



To: George Samia

Tue 9/23/2025 2:26 PM

Hello Mr. Samia:

I wanted to forward you the email I sent to Bruce earlier today. I received the communication I reference from a citizen and Town Meeting member. Since then it appears that a separate OML violation has been reported by a PB member.

As I don't think I can contact Town Counsel directly without approval, I was wondering if you would be kind enough to forward this to the attorney for me, along with an earnest request that someone from Town Counsel is present at our meeting tonight (should it take place).

This meeting will involve references to Executive Sessions, past litigation, potential future litigation and a host of other topics which the members of the board are wildly unqualified to speak on. We have several board members who have made it clear they will not accept the advice we have already been given.

As it stands, I am deeply uncomfortable attending a meeting which I feel is an obvious OML violation just for taking place with all of the last minute changes to the agenda and no sufficient notice to the public. The last coming in at 6:47PM last night.

Much appreciated,

Kevin Grant, Planning Board [\(978\) 835-4763](tel:9788354763)



Reply



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Diane G. Tomassetti

dianekauai@yahoo.com

[REDACTED]

On Tuesday, September 23, 2025 at 03:15:34 PM EDT, Kevin Grant <kevindanielgrant@hotmail.com> wrote:

Hi Diane, can you confirm that Town Counsel will be present at tonight's meeting? Given that this involves an Executive Session, past litigation, potential future litigation, an open OML complaint and other legal intricacies that none of the Board members are qualified to navigate, it seems essential to me that a town lawyer is present.

Thank you--

Kevin



Reply all



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Diane Tomasetti

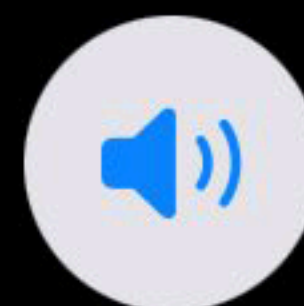
home

September 23, 2025 at 3:23 PM



0:05

-0:11



Transcription

"Hi Kevin, I just thought I would reach out and speak with you. I'm sending you a very. Email back No attorney will be present anyway I just sent you an email. Call me when you can. OK bye..."

Was this transcription [useful](#) or [not useful](#)?



Thank you,

Kevin

From: Diane G. Tomassetti <dianekauai@yahoo.com>

Sent: Tuesday, September 23, 2025 3:23 PM

To: George Samia <townadmin@fairhaven-ma.gov>;
pdigiuseppe@fairhaven-ma.gov <planner@fairhaven-ma.gov>; Conservation Agent
<conservation_agent@fairhaven-ma.gov>; Kevin Grant
<kevindanielgrant@hotmail.com>

Subject: Re: Town Counsel

Kevin,

No attorney will be present. Heather White, Town Counsel, may be asked to weigh in by text if needed. Bruce knows this and has her cell phone.

Diane G. Tomassetti

dianekauai@yahoo.com

[Redacted signature]

On Tuesday, September 23, 2025 at 03:15:34 PM EDT, Kevin Grant
<kevindanielgrant@hotmail.com> wrote:



Reply all



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On Tuesday, September 23, 2025 at 03:32:30 PM EDT, Kevin Grant <kevindanielgrant@hotmail.com> wrote:

Diane, we will need to defer to a lawyer in real time and on the fly.

What is the argument for not having legal counsel present? Their absence could likely come with a greater financial cost than their presence would incur. We will all be putting ourselves at legal risk without sound advice.

Please at least explain to me why my concern is unfounded.

Thank you,

Kevin

From: Diane G. Tomassetti <dianekauai@yahoo.com>

Sent: Tuesday, September 23, 2025 3:23 PM

To: George Samia <townadmin@fairhaven-ma.gov>;
pdigiuseppe@fairhaven-ma.gov <planner@fairhaven-



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Re: Town Counsel



Diane G. Tomassetti



To: George Samia + 3

Tue 9/23/2025 3:39 PM

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Kevin, this is not a public meeting tonight, it's informational only, and therefore no attorney is needed. I spoke with town counsel to confirm.

The board is not weighing in either, only Bruce and perhaps Dave Davignon.

Hope this helps..

Diane

Diane G. Tomassetti

dianekauai@yahoo.com

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Diane, we will need to defer to a lawyer in real time and on the fly.



Reply all



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