



Town of Fairhaven
Massachusetts
Office of the Town Administrator
40 Center Street
Fairhaven, MA 02719

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Angeline Lopes Ellison
Town Administrator

August 17, 2022

Via Email Delivery

Wayne Oliveira
125 Bridge Street
Fairhaven, MA 02719

Mr. Oliveira,

Please be advised that you are hereby directed not to enter Town Hall premises for a period of sixty (60) days beginning today due to your inappropriate, threatening behavior that you exhibited on August 11, 2022. The Town possesses the power under state law to bar or suspend residents from using public buildings and facilities when warranted by that individual's conduct, in order to protect the rights of peaceful enjoyment of such buildings by other residents, and to provide an appropriate and non-threatening workplace for the staff so that they can serve the needs of the building's users. I direct your attention to G.L. c. 266, §120 (allowing exclusion of individuals from buildings, including public buildings, by persons who have lawful control of said building) ; Hurley v. Hinckley, 304 F.Supp. 704, affirmed, 396 U.S. 277 (1969) (the use of G.L. c. 266, §120 to exclude a person engaged in loud or profane behavior from a state welfare building was upheld by the United States Supreme Court); and Commonwealth v. Egleson, 355 Mass. 259 (1969), appeal dismissed, 395 U.S. 336. See also G.L. c. 39, §23C (allowing removal of individuals from public meetings engaged in disorderly behavior).

It is our expectation that you will not need to access Town Hall in person in connection with your duties as a member of the Historical Commission or otherwise, as you may participate remotely in any scheduled meetings. Should you require access to Town Hall within the sixty (60) day period in connection with your duties, or in order to access Town services for yourself, please contact my office in advance so we can arrange to have an escort with you to preserve security in Town Hall. Any failure to comply with these directives will be deemed a trespass and will be subject to legal action, including but not limited to police involvement and/or a restraining order.

Regards,

Angeline Lopes Ellison

Cc: Select Board
Chief of Police