

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes
MONDAY, JULY 24, 2023 – 6:30 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

The Select Board may discuss and vote appropriate action on any item listed on this Agenda unless a different disposition is noted. At the discretion of the Chair, agenda items may be taken out of order.

Select Board:

Present: Nancy Taylor, Chair; Edwin (Scott) Zylinski II, Vice-Chair; Douglas Brown; Onjalé Scott Price; Robert Mascali

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager

OPEN SESSION

Call to Order by Chair Nancy Taylor at 6:30 p.m.

Pledge of Allegiance: Led by Select Board

Recognition: Mr. Brown recognized the police department for their management of the beaches surrounding July 4.

Announcements: None

Public Comment:

Katherine Jansen from the bicycle and pedestrian committee - asked the Select Board to consider not automatically renewing the Church St. parking lot lease with the Steamship Authority – said there is concern about pedestrian and cyclist safety for visitors and residents – said this would provide an opportunity to get a traffic study in the Luscombe Ave./Railroad Ave. area to improve safety– said they have spoken with the SSA board and are now asking the Select Board to consider not automatically renewing the lease.

COMMITTEE INTERVIEWS

Interview, vote and appoint committee members

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Cultural Council – Patricia Kauffman

Ms. Kauffman said she is retired from a career in marketing and advertising, having worked for WBUR in that capacity, as well as in sales other organizations – said she has had many clients in the arts and culture fields – said she knows what arts and culture programs bring to communities and how robust programming enhances communities and builds diversity.

Mr. Mascali asked which position Ms. Kauffman was applying for. Ms. Kauffman said the 3-year term position.

Motion by Mr. Mascali: To appoint Patricia Kauffman to the Cultural Council for the term ending 6/30/2026
Second: Ms. Scott Price Vote: Yes – 5 No - 0

Commission on Disabilities – Dr. Tracy LaChapelle

Dr. LaChapelle said she herself is deaf and hard of hearing – said she has worked for over 30 years as a therapist – said she is a licensed professional counselor and has had her own practice working with diverse populations and has advocated for those with disabilities – said she completed her dissertation on deaf and hard of hearing, an under-recognized area – said she would focus on best practices in all areas to best serve the Town.

Chair Taylor said Dr. LaChapelle has an impressive resume, including trauma-informed and cultural diversity awareness and training. She said she is the perfect candidate. Mr. Brown agreed.

Motion by Mr. Brown: To nominate Dr. Tracy LaChapelle to the Commission on Disabilities for a term ending 6/30/2026. **Second: Ms. Scott Price** **Vote: Yes – 5 No - 0**

BUSINESS

Vote to Approve a Traffic Calming Policy

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023. He introduced DPW Director Peter McConarty for a presentation.

Mr. McConarty introduced police chief Jeff Lourie. Mr. McConarty then narrated a presentation that included 9 screens explaining the policy before the Board, which covered areas such as the following: purpose; introduction; how traffic calming is achieved; process for initiating a traffic calming request; components that require a traffic study; an appendix (with photos) describing existing and proposed traffic calming measures; and an application form and neighborhood petition form. The final screen was a recommendation that the Select Board vote to approve the traffic calming policy as written.

Chief Lourie spoke next, highlighting the importance of education and an upcoming program called STEPS-- Strategic Traffic Enforcement Program--as well as the plan to purchase technology that collects traffic data. He said how best to address traffic related concerns is a high priority for him.

Mr. Brown showed concern about the 75% neighborhood participation/signature requirement and asked if 51% would be sufficient. Mr. McConarty said that neighborhood buy-in is very important. He said meetings regarding these issues fill up with interested abutters and didn't think 75% was too high. He said some towns require 80%.

Motion by Mr. Zylinski: To approve the traffic calming policy as written Second: Ms. Scott Price

At this point, the Board took public comment from Helen Michaelsdorf, who said she has been studying Falmouth's traffic for the past year. She said she has been nearly hit several times crossing streets in Town and welcomes the policy, but said it will take additional money and people to be successful in making Falmouth roads operational and safe.

Vote: Yes – 5 No – 0

Mr Brown then asked about the possibility of using automated speed ticketing. Chief Lourie said that currently that is not legal in MA. He said the data collection he mentioned earlier could be used as an educational tool for identifying traffic violations but is not to be used for enforcement. Chair Taylor said the automated monitoring issue would have to be dealt with by state legislators.

Report - Cultural Council

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Alice Kociemba, chair of the Falmouth Cultural Council, presented approximately 11 screens illustrating the work of the council and its programs. The information highlighted free or low-cost events, community-wide fairs and festivals, grant-writing, programs in the libraries, examples of community engagement, and surveys to find out what residents want. Ms. Kociemba itemized the suggestions resulting from the surveys.

Mr. Brown made a comment on past discussions regarding a proposed cultural zone for Falmouth. Ms. Kociemba said it is time to revisit the issue, using other Cape towns as examples of those with cultural zones.

Update from Marine and Environmental Services (MES) on shellfish farming and its potential as a non-traditional method to reduce nitrogen

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Chuck Martinsen, MES Deputy Director and Shellfish Constable, presented approximately 30 screens of information related to how the Town's estuaries could potentially be used for nitrogen attenuation. The presentation, entitled *Considerations for Enhanced Private Aquaculture/Public Shellfish Propagation*, included details of the shellfish program such as oyster growth, importance of volunteers, and locations of the pilot projects.

The presentation also outlined some details of the public/private partnership of aquaculture, lessons learned from aquaculture, and proposed phases of the shellfish farming project. The presentation concluded with an overview of suggested next steps.

Mr. Brown asked if the original management plan was still in place. Mr. Martinsen said the rotation plan was still used and would remain part of the model. There was general Board agreement praising the program, and that expanding the program would be something to review.

Public comment: An unidentified speaker who said she has experience in the food industry said she hoped that the Board would consider the scalability of the project in terms of labor and technology, and if the advancements are being used to better the community. She cautioned against practices that make it more difficult for smaller businesses (shellfish farmers) to compete. She said she excited to see what was coming next.

Mr. Renshaw suggested that the shellfish farming program be given further specific direction at the Board's August work session.

Chair Taylor said that it felt like the Board was in consensus to move the project forward into the next phases.

Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to Approve Falmouth Housing Trust Application to Falmouth Affordable Housing Fund – Club Valley Drive

Karen Bissonette from the Falmouth Housing Trust introduced Linda and John Bowers, who own a home on Club Valley Drive and would like to sell it to FHT to become a deed restricted affordable home at 120% of area mean income. The Housing Assistance Corp would help with the resale. Ms. Bissonette said Mr. and Mrs. Bowers told her they would like to pass along their good fortune to another family in Town as they are relocating out of state.

Chair Taylor, echoed by Ms. Scott Price, thanked the Bowers for their very generous gift to the Town.

Motion by Ms. Scott Price: That the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$125,000 to Falmouth Housing Trust for the purchase of a market rate house at a discount and convert it to a deed restricted home in perpetuity for ownership on Club Valley Drive and authorize the Town Manager to execute a commitment letter and grant agreement setting the terms of the financial award to the Falmouth Housing Trust. Second: Mr. Mascali Vote: Yes – 5 No – 0

Ms. Bissonette said that the home would be sold for \$350,000 and that lottery applications are available on the FHT and HAC websites. Mr. Mascali asked if there would be local preference for the sale. Ms. Bissonette said that she did not believe there would be, but that she would work with the housing coordinator to see if that could be put in place.

Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to Allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Falmouth Affordable Housing Fund to retain the services of a consultant to update the Housing Production Plan

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Mr. Brown said that it was unfortunate that the bid was much higher than anticipated but that the work needed to be done.

Motion by Mr. Brown: That the Board, acting as Trustees of the Falmouth Affordable Housing Fund, approve to allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Fund to retain the services of a consultant to update the Housing Production Plan, and to authorize the Town Manager to execute a contract with the selected consultant Second: Ms. Scott Price Vote: Yes – 5 No – 0

Vote to Approve a Letter of Support to the MassDOT to conduct a road safety audit along Route 28A in West Falmouth

Motion by Ms. Scott Price: To approve and send the letter Second: Mr. Zylinski
Vote: Yes – 5 No - 0

Nomination to consider naming the Town’s water treatment plant the “Raymond A. Jack Water Treatment Plant”

Steve Rafferty, past water superintendent, spoke in favor of the nomination, highlighting Mr. Jack’s accomplishments for Falmouth and the state of Massachusetts, namely, the licensing program for water treatment facilities. He said he was seeking naming the. plant, or at least the installation of a plaque honoring Mr. Jack.

John Waterbury from the board of health also strongly recommended the nomination as a way of honoring what Mr. Jack did for the Town. He said he was incredibly impressed by the way that Mr. Jack and Mr. Rafferty oversaw the design and construction of the plant, and said the plant is probably the most advanced water treatment plant in the commonwealth.

Mr. Brown said that Mr. Jack was always an advocate for the Town, using his vision to call for a sole source aquifer study for the machine gun range project to determine whether it was safe or not for the Cape to have that project. Mr. Mascali also said he toured the facility and was amazed by what he saw.

Public comment:

Marc Finneran, 98 Grand Ave. - said last Friday morning he noticed he had received about six calls, all from Town employees he knows – said none of those calls were in favor of this – said they were employees who have worked here for the better part of their lives and that side of it has to be appreciated – said he disagrees with this and he is not alone.

Chair Taylor asked for the consensus of the Board. Mr. Johnson-Staub clarified that no vote was necessary according to the policy, and that the action would come a year later. The Board indicated its satisfaction with that status.

Nomination to consider naming a sports field or village green in recognition of Harry Hill

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023. He also referred to the procedural steps in the *Naming Policy For Public Facilities and Places* included in the above-mentioned packet.

Brian Dale, retired director of the parks department, spoke for the nomination. He highlighted Mr. Hill’s many contributions to the Town as a DPW employee, especially the village green’s Christmas display. He said it would be fitting to name a field to honor him.

There followed brief Board discussion regarding how and when the specific field would be selected. Mr. Johnson-Staub said starting that selection process during the intervening year was possible. Sandra Cuny, vice-chair of the recreation committee, said the committee didn’t recommend a specific field but purposely left it undecided. She said if not a field, something such as a plaque or inscribed rock could be considered.

Chair Taylor ascertained that there was consensus from the Board to move the nomination forward.

Vote to authorize American Rescue Plan Act (ARPA) funding allocations

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023. He then introduced Mr. Johnson-Staub who would outline the request.

Mr. Johnson-Staub presented 3 screens identifying and explaining the previously allocated ARPA funds using most of the direct aid, as well as the proposed allocations using the remaining \$533,993. He briefly explained the two projects identified for that funding: Edward Marks Building (\$135,000) and Water Main Replacements (\$398,993). He said there were unspent monies from the allocation for employee bonuses, so there would be a future request to the Board to re-allocate those funds, citing the advantage to fully commit all the ARPA funding - making it unavailable for a potential claw-back from Congress – a point he clarified after a question from Mr. Mascali.

Mr. Zylinski asked how much the building cost study was. Mr. Johnson-Staub said he did not have that information at the moment but would get it.

Motion by Mr. Brown: That we approve this request to supplementally fund the water main replacements with ARPA funding and fund the Edward Marks Building 1st floor interior renovations

Second: Ms. Scott Price Vote: Yes – 5 No - 0

Request from Mark and Cynthia Albers to submit a Notice of Intent to the Conservation Commission to perform sediment nourishment and maintenance on Town-owned land at 0 Great Bay Street

Chair Taylor said that the Board had received a request, due to a scheduling conflict, for a continuance, so the Board would take the matter up on August 21.

Request for variance to Sign Code §184-32 Off-Premise Signs: Cub Scout Pack 41 – display from 9/1/23 to 9/24/23

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Glenn Chamberlain, Clubmaster from Pack 41, was present to explain the request.

Motion by Mr. Zylinski: To approve the request for the variance Second: Ms. Scott Price

Vote: Yes - 5 No - 0

Request for variance to Sign Code §184-30, D. (1) (a) – Movable, portable or mobile signs: Pastimes Golf, 310 Dillingham Ave., Unit A

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023.

Mark Jones from Pastimes Golf was present to answer questions about the request. Mr. Brown asked if the request was for permanent placement. Mr. Jones said that purpose of the sign was to create awareness of the business. Mr. Brown said he had a concern if the sign were to be placed there permanently as described due to issues created by weather. He suggested it be temporary until something more permanent could be installed. Mr. Jones said he could look toward something more permanent for the future. Mr. Zylinski asked if the license for the business must be renewed every year; Mr. Renshaw said he would check on that.

Motion by Ms. Scott Price: To approve Second: Mr. Zylinski Vote: Yes – 5 No – 0

Announce November 2023 Annual Town Meeting schedule

Mr. Renshaw introduced the item for the Board, referring to a memo in the Select Board packet entitled *Preliminary Report for July 24, 2023*, and dated July 21, 2023. The 2023 Town Meeting schedule appears in the packet. Mr. Renshaw highlighted changes in the schedule from the previous year.

Motion by Mr. Mascali: That we adhere to the November 2023 Annual Town Meeting schedule as proposed

Second: Ms. Scott Price Vote: Yes – 5 No - 0

CONSENT AGENDA

1. Administrative Orders

- a. Vote to accept a donation in the amount of \$35,000 from Falmouth Together We Can, Inc. for the paving of Swift Playground parking lot in West Falmouth
- b. Vote to accept a donation in the amount of \$5,000 from PAL (Police Athletic League) to the Falmouth Fire Rescue Department CPR program
- c. Vote to authorize expenditure from the Recreation Department Donation Account in the amount of \$20,000 for a dedication bench at Recreation Department playground, refrigerator at Recreation Center and basketball backboards at Lawrence School

Mr. Mascali reported on the following:

- Toured the Long Pond water treatment facility
- Attended the EDIC meeting on July 11
- Attended the CPC meeting on July 5
- Attended the Recreation Committee meeting on July 12
- Attended the Woods Hole Community Association meeting last week

Mr. Brown reported on the following:

- Attended the Beach Committee meeting last Wednesday, which led Mr. Brown to explain his comment about how to manage a situation involving a large crowd of unruly people at a town beach
- Attended the Cape and Islands Municipal Leaders Association Board meeting last Friday
- Attended the Cape and Islands Municipal Leaders meeting – One Cape Summit
- Attended the West Falmouth Village Association who hosted the Buzzards Bay Coalition
- Joined Mr. Renshaw and Mr. Johnson Staub discussions with Megansett neighbors
- Finished the letter for the easterly project
- Attended a board meeting of the East Falmouth Village Association

Mr. Zylinski reported on the following:

- The progress at the John Neill Fields and praise for all who contributed to the plan for success

Chair Taylor reported on the following:

- Attending the housing meeting with Mr. Zylinski where there was a presentation by Saxon Partners

DISCUSSION OF FUTURE AGENDA ITEMS

- Chair Taylor - to give people the opportunity to speak about the proposed housing project on Sandwich Rd.
- Mr. Brown – requested notice when the Steamship Authority item will come up
- Mr. Brown – the East Falmouth Village sign placement
- Ms. Scott Price – review the lease renewal with the Steamship Authority
- Mr. Zylinski – clear language what our investigative powers are with respect to what’s in the charter

ADJOURN

Motion by Ms. Scott Price: To adjourn Second: Mr. Zylinski Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary