administrator must coordinate a credible, measurable plan to address our financial challenges.

I therefore ask that the Select Board publicly discuss the expectations for cooperation among our departments, the Town Administrator, and the Budget Working Group, including a process for evaluating cost-saving proposals and reporting measurable results.

We cannot expect unpaid volunteers to do the difficult work of identifying solutions while the people responsible for managing our largest operations respond primarily by defending their autonomy.

Fairhaven needs cooperation, not criticism. Solutions, not territorial disputes. Accountability, not excuses.

Our taxpayers deserve nothing less, and I intend to continue advocating for them.

Rick Trapilo

One principle should govern the entire BWG exercise

Let's not start with "What can we cut?" Strategically focus: "How can Fairhaven deliver the same or better service at the lowest sustainable cost?"

Proposed BWG — Top 12 Structural Priorities

1. Personnel — Compensation, Staffing & Hiring

- Immediate hiring/vacancy review and hiring freeze where operationally appropriate.
- Review every position: **essential, legally required, service-critical or discretionary.**
- Analyze 3–5 years of employee compensation, overtime, stipends and differentials.
- Benchmark Fairhaven wages against comparable communities.
- Review health insurance costs and **Town/employee contribution percentages.**
- Evaluate pension/retirement and other long-term personnel liabilities. OPEB
- Establish department staffing targets based on workload and service requirements.

2. Town-Owned Buildings & Real Estate Assets

- Complete a **Town-wide asset inventory and utilization study.**
- Identify properties that are underutilized, surplus or expensive to maintain.
- Evaluate **sale, lease, consolidation or redevelopment** of appropriate properties.
- Determine whether existing properties could be used for a consolidated **Police/Fire/public-safety facility** rather than constructing entirely new facilities.
- Include possible School Department/Town administrative consolidation where legally and operationally appropriate.
- Every major capital project should have a **business case before authorization.**

3. Privatization / Outsourcing Where Economically Justified

Evaluate public vs. private delivery—not automatically privatizing, but requiring a documented cost comparison for:

- Wastewater operations
- Ambulance/EMS services

- Solid-waste services_“cake”
- Certain DPW functions_Grass cutting, park services etc.
- Building maintenance_Facility manager for all town buildings for maintenance , janitorial
- IT
- Engineering
- Legal services
- Other specialized services

The test should be **five-year fully loaded cost + service quality + accountability**, not simply the first-year contract price.

4. Regionalization / Shared Services

Conduct a serious South Coast regionalization study involving:

- Police leadership/command
- Fire leadership
- Dispatch/911
- EMS
- Specialized police equipment
- Fire apparatus/equipment
- Training
- Fleet maintenance
- Purchasing
- IT/cybersecurity
- Animal control
- Health services
- Waste management

Also evaluate **tri-town agreements** where Fairhaven, Acushnet and Mattapoisett—or other neighboring communities—could reduce costs without reducing service.

5. Government Structure & Administrative Consolidation

This could be one of the biggest long-term opportunities.

Evaluate:

- Town-wide purchasing under the Town Administrator
- Centralized procurement
- Consolidation of administrative functions
- Central HR function
- Central IT
- Shared accounting/finance functions
- Central facilities management
- Central fleet management
- In-house vs. outside legal counsel
- Elimination of duplicated administrative functions
- Whether certain boards, committees or departments have overlapping responsibilities

Specifically examine whether **BPW operations and administration can be reorganized under a more centralized management structure**, while preserving the statutory responsibilities and required public oversight of the appropriate bodies.

6. School Department — Cost Structure & Enrollment

This needs to be a BWG workstream while respecting the School Committee's statutory authority.

Evaluate:

- Enrollment trends vs. staffing
- Three-to-five-year staffing trends
- Cost per student
- School Choice revenue and associated costs
- Transportation
- Special education

- Administrative overhead
- Facility utilization
- Energy costs
- Out-of-district tuition
- Shared services with other districts
- Opportunities for regional purchasing and services

The objective should be **aligning resources with enrollment and educational needs**, not directing the School Committee's day-to-day spending.

7. Capital Spending & Debt Management

Create a **five-year capital prioritization model**.

Every project should be categorized:

- Mandatory/legal
- Safety-critical
- Revenue-producing
- Cost-saving
- Service-critical
- Deferrable
- Optional

Require a documented **life-cycle cost, financing cost and operating-cost impact** before major projects proceed.

This is particularly important because Fairhaven already maintains a FY27–31 capital plan. ([Town of Fairhaven, MA](#))

8. Energy & Utility Costs

Conduct a Town-wide energy audit covering:

- Municipal buildings
- Schools
- Streetlights

- Water
- Wastewater
- Vehicle fleet

Evaluate:

- Solar
- Energy performance contracts
- LED conversion
- HVAC efficiency
- Building controls
- Electricity procurement
- Renewable-energy opportunities
- Water/wastewater energy consumption

The question should be: **What investments can permanently reduce the operating budget?**

9. Procurement & Contract Reform

I would make this a major BWG priority.

Review the Town's largest contracts and purchasing categories:

- Insurance
- Fuel
- Vehicles
- Equipment
- IT
- Telecommunications
- Legal
- Engineering
- Waste
- Construction

- Maintenance

Create a **Town-wide purchasing strategy** instead of departments independently purchasing similar goods and services.

Require competitive procurement and documented cost comparisons wherever legally permissible.

10. Revenue & Economic Development — Without Simply Raising Taxes

Look for revenue that comes from **economic activity and better utilization of Town assets**, including:

- Underutilized municipal property < Tripp/ Rogers>
- Economic development
- Commercial development
- Waterfront opportunities
- Permitting efficiency
- Grants
- State/federal reimbursement
- User fees that actually recover service costs
- Shared-service revenue
- Tourism-related opportunities
- Better collection of existing revenues

The BWG should distinguish between **new revenue generated by growth/efficiency** and simply increasing the taxpayer burden.

11. Technology, Process & Productivity

Perform a Town-wide operational review:

- Paper-based processes
- Permitting
- Payroll
- Purchasing
- Accounts payable

- Licensing
- Records
- Inspections
- Scheduling
- Work orders
- Fleet management

Ask of every major function:

Can this be done faster, with fewer administrative hours, through technology or process redesign without reducing service?

This can produce recurring savings without layoffs.

12. Five-Year Department-by-Department Zero-Based Review

This may be the most important overall framework.

Every department should be required to identify:

**Current Cost → Required Service → Staffing → Contract Costs → Capital Needs → Alternatives
→ 3-Year Savings → 5-Year Savings**

Rather than starting with:

"What does the department need next year?"

start with:

"What services must Fairhaven provide, what is the most efficient way to provide them, and what should those services cost?" _ Core Service Review

Given the magnitude of the projected structural problem, I would also have the BWG assign a **five-year dollar target to each workstream**—not just make recommendations. That would allow the Select Board and taxpayers to see, item by item, **how much recurring annual savings each reform could potentially produce and when those savings could realistically be achieved.**



October 20, 2026

Dear Members of the Budget Working Group,

We are in receipt of Mr. Trapilo's correspondence proposing the Budget Working Group's (BWG) 12-point framework for each of us to review. As operational leaders across Fairhaven's Police, Fire, BPW, and School departments, we share a commitment to fiscal sustainability, operational transparency, and maximizing taxpayer value.

Genuine fiscal accountability requires professional respect. We have already seen the damage caused when municipal oversight turns into outright hostility. In recent years, some members of the Finance Committee have shifted from responsible stewardship to an environment of public degradation, treating dedicated department leaders like adversaries and fundamentally damaging trust across the town departments and the community. Seeing your new BWG drift down that same path is deeply alarming. Annual budget discussions have grown increasingly frustrating because they overlook the core issues: inflation, non-discretionary mandates, and stagnant state and federal aid are significantly increasing the burden on municipal revenues. Our primary financial pressures are structural, not operational.

To ensure the BWG delivers actionable, long-term solutions, we urge the working group to integrate three core principles into its framework:

1. **Early, Collaborative Consultation:** Department heads manage real-world operational realities every day, from minimum staffing and emergency response times to regulatory compliance and equipment lifecycles. The Town Administrator has meaningful discussions with department leads and can help identify the true needs of each department.
2. **Clear Distinction Between Operational Management and Structural Drivers:** While our departments continually optimize processes and trim costs, macro-economic forces including special education mandates, health insurance, fuel increases, utilities, and contractual obligations are non-discretionary.
3. **Alignment with Established Governance:** Respecting statutory authority, such as M.G.L. c. 71 governance for schools and established oversight for public safety and public works ensures decision-making remains legally compliant, efficient, and trusted by the community.

During tight fiscal cycles, the greatest risk is turning inward. Internal friction carries a heavy, hidden cost. Creating workplace uncertainty risks driving away the skilled, dedicated personnel that we have worked hard to recruit and retain. Fairhaven has worked for decades to create departments that community members can be proud of who deliver results that residents have come to expect. Replacing lost institutional knowledge costs far more in the long run than any short-term budget trim savings.

Our focus must remain on collaborative problem-solving and advocating jointly to address the structural issues facing our town. We stand ready to continue working with Mr. Hickey throughout the budget process. Fairhaven is strongest when municipal leadership stands united.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'D. Dorgan'.

Daniel Dorgan
Chief of Police

A handwritten signature in blue ink, appearing to read 'V. Furtado'.

Vincent Furtado
BPW Superintendent

A handwritten signature in blue ink, appearing to read 'T. Correia'.

Todd Correia
Fire Chief

A handwritten signature in blue ink, appearing to read 'T. Kohler'.

Tara Kohler
Superintendent of Schools

ADDENDUM

C6

Special Town Meeting Articles

Article 1: Appropriate Insurance Proceeds

Insurance proceeds in excess of \$150,000 require a Town Meeting vote. The Department of Revenue confirmed this stating: Where the insurance proceeds exceed \$150,000, the funds must be appropriated by town meeting. They do not go to a revolving fund.

Article 2: Labor Contract Dispatch Union

The Board reviewed the Memorandum of Agreement at their October 13, 2026 meeting. Town Meeting votes to waive § 50-9 of the Town's bylaws and fund the contract through the Police budget for FY27.

Article 3: Request to Authorize Lessee to Place An Antenna on Water Tower

This article would allow Public Works to explore potential revenue from the lease of space on the water tower.

Article 4: Sewer Enterprise Fund

Unexpended Balances from borrowing can be re-appropriated towards other Capital Borrowing projects through a town meeting article.

Article 5: General Fund Operating Budget FY27

This article allocates funding to supplement the Accounting Department Salaries and Wages account to fully fund the Assistant Town Accountant position and fund the costs of hiring a new Town Accountant

Article 6: Conservation Restriction: Weeden Road/DeNormandie Farm West

This article, requested by the Buzzards Bay Coalition through the Conservation Commission, seeks reassignment of the Conservation Restriction (CR) for the Weeden Road/DeNormandie Farm West properties. Currently, the Coalition and the Commission co-hold the CR. The Coalition is purchasing the property and once the sale closes, the Coalition cannot be a grantor on the CR.

Article 7: Establish, Adopt/Re-Adopt OPEB Trust (MGL CH. 32B, S.20)

In 2011, the Town adopted MGL Ch 32B §20 establishing an OPEB Liability Trust Fund and did not fully execute a Trust Fund Agreement after the vote. To establish, the Town needs to re-adopt it. Treasurer/Collector Carla Mourao has provided additional points to consider.

Article 8: Bylaw Amendments

This article represents the work completed by the Special Bylaw Review Committee was charged to review existing bylaws to bring them into conformity with the provisions of the Charter and file a report with recommendations at Town Meeting.

Article 9: Citizen's Petition: Prohibition and Non-Renewal of Automated License Plate Reader (ALPR) Systems

The petitioner is responsible to present and address Town Meeting Member questions regarding this article.

AND, any other business



Town of Fairhaven, Massachusetts

40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

To: Select Board

From: Carla Mourao, CMMT | Treasurer/Collector

Date: October 22, 2026

Re: OPEB adoption recommendation in article 7

1. Auditor policy – a strict reading of the GASB 74 & 75 statements would suggest that assets held in an “OPEB Trust” may only be considered an OPEB Trust for reporting purposes if it has a formal legal trust document that confirms that:
 - a. Such funds may only be used exclusively for OPEB benefits until & unless such benefits are fully satisfied; and
 - b. Contributions and associated earnings on such contributions are irrevocable; and
 - c. Such funds are legally protected from creditors.
2. It enhances generational equity – benefits are being earned/accrued today through the provision of services by municipal staff. A trust enables the municipal entity to set aside the deferred cost of such benefits as they’re earned to avoid saddling future taxpayers with that cost.
3. Budgetary flexibility – while ideally the funds should accumulate until the plan liability is fully funded or near that amount, the reality is that the municipality can always choose to submit retiree healthcare costs for reimbursement in any year which may be beneficial budgetary relief in a difficult year.
4. Investment returns – assets held in stabilization funds and the general fund are largely limited to very low risk and likely low return investments. The OPEB Trust allows the use of equities and those investments likely to achieve higher returns over the long term. As such, these investment returns may be used to lower the long-term cost of the plan for the community – beyond that, under GASB discount rate rules, it may allow for the use of higher discount rate which will lead to a lower disclosed liability on the community’s balance sheet & financial statement.
5. Shows financial management – the existence & funding of an OPEB Trust shows the credit ratings agencies and outside stakeholders that the community recognizes this very large liability (likely the 1st or 2nd highest liability on the balance sheet) and is taking active steps to address it. As noted above, the budgetary flexibility will enhance your ability to service your debt which is obviously well received.
6. Funding Policy – the OPEB Trust by itself doesn’t do much without an ongoing plan to contribute on a regular and sustained basis. So, the Board should adopt a formal funding policy (e.g., \$100k per year, increasing by \$25k per year until the pension system is fully funded and then 60% of those savings will be redirected to OPEB).



Town of Fairhaven, Massachusetts

40 Center Street · Fairhaven, MA · 02719

MEMORANDUM

7. Investment Policy – once you have the OPEB Trust and have begun funding, you need to decide how to invest. It's important to remember these are long-term funds (ideally not touched for 30-40 years) so you'll want to work with your investment team and likely choose an investment allocation strategy that is weighted heavily toward equities.
8. Audited Financial Statements – an OPEB Trust does add slightly more complication to your FS as it's another trust to review & reconcile but it's not materially different than any other fund.
9. Bond Ratings – the ratings agencies look favorably upon those communities with an OPEB Trust if it's actually being funded / used. When GASB 45 & then GASB 75 were implemented many communities thought they could set up an OPEB Trust with \$5,000 and that would be beneficial (it's not) – ultimately the ratings agencies are looking for substance over form.



October 26, 2026
TOWN ADMINISTRATOR REPORT



Town of Fairhaven

Report of the Town Administrator

October 26, 2026

Financial Updates

- The FY25 Audit Report presentation from Roselli, Clark & Associates will be on the November 9, 2026 agenda.
- The FY26 fiscal year will be closed by the Finance Department in the next couple of weeks. Once closed, the Town will submit the necessary documentation to have Free Cash certified.
- The Assessing Department continues to progress through a Certification Process administered by the Massachusetts Department of Revenue. This process occurs every five years and ensures that Fairhaven complies with state standards for property valuations.

It is anticipated that in November, there will be a 5-day period when the public can view Fiscal Year 2027 preliminarily certified assessment values for their properties. The Assessor's Office will be happy to answer questions about the proposed valuations during that time.

These valuations will be posted on the town website and printed for viewing at Town Hall. The Assessor's Office will announce the dates for the public disclosure period soon.

Project Updates

- Roof construction at the COA/REC building began on Monday, October 19th. Throughout the project, portions of the parking lot will be temporarily blocked off, with the restricted areas changing as work progresses. Construction will begin on the COA side of the building and move toward the REC side. Both the COA and REC plan to remain fully operational throughout the project, with no anticipated interruptions to programs or services. However, access to different areas of the building may be temporarily affected as construction progresses. Signage will be posted to direct visitors to the appropriate entrances.
- The Office of Coastal Zone Management has accepted Fairhaven's funding request to develop a regional resilience design to help reduce flooding impacts on the hurricane barrier project through the ResilientCoasts TA program. They will be preparing a scope of work for the Town's review.
- The retaining wall project at the Town Hall is nearly complete. The contractor expects the work to be completed by mid-November.

Personnel Update

- Fairhaven firefighter Wilson Smith recently graduated from the Massachusetts Fire Academy after completing ten weeks of training at the Department of Fire Services in Bridgewater.

Miscellaneous Updates



October 26, 2026

MINUTES

1. Accept the Open Session minutes of October 13, 14 and 15, 2026
2. Accept the Executive Session minutes of October 13, 2026



FAIRHAVEN SELECT BOARD

Meeting Minutes

October 13, 2026

FI

Present: Andrew Romano, Natalie A. Mello, Andrew Saunders, Richard F. Trapilo and Keith R. Hickey

Not Present: Pam Kuechler

Mr. Romano opened the Select Board meeting at 6:01pm

PUBLIC COMMENT

None received.

APPOINTMENTS / COMMUNITY ITEMS

Consider Amendments to the AFSCME Highway Collective Bargaining Agreement:

Reclassification of the Vehicular Maintenance Staff

Amend Drug and Alcohol Policy

The Board reviewed the amendments as outlined in the Memorandum of Agreement (*Attachment A*).

Motion: Mr. Saunders motioned to approve the Reclassification of the Vehicular Maintenance Staff and Drug and Alcohol Policy amendments to the current collective bargaining agreement between the Town of Fairhaven and the AFSCME Highway bargaining unit. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Request to Use the Academy Building: Fairhaven Historical Society

Beth Luey addressed the Board about the proposed use of the first floor and multi-purpose room of the Academy Building by a partnership of members of the Historical Society and Historical Commission.

The Board asked clarifying questions about fee interest in the building, previous discussions by the Historical Commission seeking to find a user for the building so it is not vacant and the differences between the Historical Society and Historical Commission.

Eleanor Chew of Main Street addressed the Board and said, as a resident, she is concerned about the use of the building, the responsibility and entering into an agreement without the Historical Commission being part of the conversation. She asked for the item to be tabled to have the Historical Commission be part of the conversation.

Motion: Mr. Saunders motioned to table item B2 to October 26, 2026. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Request from Locations+ to Film 47 Brand Apparel Project in Fairhaven

Ray Forbes addressed the Board via zoom about the project and filming locations. He has worked with the Fairhaven Police Department regarding public safety needs, details and temporary street closures. All associated costs would be the responsibility of the production company. A map of the location was distributed to the Board (*Attachment B*).

Motion: Mr. Saunders motioned to approve the request from Locations + to photograph in locations within Fairhaven that will be included in the advertising of their clothing brands. Further, Locations + will comply with all traffic control requirements and temporary street closure requests made by the Fairhaven Police Department. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Use of Town Hall: Drama Therapeutic Workshop: Saturday, November 14, 2026

The Board reviewed the application.

Motion: Mr. Saunders motioned to approve use of Town Hall for a Drama Therapeutic Workshop as presented. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Lawton Street Pole Replacement-Retroactive Permit WO 14079394

Mr. Hickey reviewed the request with the Board for work done in 2023 and Eversource's request for retroactive approval to match their records.

Motion: Mr. Saunders motioned to approve the request for a retroactive permit for the pole relocation at 12 Lawton Street WO 14079394 as presented. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Review Open Volunteer Opportunities

Mr. Romano read the list from the Board's packet (*Attachment C*).

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter Executive Session to G.L. c. 30A, § 21(a)(2) "to conduct collective bargaining sessions New England Police Benevolent Association Local 106, Dispatchers and return to open session. Ms. Mello seconded. Roll Call Vote, Mr. Saunders, Ms. Mello, Mr. Trapilo and Mr. Romano in favor. The motion passed unanimously (4-0-0).

The Board adjourned to Executive Session from 6:22pm to 6:43pm

ACTION / DISCUSSION

Consider Memorandum of Agreement MOA with Dispatch Union

Chief Dorgan addressed the Board about the MOA (*Attachment D*).

Motion: Mr. Saunders motioned to approve the Memorandum of Agreement between the Town and the Dispatch Union and place a warrant article on the Fall Town Meeting warrant for voter consideration. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Saunders motioned to take item D4 out of order. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Discussion on Draft Artificial Intelligence (AI) Policy

IT Director Steve Rosa addressed the Board regarding the draft policy. He described it as a "human, AI, human" model where the user would enter data, get the AI response and then validate the results. Mr. Rosa said the policy document would be a living document to allow for updates as needed. The Board asked for clarification of page 3 of 15 and the reference to "data not the device" and Mr. Rosa said it indicates what is prohibited when a department head is working from home and will clarify the language. Ms. Mello referred to an earlier draft (*Attachment E*) and the Board discussed incorporating some of the language into the policy's introduction.

Discussion continued regarding whether Town Counsel has reviewed this policy, that the School recently adopted an AI Policy, whether the Town's AI Policy includes Public Works and School, clarification to the language and definition of "all employees" if the School and Public Works will have their own policy. Mr. Hickey will clarify the language and bring to Public Works for their review and approval.

Motion: Mr. Saunders motioned to adopt the Town of Fairhaven Artificial Intelligence Policy as amended pending reviews by Public Works and Town Counsel. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Discussion on Town Accountant Succession Planning

Mr. Hickey informed the Board that Town Accountant Anne Carreiro plans to retire in 2027 and emphasized the importance of proactive succession planning. An article for the Special Town Meeting proposes using \$30,348 in unexpended funds from prior Town Meeting Wage Reserves to support the overlapping employment period needed to recruit, hire, and train her successor, ensuring a smooth transition in this critical Town position.

Declare Surplus Items

Mr. Hickey informed the Board that the required notification period under the new Charter provision for declaring items surplus has elapsed. The surplus list was amended to include additional items (*Attachment F*). He will

review options for auctioning or disposing of the items, including online auction platforms, to determine the most cost-effective approach.

Motion: Mr. Saunders motioned to declare the items listed on page 2 of the agenda as surplus. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Consider Support of Local Letters to the Commonwealth Regarding State Housing and Zoning Proposals

The Board discussed the request and potential clarification of wording to specify what is being asked and to include all local representatives covering the towns signing onto the letter. Mr. Romano was asked to take the suggestions back to the requestor

Motion: Mr. Saunders motioned to approve the local aid letter as amended to include all Local Representatives, to be presented to Senator Montigny and the Local Representative seeking the Commonwealth reconsider the statewide zoning requirements currently being proposed by the State. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Review and Close Special Town Meeting Warrant

Mr. Hickey referred to the warrant draft and the updates to article 4 distributed to the Board tonight (*Attachment G*). There are eight regular articles and one citizen's petition. The Special Bylaw Review Committee submitted a report and the bylaw amendments are in an article.

Motion: Mr. Saunders motioned to close the Special Town Meeting warrant. Ms. Mello seconded. The motion passed unanimously (4-0-0).

TOWN ADMINISTRATOR REPORT

Mr. Hickey reviewed his report (*Attachment H*). He advised the Board he was drafting a proposed budget meeting calendar that would include joint meetings with the Finance and School Committees. Fairhaven TV is hosting the 9th Annual Haunted Halloween at Town Hall on October 30, 2026 starting with a block party at 4:00pm and the event from 5:00-8:00pm inside.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no report

Ms. Mello:

- Ms. Mello attended a conflict of interest webinar
- Ms. Mello attended a lecture on climate risk and resiliency; discussion included climate literacy and mitigation strategies.
- The Commission on Disability met and had a presentation on Special Education Parent Advisory Council (SEPAC)
- The Historical Commission is meeting tonight, they will be discussing an upcoming survey
Ms. Mello was asked to differentiate the Historical Commission from the Historical Society. The Society is a 501(c) (3), they run the museum on the second floor at the Academy Building. The Commission is appointed by the Select Board with a charge and a small budget; they manage the Town's historical properties

Mr. Trapilo:

- The Atlas Tack Working Group met, Senator Montigny did a site visit. The ATWG is requesting the Select Board authorize the Zoning Board of Appeals to openly discuss use of the site.
- The Budget Working Group met, Public Works Superintendent Vinnie Furtado attended to discuss Public Works related matters. Brief discussion on referring back to the BWG charge due to some discussions being outside of their purview. They asked Mr. Furtado to bring the request back to the BPW to review internal and outsourcing costs of the Wastewater Treatment Plant. The BWG will present recommendations to the Town Administrator to close the budget gap. Mr. Romano asked that requests be sent from the BWG Chair through the Select Board Chair and Town Administrator.

Mr. Romano:

- Mr. Romano met with the Town Administrator and residents. He thanked Ms. Mello and Mr. Trapilo for raising bike path and trash concerns at the bus stops. The concerns are being addressed. Mr. Hickey added that he spoke with SRTA regarding canopies at the stops and the one on Route 6 has a narrow area and an easement would be needed from the property owner.

MINUTES

Motion: Mr. Saunders motioned to accept the Open Session minutes of September 28, 2026 as presented. Ms. Mello seconded. The motion passed unanimously (4-0-0).

Ms. Mello advised the Board that an agenda item to consider the release of Executive Session minutes will be on an upcoming agenda

NEWS AND ANNOUNCEMENTS

The Town board reappointment meeting will be on **Wednesday, October 14, 2026** at 6:00PM, the Legal RFP interviews will be on **Thursday, October 15, 2026** at 2:00PM and the next regularly scheduled Select Board meeting will be on **Monday, October 26, 2026** at 6:30pm. Early voting starts Saturday, October 17, 2026.

The Select Board adjourned at 7:32pm

ATTACHMENTS

- A. Memorandum of Agreement, Town of Fairhaven and AFSCME Council 93, Local 851
- B. Locations+ schematic/location shooting map
- C. Volunteer Opportunities
- D. Memorandum of Agreement: Dispatch Union
- E. AI Policy draft for introduction
- F. Surplus List
- G. Special Town Meeting Article 4 update
- H. Town Administrator Report

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

Accepted on __



FAIRHAVEN SELECT BOARD

Meeting Minutes

October 14, 2026

Present: Andrew Romano, Natalie A. Mello, Pam Kuechler, Andrew Saunders and Richard F. Trapilo

Not Present: Keith R. Hickey

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

APPOINTMENT AND REAPPOINTMENT REQUESTS

Mr. Romano gave an overview of the process for the evening and advised each applicant they would be asked questions pertaining to the board, committee or commission they applied to and all applicants would be asked the same last question about conflicts.

ART CURATOR: Mark Badwey

Mark Badwey addressed the Board about his application and the role of Art Curator.

Motion: Mr. Saunders motioned to appoint Mark Badwey as Art Curator for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

BELL COMMITTEE: Doug Brady, Nils Isaksen, Helena Oliveira

Doug Brady addressed the Board about his application and asked for clarification on the number of committees, working groups not listed in Article 27 or 28 and a legal interpretation of the new bylaws (*Attachment A*).

Discussion ensued regarding the legal interpretation of the new bylaw regarding Service by an Appointed Official, c. 56 § 14. The Board had differing interpretations and discussion included serving on “no more than two” being the maximum as written in the bylaw, whether compliance with the Open Meeting Law was a deciding factor and whether the Board could consider an exception due to the bylaw provision “unless otherwise authorized by a specific vote of the appointing authority.”

Motion: Mr. Saunders motioned to appoint Doug Brady to the Bell Committee for a 1-year term. Mr. Trapilo seconded. The motion failed (2-3-0) Ms. Kuechler, Mr. Romano and Ms. Mello opposed.

Nils Isaksen was not in attendance to address the Board

Motion: Mr. Saunders motioned to appoint Nils Isaksen to the Bell Committee for a 1-year term. Mr. Trapilo seconded. The motion failed (2-3-0) Ms. Kuechler, Mr. Romano and Ms. Mello opposed.

Helena Oliveira addressed the Board about her application.

Motion: Mr. Saunders motioned to appoint Helena Oliveira to the Bell Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

BELONGING COMMITTEE: Alliea Group, Laura Barillaro, Rachel Medeiros, Suzanne Bellanger

The applicants were not present to address the Board. Mr. Romano advocated for applicants Alliea Group, Laura Barillaro and Suzanne Bellanger as the Belonging Committee’s liaison. Mr. Romano advised the Board that Rachel Medeiros had recently moved out of Fairhaven and he would not be in support of her application as a non-resident. Brief discussion ensued about appointments of non-residents to the Board of Assessors and Mr. Romano reminded the Board that Town Counsel clarified that the Board of Assessors is statutory and members appointed do not have a residency requirement.

Motion: Mr. Saunders motioned to appoint Alliea Group to the Belonging Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to appoint Laura Barillro to the Belonging Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

No motion was made for Rachel Medeiros

Motion: Mr. Saunders motioned to appoint Suzanne Bellanger to the Belonging Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

CABLE ADVISORY COMMITTEE: Barbara Acksen, Ronnie Medina

Barbara Acksen addressed the Board about her application. Discussion ensued regarding the new bylaw Service by Elected Officials c. 56 § 13 (*Attachment A*). Discussion included an appointment as a liaison by the Board of Health as stated in part in the bylaw, the role of the Cable Advisory Committee, regulatory requirements for television licensure, clarification on interviewing attorneys, whether there is an operational statement of this committee, negotiations with Comcast and the importance of the knowledge of members of this committee.

Mr. Romano addressed the Board about the opportunity to take a look across the boards and committees that do not have applicants or quorums and assess the charge of that board or committee and whether the work can be done by the Select Board or another board. Ms. Mello read from the state's webpage about Cable Advisory Committees (*Attachment B*).

No motion was made for Barbara Acksen

The Board reviewed the application from Ronnie Medina, Mr. Saunders spoke to past interactions with Mr. Medina while on the Conservation Commission, Mr. Medina's love for the Town of Fairhaven and that notwithstanding the application and his absence tonight, he would motion to appoint Mr. Medina. Mr. Romano spoke in support of Mr. Medina as a former member of the Cable Advisory Committee.

Motion: Mr. Saunders motioned to appoint Ronnie Medina to the Cable Advisory Committee for a 1-year term. Mr. Trapilo seconded. The motion passed unanimously (5-0-0).

COMMISSION ON DISABILITY:

Reappointment: Cara Viveiros;

New Request: Constance Hilton, Amanda Wamboldt, Joseph Russell

Ms. Viveiros, her mother and aunt addressed the Board about Ms. Viveiros' application to for the Commission on Disability and participation on the Commission. Liaison to the Commission on Disability, Ms. Mello, spoke in support of Ms. Viveiros' application. The Board thanked Ms. Viveiros for her work on the Commission.

Motion: Mr. Saunders motioned to appoint Cara Viveiros to the Commission on Disability for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Mr. Romano advised the other applicants that their applications could be held for a future vacancy.

The Board recessed from 7:15-7:21p

COMMUNITY PRESERVATION COMMITTEE: Jeffrey Lucas, Ann Richard

Mr. Lucas addressed the Board about his application and interest in the Community Preservation Committee (CPC) and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Jeffrey Lucas to the Community Preservation Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Ms. Richard addressed the Board about her application and interest in the Community Preservation Committee (CPC) and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Ann Richard to the Community Preservation Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

CONSERVATION COMMISSION: Wendy Drumm, Karyn Ferreira

Wendy Drumm addressed the Board about her application and the role on the Conservation Commission and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Wendy Drumm to the Conservation Commission for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Karyn Ferreira was not present and made attempts to connect via Zoom to address the Board.

Motion: Ms. Mello motioned to table Karyn Ferreira's application. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

COUNCIL ON AGING:

Reappointment: Michael Hevey;

New Request: Alyson Haskell

Mr. Hevey and Ms. Haskell were not present to address the Board.

Motion: Ms. Mello motioned to table the applications. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Ms. Hart will reach out to the applicants regarding rescheduling.

CULTURAL COUNCIL: Beth Ann Gallagher, John Walker, Jennifer Frasier

Beth Ann Gallagher addressed the Board about her application and the role of the Cultural Council and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Beth Ann Gallagher to the Cultural Council for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

John Walker addressed the Board about his application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint John Walker to the Cultural Council for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Jennifer Frasier was not present to address the Board about her application. Ms. Gallagher, Chair of the Cultural Council, addressed the Board in support of Ms. Frasier's application.

Motion: Mr. Saunders motioned to appoint Jennifer Frasier to the Cultural Council for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

ECONOMIC DEVELOPMENT COMMITTEE: Cathy Melanson, Karyn Ferreira, John Hinds

Cathy Melanson addressed the Board about her application and answered the Board's questions. Discussion on Economic Development Committee work and which committees Ms. Melanson would choose where she is currently serving on more than two.

Motion: Mr. Romano motioned to appoint Cathy Melanson to the Economic Development Committee for a 1-year term, pending stepping down from Capital Planning and Atlas Tack Working Group. Mr. Trapilo seconded.

Motion: Mr. Saunders made an alternate motion to appoint Cathy Melanson to the Economic Development Committee for a 1-year term. Mr. Trapilo rescinded his earlier second and seconded Mr. Saunders motion.

On the first motion: Mr. Romano motioned to appoint Cathy Melanson to the Economic Development Committee for a 1-year term, pending stepping down from Capital Planning and the Atlas Tack Working Group. Ms. Kuechler seconded. The motion passed (3-2-0) Mr. Saunders and Mr. Trapilo opposed.

Ms. Ferreira was not present and was unable to unmute to address the Board about her application. Ms. Melanson, Chair of EDC, spoke in support of Ms. Ferreira's application to the EDC.

Motion: Mr. Saunders motioned to appoint Karyn Ferreira to the Economic Development Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Mr. Hinds was not present to address the Board about his application. Ms. Melanson, Chair of EDC, spoke in support of Mr. Hinds' application to the EDC.

Motion: Mr. Saunders motioned to appoint John Hinds to the Economic Development Committee for a 1-year term. Mr. Trapilo seconded. The motion passed unanimously (5-0-0).

HISTORICAL COMMISSION:

Reappointment: Full Member: Beth Luey, Eleanor Chew, Brian Messier; Associate Member: Nils Isaksen

New Request: Allysia Berthelette

Beth Luey addressed the Board about her application, work on the Commission and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Beth Luey as a Full Member of the Historical Commission for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Eleanor Chew addressed the Board about her application, work on the Commission and answered the Board's questions. Ms. Chew indicated which she preferred and which she would step down from as she is currently serving on more than two boards.

Motion: Mr. Romano motioned to appoint Eleanor Chew as a Full Member of the Historical Commission for a 3-year term, pending her resignation from the Open Space and Recreation Planning Committee. Ms. Kuechler seconded. The motion passed (3-2-0) Mr. Saunders and Mr. Trapilo opposed.

Brian Messier addressed the Board about his application and shared his personal opinion on the overall process tonight and the new bylaw. Mr. Messier answered the Board's questions about his application to become a Full Member of the Historical Commission where he was serving as an Associate Member.

Motion: Mr. Saunders motioned to appoint Brian Messier as a Full Member of the Historical Commission for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Nils Isaksen was not present to address the Board about his application to be an Associate Member of the Historical Commission. Ms. Mello, liaison to the Historical Commission, spoke in support of Mr. Isaksen's application.

Motion: Mr. Saunders motioned to appoint Nils Isaksen as an Associate Member of the Historical Commission for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Allysia Berthelette was not present to address the Board about her application. Mr. Romano will reach out to Ms. Berthelette.

LIVABLE STREETS:

Reappointment: Tim Garcia, Roger Sicotte

New Request: Erin Carr, Ted Robinson

Tim Garcia addressed the Board about his application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Tim Garcia to the Livable Streets Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Roger Sicotte addressed the Board via Zoom about his application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Roger Sicotte to the Livable Streets Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Mr. Saunders recused himself

Erin Carr addressed the Board about her application and answered the Board's questions about her interest and residency. Brief discussion ensued about the change to the handbook regarding residency, Mr. Romano advised the Board that a future agenda item can be considered to discuss changing the residency requirement.

Motion: Mr. Trapillo motioned to appoint Eric Carr to the Livable Streets Committee for a 1-year term. No second. The motion failed.

Ted Robinson was not present to address the Board about his application.

Motion: Ms. Mello motioned to table Ted Robinson's application to the Livable Streets Committee. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

MARINE RESOURCES COMMITTEE:

Reappointment: Michael McNamara, Robert Pink Jr., David Darmofal, Andrew Jones; New Request: Morgan Dawicki

Michael McNamara, Robert Pink Jr., David Darmofal and Andrew Jones were not present to address the Board. Mr. Saunders, liaison to the Marine Resources Committee, spoke in support of the four applicants for reappointment.

Motion: Mr. Saunders motioned to appoint Michael McNamara, Robert Pink Jr., David Darmofal and Andrew Jones to the Marine Resources Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Morgan Dawicki addressed the Board about his application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Morgan Dawicki to the Marine Resources Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

The Board recessed from 9:03-9:09p

COUNCIL ON AGING: Reappointment: Michael Hevey

Council on Aging Director and liaison to the COA Board Martha Reed addressed the Board via Zoom in support of Michael Hevey's application for reappointment to the Council on Aging Board.

Motion: Mr. Saunders motioned to appoint Michael Hevey to the Council on Aging Board for a 3-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

MILLICENT LIBRARY TRUSTEE: Kathryn Powers

Kathryn Powers was not present to address the Board about her application. Ms. Kuechler, former Trustee, spoke in support of Ms. Powers application.

Motion: Mr. Saunders motioned to appoint Kathryn Powers to the Millicent Library Board of Trustees for a 4-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

ROGERS REUSE COMMITTEE:

Reappointment: Susan Loo, Doug Brady, Nils Isaksen, Beverly Rasmussen

New Request: Lucas Lavallee

Doug Brady addressed the Board about his application and work on the committee and answered the Board's questions. He was asked what boards he preferred as he currently serves on more than two.

Motion: Mr. Saunders motioned to appoint Doug Brady to the Rogers Reuse Committee for a 1-year term without requesting him to resign from other boards. Mr. Trapilo seconded. The motion failed (2-3-0) Ms. Kuechler, Mr. Romano and Ms. Mello opposed.

Nils Isaksen was not present to address the Board about his application.

Motion: Mr. Saunders motioned to appoint Nils Isaksen to the Rogers Reuse Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Susan Loo addressed the Board about her application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Susan Loo to the Rogers Reuse Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Beverly Rasmussen addressed the Board about her application and answered the Board's questions.

Motion: Mr. Saunders motioned to appoint Beverly Rasmussen to the Rogers Reuse Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

Lucas Lavallee was not present to address the Board about his application.

Motion: Ms. Mello motioned to table Lucas Lavallee's application to the Rogers Reuse Committee. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

SUSTAINABILITY COMMITTEE: Ann Richard, Tim Garcia, Melanie Jansky, Christin Ritz, Wendy Drumm

Mr. Romano, liaison to the Sustainability Committee, spoke in support of the applicants.

Motion: Mr. Saunders motioned to appoint Ann Richard, Tim Garcia, Melanie Jansky, Christin Ritz and Wendy Drumm to the Sustainability Committee for a 1-year term. Ms. Kuechler seconded. The motion passed unanimously (5-0-0).

ZONING BOARD OF APPEALS:

Reappointment: Associate Member: Cathy Melanson:

New Request: Johnny Pompa

Cathy Melanson and Johnny Pompa each addressed the Board individually about their applications and answered the Board's questions.

Motion: Mr. Trapilo motioned to appoint Cathy Melanson to the Zoning Board of Appeals as an Associate Member. Mr. Saunders seconded.

Discussion ensued and Mr. Romano asked to amend the motion to be, appoint Cathy Melanson to the Zoning Board of Appeals for a 3-year term as an Associate Member pending she step down from the Special Bylaw Review Committee. Ms. Kuechler seconded. Clarification on the motions on the floor, Mr. Trapilo accepted the amendment to his motion.

Motion: Mr. Trapilo accepted the amended motion to appoint Cathy Melanson to the Zoning Board of Appeals for a 3-year term as an Associate Member pending she step down from the Special Bylaw Review Committee. Mr. Saunders seconded. The motion passed (4-1-0) Ms. Mello opposed.

The Board thanked Mr. Pompa and encouraged him to check for opportunities to use his experience.

NEWS AND ANNOUNCEMENTS

The Legal RFP interviews will be on **Thursday, October 15, 2026** at 2:00PM and the next regularly scheduled Select Board meeting will be on **Monday, October 26, 2026** at 6:30pm. Early voting starts Saturday, October 17, 2026.

The Select Board adjourned at 9:54pm

ATTACHMENTS

- A. Annual Town Meeting Articles 27 and 28
- B. Mass.gov information on Cable Advisory Committees

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

Accepted on ____



FAIRHAVEN SELECT BOARD

Meeting Minutes

October 15, 2026

Present: Andrew Romano, Natalie A. Mello, Pam Kuechler, Andrew Saunders, Richard F. Trapilo and Keith R. Hickey

Mr. Romano opened the Select Board meeting at 2:00pm

LEGAL FIRM INTERVIEWS

Mr. Romano reviewed the process the Board would follow and next steps once the interviews are completed. The applicants were not provided the questions in advance and Mr. Romano advised the Board that the meeting is not broadcast live and will be replayed. He asked anyone participating on zoom to change to a full name to ensure those watching are residents or not part of one of the firms interviewing. Fairhaven TV was asked to move anonymous participants, without a full name, to the waiting room until the participant changed to a full name.

Each firm will come in at their allotted time. Ten questions were prepared (*Attachment A*) and each Board Member was given two questions at random on their blotters. The questions were numbered and the interviews proceeded from question 1 to 10.

1. KP Law: Attorneys Lauren Goldberg and Carolyn Murray present
2. Mead, Talerman and Costa: Attorneys Adam Costa, Elizabeth Lydon, Kate Feodoroff and Jane Medeiros Friedman present
3. The Law Office of Christina Simpson: Attorney Christina Simpson present via Zoom
4. Harrington Heep: Attorneys Heather White and Donna Brewer present

KP Law (KP)

Atty Goldberg and Atty Murray introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Mead, Talerman and Costa (MTC)

Atty Costa, Atty Lydon, Atty Feodoroff and Atty Friedman introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

The Law Office of Christina Simpson

Atty Simpson attended via Zoom and introduced herself, reviewed her background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Harrington Heep (HH)

Atty White and Atty Brewer introduced themselves, reviewed their background, firm details and then answered the Board's interview questions.

The Board briefly recessed to reset the room

Discussion ensued about the process, next steps, follow-up questions and each member's preliminary ranking based on the interviews. Mr. Hickey distributed a packet to each member containing a copy of the RFP, a rate summary and each individual firm's rate submission (*Attachment B*). He advised the Board that all fees submitted can be negotiated.