



The first sections of this plan discuss the potential hazards that could occur in Falmouth and some of the potential losses and vulnerabilities associated with each of these hazards. An important next step in hazard mitigation planning is to develop specific strategies and actions that will help mitigate or minimize the risk to these natural hazards. A mitigation action is a specific action, project, activity, or process taken to reduce or eliminate short- or long-term risks to people and property from hazards and their impacts. Implementing mitigation actions helps achieve the plan's mission and goals. These mitigation strategies are the heart of the mitigation plan. They describe how Falmouth will accomplish their mitigation goals.

This chapter documents Falmouth's mitigation goals and existing and ongoing mitigation actions, as well as its proposed mitigation actions. The purpose, responsibility, priority, and timeline are detailed for each of the proposed mitigation actions.



The central component of a hazard mitigation plan is the strategy for reducing the community's vulnerability to natural hazard events. Responding to the analysis of risk, vulnerabilities, potential impacts, and anticipated future development, the process for developing this strategy is one of setting goals, understanding what actions the community is already taking that contribute to mitigating the effects of natural hazards and assessing where more action is needed to complement or modify existing measures. The following sections include descriptions of the Town's mitigation goals, existing capabilities and ongoing mitigation actions, a status update on mitigation measures identified in previous plans, and descriptions of proposed new mitigation measures. All mitigation measures are evaluated by their benefits and potential costs to arrive at a prioritized list of action items.

5.1 MITIGATION GOALS AND OBJECTIVES

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During planning team meetings for this update of the plan, the LPT developed a series of hazard mitigation goals. These goals are meant to prevent and mitigate injury, loss of life, and damage to property, critical infrastructure, and cultural resources from the impacts of natural hazards. The following eight (8) goals were endorsed by the LPT for this Multi-Hazard Mitigation Plan:

1. Provide residents with adequate access to emergency shelters equipped with sufficient provisions, climate control and emergency electricity during natural disaster events.
2. Improve communications between private citizens, businesses, utility companies, and town, regional, state, and federal agencies before, during and after a natural disaster.
3. Maintain adequate access to public utilities such as electricity, drinking water, and communications during and after a natural disaster.
4. Maintain an adequate Level of Service (LOS) on all roadways during and after natural disasters, particularly on major roadways.
5. Investigate, design, and implement projects that will reduce and minimize the risks and impacts from natural hazards to critical municipal facilities and resources.
6. Develop public education outlets and materials to inform residents about what to expect during natural disasters and to promote pre-disaster planning by the public, particularly regarding natural disasters such as hurricanes.
7. Make improvements to existing practices based on experience gained during disaster response and recovery.
8. Encourage future development that minimizes risks to natural hazards, such as flooding and high winds.

5.2 EXISTING CAPABILITIES

Falmouth has a unique set of capabilities, including Town plans, policies, staff, funding, and other resources available to accomplish mitigation actions and reduce short- and long-term vulnerability. These capabilities are summarized in this section. Opportunities for how these capabilities could be expanded or improved upon are also described.



Town Plans and Policies

Falmouth has a series of planning documents that address natural hazards. These documents include measures associated with the Town's mitigation strategy and could be useful when implementing mitigation actions. Through the implementation of these plans, Falmouth can guide and manage growth and development within the Town, with the goal of reducing hazard vulnerability. These plans include:

1. Local Comprehensive Plan (2016): Addresses topics such as land use, economic development, services and facilities, transportation, housing, resilience to climate change, open space and recreation, and natural and cultural resources. The Plan includes a chapter on coastal resiliency.
2. Falmouth Climate Change Vulnerability Assessment & Adaptation Plan (2020):
3. Coastal Resiliency Planning for the Surf Drive Area (2020)
4. Coastal Resiliency Action Committee Final Report (2021)
5. Falmouth Community Resiliency Building Workshop Summary of Findings (2018): Contains recommendations for
6. Stormwater Management Rules and Regulations (2021)

These plans provide important background for hazard planning, particularly with respect to flooding and climate change, and affirm municipal goals to improve hazard resilience and response. In the future, the Town's capacities, with respect to planning documents, could be improved by developing more departmental-, sector-, and asset-specific hazard reduction recommendations. Many of the proposed mitigation actions in Section 5.3 provide actionable, specific recommendations, which will help the Town move towards a more inter-departmental and inter-sector approach to hazard mitigation.

Many of the existing Town policies and ordinances also provide an effective means of mitigating hazards. Falmouth relies on the Massachusetts state building code (780 CMR) to ensure that new buildings and structures are built safely and to the state-standards for hazard preparedness. Falmouth also has Town-specific Zoning and Floodplain ordinances. The local Falmouth Wetlands Regulations have floodplain specific regulations designed to minimize flooding damages and build resiliency to future flooding.

Town Staff

The Town of Falmouth has a very capable staff that includes a Building Commissioner (who also serves as the Floodplain Administrator), Emergency Manager and Fire Chief, Community Planner, Conservation Commission Administrator, GIS Coordinator, and Professional Engineers within the Department of Public Works. Together these staff allow the Town to effectively plan for and implement specific mitigation actions. The capacity of the existing staff and committee members could be further improved through continuing education and trainings, and/or additional staff with specialized skills could be hired, such as a designated Sustainability Director.



Financial Capabilities

Financial capabilities are the resources that a Town has to fund mitigation actions. The costs to implement mitigation activities vary from relatively low-cost to relatively high-cost activities. Low-cost actions include building assessments or outreach efforts, which require little to no costs other than staff time and existing operating budgets. Alternatively, higher cost actions, such as major infrastructure redesigns, could require a substantial monetary commitment from local, state, and federal funding sources.

The Town of Falmouth has the following potential sources of funding to implement hazard mitigation activities:

1. Capital improvements funding;
2. Authority to levy taxes for specific purposes;
3. Fees from water and sewer services;
4. Fees from new development; and
5. Incurring debt through general obligation bonds and/or special tax bonds.

The Town's annual revenue from taxes and from specific town meeting articles can be used to fund some mitigation actions, but other larger actions may need additional outside funding, such as from state and federal grant programs. Grant funding that has been used in the past includes MVP and CZM Coastal Resilience grants. Funding from the Community Preservation Act has also been used by the Town to implement mitigation actions. Additional financial assistance in the form of grant funding will likely be required to implement some of the larger proposed mitigation actions in Section 5.3.

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Existing Mitigation Measures

The following are existing and ongoing mitigation measures performed by the Town of Falmouth:

- 1. Emergency Response Plan:** Falmouth maintains a Comprehensive Emergency Management Plan to document mitigation, preparedness, and response and recovery actions to be taken by the Town in the event of an emergency. The plan evaluates natural hazards, and addresses coordination between multiple departments and agencies within the area to provide for the safety and welfare of Falmouth citizens. The plan is periodically updated to reflect the most up-to-date information available.
- 2. Emergency Operations Center:** Falmouth maintains an Emergency Operations Center (EOC) at the Fire Department Headquarters Building at 399 Main Street. The EOC is activated in the event of a natural or other disaster and provides emergency services such as providing auxiliary communications, lighting, and transportation as needed. The EOC operates under the general direction of the Chief of the Fire Department.
- 3. Emergency Shelters & Mutual Aid:** Falmouth has established the following emergency shelters for use in the event of a natural disaster:
 - Primary – Falmouth High School, Gifford Street
 - Secondary – Otis Air Force Base Regional Shelter



Typically, the High School building is opened first, with the Air Base available should the capacity of the High School be exceeded. Both shelters are equipped with emergency generators in the event of a power outage, as well as other vital supplies such as food, water, blankets, etc.

4. **Communications System:** The Town has an array of communications systems in place to assist public safety efforts during a natural hazard event. Falmouth recently established the FalmouthAlert system, which sends emergency alerts and notifications via phone call, text message, email, and social media. To take advantage of this system, residents need to sign up either via text message to the Town or by completing an online form. Many residents are unaware of the need to actively sign up for this service. The Town also utilizes the Plymouth County Sheriff's Department's CodeRED emergency alert system, which can reach residents via phone call, text message, or email. The Town is part of the Fire and Police Mutual Aid Plan and communicate frequently with neighboring communities when they need assistance, specifically with Mashpee, Bourne, and Sandwich.
5. **Emergency Power Generators:** Much of Falmouth's critical drinking water, wastewater collection, pumping, and treatment infrastructure is equipped with onsite backup power sources. Falmouth's wastewater treatment plant has backup generators for emergency use, while all sewer pump stations are equipped with emergency generators. Water treatment facilities and many drinking water supply wells also have backup generators. The water storage tanks function automatically by gravity to maintain flows and pressures throughout the water system, with backup power only required for instrumentation purposes (i.e. communicate tank water levels). Generators are powered by onsite fuel sources such as above ground diesel tanks or propane tanks and may be refueled as needed by conventional methods. The Town routinely tests backup generators, either utilizing automatic test methods such as on DPW's water and sewer pump station generators or manual weekly tests such as on those located at schools and the police station.
6. **Massachusetts State Building Code:** The Massachusetts State Building Code contains many detailed regulations regarding wind loads, earthquake resistant design, flood-proofing, and snow loads.
7. **Public Information and Outreach:** Falmouth has implemented several programs as a means of reaching out to the public prior to and during an emergency. The town routinely distributes information via the local cable channels managed by Falmouth Community Television (FCTV) and via FalmouthAlert. FCTV operates three channels, 14, 15 and 16 on the Comcast Cable System and live streams channels 14 and 15 on their website at www.fctv.org. FalmouthAlert sends emergency notices via phone call, email, text, and social media outlets. These communication resources are used to convey information to the public before, during and after natural disasters. Information typically includes closed roadways, power company response information, contact information for local, regional and state resources and preparedness information. Should power and cable television be down, FCTV has the ability to go live from the LEPC for all three channels simultaneously.



Falmouth uses the town website as a means of conveying information to the public. The website also provides links to applicable emergency agencies, such as Falmouth Police, Fire and Emergency operations Center. The website also provides emergency management maps such as flood insurance and hurricane maps, and a number of emergency preparedness brochures.

8. **Tree Committee:** Town staff are responsible for the care and planting of trees along Town streets and parks. This committee works in cooperation with the Tree Warden, the Department of Public Works, and Eversource to maintain and trim trees that may interfere with power lines.
9. **Snow Disposal:** The Town conducts general snow removal operations and has adequate space for snow storage as needed.
10. **Water Restrictions:** Even/odd numbered homes have outside watering restrictions in effect from June 15th through September 15th to alleviate water shortages during periods of drought.
11. **Wetland Protection Standards:** The purpose of the Falmouth Wetland Protection Standards is to protect the wetlands, water resources and adjoining land areas.

C2.a

Participation in the National Flood Insurance Program (NFIP)

Falmouth currently participates in FEMA's National Flood Insurance Program (NFIP). Per FEMA's Local Multi-Hazard Mitigation Planning Guidance document, the NFIP has three basic aspects:

1. Floodplain identification and mapping – adopt flood maps depicting hazards;
2. Floodplain management – adopt and enforce floodplain management regulations; and
3. Flood insurance – require property owners to purchase insurance in exchange for floodplain management regulations that reduce future flood damages.

Flood Hazard Boundary Maps (FHBMs) were first established in 1979, with flood insurance rate maps (FIRMs) following in 1981. The most recent FEMA Flood Insurance Study became effective on July 6, 2021.

Loss statistics as of April 30, 2022 for the Town of Falmouth include a total of 181 closed cases, of which the total payments amounted to \$2,896,862 (FEMA 2021b). There are currently 417 active policies in effect.

As part of ongoing NFIP requirements, Falmouth regulates new development within the Special Flood Hazard Area (SFHA). The Town follows NFIP regulations and guidelines for all new construction, as well as substantial improvements to existing structures, within the flood plain.



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5.3 PROGRESS ON MITIGATION ACTIONS SINCE 2004

Before identifying new mitigation actions for the 2022 Falmouth Multi-Hazard Mitigation Plan, the LPT discussed the status of the mitigation actions identified in the 2017 SPREDD Regional Natural Hazard Disaster Mitigation Plan. One of the following status determinations was given to each mitigation action identified from the 2004 plan:

- **Complete:** The project was implemented and completed in 2017-2022.
- **Existing Capability:** The project was implemented and completed in 2017-2022, and it will continue to be implemented on an annual basis.
- **In Progress:** The project was started in the 2017-2022 timeframe and is still in progress.
- **Deferred:** The project is important, but it was deferred because there was no funding available, or it was not feasible to complete the project in this timeframe.
- **Deleted:** The project is no longer relevant to the community.

Table 5-1. Status of 2017 Proposed Mitigation Actions.

Action Category 1: Prevention and Resource Protection – Regulatory Modifications to Bylaws and Regulations to Prevent Damage and Preserve or Restore Natural Resources.

Action	Current Status
1a. Create a comprehensive wetlands restoration plan and begin reconstruction in the most vulnerable areas.	In Progress – Coonamessett River restoration project completed in Fall 2021. Restoration projects are ongoing at Oyster Pond, Red Brook, and Childs River culverts. Future restoration planned for Wild Harbor culvert and other sites identified in the Association to Preserve Cape Cod restoration atlas.
1b. Study the range of options and ideas found in the winning proposals of the “Rebuild By Design” competition and identify how they may be modified and implemented in Falmouth.	Deleted – Recommendations in the “Rebuild by Design” studies are not relevant to Falmouth.
1c. Maintain a list of municipal construction projects, bylaw/code revisions, and properties to acquire to reduce risk from natural hazards; develop priority ranking.	In Progress – Falmouth CCVA (WHG, 2020) prioritized municipal infrastructure based on flood vulnerability and identified bylaw/code revisions needed to reduce vulnerability to flooding. A list of municipal projects and properties to acquire will be developed using recommendations from the CCVA.
1d. Integrate municipal mitigation and adaptation projects into the Town’s operating and capital budgets.	Existing Capability - Town routinely includes funding for adaptation and resiliency projects in the operating and capital budgets. The money is applied to projects on a case-by-case basis.
1e. Review and revise local codes and bylaws as necessary to increase the resiliency of construction projects, and lobby for changes in the state building code.	Deferred – Currently, the Town building code follows the state building code. The Building Department will consider future revisions to local codes and bylaws, as necessary.
1f. Revise Conservation Commission Wetlands Regulations to be consistent with the Coastal Resiliency goals and policies.	Deferred – The Conservation Commission plans to review the Wetlands Regulations in the future to ensure consistency with coastal resiliency goals and policies.
1g. Train fire department staff and other emergency responders in wildland fire training.	Complete – Wildland fire training was completed in the spring of 2022.

1h. Conduct fuel management activities in Fire Hazard Mitigation Focus Areas as identified in the Barnstable County Wildfire Preparedness Plan	Existing Capability – These activities are conducted routinely by state and federal agencies.
1i. Conduct a thorough evaluation of the Town’s most at-risk critical facilities identified in the Vulnerability Analysis, and evaluate potential mitigation techniques for protecting each location to the maximum extent possible	Existing Capability - Town has begun to build resiliency for their at-risk critical facilities. The drawbridge hut in Woods Hole and the Park Street sewer pump station were recently floodproofed. The Town is currently working to flood protect the remaining vulnerable pump stations through a MVP grant.

Action Category 2: Public Safety – Improvements to Protect Residents During a Disaster.

Action	Current Status
2a. Establish evacuation procedures	Complete - Evacuation routes were established as part of the 2018 Cape Cod Emergency Traffic Plan and signage was placed on the roadways.
2b. Incorporate evacuation procedures into the Emergency Response Plan	Complete - The LEPC developed online and in print flyers that provide information on evacuation procedures.
2c. Maintain an adequate supply of sand, salt, and other road treatment materials	Existing Capability - The Town maintains a supply of sand and salt at the DPW facility for both municipal operations and private use. Materials are restocked regularly.

Action Category 3: Property Protection – Modifications or Removal of Infrastructure to Protect from a Hazard.

Action	Current Status
3a. Design and reconstruction of the Falmouth Heights Bluff shore protection located on the seaward side of Grand Avenue between Vernon Avenue and Gertrude Avenue. Approx. length = 1,300’	In Progress - The Town is working with a consultant to design shore protection and identify construction funding for the Falmouth Heights Bluff shoreline.
3b. Design and reconstruction of shore protection along the Chapoquoit Road causeway from Chapoquoit Beach to end at stone pillars. Approx. length = 900’	In Progress - The Town has completed reconstruction of three (3) sections of shore protection along Chapoquoit Road. The last 250 ft section is scheduled for completion during the winter 2022-2023.
3c. Consider the feasibility of beach nourishment along Chapoquoit Beach	Deferred - The Town plans to take this project up in the future as they evaluate

	impacts of the project on navigation and tidal hydrodynamics at the entrance to West Falmouth Harbor.
3d. Begin talks with private organizations and businesses in Woods Hole (i.e., Steamship Authority, WHOI, MBL, etc.) about hazard mitigation, flood prevention, and traffic control	In Progress - The LEPC is composed of a broad spectrum of community representatives that work together on coordinating emergency response training. They completed a tabletop exercise on emergency response in the spring 2022. Many of the LEPC representatives have emergency response plans of their own. The Town is also working with ResilientWoodsHole.org to identify at risk facilities in Woods Hole and to plan for implementation of hazard mitigation actions.
3e. Work with local land trusts to identify repetitive loss properties that these entities would be willing to buy out in the event of substantial damage, with the intent that these properties would be restored to their natural state and managed by the non-profit	Deferred - The local land trust (300 Committee) has prioritized other land acquisitions for wetland restoration and greenways. The Town will reach out to the 300 Committee about acquisition of repetitive loss properties.
3f. Develop pre- and post-storm response plans for Falmouth public beaches, as described in Beach Management Plan	Existing Capability - Pre- and post-storm response plans for the Town of Falmouth beaches are included in the Beach Management Plan (BMP). The Town periodically updates the BMP, including the pre- and post-storm response plans.
3g. Evaluate alternatives for protecting, relocating, or abandoning vulnerable sections of Surf Drive	Complete - The Town completed a Coastal Resiliency Plan for the Surf Drive Area in 2020.
3h. Evaluate alternatives to minimize flooding and sand overwash on Menauhant Road during a storm, particularly in the vicinity of Bristol Beach, Inn Season Resorts, Surfside, and Menauhant Beach	In Progress - The Town funded engineering design and permitting for an inlet widening and beach nourishment project at Menauhant Beach. Construction for this project is expected in the fall of 2023. Flood resiliency measures at the other Menauhant Rd sites are still being evaluated.

Action Category 4: Structural Projects – Construction Projects to Reduce Hazard Impacts.

Action	Current Status
4a. Reconstruction of the Fresh River Outlet on Surf Drive, including a roadway culvert and outlet groin	Deferred - The Town has deferred this project due to lack of funding. A study for an evaluation of alternatives is being considered.
4b. Reconstruction of the Salt Pond Outlet on Surf Drive including the roadway culvert and outlet groin	In Progress - The Town funded engineering design and permitting for a new culvert at the Salt Pond Outlet. Construction of this project is expected in the next 2-3 years.
4c. Reconstruction of the Trunk River Outlet under the bike path	Completed - A new culvert was installed at the Trunk River Outlet in the spring of 2020.
4d. Reconstruct high school gymnasium glass roof with solid surface roof and install storm shutters on cafeteria windows	Deferred - This project has not been completed due to lack of funding. The Town plans to pursue Federal grants for the work once the MHMP is complete.
4e. When bridges require maintenance, assess the vulnerability of water mains and other utility infrastructure, and potentially upgrade or reinforce infrastructure during bridge repair	Existing Capability - Work to reduce vulnerability to existing water mains and utility infrastructure is completed as bridges undergo routine maintenance. For example, new water and gas mains were installed at the John Parker Rd. culvert in 2021 during replacement of the culvert.
4f. Explore stormwater best management practices (BMPs) to address sections of roadway that regularly flood after heavy rains (i.e., east end of Thomas Landers Road; Route 28 near Friendly's, etc.)	Existing Capability - The Town is currently working with the Commonwealth on a redesign plan for Rt 28 that includes drainage improvements. Other stormwater issues around town will continue to be reviewed on a case-by-case basis.
4g. Verify the location of each repetitive loss property. If it cannot be located, is located in another jurisdiction, or has been mitigated, notify FEMA to get the property removed from the town's repetitive loss list	Deferred – The Town has not had staff time available for this in the past but plans to allocate the necessary resources for verifying the locations of repetitive loss properties and notifying FEMA of properties that have been mitigated.
4h. Contact all owners of repetitive loss properties annually, and inform them of financial assistance available for structural mitigation such as elevation and acquisition	Existing Capability - The LEPC holds periodic emergency preparedness fairs where information is disseminated to property owners on financial assistance

	available for structural mitigation. The Town has plans in the future to reach out specifically to repetitive loss property owners.
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Action Category 5: Public Information and Communications – Actions to Better Provide Information During a Disaster and Procedures to Facilitate Better Communication.

Action	Current Status
5a. Expand use of social media and other public outreach channels, such as Facebook, Twitter, YouTube, and an updated website to provide information about hazard preparedness, as well as a method to provide real-time updates during and following a major natural hazard.	Existing Capability - The Town established a program of emergency alerts via social media including Facebook, Twitter, and via regular web site updates. The FalmouthAlert system came online in 2021.
5b. Develop an informational brochure that highlights the key points of this plan for residents, which could be made available at Town Hall and on the Town website.	Existing Capability - The Town has created a number of informational brochures/web postings that highlight important emergency response procedures. These include: So, You're a Tourist during Hurricane Season, Emergency Supply Kit, What Should We Put in Our Emergency Supply Kit, and Winter Emergency Car Kit. The Town also provides access to MEMA and FEMA emergency preparedness literature on the Town web site, at Town Hall, at the Senior Center, Fire Department, and library. Access to this literature is updated on a regular basis.
5c. Improve interdepartmental and inter-agency communications.	Existing Capability - The Town holds interdepartmental meetings to discuss pre- and post-storm response and issues. Department heads from DPW, fire, and police also attend regular LEPC meetings to discuss emergency preparedness and response.
5d. Establish town-wide radio station per LEPC recommendation.	Deleted - Given more modern and effective forms of community outreach, the town-wide radio station was not pursued as an additional means of communication.

5e. Establish town-wide mass notification warning system (commercial program of sirens and loudspeakers) to notify residents.	Completed - The Town established the FalmouthAlert system in 2021 that allows residents and visitors to sign up for emergency alerts via voice call, text message, or email.
5f. Formalize mutual aid agreements	Completed - The Town formalized mutual aid agreements with fire and emergency service partners through the Barnstable County Sheriff's communications center. The partners are connected via radio with Barnstable County representative and resource availability is regularly updated.

5.4 PROPOSED MITIGATION

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C5.a
C5.b

Planning Process

To identify, evaluate, and prioritize specific mitigation actions and projects to reduce the effects of a natural disaster, the LPT used a prioritization method focusing on four key themes as follows:

- **Benefits:** Determine whether the proposed mitigation measure will improve property protection, natural resource protection, technical capacity, public awareness, or post-hazard emergency response;
- **Feasibility:** Determine whether the proposed mitigation measure is feasible in terms of Town staffing, public and Town support, and whether it is technically feasible;
- **Economic:** Evaluate each mitigation measure in terms of estimated cost and potential funding sources; and
- **Regulatory:** Evaluate each mitigation measure for consistency with local, state, and federal permitting/regulatory requirements and goals.

Each proposed mitigation action presented in this section was given a score based on 13 subcategories within these four larger categories documented above (i.e. Benefits, Feasibility, Economic, Regulatory). For each of these subcategories, the proposed action was given a score of 3 if the action was thought to be a “good” fit with a particular category (likely to provide the benefit under consideration, required little additional training or funding, feasible, etc.), 2 if it was “average”, or 1 if it was “poor” (did not provide the benefit under consideration, difficult to permit, costly, etc.). For a detailed overview of how each action was scored, see Appendix C.

When evaluating estimated costs for proposed mitigation actions, the following general cost categories were used:

- High:** Estimated costs greater than \$250,000
- Medium:** Estimated costs between \$50,000 and \$250,000
- Low:** Estimated costs less than \$50,000 and/or staff time only



Proposed Mitigation Actions

The final proposed mitigation actions developed during the planning process are summarized in this section. A total of thirty-three (33) actions were developed. These actions address risks due to flooding, severe weather, hurricanes and tropical storms, and wildfire, as well as more general public outreach and multi-hazard mitigation actions. Specific actions range from public education to increase awareness to actions that involve the modifications of existing buildings or infrastructure to protect them from a hazard.

Proposed mitigation actions are grouped according to their associated mitigation goal. For each action identified below, a brief description is provided, as well as the responsible department(s), potential funding sources, priority, and anticipated timeline.

Goal 1: Provide Residents with Adequate Access to Emergency Shelters Equipped with Sufficient Provisions, Climate Control, and Emergency Electricity During Natural Disaster Events.

Mitigation Action 1a: Reconstruct high school gymnasium glass roof with solid surface roof and install storm shutters on cafeteria windows.	
HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storm, Other Severe Weather
PURPOSE	The Falmouth High School services as the Town’s Emergency Shelter location but requires reinforcing of the structure to improve public safety.
RESPONSIBILITY	Falmouth School Department, Emergency Operations Center (Fire), and Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Grant Funding (FEMA), Town Meeting Article
PRIORITY	High
TIMELINE	Within the next 3-5 years

Goal 2: Improve Communications Between Private Citizens, Businesses, Utility Companies, and Town, Regional, State, and Federal Agencies, Before, During, and After a Natural Disaster.

Mitigation Action 2a: Improve interdepartmental and inter-agency communications.	
HAZARD ADDRESSED	Multiple Hazards
PURPOSE	By having regular inter-departmental communication about hazard planning, the Town will be able to better coordinate its hazard mitigation efforts. Discussions could include how each department and committee could incorporate hazard mitigation planning and climate change resiliency into their respective mission statements and ongoing activities.
RESPONSIBILITY	All municipal departments and committees
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	Medium
TIMELINE	Annually starting in 2022

Mitigation Action 2b: Begin talks with private organizations and businesses in Woods Hole (i.e. Steamship Authority, WHOI, MBL, etc.) about hazard mitigation, flood prevention, and traffic control.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Other Severe Weather
PURPOSE	A number of the Tier 1 and 2 Critical Facilities are owned by these entities and are at risk from a number of hazards including flooding, hurricanes, sea level rise, and coastal erosion. Hazard mitigation actions to protect these facilities will require a plan and financial investment from these entities, but the Town can facilitate and coordinate planning to lead an integrated mitigation effort in Woods Hole.
RESPONSIBILITY	Town Manager, Conservation Commission, Planning Dept., and Dept. of Public Works
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	Medium
TIMELINE	Ongoing, starting in 2021, and continuing for the next 2-3 years

Goal 3: Maintain Adequate Access to Public Utilities Such as Electricity, Drinking Water, and Communications During and After a Natural Disaster.

Mitigation Action 3a: When bridges require maintenance, assess the vulnerability of water mains and other utility infrastructure, and potentially upgrade or reinforce infrastructure during bridge repair.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Other Severe Weather
PURPOSE	Falmouth’s water mains carry the Town’s drinking water. In areas where communities are separated by waterbodies, these water mains are located alongside bridges. In many coastal areas, these bridges get inundated during storms and are subject to wave actions and impacts from floating debris that could damage the water mains. Upgrades should be implemented when feasible.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, State Grants
PRIORITY	Low
TIMELINE	Ongoing and continuing for the next 5 years

Mitigation Action 3b: Ensure that all schools, housing authority facilities, and town-owned buildings that provide emergency support services are equipped with generators.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Severe Winter Weather, and Other Severe Weather
PURPOSE	Falmouth schools and housing authority facilities contain concentrations of vulnerable people, and a number of town-owned buildings provide critical emergency support services during a natural hazard. The loss of power at these facilities caused by tree damage to overhead power lines places populations at risk and increases the likelihood that critical municipal services will be interrupted. The ability to maintain a power supply to these facilities is important.
RESPONSIBILITY	Dept. of Public Works, School Administration, Falmouth Housing Authority
ESTIMATED COST	Medium
POTENTIAL FUNDING SOURCES	Town Meeting Article, State and Federal Grants, Private Funding
PRIORITY	High
TIMELINE	Ongoing and continuing for the next 5 years

Mitigation Action 3c: Establish a regular program of trimming trees on municipal properties that have the potential to impact power supply during storms.	
HAZARD ADDRESSED	Severe Winter Weather and Other Severe Weather
PURPOSE	Trees in many areas of Town are close to or interfering with overhead electrical lines. During high wind and ice storm events, downed trees have the potential to damage power lines. By maintaining and trimming trees around existing power lines, the potential for interruptions to the power supply will be minimized.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	Medium
POTENTIAL FUNDING SOURCES	State Grants, Town Operating Budget
PRIORITY	Medium
TIMELINE	Ongoing and continuing for the next 5 years

Goal 4: Maintain an Adequate Level of Service (LOS) on all Roadways During and After Natural Disasters, Particularly on Major Roadways.

Mitigation Action 4a: Maintain an adequate supply of sand, salt and other road treatment materials.	
HAZARD ADDRESSED	Severe Winter Weather
PURPOSE	To ensure Town roads can be treated quickly and effectively to maintain safe transportation routes in the event of a snow event.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget, Snow & Ice Budget
PRIORITY	Medium
TIMELINE	Seasonal and ongoing

Mitigation Action 4b: Explore stormwater best management practices (BMPs) to address sections of roadway that regularly flood after heavy rains (i.e. east end of Thomas Landers Road; Route 28 near Friendly's, etc.).	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, and Other Severe Weather
PURPOSE	Some roadway areas routinely flood after heavy rains due to ponding water or backed up storm drains. Stormwater BMPs, such as regularly cleaning catch basins and directly treating storm-water runoff in vegetated swales, could reduce the ponding in the roads.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	Medium to High

POTENTIAL FUNDING SOURCES	Town Meeting Article, State Grants
PRIORITY	Medium
TIMELINE	Ongoing and continuing for the next 5 years

**Mitigation Action 4c:
Evaluate alternatives to minimize flooding and sand overwash on Menauhant Road during a storm, particularly in the vicinity of Bristol Beach, Inn Season Resorts, and Menauhant Beach.**

HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Severe Winter Weather, Coastal Erosion, and Other Severe Weather
PURPOSE	Sections of Menauhant Road are prone to storm overwash and flooding during coastal storm events. Since this road serves as a critical east-west transportation corridor, it is important to maintain safe passage for motorists for as long as possible during and after storms.
RESPONSIBILITY	Board of Selectmen, Dept. of Public Works, Planning Dept., Conservation Commission
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	MVP Action Grant, CZM Coastal Resilience Grant, Town Meeting Article
PRIORITY	Low
TIMELINE	Within the next 5 years

**Mitigation Action 4d:
Design and reconstruction of the Falmouth Heights Bluff shore protection located on the seaward side of Grand Avenue between Vernon Avenue and Gertrude Avenue. Approx length = 1,300'.**

HAZARD ADDRESSED	Hurricane & Tropical Storms, Severe Winter Weather, Coastal Erosion, and Other Severe Weather
PURPOSE	The bluff at Falmouth Heights continues to experience erosion, and the sea wall at the base is in need of repairs. Continued erosion of the bluff will threaten Falmouth Heights Road and the residential properties across the street.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	MVP Action Grant, CZM Coastal Resilience Grant, Town Meeting Article
PRIORITY	Low
TIMELINE	Within the next 5 years

Mitigation Action 4e: Design and reconstruction of shore protection along the Chapoquoit Road causeway from Chapoquoit Beach to end at stone pillars. Approx length = 900'.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Severe Winter Weather, Coastal Erosion, and Other Severe Weather
PURPOSE	The existing revetment along Chapoquoit Road is failing. Part of the structure has already been repaired and reinforced, but additional work is necessary to provide protection for the roadway leading to Chapoquoit Island.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article
PRIORITY	Medium
TIMELINE	Complete within next 1-2 years

Mitigation Action 4f: Proceed with construction of the Bourne's Pond Bridge project and associated Menauhant Beach nourishment project.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Coastal Erosion, and Other Severe Weather
PURPOSE	Accelerated rates of erosion at Menauhant Beach are threatening the adjacent public roadway and utilities, and negatively impacting the public beach. Engineering studies of the Bourne's Pond Bridge and adjacent Menauhant Beach have shown that reconstruction of the bridge/culvert and nourishment of the beach will mitigate the ongoing erosion.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article
PRIORITY	Medium
TIMELINE	Complete within next 2-4 years

Mitigation Action 4g: Evaluate adaptation alternatives for low-lying roads and bridges throughout Town.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Coastal Erosion, and Other Severe Weather
PURPOSE	A number of existing roadways in the Town of Falmouth are currently vulnerable to flooding during storms and will be increasingly vulnerable during high tide events in the future as sea levels rise. To address this problem, adaptation alternatives should

	be evaluated and roadways presenting the greatest risk to residents should be prioritized for added resiliency.
RESPONSIBILITY	Town Managers Office, Planning Dept., Conservation Commission, Dept. of Public Works
ESTIMATED COST	Low (for evaluation of alternatives), High (for implementation)
POTENTIAL FUNDING SOURCES	MVP Action Grant, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Within the next 1-2 years

Goal 5: Investigate, Design, and Implement Projects that will Reduce and Minimize the Risks and Impacts from Natural Hazards to Critical Municipal Facilities and Resources.

Mitigation Action 5a: Create a comprehensive wetlands restoration plan and begin reconstruction in the most vulnerable areas.	
HAZARD ADDRESSED	Flooding, Drought, Extreme Temperature, Water Quality, and Invasive Species
PURPOSE	This measure is one of the action items from the Local Comprehensive Plan Coastal Resiliency Goals voted at town meeting in November 2014. Implementation of this action would enhance flood protection and shoreline erosion control, among other benefits. Wetland restoration activities would provide additional trees, root mats and other wetland vegetation that would act to slow the speed of flood waters and distribute them more slowly over the floodplain throughout the coastal areas of Falmouth.
RESPONSIBILITY	Conservation Commission, Planning Dept., Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Ongoing for the next 2-5 years

Mitigation Action 5b: Conduct a thorough evaluation of the Town's most at-risk critical facilities identified in the CCVA (2020) and evaluate potential mitigation techniques for protecting each location to the maximum extent possible.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Coastal Erosion, and Other Severe Weather
PURPOSE	Now that the Town's vulnerable critical facilities have been identified, the next step is to identify and prioritize actions and projects that will provide additional protection to these structures.

RESPONSIBILITY	Town Manager, Board of Selectmen, Dept. of Public Works, Conservation Commission, Planning Dept.
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	CZM Coastal Resilience Grant, State & Federal Grants, Town Meeting Article
PRIORITY	Medium
TIMELINE	Within the next 2 to 5 years

**Mitigation Action 5c:
Reconstruction of the Fresh River Outlet on Surf Drive, including a roadway culvert and outlet groin.**

HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Water Quality, Dam/Culvert Failure
PURPOSE	Fresh River Outlet is a poorly flushed culvert, and is regularly damaged during storms, resulting in culvert collapse and damage to the road. Reconstruction of this outlet would minimize these events in the future.
RESPONSIBILITY	Dept. of Public Works, Conservation Commission
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Complete within the next 3 years

**Mitigation Action 5d:
Reconstruction of the Salt Pond Outlet on Surf Drive including the roadway culvert and outlet groin.**

HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Water Quality, Dam/Culvert Failure
PURPOSE	The Salt Pond Outlet is an undersized, poorly flushed culvert, and is often obstructed by sediment deposits during storms. To improve efficiency and reduce the risk of flooding and damage to the road, the outlet should be reconstructed.
RESPONSIBILITY	Dept. of Public Works, Conservation Commission
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Complete within the next 3 years

Mitigation Action 5e: Consider the feasibility of beach nourishment along Chapoquoit Beach.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Coastal Erosion, and Other Severe Weather
PURPOSE	Chapoquoit Beach has a history of significant erosion, as well as repeated necessary repairs to the seawall and revetment. As a result, the remaining beach is very narrow, and in some cases no high tide beach is present. This leaves Chapoquoit beach, nearby wetland resources, and public infrastructure vulnerable to the impacts of storm surge, wave action, and flooding.
RESPONSIBILITY	Town Manager, Conservation Commission
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, CZM Coastal Resilience Grant
PRIORITY	Low
TIMELINE	Within the next 5 years

Mitigation Action 5f: Conduct fuel management activities in Fire Hazard Mitigation Focus Areas as identified in the Barnstable County Wildfire Preparedness Plan.	
HAZARD ADDRESSED	Wildfire
PURPOSE	Fuel management treatments can alter fuel loads to reduce wildfire hazard by changing fire behavior. These actions can increase public and firefighter safety while also reducing fire response and suppression costs. Focus areas should also include high risk areas in Beebe Woods around the hospital, and around water treatment facilities in heavily forested areas. The Town should coordinate with DCR on state-owned property.
RESPONSIBILITY	Fire Dept.
ESTIMATED COST	Low to Medium
POTENTIAL FUNDING SOURCES	Grants, Town Operating Budget
PRIORITY	High
TIMELINE	Ongoing and within the next 5 years

Mitigation Action 5g: Maintain a list of municipal construction projects, bylaw/code revisions, and properties to acquire to reduce risk from natural hazards; develop priority ranking.	
HAZARD ADDRESSED	Multiple Hazards
PURPOSE	A regularly updated list of important projects, regulatory updates, and potential property acquisitions, increases Falmouth's long-term resiliency by identifying and prioritizing the most effective next steps involved with hazard mitigation.

RESPONSIBILITY	Dept. of Public Works, Conservation Commission, Planning Dept., Town Manager, Board of Selectmen
ESTIMATED COST	Low (to maintain list & modify bylaws), High (to acquire properties)
POTENTIAL FUNDING SOURCES	Town Meeting Article
PRIORITY	Medium
TIMELINE	Ongoing and within the next 5 years

**Mitigation Action 5h:
Integrate municipal mitigation and adaptation projects into the Town’s operating and capital budgets.**

HAZARD ADDRESSED	Multiple Hazards
PURPOSE	Vital mitigation and adaptation projects and actions will only be able to be implemented if they can be funded; integrating them into the Town’s operating and capital budgets ensures there is a dedicated funding source for these projects.
RESPONSIBILITY	Finance Committee, Finance Director, Town Manager, Selectboard, Town Meeting
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Operating and Capital Budgets
PRIORITY	Medium
TIMELINE	Mid-term and ongoing within the next 5 years

**Mitigation Action 5i:
Update the Falmouth Open Space and Recreation Plan to include properties identified in the CCVA (2020) study as priorities for acquisition to allow salt marsh migration in response to sea level rise.**

HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, Coastal Erosion, Other Severe Weather, and Water Quality
PURPOSE	The Falmouth CCVA (2020) identified properties that would be beneficial for allowing salt marsh migration in the future as sea levels rise. By allowing the marsh to migrate landward, there will be additional storage capacity for flood waters, enhanced wildlife habitat, and improved water quality.
RESPONSIBILITY	Planning Dept., Conservation Commission
ESTIMATED COST	Low (to update the Plan), High (to acquire the properties)
POTENTIAL FUNDING SOURCES	Town Meeting Article, MVP Planning Grant, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Plan update within next 1 to 2 years; acquisition within the next 3 to 5 years

Mitigation Action 5j Evaluate alternatives for reducing vulnerability of Town Hall to flooding.	
HAZARD ADDRESSED	Hurricane & Tropical Storms, Flooding, and Other Severe Weather
PURPOSE	Falmouth Town Hall was identified in the CCVA (2020) as being vulnerable to flooding from Siders Pond during future storm events as sea levels continue to rise. Conceptual alternatives for protecting Town Hall were developed, but additional work needs to be conducted so that a preferred alternative and schedule can be selected.
RESPONSIBILITY	Town Manager, Conservation Commission, Planning Dept., Dept. of Public Works
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, CZM Coastal Resilience Grant
PRIORITY	Medium
TIMELINE	Over the next 5 years

Goal 6: Develop Public Education Outlets and Materials to Inform Residents About What to Expect During Natural Disasters and to Promote Pre-Disaster Planning by the Public, Particularly Regarding Natural Disasters Such as Hurricanes.

Mitigation Action 6a: Continue use of social media and other public outreach channels, such as Facebook, Twitter, YouTube, and an updated website to provide information about hazard preparedness and encourage public to sign up for FalmouthAlert.	
HAZARD ADDRESSED	Multiple Hazards
PURPOSE	Large populations of residents and visitors can be reached through the internet and social media outlets at very little cost to the Town, so information can be disseminated widely. These communication methods also occur in real-time, which is crucial for updates during a natural hazard.
RESPONSIBILITY	Emergency Operations Center, Fire Dept.
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	High
TIMELINE	Ongoing and continue over the next 5 years

**Mitigation Action 6b:
Develop informational brochures that highlight pre- and post-disaster preparedness and make them available through a broad range of outlets.**

HAZARD ADDRESSED	Multiple Hazards
PURPOSE	Easily accessible information in the form of educational brochures will inform both residents and visitors on the types of natural hazards possible in Falmouth, and the ways they can reduce their vulnerability.
RESPONSIBILITY	Emergency Operations Center, Fire Dept., Town Manager
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	High
TIMELINE	Ongoing and continue over the next 5 years

**Mitigation Action 6c:
Develop public outreach materials, in concert with Eversource, on importance of allowing tree trimming around power lines.**

HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Other Severe Weather
PURPOSE	Recent high wind storm events have caused significant tree damage throughout Town. This has resulted in power supply interruptions and loss of electricity to many areas of town. Many homeowners are reluctant to allow tree trimming and would benefit from understanding the importance of this type of pre-disaster preparation.
RESPONSIBILITY	Dept. of Public Works
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	High
TIMELINE	Ongoing and continue over the next 5 years

Goal 7: Make Improvements to Existing Practices Based on Experience Gained During Disaster Response and Recovery.

Mitigation Action 7a: Work with local land trusts to identify repetitive loss properties that these entities would be willing to buy out in the event of substantial damage, with the intent that these properties would be restored to their natural state and managed by the non-profit.	
HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Flooding, Coastal Erosion
PURPOSE	By transitioning a repetitive loss property back to its natural state, the potential for future structural damage is removed and a restored natural system can improve coastal resilience and storm protection capacity of the property.
RESPONSIBILITY	Town Manager, Selectboard
ESTIMATED COST	High
POTENTIAL FUNDING SOURCES	Town Meeting Article, State and Federal Grants
PRIORITY	Medium
TIMELINE	Withing the next 5 years

Mitigation Action 7b: Verify the location of each repetitive loss property. If it cannot be located, is located in another jurisdiction, or has been mitigated, notify FEMA to get the property removed from the town’s repetitive loss list.	
HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Flooding, Coastal Erosion
PURPOSE	The number of repetitive loss properties influences the requirements of the Town in reference to hazard mitigation and CRS planning. If properties appear erroneously on this list, they should be removed to reflect the true repetitive loss status of the Town.
RESPONSIBILITY	GIS Services, Building Dept.
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	Low
TIMELINE	Within the next 1 year

**Mitigation Action 7c:
Develop pre- and post-storm response plans for Falmouth public beaches, as described in Beach Management Plan.**

HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Flooding, Coastal Erosion
PURPOSE	Falmouth has public beaches on the Buzzards Bay and Vineyard Sound coastlines. Pre- and post-storm response plans will help to minimize risks of storm damage to wetland resources and public/private infrastructure, and will help to avoid adverse impacts to resources during post-storm clean-up.
RESPONSIBILITY	Beach Dept., Dept. of Public Works, Fire Dept., Emergency Operations, Conservation Commission
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget
PRIORITY	Medium
TIMELINE	Within the next 3 years

**Mitigation Action 7d:
Revise Conservation Commission Wetlands Regulations to be consistent with the Coastal Resiliency goals and policies.**

HAZARD ADDRESSED	Multiple Hazards
PURPOSE	The Coastal Resiliency goals and policies focus on preserving, restoring, and enhancing coastal ecosystems to better absorb impacts from natural hazards, with an emphasis on resiliency and adaptability. Revising the Conservation Commission Wetland Regulations to reflect this will reinforce these goals and ensure consistency across planning and regulatory documents.
RESPONSIBILITY	Conservation Commission, Town Manager, Town Meeting
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget, Town Meeting Articles
PRIORITY	Medium
TIMELINE	Within the next 5 years

Goal 8: Encourage Future Development that Minimizes Risks to Natural Hazards, Such as Flooding and High Winds.

Mitigation Action 8a: Review and revise local codes and bylaws as necessary to increase the resiliency of construction projects, and lobby for changes in the state building code.	
HAZARD ADDRESSED	Multiple Hazards
PURPOSE	Revising local codes and bylaws to increase the resiliency of construction projects will ensure that future buildings and structures constructed in Falmouth will be more resilient, and less likely to experience damage in the event of a natural hazard.
RESPONSIBILITY	Planning Board, Zoning Board of Appeals, Town Meeting, Building Commissioner, Conservation Commission
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	Town Operating Budget, Town Meeting Article
PRIORITY	Medium
TIMELINE	Ongoing and continue over the next 5 years

Mitigation Action 8b: Contact all owners of repetitive loss properties annually and inform them of financial assistance available for structural mitigation such as elevation and acquisition.	
HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Flooding, Coastal Erosion
PURPOSE	If homeowners know about financial incentives for mitigating their flood risk, it is more likely they will perform the necessary work to remove their property from the repetitive loss list, while also avoiding future damage.
RESPONSIBILITY	Town Manager, Selectboard
ESTIMATED COST	Low
POTENTIAL FUNDING SOURCES	State and Federal Grants
PRIORITY	Medium
TIMELINE	Within the next 2 to 5 years

**Mitigation Action 8c:
Develop a framework that addresses buy outs and incentives for relocation in low-lying neighborhoods.**

HAZARD ADDRESSED	Severe Winter Weather, Hurricane & Tropical Storms, Flooding, Coastal Erosion
PURPOSE	With rising sea levels, more low-lying areas in the Town of Falmouth will become vulnerable to flooding. By developing a framework for identifying vulnerable properties, contacting the owners, and establishing financial resources for a buy out program, the Town will be able to mitigate the flooding impacts.
RESPONSIBILITY	Town Manager
ESTIMATED COST	Low (to develop framework), High (to buy out property owners)
POTENTIAL FUNDING SOURCES	Town Operating Budget, Town Meeting Article, State and Federal Grants
PRIORITY	Medium
TIMELINE	Within the next 5 years



The Falmouth Multi-Hazard Mitigation Plan is not meant to be a static document. As conditions change, new information becomes available, or mitigation actions progress or are completed over the life of the plan, adjustments and updates may be necessary to maintain its relevance. This chapter describes how the Plan will be tracked, updated, and enhanced in the coming years. The plan must be fully reviewed and revised as necessary at least once every five years. Keeping the plan up-to-date also means continuing to provide opportunities for public involvement and comment on the plan and its implementation.



As required by FEMA, this Plan must outline a maintenance process to ensure the Plan remains active and relevant to the current conditions of the Town. The process must identify the following items:

- Plan Monitoring, Evaluation and Updates – Method and schedule for monitoring, evaluating and updating the plan once every five years;
- Incorporation of Mitigation Strategies – Explanation of how local governments will incorporate mitigation strategies into existing mechanisms; and
- Continued Public Involvement – Requirements that public participation continue throughout the plan maintenance process.

This section details how Falmouth will meet these Plan maintenance requirements.

A6.a-d

6.1 PLAN MONITORING, EVALUATION AND UPDATES

As required by FEMA, the written plan will be evaluated and updated at least once every five years by relevant Town departments, boards, and agencies. In the interim, select members of the LPT will conduct annual reviews of the progress of mitigation actions and update as necessary. If a major disaster occurs in the interim, the plan may be evaluated or updated if Town personnel feel that the plan failed in some way, or imminent changes are required to better respond to future disasters. As necessary, LPT members and/or departments may be added or removed from the LPT to obtain the most accurate and applicable information possible.

Evaluations and updates will take place in much the same way this updated plan was developed. The process will include meetings of the LPT, review of goals and objectives, updating the community profile, review and modification of potential hazards and hazard related data, review of existing hazard-prone areas and the addition of any new areas, updating existing and planned hazard mitigation measures, and an evaluation as to the effectiveness of the plan to date. The next update will begin in year 4 of this plan, to ensure that the subsequent update is ready within the required 5-year window.

6.2 INCORPORATION OF MITIGATION STRATEGIES

Mitigation strategies outlined in this Plan will be incorporated into existing plans, bylaws, and regulations as feasible. During Plan updates, existing and proposed mitigation actions will be evaluated for effectiveness, level of completion, and continued appropriateness. Mitigation strategies will also need to be included in the annual budget process.

Upon approval of this plan, the LPT will provide all interested parties and implementing departments with a copy of the plan and will initiate a discussion regarding how the plan can be integrated into that department's ongoing work. At a minimum, the plan will be reviewed and discussed with the following departments and committees:

- Local Emergency Planning Committee
- Fire Department
- Police Department



- Department of Public Works
- Planning Board
- Conservation Commission
- Building Department

C6.e

After this plan has been approved by both FEMA and the local government, links to the final plan will be emailed to all Town staff, boards, and committees, with a reminder to review the plan periodically and work to incorporate its contents, especially the proposed mitigation actions presented in Chapter 5, into other planning processes, documents, and plans. In addition, during annual review meetings for the Multi-Hazard Mitigation Plan implementation process, the Local Planning Team (LPT) will review whether any of these plans are in the process of being updated. If so, the LPT will remind people working on these plans, policies, etc., of the Multi-Hazard Mitigation plan, and urge them to incorporate the Multi-Hazard Mitigation Plan data, findings, and actions into their respective efforts.

6.3 CONTINUED PUBLIC INVOLVEMENT

A5.a

During the periodic five-year update process, the LPT will hold at least one public workshop or similar meeting to solicit feedback from the general public on the progress made to date. Concerned citizens will also be invited to review the revised Plan and submit any additional comments or recommendations for improving the Plan. All events will be publicly advertised in the local newspaper and/or similar method. Copies of the Plan will be provided in public places such as Town Hall and the Emergency Operations Center. The Plan will also be made available to the general public via the Town's website.

6.4 PLAN ADOPTION

E1.a

At the conclusion of planning efforts conducted by the LPT, the draft of the Falmouth MHMP was reviewed by the Local Planning Team, stakeholders and the general public, and informally approved by all applicable Town departments, boards, and other agencies identified as members of the LPT. The plan was then submitted to the State Hazard Mitigation Officer (SHMO) of the Massachusetts Department of Resource Conservation, the Massachusetts Emergency Management Agency (MEMA) and the Federal Emergency Management Agency (FEMA) for review and approval. If approved by MEMA and FEMA, the plan will be brought before the Falmouth Selectboard for adoption, and the Plan will enter the five year "maintenance" phase. A draft of the certificate of adoption is provided on the following page. Proof of plan adoption will also be included at the front of this report.



**DRAFT CERTIFICATE OF ADOPTION
Board of Selectmen**

TOWN OF Falmouth, MASSACHUSETTS

A RESOLUTION ADOPTING THE
TOWN OF FALMOUTH MULTI-HAZARD MITIGATION PLAN (2022)

WHEREAS, the Town of Falmouth recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the Town of Falmouth established a Committee to prepare the *Town of Falmouth Multi-Hazard Mitigation Plan (2022)*; and

WHEREAS, the *Town of Falmouth Multi-Hazard Mitigation Plan (2022)* contains several potential future projects to mitigate potential impacts from natural hazards in the Town of Falmouth, and

WHEREAS, duly-noticed public meetings were held by the LOCAL PLANNING TEAM on March 24 and July 11, 2022, and

WHEREAS, the Town of Falmouth authorizes responsible departments and/or agencies to execute their responsibilities demonstrated in the plan, and

NOW, THEREFORE BE IT RESOLVED that the Town of Falmouth BOARD OF SELECTMEN adopts the *Town of Falmouth Multi-Hazard Mitigation Plan (2022)*, in accordance with M.G.L. 40 §4 or the charter and bylaws of the Town of Falmouth.

ADOPTED AND SIGNED this Date. _____

Name(s)

Title(s)

Signature(s)



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Appendix A: Local Mitigation Plan Review Guide

1. Local Mitigation Plan Review Guide
2. CRS Scoring Checklist

Local Mitigation Plan Review Guide

October 1, 2011



FEMA

SECTION 4:

REGULATION CHECKLIST

This section provides detailed guidance on how FEMA interprets the various requirements of the regulation for all Local Mitigation Plan reviews through a Regulatory Checklist. The guidance is limited only to the minimum requirements of *what* must be in a Local Mitigation Plan, and does not provide guidance on *how* the community should develop a plan. The Regulation Checklist includes the following Elements:

- 4.1 ELEMENT A: Planning Process
- 4.2 ELEMENT B: Hazard Identification and Risk Assessment
- 4.3 ELEMENT C: Mitigation Strategy
- 4.4 ELEMENT D: Plan Review, Evaluation, and Implementation
- 4.5 ELEMENT E: Plan Adoption
- 4.6 ELEMENT F: Additional State Requirements

Many requirements in the Checklist call for the plan to “document” or “describe” information. FEMA does not require specific formats for the plan or its content. Required information to “document” can be provided in the plan through a variety of formats, such as narrative, tables, lists, maps, etc. Examples provided in this *Guide* are samples of one or more approaches to meeting that particular requirement. Examples are not inclusive of all possible solutions to meet a requirement, and they are not necessarily considered “best practices” or exemplary. FEMA will recognize that there are many formats and types of documentation that may meet a particular requirement.

Terms from the regulation are defined in this *Guide*, where necessary. For example, many of the plan requirements ask for a “discussion” or “description.” FEMA considers the plan as the written record, or documentation, of the planning process. Therefore, many of these terms have the same meaning to document *what* was done. In addition, this *Guide* uses the terms “jurisdiction” and “community” interchangeably. For purposes of this *Guide*, these terms are equal to any local government developing a Local Mitigation Plan. This is defined at 44 CFR §201.2 as:

“any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity.”

Finally, an important distinction must be made between the words “shall” and “should” in the Mitigation Planning regulation at 44 CFR Part 201. The Regulation Checklist only includes the requirements where the regulation uses the words “shall” and “must,” and does not include the “should.” When the word “should” is used, the item is strongly recommended to be included in the plan, but its absence will not cause FEMA to disapprove the plan.

4.1 ELEMENT A: PLANNING PROCESS

Requirement §201.6(b)	An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:
§201.6(b)(1)	(1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
§201.6(b)(2)	(2) An opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process; and
§201.6(b)(3)	(3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.
§201.6(c)(1)	[The plan shall document] the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.
§201.6(c)(4)(i)	[The plan maintenance process shall include a] section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.
§201.6(c)(4)(iii)	[The plan maintenance process shall include a] discussion on how the community will continue public participation in the plan maintenance process.

Overall Intent. The planning process is as important as the plan itself. Any successful planning activity, such as developing a comprehensive plan or local land use plan, involves a cross-section of stakeholders and the public to reach consensus on desired outcomes or to resolve a community problem. The result is a common set of community values and widespread support for directing financial, technical, and human resources to an agreed upon course of action, usually identified in a plan. The same is true for mitigation planning. An effective and open planning process helps ensure that citizens understand risks and vulnerability, and they can work with the jurisdiction to support policies, actions, and tools that over the long-term will lead to a reduction in future losses.

Leadership, staffing, and in-house knowledge in local government may fluctuate over time. Therefore, the description of the planning process serves as a permanent record that explains how decisions were reached and who involved. FEMA will accept the planning process as defined by the community, as long as the mitigation plan includes a narrative

description of the process used to develop the mitigation plan—a systematic account about how the mitigation plan evolved from the formation of a planning team, to how the public participated, to how each section of the plan was developed, to what plans or studies were incorporated into the plan, to how it will be implemented. Documentation of a current planning process is required for both new and updated plans.

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? 44 CFR 201.6(c)(1)</p> <p><i>Intent: To inform the public and other readers about the overall approach to the plan’s development and serve as a permanent record of how decisions were made and who was involved. This record also is useful for the next plan update.</i></p>	<p>a. Documentation of how the plan was prepared must include the schedule or timeframe and activities that made up the plan’s development as well as who was involved. Documentation typically is met with a narrative description, but may also include, for example, other documentation such as copies of meeting minutes, sign-in sheets, or newspaper articles.</p> <p><i>Document means provide the factual evidence for how the jurisdictions developed the plan.</i></p> <p>b. The plan must list the jurisdiction(s) participating in the plan that seek approval.</p> <p>c. The plan must identify who represented each jurisdiction. The Plan must provide, at a minimum, the jurisdiction represented and the person’s position or title and agency within the jurisdiction.</p> <p>d. For each jurisdiction seeking plan approval, the plan must document how they were involved in the planning process. For example, the plan may document meetings attended, data provided, or stakeholder and public involvement activities offered. Jurisdictions that adopt the plan without documenting how they participated in the planning process will not be approved.</p> <p><i>Involved in the process means engaged as participants and given the chance to provide input to affect the plan’s content. This is more than simply being invited (See “opportunity to be involved in the planning process” in A2 below) or only adopting the plan.</i></p> <p>e. Plan updates must include documentation of the current planning process undertaken to update the plan.</p>
<p>A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? 44 CFR 201.6(b)(2)</p>	<p>a. The plan must identify all stakeholders involved or given an opportunity to be involved in the planning process. At a minimum, stakeholders must include:</p> <ol style="list-style-type: none"> 1) Local and regional agencies involved in hazard mitigation activities; 2) Agencies that have the authority to regulate development; and 3) Neighboring communities. <p><i>An opportunity to be involved in the planning process means that the stakeholders are engaged or invited as participants and given the chance to provide input to affect the plan’s content.</i></p>

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p><i>Intent:</i> To demonstrate a deliberative planning process that involves stakeholders with the data and expertise needed to develop the plan, with responsibility or authority to implement hazard mitigation activities, and who will be most affected by the plan’s outcomes.</p>	<p>b. The Plan must provide the agency or organization represented and the person’s position or title within the agency.</p> <p>c. The plan must identify how the stakeholders were invited to participate in the process.</p> <p>Examples of stakeholders include, but are not limited to:</p> <ul style="list-style-type: none"> • Local and regional agencies involved in hazard mitigation include public works, zoning, emergency management, local floodplain administrators, special districts, and GIS departments. • Agencies that have the authority to regulate development include planning and community development departments, building officials, planning commissions, or other elected officials. • Neighboring communities include adjacent counties and municipalities, such as those that are affected by similar hazard events or may be partners in hazard mitigation and response activities. • Other interests may be defined by each jurisdiction and will vary with each one. These include, but are not limited to, business, academia, and other private and non-profit interests depending on the unique characteristics of the community.
<p>A3. Does the Plan document how the public was involved in the planning process during the drafting stage? 44 CFR 201.6(b)(1) and 201.6(c)(1)</p> <p><i>Intent:</i> To ensure citizens understand what the community is doing on their behalf, and to provide a chance for input on community vulnerabilities and mitigation activities that will inform the plan’s content. Public involvement is also an opportunity to educate the public about hazards and risks in the community, types of activities to mitigate those risks, and how these impact them.</p>	<p>a. The plan must document how the public was given the opportunity to be involved in the planning process and how their feedback was incorporated into the plan. Examples include, but are not limited to, sign-in sheets from open meetings, interactive websites with drafts for public review and comment, questionnaires or surveys, or booths at popular community events.</p> <p>b. The opportunity for participation must occur during the plan development, which is prior to the comment period on the final plan and prior to the plan approval / adoption.</p>

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>A4. Does the Plan document the review and incorporation of existing plans, studies, reports, and technical information? 44 CFR 201.6(b)(3)</p> <p><i>Intent: To identify existing data and information, shared objectives, and past and ongoing activities that can help inform the mitigation plan. It also helps identify the existing capabilities and planning mechanisms to implement the mitigation strategy.</i></p>	<p>a. The plan must document <i>what</i> existing plans, studies, reports, and technical information were reviewed. Examples of the types of existing sources reviewed include, but are not limited to, the state hazard mitigation plan, local comprehensive plans, hazard specific reports, and flood insurance studies.</p> <p>b. The plan must document <i>how</i> relevant information was incorporated into the mitigation plan.</p> <p><i>Incorporate means to reference or include information from other existing sources to form the content of the mitigation plan.</i></p>
<p>A5. Is there discussion on how the community(ies) will continue public participation in the plan maintenance process? 44 CFR 201.6(c)(4)(iii)</p> <p><i>Intent: To identify how the public will continue to have an opportunity to participate in the plan's maintenance and implementation over time.</i></p>	<p>a. The plan must describe how the jurisdiction(s) will continue to seek public participation after the plan has been approved and during the plan's implementation, monitoring and evaluation.</p> <p><i>Participation means engaged and given the chance to provide feedback. Examples include, but are not limited to, periodic presentations on the plan's progress to elected officials, schools or other community groups, annual questionnaires or surveys, public meetings, postings on social media and interactive websites.</i></p>
<p>A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? 44 CFR 201.6(c)(4)(i)</p> <p><i>Intent: To establish a process for jurisdictions to track the progress of the plan's implementation. This also serves as the basis of the next plan update.</i></p>	<p>a. The plan must identify how, when, and by whom the plan will be monitored. <i>Monitoring means tracking the implementation of the plan over time. For example, monitoring may include a system for tracking the status of the identified hazard mitigation actions.</i></p> <p>b. The plan must identify how, when, and by whom the plan will be evaluated. <i>Evaluating means assessing the effectiveness of the plan at achieving its stated purpose and goals.</i></p> <p>c. The plan must identify how, when, and by whom the plan will be updated. <i>Updating means reviewing and revising the plan at least once every five years.</i></p> <p>d. The plan must include the title of the individual or name of the department/ agency responsible for leading each of these efforts.</p>

4.2 ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT

Requirement	[The risk assessment shall include a] description of the type, location and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.
§201.6(c)(2)(i)	
§201.6(c)(2)(ii)	[The risk assessment shall include a] description of the jurisdiction’s vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community. All plans approved after October 1, 2008 must also address NFIP insured structures that have been repetitively damaged by floods. The plan should describe vulnerability in terms of:
§201.6(c)(2)(ii)(A)	(A) The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;
§201.6(c)(2)(ii)(B)	(B) An estimate of the potential dollar losses to vulnerable structures identified in ... this section and a description of the methodology used to prepare the estimate.
§201.6(c)(2)(ii)(C)	(C) Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.
§201.6(c)(2)(iii)	For multi-jurisdictional plans, the risk assessment section must assess each jurisdiction’s risks where they vary from the risks facing the entire planning area.

Overall Intent. The risk assessment provides the factual basis for activities proposed in the strategy that will reduce losses from identified hazards. A quality risk assessments makes a clear connection between the community’s vulnerability and the hazard mitigation actions. In other words, it provides sufficient information to enable the jurisdiction(s) to identify and prioritize appropriate hazard mitigation actions.

Local risk assessments do not need to be based on the most sophisticated technology, but do need to be accurate, current, and relevant. During a plan update, local jurisdictions assess current and expected future vulnerability to all hazards and integrate new hazard data such as recent hazard events and new flood studies. In the mitigation plan review, FEMA looks at the quality of the information in the risk assessment, not the quantity of information in the risk assessment.

The Mitigation Planning regulation includes several “optional” requirements for the vulnerability assessment. These are easily recognizable with the use of the term “should” in the requirement (See §201.6(c)(2)(ii)(A-C)). Although not required, these are strongly recommended to be included in the plan. However, their absence will not cause FEMA to disapprove the plan. These “optional” requirements were originally intended to meet the overall vulnerability assessment, and this analysis can assist with identifying mitigation actions.

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction? 44 CFR 201.6(c)(2)(i) and 44 CFR 201.6(c)(2)(iii)</p> <p><i>Intent: To understand the potential and chronic hazards affecting the planning area in order to identify which hazard risks are most significant and which jurisdictions or locations are most adversely affected.</i></p>	<p>a. The plan must include a description of the natural hazards that can affect the jurisdiction(s) in the planning area.</p> <p><i>A natural hazard is a source of harm or difficulty created by a meteorological, environmental, or geological event³. The plan must address natural hazards. Manmade or human-caused hazards may be included in the document, but these are not required and will not be reviewed to meet the requirements for natural hazards. In addition, FEMA will not require the removal of this extra information prior to plan approval.</i></p> <p>b. The plan must provide the rationale for the omission of any natural hazards that are commonly recognized to affect the jurisdiction(s) in the planning area.</p> <p>c. The description, or profile, must include information on location, extent, previous occurrences, and future probability for each hazard. Previous occurrences and future probability are addressed in sub-element B2.</p> <p>The information does not necessarily need to be described or presented separately for location, extent, previous occurrences, and future probability. For example, for some hazards, one map with explanatory text could provide information on location, extent, and future probability.</p> <p><i>Location means the geographic areas in the planning area that are affected by the hazard. For many hazards, maps are the best way to illustrate location. However, location may be described in other formats. For example, if a geographically-specific location cannot be identified for a hazard, such as tornados, the plan may state that the entire planning area is equally at risk to that hazard.</i></p> <p><i>Extent means the strength or magnitude of the hazard. For example, extent could be described in terms of the specific measurement of an occurrence on a scientific scale (for example, Enhanced Fujita Scale, Saffir-Simpson Hurricane Scale, Richter Scale, flood depth grids) and/or other hazard factors, such as duration and speed of onset. Extent is not the same as impacts, which are described in sub-element B3.</i></p>

³ DHS Risk Lexicon, 2010 Edition. <http://www.dhs.gov/xlibrary/assets/dhs-risk-lexicon-2010.pdf>

ELEMENT	REQUIREMENTS
	<p>d. For participating jurisdictions in a multi-jurisdictional plan, the plan must describe any hazards that are unique and/or varied from those affecting the overall planning area.</p>
<p>B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? 44 CFR 201.6(c)(2)(i)</p> <p><i>Intent: To understand potential impacts to the community based on information on the hazard events that have occurred in the past and the likelihood they will occur in the future.</i></p>	<p>a. The plan must include the history of previous hazard events for each of the identified hazards.</p> <p>b. The plan must include the probability of future events for each identified hazard.</p> <p><i>Probability means the likelihood of the hazard occurring and may be defined in terms of general descriptors (for example, unlikely, likely, highly likely), historical frequencies, statistical probabilities (for example: 1% chance of occurrence in any given year), and/or hazard probability maps. If general descriptors are used, then they must be defined in the plan. For example, “highly likely” could be defined as equals near 100% chance of occurrence next year or happens every year.</i></p> <p>c. Plan updates must include hazard events that have occurred since the last plan was developed.</p>
<p>B3. Is there a description of each identified hazard’s impact on the community as well as an overall summary of the community’s vulnerability for each jurisdiction? 44 CFR 201.6(c)(2)(ii)</p> <p><i>Intent: For each jurisdiction to consider their community as a whole and analyze the potential impacts of future hazard events and the vulnerabilities that could be reduced through hazard mitigation actions.</i></p>	<p>a. For each participating jurisdiction, the plan must describe the potential impacts of each of the identified hazards on the community.</p> <p><i>Impact means the consequence or effect of the hazard on the community and its assets. Assets are determined by the community and include, for example, people, structures, facilities, systems, capabilities, and/or activities that have value to the community. For example, impacts could be described by referencing historical disaster impacts and/or an estimate of potential future losses (such as percent damage of total exposure).</i></p> <p>b. The plan must provide an overall summary of each jurisdiction’s vulnerability to the identified hazards. The overall summary of vulnerability identifies structures, systems, populations or other community assets as defined by the community that are susceptible to damage and loss from hazard events. A plan will meet this sub-element by addressing the requirements described in §201.6(c)(2)(ii)(A-C).</p> <p>Vulnerable assets and potential losses is more than a list of the total exposure of population, structures, and critical facilities in the planning area. An example of an overall summary is a list of key issues or problem statements that clearly describes the community’s greatest vulnerabilities and that will be addressed in the mitigation strategy.</p>

ELEMENT	REQUIREMENTS
<p>B4. Does the Plan address NFIP insured structures within each jurisdiction that have been repetitively damaged by floods? 44 CFR 201.6(c)(2)(ii)</p> <p><i>Intent: To inform hazard mitigation actions for properties that have suffered repetitive damage due to flooding, particularly problem areas that may not be apparent on floodplain maps. Information on repetitive loss properties helps inform FEMA hazard mitigation assistance programs under the National Flood Insurance Act.</i></p>	<p>a. The plan must describe the types (residential, commercial, institutional, etc.) and estimate the numbers of repetitive loss properties located in identified flood hazard areas.</p> <p><i>Repetitive loss properties are those for which two or more losses of at least \$1,000 each have been paid under the National Flood Insurance Program (NFIP) within any 10-year period since 1978.</i></p> <p><i>Severe repetitive loss properties are residential properties that have at least four NFIP payments over \$5,000 each and the cumulative amount of such claims exceeds \$20,000, or at least two separate claims payments with the cumulative amount exceeding the market value of the building.</i></p> <p>Use of flood insurance claim and disaster assistance information is subject to The Privacy Act of 1974, as amended, which prohibits public release of the names of policy holders or recipients of financial assistance and the amount of the claim payment or assistance. However, maps showing general areas where claims have been paid can be made public. If a plan includes the names of policy holders or recipients of financial assistance and the amount of the claim payment or assistance, the plan cannot be approved until this Privacy Act covered information is removed from the plan.</p>

4.3 ELEMENT C. MITIGATION STRATEGY

Requirement §201.6(c)(3)	[The plan shall include the following:] A <i>mitigation strategy</i> that provides the jurisdiction’s blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs, and resources, and its ability to expand on and improve these existing tools.
§201.6(c)(3)(i)	[The hazard mitigation strategy shall include a] description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
§201.6(c)(3)(ii)	[The hazard mitigation strategy shall include a] section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure. All plans approved by FEMA after October 1, 2008, must also address the jurisdiction’s participation in the NFIP, and continued compliance with NFIP requirements, as appropriate.
§201.6(c)(3)(iii)	[The hazard mitigation strategy shall include an] action plan, describing how the action identified in paragraph (c)(3)(ii) of this section will be prioritized, implemented, and administered by the local jurisdiction. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.
§201.6(c)(3)(iv)	For multi-jurisdictional plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.
§201.6(c)(4)(ii)	[The plan shall include a] process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvements, when appropriate.

Overall Intent. The mitigation strategy serves as the long-term blueprint for reducing the potential losses identified in the risk assessment. The Stafford Act directs Local Mitigation Plans to describe hazard mitigation actions and establish a strategy to implement those actions.⁴ Therefore, all other requirements for a Local Mitigation Plan lead to and support the mitigation strategy.

⁴ Section 322(b), Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, 42 U.S.C. 5165.

The mitigation strategy includes the development of goals and prioritized hazard mitigation actions. Goals are long-term policy statements and global visions that support the mitigation strategy. A critical step in the development of specific hazard mitigation actions and projects is assessing the community’s existing authorities, policies, programs, and resources and its capability to use or modify local tools to reduce losses and vulnerability from profiled hazards.

In the plan update, goals and actions are either reaffirmed or updated based on current conditions, including the completion of hazard mitigation initiatives, an updated or new risk assessment, or changes in State or local priorities.

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>C1. Does the plan document each jurisdiction’s existing authorities, policies, programs and resources, and its ability to expand on and improve these existing policies and programs? 44 CFR 201.6(c)(3)</p> <p><i>Intent: To ensure that each jurisdiction evaluates its capabilities to accomplish hazard mitigation actions, through existing mechanisms. This is especially useful for multi-jurisdictional plans where local capability varies widely.</i></p>	<p>a. The plan must describe each jurisdiction’s existing authorities, policies, programs and resources available to accomplish hazard mitigation.</p> <p>Examples include, but are not limited to: staff involved in local planning activities, public works, and emergency management; funding through taxing authority, and annual budgets; or regulatory authorities for comprehensive planning, building codes, and ordinances.</p>
<p>C2. Does the Plan address each jurisdiction’s participation in the NFIP and continued compliance with NFIP requirements, as appropriate? 44 CFR 201.6(c)(3)(ii)</p> <p><i>Intent: To demonstrate flood hazard mitigation efforts by the community through NFIP activities. Where FEMA is the official administering Federal agency of the NFIP, participation in the program is a basic community capability and resource for flood hazard mitigation activities.</i></p>	<p>a. The plan must describe each jurisdiction’s participation in the NFIP and describe their floodplain management program for continued compliance. Simply stating “The community will continue to comply with NFIP,” will <u>not</u> meet this requirement. The description could include, but is not limited to:</p> <ul style="list-style-type: none"> • Adoption and enforcement of floodplain management requirements, including regulating new construction in Special Flood Hazard Areas (SFHAs); • Floodplain identification and mapping, including any local requests for map updates; or • Description of community assistance and monitoring activities. <p>Jurisdictions that are currently not participating in the NFIP and where an FHBM or FIRM has been issued may meet this requirement by describing the reasons why the community does not participate.</p>

ELEMENT	REQUIREMENTS
<p>C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? 44 CFR 201.6(c)(3)(i)</p> <p><i>Intent: To guide the development and implementation of hazard mitigation actions for the community(ies). Goals are statements of the community's visions for the future.</i></p>	<p>a. The plan must include general hazard mitigation goals that represent what the jurisdiction(s) seeks to accomplish through mitigation plan implementation.</p> <p><i>Goals are broad policy statements that explain what is to be achieved.</i></p> <p>b. The goals must be consistent with the hazards identified in the plan.</p>
<p>C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? 44 CFR 201.6(c)(3)(ii) and 44 CFR 201.6(c)(3)(iv)</p> <p><i>Intent: To ensure the hazard mitigation actions are based on the identified hazard vulnerabilities, are within the capability of each jurisdiction, and reduce or avoid future losses. This is the heart of the mitigation plan, and is essential to leading communities to reduce their risk. Communities, not FEMA, "own" the hazard mitigation actions in the strategy.</i></p>	<p>a. The plan must include a mitigation strategy that 1) analyzes actions and/or projects that the jurisdiction considered to reduce the impacts of hazards identified in the risk assessment, and 2) identifies the actions and/or projects that the jurisdiction intends to implement.</p> <p><i>Mitigation actions and projects means a hazard mitigation action, activity or process (for example, adopting a building code) or it can be a physical project (for example, elevating structures or retrofitting critical infrastructure) designed to reduce or eliminate the long term risks from hazards. This sub-element can be met with either actions or projects, or a combination of actions and projects.</i></p> <p>The mitigation plan may include non-mitigation actions, such as actions that are emergency response or operational preparedness in nature. These will not be accepted as hazard mitigation actions, but neither will FEMA require these to be removed from the plan prior to approval.</p> <p><i>A comprehensive range consists of different hazard mitigation alternatives that address the vulnerabilities to the hazards that the jurisdiction(s) determine are most important.</i></p> <p>b. Each jurisdiction participating in the plan must have mitigation actions specific to that jurisdiction that are based on the community's risk and vulnerabilities, as well as community priorities.</p> <p>c. The action plan must reduce risk to existing buildings and infrastructure as well as limit any risk to new development and redevelopment. <i>With emphasis on new and existing building and infrastructure means that the action plan includes a consideration of actions that address the built environment.</i></p>

ELEMENT	REQUIREMENTS
<p>C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? 44 CFR 201.6(c)(3)(iii) and 44 CFR (c)(3)(iv)</p> <p><i>Intent: To identify how the plan will directly lead to implementation of the hazard mitigation actions. As opportunities arise for actions or projects to be implemented, the responsible entity will be able to take action towards completion of the activities.</i></p>	<ul style="list-style-type: none"> a. The plan must describe the criteria used for prioritizing implementation of the actions. b. The plan must demonstrate when prioritizing hazard mitigation actions that the local jurisdictions considered the benefits that would result from the hazard mitigation actions versus the cost of those actions. The requirement is met as long as the economic considerations are summarized in the plan as part of the community’s analysis. A complete benefic-cost analysis is not required. Qualitative benefits (<i>for example</i>, quality of life, natural and beneficial values, or other “benefits”) can also be included in how actions will be prioritized. c. The plan must identify the position, office, department, or agency responsible for implementing and administering the action (for each jurisdiction), and identify potential funding sources and expected timeframes for completion.
<p>C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? 44 CFR 201.6(c)(4)(ii)</p> <p><i>Intent: To assist communities in capitalizing on all available mechanisms that they have at their disposal to accomplish hazard mitigation and reduce risk.</i></p>	<ul style="list-style-type: none"> a. The plan must describe the community’s process to integrate the data, information, and hazard mitigation goals and actions into other planning mechanisms. b. The plan must identify the local planning mechanisms where hazard mitigation information and/or actions may be incorporated. <p><i>Planning mechanisms means governance structures that are used to manage local land use development and community decision-making, such as comprehensive plans, capital improvement plans, or other long-range plans.</i></p> <ul style="list-style-type: none"> c. A multi-jurisdictional plan must describe each participating jurisdiction’s individual process for integrating hazard mitigation actions applicable to their community into other planning mechanisms. d. The updated plan must explain how the jurisdiction(s) incorporated the mitigation plan, when appropriate, into other planning mechanisms as a demonstration of progress in local hazard mitigation efforts. e. The updated plan must continue to describe how the mitigation strategy, including the goals and hazard mitigation actions will be incorporated into other planning mechanisms.

4.4 ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION (Plan Updates Only)

Requirement §201.6(d)(3)	A local jurisdiction must review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit if for approval within 5 years in order to continue to be eligible for mitigation project grant funding.
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Overall Intent. In order to continue to be an effective representation of the jurisdiction’s overall strategy for reducing its risks from natural hazards, the mitigation plan must reflect current conditions. This will require an assessment of the current development patterns and development pressures as well as an evaluation of any new hazard or risk information. The plan update is an opportunity for the jurisdiction to assess its previous goals and action plan, evaluate progress in implementing hazard mitigation actions, and adjust its actions to address the current realities.

Where conditions of growth and revisions in priorities may have changed very little in a community, much of the text in the updated plan may be unchanged. This is acceptable as long as it still fits the priorities of their community, and it reflects current conditions. The key for plan readers to recognize a good plan update is documentation of the community’s progress or changes in their hazard mitigation program, along with the community’s continued engagement in the mitigation planning process.

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>D1. Was the plan revised to reflect changes in development? 44 CFR 201.6(d)(3)</p> <p>Intent: <i>To ensure that the mitigation strategy continues to address the risk and vulnerabilities to existing and potential development, and takes into consideration possible future conditions that can impact the vulnerability of the community.</i></p>	<p>a. The plan must describe changes in development that have occurred in hazard prone areas and increased or decreased the vulnerability of each jurisdiction since the last plan was approved. If no changes in development impacted the jurisdiction’s overall vulnerability, plan updates may validate the information in the previously approved plan.</p> <p>Changes in development means recent development (<i>for example</i>, construction completed since the last plan was approved), potential development (<i>for example</i>, development planned or under consideration by the jurisdiction), or conditions that may affect the risks and vulnerabilities of the jurisdictions (<i>for example</i>, climate variability, declining populations or projected increases in population, or foreclosures). Not all development will affect a jurisdiction’s vulnerability.</p>

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>D2. Was the plan revised to reflect progress in local mitigation efforts? 44 CFR 201.6(d)(3)</p> <p><i>Intent: To evaluate and demonstrate progress made in the past five years in achieving goals and implementing actions outlined in their mitigation strategy.</i></p>	<p>a. The plan must describe the status of hazard mitigation actions in the previous plan by identifying those that have been completed or not completed. For actions that have not been completed, the plan must either describe whether the action is no longer relevant or be included as part of the updated action plan.</p>
<p>D3. Was the plan revised to reflect changes in priorities? 44 CFR 201.6(d)(3)</p> <p><i>Intent: To ensure the plan reflects current conditions, including financial, legal, and political realities as well as post-disaster conditions.</i></p>	<p>a. The plan must describe if and how any priorities changed since the plan was previously approved.</p> <p>If no changes in priorities are necessary, plan updates may validate the information in the previously approved plan.</p>

4.5 ELEMENT E. PLAN ADOPTION

Requirement §201.6(c)(5)	[The plan shall include...] Documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County commissioner, Tribal Council). For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted.
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Overall Intent. Adoption by the local governing body demonstrates the jurisdiction’s commitment to fulfilling the hazard mitigation goals and actions outlined in the plan. Adoption legitimizes the plan and authorizes responsible agencies to execute their responsibilities. Updated plans also are adopted anew to demonstrate community recognition of the current planning process, changes that have occurred within the previous five years, and validate community priorities for hazard mitigation actions.

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? 44 CFR 201.6(c)(5)</p> <p><i>Intent: To demonstrate the jurisdiction’s commitment to fulfilling the hazard mitigation goals outlined in the plan, and to authorize responsible agencies to execute their responsibilities.</i></p>	<p>a. The plan must include documentation of plan adoption, usually a resolution by the governing body or other authority.</p> <p>If the local jurisdiction has not passed a formal resolution, or used some other documentation of adoption, the clerk or city attorney must provide written confirmation that the action meets their community’s legal requirements for official adoption and/or the highest elected official or their designee must submit written proof of the adoption. The signature of one of these officials is required with the explanation or other proof of adoption.</p> <p>Minutes of a council or other meeting during which the plan is adopted will be sufficient if local law allows meeting records to be submitted as documentation of adoption. The clerk of the governing body, or city attorney, must provide a copy of the law and a brief, written explanation such as, “in accordance with section ___ of the city code/ordinance, this constitutes formal adoption of the measure,” with an official signature.</p> <p>If adopted after FEMA review, adoption must take place within one calendar year of receipt of FEMA’s “Approval Pending Adoption.” See Section 5, <i>Plan Review Procedure</i> for more information on “Approvable Pending Adoption.”</p>

<u>ELEMENT</u>	<u>REQUIREMENTS</u>
<p>E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? 44 CFR 201.6(c)(5)</p> <p><i>Intent: To demonstrate the jurisdiction’s commitment to fulfilling the hazard mitigation goals outlined in the plan, and to authorize responsible agencies to execute their responsibilities.</i></p>	<p>a. Each jurisdiction that is included in the plan must have its governing body adopt the plan prior to FEMA approval, even when a regional agency has the authority to prepare such plans.</p> <p>As with single jurisdictional plans, in order for FEMA to give approval to a multi-jurisdictional plan, at least one participating jurisdiction must formally adopt the plan within one calendar year of FEMA’s designation of the plan as “Approvable Pending Adoption.” See Section 5, <i>Plan Review Procedure</i> for more information on “Approvable Pending Adoption.”</p>

APPENDIX A:

LOCAL MITIGATION PLAN REVIEW TOOL

The *Local Mitigation Plan Review Tool* demonstrates how the Local Mitigation Plan meets the regulation in 44 CFR §201.6 and offers States and FEMA Mitigation Planners an opportunity to provide feedback to the community.

- The Regulation Checklist provides a summary of FEMA’s evaluation of whether the Plan has addressed all requirements.
- The Plan Assessment identifies the plan’s strengths as well as documents areas for future improvement.
- The Multi-jurisdiction Summary Sheet is an optional worksheet that can be used to document how each jurisdiction met the requirements of each Element of the Plan (Planning Process; Hazard Identification and Risk Assessment; Mitigation Strategy; Plan Review, Evaluation, and Implementation; and Plan Adoption).

The FEMA Mitigation Planner must reference this *Local Mitigation Plan Review Guide* when completing the *Local Mitigation Plan Review Tool*.

Jurisdiction: Town of Falmouth, Massachusetts	Title of Plan: Falmouth Multi-Hazard Mitigation Plan	Date of Plan: July 2022
Local Point of Contact: Jennifer Lincoln		Address: Falmouth Town Hall 59 Town Hall Square Falmouth, MA 02540
Title: Conservation Commission Administrator		
Agency: Conservation Commission		
Phone Number: (508) 495-7445		E-Mail: Jennifer.lincoln@falmouthma.gov

State Reviewer:	Title:	Date:
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FEMA Reviewer:	Title:	Date:
Date Received in FEMA Region (insert #)		
Plan Not Approved		
Plan Approvable Pending Adoption		
Plan Approved		

**SECTION 1:
REGULATION CHECKLIST**

INSTRUCTIONS: The Regulation Checklist must be completed by FEMA. The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been ‘Met’ or ‘Not Met.’ The ‘Required Revisions’ summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval. Required revisions must be explained for each plan sub-element that is ‘Not Met.’ Sub-elements should be referenced in each summary by using the appropriate numbers (A1, B3, etc.), where applicable. Requirements for each Element and sub-element are described in detail in this *Plan Review Guide* in Section 4, Regulation Checklist.

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR 201.6 Local Mitigation Plans)				
ELEMENT A. PLANNING PROCESS				
A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement §201.6(c)(1))	Section 1.2 (pages 1-2 to 1-7)			
A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? (Requirement §201.6(b)(2))	Section 1.2 (page 1-4)			
A3. Does the Plan document how the public was involved in the planning process during the drafting stage? (Requirement §201.6(b)(1))	Section 1.2 (pages 1-2 to 1-7)			
A4. Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement §201.6(b)(3))	Section 1.2 (pages 1-4 to 1-7)			
A5. Is there discussion of how the community(ies) will continue public participation in the plan maintenance process? (Requirement §201.6(c)(4)(iii))	Section 6.3 (page 6-3)			
A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? (Requirement §201.6(c)(4)(i))	Section 6.1 (page 6-2)			
<u>ELEMENT A: REQUIRED REVISIONS</u>				

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR 201.6 Local Mitigation Plans)				
ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT				
B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)? (Requirement §201.6(c)(2)(i))	Section 3 (throughout)			
B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? (Requirement §201.6(c)(2)(i))	Section 3 (throughout)			
B3. Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction? (Requirement §201.6(c)(2)(ii))	Section 3 (throughout); Sections 4.3 & 4.4 (pages 4-27 to 4-31)			
B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods? (Requirement §201.6(c)(2)(ii))	Section 2.9 (p2-8)			
<u>ELEMENT B: REQUIRED REVISIONS</u>				
ELEMENT C. MITIGATION STRATEGY				
C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement §201.6(c)(3))	Section 5.2 (pages 5-2 to 5-4)			
C2. Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement §201.6(c)(3)(ii))	Section 5.2 (page 5-6)			
C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement §201.6(c)(3)(i))	Section 5.1 (page 5-2)			
C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement §201.6(c)(3)(ii))	Section 5.4 (pages 5-13 to 5-29)			
C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? (Requirement §201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))	Section 5.4 (pages 5-13 to 5-29)			
C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement §201.6(c)(4)(ii))	Section 5.2 (page 5-2 to 5-4)			
<u>ELEMENT C: REQUIRED REVISIONS</u>				

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR 201.6 Local Mitigation Plans)				
ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION (applicable to plan updates only)				
D1. Was the plan revised to reflect changes in development? (Requirement §201.6(d)(3))	Section 5.4 (pages 5-13 to 5-29)			
D2. Was the plan revised to reflect progress in local mitigation efforts? (Requirement §201.6(d)(3))	Section 5.3 (pages 5-7 to 5-13)			
D3. Was the plan revised to reflect changes in priorities? (Requirement §201.6(d)(3))	Section 5.1 (page 5-2)			
<u>ELEMENT D: REQUIRED REVISIONS</u>				
ELEMENT E. PLAN ADOPTION				
E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? (Requirement §201.6(c)(5))	Section 6.4 (page 6-3)			
E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? (Requirement §201.6(c)(5))	N/A			
<u>ELEMENT E: REQUIRED REVISIONS</u>				
ELEMENT F. ADDITIONAL STATE REQUIREMENTS (OPTIONAL FOR STATE REVIEWERS ONLY; NOT TO BE COMPLETED BY FEMA)				
F1.				
F2.				
<u>ELEMENT F: REQUIRED REVISIONS</u>				

SECTION 2: PLAN ASSESSMENT

INSTRUCTIONS: The purpose of the Plan Assessment is to offer the local community more comprehensive feedback to the community on the quality and utility of the plan in a narrative format. The audience for the Plan Assessment is not only the plan developer/local community planner, but also elected officials, local departments and agencies, and others involved in implementing the Local Mitigation Plan. The Plan Assessment must be completed by FEMA. The Assessment is an opportunity for FEMA to provide feedback and information to the community on: 1) suggested improvements to the Plan; 2) specific sections in the Plan where the community has gone above and beyond minimum requirements; 3) recommendations for plan implementation; and 4) ongoing partnership(s) and information on other FEMA programs, specifically RiskMAP and Hazard Mitigation Assistance programs. The Plan Assessment is divided into two sections:

1. Plan Strengths and Opportunities for Improvement
2. Resources for Implementing Your Approved Plan

Plan Strengths and Opportunities for Improvement is organized according to the plan Elements listed in the Regulation Checklist. Each Element includes a series of italicized bulleted items that are suggested topics for consideration while evaluating plans, but it is not intended to be a comprehensive list. FEMA Mitigation Planners are not required to answer each bullet item, and should use them as a guide to paraphrase their own written assessment (2-3 sentences) of each Element.

The Plan Assessment must not reiterate the required revisions from the Regulation Checklist or be regulatory in nature, and should be open-ended and to provide the community with suggestions for improvements or recommended revisions. The recommended revisions are suggestions for improvement and are not required to be made for the Plan to meet Federal regulatory requirements. The italicized text should be deleted once FEMA has added comments regarding strengths of the plan and potential improvements for future plan revisions. It is recommended that the Plan Assessment be a short synopsis of the overall strengths and weaknesses of the Plan (no longer than two pages), rather than a complete recap section by section.

Resources for Implementing Your Approved Plan provides a place for FEMA to offer information, data sources and general suggestions on the overall plan implementation and maintenance process. Information on other possible sources of assistance including, but not limited to, existing publications, grant funding or training opportunities, can be provided. States may add state and local resources, if available.

A. Plan Strengths and Opportunities for Improvement

This section provides a discussion of the strengths of the plan document and identifies areas where these could be improved beyond minimum requirements.

Element A: Planning Process

How does the Plan go above and beyond minimum requirements to document the planning process with respect to:

- *Involvement of stakeholders (elected officials/decision makers, plan implementers, business owners, academic institutions, utility companies, water/sanitation districts, etc.);*
- *Involvement of Planning, Emergency Management, Public Works Departments or other planning agencies (i.e., regional planning councils);*
- *Diverse methods of participation (meetings, surveys, online, etc.); and*
- *Reflective of an open and inclusive public involvement process.*

Element B: Hazard Identification and Risk Assessment

In addition to the requirements listed in the Regulation Checklist, 44 CFR 201.6 Local Mitigation Plans identifies additional elements that should be included as part of a plan's risk assessment. The plan should describe vulnerability in terms of:

- 1) *A general description of land uses and future development trends within the community so that mitigation options can be considered in future land use decisions;*
- 2) *The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas; and*
- 3) *A description of potential dollar losses to vulnerable structures, and a description of the methodology used to prepare the estimate.*

How does the Plan go above and beyond minimum requirements to document the Hazard Identification and Risk Assessment with respect to:

- *Use of best available data (flood maps, HAZUS, flood studies) to describe significant hazards;*
- *Communication of risk on people, property, and infrastructure to the public (through tables, charts, maps, photos, etc.);*
- *Incorporation of techniques and methodologies to estimate dollar losses to vulnerable structures;*
- *Incorporation of Risk MAP products (i.e., depth grids, Flood Risk Report, Changes Since Last FIRM, Areas of Mitigation Interest, etc.); and*
- *Identification of any data gaps that can be filled as new data became available.*

Element C: Mitigation Strategy

How does the Plan go above and beyond minimum requirements to document the Mitigation Strategy with respect to:

- *Key problems identified in, and linkages to, the vulnerability assessment;*
- *Serving as a blueprint for reducing potential losses identified in the Hazard Identification and Risk Assessment;*
- *Plan content flow from the risk assessment (problem identification) to goal setting to mitigation action development;*
- *An understanding of mitigation principles (diversity of actions that include structural projects, preventative measures, outreach activities, property protection measures, post-disaster actions, etc);*
- *Specific mitigation actions for each participating jurisdictions that reflects their unique risks and capabilities;*
- *Integration of mitigation actions with existing local authorities, policies, programs, and resources; and*
- *Discussion of existing programs (including the NFIP), plans, and policies that could be used to implement mitigation, as well as document past projects.*

Element D: Plan Update, Evaluation, and Implementation (Plan Updates Only)

How does the Plan go above and beyond minimum requirements to document the 5-year Evaluation and Implementation measures with respect to:

- *Status of previously recommended mitigation actions;*
- *Identification of barriers or obstacles to successful implementation or completion of mitigation actions, along with possible solutions for overcoming risk;*
- *Documentation of annual reviews and committee involvement;*
- *Identification of a lead person to take ownership of, and champion the Plan;*
- *Reducing risks from natural hazards and serving as a guide for decisions makers as they commit resources to reducing the effects of natural hazards;*
- *An approach to evaluating future conditions (i.e. socio-economic, environmental, demographic, change in built environment etc.);*
- *Discussion of how changing conditions and opportunities could impact community resilience in the long term; and*
- *Discussion of how the mitigation goals and actions support the long-term community vision for increased resilience.*

B. Resources for Implementing Your Approved Plan

Ideas may be offered on moving the mitigation plan forward and continuing the relationship with key mitigation stakeholders such as the following:

- *What FEMA assistance (funding) programs are available (for example, Hazard Mitigation Assistance (HMA)) to the jurisdiction(s) to assist with implementing the mitigation actions?*
- *What other Federal programs (National Flood Insurance Program (NFIP), Community Rating System (CRS), Risk MAP, etc.) may provide assistance for mitigation activities?*
- *What publications, technical guidance or other resources are available to the jurisdiction(s) relevant to the identified mitigation actions?*
- *Are there upcoming trainings/workshops (Benefit-Cost Analysis (BCA), HMA, etc.) to assist the jurisdictions(s)?*
- *What mitigation actions can be funded by other Federal agencies (for example, U.S. Forest Service, National Oceanic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA) Smart Growth, Housing and Urban Development (HUD) Sustainable Communities, etc.) and/or state and local agencies?*

**SECTION 3:
MULTI-JURISDICTION SUMMARY SHEET (OPTIONAL)**

INSTRUCTIONS: For multi-jurisdictional plans, a Multi-jurisdiction Summary Spreadsheet may be completed by listing each participating jurisdiction, which required Elements for each jurisdiction were ‘Met’ or ‘Not Met,’ and when the adoption resolutions were received. This Summary Sheet does not imply that a mini-plan be developed for each jurisdiction; it should be used as an optional worksheet to ensure that each jurisdiction participating in the Plan has been documented and has met the requirements for those Elements (A through E).

MULTI-JURISDICTION SUMMARY SHEET												
#	Jurisdiction Name	Jurisdiction Type (city/borough/ township/ village, etc.)	Plan POC	Mailing Address	Email	Phone	Requirements Met (Y/N)					
							A. Planning Process	B. Hazard Identification & Risk Assessment	C. Mitigation Strategy	D. Plan Review, Evaluation & Implementation	E. Plan Adoption	F. State Requirements
1												
2												
3												
4												
5												
6												
7												
8												
9												

MULTI-JURISDICTION SUMMARY SHEET

#	Jurisdiction Name	Jurisdiction Type (city/borough/ township/ village, etc.)	Plan POC	Mailing Address	Email	Phone	Requirements Met (Y/N)					
							A. Planning Process	B. Hazard Identification & Risk Assessment	C. Mitigation Strategy	D. Plan Review, Evaluation & Implementation	E. Plan Adoption	F. State Requirements
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												



Appendix B: Planning Process and Public Outreach

1. Local Hazard Mitigation Planning Committee Member List
3. Meeting Agendas
4. Copy of Announcements for Public Presentations
5. Screenshot of Town Homepage with Link to Draft Report
6. Email Sent to Neighboring Towns and CCC
7. Comment Response Document

Local Planning Team Members:

Name	Title	Department
Jennifer Lincoln	Conservation Administrator	Conservation Commission
Timothy Smith	Fire Chief	Falmouth Fire Rescue
Peter Johnson-Staub	Assistant Town Manager	Town Manager
Peter McConarty	Director Public Works	Department of Public Works
Jed Cornock	Town Planner	Planning Department
Bob Shea	GIS Coordinator	Geographic Information System
Steven Cadorette	Deputy Directory Public Works	Department of Public Works
Jim McLoughlin	Town Engineer	Department of Public Works
Gregg Fraser	Director Natural Resources	Natural Resources
Kristin Nickerson	Assistant to Police Chief	Falmouth Police
Kim Strohm	Administrative Assistant to Fire Chief	Falmouth Fire Rescue
Paula Cushman	Administrative Assistant to Harbor Master	Natural Resources
Brian Reid	Police Captain	Falmouth Police Department

Town of Falmouth
Multi-Hazard Mitigation Plan Update
Kick-off Meeting

Time: 2:00PM

Date: January 26, 2022

Agenda Items:

1. Welcome and Introductions

2. Overview of the MHMP Update Process

- a. Falmouth last completed a Multi-Hazard Mitigation Plan (MHMP) in July 2017 (expires July 2022)
- b. Plans must be updated every 5 years to remain eligible for pre-disaster mitigation funds
 - Building Resilient Infrastructure and Communities (BRIC) program
- c. Woods Hole Group (WHG) will draw from the 2017 plan during the update process
 - What worked well for the Town when developing the 2017 plan?
 - Anything that the Town would like to do differently this time around?
- d. Review Scope of Work (email attachment)

3. Data Requirements

- a. Review State Hazard List and Falmouth MHMP 2017 Hazard List (email attachment)
 - Any additional hazards to include in the 2022 plan?
 - Review data sources (email attachment)
 - Any newly available hazard related data?
 - Recent photos (storms, flooding, wildfire incidents, etc.)?
- b. Selection of critical facilities
 - Start with the 2017 list of facilities (will review during the first working meeting)
- c. Town of Falmouth parcel database
 - Available in ArcGIS format from MassGIS (2020)
- d. Repetitive loss data
 - Town must request directly from FEMA
- e. Land use categories (from the 2017 MHMP, which utilized categories assigned by MassGIS):
 - Residential – Single Family
 - Residential – Multi-Family
 - Temporary Lodging (Hotels, Inns)
 - Commercial (Retail/Offices/Services)
 - Commercial (Manufacturing/Distribution)
 - Public Services
 - Agriculture

- Open Space
 - Recreation
 - Vacant
- f. Relevant Town plans/reports:
- Falmouth MHMP (2017)
 - Barnstable County HMP (2010)
 - Cape Cod Emergency Traffic Plan (2018)
 - 5-Year Strategic Plan (2017-2021)
 - Capital Improvement Plan (FY21)
 - Community Preservation Plan (2020)
 - Comprehensive Emergency Management Plan (2021)
 - Historic Preservation Plan (2014)
 - Housing Production Plan (2019)
 - Local Comprehensive Plan (2016)
 - MVP Workshop Summary of Findings (2018)
 - Open Space and Recreation Plan (2014)
 - Town Report (2020)
 - Vulnerability Assessment (2020)
 - Others?

4. Public Outreach Strategy

- a. Required by FEMA to provide opportunities for the public to be involved in the planning process
- b. Public outreach during the 2017 plan development included:
 - Two opportunities for the public to review and comment on draft plan
 - Public meeting held in January 2017
- c. Public engagement for more recent plans for neighboring towns has included:
 - A public survey available online and as a hardcopy
 - Two public presentations
 - One opportunity for public review and comment on plan draft
- d. What should be included or excluded for the 2022 planning process?

5. Timeline for Plan Completion

- a. Completed draft by July 20, 2022 (MEMA/FEMA approval by late August 2022)
 - Later than contract proposed date of completion in May 2022
 - Aggressive schedule requiring a high level of participation during meetings
 - Can submit a statement of interest to FEMA to receive BRIC funding between July 24 and approval of an updated plan (need to verify with FEMA)
- b. Alternative draft completion by September 7, 2022 (approval by October 2022)
 - Allows for more flexibility in scheduling and more time in between meetings

**Town of Falmouth
Multi-Hazard Mitigation Plan Update
Working Meeting 1**

Time: 2:00PM

Date: February 23, 2022

Agenda Items:

1. Outstanding Tasks (pg. 2)

2. Review Critical Facilities List (email attachment)

- a. Additional facilities to add? Any to be removed?

3. Review of Hazard Profiles

- a. Data gaps
 - More pictures: coastal/inland flooding, coastal erosion, severe winter weather
 - Local knowledge of flooding in town: *“Localized flooding as a result of blocked drainage occurs in specific areas of town such as at the culvert at Maravista Avenue near the entrance to the Falmouth Mall, and in front of Friendly’s at the corner of Falmouth Heights Road and Main Street, which flood even during minor events.”*
 - Local coastal erosion data (Jennifer)
 - Winter storms with the most significant impact on the town? Examples include Winter Storm Nemo, Winter Storm Juno, and the blizzard in January.
 - Wildfire data (Kim/Tim)
 - Local invasive species data (Jen/Peter): *“Similar to most coastal Massachusetts towns, Marion struggles to control common reed stands, such those as around Sprague Cove, where a stormwater remediation project is occurring.”*
 - Dams/Culverts:
 - Review list of dams and culverts (volunteer?)
 - Any history of dam or culvert failure? Are there EAPs?
- b. Review hazard maps (pgs. 3-13)
- c. Review hazard ranking process (pg. 14)

4. Town Capabilities Assessment (email attachment)

- a. FEMA’s Capabilities Assessment Questionnaire will help document Town capabilities

5. Schedule Next Working Meeting

- a. Discussed March 23 during our last meeting

**Town of Falmouth
Multi-Hazard Mitigation Plan Update
Working Meeting 2**

Time: 2:00PM

Date: March 9, 2022

Agenda Items:

- 1. Outstanding Tasks (pg. 2)**
- 2. Review Critical Facilities List (email attachment)**
 - a. Ready to finalize list?
- 3. Review of Hazard Profiles**
 - a. Review hazard maps (pgs. 3-13)
 - b. Review hazard ranking process (pg. 14)
- 4. Vulnerability Assessment**
 - a. Review results of flood vulnerability assessment for parcels (pgs. 15-18)
 - b. Vulnerable populations: Elderly populations, childcare centers/schools, healthcare/assisted living facilities, and/or low-income areas?
- 5. Schedule**
 - a. Next working meeting: April 6 at 2:00 pm?
 - b. First public presentation: Date/time?

**Town of Falmouth
Multi-Hazard Mitigation Plan Update
Working Meeting 3**

Time: 2:00PM

Date: April 20, 2022

Agenda Items:

- 1. Outstanding Tasks** (pgs. 2-3 of agenda)
- 2. Critical Facilities**
 - a. Finalize list (document attached)
- 3. Vulnerability Assessment**
 - a. Review results of flood vulnerability assessment for critical facilities (document attached)
 - b. Qualitative vulnerability assessment of critical facilities (document attached)
- 4. Develop Hazard Mitigation Plan Goals** (document attached)
- 5. Next working meeting: May 4, at 2:00 pm**

**Town of Falmouth
Multi-Hazard Mitigation Plan Update
Working Meeting 4**

Time: 2:00PM

Date: May 4, 2022

Agenda Items:

- 1. Outstanding Tasks (pg. 2)**
- 2. Review Qualitative Vulnerability Assessment (document attachment)**
- 3. Hazard Mitigation**
 - a. Review Hazard Mitigation Plan Goals (Draft document attached)
 - b. Review/update hazard mitigation actions from the 2017 plan (attached Excel file)
 - c. Develop additional hazard mitigation actions for the 2022 plan (attached Excel file)
- 4. Next working meeting: May 25 at 2:00 pm?**

**Town of Falmouth
Multi-Hazard Mitigation Plan Update
Working Meeting 5**

Time: 2:00PM

Date: May 25, 2022

Agenda Items:

- 1. Outstanding Tasks (pg. 2)**
- 2. Review Status of Hazard Mitigation Actions for 2017 (email attachment)**
- 3. Review Proposed Hazard Mitigation Actions for 2022 (email attachments)**
 - a. Fill in additional details (responsible party, estimated cost, potential funding sources, and timeline)
 - b. Assign priority to actions using ranking table
- 4. Final Steps**
 - a. Draft review
 - Draft MHMP will be ready for the working group by June 17, 2022. Two-week review period with comments back to WHG by July 1, 2022
 - Draft MHMP will then be distributed to/open for comments from neighboring towns, the regional agency, and the public from July 12 to July 26, 2022 (two-week review period)
 - b. Second public presentation (week of July 18)
 - Date/time? Platform (LEPC or BOS meeting)
 - c. Aiming for draft submission to MEMA/FEMA by August 9, 2022

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Falmouth Emergency Preparedness

March 12 · 🌐



Falmouth Emergency Preparedness

March 12

In recent years, we have witnessed the enormous and devastating effects of hurricanes, floods, wildfires, earthquakes, and other disasters. The increasing number, duration, intensity, and severity of such disasters are alarming and highlight one of the most important challenges facing emergency management. Consequently, the effort to build resilience to natural hazards has shifted from a post-disaster discussion to one of the improved pre-disaster actions.

The impacts of natural hazards on communities, families, individuals, and our economy makes it imperative to invest in creating infrastructure and communities that are more resilient to these hazards.

In response to these alarming impacts, The Town of Falmouth is working collaboratively with the Woods Hole Group to update the Town's Hazard Mitigation Plan, which enables the Town to be eligible for mitigation grants and non-emergency disaster assistance programs. The Woods Hole Group will be presenting information on what a Hazard Mitigation Plan is, what vulnerabilities, and what mitigation actions the Town can do to better prepare us for future natural and man-made hazards. Join the Local Emergency Planning Committee (LEPC) at its meeting on Thursday, March 24, at 2 pm, in the Emergency Operations Center, located on the 2nd floor at Falmouth Fire Rescue Headquarters, 399 Main Street, to learn more.

#BeReadyFalmouth

👍 2

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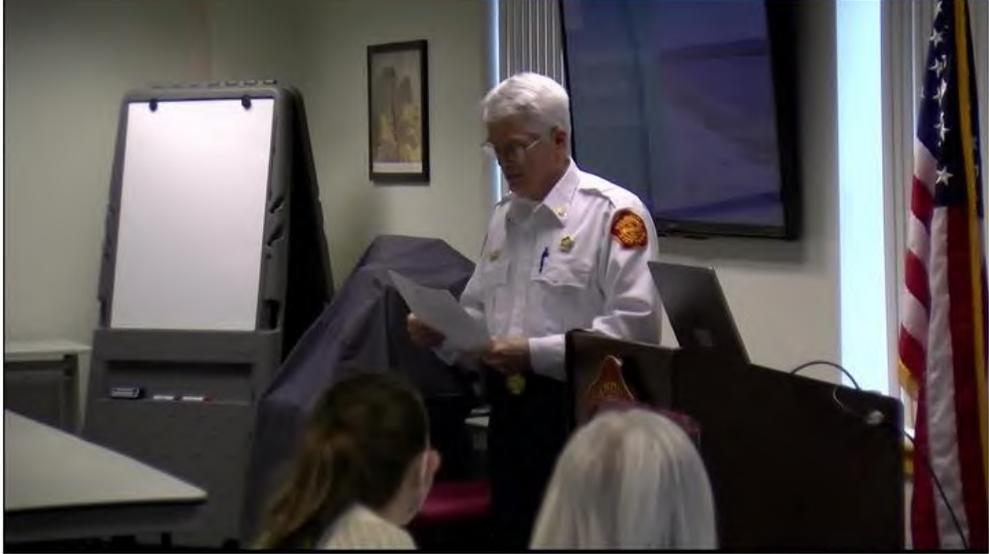
<http://www.fctv.org/v3/content/public-channel-programming-schedule>

Public Channel Programming Schedule

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FCTV Government

LEPC March 24, 2022 [Search](#) [Watch](#)



Local Emergency Planning Committee [Share](#) [Tweet](#)
3/24/22

SHOW DETAILS

Description
Local Emergency Planning Committee March 24, 2022

UPCOMING AIR TIMES
There are currently no upcoming air times.

Add .pdf of public notice for LEPC mtg and BOS meeting

Add link and screen capture from FCTV for BOS meeting

Fields Leslie

To: cnoyes@townofbourne.com
Subject: Falmouth Multi-Hazard Mitigation Plan

Hi Charles,

The Falmouth Local Planning Team (LPT) team, in partnership with the Woods Hole Group, has prepared the Falmouth Multi-Hazard Mitigation Plan (Plan), dated July 2022, for public review and comment. The Plan identifies impacts of climate change and natural hazards on residents, buildings, and infrastructure. Risks associated with the impacts are identified and evaluated. Mitigation actions that focus resources on the greatest risk areas are developed. Documenting the mitigation items and integrating the necessary actions into our future planning and budgeting will help protect our residents and infrastructure. The Plan demonstrates Falmouth's commitment to preparing for potential future disasters.

The Plan is attached to this email. Everyone is encouraged to review the Plan. Please submit any questions and/or comments relative to the Plan via email to Leslie Fields, Woods Hole Group Project Manager, lfields@woodsholegroup.com. The public comment period will end at August 1, 2022, at 3:00 PM. Public comments received after this date/time will not be considered.

In addition, the Falmouth Board of Selectmen will hold a public hearing on Monday, July 25, 2022, at 7:00 PM at Falmouth Town Hall. This is an opportunity for the public to learn about the Plan, participate, and offer comments and recommendations during the final draft stage and prior to submittal to MEMA and FEMA for final approval.

Please reply to this email to confirm receipt of the Plan. Woods Hole Group and the LPT looks forward to hearing from you.

Thank you!



M. Leslie Fields
Coastal Sciences & Planning Team Leader

Tel: +1 508-495-6225 Mob: +1 508-274-8109

107 Waterhouse Road
Bourne, MA 02562 - USA

www.woodsholegroup.com

Fields Leslie

To: rvitacco@sandwichmass.org
Subject: Falmouth Multi-Hazard Mitigation Plan

Hi Ralph,

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[f](#) [in](#) [t](#) [v](#)

Fields Leslie

To: elehrer@mashpeema.gov
Subject: Falmouth Multi-Hazard Mitigation Plan

Hi Evan,

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Fields Leslie

To: hmcclroy@capecodcommission.org
Subject: Falmouth Multi-Hazard Mitigation Plan

Hi Heather,

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Appendix C: Critical Facilities and Vulnerability

1. Critical Facilities List
2. Mitigation Actions Prioritization

Critical Facilities List

Category	Facility #	Name	Address
Admin	1	Town Archives	65 Pumping Station Rd.
	2	Falmouth Housing Authority	115 Scranton Ave.
	3	Falmouth School Administration	340 Teaticket Hwy.
	4	Town Hall	59 Town Hall Sq.
	5	Falmouth Harbor Master Building	180 Scranton Ave.
	6	Mass Highway Dept	1132 Nathan B. Ellis Hwy.
	7	Falmouth Police Dept	750 Main St.
	8	Falmouth Recreation Department	790 East Main St.
	9	Human Services Dept	Town Hall Sqaure
	10	Falmouth Senior Center	780 Main St.
	11	Veterans Service Center	300 Dillingham Ave.
	12	Harbor Master Shack	Old Dock Rd.
	13	Drawbridge Hut	Water St.
Admin/HAZMAT	14	Department of Public Works	416 Gifford St.
Fire	15	West Falmouth Fire Station	555 West Falmouth Hwy.
	16	North Falmouth Fire Station	204 Old Main Rd.
	17	Emergency Operations Center (Headquarters)	399 Main St.
	18	East Falmouth Fire Station	505 East Falmouth Hwy.
	19	Woods Hole Fire Station	419 Woods Hole Rd.
HAZMAT	20	North Marine	53 Falmouth Heights Rd.
	21	Accurate Plastics	33 Technology Park Dr.
	22	Associates of Cape Cod	124 Bernard E. Saint Jean Dr.
	23	Cape Cod Aggregates	486 Thomas Landers Rd.
	24	East Marine	89 Falmouth Heights Rd.
	25	Falmouth Ice Arena	9 Technology Park Dr.
	26	Falmouth Ready Mix	475 Thomas Landers Rd.
	27	Lawrence Ready Mix Concrete	396 Gifford St.
	28	Eversource Station 967	Old County Rd.
	29	Eversource Station 933	61 Stephens Ln.
	30	Eversource Station 936	1096 Sandwich Rd.

	31	The Fuel Co. Inc 1	11 Acapesket Rd.
	32	The Fuel Co. Inc 2	7 Acapesket Rd.
	33	Verizon 1	400 Main and Gifford St.
	34	Verizon 2	674 Thomas Landers Rd.
	35	Falmouth Coal Co. / Falmouth Energy	54 Depot Ave.
	36	Wynne Fuel Oil Co.	8 Old Meeting House Rd.
HAZMAT/Wastewater	37	Safe Harbor Fiddler's Cove Marina	42 Fiddlers Cove Rd.
	38	Falmouth Marine	278 Scranton Ave.
	39	MacDougall's Cape Cod Marine	145 Falmouth Heights Rd.
	40	Bosun's Marina	1209 East Falmouth Hwy.
	41	Town Marina Dock	180 Scranton Ave.
Library	42	Falmouth Public Library	300 Main St.
	43	North Falmouth Public Library	6 Chester St.
	44	East Falmouth Public Library	310 E Falmouth Hwy.
	45	West Falmouth Public Library	575 West Falmouth Hwy.
	46	Woods Hole Library	581 Woods Hole Rd.
Medical	47	Coastal Medical Transportation Services LLC	668 Main St. (Building A)
	48	ConvenientMD Urgent Care	40 Davis Straights
	49	Cape Cod Healthcare Urgent Care	273 Teaticket Hwy.
	50	Overlook - Visiting Nurse	East Falmouth Hwy.
	51	Cape Cod Free Clinic & Community Health Center	65C Town Hall Square
Medical/Nursing	52	Atria Woodbriar Park (Assisted Living)	339 Gifford St.
	53	Atria Woodbriar Place (Independent Living)	389 Gifford St.
	54	Heritage At Falmouth	140 Ter Heun Dr.
	55	JML Care Center, Inc.	184 Ter Heun Dr.
	56	Royal Megansett Nursing and Retirement Home	209 County Rd.
	57	Royal Falmouth Nursing & Rehabilitation Center	359 Jones Rd.
Medical/ HAZMAT	58	Falmouth Hospital	100 Ter Heun Dr.
Other	59	Post Office	120 Main St.
	60	Cape & Islands NPR Radio	3 Water St.
	61	Woods Hole Community Center	68 Water St.
	62	Falmouth Landfill	700 Thomas B Landers Rd.
	63	Town Fuel Dock/Pier 37	64 Scranton Ave.

	64	Nobska Lighthouse	233 Church St.
	65	WHOI 1	44 Water St.
	66	WHOI 2	266 Woods Hole Rd.
	67	WHOI 3	360 Woods Hole Rd.
Other/HAZMAT	68	Coast Guard Station	30 Little Harbor Rd.
Transportation	69	Falmouth Airpark	67 Airpark Dr.
	70	Falmouth Bus Terminal	59 Depot Ave.
Transportation/Wastewater	71	Island Queen Ferry Terminal	75 Falmouth Heights Rd.
Transportation/HAZMAT	72	Steamship Authority Ferry Terminal	0 Railroad Ave.
Schools	73	East Falmouth Elementary School	33 Davisville Rd.
	74	Falmouth Academy	7 Highfield Dr.
	75	Lawrence Jr. High School	113 Lakeview Ave.
	76	Morse Pond Middle School	323 Jones Rd.
	77	North Falmouth Elementary School	62 Old Main Rd.
	78	Teaticket Elementary School	45 Maravista Ave.
	79	Falmouth High School	847 Gifford St.
	80	Mullen Hall School	140 Katharine Lee Bates Rd.
	81	Sea Education Association Inc	171 Woods Hole Rd.
	82	MBL/WHOI Dorms	Devil's Ln.
Water/Wastewater	83	Former Water Plant Pumping Station	10 Pumping Station Rd.
	84	Long Pond Water Treatment Plant	650 Gifford St.
	85	Town Marine Pumpout Boat	0 Robbins Rd.
	86	Coonamessett Well	N/A
	87	Ashument Well	1095 Sandwich Rd.
	88	Crooked Pond Well	Geggatt Rd.
	89	Long Pond Reservoir	N/A
	90	Water Tower 1	64 Technology Park Dr.
	91	Hayway Water Tower	276 Hayway Rd.
	92	Water Tower 2	28 Bernard St Jean Dr.
	93	Water Street Pump Station	Water St.
	94	Park Road Pump Station	Park Rd.
	95	Shivericks Pond Pump Station	20 Academy Ln.
	96	Surf Beach Pump Station	Surf Dr.

	97	Inner Harbor Pump Station	Robbins Rd.
	98	Spring Bars Road Pump Station	110 Spring Bars Rd.
	99	Alphonse Street Pump Station	Alphonse St.
	100	Silver Beach Avenue Pump Station	127 Silver Beach Ave.
	101	Quissett Harbor Boat Yard	36 Quissett Harbor Rd.
Water/Wastewater/HAZMAT	102	Service Road Wastewater Treatment Plant	Service Rd.
	103	Crooked Pond Treatment Plant	50 Twin Oaks Dr.
	104	NS Treatment Plant	Williams Rd.
	105	Mares Pond Well	Pattee Rd.
	106	Fresh Pond Well	N/A
	107	Sewer Pumping Station	454 Palmer Ave.
Vulnerable Populations - Housing Authority	108	Harborview Housing	115 Scranton Ave.
	109	Tataket Apartments	138 Teaticket Hwy.
	110	Salt Sea Apartments	211 Scranton Ave.
	111	Mayflower Housing	238 Lakeview Ave.
	112	Rose Morin Apartments	58 Rose Morin Ln.

Mitigation Actions Prioritization

3=Best/Most Benefit/Least Cost/Easy or no permitting; 2=Some benefit/Moderate Cost/Some potential permitting complications; 1=Little to no benefit/Expensive/Complicated permitting required

	Goals and Potential Mitigation Actions	Benefits					Feasibility				Economic		Regulatory		Total Score
		Protects Properties and Structures	Protects Natural Resources	Technical/Capacity Improvement (Training, Evaluations, Regulations, etc)	Improves Public Awareness	Improves Emergency Response or Public Protection After an Emergency	Appropriate Staffing Available	Technically Feasible	Public Support	Town/Political Support	Cost	Funding Available / Attainable	Permitting/Regulatory Feasibility	Consistent with Local, State, & Federal Goals	
	Goal 1. Provide residents with adequate access to emergency shelters equipped with sufficient provisions, climate control and emergency electricity during natural disaster events.														
1	1a. Reconstruct high school gymnasium glass roof with solid surface roof and install storm shutters on cafeteria windows.	3	1	1	1	3	3	3	3	3	2	3	3	3	32
	Goal 2. Improve communications between private citizens, businesses, utility companies, and town, regional, state, and federal agencies before, during and after a natural disaster.														
2	2a. Improve interdepartmental and inter-agency communications.	1	1	1	1	3	3	3	2	3	3	3	3	3	30
3	2b. Begin talks with private organizations and businesses in Woods Hole (i.e. Steamship Authority, WHOI, MBL, etc.) about hazard mitigation, flood prevention, and traffic control.	2	2	1	2	2	2	3	3	3	3	1	3	3	30
	Goal 3. Maintain adequate access to public utilities such as electricity, drinking water, and communications during and after a natural disaster.														
4	3a. When bridges require maintenance, assess the vulnerability of water mains and other utility infrastructure, and potentially upgrade or reinforce infrastructure during bridge repair.	1	1	1	2	3	2	2	2	3	2	3	2	3	27
5	3b. Ensure that all schools, housing authority facilities, and town-owned buildings that provide emergency support services are equipped with generators.	3	1	1	2	3	3	3	3	3	2	3	3	3	33
6	3c. Establish a regular program of trimming trees on municipal properties that have the potential to impact power supply during storms.	2	1	1	2	3	2	3	2	3	2	2	2	3	28
	Goal 4. Maintain an adequate Level of Service (LOS) on all roadways during and after natural disasters, particularly on major roadways.														
6	4a. Maintain an adequate supply of sand, salt and other road treatment materials.	1	1	1	1	3	2	3	3	3	3	3	3	3	30
7	4b. Explore stormwater best management practices (BMPs) to address sections of roadway that regularly flood after heavy rains (i.e. east end of Thomas Landers Road; Route 28 near Friendly's, etc.).	2	2	1	2	3	2	2	2	3	2	3	2	3	29
8	4c. Evaluate alternatives to minimize flooding and sand overwash on Menauhant Road during a storm, particularly in the vicinity of Bristol Beach, Inn Season Resorts, Surfside, and Menauhant Beach.	2	2	1	2	3	1	2	2	3	1	3	1	2	25
9	4d. Design and reconstruction of the Falmouth Heights Bluff shore protection located on the seaward side of Grand Avenue between Vernon Avenue and Gertrude Avenue. Approx length = 1,300'.	2	1	1	2	3	1	3	2	3	1	2	1	2	24
10	4e. Design and reconstruction of shore protection along the Chapoquoit Road causeway from Chapoquoit Beach to end at stone pillars. Approx length = 900'.	3	3	1	2	3	1	3	2	3	2	2	2	2	29
11	4f. Proceed with construction of the Bourne's Pond Bridge project and associated Menauhant Beach nourishment project.	3	3	1	2	3	2	3	2	3	1	3	1	3	30
12	4g. Evaluate adaptation alternatives for low-lying roads and bridges throughout Town.	3	3	1	2	3	2	3	2	1	1	2	3	3	29
	Goal 5. Investigate, design, and implement projects that will reduce and minimize the risks and impacts from natural hazards to critical municipal facilities and resources.														
13	5a. Create a comprehensive wetlands restoration plan and begin reconstruction in the most vulnerable areas.	1	3	2	2	1	2	3	2	3	2	3	1	3	28
14	5b. Conduct a thorough evaluation of the Town's most at-risk critical facilities identified in the CCVA (2020), and evaluate potential mitigation techniques for protecting each location to the maximum extent possible.	3	1	1	2	3	2	3	2	3	1	2	2	3	28
15	5c. Reconstruction of the Fresh River Outlet on Surf Drive, including a roadway culvert and outlet groin.	1	3	1	1	2	2	3	3	3	2	3	1	3	28
16	5d. Reconstruction of the Salt Pond Outlet on Surf Drive including the roadway culvert and outlet groin.	1	3	1	1	2	2	3	3	3	2	3	1	3	28
17	5e. Consider the feasibility of beach nourishment along Chapoquoit Beach.	3	3	1	2	3	1	3	2	2	1	2	1	3	27
18	5f. Conduct fuel management activities in Fire Hazard Mitigation Focus Areas as identified in the Barnstable County Wildfire Preparedness Plan.	3	3	3	2	1	2	3	2	2	3	2	3	3	32
19	5g. Maintain a list of municipal construction projects, bylaw/code revisions, and properties to acquire to reduce risk from natural hazards; develop priority ranking.	3	1	2	2	3	2	3	2	2	1	2	3	3	29
20	5h. Integrate municipal mitigation and adaptation projects into the Town's operating and capital budgets.	3	3	1	2	3	3	3	2	2	1	2	3	3	31
21	5i. Update the Falmouth Open Space and Recreation Plan to include properties identified in the CCVA (2020) study as priorities for acquisition to allow salt marsh migration in response to sea level rise.	1	3	1	2	2	3	3	2	2	1	2	3	3	28
22	5j. Evaluate alternatives for reducing vulnerability of Town Hall to flooding.	3	1	3	3	3	3	3	2	2	1	2	2	3	31
	Goal 6. Develop public education outlets and materials to inform residents about what to expect during natural disasters and to promote pre-disaster planning by the public, particularly regarding natural disasters such as hurricanes.														
23	6a. Continue use of social media and other public outreach channels, such as Facebook, Twitter, YouTube, and an updated website to provide information about hazard preparedness, and encourage public to sign up for FalmouthAlert.	3	1	3	3	3	3	3	3	3	3	3	3	3	37
24	6b. Develop informational brochures that highlight pre- and post-disaster preparedness and make them available through a broad range of outlets.	3	1	3	3	3	3	3	3	3	3	3	3	3	37
25	6c. Develop public outreach materials, in concert with Eversource, on importance of allowing tree trimming around power lines.	3	1	2	3	3	3	3	2	3	2	2	3	3	33
	Goal 7. Make improvements to existing practices based on experience gained during disaster response and recovery.														
26	7a. Work with local land trusts to identify repetitive loss properties that these entities would be willing to buy out in the event of substantial damage, with the intent that these properties would be restored to their natural state and managed by the non-profit.	3	2	1	2	2	2	3	2	2	1	3	2	3	28
27	7b. Verify the location of each repetitive loss property. If it cannot be located, is located in another jurisdiction, or has been mitigated, notify FEMA to get the property removed from the town's repetitive loss list.	3	1	1	1	1	2	3	2	2	3	2	3	3	27
28	7c. Develop pre- and post-storm response plans for Falmouth public beaches, as described in Beach Management Plan.	1	3	2	1	1	1	3	2	3	3	3	3	3	29
29	7d. Revise Conservation Commission Wetlands Regulations to be consistent with the Coastal Resiliency goals and policies.	2	3	3	2	2	2	3	2	2	3	2	2	3	31
	Goal 8. Encourage future development that minimizes risks to natural hazards, such as flooding and high winds.														
30	8a. Review and revise local codes and bylaws as necessary to increase the resiliency of construction projects, and lobby for changes in the state building code.	3	1	3	2	2	2	3	2	3	3	2	2	3	31
31	8b. Contact all owners of repetitive loss properties annually, and inform them of financial assistance available for structural mitigation such as elevation and acquisition.	3	1	2	3	2	1	3	2	2	3	2	3	3	30
32	8c. Develop a framework that addresses buy outs and incentives for relocation in low lying neighborhoods.	3	1	3	3	3	2	3	1	2	1	2	3	3	30

Low	<=27
Med	28-31
High	>=32

BUSINESS

3. Report – Cape Cod Commission – Robert Mascali (15 minutes)

JULY 2022

Cape Cod Commission Update

FALMOUTH



Executive Director
Kristy Senatori

Falmouth Representative
Robert Mascali

Complete Streets Prioritization Plan approved



The Town of Falmouth is seeking to improve the travel experience for all users of its streets – motorists,

pedestrians, and bicyclists – through the development of a Complete Streets Prioritization Plan.

With funding provided by the Massachusetts

Department of Transportation, the Town of Falmouth retained the services of the Cape Cod Commission transportation staff to develop this plan. This study explored transportation improvement alternatives to reduce conflicts, improve traffic flow and incorporate multi-modal transportation options in Falmouth, while furthering the creation of vibrant, pedestrian and bicycle- oriented mixed-use centers throughout the town.

Guided by the input from public meetings and

in conjunction with the Town of Falmouth, Cape Cod Commission staff prepared a final report and the Complete Streets Prioritization Plan. The prioritization plan was submitted and approved by MassDOT in April 2022 as part of the town’s ongoing participation in their Complete Streets Program.

The Town is now eligible to apply for construction grant funding up to \$400,000 from MassDOT for any of the projects listed on the Prioritization Plan.

District Local Technical Assistance funds support update of Open Space and Recreation Plan

Each year, the Cape Cod Commission receives funding through the Massachusetts Department of Housing and Community Development to provide technical assistance to towns in our region. The District Local Technical Assistance (DLTA) program helps municipalities with sustainable development and encourages partnerships to achieve planning and development goals that align with state and regional priorities.

DLTA funds are awarded and administered by the Cape Cod Commission through a competitive process. Over the years, funding has been used to support initiatives in housing and wastewater, study redevelopment options, and support local planning efforts.

DLTA funds will help the Town of Falmouth update their Open Space and Recreation Plan, last updated in 2014. This effort will examine the community’s open space and recreation needs, develop goals, and lay out an action plan for the next seven years.

Region-wide, DLTA funds will help the Cape Cod Commission contract with a consultant to update and expand upon the 2017 Regional Housing Market Analysis. The completion of this updated analysis will provide critical town-level data to aid local housing planning and production efforts.



DataCapeCod

Data Cape Cod was first created by the Cape Cod Commission to provide local and regional datasets to support planning efforts, economic development, and recovery from the COVID-19 pandemic. Now an ongoing effort, the initiative increases transparency around economic progress in the region and enhances information access to support data-driven decision-making in our 15 communities.

Explore the site:
www.datacapecod.org

Cape Cod and Islands Water Protection Fund supports Falmouth project

The Cape Cod and Islands Water Protection Fund is a dedicated fund within the state’s Clean Water Trust. It was established in 2018 to help Cape Cod and Islands towns pay for necessary wastewater infrastructure and water quality remediation projects. Its funding

comes from a 2.75% excise tax on traditional lodging and short-term rentals. The Cape Cod Commission provides administrative and staff support for the CCIWPF Management Board. On June 2, 2022, the CCIWPF Management Board voted to award a \$5,000,000 subsidy

to the Wastewater Treatment Facility TASA Improvements.

Learn more:
www.capecodcommission.org/cciwpf

2023-2027 Transportation Improvement Program approved



The Cape Cod Transportation Improvement Program (TIP) is a list of transportation system projects to be implemented

with federal and state funds available for Cape Cod. The TIP is developed and approved by the Cape Cod Metropolitan

Planning Organization, the regional body comprised of local, regional, state, and federal officials charged with overseeing the region's transportation planning process. Funding comes from a combination of state and federal sources, and totals more than \$275 million over the five-year plan. Typical projects include reconstruction of existing intersections or roadways, construction of new multi-use paths, and the purchase of

new buses to support regional bus service. Projects are designed to address safety and congestion concerns for all transportation modes, including vehicle, transit, bicycle, and pedestrian travel.

On May 23, 2022, the MPO voted to endorse the 2023-2027 TIP.

Learn more: capecodcommission.org/TIP



Transportation Outreach

The Cape Cod Commission joined regional and state-wide efforts to celebrate bicycling as an alternative to driving motor vehicles during Bay State Bike Month, held in May 2022. Cape Cod Commission Transportation staff hosted several outreach tables to share information about the Transportation Improvement Program and the Unified Planning Work Program as well as raise awareness about bicycling on Cape Cod.

On May 18, 2022, Cape Cod Commission staff manned an outreach table at the Bicycle Commuter Breakfast sponsored by the Falmouth Bicycle and Pedestrian Committee, held along the Shining Sea Bikeway at the bus depot.

oneCAPE

AUGUST 1-2

WEQUASSETT RESORT

The OneCape Summit is a regional forum for information, collaboration, and innovation across major policy issues and areas. The Summit brings together local and national leaders, practitioners, and subject matter experts to inspire informed action on the most pressing issues related to Cape Cod's unique environment and economy.

We are pleased to be meeting once again in person. With two days of plenary sessions, breakout sessions, mobile workshops, and opportunities for engagement - we're excited for you to explore all there is to learn and experience at OneCape.

More information & registration: onecape.capecodcommission.org

Four Falmouth students participate in 2022 Climate Ambassador Program



The Climate Ambassador Program is an initiative to educate, engage and empower young people on Cape Cod to work together to combat climate change. Selected students in grades 9-12 attended a series of

virtual meetings to develop a better understanding of climate change, learn how to communicate effectively about climate, and learn what actions can be taken individually and collectively to bring about change. The

second cohort was held from January-May 2022. Twenty-two students participated, including including four students from Falmouth: three attend Falmouth High School and one attends Sturgis East.

BUSINESS

4. Fire Station Staffing (30 minutes)

Town of Falmouth
Select Board

Fire Station Staffing Policy

Adopted March 28, 2022

The Falmouth Select Board appreciates the critical role the Fire Department plays in meeting public safety needs in the Town of Falmouth. The Board acknowledges that there is a changing demographic in regards to our population and continued development across all geographical regions of town. The Board recognizes that significant improvements to the Fire Department facilities as well as staffing are long overdue, and therefore investments have been and will continue to be needed in terms of upgrading existing or building additional stations as well as hiring personnel to appropriately staff those stations.

The Falmouth Select Board anticipates there will be a time period when the town will be operating under a six station model, this period of time will commence upon the successful completion and opening of the new fire station on Sandwich Road and will be in effect until such time as a new station is built for the northwest quadrant of town. In order to meet the requirements in terms of personnel to operate a six station model, the town will need to invest significant resources into hiring sufficient personnel to staff six stations full-time during the pendency of this time period. The Falmouth Select Board is directing town staff to prioritize the hiring of sufficient personnel to operate the six station model as noted above, acknowledging that this will require a commitment of substantive funds for these new employees.

BUSINESS

5. Announce November 2022 Annual Town Meeting schedule (5 minutes)



NOVEMBER 2022 ANNUAL TOWN MEETING

Select Board Announce Annual Town Meeting Monday, July 25, 2022

Close Warrant.....Friday, September 2, 2022

Select Board Vote Articles & Execute Warrant Monday, September 12, 2022

Publish Articles Only Friday, September 16, 2022

Petition Article Presentations Monday, September 26, 2022

Select Board Vote Article Recommendations Monday, October 3, 2022

Publish Warrant with Recommendations Friday, October 28, 2022

Town MeetingMonday, November 14, 2022

CONSENT AGENDA

1. Licenses

- a. Approve application for a Change of Management Agreement of a Wine and Malt Package Store License – OSJL Spirits, LLC d/b/a Ocean State Job Lot located at 50 Teaticket Highway

LICENSE APPLICATION REVIEW

Restaurant/Business: OSJL Spirits dba Ocean State Job Lot

Address: 50 Teaticket Highway, East Falmouth

License Type: Wine & Malt Beverage Package Store

New or Transfer of License _____

or

Change of License Management Agreement

- Police _____
- Fire _____
- Building _____
- Health _____
- Zoning _____
- Planning _____
- DPW _____
- Assessor _____
- Tax Collector _____
- _____
- _____
- _____

NOTES:

Licensee will apply for a Change of LLC Manager after ABCC review and approval of the Management Agreement. CORI's for all members of the management entity are part of the application.

Phyllis Downey

From: Falmouth Licensing
Sent: Wednesday, July 13, 2022 4:03 PM
To: Brian Reid; Sean Doyle; Boyd Demello; Gary Street
Cc: Kristin Nickerson; Jonathan Dickinson; Julie Parker; Katie Pierias; Pamela Marshall; Linda Kinchla (linda.kinchla@falmouthma.gov); Morgan Cardoso
Subject: FYI-Management Agreement-Ocean State Job Lot Package Store License change
Attachments: OSJL-Management Agreement 07.25.22_Redacted.pdf

Follow Up Flag: Follow up
Due By: Tuesday, July 19, 2022 3:30 PM
Flag Status: Flagged

Good afternoon,

For your information, an application has been submitted by OSJL Spirits d/b/a Ocean State Job Lot for a Management Agreement with Ocean State Jobbers, Inc. to manage the liquor license of Ocean State Job Lot at 50 Teaticket Highway. CORI applications for each of the individuals having financial interest in the management company are listed in Attachment A.

At this time, the manager at the Falmouth store will continue to be Paula Leandre Rico. The application will be reviewed by the Select Board on July 25th. If you have recommendations for the Select Board please forward them by July 20th.

Thank you,
Phyllis Downey
508-495-7325



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358

www.mass.gov/abcc

Management Agreement

- Payment Receipt
- Monetary Transmittal Form
- Management Agreement Application
- Vote of the Entity
- Management Agreement
- CORI Forms for all listed in Section 2 and attachments

1. LICENSEE INFORMATION

Entity Name	Municipality	ABCC License Number
OSJL Spirits, LLC, d/b/a Ocean State Job Lot	Falmouth, MA	00213-PK-0390

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Nicole Levesque	Attorney	nlevesque@connkavanaugh.com	617-348-8237

Please provide a narrative overview of the management agreement. Attach additional pages, if necessary.

As affiliates, Licensee and Manager share corporate resources. The parties seek to leverage these resources as it relates to Licensee's Liquor Operations for purposes of efficiency, cost and consistency. Manager shall for compensation provide all corporate resources (payroll, staffing, human resources, etc.) to Licensee and assume all Liquor Operations, as defined, with the exception of purchasing alcohol which shall be retained by Licensee.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

2. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
Please see Exhibit A.		

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?
 If yes, attach an affidavit providing the details of any and all convictions.

<input type="radio"/> Yes <input type="radio"/> No
--

Application for Amendment -- Management Agreement
OSJL Spirits, LLC d/b/a Ocean State Job Lot
00213-PK-0390

EXHIBIT A

Section 2 -- Management Entity

Management Entity Name: Ocean State Jobbers, Inc.
Address: 375 Commerce Park Rd., North Kingston, RI 02852
Telephone: (401) 295-2672

Marc Perlman LLC Member DOB: [REDACTED] SSN: [REDACTED]	180 Shady Cove Rd. North Kingston, RI 02852	President Director	U.S. Citizen -- Yes MA Resident - No
Alan Perlman LLC Member DOB: [REDACTED] SSN: [REDACTED]	121 Hidden Mere Ln. North Kingston, RI 02852	Secretary Director	U.S. Citizen -- Yes MA Resident - No
Steven Aronow LLC Member DOB: [REDACTED] SSN: [REDACTED]	594A Post Rd. Wakefield, RI 02879	Treasurer Director	U.S. Citizen -- Yes MA Resident - No
Richard Portno LLC Member DOB: [REDACTED] SSN: [REDACTED]	177 Pine Glen Dr. East Greenwich, RI 02818	Vice President Not a Director	U.S. Citizen -- Yes MA Resident - No
John Conforti LLC Member DOB: [REDACTED] SSN: [REDACTED]	257 Promenade Ave. Warwick, RI 02886	Chief Financial Officer Not a Director	U.S. Citizen -- Yes MA Resident - No

3. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 2, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Please see Exhibit B.			

4. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 2, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Please see Exhibit C.			

5. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 2, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

6. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 3, 4 or 5 ever been suspended, revoked or cancelled?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

Application for Amendment – Management Agreement
OSJL Spirits, LLC d/b/a Ocean State Job Lot
00213-PK-0390

EXHIBIT B

Section 3. Existing Management Agreements and Interest in an Alcoholic Beverages License

License Number	Name of Licensee	Licensed Premises
89301-PK-0384	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	11 BERDON WAY, FAIRHAVEN, MA 02719
00083-PK-1248	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	178 MAIN STREET, STURBRIDGE, MA 01566
00114-PK-0608	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	18 WALTER TOWER PL, LEOMINSTER, MA 02155
00065-PK-1438	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	180 MILK STREET, WESTBOROUGH, MA 01581
89982-PK-0820	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	830 CURRAN HIGHWAY, NORTH ADAMS, MA 01247
00077-PK-0680	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	30 COMMERCIAL STREET, MEDFORD, MA 02155
89927-PK-1226	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	1317 LIBERTY ST, SPRINGFIELD, MA 01104

Application for Amendment – Management Agreement
OSJL Spirits, LLC d/b/a Ocean State Job Lot
00213-PK-0390

EXHIBIT C

Section 4 – Previously Held Interest in an Alcoholic Beverages License

License Type	Licensee	Licensed Premises
§12 Restaurant	Room for Dessert, LLC	13-19 Columbus Avenue, Boston, MA 02116
§12 Restaurant	Room for Dessert, LLC	30 Dunster Street, Cambridge, MA 02138

3091310.1 05658.003

7. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee? Yes No
If yes, please provide a narrative description below:

Article 5.1 permits Licensee to terminate the Agreement in the event the approvals required in Article 5 are not received and/or are not renewed by any Liquor Authority, as defined. Article 11.1 permits Licensee to terminate the Agreement if any license is suspended, terminated, or revoked as a result of any act or omission by Manager, if Manager materially neglects or fails to observe any of the covenants or terms of the Agreement, if Manager materially fails to perform the Services, if Manager becomes bankrupt and/or if Manager is adjudged ineligible by any Liquor Authority to perform the Services. Article 11.2 permits Manager to terminate the Agreement in the event of a material default caused by Licensee, Licensee's bankruptcy, or if Licensee is adjudged by any Liquor Authority to be ineligible to hold a liquor license.

b. Will the licensee retain control of the business finances? Yes No
If yes, please provide a narrative description below:

Manager will provide accounting and financial services to Licensee that justifies access to Licensee's accounts. The Agreement defines the limited circumstances under which Manager may take possession of any monies in the accounts and/or make withdrawals. Manager is required to keep detailed internal records of all banking activities so that Licensee may review and validate the receipts and expenses credited or debited to the Operating Accounts by Manager. Manager's records must functionally provide Licensee the ability to review and segregate receipts and expenses by Licensee's Premises and/or by sales type (i.e. alcoholic or non-alcoholic).

c. Does the management entity handle the payroll for the business? Yes No
If yes, please provide a narrative description below:

Pursuant to Article 6.1, Manager shall have the exclusive responsibility and authority to direct the selection, appointment, supervision, control, promotion, discipline, discharge, and training, including TIPS training, of all employees, license managers, and personnel engaged in the sale of alcohol at the Licensed Premises. Manager likewise has the exclusive authority during the Term to determine and implement any and all labor policies, including with respect to wage and salary rates, fringe benefits, bonus, and employee benefit plans as it relates to the designated liquor employees. To that end, Manager is responsible for preparing, processing, and handling the payroll for all liquor employees it selects for Licensee.

d. Management Term Begin Date e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

The Management Fee shall be a combination of (a) the fair market value of the expenses Manager incurred in the immediately preceding month which remain unpaid at the time the Management Fee is assessed; (b) an additional percentage of Licensee's net profits which shall fluctuate based on the profitability of the Licensed Premises; and (c) any additional fees, expenses, or consideration which the parties agree are due and owing Manager related to Manager's performance of the Services.

CONSENT AGENDA

1. Licenses

- b. Approve application for two Special One-Day Wine and Malt Liquor Licenses – Quissett Yacht Club – H12 Championship Reception & Dinner – 70 Quissett Harbor Road – Friday, 7/29/22 and Saturday, 7/30/22

LICENSE APPLICATION REVIEW

Restaurant/Business: Quissett Yacht Club

Address: 71 Quissett Harbor Road

License Type: Special One-Day Wine & Malt Beverage Licenses

New or Transfer of License _____

or

Change of License _____

- Police No objection
- Fire No issues
- Building _____
- Health Fine
- Zoning _____
- Planning _____
- DPW _____
- .Assessor _____
- . _____
- . _____
- . _____
- . _____

NOTES: The Quissett Yacht Club has applied for a Special One-Day Wine & Malt Beverage License for two (2) consecutive days, July 29th and 30th, 2022. Hours on July 29th are 6:00 -8:00 pm and on July 30th from 6:00 – 10:00 pm.

Sperry Tents will provide a tent and should contact the Building Department. A floor plan and TIPS certifications have been provided.



APPLICATION

SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES
M.G.L.A. CHAPTER 138, SECTION 14

NAME OF APPLICANT: Thomas D. Tullius

ADDRESS OF APPLICANT: 62 Agawam Road, Waban MA 02468

NAME OF ORGANIZATION: Quissett Yacht Club

MAILING ADDRESS: P.O. Box 681, Falmouth MA 02541

TELEPHONE #: [REDACTED] EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: 71 Quissett Harbor Road, Falmouth MA 02540

EVENT TITLE: H12 Championship dinner/reception APPROXIMATE # OF PEOPLE: 70

DATE(S) OF EVENT: 7/29/22, 7/30/22 HOURS OF EVENT: 6-8 pm / 6-10 pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Thomas Tullius

TYPE OF LICENSE:

- 1. WINE & MALT NON-PROFIT FOR PROFIT
- 2. ALL ALCOHOLIC NON-PROFIT ONLY

REQUIREMENTS check list:

1. Provide a narrative overview of the event including food service and security
2. Certificate of non-profit status (if your organization is non-profit)
3. Certificate of liquor liability insurance; 1 MILLION PER OCCURANCE - \$2 MILLION AGGREGATE
4. Certificate of TIPS or other alcohol safety training for all persons handling alcohol
5. Floor plan of area where alcohol will be served and consumed, and security plan
6. Temporary Food Permit (Health Department)

July 7, 2022

Thomas D. Tullius

DATE

APPLICANT SIGNATURE

FEE: \$25.00 PER DAY

\$10.00 FILING FEE

July 7, 2022

Application for a one-day liquor license

Tom Tullius
Vice Commodore, Quissett Yacht Club
Event Chair, 2020 H Class Championship regatta

Event narrative:

The Quissett Yacht Club (QYC), a nonprofit corporation, will host the H12 Class Championship sailing regatta on July 29-31, 2022. The website for the event is located at Regatta Network (<https://www.regattanetwork.com/event/23704>). Attached is a recent Corporate Filing with the Commonwealth of Massachusetts as evidence of our status as a Nonprofit Corporation.

We expect approximately 60 sailors (30 boats) to compete in the regatta. As part of the Championship activities, QYC will host two events: a small Welcoming Reception for competitors, from 6-8 pm on Friday, July 29; and a Dinner for competitors and QYC members, on Saturday, July 30. These events will be held under a tent to be erected on the property of the Quissett Harbor House, 71 Quissett Harbor Road, overlooking the harbor.

The Dinner and Reception events are not open to the public; only registered Championship competitors, and Quissett Yacht Club members, will be allowed to attend. Tickets for the Saturday Dinner must be purchased on the Championship website, so all guests will be identified before the event.

Beer and wine will be served at both the Dinner and Welcoming Reception. The beer and wine will be donated by QYC members. Alcohol will not be sold at the events.

Welcoming Reception: We expect 20-30 guests at the Welcoming Reception on Friday, July 29, from 6-8 pm. The bartender for the event will be Tom Tullius, QYC Vice Commodore and Event Chair. He has current TIPS certification (attached).

Championship Dinner: We expect approximately 70 guests at the Dinner, to be held from 6:30-10:00 pm on Saturday, July 30. The bartender will be Michael Tubin, a professional bartender, who has been engaged from Boston's Best Bartending. Mr. Tubin has current TIPS certification (attached).

Food for the Dinner will be catered by Doggz & Hoggz (<https://www.doggzhoggz.com>; 781 Main Street, Falmouth; 508-548-3663). They have the necessary licenses. We were advised by Phyllis Downey, Falmouth Town Administration, that we do not need to obtain a Temporary Food Permit for this one-day liquor license application. Ms. Downey checked with the Falmouth Health Department and told us that because our event is limited to invited guests and Yacht Club members no food service permit is needed.

July 7, 2022

Liquor Liability Insurance: The Quissett Yacht Club and Boston's Best Bartending each have liquor liability insurance. Both Certificates of Liability Insurance are attached to this application. I also note that Quissett Yacht Club's insurance agent let us know the following: "... your Chubb \$3 million Umbrella policy extends coverage over Liquor Liability so in total you have \$4 million of coverage available."

Floor plan of the event: The Dinner and Welcoming Reception will be held in a tent erected by Sperry Tents on the lawn of the Quissett Harbor House. A site plan and tent detail are attached to this application. The tent has the capacity for 100 guests, more than we expect to attend.

Security arrangements:

Several responsible adults (including Flag Officers and members of the Board of Directors of the Yacht Club) will be present at the Dinner and at the Welcoming Reception and will monitor the proceedings. These responsible adults will include Weatherly Dorris (Commodore), Tom Tullius (Vice Commodore), Alec Clowes (Director), Sheila Gordon (Director), Chris McGuire (Director), and Michael Garfield (Fleet Captain – H Class). Tom Tullius is TIPS-certified and will attend both events. There will be no music or dancing at the Dinner – only food service. The TIPS-certified bartenders at the events will check the id's of any person who appears to be under 21.

Quissett Harbor House
71 Quissett Harbor Road, Falmouth

Event tent

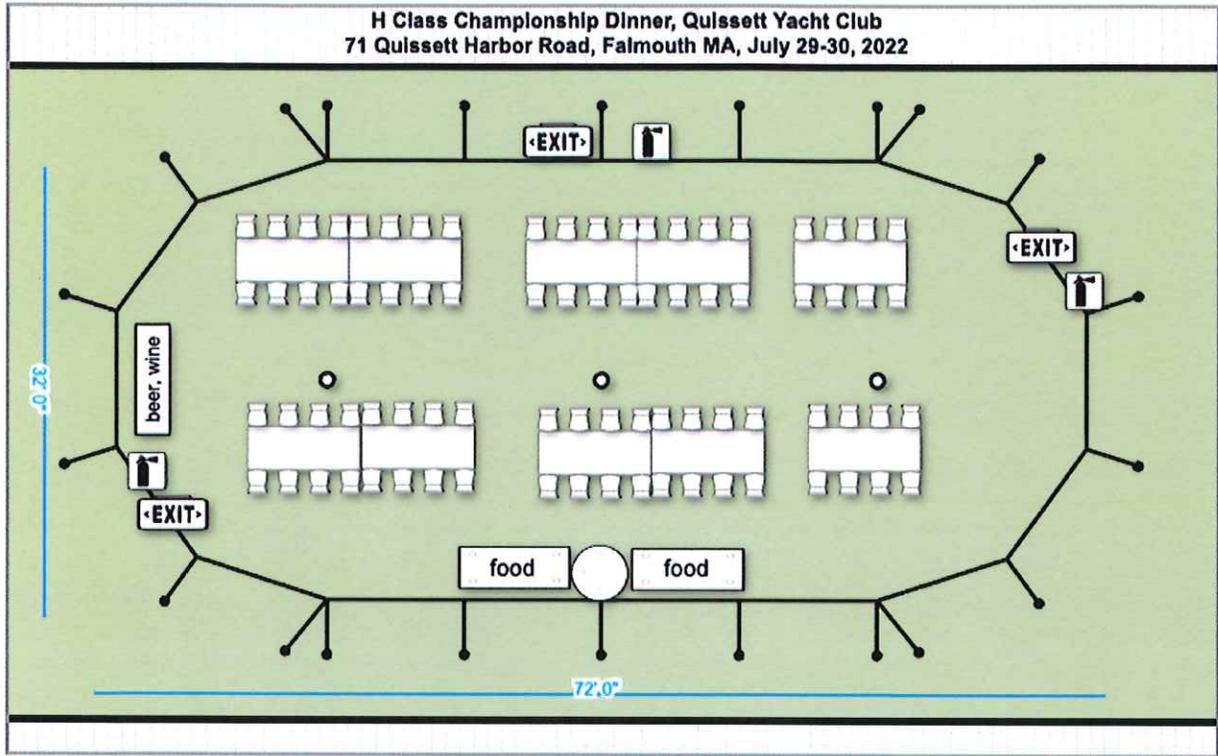
Tom Tullius Falmouth, MA July 30, 2022

32 x 72 ft. Sperry Tent (White)

⊗ Emergency Exit Sign

Ⓢ Fire Extinguisher





32' x 72' Sperry Tent



Powered by 2020 Icovia

Created by Tom Tullius

This floor plan is a representation and should not be relied on exclusively. Measurements should be verified to ensure accuracy.



CONSENT AGENDA

1. Licenses

- c. Approve application for a Special One-Day Wine and Malt Liquor License – Woods Hole Historical Museum – Oyster Talk and Tasting – 579 Woods Hole Road – Friday, 8/26/22

LICENSE APPLICATION REVIEW FORM

Date: 7/25/22

Restaurant/Business: Woods Hole Historical Museum

Address: 579 Woods Hole Road, Woods Hole

License Type: Special One-Day Wine & Malt Liquor License

New or Transfer of License _____

or

Change of License _____

Application sent to the departments, indicated below, for comment:

Police No objections.

Fire No issues.

Building _____

Health Will need a food service permit. (Received.)

Zoning _____

Planning _____

DPW _____

Recreation _____

M.E.S. _____

Communications _____

Beach _____

NOTES:

Oyster Talk and Tasting.

Date: Friday, August 26, 2022. Hours: 5:00 p.m. to 7:00 p.m.

Talk by local oyster growers Pete Chase, Eric Matzen and Mary Murphy of the Falmouth Shellfish Cooperative.

Falmouth Shellfish Cooperative has catering permit and Food Permit from the Health Department.



PAID
\$35.00 CK# 4156



APPLICATION



SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES
M.G.L.A. CHAPTER 138, SECTION 14

NAME OF APPLICANT: Woods Hole Historical Museum
ADDRESS OF APPLICANT: 579 Woods Hole Road
Woods Hole MA 02543

NAME OF ORGANIZATION: Woods Hole Historical Museum
MAILING ADDRESS: PO Box 185, Woods Hole, MA 02543

TELEPHONE #: 508-548-7270 EMAIL: whhmdirectr@gmail.com

LOCATION TO BE LICENSED-ADDRESS: 579 Woods Hole Road
Woods Hole MA 02543

EVENT TITLE: Oyster Talk and Tasting APPROXIMATE # OF PEOPLE: 75

DATE(S) OF EVENT: August 26, 2022 HOURS OF EVENT: 5 to 7 PM

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Deborah G. Scanlon

TYPE OF LICENSE:
1. WINE & MALT NON-PROFIT FOR PROFIT
2. ALL ALCOHOLIC NON-PROFIT ONLY

REQUIREMENTS check list:

1. Provide a narrative overview of the event including food service and security
2. Certificate of non-profit status (if your organization is non-profit)
3. Certificate of liquor liability insurance; 1 MILLION PER OCCURANCE - \$2 MILLION AGGREGATE
4. Certificate of TIPS or other alcohol safety training for all persons handling alcohol
5. Floor plan of area where alcohol will be served, consumed, and securely stored and how this will be separated from public areas (roping, fences, etc.)
6. Temporary Food Permit (Health Department)

7/5/22

DATE

Deborah G. Scanlon

APPLICANT SIGNATURE

FEE: \$25.00 PER DAY

\$10.00 FILING FEE



Woods Hole Historical Collection & Museum

P. O. Box 185
Woods Hole, MA 02543
Telephone (508) 548-7270

Annual Oyster Talk and Tasting Summer Fundraiser

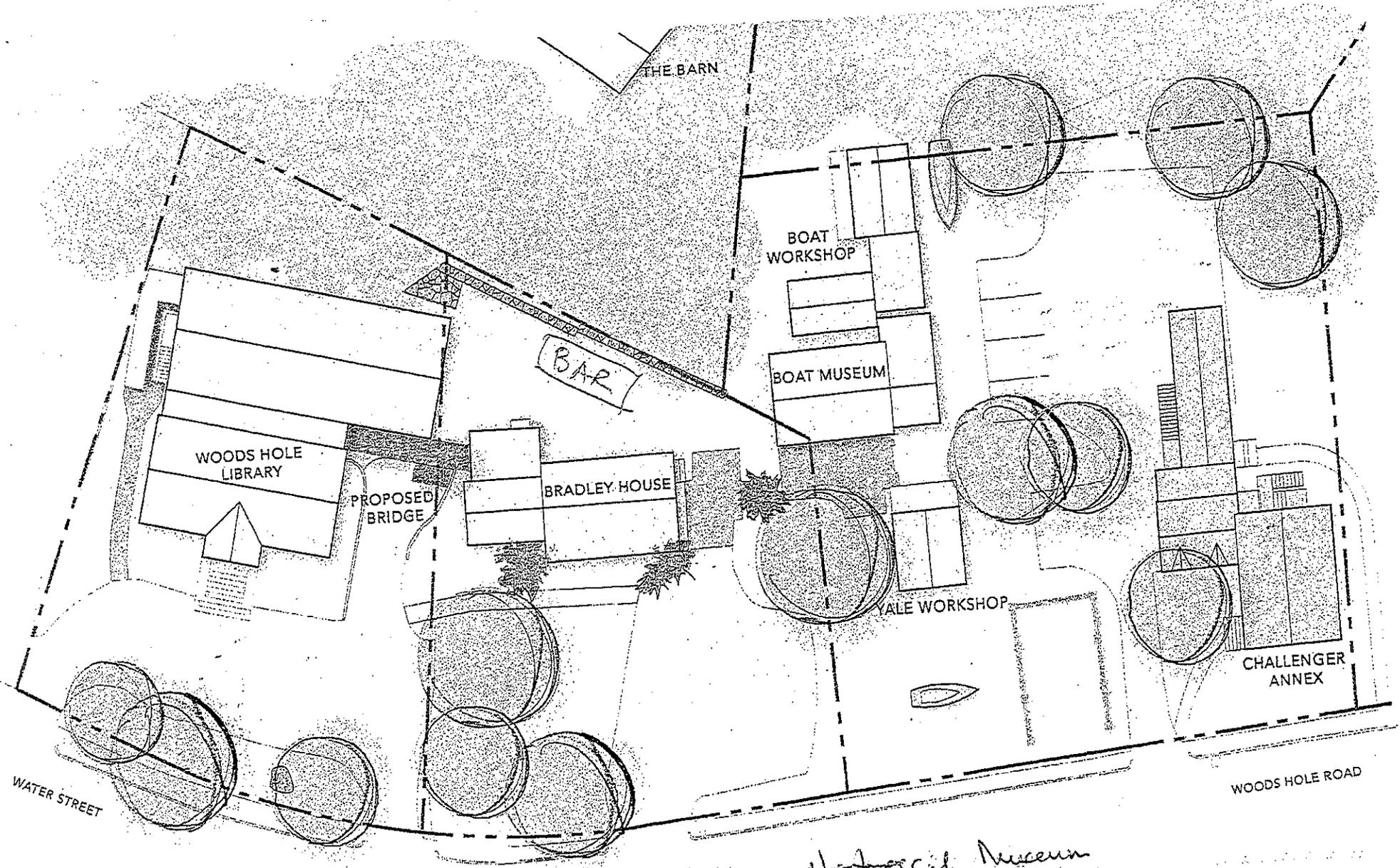
The Woods Hole Historical Museum will hold its annual Oyster Talk and Tasting on Friday, August 26, 2022, from 5-7 PM on the museum grounds at 579 Woods Hole Road.

The first part of the evening will be a talk by local oyster growers Pete Chase, Eric Matzen and Mary Murphy of Falmouth Shellfish Cooperative, who will tell about their experience raising oysters in this area. The cooperative sells its oysters through the Coonamessett Farm.

After the talk, which will include a demonstration of shucking oysters, the audience will proceed to the tasting tables where the bivalves will be opened for them. Wines, specially chosen to pair with oysters, will be available, as well as several kinds of beer. Light snacks such as crackers and chips will be served as well.

The event is a fundraiser for the museum. Tickets are \$45 for members; \$55 for non-members.

Because Falmouth Shellfish Cooperative has a catering permit, the Falmouth Health Department informed the museum that we do not need permits from the health department. The catering permit is attached.



Woods Hole Historical Museum



THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH
BOARD OF HEALTH

PERMIT TO OPERATE A FOOD ESTABLISHMENT

Permit No. 22A-0199
Fee: \$75.00

Date: January 5, 2021

In accordance with Regulations promulgated under authority of Chapter 94, Section 305A and Chapter 111, Section 5 of the General Laws a Permit is hereby granted to:

Falmouth Shellfish Cooperative

Whose place of business is: 277 Hatchville Road, Falmouth MA

Type of business and any restrictions: **Catering Food Service Permit**

To operate a food establishment in: Falmouth

PERMIT EXPIRES: December 31, 2022

Health Agent
Falmouth Board of Health

CONSENT AGENDA

2. Administrative Orders

- a. Authorize approval of grant agreement with Barnstable County for receipt of American Rescue Plan Act (ARPA) grant funds for Wastewater Treatment Facility Improvements

Barnstable County ARPA Grant to Municipal Sub-Recipients

BARNSTABLE COUNTY
ARPA Grant Sub-Award Agreement with a Barnstable County Town

THIS AGREEMENT is made this 11th day of July, 2022 by and between

Town of Falmouth, MA

(Municipality's Legal Name and Address)

listed in the application(s) attached hereto as Exhibit A (the "Municipality"), a political subdivision of The Commonwealth of Massachusetts (the "Commonwealth") located within the territorial boundaries of the County, and Barnstable County (hereinafter referred to as County and collectively as the "Parties").

WHEREAS, the County is the recipient of a grant (as more fully described in Exhibit A, the "ARPA Grant") made available under the American Rescue Plan Act ("ARPA") from the United States Treasury and this Sub-Award Grant will be funded as a sub-award of the County's federal State & Local Fiscal Recovery Funds (CFDA No. 21.027), as authorized under the American Rescue Plan Act (ARPA), in the total amount of \$41,370,811, identified as federal award identification number (FAIN) SLFRP0028 (the "ARPA Grant") with a federal award date of 5/12/21 provided by the United States Treasury ("Treasury") to the County; and

WHEREAS, the Municipality has submitted (and may in the future submit) to the County one or more applications for grants to be funded from the ARPA Grant (each application approved by the County and attached hereto from time to time in Exhibit B, an "Application"), and in reliance on the representations, certifications and warranties made by the Municipality herein and in the Applications, the County is (or will be) willing to provide one or more restricted grants in the Grant Amount identified in the applicable Application (each, a "Grant") to the Municipality on the terms and conditions stated herein; and

WHEREAS, the ARPA Grant Sub-Award Agreement Terms and Conditions and any agreed upon changes thereto included in any Contract Amendments shall take precedence over any additional or conflicting terms and conditions as may be included in any other document attached hereto.

NOW THEREFORE, the County and the Municipality do mutually agree as follows:

ARTICLE I - REPRESENTATIONS OF THE MUNICIPALITY

Recognizing that the County is relying hereon, the Municipality represents, as of the date of this Agreement, as follows:

- (a) *Organization; Power, Etc.* The Municipality is a political subdivision of the Commonwealth located entirely within the geographic boundaries of the County with full legal right and power to authorize, execute, and deliver this Agreement, to receive each Grant, to undertake and implement the use of Grant funds described in each Application and to carry out and consummate all transactions contemplated by the foregoing (including without limitation the recordkeeping and reporting described herein);
- (b) *Authority.* The Municipality has duly and validly authorized the execution and delivery of this Agreement and has or will have so authorized the execution of each Application, and all approvals, consents, and other governmental or corporate proceedings necessary for the execution and delivery of the foregoing or required to make this Agreement the legally binding obligation of the Municipality that it purports to be, in accordance with its terms,

ARPA Grant Sub-Award Agreement
Barnstable County and Town of Falmouth, MA

Barnstable County ARPA Grant to Municipal Sub-Recipients

have been obtained or made. The representatives of the Municipality executing this Agreement have all necessary power and authority to execute this Agreement and to bind the Municipality to the terms and conditions herein.

- (c) *No Litigation.* No action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, other than as disclosed to the County in writing, is pending or, to the knowledge of the authorized representatives of the Municipality executing this Agreement, threatened (1) seeking to restrain or enjoin the execution and delivery of this Agreement, or the undertaking of any Project (defined below) or (2) contesting or affecting the validity of this Agreement; and neither the corporate existence of the Municipality nor the title to office of any authorized representatives of the Municipality executing this Agreement, is being contested.
- (d) *No Conflicts.* The authorization, execution and delivery of this Agreement, and performance by the Municipality of each Project and of its obligations under this Agreement, will not constitute a breach of, or a default under, any law, ordinance, resolution, agreement, indenture or other instrument to which the Municipality is a party or by which it or any of its properties is bound.
- (e) *SAM Registration.* Municipality is registered with the System for Award Management (SAM) and confirms that the Data Universal Numbering System (DUNS) number listed in Exhibit A is the correct such number for the Municipality as of the date hereof.
- (f) *Binding Agreement.* This Agreement is, or when executed and delivered will be, the legal, valid, and binding obligation of the Municipality, enforceable in accordance with its terms, subject only to limitations on enforceability imposed in equity or by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally.
- (g) *Information Submitted.* All information, reports, and other documents and data submitted to the County in connection with this Agreement (including without limitation, the Application(s) attached hereto as of the date of execution and each other Application, if any, to be later attached and made a part hereof pursuant to the terms hereof) were, at the time the same were (or will be) furnished, and are, as of the date hereof (or will be as of the date the same are furnished), true, correct and complete in all material respects.
- (h) *Ratification.* By executing this Agreement, the Municipality (i) affirms and ratifies all statements, representations and warranties contained in all written documents that it has submitted to the County in connection with this Agreement (including, without limitation, the this Agreement and the Application(s) attached hereto as Exhibit A as of the date hereof) and (ii) agrees that on each date, if any, that an additional Application is attached hereto and made a part hereof, it will be deemed to have affirmed and ratified all such statements, representations and warranties (including, without limitation, those contained or provided in connection with such additional Application).

Barnstable County ARPA Grant to Municipal Sub-Recipients

ARTICLE II - THE GRANT

2.1 Grant Amount The County agrees to make and the Municipality agrees to accept, on the terms and conditions stated in this Agreement, one or more Grants, in the Grant Amount(s) specified on the Application(s) attached as Exhibit A hereto. From and after the date hereof, the County may agree to make and the Municipality may agree to accept, on the terms and conditions stated herein, additional Grants pursuant to additional Applications in the Grant Amount stated in each such Application; in such event, such additional Applications will be attached hereto on Exhibit A and shall become a part of this Agreement, unless the County in its discretion elects to use a different Agreement.

2.2 Project, Period of Performance, and Expenditure Schedule

- (a) ***Grant Purpose.*** Each Grant is being made solely to finance the project described in the applicable Application (each, a "Project"). The Municipality agrees and covenants that the Grant funds will not be used for any other purposes other than to lawfully finance the project described in the Application.
- (b) ***Period of Performance.*** The period of performance for this sub-award begins on the date the Grant Agreement is executed and ends on June 30, 2024 (subject to extension at the sole discretion of the County, but not later than December 31, 2026). Eligible uses for Grant funds may extend from March 3, 2021 to such end date.
- (c) ***Grant Expenditure Schedule.*** The Grant will not pay any costs other than those incurred during the Period of Performance. All Grant proceeds that remain unexpended at the end of the Period of Performance shall be returned to the County promptly (and in any event within ten (10) business days thereafter).

2.3 Grant Award Package

In connection with the execution and delivery of this Agreement, each of the following conditions shall be satisfied (all documents, certificates and other evidence of such conditions are to be satisfactory to the County in its sole and absolute discretion).

- (a) ***Executed Grant Agreement.*** The County shall receive a duly executed original of this Agreement.
- (b) ***Expiration of Offer.*** Each Grant, and the obligation of the County to disburse such Grant, or any portion thereof, shall expire ninety (90) days from the date the Municipality was notified that the County had approved the applicable Application. The County, in its sole and absolute discretion, may approve one or more extensions to the expiration of the offer of any Grant. Any expiration shall not however affect the representations and/or obligations of the Municipality to the County.

Barnstable County ARPA Grant to Municipal Sub-Recipients

ARTICLE III - AFFIRMATIVE COVENANTS

3.1 Use of Disbursements

The Municipality shall expend the Grant funds only for eligible costs of the Project as described in the applicable Application, subject to Article II hereof and in accordance with applicable laws, rules and regulations. The Municipality shall be responsible for compliance with, and shall comply in all material respects with, all applicable law and regulations, whether or not such law or regulations are expressly referenced herein.

Municipality may use funds provided under this award to cover direct costs only, as defined by Federal Award Guidelines (C.F.R. § 200.87). Indirect costs shall not be paid or reimbursed with the sub-award.

Cost sharing or matching funds are not required to be provided by Municipality unless specified in this Agreement.

3.2 Reporting and Compliance with Laws

The Municipality shall comply with all reporting requirements set forth in Schedule A hereto. In addition, the Municipality agrees that each Project shall be constructed or undertaken and each Grant shall be expended in full compliance with all applicable provisions of federal, state and local law and all regulations thereunder. Without limiting the generality of the foregoing, the Municipality covenants to comply in all respects with all applicable law, regulation and rule regarding bidding, procurement, employment and anti-discrimination.

(a) Municipality agrees to comply with, and to fully cooperate with the County with respect to its compliance with, the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Municipality agrees to comply with all applicable federal statutes, regulations, and executive orders. Municipality also agrees to comply with, and to fully cooperate with the County with respect to its compliance with, all other applicable federal statutes, regulations, and executive orders, and Municipality shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this sub-award, which agreements shall be subject to the prior review and approval of the County.

(b) Federal regulations applicable to this sub-award include, without limitation, the following:

i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this sub-award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this sub-award.

ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the sub-award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.

Barnstable County ARPA Grant to Municipal Sub-Recipients

iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the sub-award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.

iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the sub-award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.

v. Recipient Integrity and Performance Matters, pursuant to which the sub-award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.

vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.

vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.

viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.

ix. Generally applicable federal environmental laws and regulations.

(c) Statutes and regulations prohibiting discrimination applicable to this sub-award include, without limitation, the following:

i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;

iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;

iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and

v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

The above list is illustrative only and the Municipality is obligated to comply with all federal, state or local laws, rules and regulations whether listed or not.

3.3 Additional Project Funding

The Municipality shall ensure that adequate funding is in place to complete each Project. In the event that any Grant, alone, is for any reason insufficient to complete the applicable Project, the Municipality will obtain or make available and apply other funds (including without limitation, by incurring loans or obtaining other grants) in an aggregate amount necessary to ensure completion of each such Project.

The Municipality shall promptly and forthwith notify with details the County whenever it appears there is inadequate funding in place to complete the project. The Municipality shall not proceed further on

Barnstable County ARPA Grant to Municipal Sub-Recipients

the project in the absence of the County being satisfied that there are or will be funds and assurances to complete the project.

3.4 Recoupment and Costs

The Municipality acknowledges that it is responsible for compliance with this Agreement and all local, state and federal law and regulation applicable to the Grant(s) funding source and the Project. Breach of this Agreement and/or failure to comply with such law or regulation may result in all or a portion of the Grant(s) becoming subject to recoupment (including, without limitation, as described in each Application). If one or more Grant is subject to recoupment, the County will notify the Municipality in writing and the Municipality shall promptly, and in any event within 10 days of receiving such notice, return such Grant proceeds (including both any unexpended portion and funds equal to the portion expended) and any interest earnings thereon. In addition, Municipality shall be responsible for, and hereby agrees to prompt pay or reimburse the County for all costs incurred by the County, its employees, officers and agents (including without limitation, attorneys' fees) related to or arising out of such recoupment, including without limitation costs of any related investigation, audit and/or collection efforts.

3.5 Indemnification

To the fullest extent permitted by law, the Municipality agrees to indemnify, defend and hold harmless the County and all of its employees, officials, officers, and agents (collectively, "Indemnified Persons") from and against any and all losses, costs, damages, expenses, judgments, and liabilities of whatever nature (including, but not limited to, attorneys', accountants' and other professionals' fees and expenses, litigation and court costs and expenses, amounts paid in settlement and amounts paid to discharge judgments and amounts payable by an Indemnified Person relating to or arising out of (i) the actual or alleged failure of the Municipality to comply with the terms of this Agreement or with any other requirement or condition applicable to the federal grant with which any Grant is funded or (ii) the operation or undertaking of each Project; provided that no indemnification shall be required of an Indemnified Person to the extent such losses are determined by the final judgment of a court of competent jurisdiction to be the result of the gross negligence or willful misconduct of such Indemnified Person. Such indemnification includes, but is not limited to, costs arising from third-party claims. At the option of the County, such obligations of defense shall be done in cooperation with the County's counsel.

The provisions of this Section shall survive the expiration or termination of this Agreement, and the obligations of the Municipality hereunder shall apply to losses or claims whether asserted prior to or after the termination of this Agreement. In the event of failure by the Municipality to observe the covenants, conditions and agreements contained in this Section or Agreement, any Indemnified Person may take any action at law or in equity to collect amounts then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement or covenant of the Municipality under this Section. The obligations of the Municipality under this Section or Agreement shall not be affected by any assignment or other transfer by the County of its rights or interests under this Agreement and will continue to inure to the benefit of the Indemnified Persons after any such transfer. The provisions of this Section shall be cumulative with and in addition to any other agreement or obligation by the Municipality to indemnify, defend and hold harmless any Indemnified Person.

Barnstable County ARPA Grant to Municipal Sub-Recipients

3.6 SAM

The Municipality shall maintain an active SAM registration at all times while this Grant Agreement is in effect.

3.7 Recordkeeping.

The Municipality shall maintain accounts and records with respect to each Project and each Grant in accordance with generally accepted accounting principles as issued from time to time by the Governmental Accounting Standards Board (GASB), and as the same may be issued by the County. Municipality shall keep and maintain all financial records and supporting documentation related to the Project and each Grant for a period of seven years after all Grant proceeds have been expended or returned to the County. Wherever practicable, Municipality shall collect, transmit, and store such records in open and machine readable formats, as well as hard copies. Municipality agrees to make such records available to the County or the United States Treasury upon request, and to any other authorized oversight body, including but not limited to the Government Accountability Office (GAO), the Treasury's Office of Inspector General (OIG) and the Pandemic Relief Accountability Committee (PRAC). Municipality agrees to make such accounts and records available for on-site inspection during regular business hours of the Municipality and permit the County, the United States Treasury or any other such authorized oversight body to audit, examine, and reproduce such accounts and records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data, and other information relating to all matters covered by this agreement.

The Municipality shall permit the County or any party designated by it upon reasonable prior notice to the Municipality to examine, visit and inspect each Project and to inspect and, without limiting the generality of the previous paragraph, to make copies of any accounts, books and records of the Municipality pertaining to each Project and/or each Grant.

3.8 Single-Audit

The Municipality acknowledges that by accepting the Grant(s) it is a sub-recipient of federal financial assistance under the federal Single Audit Act of 1984, as amended (the "SAA"). The Municipality further acknowledges that to the extent it expends an aggregate of \$750,000 in federal awards (including, but not limited to the Grant(s)) in a fiscal year, it will be subject to an audit under the SAA and its implementing regulations at 2 CFR Part 200, Subpart F.

ARTICLE IV - TERMINATION AND REMEDIES

4.1 Termination

- (a) *Termination by the County.* The County, in its sole and absolute discretion, may terminate this Agreement or any one or more Grant(s) hereunder:
 - (i) if the Municipality has breached any provision of this Agreement (including without limitation reporting requirements in Schedule A hereto) or has failed

Barnstable County ARPA Grant to Municipal Sub-Recipients

to comply with any applicable local, state or federal law or regulation applicable to any Project and/or any Grant; or

- (ii) if any representation or warranty made by the Municipality in any Application, this Agreement, or any certification or other supporting documentation thereunder or hereunder shall prove to have been incorrect in any material respect at the time made.
- (b) *Notice of Termination.* The County shall provide the Municipality with written notice of termination of this Agreement or any one or more Grants, setting forth the reason(s) for termination. The termination of this Agreement or any one or more Grants shall be effective as of the date such notice of termination is sent by the County or such later date as the County may specify.
- (c) *Effect of Termination.* Upon termination of this Agreement or any Grant, the Municipality shall reimburse the County for all costs and disbursements of the Grant(s) terminated on a schedule to be negotiated in good faith between the County and the Municipality, but in no event more than 60 days from the date of such termination.

4.2 Term

This Agreement shall remain in effect until one of the following events has occurred:

- (a) The Municipality and the County replace this Agreement with another written agreement;
- (b) As determined by the County, all of the Municipality's obligations under this Agreement have been discharged, including, without limitation, any obligation to reimburse the County for disbursements of the Grant(s); or
- (c) This Agreement has been terminated pursuant to the provisions of Section 4.1 hereof.
- (d) Any expiration or termination shall not affect the obligations of the Municipality for indemnification, defense and hold harmless, reporting requirements or recoupment and costs unless specifically so provided in writing by the County.

ARTICLE V - MISCELLANEOUS

5.1 Notices

All notices, requests and other communications provided for herein including, without limitation, any modifications of, or waivers, requests or consents under, this Agreement shall be given or made in writing and delivered, (i) in the case of the County, to Barnstable County, 3195 Main Street, Barnstable, Massachusetts 02360, Attention: Elizabeth Albert, County Administrator, and (ii) in the case of the Municipality, to the address specified in the most recent Application; or, as to either party, at such other address as shall be designated by such party in a notice to each other party. Unless otherwise provided

ARPA Grant Sub-Award Agreement

Barnstable County and Town of Falmouth, MA

Barnstable County ARPA Grant to Municipal Sub-Recipients

herein, receipt of all such communications shall be deemed to have occurred when personally delivered or, in the case of a mailed notice, upon receipt, in each case given or addressed as provided for herein. Any change in address to be effective must include a valid street address.

5.2 No Waiver

No failure or forbearance on the part of the County to exercise, and no delay in exercising, any right hereunder shall operate as a waiver thereof nor shall any single or partial exercise by the County of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. Conditions, covenants, duties and obligations contained in this Agreement may be waived only by written agreement between the parties.

5.3 Governing Law

This Agreement shall be construed under, and governed by, the laws of the Commonwealth. The Municipality agrees to bring any federal or state legal proceedings arising under this Agreement in which the County is a party in a court of competent jurisdiction within the Commonwealth. This section shall not be construed to limit any other legal rights of the parties. Venue for any such proceeding shall be in Barnstable County unless required by law to be elsewhere or unless another venue is selected by the County.

5.4 Successors and Assigns

This Agreement shall be binding upon and inure to the benefit of the Municipality and the County and their respective successors and assigns, except that the Municipality may not assign or transfer its rights or obligations hereunder without the prior written consent of the County.

5.5 Complete Agreement; Waivers and Amendments

All conditions, covenants, duties and obligations contained in the Agreement may be amended only through a written amendment signed by the Municipality and the County unless otherwise specified in this Agreement. At the date of execution hereof, one or more Applications are attached hereto as Exhibit A and made a part hereof. From time to time after the date hereof, the Municipality may apply for, and the County may agree to make, additional Grants pursuant to additional Applications. In such event, such additional Applications shall be attached to and become a part of this Agreement. The parties understand and agree that this Agreement and all Applications attached hereto from time to time, which are expressly incorporated herein by reference, supersedes all other verbal and written agreements and negotiations by the parties regarding the matters contained herein. Notwithstanding the foregoing, at the sole option of the County, the County may require the municipality to enter into an updated Grant Agreement for any new or amended grants.

5.6 Headings

The headings and sub-headings contained in the titling of this Agreement are intended to be used for convenience only and do not constitute part of this Agreement.

Barnstable County ARPA Grant to Municipal Sub-Recipients

5.7 Severability

If any term, provision or condition, or any part thereof, of this Agreement shall for any reason be found or held invalid or unenforceable by any governmental agency or court of competent jurisdiction, such invalidity or unenforceability shall not affect the remainder of such term, provision or condition nor any other term, provision or condition, and this Agreement shall survive and be construed as if such invalid or unenforceable term, provision or condition had not been contained therein.

5.8 Schedules, Exhibits and Attachments; Counterparts; Electronic Signature

Each schedule, exhibit or other attachment hereto (including without limitation each Application attached (or to be attached as referenced in Section 5.5 hereof) as Exhibit A and referred to herein is an integral part of this Agreement. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with the U.S. federal ESIGN Act of 2000 and related state law) or other transmission method and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

5.9 Further Assurances

Municipality agrees that it will, from time to time, execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered, such further instruments as may reasonably be required by the County or others for carrying out the intention or facilitating the performance of this Agreement and for confirming continued compliance with the Agreement and the ARPA Program.

5.10 Third-Party Beneficiaries

This Agreement is exclusively between the County and the Municipality, and does not nor is intended to create any privity of contract with any other party not a party hereto other than the Indemnified Persons, nor to imply a contract in law or fact. The County is not obligated to disburse grant funds on any contract, or otherwise, between the Municipality and any other party, nor intends to assume, at any time, direct obligations for payment for work, goods, or other performance under such contracts. The obligation to pay any amounts due under such contracts is solely the responsibility of the Municipality. Nothing herein, express or implied, is intended to, or shall confer upon, any other person any right, benefit, or remedy of any nature whatsoever under or by reason of this Agreement between the County, the Municipality and the Indemnified Persons.

Employees, officials, officers and agents of Barnstable County shall not be held personally or contractually liable by or to the Municipality under any term or provision of this Contract or because of any breach thereof. This Contract is not binding until signed by an authorized County official.

Barnstable County ARPA Grant to Municipal Sub-Recipients

5.11 No Obligations of County for any Projects

It is agreed and understood that the County does not have any liability or responsibility relative to any projects funded with grant funds and that the Municipality is solely responsible for same. The indemnification, defense and hold harmless obligations of the Municipality shall also apply to any claim against the County relative to any projects.

5.12 Obligations to Cooperate

The Municipality agrees to cooperate with the County, the Commonwealth, federal authorities and their designees in all respects regarding this Agreement, the grant and any project.

IN WITNESS WHEREOF, the County and Municipality have executed this Agreement this date:

July 11, 2022

FOR THE COUNTY:

BARNSTABLE COUNTY:

FOR THE MUNICIPALITY:

Nancy Taylor
Select Board Chairperson

Date

Barnstable County ARPA Grant to Municipal Sub-Recipients

SCHEDULE A **Reporting Requirements** **Event Reporting**

The following events shall be reported promptly upon the occurrence thereof (and in any event with five business days of the occurrence thereof) to the County:

- (a) The inclusion of the Municipality, or any contractor or sub-recipient related to any Grant or any Project, or any employee, officer or other official of any of the foregoing, on any state or federal listing of debarred or suspended persons, or if any of such persons are proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any state or Federal department or agency.
- (b) Any criminal or civil litigation, or credible threat of such litigation, or investigation by any governmental entity of any of the persons or parties listed in (a) for violations of local, state or Federal law involving fraud, bribery, misappropriation of funds, breaches of fiduciary duty or other actions bearing on the trustworthiness, credibility or responsibility of such person.

Scheduled Reporting

Unless otherwise directed by the County, all reporting shall be made via the County's online ARPA portal.

- (a) Quarterly Reporting. The Municipality shall provide quarterly reports as of the end of each fiscal quarter. Such reports shall be delivered to the County not later than the fifteenth (15) day following the end of the each fiscal quarter (i.e. January 15, April 15, July 15 and October 15) and shall contain:
 - a. The status of each Project (not started, in process, completed)
 - b. The amount of each Grant spent on the applicable Project during the quarter;
 - c. The cumulative total amount of each Grant funds spent on the applicable Project since inception;
 - d. The amount, if any, of each Grant that has been obligated for spending on the applicable Project that have not yet been expended;
 - e. A certification that, as of such reporting date and at all times since the previous reporting date (or if none, since the date of the Grant Agreement), the Municipality is and has been in full compliance with all terms of the Grant Agreement, including, without limitation, compliance with Title VI of the Civil Rights Act and all other applicable anti-discrimination laws (or a has delivered to the County in writing a full accounting of all instances on noncompliance); and
 - f. Such other items as the County shall reasonably request related to the Grant(s) and/or the Project(s)
- (b) Close Out Reporting. The Municipality shall provide a final close-out report acceptable to the County after the final expenditure (or return to the County) of each Grant. Such report shall be delivered to the County not later than 60 days or such shorter period as may be required by the state or federal government following the quarter in which such final expenditure (or return) occurred and shall contain all such items as are reasonably requested by the County or its agents.

Barnstable County ARPA Grant to Municipal Sub-Recipients

On Demand Reporting

The Municipality shall provide such other reporting relating to each Grant and each Project as the County shall reasonably request from time to time.

Barnstable County ARPA Grant to Municipal Sub-Recipients

EXHIBIT A

[The American Rescue Plan Act ("ARPA") Grant to Barnstable County]

Barnstable County ARPA Grant to Municipal Sub-Recipients

EXHIBIT B

[copies of each final, approved *Application* to be attached]

The Select Board voted on June 13, 2022 to authorize an application to Barnstable County in the amount of \$1,334,782 to offset the cost of Wastewater Treatment Plant Upgrades as described in Article #14 of the April 2022 Annual Town Meeting.

CONSENT AGENDA

2. Administrative Orders

- b. Retroactively approve application for the 2022 Edward Byrne Memorial Justice Assistance Grant funds in the amount of \$10,516 for Bosch Crash Computer Reader (CDR) for use by Police Department in crash reconstruction investigations

Notice of Proposed Allocations (Exhibit A)
2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula
Program: Local Solicitation – Disparate Certification - Barnstable

The Town of Barnstable, the Town of Yarmouth, the Town of Falmouth and the County of Barnstable are eligible for funding under the above referenced 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program for a total allocation of \$38,740. The breakdown of proposed funding allocations are as follows:

Town of Barnstable: \$18,183 to be expended on SWAT (Special Weapons and Tactics) equipment. Equipment will be utilized by the SWAT officer for live action and training. Aimpoint Optics, less lethal sponge munitions, and uniforms/equipment for two new SWAT officers. This equipment will allow for SWAT officers to respond to critical incidences with new technology and training to produce high quality safety and security for the community and officers.

Town of Yarmouth: \$10,041 to be expended on leadership training programs entitled **Dean Crisp- Leaders helping Leaders**
Intentional Leader – 2.5 day class designed to give students an understanding of how to develop future leaders and lead with intention.
Master Leader – 4.5 day class to build on existing leadership capabilities.
MPTC First-line Supervisor training- 40-hour introductory leadership development course for 1st line supervisors
FBI LEEDA - Supervisor Leadership
Command Leadership The Command Leadership Institute provides real-life, contemporary, best-practice strategies and techniques for those who are already commanders or are aspiring to a command level assignment.

Town of Falmouth: \$10,516 to be expected on a Bosch Crash Computer Reader (CDR) and Bosch CDR Upgrade kit that will be utilized by newly training officers in crash reconstruction investigations. The CDR equipment is required for accident reconstruction and newly trained officers would be able to perform accident reconstruction investigations in the town of Falmouth.

County of Barnstable: \$0 to be expended.

Please address any comments to:

Lena A Bevilacqua, Barnstable Police Department, 1200 Phinney's Lane, Hyannis, MA 02601
Phone: (508)778-3820/Email: bevilacqual@barnstablepolice.com

Memorandum of Understanding (Exhibit B)
 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program:
 Local Solicitation – Disparate Certification - Barnstable

This agreement is made and entered into this 6th day of July 2022, by and between the Town of Barnstable, the Town of Yarmouth, the Town of Falmouth and the County of Barnstable.

Whereas the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation from the United States Department of Justice has been made on the basis of a Joint Application Award Amount due to determination as a Disparate Certification including the Town of Barnstable, the Town of Yarmouth, the Town of Falmouth and the County of Barnstable hereby agree that the total funding of \$38,740 be allocated as follows:

Town of Barnstable	\$18,183
Town of Yarmouth	\$10,041
Town of Falmouth	\$10,516
County of Barnstable	<u>\$ 0</u>
 Total	 <u>\$38,740</u>

The Town of Barnstable will serve as the applicant and the fiscal agent of the grant on behalf of all the aforementioned entities.

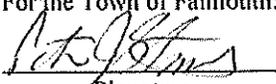
Each party to this agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for the furnishing of services by any other party.

Each party to this agreement shall provide the Barnstable Police Department, the applicant and fiscal agent, with timely information as to grant expenditures and progress as may be necessary for the proper administration of this award.

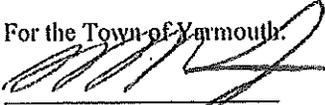
For the Town of Barnstable:

_____ Signature	_____ Printed Name	_____ Title	_____ Date
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For the Town of Falmouth:

 Signature	Peter Johnson-Stauch Printed Name	Acting Town Manager Title	7/14/22 Date
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For the Town of Yarmouth:

 Signature	Robert Whritenour Printed Name	Town Administrator Title	7/12/22 Date
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For the County of Barnstable:

_____ Signature	_____ Printed Name	_____ Title	_____ Date
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CONSENT AGENDA

2. Administrative Orders

- c. Approve Warrant for the Tuesday, September 6, 2022 State Primary

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR 2022 STATE PRIMARY

SS.

To the Constables of the Town of FALMOUTH

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

- Precinct 1: Town Hall
- Precinct 2: John DeMello (old) Senior Center
- Precinct 3: Falmouth High School Gymnasium
- Precinct 4: St Anthony's Lodge
- Precinct 5: Saint Elizabeth Seton Church Hall
- Precinct 6: Falmouth High School Gymnasium
- Precinct 7: Waquoit Congregational Church Hall
- Precinct 8: Navigator Club
- Precinct 9: Jewish Congregation Community Center

ON TUESDAY, THE SIXTH DAY OF SEPTEMBER, 2022, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

- | | |
|---------------------------------|--|
| GOVERNOR | STATE WIDE |
| LIEUTENANT GOVERNOR | STATE WIDE |
| ATTORNEY GENERAL | STATE WIDE |
| SECRETARY OF STATE | STATE WIDE |
| TREASURER | STATE WIDE |
| AUDITOR | STATE WIDE |
| REPRESENTATIVE IN CONGRESS | NINTH DISTRICT |
| COUNCILLOR | FIRST DISTRICT |
| SENATOR IN GENERAL COURT | PLYMOUTH & BARNSTABLE DISTRICT |
| REPRESENTATIVE IN GENERAL COURT | BARNSTABLE, DUKES & NANTUCKET DISTRICT |
| REPRESENTATIVE IN GENERAL COURT | THIRD BARNSTABLE DISTRICT |
| DISTRICT ATTORNEY | BARNSTABLE COUNTY |
| SHERIFF | BARNSTABLE COUNTY |
| COUNTY COMMISSIONER | BARNSTABLE COUNTY |

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 25th day of July, 2022

Nancy R. Taylor, Chairman _____

Onjalé Scott Price, Vice Chairman _____

Samuel H. Patterson _____

Douglas C. Brown _____

Edwin P. Zylinski II _____

FALMOUTH SELECT BOARD

By the virtue of this warrant, I have this day notified and summoned the inhabitants of the Town Of Falmouth qualified to vote, as said Warrant directs by posting an attested copy thereof in Town Hall and Every Precinct in the town.

Constable, Town of Falmouth

Date

CONSENT AGENDA

2. Administrative Orders

- d. Vote to accept donation from Teaticket Civic Association in the amount of \$600.00 to the Veterans Department Donation Account

TOWN OF FALMOUTH SCHEDULE OF DEPARTMENTAL PAYMENTS TO THE TREASURER

Dept:

Veterans' Services

7/19/2022

FROM	SOURCE#	AMOUNT	TOTAL
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28-543-5560-4830

Teaticket Civic Assoc.
6 Narragansett St.
E. Falmouth, MA 02536

\$600.00

TEATICKET CIVIC ASSOCIATION *PAUL AFFSA*
6 NARRAGANSETT ST
E FALMOUTH, MA 02536-7337

7/11/22 Date

892
53-447/113
931

Pay to the Order of *Veterans Council* \$ *600*⁰⁰
*Six Hundred +*⁰⁰ Dollars

ROCKLAND TRUST

For *Donation*

Paul Affsa MP

0892

\$600.00

To the Accounting Officer:

The above is a detailed list of the monies collected by me amounting in the aggregate to Six Hundred and 00/100 Dollars, Dollars, for the period ending 7/19/22, which I have paid to the Treasurer, whose receipt I hold thereof.

Julie Cadogan
Julie Cadogan, Administrative Assistant

To the Department Officer making the payment:

Received from the Veterans' Services Dept. department, the sum of Six Hundred and 00/100 Dollars, for Dollars collection as per schedule of this date, 7/19/22 filed in my office.

CONSENT AGENDA

3. Review and Vote to Approve Minutes of Meetings

- a. Public Session – June 6, 2022; June 13, 2022; June 21, 2022*;
July 11, 2022
- b. Executive Session – July 11, 2022 #1 and #2

*NOTE: The minutes of June 21, 2022 are being finalized.

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
Open Session
MONDAY, JUNE 6, 2022
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: Dr. Nancy Taylor, Chair; Onjalé Scott Price, Vice Chair; Sam Patterson; Doug Brown; Scott Zylinski.

Staff Present: Peter Johnson-Staub, Acting Town Manager; Maura O'Keefe, Town Counsel.

1. Call to Order by Chair Taylor at 6pm.
2. Pledge of Allegiance

COMMITTEE INTERVIEWS AND APPOINTMENTS

1. Interview, Vote and Appoint/Re-Appoint Committee Members

Regulatory Boards

- a. Board of Assessors – Brian Ridgeway
Mr. Brown motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.
- b. Board of Health – George Heufelder
Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.
- c. Conservation Commission –
Jamie Mathews is seeking reappointment.
Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Courtney Bird served on the Conservation Commission since around 2003.

Chair Taylor motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Melissa Freitag has been a public servant since mid-1990's and in Falmouth since 2005, she has been volunteering with the Historical Commission and served as Vice Chair on the Coastal Resiliency Action Committee.

Mr. Patterson motion to appoint to a term ending 6/30/23. Second Ms. Scott Price. Vote: Yes-5. No-0.

- d. Historical Commission –
Edward Haddad, Chair, has been involved in the Historical Commission since 2006.
Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Tamsen George

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Mason Wilcox is seeking to be back on it, it has been seven years since he has served on this Commission, he has a home in a historical district.

Mr. Patterson motion to appoint to a term ending 6/30/24. Second Mr. Zylinski. Vote: Yes-5. No-0.

- e. Zoning Board of Appeals –
Gerald Potamis is seeking full appointment. In response to Mr. Zylinski's question asking what is his opinion of the Open Meeting Law, Mr. Potamis said that the open meeting law should be followed as best we can.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Mr. Brown. Vote: Yes-2. No-3 (Ms. Taylor, Ms. Scott Price, Mr. Zylinski.). Not appointed.

Susanne Murphy applied in September and is now reapplying, she has zoning experience in another town. She watches the meetings from her home. Mr. Zylinski indicated he did not have enough time review the applicant's experience in another town and felt he could not make a qualified decision.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Mr. Brown. Vote: Yes-3. No-2 (Chair Taylor, Mr. Zylinski.)

D. Scott Peterson

Mr. Brown motion to appoint to a term ending 6/30/24. Second Chair Taylor. Vote: Yes-5. No-0.

Mr. Zylinski questioned the number of vacancies on the ZBA. Mr. Johnson-Staub responded that Ed Van Keuren's seat is vacant, Mr. Zylinski's seat is vacant and he was uncertain of the date of Rob Dugan's resignation but the Board could appoint a person to that seat to be effective on a date certain.

Non-Regulatory Boards

- a. Affordable Housing Committee –
Gina Torielli, Precinct 2.

Ms. Scott Price motion to appoint to a term ending 6/30/25. Second Mr. Patterson. Vote: Yes-5. No-0.

David Garrison

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

- b. Beach Committee –

Heather Burke told the Board Barb Schneider supports her appointment, she lives in Falmouth Heights, and supports the sustainability of the beaches.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

- c. Bicycle and Pedestrian Committee –

Nathaniel Clark is a regular rider of the bike path, believes it to be one of the greatest Town resources. He would like to keep it in good shape and have more walking/biking opportunities.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Michael Spall-withdrew his application.

Peter Mili

Mr. Patterson motion to appoint to a term ending 6/30/23. Second Ms. Scott Price. Vote: Yes-5. No-0.

Katherine Jansen is a member of Board of Directors of a MA nonprofit, volunteers for Neighborhood Falmouth, and is an avid bicycle rider.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Mr. Zylinski. Vote: Yes-5. No-0.

- d. Cape Light Compact –
Scott Mueller has been an Energy Attorney in MA for 35 years, retiring from full time practice, and looking to keep active. Should the incumbent want to continue, also interested in serving on the Energy Committee.

Mr. Brown has worked with him and believes he would be an asset to any group.

Ms. Scott Price found Mr. Mueller's application and resume impressive with great experience.

Mr. Patterson motion to appoint to a term ending 6/30/24. Second Ms. Scott Price. Vote: Yes-5. No-0.

Mr. Johnson-Staub noted interest from another individual who previously served in this position, Matthew Patrick.

- e. Council on Aging –
Brenda Swain

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

Chair Taylor thanked Jim Vieira who served the Council on Aging since 2012 and has been chair of since 2013. She noted he also served as Chair of the Senior Center Building Committee and thanked him for his dedicated service.

- f. Cultural Council –
Susan Stern is hoping to become a contributing member.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Ms. Scott Price. Vote: Yes-5. No-0.

- g. Energy Committee –
Scott Mueller

Mr. Patterson motion to appoint to a term ending 6/30/23. Second Mr. Zylinski. Vote: Yes-5. No-0.

- h. Human Services Committee –
Kathleen Soltesz

This item was held for a future meeting so that the Board can get more information from the applicant.

- i. Sandwich Road Fire Station Building Committee –

John Elliott is currently serving as the alternate member and seeking to fill the vacant permanent member.

Mr. Patterson motion to appoint to a permanent position until completion. Second Mr. Zylinski. Vote: Yes-5. No-0.

- j. Solid Waste Advisory Committee –
D. Scott Peterson

Mr. Brown motion to appoint to a term ending 6/30/25. Second Mr. Zylinski. Vote: Yes-5. No-0.

- k. Water Quality Management Committee –

Stephen Leighton is applying for reappointment, he took a year off because of term limits.

Mr. Patterson motion to appoint to a term ending 6/30/25. Second Mr. Brown. Vote: Yes-5. No-0.

2. Vote committee reappointments (uncontested seats)

Chair Taylor recused herself.

Affirmative Action Committee
Terry Alves Hunter

Ms. Scott Prices said she has concerns that Ms. Alves Hunter has gone beyond the scope of the committee as a member.

Mr. Patterson motion to defer the applicant's appointment. Second Mr. Zylinski. Vote: Yes-4. No-0. Recused: 1 (Chair Taylor.). Appointment deferred.

Agricultural Commission

Karen Schwalbe and Jack Simons

Mr. Patterson motion to appoint both applicants to terms ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Bicycle and Pedestrian Committee

Neil Aluru

Edward Gross

Mr. Patterson motion to appoint both applicants to terms ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Cable Advisory Committee

Michael Eder

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Cape and Vineyard Electric Cooperative

Rosemary Carey

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Cape Cod Water Protection Collaborative

Ray Jack

Mr. Patterson motion to appoint to a term ending June 30, 2024. Second Ms. Scott Price. Vote: Yes-5. No-0.

Commission on Substance Use

Beverly Ciavola

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Constable

Ronald Braga

Mr. Patterson motion to appoint to a term ending June 30, 2024. Second Ms. Scott Price. Vote: Yes-5. No-0.

Council on aging

Elizabeth Hike

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Cultural Counsel

Marilyn Rowland

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

EDIC

Mark Lowenstein

Thomas Feronti

Mr. Patterson motion to appoint to terms ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Golf Advisory Committee

Robert Pacheco

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Human Services
Deb Berglin

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Recreation Committee
Robert Brown
Michael Heylin

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Shellfish Advisory committee
Scott Lindell
Brigan Ridgeway
John W. Sylvia, Sr.

Mr. Patterson motion to appoint to terms ending June 30, 2025. Second Ms. Scott Price. Vote: Yes-5. No-0.

Steamship Authority-Port Council
Robert S. C. Munier

Mr. Patterson motion to appoint to a term ending June 30, 2024. Second Ms. Scott Price. Vote: Yes-5. No-0.

Upper Cape Water Supply Cooperative
Ray Jack

Mr. Patterson motion to appoint to a term ending June 30, 2024. Second Ms. Scott Price. Vote: Yes-5. No-0.

Veteran's Council Committee
Robert Foos
Paula Smith

Mr. Patterson motion to appoint to terms ending June 30, 2023. Second Mr. Zylinski. Vote: Yes-5. No-0.

Water Quality Management Committee
Thomas Duncan

Mr. Patterson motion to appoint to a term ending June 30, 2025. Second Mr. Zylinski. Vote: Yes-5. No-0.

Waterways Committee
Joseph Voci
Charles Eastman

Mr. Patterson motion to appoint to terms ending June 30, 2025. Second Mr. Zylinski. Vote: Yes-5. No-0.

1. Proclamation – Day of Portugal – June 11, 2022
Mr. Patterson read the proclamation in the packet as a motion. Second price. Vote: Yes-5. No-0.
2. Recognition
Chair Taylor congratulated the students, staff, and the administration of the Falmouth School System for a successful school year. She attended the graduation and found it well done.

The Board commented that this year's FHS graduates spent half their high school career in the pandemic and that it is nice to see such a strong school system.

3. Announcements –

Chair Taylor announced the Board of Directors of the Portuguese American Association (PAA) requested June 11th be deemed Day of Portugal. PAA will host a Portuguese American celebration that day.

DPW Director Peter McConarty reported that for a bit of time there have been trash difficulties with Republic Waste and he has been in daily conversations with management at Republic. Republic is having trouble finding CDL drivers who are qualified under the new regulations. Republic has said that trash pickup will be caught up by tomorrow and recycling will be caught up by Wednesday or Thursday. Mr. McConarty will set a meeting with the Republic General Manager to review expectations; DPW resources should not be used to field calls regarding Republic's services.

The DPW helped relieve the situation, by opening the waste management facility beginning tomorrow for a week from Friday, residents may bring their trash for no charge. No MA-DOT banned items accepted.

Mr. Johnson-Staub noted we have to be mindful of the open meeting law. He looks forward to putting this on the agenda so there can be more dialogue with DPW director about this matter.

Mr. McConarty noted that DPW sent out RAVE alerts. He encouraged residents to sign up for alerts on the DPW page of the town website.

4. Public Comment

Dave Moriarty, resident, reminded the community about the Mayflower Wind forum to be held on 6/8/22 at the 6pm at Lawrence School. Encouraged all to attend.

5. Vote to affirm appointment of Building Commissioner

Mr. Zylinski made a declaration that applicant and he are members of a private club, and it will not affect his judgement.

Mr. Johnson-Staub said that Gary Street has been working as local inspector for the Town since 2002. Gary is highly qualified, and he will do a fine job. Mr. Johnson-Staub is seeking the Board's affirmation for the appointment. Mr. Street is not asking to waive residency requirement because he lives in Falmouth.

Mr. Brown stated that he is a contractor, he gets building permits sometimes, so he will abstain from voting.

Mr. Street said over 12,000 permits have been issued from their office since January 2022. The people working in the office are professionals, know their job, and they run the show. He is just an orchestrator. He is very fortunate to have the people working in the Building Department, and they deserve the credit.

Mr. Patterson motion to affirm the appointment of Mr. Street. Second Ms. Scott Price. Vote: Yes-4. No-0. Abstain-1 (Mr. Brown.)

TOWN MANAGER'S PRELIMINARY REPORT

Mr. Johnson-Staub commented on two items on the consent agenda; one is to grant a license for a parking space under administrative orders item a. Jim McLoughlin, Town Engineer, said that there is limited space for off-street parking; however, the property owner could add a third parking spot on the Town right of way. Other property owners in the area have installed similar parking spaces without a license agreement. The Town would retain the rights to that area if it is needed for some future use.

Mr. Johnson-Staub is asking the Board to approve item d., the conflict of interest disclosure for himself to participate in a study of compensation levels for 45 non-union positions, listed in the packet. Normally he would participate in the study and develop a recommendation for the Board. As the Acting Town Manager and permanent Assistant Town Manager, one of the positions affected will be his own position as Assistant Town Manager. He is working with an outside consultant on that compensation study.

The item regarding the Petition on surplus Falmouth Police Department (FPD) firearms presented by Deborah Warner asks the Board to prevent the FPD from trading in the guns as part of their contract to purchase new weapons. That process was put on hold during the Board's review. Upon the Board's approval of the disposal of firearms policy, Mr. Johnson-Staub signed a contract to finalize that transaction. Atty. O'Keefe said the contract is binding, backing out now would be a breach of contract.

CONSENT AGENDA

1. Licenses

- a. Approve applications for six (6) One-Day Sunday Entertainment Licenses – Falmouth Yacht Club, 290 Clinton Avenue, Falmouth – 6/26, 7/10, 7/31, 8/14, 8/28, 9/4 – 4:00 pm to 6:00 pm

Mr. Brown asked if this is different than the one brought last summer that neighbors complained their driveway was blocked during events.

Mr. Johnson-Staub said it is similar to what they submitted last year and was not approved last year because of concerns it would block the driveway.

Jay Keegan, applicant, reported that last year the permit was approved, and they held 6 outside concerts. They now stay clear of the driveway and monitor the area. The goal is to keep members outside of the building and away from potentially getting COVID.

Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

- b. Approve Application for New Class I Motor Vehicle Dealer License – Capstan Yachts, 56 Scranton Avenue, Falmouth

Mr. Patterson motion approval, on the Consent Agenda items not individually acted on. Second Ms. Scott Price. Vote: Yes-5. No-0.

2. Administrative Orders

- a. Approve Grant of License to John Bowen to install a parking space in front of the home at 102 Grand Avenue

Mr. Zylinski asked if this would change the lot coverage with respect to parking and paving on his lot. According to Mr. Bowen, space is limited in Falmouth Heights. Mr. Zylinski stated that it changes the lot coverage when you add parking. He asked Mr. Bowen if he contacted Zoning to see if it changes and forces his lot into nonconformity. Mr. Bowen stated that he sent letters to the Zoning Board of Appeals, Conservation and the Select Board. Mr. Zylinski stated that if any part of a new structure goes onto his lot, it decreases his lot coverage.

Mr. Patterson noted this license gives the Town some control over how long he can be permitted to park in this space.

Marc Finneran, 98 Grand Ave., lives close to the property. Mr. Bowen is doing work to his house, he removed all the front yard to the level of the road and a historical boundary was removed. Mr. Bowen is in process of covering the whole lawn around the house with patio stones. He is asking for one space, and the reality is, there is no demarcation, lawn covered with patio. He called the Highway Department and was told they were never notified, and were uneasy about this. Mr. Bowen said Highway was notified, they told him their concerns and he addressed them. Mr. Bowen said there is a front driveway area on his property, the other is on a private road.

Mr. Johnson-Staub reported there was some trepidation on the DPW's part, it was brought forward but it was not rejected, it is an accommodation to the homeowner. Mr. Bowen is seeking to get approval the right way.

There is no commercial purpose related to this parking space and it is a residential neighborhood.

Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

- b. Approve request from the Falmouth Cultural Council for a waiver of the special event permit fees for the Falmouth Art Market at Marina Park on Thursdays from 6/30/22 to 9/1/22
- c. Approve request for sign variance from the East Falmouth Village Association for temporary off-premise signs for the East Falmouth Village Association Annual Meeting

- d. Vote to approve request for exemption under the Conflict of Interest Law, G.L. c. 268A, § 19(b)(1), Disclosure by non-elected municipal employee of financial interest and Determination by Appointing Authority – Acting Town Manager, Peter Johnson-Staub, relative to TAM compensation study
- e. Sign Bond Anticipation Note - Teaticket School Roof
- f. Approve letter of support for Resilient Woods Hole on the request of Woods Hole Oceanographic Institution
- g. Approve request from Marine and Environmental Services to apply to the Office of Coastal Zone Management (CZM) for grant funding from the FY23 Coastal Resilience Grant Program

Mr. Patterson moved to approve all those items under the Consent Agenda not held . Second Ms. Scott Price. Vote: Yes-5. No-0.

BUSINESS

1. Petition related to surplus police department firearms
Deborah Warner, Precinct 2, read a statement and was accompanied by a group of individuals. According to Ms. Warner, they are here to present a petition with more than 300 names of members of Falmouth requesting that the Board reconsider the recent decision that permitted semi-automatic long guns to be turned over to a gun dealer. They are requesting that these and future guns retired by the Town be dismantled and destroyed. They are ready to assist in making this a reality.

Mr. Brown felt it appropriate to talk about it and is determined to have a policy that was crafted to either allow the destruction of weapons, or the opportunity for resale to Falmouth Police Department officers. The policy now determines to only sell to local law enforcement officials.

Richard Duby, Precinct 6, stated that at a previous Board meeting, Town Counsel advised the Board they have an obligation to do their best to maintain the health and safety of the Town. There is nothing to prevent a FPD police officer who purchases one of the weapons from selling those rifles, they could sell to someone in another state through dealers. He believes the Board made a mistake, this is a binding contract, but he received emails from Board members filled with misinformation about this transaction including; it would be illegal for officers to sell the weapons and it is unlikely the weapons would be used to shoot someone. Mr. Duby asked the Board to consult with Town Counsel, find a way to make Powderhorn whole and find a way to get these weapons back to be destroyed.

Mr. Patterson agrees with Mr. Duby's motives, but this is not a simple problem, nor a problem that can be solved here. This is very complex, many other states operate differently, he is against it, but what Mr. Duby is asking the Board to do is against Massachusetts Procurement Law, and the probability of these guns actually being used to kill anyone is small. Mr. Patterson sees this as such a critical decision; it is his duty to follow the law and regulation and from hence forth we have an opportunity to destroy those weapons instead of trading them in.

Dr. Greg Parkinson, 12 Old Silver Lane, Precinct 5, School Physician for Falmouth. Dr. Parkinson thanked the police for the job they did in protecting the children at North Falmouth Elementary during the shooting incident two weeks ago, thanked the teachers, thanked the administration for looking back at policies to see whether or not there are more things that can be done in the current climate to keep our children safe. It is abominable that in light of the events in the last two weeks that anyone could say the likelihood of being killed by an automatic rifle is unlikely. There is a clear relationship between gun ownership and gun deaths, whether homicide or suicide, intentional or unintentional. We cannot solve the problem for the entire country by ourselves, but the reason the U.S. has so much more of a problem than any other Western country has to do with the U.S. having so many guns. The Board's reversal of this decision would be symbolic and practical.

Mr. Zylinski said no one has talked about the mental health issue that goes along with this problem. Guns are necessary to keep the bad people away.

Barbara Schneider, Precinct 4 Captain, said the intent when the money was voted for the guns at Town Meeting was that they buy the new weapons, hoping there would be a way to destroy the retired guns, so they are not on the street again. She asked the Board to reconsider their decision and to do what Town Meeting authorized.

Reverend Will Mebane, 103 Main St., said there are few guarantees in life, this is an opportunity for a guarantee; the weapons we are talking about will never be used in a shooting of any kind if they are destroyed. The homes of FPD Officers are not immune from break in, suicide, domestic disputes, and they may sell the weapons to someone in the community. There is no guarantee that if a gun is sold to a FPD officer, that the guns will never be used for destruction or death. He asked the Board to breach the contract and have the citizens determine to make Powderhorn whole.

Ms. Scott Price noted there is a lot of energy in this room around this issue, and she hopes the same energy is there for discussing what we can do as a community and nation to stop this gun violence from happening.

The Board took this under advisement.

Chair Taylor called a five minute recess.

2. Report – Golf Advisory Committee

Mr. Carey Murphy made a PowerPoint presentation. The Falmouth Country Club property is an opportunity for recreation.

Ryan Phelps, Indigo Sports Vice President of Operations, General Manager Matt Burgess, and Director of Marketing Steve Howard made a presentation. The sport of golf has been doing well. The highest rounds ever played was last year. Equipment sales are increasing. Billy Casper Golf made an agreement with the Town; they changed the name to Indigo Partners, which was purchased by Troon in December 2020. Troon is a big company and has 630 golf courses in over 30 countries.

Mr. Burgess reviewed the capital improvements and the maintenance of the golf course. They have community programs including a Women's league, kids play free with paying adult, and the Falmouth Recreation Junior Summer Program. Residents of Falmouth and Mashpee get special deals to play golf at the Falmouth Country Club.

3. Report – Historical Commission

Mr. Haddad introduced Historical Commission members who were also present at the meeting: Christian Valle, Annie Dean, Johannes Reed, Tamsen George, and Lee Drescher.

The Commission has a Regulatory role, they issue certificates of appropriateness to homes within the seven historical districts. They also advise on the preservation of Falmouth's historic assets. There are 1,500 homes older than 1950 in Falmouth and not all are in historic districts. Regulatory activity was shown from 2017-2022, showing the number approvals done administratively and showing the number of hearings held. Most administrative approvals are made in 2-3 days. The Commission maintains a list of historic buildings that are not in a historic district.

Completed phase four of their Historic Resource Inventory. Submitted a Form B, which defines/describes the architectural features, why the house was important, who lived in it, style, and provides the history of the home.

Completed a Form C, which identifies structures that are not a home, such as the three Water Troughs in Town.

Put in motion the planned preservation of the Old Burying Ground gravestones.

The Commission is involved with the restoration of the Edward Marks Building.

The Commission has also identified the Crown Circle neighborhood as a candidate for an historic district. They will provide the residents with information about how an historic district can preserve the character of their neighborhood and decide on whether to move forward with a district.

4. Allocation of County American Rescue Plan Act of 2021 (ARPA) funds

Mr. Johnson-Staub showed a slide, the purpose of this item is to seek Board approval to allocate the ARPA funds allocated by the County to the Town. There has been controversy and discussion about the County's allocation of ARPA funds to the Towns, initial outcome \$10 million out of the \$30 million to be allocated to the Towns. There is controversy on whether the funds would be stewarded by the Cape Cod Commission for regional projects and if there would be an application process through the Commission. Many municipalities asked the County to allocate the funds to the towns without further process and delay. The Town received \$1,334,000, and Mr. Johnson-Staub recommends allocating the entire amount. A slide was presented as a reminder of some allocations the Board already made that were received directly by the Town. \$2.4 million of the \$3.2 million allocated to the Town directly by the Federal Government.

Mr. Johnson-Staub recommends two capital projects bid, and over budget due to pandemic-related pricing issues. 1) Nye Park hard courts project was described. The courts are in disrepair. They include pickle ball courts, which may alleviate some pressure from the use of the Lawrence School courts. 2) Water Treatment Facility Upgrades at Coonamessett and Crooked Pond wells. This project is about \$200,000 short of available funds.

Mr. Johnson-Staub recommends the balance of the funds be expended for wastewater treatment facility upgrades. The Town has already allocated \$1.7 million. Construction funds were approved at last Town Meeting and the subsequent debt exclusion approved at the May 2022 ballot. \$1.7 million was for design and \$1,024,000 is for construction. The project is funded by debt exclusion, by bringing in grant funds, it reduces the amount of money that they need to borrow. When they ask for a debt exclusion, it allows the ability to raise taxes they would not otherwise be authorized to raise. But the total debt is managed very closely to keep it to approximately the same amount each year. This type of managing prevents spikes in the tax burden.

Mr. Brown would like to see if changes to the wastewater treatment planning could afford the Town to prioritize a sewer main through the East Falmouth Village, which would promote the opportunity for redevelopment, which could lead to more affordable housing. He attended the Water Quality Management Committee meeting recently and they may be interested in this. He also presented this idea to the Planning Board in order to gauge support and interest, prior to presenting the idea to the Select Board.

Mr. Patterson agrees, this may be an opportunity to get a better handle on the risks.

Ms. Scott Price asked for a timeline to receive the remainder of the funds from the County, since there is no estimate of a timeline

Mr. Brown believes the County may try to keep the \$30 million and then use a portal to allocate funds to individual projects. Ms. Scott Price said if we expect additional funds that can be drawn down soon, we could look at the planning now for the rest of the funds and use these funds as suggested.

Chair Taylor agrees with Ms. Scott Price. The assumption is that Mr. Johnson-Staub worked with Finance Director Jennifer Mullen, and a lot of thinking, planning, and number crunching has gone into this planning. She supports the use of the ARPA funds as broken down in the slide presented by Peter Johnson-Staub.

Mr. Zylinski asked if the grant could be used as flexible funds for unexpected increases.

According to Mr. Johnson-Staub, the funds can be used to offset the total appropriated at Town Meeting or as a supplement the total allocated by Town Meeting. One concern is that the County is looking at how quickly the municipalities use the money allocated and may use that information to determine what the additional \$20 million is spent on. We want to send a message that we have projects and we are ready. In response to Mr. Brown's question of holding the funds for these other projects, if they are potentially cash spending, then there might be a reason to hold off and not allocate the funds against these borrowing projects. But for projects we would borrow for anyway it, it is all the same, because we are managing to one total debt limit. By allocating to this project, it frees it up for the next project.

Mr. Patterson asked where would the County like to see the money be allocated. Mr. Johnson-Staub said that the Cape and Islands Water Protection Fund is funding projects that qualify for the State's revolving fund program, like water quality projects. That entity does not do priority setting. How to best use the ARPA funds, it is about putting together a financial package that we can afford.

Mr. Brown asked if it is better to use the money for design, he would like to use the million dollars to have an engineer to design construction of a sewer main through East Falmouth Village and then apply for additional funding for the project.

Chair Taylor supports the plan to divide up the ARPA funds as presented tonight by Mr. Johnson-Staub, noting her concern is that we are not there yet, she supports what is right now and to be ready to go back to report to the County the money was spent.

Chair Taylor motion to accept Mr. Johnson-Staub's recommendation for spending the ARPA funds as outlined in the document reviewed and in the packet. Second Ms. Scott Price. Vote: Yes-4. No-1 (Mr. Brown).

PUBLIC HEARINGS

1. Wetlands/Dock – Stephen H. Ogilvy, Jr. – Application for Special Permit to reconstruct and license an existing pier, ramp and float in the waters of Siders Pond located at 110 Siders Pond Road, Falmouth

Ms. Scott Price read the hearing notice.

Tom Bunker, BSS Design, prepared the plan for the applicant for a special permit to erect and maintain a dock in Siders Pond. He made a presentation, reviewed the GIS map, location, and described the area; noting it is in a flood zone, but not a velocity zone. The view from the site to the pond was shown, there is a pier to the south of this location and one to the north. Reviewed the plans and reported the project was approved by the Conservation Commission. The ramp and float project out about 25 feet into the water, depth of water ranges from 6 feet to 9 feet deep, and it conforms with all wetland regulations for depth of water for a facility like this. The dock is only for kayaks and water recreation. There is a stone wall and stairs down the bank, a float for kayaking and casual water recreation. No power boats are used on the pond. Under Chapter 91 every structure must allow for access along the water's edge below the high water line. There are a couple steps going up and down each side, the water drops off quickly in depth, about 1.5 feet deep, and it will enable people to walk the edge of the pond.

Mr. Patterson noted that on p. 5 item 6 of the Order of Conditions, the expiration date, is blank. According to Mr. Bunker, in general, the order is good for three years.

Mr. Patterson motion to close the hearing. Second Ms. Scott Price. Vote: Yes-5. No-0.

Ms. Scott Price motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Johnson-Staub reported that they are aware of Republic's shortfalls in keeping up with scheduled pickups, and are seeking to address them; it is not a simple and quick solution. DPW worked with the Finance Director, outside counsel, and the former Town Manager on the renewal of the curbside collection contract, and it was brought to a close. There was not competition for that contract. Costs went up significantly, and this was anticipated, so the increase was included in the budget. The new contract with Republic Services began on 6/1/2022 and it has better enforcement provisions.

The Mayflower Wind Public Forum will be held on 6/8/2022 at 6pm at the Lawrence School. The forum will open with preliminary remarks on the Select Board goals to date, guidelines to conduct the hearing, and then turn over to Mayflower Wind representatives for presentation for about 15 minutes. The primary intent is to provide information to the public and have the public's questions addressed.

Exponent is the company retained by the Town to communicate the Town's interests. They are not affiliated with Mayflower. Exponent will have an EMF consultant present at the public forum who can speak to questions about that subject matter.

The Human Resources Director left to another Town. Mr. Johnson-Staub is overseeing the Human Resources office. He thanked Cathy Belair, who is taking on additional responsibilities in the absence of a Director, and he thanked Kristin Nickerson who worked for the Human Resources Department and now works for the Police Chief. Kristin continues to assist in the Human Resources office.

There has been a resignation in the Recreation Department--the Program Director. Mr. Johnson-Staub conferred with Finance Director, Jennifer Mullen and Recreation Director, Joe Olenick, and they decided to reinstate the Assistant Recreation Director position rather than the Program Director. It was deemed appropriate for staffing and succession planning.

SELECT BOARD REPORTS

Mr. Brown stated that he may not be able to attend Mayflower Wind Hearing and that is to be determined.

Mr. Patterson:

Mr. Patterson said he is representing the Town informally on the Friends of Nobska Light Board. They had a recent meeting that included the Community Preservation Committee's funding report. Those funds have been used to create a more open floor plan, install new windows, painting, track lighting, security system, electric heat pumps, and to replace some floors with repurposed yellow pine, which is the original material used in the building. Site work is not yet completed, that is why the building is not accessible to the public at this time.

The Cape and Island Municipal Leaders Association One Cape Summit will be Aug. 1-2, 2022 in Harwich.

A request for proclamation for Depot Ave. bus station (150 years old) is reported to be in process.

The Affordable Housing Committee mailed the Board a memorandum looking at two opportunities regarding existing buildings: 1. Home buyers down payment closing costs supplement up to \$30,000 each, income less than 120% AMI is required. 2. Housing Opportunity Purchase Program (HOPP), financial assistance to a buyer for up to \$250,000 per applicant, and must earn less than 80% AMI. The Committee will be attending the next Select Board Meeting with more information.

He and other Board members attended the Town's Memorial Day Service.

Ms. Scott Price:

She has twenty interns this summer with the Woods Hole Partnership Education Program. She also has three researchers this year who will partner with the Falmouth Public Schools, and they will each be matched with teachers and put into the classroom.

Mr. Zylinski:

Mr. Zylinski expressed gratitude for the Memorial Day service, noting that some veterans asked him about maintenance of a memorial near Deacon Ave. He suggested they reach out to Chair Taylor for guidance. Chair Taylor reports not having heard from them as of yet.

DISCUSSION OF FUTURE AGENDA ITEMS

Republic trash service pickup update.

Transportation Committee will have a new Chair. Mr. Brown reported the current Chair and Vice Chair have been disappointed and feel the Board should have been more supportive of their actions. Chair Taylor asked to revisit their mission statement and what they are responsible for, noting that the Board needs to keep their minds on transportation and determine if the mission statement works for that committee.

The Select Board Strategic Retreat and the possibility of it being held over multiple days and twice per year.

Town Counsel training with the Board on the Open Meeting Law and the running of Board meetings.

Ms. Scott Price motion to adjourn at approximately 9:00pm. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

TOWN OF FALMOUTH
SELECT BOARD
Open Session
Meeting Minutes
MONDAY, JUNE 13, 2022
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: Chair Nancy Taylor; Vice Chair Onjalé Scott Price; Sam Patterson; Doug Brown; Scott Zylinski.

Staff Present: Peter Johnson-Staub, Acting Town Manager; Maura O'Keefe, Town Counsel.

1. Chair Taylor called the open session to order at 6:30 p.m. and motioned to convene the executive session under M.G.L. c. 30A s. 21(a)(2) – To discuss strategy with respect to collective bargaining: DPW union and non-union personnel (COVID premium pay) M.G.L. c. 30A s. 21(a)(5) – To investigate charges of criminal conduct or to consider the filing of criminal complaints because to not go into executive session could prejudice ongoing negotiations. Mr. Patterson seconded the motion. It was followed by a roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Ms. Scott Price, aye; Chair Taylor, aye; Mr. Zylinski, aye.
2. The Select Board (Board) was in Executive Session and authorized the Acting Town Manager to pay \$1,000 Covid-19 premium pay to each DPW union employee and non-union Town employee. The Board also considered filing criminal conduct charges during the executive session.
3. Pledge of Allegiance

JOINT MEETING – SELECT BOARD AND AFFORDABLE HOUSING COMMITTEE

Mr. Johnson-Staub thanked the Affordable Housing Committee (AFC), subcommittee, and Attorney Laura Moynihan for their research into items 1 and 2. The purpose of the tonight's meeting is to get more information, noting the staff still needs to research what needs to be done in order to implement these items and how they suggest doing it along with policy decisions that the Board will need to consider. This is an informational session.

Ed Curley, Chair of Affordable Housing Committee said that about a year ago Attorney Moynihan sent letters to the Select Board, the Affordable Housing Committee, the Planning Board, the Zoning Board and other groups with these ideas that she is going to present. She has been working with an Affordable Housing Committee member, and she presented the details of the program to the Affordable Housing Committee, and they recommend the Board consider implementing these as another way to assist in affordable housing.

Ms. Scott Price thanked Mr. Curley for his nine years of service on the AFC, she is excited that he will be around and still participating.

Attorney Moynihan volunteered with the working group that formed by the Affordable Housing Committee to come up with programs. A lot of the research is based on what other towns have in place in the state. They came up with these two proposals. The two programs are distinct. One creates units for subsidized housing inventory so the rules are driven by what the Department of Housing and Community Development (DHCD) would approve under a Local Initiative Program (LIP). The second program would not result in units being added to the Subsidized Housing Inventory (SHI) and DHCD approval is not needed for this program so the Town has more flexibility.

1. Home Opportunity Purchase Program (HOPP)
Attorney Moynihan explained this program and made a PowerPoint presentation explaining this would be a grant program to qualified homebuyers to cover the difference between an affordable sale price and the

market value of the home. The amount the she and the subcommittee are recommending is up to \$250,000 for a 2, 3, or 4 bedroom home. Income limits up to 80% Area Mean Income (AMI) and the household's assets cannot exceed \$75,000 to be eligible to purchase a home through this program. Once the home is purchased a deed rider is placed against the property and it is included in the Town's SHI. When the owner sells the house, the price is restricted per the deed rider as an affordable housing unit.

Maximum income limits were reviewed. First time homebuyer definition according to DHCD was reviewed. The buyers could be reimbursed for initial home inspections, property must be in reasonably good condition, a lottery process, selection of eligible applicants based on the number of grants deemed available. The Board could have a set number of grants each year, perhaps three grants in the first year, and the lottery process would be held after an application eligibility period. An applicant is deemed eligible by the monitoring agent, entered into the lottery, and then three people are picked. Those picked have 120 days to locate a home and may request an extension for up to 90 days. It is unknown at this time if applicants would have to have been residents of Falmouth for some period of time. It is possible eligible applicants could include applicants from other communities, but the home would need to be in Falmouth. They would have to review with DHCD regarding a local preference pool. An applicant would need to have an application submitted by a deadline, applicant prequalified for the lottery, and preapproved for a mortgage. Maximum resale value of the home would be set similar to other homes with affordability in perpetuity. A resale calculator is included in the deed rider. FHA and VA loans would not be eligible because they do not accept the affordable housing deed riders that go with these programs. There are local banks on the Cape that accept the deed restrictions and will finance this type of transaction. The funding would come from the Affordable Housing Trust, created by the special legislation. Would have to work through a staff member to find out what is available and allocated, annually. The Board would review how much they want to allocate for this program for the following year.

The home ownership program would be eligible for CPC funds, but Attorney Moynihan felt the account created with the special legislation would be appropriately used for houses already built. Since this legislation came about, this could give it some purpose as a municipal action because the Town itself is creating the units.

Mr. Patterson noted there are municipalities that are purchasing houses that exist with CPC funds.

Mr. Brown is concerned about a large amount of money for one applicant. The subsidy approved for the Falmouth Housing Corp senior living project is about \$50,000 per unit. The project provides a benefit to multiple families. Attorney Moynihan explained that if you look at the Housing Production Plan the Board adopted, the Town is far behind with the home ownership part of it. The target goal is 56 units over 5 years. The plan talks about the impact of the workforce in the community and the inability to have our workforce members buy a home in the community. In some cases, the cost of rent is more than the cost of a mortgage, so they are purchasing homes in other communities off Cape. Typical DHCD LIP rider would be the protection and recorded with the house upon closing. It includes standard provisions for default and potential sale. The Town has the right to first refusal. The subsidy of up to \$250,000 seems like a lot, but it costs \$400,000 or so to construct a new home, not including acquisition costs of the land. The DHCD representative noted it is a good deal for the community, to build these housing units would cost more than \$250,000 per unit.

Mr. Johnson-Staub stated that he wants to gauge the support of the Board for these concepts.

Ms. Moynihan spoke with Mary Waygan, Housing Coordinator for Yarmouth who has administered a buy-down program and said it is the quickest way the Town will get units on the SHI. It can take at least two years to build similar housing.

Per attorney Moynihan, they did not do formal market research. They looked at what is available and what has been sold in the market. In this kind of market, the market can change, you can have private sales, it does not have to be a large home, and there are many things that make it worth trying. They could do a market analysis with several agents to see what is available.

2. Down Payment/Closing Cost Assistance Program
CPC funding limited to 100% AMI households.

Attorney Moynihan explained this program does not have to be approved by the State, it is in-house. Bourne has a similar program, but the difference is that Bourne's is for down payment and closing cost assistance for deed restricted affordable units. Falmouth has a workforce housing crisis and needs to keep the young people in the community. We need to bring in workers to fill positions, and give them the opportunity to buy in the community. This is for down payment and closing cost assistance and allows applicant's income to be up to 120% of the AMI. Household assets are limited, and it requires the house to be their principal residence. Applicants need to be eligible for the first mortgage. This would be up to 5% of the purchase price and no more than \$30,000. Buyers contribute at least 1.5% of the purchase price, this would be a type of second mortgage security and repaid if the house is sold within five years. The loan to value ratio is 90%, and repayment could be in full if the house is sold at any time. A portion could also be forgiven on an annual basis.

An applicant would apply, submit their information to show they are income-eligible, and they receive a preapproval letter from the program administrator. The applicant would provide a completed confirmation notice from the lender regarding first mortgage approval, copy of the mortgage commitment letter to the buyer, copy of the lender's good faith estimate, copy of the appraisal, and total loan to value of all loans. Closing documents and check from the Town go to the closing attorney once the settlement statement is given to the administrator.

3. DHCD recommended the HOPP program use a professional lottery and monitoring agent that administers the program. The Down Payment/Closing Cost Assistance Program could be contracted out for someone to administer and run it. There is a regional planning commission at the State level where certain municipalities got together to hire monitoring agents to monitor their programs, one office, and towns pay a monthly fee.

Karen Bissonnette, Executive Director of Falmouth Housing Trust, noted that \$250,000 is a great deal of money, but it costs that much to build a house. The Affordable Housing Fund is giving \$100,000 per unit but there is additional subsidy between that number and what the house is sold for that is coming from philanthropy or from other state or federal sources. The Town is not contributing all of that; the money is coming from somewhere. If this program happened, it would be great because the Town would be doing that project and her organization and state agencies could use their funds to do additional homes. The money for this program could come from several sources including ARPA funds, short-term rental money, and the community impact fee. It costs that much money to build these houses. We should not wait; we have to step it up. People are desperate, and this is the best bang for our buck.

Mr. Brown agrees the costs are realistic but wonders about the efficacy to use Town funds and allocating so much to a single applicant when it is such a random luck thing.

Mr. Johnson-Staub said if the Board consensus for these programs is for staff to put time into the research of programs, the next step is for the Board to tell him whether they want to proceed with vetting one or both programs and then return to the Board with more information.

Ms. Scott Price likes both these programs, she is interested in the second program because rent in most cases is more than her mortgage. Some people can afford the rent but cannot save the money for a down payment on a home. There is a great need right now.

Chair Taylor likes the HOPP program. One of the Board's priorities is making housing affordable in Falmouth. Attorney Moynihan donated her time, presented the group's work, and she would like to look into it more closely. Committing to the process of looking closer at these two options that they have not seen before.

Mr. Patterson said both programs make a lot of sense, and the ability to turn around units sooner. He hopes to look to other towns who implemented programs to find out their overhead costs and time investments to determine the impact to the Town and their staff.

Mr. Brown asked if a consultant could do the research on grant opportunities. Mr. Johnson-Staub noted there may be some grants, though he likes to go after grants that have more payback then what it takes to get the grant.

Mr. Zylinski, said by doing it this way, the two years' development time can be equated to money not spent and get something on the inventory more quickly.

Mr. Johnson-Staub would like to talk with the Housing Coordinator about working on these.

The Board supports the Town staff researching these items.

Attorney Moynihan said that the Town could start with just one or two grants, not the three she suggested. It is not about the recipient of the grant, it is about the house because the money goes to permanently restrict that house. The initial grant winner facilitates the purchase of the house, the benefit is that the community gets that house and furthers the state mandated ten percent affordable housing unit goal. The Board decides how close they want to get to the ten percent goal. The \$250,000 remains in the home because the home becomes permanently restricted. When that person decides to sell it, they have to notify the Town, and the Town has the opportunity to find a new eligible buyer. The affordability is in perpetuity. There is a resale multiplier by the DHCD, when the first owner sells. The initial buyer will not get a windfall, but they may get the money back from the capital improvements made to the home.

REGULAR MEETING

1. Proclamations

- a. Eagle Scout Edward "Ned" H. Heywood, Boy Scout Troop 40

Mr. Patterson read the proclamation in the packet as a motion. Second Ms. Scott Price. Vote: Yes-5. No-0.

- b. Falmouth Station 150th Anniversary

Mr. Patterson read the proclamation in the packet as a motion. Second Ms. Scott Price. Vote: Yes-5. No-0.

2. Recognition

Mr. Brown recognized the D-Day invasion of 70 years ago; the bravery showed on the battlefield was pretty incredible.

Mr. Patterson said the Falmouth Rotary Club and the Transitioning Warriors Group hosted a golf tournament fundraiser at the Pocasset County Club, and the funds will be used throughout the Town.

Ms. Scott Price recognized Mr. Curley as Chair of the Affordable Housing Committee and thanked him for his service to the Town.

3. Announcements

Falmouth Police Department (FPD) is collecting baby formula, and there is a drop box at the FPD Headquarters.

Open Ship for Sea Education Association is celebrating its 50th anniversary this year. The ship will be open for tours from 10:00 am to noon on 6/24/2022.

- a. Beach Update

Maggie Clayton, Beach Superintendent, reported the opening date for seven days per week staffing and enforcement is on 6/26/2022. Additional parking attendants were hired, so all parking lots will be monitored by at least two staff members. They will continue sunset hours at Chapoquoit and Old Silver Beach lots. They have close to the number of lifeguards they had last year, and are in an active hiring pattern. Applications are still open on the Town website. Any questions about the job can be directed to the Beach Department or Ms. Clayton. The target number of staff for the ten beaches to be fully staffed is 57 staff; they currently have 42 full time staff, 2 part time staff, and 2 signed up for certification courses. Those staff returning who are unable to commit to a schedule

may be on the per diem substitute list. Parking attendant numbers to get to fully staffed levels require 37 full time attendants and 8 part time attendants. She is trying to be flexible with all applicants by accepting a 2-4 day commitment.

Stickers are being sold at the Surf Drive bath house and processing online orders. They could not do what they are doing without the cooperation of other departments: Town Clerk's Office, Department of Public Works, Marine and Environmental Services for buoys to establish a swim area, and a constant open chain of communication with all department heads.

There was a stranded dolphin at Old Silver Beach this week. Civilians responded to an active drowning situation at Menauhant Beach on Saturday. A swimmer was caught in rip tide, two civilians assisted, others on beach called for EMS, and a nurse on the beach assisted as well. They will formally recognize those people at a later date. Ms. Clayton reminded the community to swim within your abilities and be cognizant of the hazards, including boats and currents.

Pre-season parking lot hours are posted on the Town website and in the local newspaper. Three parking lots: Goodwill, Chapoquoit and Old Silver closed at 9:00 pm on Friday-Sunday nights in response to the initial 8:00 pm closing on Memorial Day Weekend.

Public Comment:

Barbara Schneider received confirmation from two parents of lifeguards, whose children were hired by local private beaches, that their children are getting paid at the level the Beach Committee suggested setting and also being paid for rainy days. The Committee did so much homework, she wishes they were not looking at a low number of guards, and is hopeful that in the future they can work closer together to those numbers.

b. "Open Ship" for Sea Education Association (SEA)

4. Public Comment

Robert Duggan, Falmouth Heights, Former Clerk of the Zoning Board of Appeals (ZBA), watched a recent Board meeting and there was a statement made that he had not given a resignation letter when leaving the ZBA. He submitted the letter to the Town Manager's office, Chair of the Select Board, and Chair of the ZBA. He was approached by someone in the public who saw the meeting and was disappointed that Mr. Duggan did not have the courtesy to provide notice to the Town.

TOWN MANAGER'S PRELIMINARY REPORT

Mr. Johnson-Staub noted the ZBA appointment needs to be revisited. There were three vacancies at the time of the Board meeting, but only two were advertised in advance of the meeting. It was a timing issue. Two terms were advertised, but they mistakenly listed all three terms in the packet. This is a regulatory board, we want to be sure that there is no question about the validity of the appointments. So we are revisiting one of the appointments that was made for a term not advertised.

The current lessee with the Tony Andrews Farm Lease is asking the Town to extend the lease by a 15-year term. It is recommended for approval by the Agricultural Commission, and the Board is the entity that enters the lease. He recommends Board approval of that extension.

The Board at the last meeting allocated all the ARPA funds presently allocated by the County to Falmouth, but because there is an application process for that, there are two items that are over budget and time sensitive and concerned that the county process to approve those projects may not be quick enough to allow the projects to proceed so he is asking that the Board reconsider the allocation of the ARPA funds approved last week.

COMMITTEE APPOINTMENTS

1. Vote to appoint committee member:
 - Zoning Board of Appeals (full member) until 6/30/22 – Susanne Murphy

This term is through 6/30/2022, the reappointment will need to be advertised separately, there were two other terms advertised.

Mr. Patterson motion to appoint Susanne Murphy to a term ending 6/30/22. Second Ms. Scott Price. Vote: Yes-5. No-0.

BUSINESS

1. Andrews Farm lease extension

Mr. Johnson-Staub explained that this will be a 15-year extension added to the end of the 5-year term. The farm is viable. Mr. Andrews is meticulous about maintaining the farm, and has allowed community gardens to do a sublease on the property. The acquisition of the farm is working out well. Mr. Johnson-Staub recommended approval.

Karen Schwalbe, Chair Agricultural Commission, reported that the farm is meticulous, there is a balance of local products at his farm, and the 15-year extension allows him to do some long-term planning.

Mr. Patterson motion approval. Second Mr. Zylinski. Vote: Yes-5. No-0.

2. ARPA allocation correction (Town ARPA for Nye Park and Water Projects)

Mr. Johnson-Staub is asking Board to reconsider the \$110,000 for Nye Park and \$200,000 for water well treatment upgrades be allocated from the direct federal government award, and adjust wastewater treatment upgrades to \$1,334,782. The total amount is increasing in order to fully allocate the County money. The drawdown of the County funds right away demonstrates the Town is ready to spend the funds.

Mr. Patterson motion approval. Second Ms. Scott Price. Vote: Yes-5. No-0.

The Art Market is looking for additional funding for their activities. Mr. Johnson-Staub noted there are a lot of things the Town can spend ARPA money on, but capital projects are the focus.

CONSENT AGENDA

1. Administrative Orders

- a. Approve Eversource petition to install approximately 60' (feet) of conduit and cable under town road northwesterly starting at handhole 293/H2A and to install (1) new handhole labeled 293/H2A in public ROW on side of road at base of existing pole 293/2. This work is to be done to provide electric service to #8 Mast Road
- b. Approve Eversource petition to install approximately 38' (feet) of conduit and cable under town road and to install (1) new handhole labeled 1029/H3A in public ROW on side of road at base of existing pole 1029/3. This work is to be done to provide electric service to #17 Shoreview Avenue
- c. Approve Eversource petition to relocate 1 JO pole labeled 211/3 approximately 30' (feet) southwest towards pole 211/4. Pole to be relocated for customer at #58 Montauk Street.

Mr. Brown opined that the person who sent the letter made valid points, they already have a pole at the other corner of their lot. The Board would like more information to address the issues as outlined.

Mr. Patterson motion to hold item c. Second Mr. Zylinski. Vote: Yes-5. No-0.

Mr. Patterson motion approval of items a and b. Second Ms. Scott Price. Vote: Yes-5. No-0.

2. Review and Vote to Approve Minutes of Meetings

- a. Public Session
May 23, 2022

Mr. Patterson motion approval with edits and release for public access. Second Ms. Scott Price. Vote: Yes-5. No-0.

May 26, 2022

Mr. Patterson motion approval with edits and release for public access. Second Ms. Scott Price. Vote: Yes-5. No-0.

b. Executive Session

May 23, 2022

Mr. Patterson motion approval with edits and not release for public access. Second Ms. Scott Price. Vote: Yes-5. No-0.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Johnson-Staub reported the difficulties Republic Services is having with curbside trash pickup. It is unacceptable, and not something they take lightly. As of 6/1/2022 there is a new contract, and with increased cost, they should have the ability to hire more staff to meet the requirements.

Mayflower Wind (Mayflower) public forum had a lot of strong opposition to the proposed landfall and installation of electrical equipment. There was expressed concern about lack of transparency. The reason there has not been more public discussion is because not much has happened. Mayflower submitted a proposal with both a preferred and alternate location. The Town retained consulting engineers to look at that, but we do not have complete designs to review. Also, per direction of the Board they have pushed back on those two locations. The Board has addressed this appropriately. Mayflower announced they are going to change the plans, the engineering design, from high voltage alternating current to high voltage direct current, which is a substantial change. The Board and staff are waiting for Mayflower to present updated designs and we will have the consulting engineers to take a look at when they are received.

Chair Taylor would like to be more careful on how they use language, it was presented that it is going to happen, it is just a question of how it will happen. Be careful how the Board presents, clear about the control the Board has about this project.

Mr. Brown would like to share the limited information that the Board has been privy to.

Mr. Patterson noted a number of citizens were concerned about noise that may come out of one of these substations. Can one of the contractors working on the Town's behalf provide feedback about the effect on noise?

Mr. Johnson-Staub stated the Town was notified by Massachusetts DEP of proposed new septic system regulations to address nitrogen regulation. We only received an outline of the proposed regulations and there are not a lot of details. The MA DEP would like to meet with staff.

Mr. Patterson said Andrew Gotleib gave a run down and status: official draft regulations will come out in October or November 2022 and driven by a lawsuit against the State and Cape Cod involving nitrogen loading into estuaries and fresh water ponds. This is broad, extensive, and will start pushing people with today's Title V systems to go to more innovative facilities or pushing for more wastewater treatment. Governor Baker has increased the budget for wastewater treatment targeted to coastal communities like the Cape. If our projects can get closer to shovel ready, the Town could tap into this and advance the wastewater treatment planning. The Cape Cod Commission (CCC) Cape Summit will be held on 8/1/2022 and 8/2/2022.

Mr. Brown attended the Cape Cod Commission update on the fresh water pond initiative. They will create a database of water quality of all the freshwater ponds, and are committed to paying for the testing of the monitoring. Conservation Law Foundation original lawsuit was against DEP and CCC for not enforcing individual septic owners as target loads.

SELECT BOARD REPORTS

Ms. Scott Price and Mr. Zylinski attended the Day of Portugal on 6/11/22.

DISCUSSION OF FUTURE AGENDA ITEM

Trash contract: Are there ways to monitor, manage, and enforce. Mr. Johnson-Staub welcomes the Board's suggestions. They may not need an agenda item to talk about it, but he will keep the public and Board updated on the status.

The Board's next regular business will take place on 6/27/2022.

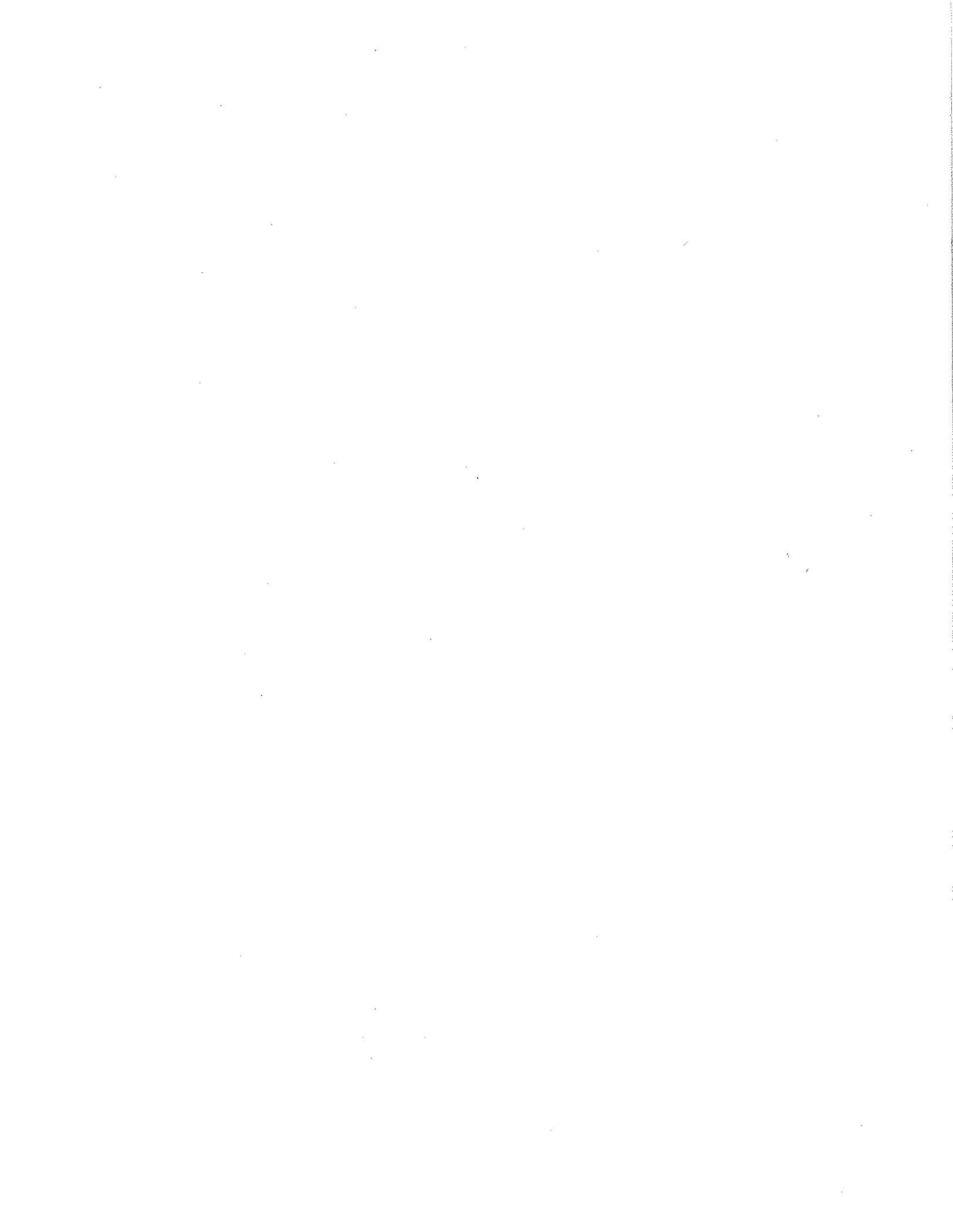
The next Board meeting is on 6/21/2022 for a hearing at 1:00 p.m.

Ms. Scott Price motion to adjourn. Second Mr. Patterson. Vote: Yes-5. No-0. .

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT



TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
Open Session
MONDAY, JULY 11, 2022
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: Dr. Nancy Taylor, Chair; Onjalé Scott Price, Vice Chair; Sam Patterson; Doug Brown; Scott Zylinski.

Staff Present: Peter Johnson-Staub, Acting Town Manager; Jennifer Mullen, Finance Director; Peter McConarty, DPW Director.

1. Chair Taylor called the open session to order at 6:00 p.m.

Mr. Brown motioned to convene the executive session 1. M.G.L. c.30A s.21(a)(2) – To discuss strategy with respect to collective bargaining: AFSCME Unit C (Dispatchers) 2. M.G.L. c.30A s.21(a)(2) – To discuss strategy with respect to collective bargaining: AFSCME Unit A, Unit B, Unit C (COVID premium pay) 3. M.G.L. c.30A s.21(a)(2) – To discuss strategy with respect to contract negotiation with non-union personnel (Julian M. Suso, Town Manager) because to not go into executive session could prejudice ongoing negotiations. Mr. Patterson seconded the motion. It was followed by a roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Ms. Scott Price, aye; Chair Taylor, aye; Mr. Zylinski, aye.

2. Chair Taylor reconvened the open session at approximately 7:00 p.m.
3. Pledge of Allegiance
4. Proclamations

- a. Eagle Scout Domenic Bowen, Boy Scout Troop 38

Mr. Bowen told the Select Board about his Eagle Scout project in the front picnic area of the Falmouth Service Center. The scouts worked on fixing areas of the brick walkway, cleaned the overgrown garden area, and cleaned the picnic tables. Many scouts worked on this project, and everyone worked together as a team.

Mr. Patterson read the proclamation as a motion. Second Ms. Scott Price. Vote: Yes-5. No-0.

- b. Eagle Scout Rigel Laundre, Boy Scout Troop 38

Mr. Laundre described his project to the Board. Teaticket Park had an old rusty fence along the wetland area. The scouts removed that fence and installed a new post with beam fence to allow wildlife open access to the area. They also installed bird houses.

Mr. Patterson read the proclamation as a motion. Second Ms. Scott Price. Vote: Yes-5. No-0.

5. Recognition

Ms. Scott Price recognized Town employees who were recognized today for Staff Appreciation Day, noting it was a nice event. The Board thanked the Acting Town Manager for the event. Mr. Johnson-Staub thanked the Personnel Office staff for their work to make this happen.

Mr. Brown received a notification of Walter Bennett's passing. He was a past member of the Falmouth Fire Department. Mr. Brown offered his condolences to Mr. Bennett's family.

Mr. Patterson participated in Day of Play held on the Library Lawn., during which 750 children from the area schools attended the activities throughout the day, and the Scouts were there to help out.

6. Announcements – Curbside collection update

The Solid Waste Advisory Committee will hold a meeting on 7/21/22 at 7 p.m. in the Main Library Hermann Room. Information will be made available regarding the roll-out of the recycling bins. The bins will begin arriving 7/18/22 and be delivered to residents through August 2022.

Mr. Johnson-Staub noted the transition to the new operator on 7/1/22, Nauset Disposal, which is part of the larger company, Waste Connections. Republic Services fell far behind leading up to the transition, making the work more difficult for Nauset Disposal. It will take a week or two to catch up on trash collection. The Town will monitor their performance, and Nauset Disposal contact information is on the Town website.

7. Public Comment

Barbara Schneider, Precinct 4 and Acting Beach Committee Chair, reported that she observed a call made to the Falmouth Police Department after hours at one of the beaches. There was a difficult situation they needed to handle, it required a lot of education on special needs and family issues. There was some injury involved. She watched the FPD deal with this effectively and compassionately. The FPD officers know what they are doing, and we are lucky to have such a well-trained police force.

Mr. Duby would like information including the serial numbers of the weapons traded in to Powderhorn, and confirmation that all weapons traded in were sold to law enforcement officers, including AR15's last year. He is not looking for personal information.

According to Mr. Duby, Upper Cape Women's Coalition hosted a planned rally on the green on 6/25/22 after the Supreme Court decision on Roe v. Wade. During the rally, a car pulled up, stopped with the radio blaring a song about guns, and refused to move. The driver was asked to move, he would not move, waived cars around him, and a gentleman pulled up behind him and waited, then went over to Mr. Duby. The FPD was called and reported they were aware of the situation and officer being dispatched. No officer responded because Sgt. Guthrie said he was at the demonstration, the reason an officer did not respond, and said they did not need an officer. Mr. Duby feels that a uniformed officer should be provided to those who notify the PD of their demonstration.

Maurie Harlow Hawkes, asked the Board to have Mr. Johnson-Staub go from 14 to 16 firefighters at the start of shift to open all stations. West Falmouth Station was closed all day Sunday and Monday. The taxpayers paid for an override to staff the station.

Marc Finneran commented on the Falmouth Fire Department staffing and said that probably nothing will change until someone dies. People have died and it is time for change.

TOWN MANAGER'S PRELIMINARY REPORT

Mr. Johnson-Staub reported that Amy Lowell, Wastewater Superintendent, will address the Municipal Vulnerability Preparedness (MVP) Action Grant for Conceptual Design of Flood-Resiliency Improvements for Sewer Infrastructure relating to a grant funded study to protect Surf Drive. No Board action is required at this time. Presentation and discussion on fiscal year 2024 operating budget. This is earlier than usual; however, there are a number of new initiatives that have come up, and prioritization needs to be discussed. Discussion on possible lease of 10 Pumping Station Rd. A couple of parties have inquired about leasing the property from the Town, and he is trying to gauge whether the Board wants to pursue a lease, which would need to be a competitive process. All items on the Consent Agenda have been reviewed by staff, and he recommends approval. Kathleen Soltesz withdrew her application for the Human Services Committee.

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
 - a. Human Services Committee – Kathleen (Kate) Soltesz
Ms. Soltesz withdrew her application.
 - b. Beach Committee

Jon Modelevsky, 82 Hudson St. He has been a full-time Falmouth resident for 2.5 years. His family has been in the Town for 30+ years. He has been in investment planning for thirty years, owned a restaurant, auto repair facility, and brings a different perspective. Mr. Modelevsky would like to participate because he supports the committee mission. The beaches are important to all who enter the Town, probably one of the more beautiful assets the Town has. He has always wanted to get to know the Town operations, feels like he should be involved. He can offer a lot, is direct and fair, open to others' opinions, and has no problem being challenged or challenging someone. He has not attended any of the meetings, he has not been around recently due to work travel, though he keeps up with what the committee is doing through a friend who is on the committee.

Geralyn Schad, Maravista area resident, stated that she purchased Falmouth property in 2010 and moved to Falmouth in 2019 to live full time. The beaches were a solace and saving grace for her, and likely others. She would like to get involved in the community. She and others started the Falmouth Climate Action Network, and they have made some progress. She is also a realtor in Town and understands the economic importance to keeping the beaches clean. Concerns include coastal erosion and sea level rise. She would like to be part of the solution.

Ms. Schad attended the Beach Committee's 6//15/22 meeting.

Mr. Brown commented that her interest in coastal resiliency is a plus, considering the issues with coastal resiliency affecting the beaches.

Mr. Zylinski said it is important to attend the meetings for the committee for which they are applying.

Mr. Brown motion to appoint Ms. Schad to a term ending 6/30/25. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. Vote to Appoint Kimberly Fish to the Barnstable County HOME Consortium Advisory Council
Mr. Johnson-Staub stated that Kim is the Housing Coordinator, Mr. Johnson-Staub recommends appointing.

Ms. Fish stated that the council determines allocation of federal funds, establishes policies, acts as a liaison, and reports housing policy information. They meet once monthly.

Mr. Patterson motion to appoint Ms. Fish. Second Mr. Zylinski. Vote: Yes-5. No-0.

BUSINESS

1. Report – Conservation Commission

Jamie Matthews, Chair, offered the report, addressed their goal, and reviewed the commission staff and members. They meet every Wednesday night and other days as necessary. They hold public hearings on applications brought to them. There were 270 hearings held this year, which took over 42 meetings. Their average attendance being 95%, they always have a quorum. Each Commissioner spends an average of 4 hours a week to prepare for the meetings, including the application materials and visiting the site.

Falmouth has 169 parcels of conservation restricted land. Current projects include Little Pond Landing conservation area, Upper Coonamessett Wetland complex, a more resilient coastal system through restoration; Coonamessett Fields, and Grasslands Restoration, which includes multiple agencies. The next phase for the Coonamessett is currently in the planning and engineering phase. Amercorps has helped with many conservation projects, including lower Coonamessett. Eagle Scout projects added benches, nesting boxes, and bridges to the Coonameessett Greenway Heritage Trail. Town Departments were thanked for their continued support.

The last two years have been wild They held their first Zoom meeting 24 hours after the Governor's declaration. He thanked I.T. Department, FCTV, town departments, members of the Select Board and his Conservation Commission colleagues.

2. Report on Municipal Vulnerability Preparedness (MVP) Action Grant for Conceptual Design of Flood-Resiliency Improvements for Sewer Infrastructure

Amy Lowell, Wastewater Superintendent, reported that GHD was the Town's consultant and got support from the Woods Hole Group. The sewer main is under the bike path. The Town got a grant of \$104,000 for conceptual design for alternatives for the Woods Hole Sewer Force Main, which runs 4.6 miles to the Jones-Palmer Lift Station. She showed a diagram, pointing out a section along the south coast under the bike path within a few feet of Vineyard Sound. The section was lined in 2012, which gave it longevity. The section in Woods Hole Village is vulnerable to corrosion from saline ground water. Several options include 1. Relocating the most vulnerable section inland to Oyster Pond Rd., 2. Relocate all or most of the coastal section inland to Woods Hole Rd., which may be a challenge because Oyster Pond divides Surf Dr., and the bike path; there is no short cut around Oyster Pond. 3. To directionally drill new pipe to depth. If you install a new force main that is 40 ft deep, then it is not vulnerable to coastal erosion from day to day. The cost summary was reviewed, preliminary estimates, for relocating the most vulnerable section to Woods Hole Rd. The lowest cost at \$4 million, and there is future erosion potential. Oyster Pond Rd. in the next 30 years becomes vulnerable to flooding. This is a 20+ year solution. Relocating the entire section to Woods Hole Rd., about \$13 million, takes it out of the flood zone.

Ms. Lowell is not comfortable recommending any of these without further evaluations.

Mr. Patterson asked about Oyster Pond and impacts from septic tanks surrounding it. Why we are not making sure replacement mains support sewer hookups in the future? Ms. Lowell said Water Quality Management Committee did an evaluation for options for Oyster Pond. In the end the two options with the most consideration are converting to individual denitrifying or sewer. It is possible to add a lift station that pumps into the forced main, but this is a more expensive and more complicated process.

Amy Lowell noted the evaluation here is preliminary.

All of the options, need to line up to 3,200 feet of force main -in the Woods Hole Village area, estimated cost would be around \$2 million. We need further evaluation of the feasibility of lining bends and of total lining length needed, and determine if certain sections need to be cut out and replaced on site if they are showing erosion.

The Park Road Lift Station serves 23 single family homes in the AE flood zone-the 100 year flood zone in Woods Hole. The station flooded during March 2018 storm; it was entirely surrounded by water for almost a week, and the generator was destroyed. One looks at the magnitude of the solution and the number of properties served, and could build an elevated structure, about 17 feet above ground. Another option is just relocating the electrical for that station. The road goes 9 feet higher, so the electrical and controls could be elevated on a pole, which would keep more of the equipment for the lift station out of harm's way. Continue to run with a portable generator during a power outage. If Gardiner Road is flooded, they will not be able to get the generator there. Third option is converting to low pressure systems with grinder pump, which would include converting. The elevated structure would cost \$1.1 million; electrical relocation \$250,000; and the low pressure \$900,000.

Flood proofing of three coastal lift stations, One is the Woods Hole lift station. Modifications were done to protect the equipment in the stations from a 100-year storm in the next 20 years. The vents to the roof were moved, flood proofing louvers and door, raise exterior electrical meter and disconnect switch; seal all wall penetrations, and test flood protection of the hatches. Short term recommendations for the three lift stations are similar: Woods Hole \$150,000, Falmouth Beach \$150,000, and Inner Harbor \$80,000. Sealing existing manholes from inflow is an additional cost.

Ms. Lowell will submit the capital plan request for further feasibility evaluation and then design, and construction. The Town is looking at vulnerability assessments Town wide. She has been following that to see if there is guidance of what the future is of the sewer neighborhoods. The Wastewater Division and Town needs to think about how the Town will plan for the lower lying areas of Town. It will be challenging to raise all the buildings, keep properties, and rebuild properties in those areas. It will also be challenging to provide services to them.

Mr. Brown said it would be a shame to spend \$4.6 million to be in the same area of the coast, but just pushing it down the road. He would advocate to consider the Wood Hole Road option. Is there opportunity to dig to the side of the road and create a multiuse path, maybe get grants for Complete Streets to go with

the Municipal Vulnerability program? Regarding Park Road: He prefers the low pressure system/connections and grinder pumps, and maybe get interest free loans for home generators.

Ms. Scott Price appreciated the work and presentation by Ms. Lowell.

Dr. Taylor appreciates Ms. Lowell's ability to explain the information in clear terms.

3. FY2024 Budget Priorities – Preliminary Discussion

Mr. Johnson-Staub reintroduced the topic. He thanked Ms. Mullen for this extra planning session to start an early conversation about the operating budget. The Board identified potential new initiatives and that more conversations are needed over a longer period of time for him to effectively incorporate the Board's priorities into the budget.

Ms. Mullen made a PowerPoint presentation. We are looking at record inflation, the economy may be going into a recession, how does that affect the Town and its budget process. Limited reoccurring revenues, 75% on property taxes, State law requires the presentation of a balanced budget. Estimated local receipts is where the flexibility is because every year they look at fixed cost increases, health insurance, pension, utilities, etc. along with Board initiatives and how that fits into the budget.

The inflation affect reduces revenue and estimated local receipts, resulting in an increased cost of doing business. Supply chain issues, increased construction costs lead to reduced revenue. Looking forward we know new cars are not being produced quickly, resulting in high prices. Lodging and meals tax depends on whether people are traveling much; currently there is an increase, but how will that be in fiscal year 2024. They need to build in flexibility so that the Town can adjust the budget. Building permits have slowed down.

Ms. Mullen reviewed the fiscal year 2024 operating budget: about \$3.5 million in new revenue, likely increased health insurance, salary, fuel, property and liability insurance, curbside pickup contract, School Dept, and Upper Cape Tech. This is a normal year, some expenses come in favorably, some do not. We should be looking at priorities, determining what is the new priority. This is a yearly problem, though we do not usually have preliminary budget meetings so early in the year.

Mr. Johnson-Staub listed new initiatives the Board raised and identified a few others. He has a sense of where some areas of need are; he will need to go through a more thorough vetting process with the department heads before making any recommendations.

The Falmouth Police Department needs patrol officers and social workers. The Falmouth Fire Department needs to staff the six stations. Coastal resiliency/coordinator position. Energy coordinator/grant writer position. The DPW needs an Assistant Park Superintendent. The Facilities Department has additional facilities added without staff. The overall demands on that department should be considered so they have the needed resources. The Zoning Board of Appeals needs additional administrative support. The Conservation Commission increased the half-time administrative position to full time. Procuring process resources need to be determined.

Next steps include seeking Board input on priorities: which items can be deferred, which may be considered for an override. More information will be available at future meetings. The Town Manager's budget will be submitted in December 2022.

Mr. Brown noted over the last few years it has become more apparent, that we are not sustainable where we are at. Someone is always short of help, and things are not getting done, so more investment is needed. Coastal resiliency will be a massive drain on resources in the future. We need to take an honest look at what it takes to make the Town sustainable. Maybe paying low taxes for a while, softening the blow to people who cannot afford a property tax increase.

Mr. Patterson would like a list of all the projects and schedule--they need to determine how to stagger them and prioritize. The cost of living increases to staff is a large item of the budget.

Mr. Johnson-Staub noted Mr. Patterson is talking big picture. He will be back soon with the capital improvement plan and talking about those and the large construction projects. He is now focused on the operating side.

Ms. Mullen noted debt in capital projects is voted in November. The debt declines over time. We are talking about the operating budget. In the current debt policy, they have been putting projects into the debt drop-off schedule. The Board can increase the tax rate with projects, that does not stay forever, an override does.

Ms. Scott Price appreciates Ms. Mullen breaking down the capital improvement and how it works.

Ms. Mullen noted capital projects were due today.

4. Discussion on Possible Lease of 10 Trotting Park Road

Mr. Johnson-Staub presented a question about whether the Board wants to move forward with a competitive lease process. Mr. Johnson-Staub made an overhead presentation, showing an aerial view of the parcels off Palmer Ave. Two parties: One is The 300 Committee. This proposal, in the Board's packet, relates to a potential headquarters. This abuts vast open space some of which The 300 Committee was involved. Need a competitive process if they are going to lease the property. The other party is the Falmouth Bike Lab. They said they are looking for a new home and garage space. They are a nonprofit that donates bikes to seasonal people and others in the Town. The Board has a memo in their packet. The property abuts the property that is surface water supply for the Town. His understanding is the ground water flows away from the surface water. With regard to access during summer months, there is a gate on Pumping Station Rd. that is closed so people can't access Good Will Park from that area. The Town has a concern about maintaining control during the summer months. One site is for municipal use and the other is residential B. We may need to limit the type of use and intensity to low intensity development. Another concern is taking a left hand turn onto Palmer Ave. and turning onto Pumping Station Road.

The Request for Proposal will require a lot of staff time. Under the Ch. 30b sec 16, we need to identify the criteria they will use to determine what is the more favorable proposal. Probably would want to include price as a consideration, and allow the other non-price criteria to have weight as well. There are minimum requirements and competitive criteria. Want to screen out any uses detrimental to the Town's interest. If we do not want to see a large scale retail, want to clearly articulate that. There would be one to two meetings to have a dialogue of what the Board wants to look for in a lease. Dr. Taylor asked if there are any reasons not to put it out to an RFP? Want to have a clear understanding of water impacts, they are not substantial for low-intensity office use, there is a water protection district which encompasses most but not all the two parcels. The access to Grews Pond, overcrowding, and vehicle challenges, the Board may conclude not to go there. That is not Mr. Johnson-Staub recommendations. Want to consider how concerned are we about crowd control, are we comfortable with getting vehicles out of there because it is a State Highway.

Mr. Patterson asked do we have resources for bringing in a consultant to handle the procurement process? Mr. Johnson-Staub said we could. The cost would be less than Little Pond Place, he can look at that and whether it requires additional funding or find some money in the existing budget. This project would be simpler than Little Pond and Tony Andrews Farm.

Mr. Zylinski asked if this property was abated for some sort of HAZMAT? Mr. Johnson-Staub noted there was some asbestos pipe there, but it was addressed and no remaining contaminating issues in the soil. Mr. McConarty explained there was some asbestos pipe stored there, but it was abated several years ago.

Mr. Brown noted it is an old building, checked for lead paint, and remediated. In a historical district, need to go through MA Historical Commission and the local Historical Commission.

8:30 p.m. CONSENT AGENDA

1. Administrative Orders

- a. Approve Eversource petition for permission to install on Sippewissett Road, Falmouth one (1) new handhole at the base of exiting pole 6/37 and approximately 40' (feet) of conduit and cable

under town road northwesterly starting at the new handhole 6/37. The work is to be done to provide new electric service to 141 Sippewissett Road, Falmouth.

- b. Approve Eversource petition for permission to install on Scranton Avenue, Falmouth (1) new FO pole to be labelled 89A/1.5 approximately 50' (feet) south of existing pole 89A/1. The work is to be done to provide electric service to 763 Main Street, Falmouth.
- c. Vote to Extend Memorandum of Understanding with Friends of Falmouth Dogs
- d. Approve request from the Waquoit Congregational Church for a waiver of the special event permit fee for the temporary one-way street permit for Parsons Lane for the annual Summer Bazaar on Friday, 7/15/22 and Saturday, 7/16/22 from 8:00 a.m. to 4:00 p.m.
- e. Approve request for variance to sign code §184-20 – Spohr Gardens Trust – off-premises sandwich board style promotional signs – 8/1/22-8/6/22 for Butterfly Garden Day
- d. Approve letter of supporting 200 million gov's budget proposal for Clean Water Trust Fund on Cape and Islands.

Ms. Scott Price motion approval on the Consent Agenda items. Second Mr. Patterson. Yes-5. No-0.

2. Review and Vote to Approve Minutes of Meetings

Public Session –
June 6, 2022;

June 13, 2022

June 21, 2022

Mr. Johnson-Staub noted the Board feels the quality of minutes is not adequate, recording secretary completes the draft and Diane reviews them. , Maybe placed too much emphasis on speed and not enough on careful review. Mr. Johnson-Staub will work with Diane to take the time needed to review the minutes. He will look at the whole process.

Mr. Zylinski motion to table the minutes until reviewed again. Second Ms. Scott Price. Vote: Yes-5. No-0.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Johnson-Staub attended a meeting with MA Department of Environmental Protection (MA DEP) officials to discuss amendments to the Title V Septic regulations. This was organized by Ms. Lowell and Eric Turkington. MA DEP is proposing to start enforcing nitrogen protection as part of the Title V Septic regulations. The proposal has good intent behind it, how cleaning up the nitrogen and waterways is important. The Town was well represented and Mr. Johnson-Staub felt like the MA DEP listened to them.

It would be a better investment for each property to put in those systems, better to do it as a community. It may be less expensive for each property owner to pay the betterment cost to put in the sewer and have the Town do the collection and everything else.

Mr. Johnson-Staub noted proposed regulations allows the Town the option to adopt a watershed plan.

July 4th weekend was busy and went well, with the exception that Goodwill Park was overcrowded, and cars were parked all over the place. This year was a bigger problem than past years.

Staffing

New vacancies include Building Inspector, Assistant Library Director, and Head of Circulation.

The Town has hired an Assistant Town Planner from within, two dispatchers, a Health Inspector, and an MES Supervisor.

The next Board Meeting will be held on 7/25/22. Three Saturdays have been scheduled for Strategic Planning sessions are August 27, September 10, and October 2, 2022.

SELECT BOARD REPORTS

Ms. Scott Price:

Enjoyed the Staff Appreciation Day event today.
Registered for the One Cape Summit in August.

Mr. Patterson

Registered for the One Cape Summit in August.
Attended two Eagle Scout Court of Honor events.
Celebrated the 4th of July at a community picnic.
Attended Courtney Bird's tribute party

Attended the Cape and Island Municipal Leaders Association Board meeting via Zoom. They will be meeting at the Open Cape Summit, and the Board was invited.

Attended the Rotary Club of Falmouth Day of Play and triathlon. He offered compliments to the Falmouth Police Department for the police presence at both events.

COVID-19 breakthroughs cases are going on. Scott McGann's weekly reports are appreciated. We have a high level of vaccinated individuals in the community.

Mr. Brown:

Received an email from the Waterways Committee Chair. He encouraged the Board to take a look at that email carefully, that the navigable waterway by Menauhant Yacht Club is dangerous and it is difficult to get by that area. They will review ideas at their next meeting and send the information to the Board. It will need to go to the Conservation Commission before being brought to the Board.

Mr. Zylinski:

Reported having received a warm welcome by the Bicycle and Pedestrian Committee this week via Zoom.

DISCUSSION OF FUTURE AGENDA ITEMS

Mr. Brown noted he would like to have another policy discussion having to do with the Board interaction with Department Heads. It would be good to have employees review the public statement policy. The proposition 2.5 permanent override was touched upon today.

Mr. Brown would like to explore a potential sewer expansion in East Falmouth to provide higher density affordable housing is not the Water Quality Management Committee's mission. He would like the Board to take this on.

Mr. Patterson stated that the Cape Cod Commission Representative told him that Falmouth does not take advantage of the resources the Cape Cod Commission offers. We should take a look at whether we are tapping those resources as we should and to our benefit. They have looked at where to increase density for affordable housing.

Chair Taylor

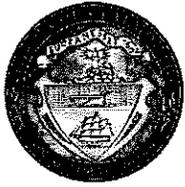
At some point she would like to go back to the oral report Alison Leschen did, the letter of resignation, and the Transportation Committee Report, including the recommendations previously approved and not implemented.

Mr. Brown motion to adjourn at approximately 9:20 p.m. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

TOWN MANAGER'S SUPPLEMENTAL REPORT



TOWN OF FALMOUTH
Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, Massachusetts 02540

July 21, 2022

SUPPLEMENTAL REPORT (NOT RELATED TO THE AGENDA):

Police Station Renovations:

The Police Station renovations have gone out to bid. This project involves a reconfiguration of interior space following the relocation of dispatch to the lower level. The bids will be opened September 1st.

Staffing & Hiring Updates:

- Seven Police Department recruits recently completed the police academy. Two additional recruits have been hired and will need to complete the police academy before they can take on full duties as police officers. This is welcome progress though the Department still has 10 vacant positions.
- One Communication Officer was recently hired.
- As of this week there are 17 full-time, year-round positions vacant excluding Police and Fire.

Grant Awards:

- Conservation Department received \$50,000 for Upper Coonamessett Wetland Restoration Project which is in an early planning and design phase.
- Falmouth Housing Corporation received a Low Income Housing Tax Credit Grant for the elder housing units to be constructed at the intersection of Main Street and Scranton Ave. The Lt. Governor and other state officials will announce this and other 24 other housing awards on July 26th in Falmouth.

Curbside Collection of Trash & Recycling:

The number of missed pickups appears to have increased slightly in the week of July 11-15 but from July 18-20 the number of missed pickups went down to the lowest level seen in months. DPW staff have daily communication with Nauset Disposal to address ongoing issues. Nauset has stated they will need to hire additional drivers so they can consistently complete the entire daily route on a consistent basis. We will continue to monitor the situation closely and take appropriate action.

Next Meetings:

- August 8, 2022
- August 22, 2022
- Saturday, August 27, 2022 – strategic planning workshop meeting
- Saturday, September 10, 2022 – strategic planning workshop meeting
- September 12, 2022
- Saturday, October 1, 2022 – strategic planning workshop meeting

Future Agenda Items:

August 8

- Report – Council on Aging
- Report – Energy Committee
- Steamship Authority – Falmouth’s Priorities and Concerns – Peter Jeffrey, Falmouth Member Board of Governors
- Coonamessett River Restoration Update – Betsy Gladfelter
- Broadband – MLP update- July 25th?
- Authorize special counsel – interim contract

August 22

- Human Services Committee
- Commission on Substance Use
- FY24 Operating Budget Policy, Financial Policy Update, and Capital Plan Presentation – Jennifer Mullen, Finance Director

Saturday, August 27

- Community Safety - Gun permits, social workers embedded in Police Department

//SB Meeting Supplemental Report 06-13-2022