

BUSINESS

2. Report – Veterans Council Committee **(15 minutes)**

BUSINESS

3. Report – Falmouth Road Race (10 minutes)

BUSINESS

4. Acting as Trustees of Falmouth Affordable Housing Fund, act on application from Falmouth Housing Authority for \$100,000 to obtain a comprehensive assessment of building conditions for 303 existing affordable units **(10 minutes)**



TOWN OF FALMOUTH
Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, Massachusetts 02540

TO: Select Board
FROM: Peter Johnson-Staub, Acting Town Manager *PJS*
SUBJECT: Falmouth Housing Authority –Application to Falmouth Affordable Housing Fund (FAHF)
DATE: October 14, 2022
CC: Community Preservation Committee
Kimberly Fish, Housing Coordinator

The FAHF received an application from the Falmouth Housing Authority (FHA), which requested funding to retain the services of a consultant to perform a needs assessment on current affordable housing units. This study will provide a detailed report describing the building improvements needed for 303 units operated by the FHA at multiple locations.

The FAHF Working Group met on August 31, 2022. They reviewed the application and confirmed it was eligible and they gave a favorable recommendation. The Community Preservation Committee voted to recommend approval of this request at their meeting on October 13, 2022.

The original request was for \$41,000, but after speaking with the Assistant Director of FHA and two of the FHA board members who attended the FAHF Working Group meeting, it was recommended to increase the amount to \$100,000. Having a comprehensive assessment of building conditions will enable the FHA to seek funding from federal and state agencies to complete the needed repairs.

I recommend Select Board approval this application.

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$100,000 to the Falmouth Housing Authority to retain the services of a consultant to perform a needs assessment on current affordable housing units and authorize the Acting Town Manager to execute a commitment letter and grant agreement setting forth the terms of a financial award to the Falmouth Housing Authority."

ATTACHMENTS:

- Application

FALMOUTH AFFORDABLE HOUSING FUND

Established by Ch. 29 of the Acts of 2011
Board of Selectmen, Trustees

59 Town Hall Square
Falmouth, Massachusetts 02540
(508) 495-7344

AFFORDABLE HOUSING FUND APPLICATION Calendar Year 2022

General Information

Project Name: Falmouth Housing Authority Public Housing Portfolio-wide Needs Assessment

Project Location and Parcel ID#: Various as described in attachment

Type of Project: Professional Needs Assessment of each site to determine sustainability of each site

Applicant(s) name/ Organization: Falmouth Housing Authority

Contact Person: Bobbi Richards, Executive Director

Mailing Address: Falmouth Housing Authority, 115 Scranton Ave, Falmouth, MA 02540

Telephone Number: (508) 548-1977 Fax: (508) 457-7573

Email Address: brichards@falmouthhousing.org

Property Ownership

Legal Property Owner of Record: Falmouth Housing Authority

Is the owner the applicant? Yes

If not, does the applicant have site control or written consent of the property owner to submit an application? If yes, attach documentation. Without this documentation the project will be ineligible for funding for this applicant.

For projects that have an acquisition expense the applicant must provide an appraisal from an independent party that justifies the acquisition cost.

Development Team

Please submit as attachments the resumes of the development team and a list and description of affordable housing projects completed by the applicant.

Not applicable

Project Information

Describe the proposed project including:

Project Style:

Not applicable

Type of Units (condo ownership, fee simple ownership, rental, etc.): Federal and State public state housing

Total Number of Units: 310 total units (see attached)

Number of Market Units: N/A Number of BRs: varies – see attachment

Number of Affordable Units: all (303, 310 if counting group room units) Number of BRs: varies

Proposed Sale Prices/Rents: N/A Market: N/A Affordable: all

Proposed Condo Fees: N/A Market: N/A Affordable: all

Proposed % of AMI target beneficiaries: 100%

Describe how this project addresses the unmet affordable housing needs of the community as identified in the Town of Falmouth *Housing Demand Study & Needs Analysis (2014)* and the Town of Falmouth Housing Production Plan (2018).

As a public housing authority, Falmouth Housing Authority addresses the need for affordable housing through its offer of one bedroom and family units scattered throughout the Town of Falmouth. The majority of the households in the family units fall at or below the low income level; whereas the majority of the households in the one bedroom units fall at or below the extremely low income level (based on the HUD Income Limits).

The age of each building varies, however it is safe to say that the majority of FHA's housing was built prior to 1978. The multi-level public housing located at 115 Scranton Ave and 138 Teaticket was built in the 1980's.

Site Information

Please provide a description of the surrounding area and community profile including a description of the current site characteristics, zoning, environmental, and any regulatory requirements or constraints. Attach a map and photos of the project site and neighborhood along with any zoning/permitting relief required.

Attached to this application is information regarding each site, including: (1) Photograph, (2) Comment Card (Patriots Properties), and a Map of the location. The Patriot Properties Comment card provides information regarding Building, Zoning, Conservation and Infrastructure.

A draft sample of a needs assessment, as recently performed for 20 Madeline Rd, East Falmouth, is also attached. The Needs Assessment will address any Health issues related to Life and Safety.

Building: See above

Zoning: See above

Health: See above

Conservation: See above

Infrastructure: See above

Total Project Cost: \$41,000.00

Amount of FAHF Request: \$41,000.00

Please list all public funding sources and indicate funding application dates: There are no other public funding sources for this work to be accomplished. The housing authority maintains a small reserve for emergencies that are not funded by state or federal funds. The balance in this account is approximately \$50k and must be reserved for unfunded/unforeseen emergencies.

Project Feasibility

Attach project budget information on the included Attachment A – OneStop 2000 Affordable Housing Finance Application Sections 3: Sources and Uses and Section 4: Budget Pro Forma together with at least one bank letter of reference.

Not applicable

Community Outreach

Provide a description of the applicant efforts to engage the community members through outreach, meetings, and other educational initiatives.

Through its regular board meetings, the public has been made aware of the issues related to the condition of the 705 scattered sites and the one bedroom public housing portfolio. Information has been published on Falmouth's website (minutes), in the Falmouth Enterprise, and through tenant discussions with portfolio residents.

Development Schedule

Describe the timeframe for the proposed project and how it will be implemented. Provide a timeline for all project milestones included as Attachment B – Project Schedule.

The Needs Assessment can be completed, for all sites, within 90 days.

List of Attachments

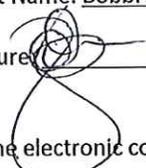
List of units to be reviewed in the Needs Assessment:

There are 303 units to be reviewed. An attachment outlining the size and detail of each unit is provided with this application. The group home, which is counted as one unit, for the purpose of this application, has both an office and 8 bedrooms within its structure.

If you have any questions, please do not hesitate to contact Carla Feroni at 508 495-7344 or at the email address below.

Project Applicant Name: Bobbi J. Richards

Title: Executive Director, Falmouth Housing Authority

Applicant Signature: 

Date: 8/30/22

Please submit one electronic copy to housing@falmouthma.gov and (6) hard copies to: Housing Coordinator, Town of Falmouth, 59 Town-Hall Square, Falmouth, MA 02540

ATTACHMENT B PROJECT SCHEDULE

Provide a schedule for project implementation using the Milestones below. If Milestone B or C is not applicable to your project, mark the Milestone "NA." *Note: Implementation Schedules must be realistic. Carefully consider projected Milestone dates. Unrealistic Implementation Schedules may have a negative impact on the project's application review. Project implementation delay may be considered in recommendation for grant award.*

Milestones (Month/Year):

- A. Project Start (Month/Year): Oct 2022
- B. Procurement Documents Submitted to FAHF (Month/Year): (See above)
- C. Project Construction/Professional Contract Submitted FAHF (Month/Year): Oct 2022
- D. Project/Construction Start (Month/Year): Oct 2022
- E. 50% Project Completion (Month/Year): Mid-Nov 2022
- F. 100% Project Completion (Month/Year): Dec 2022
- G. Close-Out Complete (Month/Year): Dec 2022

Comments:

Note: For this project, the housing authority intends to begin the assessments in October and complete the reviews by December 31, 2022. Copies of the assessments and any/other required documentation will be provided to the Committee as requested.

FALMOUTH AFFORDABLE HOUSING FUND

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Board of Selectmen, Trustees

59 Town Hall Square
Falmouth, Massachusetts 02540
(508) 495-7344

LETTER OF INTENT

Submit one electronic copy to: townmanager@falmouthma.gov.

PROJECT NAME: Falmouth Housing Authority Public Housing Portfolio-wide Needs Assessment

PROJECT LOCATION: various as provided in summary

APPLICANT(S) NAME/ORGANIZATION: Falmouth Housing Authority

CONTACT PERSON: Bobbi Richards, Executive Director

Mailing Address: 115 Scranton Avenue, Falmouth, MA 02540

Telephone Number: (508) 548-1977

Email Address: brichards@falmouthhousing.org

PROPERTY OWNERSHIP (Name of legal property owner):
Falmouth Housing Authority

If the applicant is not the legal owner, does the applicant have site control or written consent of the property owner to submit an application? Attach documentation.

DEVELOPMENT TEAM: Attach resumes and a description of affordable housing projects completed by the applicant.

PROJECT SUMMARY: (e.g., Project program, number and type of units, income target levels as a % of AMI, size of site, new construction or rehab, etc.) What community need is this project planned to address as identified in *the Town of Falmouth Housing Production Plan (2018) and the Town of Falmouth Housing Demand Study & Needs Analysis (2014)*?

The rehabilitation of affordable housing units owned and managed by the Falmouth Housing Authority appears to be an eligible use of funds under the enabling legislation of the Falmouth Affordable Housing Fund; likewise an assessment of repair needs for said units appears to be an eligible use. The Falmouth Housing Authority is seeking funding to provide a full assessment of properties located as follows: Salt Sea Apts, 211 Scranton Ave (54 units); Harborview Apts, 115 Scranton Ave (80 units); Mayflower/Choate 238 Lakeview Ave (30 units); Rose Morin Apts, 58 Rose Morin Ln (59 units); Tatakot Apts, 138 Teaticket Hwy (83 units); Bayberry Group Home, 58 Rose Morin Ln (1 bldg/8 rooms); and 24 of 25 scattered homes at various addresses in Falmouth. The Falmouth Housing Authority serves households that fall under 80% of the AMI; with the majority of all households falling within the ELI-Extremely Low Income Limits (please see attachments)

HISTORIC RESOURCE: Is the property located in a local historic district and/or listed on the State Register of Historic Places? No

State designation can be checked at mhc-macrfs.net.

BUDGET: Attach a pro-forma and a letter of reference from at least one banking Institution.

AMOUNT OF FUNDS REQUESTED \$ 40,850

TOTAL FUNDS FROM OTHER SOURCES \$ 0

TOTAL COST OF PROPOSED PROJECT \$ 40,850

Do you plan to apply for state funding, and if so, when and what funding program(s)? No, the State of Massachusetts DHCD has indicated that no state funding can be used for this purpose.

PROJECT STATUS: What level of planning has already been undertaken to evaluate the potential development opportunity?

The housing authority has sent requests to multiple agencies seeking cost proposals to conduct an extensive needs assessment of its public housing portfolio. The needs assessment includes a full review of each individual apartment and/or family home unit, common area spaces, basements, attics, mechanical rooms and any other grounds associated with the residential unit.

TIMELINE: Please provide a schedule of tasks and timeline for completion.

Upon funding, the housing authority intends to procure services to complete the assessment within 45 days.

Project Applicant

Signature 

Date

7/13/2022

If you have any questions, please contact Peter Johnson-Staub at (508) 495-7320 or by email to townmanager@falmouthma.gov. Thank you for your interest in the Falmouth Affordable Housing Fund.

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Falmouth Affordable Housing Fund

Rev. 03/2022

CAPE COD 5

June 17, 2022

Falmouth Affordable Housing Fund
ATTN: Peter Johnson-Staub
59 Town Hall Square
Falmouth, MA 02540

RE Falmouth Housing Authority

Falmouth Housing Authority has been a customer of Cape Cod Five since 2013. They maintain multiple accounts at the bank and are in good standing.

We consider Falmouth Housing Authority to be a valued relationship and maintain a high regard for the organization.

Please reach out to me directly at 508-247-1780 if you require any additional information.

Sincerely,



Patty J Erickson
AVP/Banking Center Manager
Falmouth Banking Center

BUSINESS

5. Adopt Strategic Plan (10 minutes)

DRAFT
Select Board
Strategic Plan



FY2023 – FY2027

Adopted by the Falmouth Select Board on **INSERT DATE**

Introduction

In accordance with the Town of Falmouth Home Rule Charter, the Falmouth Select Board hereby presents its five-year strategic plan for the Town of Falmouth. During its annual Strategic Planning retreats throughout September and October 2022 the Board reviewed strategic priorities for Fiscal Years 2023-2027.

As it embarks on the work of Strategic Planning, the Board recognizes the importance of setting forth a vision for our community annually and the need to work through our Town Manager to involve the department heads, also receiving input from Town boards and committees in our decision making. There is also the fundamental need to hear from our citizens to gain a better understanding of community priorities. The goals set forth herein reflect this community of varied, comprehensive interests.

In this five-year plan, the Board has established broad policy areas. The goals of each Town Department are expected to be regularly updated and to address all programs and services of our community. Acting through the Town Manager, the Board will communicate its expectations to the Department, Board, Committee or Commission involved in achieving the policy objective. The Board expects that over the course of the five-year planning period, additional goals may be added during plan review or as updated annually as progress is reported by advisory committees and staff.

At the time of this retreat, the Town and the nation are still living with the coronavirus pandemic that continues to disrupt all our lives, requiring adaptation of many municipal operations, and continues to have implications for short-term and long-term plans and priorities. The seven Strategic Priority areas adopted for the FY2023 - FY2027 planning horizon ranked in alphabetical order:

- I. Affordable Housing
- II. Energy & Water Conservation and Sustainability
- III. Financial and Economic Stability
- IV. Health and Public Safety
- V. Management of Coastal/Natural Resources & Infrastructure
- VI. Organizational Effectiveness & Community Engagement
- VII. Water, Wastewater & Solid Waste Management

The Select Board members recognize that these strategic priorities do not address every area of service provided by the Town of Falmouth. The core values, established for strategic planning purposes, in no way diminish the value and importance of all the services provided by Falmouth's Departments and Divisions. These strategic priorities do involve all staff members and citizens as the Board implements its objectives and will serve as the foundation for the administration of Town government and delivery of services.

It is our hope that all decision makers, including staff, boards, and committees, will embrace these priorities and take positive steps toward achieving our strategic vision for the planning period of Fiscal Years 2023 - 2027.

Falmouth Select Board,
Nancy Robbins Taylor, Chair
Onjalé Scott Price, Vice Chair
Douglas C. Brown
Samuel H. Patterson
Edwin Scott Zylinski

Adopted: [Date]

I. Affordable Housing

The Select Board has included affordable housing as a specific priority area to signify its importance. Prioritizing affordable housing is critical to supporting the hiring and retention of Town staff and maintaining the stability of Town operations. The vitality of the Town is dependent upon a community that is affordable and accessible.

The affordable housing crisis has been exacerbated by the pandemic, an unprecedented and unpredictable housing market, and inflation. This crisis requires significant dedication and cooperation among Town staff and community to resolve.

The ongoing goals within this strategic priority area are:

- Continue using the Housing Production Plan as a guide.
- Evaluate Town owned parcels of land for potential development of affordable housing.
- Update Local Initiative Program (LIP) guidelines and procedures with input from ZBA, Planning Board, Affordable Housing Committee to facilitate development of affordable housing.
- Consider developing a program to purchase deed restrictions on existing properties to be converted on future sale.

The specific, actionable goals within this strategic priority area are:

- Add 100 more affordable rental units, not to include units that are put on the SHI (subsidized housing inventory) but are not actually defined as 'affordable'.
 - The Housing Coordinator should manage this list and conduct a review every 3 months.
- Consider creative and radical solutions to increasing affordable housing options.
 - Housing Coordinator in collaboration with Affordable Housing Committee seek innovate/radical ways to increase housing stock such as addressing ADU bylaw issues/confusion, reviewing strategies implemented by other Cape towns to incentivize developers to build affordable housing, etc.
 - Special focus on researching an Airbnb moratorium.
- Contract with creative contractors to establish innovative ways to increase affordable housing stock through existing infrastructure.
- The Town Manager to provide regular (monthly/quarterly) updates on LIP (Local Initiative Plan) or other affordable housing related projects and their status.
- Maintain a minimum balance of \$4 million in the Falmouth Affordable Housing Fund Trust.

II. Energy & Water Conservation and Sustainability

The Board will pursue conservation of vital resources with an eye to renewables and efficiencies. The Board is committed to raising awareness of energy conservation opportunities that provide financial and environmental benefits to the community.

The ongoing goals within this strategic priority area are:

- Pursue and promote energy efficiency in new building construction.
- Promote and provide infrastructure to support electric vehicles.
- Continue to investigate viability of electric vehicles when replacing municipal vehicles.
- Explore & implement municipal sites for alternative energy.
- Develop program to encourage solar energy on private property.
- Consider ground mounted and rooftop solar installations.
- Explore public and private partnerships for renewable energy.
- Enhance and promote efforts to improve composting and recycling practices.
 - Explore a municipal composting program through private/public partnerships.
- Continue ESCO and related programs – i.e., building upgrades to improve energy efficiency.

The specific, actionable goals within this strategic priority area are:

- Hire a Sustainability Director as voted at Town meeting.
- Consider hiring a Coastal Resiliency Director (or similar position) for FY25

Completed goals within this strategic priority area from previous Strategic Plan:

- Manage disposition of municipal wind turbines in compliance with applicable procurement law.

III. Financial and Economic Stability

In this five-year planning period, the fiscal health of our operations and community remains a strategic priority for the Town of Falmouth as we face the continued challenges of COVID-19 and unexpectedly high inflation.

Among the Town's financial goals are to promote long-term financial stability of Town operations through sound financial planning and practices. The Town will be positioned to sustain essential services through economic downturns by continuing conservative revenue assumptions and disciplined budgeting. These sound financial practices allowed us to retain the Town's 'AAA' bond rating – the highest available bond rating. This bond rating upgrade saves taxpayers money every year by reducing borrowing costs and it represents an independent third-party validation of the quality of the Town's management practices. The Town's ongoing Capital needs and wage pressure caused by the declining population of working age individuals in the region remains a pressing fiscal concern.

The Town has been fortunate to be able to increase staffing levels to address targeted service needs in the past several years supported by sustainable, recurring revenues. This broad strategic priority area will influence decisions made about public safety, education and other important direct services such as community planning, housing, historic preservation, recreation, visitor resources, human services, elder services, and the increase in food insecurity and mental health issues.

The ongoing goals within this strategic priority area are to:

- Promote long-term financial stability of Town operations.
- Review and publicize long-term capital plan and promote funding strategy for capital; needs including town and school facilities report.
- Continue to prepare a Comprehensive Annual Financial Report each year.
- Continue working with the School Department to create a sustainable financial plan.
- Continue program budgeting and move toward full costing of services.
- Continue collaboration with School Department to complete facility and efficiency upgrades.
- Respond to fiscal impacts related to COVID-19 and inflation and explore new grant and revenue opportunities.
- Monitor appropriate grant opportunities and procedures for submitting and tracking grant applications.
- Support opportunities to generate additional funds for community housing.
- Support development of improved high speed internet service.
- Plan for use, development or disposition of Town properties including but not limited to the Emerald House properties, Andrews Farm Farmhouse, 300 Dillingham Ave, and the unprogrammed portions of the Edward Marks Building.
- Develop a policy and plan to address traffic, parking, and transportation needs.
- Support business and community development to promote a vibrant local economy.

The specific, actionable goals within this strategic priority area are:

Completed goals within this strategic priority area from previous Strategic Plan:

- Improve coordination of planning, permitting, and preservation functions.
- Improve permitting environment to be more user-friendly to the applicant.

IV. Health and Public Safety

Public Health and Safety are fundamental governmental functions. In this priority area the Board will develop goals to address emerging public health issues, pandemic impacts, and issues of concern related to substance use disorders and the opiate use epidemic in our Town and nation. The Town will focus on efforts to efficiently use our limited staffing and budgetary resources to sustain a high quality of public safety and improve accessibility in the Town of Falmouth.

The ongoing goals within this strategic priority area are:

- Monitor and address emerging public health issues.
- Continue to enhance public safety services town wide.
- Review response data and analysis to evaluate effectiveness of fire station staffing model to best serve the entire Town of Falmouth.
- Support improved efficiency of police and fire operations and consider future expanded services within available resources.
- Continue to staff West Falmouth fire station, as resources permit, until construction on new, replacement fire station is completed for the N/W quadrant of town.
- Continue to collaborate among Town departments to respond to substance use crisis including opiate use.
- Consider land acquisition and funding for new replacement Fire station based on a six-fire station model based on the McGrath consultant study, recommendations of the Future Fire Stations Citizens Advisory Committee and public input to evaluate potential locations for this new fire station to serve the entire town more effectively.
- Continue to review and update Local Emergency Management Plan.

The specific, actionable goals within this strategic priority area are:

- Provide Licensed Social Workers to the Falmouth Police Department to assist on calls related to mental health, substance use disorder, and people without housing.
 - For FY24, the FPD will convert 2 patrol officer positions to LSW. For FY25 and beyond, the Select Board will: 1) add the 2 patrol officer positions back into the FPD budget, and 2) retain at least 2 LSW to the FPD budget.
- Actively support the Town's vote to remove FPD from Civil Service.
 - The Select Board will support the passing of this legislation through letter writing or any other appropriate means
- Collaborate with local and regional organizations providing treatment and support to those impacted by Opioid epidemic.
 - The Health and Human Services Department, in collaboration with other appropriate departments, identify gaps in services offered within the Town and options for filling the gaps. Recommendations for funding to be presented in preparation for the FY25 budget.
- Commit to a six-fire station model until such time that a North/West combination station is built and operational.
 - The Select Board will work to create a budgetary plan to support six fire stations.

Completed goals within this strategic priority area from previous Strategic Plan:

- Pursue funding for design and construction of new fire station.
 - The funds for the Hatchville Fire Station have been appropriated, and design and construction are on schedule.
- Pursue opportunities to improve hiring process for police department including removal from civil service and the procedures that will replace civil service hiring.
 - Town Meeting approved the removal from Civil Service, we are awaiting the legislative vote.

V. Management of Coastal/Natural Resources & Infrastructure

Falmouth's waterfront amenities and natural and enhanced coastal resources are the cornerstone of our cultural identity and financial foundation. The Select Board's decision-making will be guided by the principle that clean and welcoming coastal resources and our marine environment are core values and strategic public infrastructure must be protected. The resiliency of our coast and our infrastructure is a driver of our Strategic Plan and community decision making process.

The ongoing goals within this strategic priority area are:

- Continue to pursue Community Rating System.
- Continue to implement municipal shellfish management plan.
- Dredging:
 - Explore alternatives to increase annual dredging.
 - Consider financial implications of permitting dredging in areas that have not been dredged on a regular basis in the past.
 - Support regional efforts to improve dredging resources and opportunities including legislation that reduces time of year restrictions.
 - Continue annual dredging and associated permitting to maintain channels and harbors.
- Survey curb cuts at beach and harbor entrances and parking lots.
- Incorporate accessibility improvements in conjunction with any sidewalk or pavement improvements.

The specific, actionable goals within this strategic priority area are:

- Develop a plan to prioritize and protect public infrastructure and to inform private development.
- Review, discuss and adopt Coastal Resiliency Action Plan on recommendation of Coastal Resiliency Action Committee.
- Develop beach improvements and ten-year Beach Management Plan.
- Prioritize and plan for repairs to aging coastal structures, such as docks, ramps and retaining structures.
- Prioritize, plan, and manage needs of non-waterways coastal structures, such as parking areas, bridges, bikeways, Trunk River sewer, etc. and other non-waterways retaining structures.
- Explore a policy modeled after Chatham to require recurring beach nourishment to compensate for coastal structures.

Completed goals within this strategic priority area from previous Strategic Plan:

- Assess feasibility of installing accessible mats where they are not already in place.
 - Some mats have been purchased

VI. Organizational Effectiveness & Community Engagement

The Select Board will encourage continued evaluation of the Town's organizational effectiveness. We will evaluate our own effectiveness in serving the community in our role as the Select Board and we will encourage ongoing assessment of all Town functions and services including those performed by municipal staff and volunteer committee members¹. We take pride in knowing that Falmouth community members benefit from a wide array of high-quality municipal services, and we acknowledge there is always room for improvement.

This goal also involves creating a public participation process so the Select Board can better understand and inform the Falmouth community. The Board recognizes there is already a high level of community engagement in Falmouth. We all benefit from the fine work of the talented individuals who serve as Town Meeting members and who volunteer their service on our many boards and committees. We seek to build upon that strength by engaging with the community and department heads in new ways. We acknowledge the valuable public communications provided by FCTV and other local media. By doing so, we hope to better serve the diverse members of our community.

The ongoing goals within this strategic priority area are:

- Support volunteer board and committee members in their work.
- Evaluate needs of committees, assessing any significant unmet needs that might be addressed with available resources.
- Maintain a fixed schedule for the calendar year for committee reports to the Select Board to provide more advance notice and increase the number of committee reports received each year. Where in person meeting is not feasible, a written report may be substituted.
- Continue to receive reports from department heads through the Town Manager.
- Continue to hold staff appreciation/interaction event.
- Receive quarterly department reports including quantitative overview and some explanatory narrative.
- Evaluate permitting system on recurring basis.
- Maintain citizen confidence in the Select Board and Town leadership by providing a vision of Falmouth over time.
- Maintain a 'Recognition' item as a routine item on Select Board agendas to celebrate individuals, staff and groups for noteworthy contributions to the community.
- Expand use of website and 'notify me' function to notify the public of matters of interest.

The specific, actionable goals within this strategic priority area are:

- Develop training video for committee members on open meeting law, ethics, and role of committee members relative to staff.
- Host meeting with committee chairs to discuss annual schedule and how the Board can support the committees in their work.
- Make municipal services (specifically the Town website) easier to navigate for the public.

¹ Throughout the Strategic Plan we will use the generic term "committee" to refer to boards, committees and commissions.

- Fill Town staff vacancies
 - Especially the Town Manager, Assistant Town Manager, Director of Finance, Human Resources Director, and DEI Officer.
- Support departments
 - Conduct departmental assessment or audit to allow the Select Board and Town Manager to assess each department's strengths and weaknesses, where departments need support, etc.
- Support and show appreciation to volunteer committees, boards, and commissions
 - Reinstitute (as deemed safe and appropriate under COVID-19 restrictions) annual potluck social
 - Explore designating one staff person to serve as resource to committee chairs and members with questions and concerns about committee protocols
- Increase general community engagement with the Town
 - Continue to hold two Community Engagement Forums each year including one in the summer months when seasonal residents are in town.
 - Consider potential action items based on feedback received at Community Engagement Forums.
 - Continue engaging/communicating with non-municipal entities (Woods Hole scientific institutions, CCHC, JBCC, etc.)

Completed goals within this strategic priority area from previous Strategic Plan:

- Develop orientation for Select Board members.
 - An onboarding packet was created, further 'orientation' options can be explored.
- Promote updated Committee Handbook by distributing copies and requiring acknowledgement of receipt.
- Implement online permitting system.
- Pursue expedited parallel processing and other process improvements to reduce time required for approval of permits.
- Strive to provide preliminary feedback to permit applicants earlier in the review process.
- Provide frequent updates regarding new developments related to coronavirus pandemic and take timely appropriate action to address challenges and opportunities.
- Reduce the length of Select Board meetings by adding times to each agenda item and communicating time limits to invited participants.

VII. Water, Wastewater & Solid Waste Management

By comprehensively and effectively managing our water and wastewater needs and operating systems, Falmouth will improve water quality, protect public health, and enhance the Town's economic vitality. If managed and planned for properly, we can offer our residents, visitors and future generations healthy water and sustain property values and our vibrant economy.

This planning period will focus on the management of potable water consumption to meet peak seasonal demand, and expansion of the sewer service system. Recent system improvements, planned for more than twenty years, will improve potable water quality and natural water resources, and may require necessary increases in staffing and resources to support operations. This period will include an upgrade to the wastewater treatment facility on Blacksmith Shop Road and an expansion of the sewer collection system to include the Great Pond and Green Pond areas. This expansion will require decisions related to additional discharge site locations to manage the increased wastewater effluent flows associated with this increase in the number of properties connected to the sewer system. The careful implementation of these programs and ongoing quality control will be the hallmark of the long-term success of these important water quality projects.

The ongoing goals within this strategic priority area are:

- Evaluate Town wide strategies for addressing water conservation and to mitigate water pressure concerns including the encouragement of private wells for irrigation purposes.
- Explore new sources for additional water supply opportunities.
- Minimize disruptive work; scheduling maintenance/repairs in 'off season'.
- Develop long-range plan for solid waste management.
- Continue managing Upper Cape Regional Transfer Station.
- Enhance and promote efforts to improve composting and recycling practices.
- Continue to monitor water quality of all potable water sources.
- Explore enterprise account for water system.

The specific, actionable goals within this strategic priority area are:

- Implement Comprehensive Wastewater Management Plan
 - Manage and evaluate the implementation of CWMP and construction of sewer service area.
 - Implement, develop, and promote funding plan for CWMP including regular review and update of sewer rates.
 - Develop long-range plan for coastal ponds and waterways utilizing knowledge gained from CWMP.
 - Explore new methods to improve water quality for inland ponds.
 - Plan and implement Stormwater Management Plan in compliance with EPA regulations. Prioritize improvements in locations where there is currently direct discharge into waterways.
 - Monitor and provide input to the Town representative to the Cape Cod & Islands Water Protection Fund Management Board.

- Ensure continual supply of quality drinking water and adequate water pressures.
 - Replace larger sections of existing water mains: Connect loops to help with water quality and fire suppression pressure.

Completed goals within this strategic priority area from previous Strategic Plan:

- Secure funds to install treatment required to bring Fresh Pond well back online.
- Evaluate options for collection and disposal of solid waste prior to negotiating a successor contract, including provision of toters for residential curbside collection of trash and/or recyclables.

CONSENT AGENDA

1. Licenses

- a. Approve application for an Amendment to a Package Store License - Change of LLC Manager – OSJL Spirits, LLC d/b/a Ocean State Job Lot, 50 Teaticket Highway, East Falmouth

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 Change of LLC Manager

- Police _____
- Fire _____
- Building No issues
- Health _____
- Zoning _____
- Planning No recommendations
- DPW _____
- Assessor _____
- Tax Collector _____
- _____
- _____
- _____

NOTES:

Management Agreement is pending with the ABCC as of 9/22/2022.

CONN KAVANAUGH

CONN KAVANAUGH ROSENTHAL PEISCH & FORD, LLP

PAID
\$50

ck # 8495

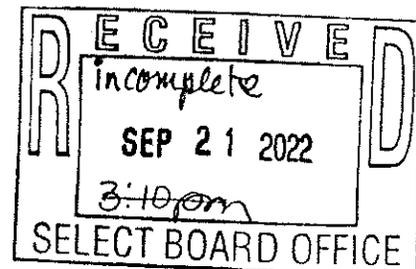
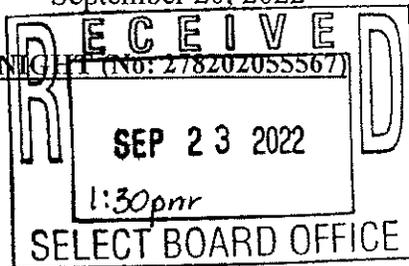
Nicole M. Levesque
617-348-8237

nlevesque@connkavanaugh.com

September 20, 2022

VIA E-MAIL AND FEDEX OVERNIGHT (NO: 278202055567)

Phyllis Downey
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
phyllis.downey@falmouthma.gov



RE: Application for Amendment of Liquor License – Change of LLC Manager
OSJL Spirits, LLC, d/b/a Ocean State Job Lot | License No. 00213-PK-0390

Dear Ms. Downey:

Enclosed for your review and filing with the Falmouth Select Board please find:

1. OSJL Spirits, LLC, d/b/a Ocean State Job Lot's ("OSJL") Application for Amendment – Change of LLC Manager, including all exhibits referenced therein;
2. A fully executed Applicant's Statement;
3. A fully executed Entity Vote;
4. A Certificate of Good Standing from the Department of Revenue;
5. A Certificate of Compliance from the Department of Unemployment Assistance;
6. CORI forms for each of OSJL's members and LLC manager;
7. Proof of electronic payment via the Massachusetts Alcoholic Beverages Control Commission's ePay system in satisfaction of the filing fee; and
8. A check for \$50.00 made payable to the Town of Falmouth.

Kindly review the attached at your earliest convenience and advise if you require anything further to process this request. If the application is satisfactory on its face, please proceed with scheduling the application for hearing before the Select Board and advise me of the date and time.

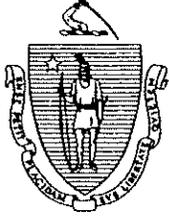
Thank you in advance for your assistance. I look forward to hearing from you soon.

Very truly yours,

A handwritten signature in cursive script that reads "Nicole M. Levesque".

Nicole M. Levesque

Enclosures



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR AMENDMENT

-Change of Officers, Stock or Ownership Interest

Change of Officers/ Directors/LLC Managers **Change of Stock Interest**

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Officer/Directors Application
- Vote of the Entity
- CORI Authorization
- Business Structure Documents
 - If Sole Proprietor, **Business Certificate**
 - If partnership, **Partnership Agreement**
 - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

(e.g. New Stockholders or Transfer or Issuance of Stock)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Stock Application
- Financial Statement
- Vote of the Entity
- CORI Authorization
- Purchase & Sale Agreement
- Supporting Financial Records
- Advertisement
- Business Structure Documents
 - If Sole Proprietor, **Business Certificate**
 - If partnership, **Partnership Agreement**
 - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Change of Ownership Interest

(e.g. LLC Members, LLP Partners, Trustees etc.)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Stock Application
- Financial Statement
- Vote of the Entity
- CORI Authorization
- Business Structure Documents
- Purchase & Sale Agreement
- Supporting Financial Records
- Advertisement
 - If Sole Proprietor, **Business Certificate**
 - If partnership, **Partnership Agreement**
 - If corporation or LLC, **Articles of Organization** from the Secretary of the Commonwealth

Non-Profit Club Change of Officers/ Directors

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Officer/Directors Application
- Vote of the club signed by an approved officer
- Business Structure Documents -**Articles of Organization** from the Secretary of the Commonwealth

Management Agreement

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Vote of Entity
- Management Agreement

**If abutter notification and advertisement are required for transaction, please see the local licensing authority.*

1. BUSINESS ENTITY INFORMATION

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

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

OSJL Spirits, LLC, d/b/a Ocean State Job Lot seeks to amend its retail liquor license to reflect its current LLC Manager, Robert W. McGrath.

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

APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

2. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Marc Perlman	180 Shady Cove Rd., North Kingston, RI 02852		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	32%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Alan Perlman	121 Hidden Mere Ln., North Kingston, RI 02852		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	32%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Steven Aronow	594A Post Rd., Wakefield, RI 02879		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	24%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Alan Aronow	60 Frybrook Rd.		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	8%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Richard Portno	177 Pine Glen Dr., East Greenwich, RI 02818		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	2%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
John Conforti	257 Promenade Ave., Warwick, RI 02886		

Title and or Position	Percentage of Ownership	Director/ LLC Manager		
LLC Member	2%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Additional pages attached? Yes No

CRIMINAL HISTORY
 Has any individual listed in question 2, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. Yes No

MANAGEMENT AGREEMENT
 Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement. Yes No

APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

3. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Marc Perlman	LLC Member	32%
Alan Perlman	LLC Member	32%
Steve Aronow	LLC Member	24%
Alan Aronow	LLC Member	8%
Richard Portno	LLC Member	2%
John Conforti	LLC Member	2%

4. 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? 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 A.			

5. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified 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 B.			

6. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 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

2. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST(Continued...)

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

Entity Name

Percentage of Ownership in Entity being Licensed
(Write "NA" if this is the entity being licensed)

OSJL Spirits, LLC

Name of Principal	Residential Address	SSN	DOB
Robert McGrath	595 Massapoag Ave., Sharon, MA 02067		
Title and or Position	Percentage of Ownership	Director	
LLC Manager	0%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<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
		<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
		<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
		<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
		<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
		<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
		<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.

Yes No

Application for Amendment – Change of LLC Manager
OSJL Spirits, LLC d/b/a Ocean State Job Lot

EXHIBIT A

Section 4. 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
00114-PK-0608	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	18 WALTER TOWER PL, LEOMINSTER, MA 02155
00083-PK-1248	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	178 MAIN STREET, STURBRIDGE, MA 01566
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
00065-PK-1438	OSJL SPIRITS LLC D/B/A OCEAN STATE JOB LOT	180 MILK STREET WESTBOROUGH, MA 01581

APPLICANT'S STATEMENT

I, Robert McGrath the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of OSJL Spirits, LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: Robert McGrath

Date: 5/4/2022

Title: LLC Manager

CONSENT AGENDA

1. Licenses

- b. Approve application for an Entertainment License – Olive Restaurant, Inc. d/b/a/ Shiverick's Café & Bar, 285 Main Street, Falmouth

Requesting:

Days: Monday – Saturday

Hours: 8:00 a.m. – 1:00 a.m.

October 24, 2022

LICENSE APPLICATION REVIEW

Restaurant/Business: Olive Restaurant, Inc. dba Shiverick Café & Bar

Address: 285 Main Street

License Type: All Alcohol Common Victualler

New or Transfer of License Entertainment License

or

Change of License _____

- Police No objection
- Fire No objections
- Building *
- Health _____
- Zoning _____
- Planning _____
- DPW _____
- Assessor _____
- Tax Collector _____
- _____
- _____
- _____

NOTES: ** The Building Commissioner has reviewed the floor plan as it pertains to entertainment*



PAID \$110.00 CK# 1097

Town of Falmouth
Office of the Town Manager/Selectmen
59 Town Hall Square, Falmouth, MA 02540
508-495-7320

ENTERTAINMENT LICENSE ANNUAL APPLICATION

Massachusetts General Laws, Chapter 140, Section 183A as amended by Chapter 694 of 1981

Required fields are outlined in red.

NAME OF BUSINESS: Olive restaurants inc D/B/A Shiverick's cafe and bar

ADDRESS: 285 Main street

TOWN: Falmouth STATE: MA ZIP CODE: 02540

NAME OF OWNER/MANAGER: Elias Gregoriadis

TELEPHONE #: 774-255-1514 EMAIL: shiverick.cafe.bar@gmail.com

HOME ADDRESS: 4 Brainerd rd

LOCATION OF ENTERTAINMENT ON PREMISES: 285 Main street

DAYS OF ENTERTAINMENT: Monday through Saturday

HOURS OF ENTERTAINMENT: 8am - 1am

Provide a detailed description of proposed entertainment in the field below and provide a FLOOR PLAN including the proposed location of the entertainment:

jazz band, trivia nigh, painting nigh, bingo

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT REQUESTED:

SUNDAY ENTERTAINMENT: NO YES (if YES, complete a separate Sunday Entertainment application - contact Select Board office)

1. DANCING By Patrons No Dancing

2. MUSIC Recorded Live Amplified Acoustic Other

I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the public area, anus, or genitals, or any simulation thereof, or whether any female person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

TAX ATTESTATION: I certify under the penalties of perjury that the information provided in this application is true and that, to my best knowledge, I have filed all state tax returns and paid all state and local taxes as required under law. I understand that Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation:

DATE 09/26/2022 X [Signature]

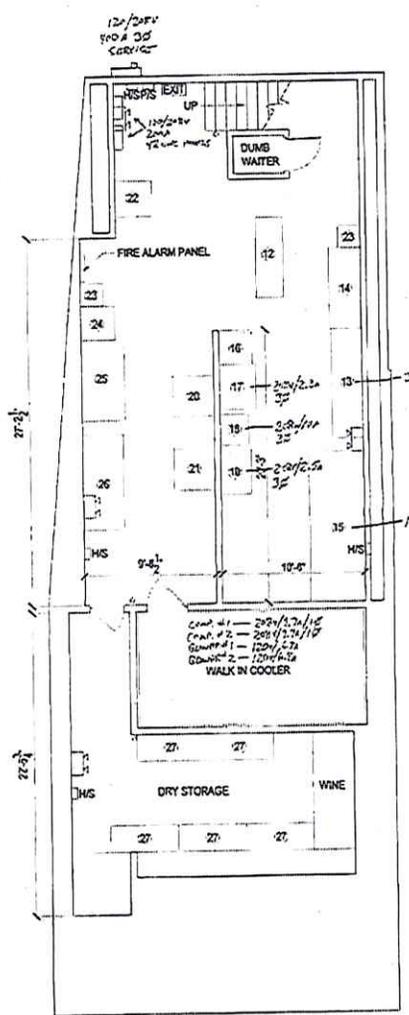
Signature - OWNER or MANAGER

Total Town Fees: \$110
Filing Fee: \$10
License Fee: \$100

Fees payable to Town of Falmouth

REV.	DATE	DESCRIPTION
1	X.00.00	

EXISTING RAMP DN TO REMAIN (RAMP NOT SHOWN FOR CLARITY)



BASEMENT EQUIPMENT LAYOUT



FIRST FLOOR OCCUPANCY PLAN & EQUIPMENT LAYOUT

EQUIPMENT SCHEDULE - FIRST FLOOR

#	EQUIPMENT	MANUFACTURER / MODEL #	WIDTH	DEPTH	HEIGHT	NOTES
1	REFRIGERATED BASE	VIKING / V722B	72"	35"	75"	
2	UNIVERSE TWIN SINKLET	30-SHS	33"	33"	41"	
3	CHARAZOL SHOPPERS	VIKING / VCS38SS	55.75"	28"	54"	
4	BURNER RANGE TOP	VIKING / V3680	36"	36.5"	75"	
5	FRYERS & DUMP STATION	VIKING / V24FRD	24"	36.5"	75"	
6	CHARBROILER RANGE TOP	VIKING / V35C	30"	36.5"	75"	
7	SALAMANDER	VIKING / V36SM	36"	36.6"	75"	
8	OVEN					
9	HOOD SYSTEM					
10	PLATING TABLE					
11	HAND SINK					

PLUMBING FIXTURE COUNT

USE GROUP: AS

REQUIRED	MALE	FEMALE	URINALS	LAVATORIES
TOTAL OCCUPANCY: 60				
TOILETS				
URINALS			0 (50% OF TOILET)	1 (1 PER 200)
LAVATORIES				1 (1 PER 200)
PROPOSED	30 MALES	30 FEMALES	1	1

OCCUPANCY LOAD

AREA	OCCUPANCY
BAR SEATING #1	12 PEOPLE
TABLE SEATING #1	6 PEOPLE
TABLE SEATING #2	25 PEOPLE
TABLE SEATING #3	18 PEOPLE
REQUESTED SEATING OCCUPANCY	62 PEOPLE

EQUIPMENT SCHEDULE - BASEMENT

#	EQUIPMENT	MANUFACTURER / MODEL #	WIDTH	LENGTH	HEIGHT	208 / 209 PHASE
1	EQUIPMENT					
2	WOOD WORK TABLE		24"	72"	36"	NO
3	DISH WASHER		27"	37"	56"	NO
4	3 BAY SINK					
5	3 BAY SINK		28"	20"	48"	NO / 100 - 120 VOLT
6	3 BAY SINK		40"	32"	56"	NO / 230 VOLT
7	LG. WASHER		48"	134"	44.5"	YES
8	DRINK DISPENSER		27"	25"	86"	YES
9	DISHWASHER		40"	27"	81"	YES
10	CHURN					
11	ICE MACHINE					
12	SLIP SINK					
13	HAND SINK					
14	DEEP SINK					
15	GRANITE WORK TABLE		38"	72"	37"	NO
16	LG. WOOD TABLE		36"	84"	36"	NO
17	STORAGE RACKS		24"	60"	72"	NO
18	STORAGE RACKS		26"	18.5"	70"	NO
19	BUCKET RACKS		26"	20"	89"	NO
20	SPEED RACKS		30"	26"	70"	NO
21	PROOF BOX					

GENERAL NOTE:
VERIFY AND CORRECT ALL CONDITIONS AND/OR DIMENSIONS BEFORE
PROCEEDING TO CONSTRUCTION. NOTIFY ARCHITECT IMMEDIATELY
IN WRITING OF ANY DISCREPANCIES. NO FIELD CHANGES OR
APPROVALS WILL BE PROCEEDING WITH CONSTRUCTION.



ROCHE - CHRISTOPHER
ARCHITECTURE, LLC
115 State Street, Suite 200
Boston, Massachusetts 02109
Tel: 617.552.1234
Fax: 617.552.1235

Gate Kate Rickard
2 Main Street
Fall, Ma 02540

PROJECT # 12-1R
DATE: 2-16-13
REV: 4-17-13
SCALE: 1/4" = 1'-0"
DRAWN BY: CD
CHECKED BY: W. Christopher

PROPOSED OCCUPANCY FLOOR PLAN

OC1



Entertainment License applications must be reviewed by the Building Department before the application is submitted to the Select Board

APPLICANT: Shiverick's cafe and bar

ADDRESS: 285 Main street

LICENSE OR LICENSE CHANGE APPLIED FOR: entertainment

The attached application has been reviewed by the Building Commissioner's Office with the following supporting documents:

- a. A seating plan completed and stamped by an Engineer or Architect and showing the occupancy load calculation.
- b. If any outdoor seating, a plot plan or site plan by a certified land surveyor. Must include parking

Building Department sign-off: X *[Signature]*

DATE: 9-26-22



CONSENT AGENDA

1. Licenses

- c. Approve application for an additional day to a Special One-Day Wine and Malt Liquor License – WM Cycling Events, Inc. – Pan-American Cyclo Cross Championships – Cape Cod Fairgrounds – Friday, November 4, 2022

Date: 10/24/22

ONE-DAY LIQUOR LICENSE APPLICATION REVIEW FORM

Applicant: WM Cycling Events, Inc., Bill Sykes

Event: Pan-American Cyclo Cross Championships

Location: Cape Cod Fairgrounds, 1220 Nathan Ellis Hwy.

Date: Friday, November 4, 2022 Time: 12:00 p.m. - 4:00 p.m.

License Type: Wine & Malt Beverages or All Alcoholic Beverages

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Police | <u>No objection.</u> |
| <input checked="" type="checkbox"/> Fire | <u>No objections to the additional date.</u> |
| <input checked="" type="checkbox"/> Health | <u>No issues.</u> |
| <input type="checkbox"/> Building | <u>_____</u> |
| <input type="checkbox"/> Communications | <u>_____</u> |
| <input checked="" type="checkbox"/> _____ | <u>ZBA - No objection.</u> |
| <input type="checkbox"/> _____ | <u>_____</u> |

NOTES: WM Cycling Events is already approved for a One-Day Wine & Malt Liquor License for Saturday, 11/5 and Sunday, 11/6 at the Cape Cod Fairgrounds for the Really Rad Festival of Cyclo Cross. They are requesting an additional day: Friday, 11/4, for the Pan-American Cyclo Cross Championships.

License Alcoholic Beverages

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell
Wines and Malt Beverages

To Be Drunk On the Premises

To WM Cycling Events, Inc.
Manager, William Sykes

Cape Cod Fairgrounds
1220 Nathan Ellis Highway, East Falmouth

On the following described premises:

Cape Cod Fairgrounds, 1220 Nathan Ellis Highway, Falmouth, MA 02536

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 4th day of November 2022 until the 6th day of November 2022, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

Date: Friday, November 4. Time 12:00 p.m. to 4:00 p.m. - PAN-AMERICAN CYCLO CROSS CHAMPIONSHIPS. Dates: Saturday, November 5 & Sunday, November 6, 2022. Time: 12:00 p.m. to 4:00 p.m. - REALLY RAD FESTIVAL OF CYCLO CROSS.

Organizers are required to contact Detail Sergeant at Police Department and Fire Department to insure that proper safety, security and traffic measures are in place. 1. Alcoholic beverages must remain on the premises. 2. Rope off area where alcohol will be sold and consumed. 3. Servers-Bartenders must be TIPS or equivalent certified 4. All Vendors must apply for Food Permits from the Health Department at least 30 days before the event.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 24th day of October 2022

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ



APPLICATION

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

NAME OF APPLICANT: Bill Sykes

ADDRESS OF APPLICANT: 13 River St, Plymouth, MA 02360

NAME OF ORGANIZATION: WM Cycling Events, Inc

MAILING ADDRESS: 13 River St, Plymouth, MA 02360

TELEPHONE #: 508 954 9037 EMAIL: bill@intlcycling.com

LOCATION TO BE LICENSED-ADDRESS: Cape Cod Fairgrounds

EVENT TITLE: Pan-American Cyclo Cross Championships APPROXIMATE # OF PEOPLE: 500

DATE(S) OF EVENT: November 4, 2022 HOURS OF EVENT: 8am - 4pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Bill Sykes

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)

10/17/2022

Bill Sykes

DATE

APPLICANT SIGNATURE

FEE: \$25.00 PER DAY

\$10.00 FILING FEE

2022

License Alcoholic Beverages

22-18-WM

Fee:

50

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell
Wines and Malt Beverages

To Be Drunk On the Premises

To WM Cycling Events, Inc.
Really RAD Festival of Cyclo Cross
Manager, William Sykes

Cape Cod Fairgrounds
1220 Nathan Ellis Highway, East Falmouth

On the following described premises:

Cape Cod Fairgrounds, 1220 Nathan Ellis Highway, Falmouth, MA 02536

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

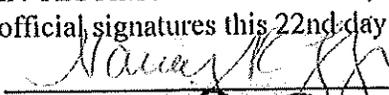
This license is valid from the 5th day of November 2022 until the 6th day of November 2022, unless earlier suspended, cancelled or revoked.

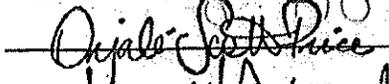
The hours during which Alcoholic Beverages may be sold are from:

Saturday, November 5 & Sunday, November 6, 2022. 12:00 p.m. to 4:00 p.m.

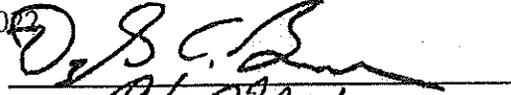
Organizers are required to contact Detail Sergeant at Police Department and Fire Department to insure that proper safety, security and traffic measures are in place. 1. Alcoholic beverages must remain on the premises. 2. Rope off area where alcohol will be sold and consumed. 3. Servers-Bartenders must be TIPS or equivalent certified 4. All Vendors must apply for Food Permits from the Health Department at least 30 days before the event.

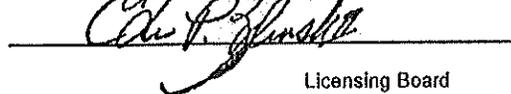
IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 22nd day of August 2022











Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ.

CONSENT AGENDA

2. Administrative Orders

- a. Approve Eversource petition to install one (1) new handhole labelled 31/8 at the base of existing pole 31/8 and to install approximately 24' (feet) of conduit and cable under the town road easterly starting at new handhole 31/8. This work is necessary to provide new electric service to 13 Abbies Lane.



Town of Falmouth

Department of Public Works - Engineering Division

416 Gifford Street, Falmouth, MA 02540
Office: 508-457-2543, Fax: 508-548-1537

Nicholas Croft, Engineering Technician

nicholas.croft@falmouthma.gov

Date: October 7, 2022

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install $\pm 24'$ of conduit on and one handhole on Abbies Lane

A petition was submitted by Eversource to install $\pm 24'$ of underground conduit and one handhole on Abbiest Lane to provide service for a customer at 13 Abbies Lane.

The Engineering recommendation is to approve the request as submitted on Plan No. 9417625, W/O No. 9417625, dated August 24, 2022.

Eversource Reminder: All Street Openings require a permit obtained from the Engineering Office.

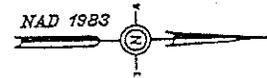
Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

LEGEND

- ⊕ Proposed Handhole
- ⊕ Existing Handhole
- Proposed Conduit
- Existing Pole
- Pole with Riser

Plan to accompany petition of EVERSOURCE ENERGY to install 24'± of conduit from Proposed Handhole to customer Handhole at #13 Abbies Ln.



02A 11 036 028
6 ABBIES LN
N/F
JULIAN PATRICIA A

02A 11 035 027
10 ABBIES LN
N/F
TITLEBAUM KENNETH H

02A 11 034 022
12 ABBIES LN
N/F
CROWLEY IV TRUSTEE
FRANK A

31/9

31/8
● ⊕ PROPOSED HANDHOLE

31/7

EDGE OF PAVEMENT

EDGE OF PAVEMENT

ABBIES LN

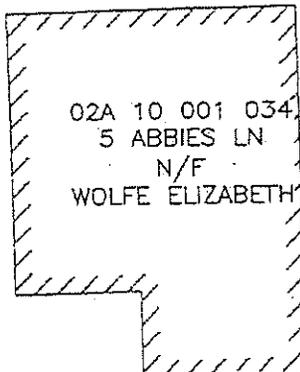
PROPOSED CONDUIT
TL=24'±

EDGE OF PAVEMENT

EDGE OF PAVEMENT

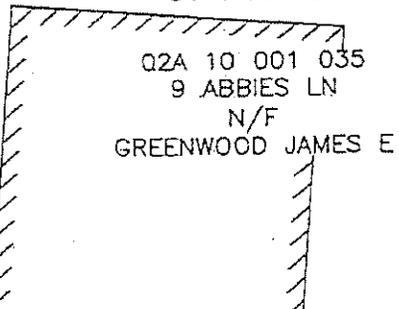
APPROX. R.O.W.

APPROX. R.O.W.



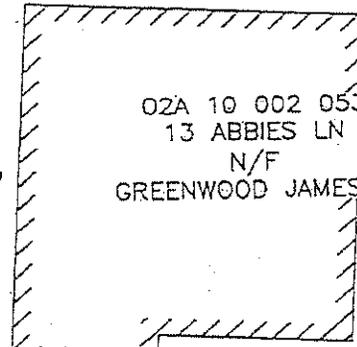
02A 10 001 034
5 ABBIES LN
N/F
WOLFE ELIZABETH

APPROX. R.



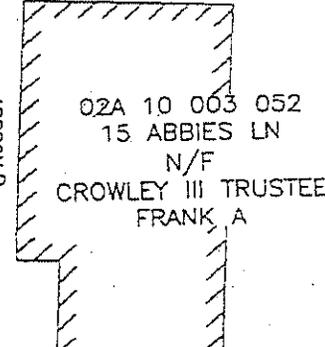
02A 10 001 035
9 ABBIES LN
N/F
GREENWOOD JAMES E

APPROX. R.



02A 10 002 053
13 ABBIES LN
N/F
GREENWOOD JAMES E

APPROX. R.



02A 10 003 052
15 ABBIES LN
N/F
CROWLEY III TRUSTEE
FRANK A

APPROX. PT.
OF PICKUP



SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARTNERS, AFFILIATES, OFFICERS, DIRECTORS, SUPERVISORS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

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MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	9417625
Ward #	
Work Order #	9417625
Surveyed by:	N/A
Research by:	GR
Plotted by:	GR
Proposed Structures:	GR
Approved:	T. THIBAUT
P#	

NSTAR EVERSOURCE
ELECTRIC
G/B/A
1163 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of	ABBIES LANE
	FALMOUTH
Showing PROPOSED CONDUIT LOCATION	
Scale	1"=20'
Date	AUGUST 24, 2022
SHEET 1 of 1	

PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#9417625

August 24, 2022

Barnstable, Massachusetts
To the Select Board of Falmouth, Massachusetts.

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

request permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

Abbies Lane, Falmouth

To install approximately 24' (feet) of conduit and cable under town road easterly starting at new handhole at base of existing pole 31/8.
Install one new handhole at base of existing pole 31/8.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed in accordance with the plan files herewith marked Plan No. 9417625 Dated August 24, 2022

NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY

By Jessica Elder

Right of Way Agent
Jessica S. Elder

FORM OF ORDER FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#9417625

SELECT BOARD FOR THE TOWN OF FALMOUTH, MASSACHUSETTS.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED: that the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE
ENERGY be and it is hereby granted a location for and permission to install and maintain
underground cables, conduits and manholes, together with such sustaining and protecting
fixtures as said Company may deem necessary, in, under, along and across the public way or
ways hereinafter referred to, as requested in petition of said Company dated the 24th day of
August 2022.

All construction under this order shall be in accordance with the following conditions:

Cables, conduits, and manholes shall be installed substantially at the point indicated
upon the plan marked Plan No.9417625 Dated August 24, 2022 filed with said petition. The
following are the public ways or parts of ways under, along and across which the cables
above referred to may be installed under this order.

Abbies Lane, Falmouth

Easterly from new handhole at base of pole 31/8,
to install approximately 24' (feet) of conduit.
Install one new handhole at base of pole 31/8.

One (1) Conduit
One (1) Handhole

This work is necessary to provide new electric service to #13 Abbies Lane.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board
of the Town of Falmouth, Massachusetts held on the 24th day of
October 2022.

Phyllis A Downey
Clerk of Select Board

_____, Massachusetts _____ 2022.

Received and entered in the records of location orders of the Town of Falmouth
Book _____ Page _____.

Attest:

Town Clerk

We hereby certify that on October 6 2022, at 3:00 o'clock,
P. M. at Falmouth Town Hall a public hearing was held on the
petition of the

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY

for permission to install and maintain the underground cables, conduits, manholes and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

Select Board for the Town of
Falmouth, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Select Board of the Town of Falmouth, Massachusetts, on the _____ day of _____ 2022, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

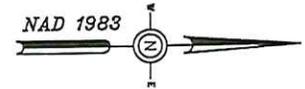
Attest:

Town Clerk.

LEGEND

- ⊕ Proposed Handhole
- ⊕ Existing Handhole
- Proposed Conduit
- Existing Pole
- Pole with Riser

Plan to accompany petition of EVERSOURCE ENERGY to install 24'± of conduit from Proposed Handhole to customer Handhole at #13 Abbies Ln.



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02A 11 034 022
12 ABBIES LN
N/F
CROWLEY IV TRUSTEE
FRANK A

31/9

31/8

31/7

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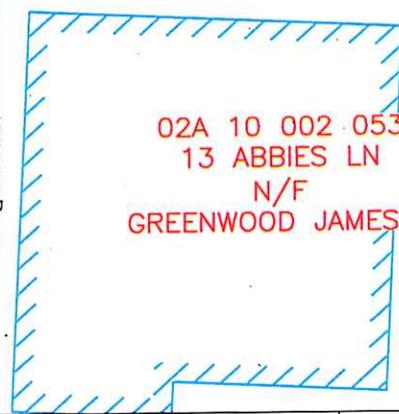
02A 10 001 034
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N/F
WOLFE ELIZABETH

APPROX. R.

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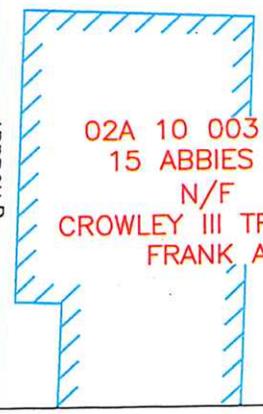
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9 ABBIES LN
N/F
GREENWOOD JAMES E

APPROX. R.

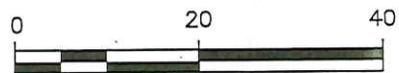


02A 10 002 053
13 ABBIES LN
N/F
GREENWOOD JAMES E

APPROX. R.



02A 10 003 052
15 ABBIES LN
N/F
CROWLEY III TRUSTEE
FRANK A



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MASS. LAW

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Plan #	9417625
Ward #	
Work Order #	9417625
Surveyed by:	N/A
Research by:	GR
Plotted by:	GR
Proposed Structures:	GR
Approved:	T. THIBAUT
P#	

NSTAR EVERSOURCE

1155 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of	ABBIES LANE
	FALMOUTH
Showing	PROPOSED CONDUIT LOCATION
Scale	1"=20'
Date	AUGUST 24, 2022
SHEET	1 of 1



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

PUBLIC HEARING NOTICE

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Small Conference Room at 3:00 p.m. on Thursday, October 6, 2022, upon the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install One (1) new handhole labelled 31/8 at the base of exiting pole 31/8 and to install approximately 24' (feet) of conduit and cable under the town road easterly starting at new handhole 31/8.

This work is necessary to provide new electric service to 13 Abbies Lane.

Per Order of the Falmouth Select Board

Publication Date: Friday, September 23, 2022, Falmouth Enterprise

PLACE: Falmouth Town Hall
59 Town Hall Sq
Falmouth, MA 02540

Documents may be viewed online at: <https://www.falmouthma.gov/1327/Applications-Currently-Under-Review>

By Order of the Planning Board

Paul Dreyer
Clerk/Secretary

September 23, 2022

PUBLIC HEARING NOTICE

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This work is necessary to provide new electric service to 13 Abbies Lane.

Per Order of the Falmouth Select Board

September 23, 2022

TOWN OF FALMOUTH PLANNING BOARD PUBLIC MEETING NOTICE

APPLICANT: Mary Harrington

Location: 12 Hackmatack Way
Map# 48 10 044 001

PROPOSAL: Site Plan Review application to construct an accessory apartment

DATE & TIME: Tuesday, October 11,
2022 at 6:30pm

PLACE: Falmouth Town Hall
59 Town Hall Sq
Falmouth, MA 02540

Documents may be viewed online at: <https://www.falmouthma.gov/1327/Applications-Currently-Under-Review>

By Order of the Planning Board

Paul Dreyer
Clerk/Secretary

September 23, 2022

TOWN OF FALMOUTH PLANNING BOARD PUBLIC MEETING NOTICE

APPLICANT: WHOI

Location: 86 Water St
Map# 49A 02 000K 001

By Order of the Planning Board

Paul Dreyer
Clerk/Secretary

September 23, 30, 2022

The FALMOUTH CONSERVATION COMMISSION will hold a public hearing under Section 40, Chapter 131 of the general laws of the Commonwealth of Massachusetts Wetlands Protection Act and/or the Town of Falmouth Wetlands Protection Bylaw on **Wednesday, October 5, 2022, at 7:00 PM.**

In accordance with Chapter 107 of the Acts of 2022, relating to the 2020 novel Coronavirus outbreak, the **October 5, 2022, public meeting of the Falmouth Conservation Commission shall be physically closed to the public to avoid group congregation.**

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.

2. Real-time public comment can be addressed to the Conservation Commission utilizing the Zoom virtual meeting software for remote access. This application will allow users to view and participate in the meeting. Text comments submitted with the Chat function will be read into the record at the appropriate points in the meeting.

a. Zoom Login instructions:

i. Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthma.gov/Conservation>

ii. Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.

3. Additionally, public comments may be sent in advance of the meeting to concom@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized, or displayed during the meeting at the discretion of the chair.

4. Applicants, their representatives, and individuals with enforcement matters before the Conservation Commission may appear remotely and are not required to be physically present. Applicants, their representatives, and individuals with enforcement matters before the Conservation Commission may contact the Conservation Department to arrange an alternative means of real-time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to concom@falmouthma.gov so they may be displayed for remote public access viewing.

Complete applications are available by request and will be sent via email.

REQUESTS FOR DETERMINATION OF APPLICABILITY

Anton Nel, 23 Choptank Road, Falmouth, MA - For permission to raze the existing garage; construct an addition, pool, pool fence and patio, decks, paver walkway, terrace, retaining wall, detached garage, and rinse station; to reconfigure the driveway; upgrade the sewage

tion, grading, and landscaping.

By Order of: Jamie Mathews, Chairman
Falmouth Conservation Commission

September 23, 2022

LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Wagner Hospitality Management, LLC d/b/a Holiday Inn Falmouth has applied for a Transfer of an All Alcoholic Beverages Hotel License located at 291 Jones Road, Falmouth, MA.

A hearing will be held in the Selectmen's Meeting Room, Falmouth Town Hall on Monday, October 3, 2022, at 7:15 p.m. on the above application.

Per order of the Select Board

LICENSING BOARD
Nancy R. Taylor
Orjale Scott Price
Samuel H. Patterson
Douglas C. Brown
Edwin (Scott) P. Zylinski, II

September 23, 2022

Falmouth Zoning Board of Appeals Notice of Public Hearing for October 20, 2022

Notice is hereby given of the following **Public Hearing @ 6:30pm and Open Meeting** in the Select Board's Meeting Room, Town Hall, Falmouth, MA, on **Thursday, October 20, 2022**

Continuation(s)

#059-22 O'Boy, 1 Lookout Avenue, Falmouth

Application #073-22 Stephen P. Bowen: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. and 240-69 E. of the Code of Falmouth to raze and rebuild the nonconforming, single family dwelling; exceeding 20% lot coverage by structures on subject property known as 24 Boston Street, Teaticket, Ma.

Application #029-21R, Court Ordered Remand - James B. and Mary E. Knox: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. of the Code of Falmouth to raze and rebuild the non-conforming, single family dwelling on subject property known as 9 Dartmouth Avenue, Falmouth, Ma.

Application #076-22 Cape Cod Aggregates Corp.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-150 thru 240-156 and 240-216 of the Code of Falmouth to continue the earthmoving operation and reclamation of land on properties located on Dimmock Avenue and Draper Road, East Falmouth, Ma.

Files are available in the Board of Appeals Office at Town Hall for review by interested parties. Publication Dates: **September 23, 2022 and September 30, 2022**

September 23, 2022

CONSENT AGENDA

2. Administrative Orders

- b. Vote to Approve Warrant for the 2022 State Election on
November 8, 2022

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

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 Elections 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 EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR and LIEUTENANT GOVERNOR.....	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	FOR THE NINTH DISTRICT
COUNCILLOR.....	FOR THE FIRST DISTRICT
SENATOR IN GENERAL COURT.....	FOR THE PLYMOUTH & BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	FOR THE THIRD BARNSTABLE, DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	BARNSTABLE, DUKES & NANTUCKET DISTRICT
DISTRICT ATTORNEY.....	FOR THE CAPE & ISLANDS DISTRICT
SHERIFF.....	BARNSTABLE COUNTY
COUNTY COMMISSIONERS.....	BARNSTABLE COUNTY
BARNSTABLE ASSEMBLY DELEGATES.....	FALMOUTH
REGIONAL SCHOOL COMMITTEE.....	UPPER CAPE COD DITRICT

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A **YES VOTE** would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A **NO VOTE** would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for "all alcoholic beverages" and for "wines and malt beverages") that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of "all alcoholic beverages" licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A **YES VOTE** would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of "all-alcoholic beverages" licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers' out-of-state identification.

A **NO VOTE** would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

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 _____ day of _____, 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

- c. Vote to re-appoint Peter Johnson-Staub as the Falmouth representative to Cape and Islands Water Protection Fund Management Board



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

townmanager@falmouthma.gov

COMMONWEALTH OF MASSACHUSETTS

The Town of Falmouth

Peter Johnson-Staub
59 Town Hall Square
Falmouth, MA 02540

We, the Selectmen of the Town of Falmouth by virtue of the authority in us vested by the laws of the Commonwealth, do hereby appoint you

**CAPE COD AND ISLANDS WATER PROTECTION FUND
TOWN OF FALMOUTH REPRESENTATIVE TO THE MANAGEMENT BOARD**

UNTIL OCTOBER 24, 2025

Given at FALMOUTH this 24th day of OCTOBER, 2022

Please present this appointment to the Town Clerk to be sworn into the office of which you have been appointed in order to validate the appointment.

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski II

RECORDED _____ 2022

ATTEST _____ TOWN CLERK

Diane Davidson

From: Peter Johnson-Staub
Sent: Thursday, October 6, 2022 4:28 PM
To: Diane Davidson
Subject: FW: [EXTERNAL] - CCIWPF Management Board Appointment

Hi Diane,
Could you please add to the October 24th consent agenda a re-appointment for me to continue to serve on this board?

Thanks,
Peter

Peter Johnson-Staub
Acting Town Manager
Town of Falmouth, MA
O: 508-495-7320

www.falmouthma.gov

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Erin Perry <eperry@capecodcommission.org>
Sent: Friday, September 30, 2022 10:59 AM
To: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Subject: [EXTERNAL] - CCIWPF Management Board Appointment

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Peter,

I hope all is well. I am reaching out about your appointment to the Management Board.

Massachusetts General Law Chapter 29C §20 - Cape Cod and Islands Water Protection Fund Management Board, states "*Each member of the management board shall serve for a term of 3 years and until a successor is appointed and qualified and each member of the management board shall be eligible for reappointment. Each member of the management board appointed to fill a vacancy on the management board shall be appointed for the unexpired term of the vacant position.*"

According to our records, your term has expired. I am reaching out to request that you forward documentation of your reappointment to the Cape Cod and Islands Water Protection Fund Management Board at your convenience. If you have any questions, please feel free to reach out.

Thank you!
Erin



CAPE COD
COMMISSION

Erin Perry
Deputy Director
Cape Cod Commission
508-744-1236
eperry@capecodcommission.org

CONSENT AGENDA

2. Administrative Orders

- d. Initiate renaming process to add a plaque to the band shell on the Falmouth Music and Arts Pavilion naming the band shell "The Linda Dow Whitehead Band Shell"

Town of Falmouth
Select Board
NAMING POLICY FOR PUBLIC FACILITIES AND PLACES
Adopted, December 6, 2010

Policy:

This policy is adopted pursuant to the naming of public facilities and places in honor and/or in memory of those who served the greater Falmouth community.

Guidelines:

It is the policy of the Town of Falmouth, that the naming of public facilities and places is a significant event and should be done rarely, and only in accordance with the following guidelines:

Public facilities or places shall be considered for naming or renaming by written request, accompanied by background information and rationale, to the Select Board;

The Board shall consider naming based upon:

- Persons who were residents or town employees of excellent character and reputation who made significant contributions to the town. Attributes include:
 - Unusually effective and dedicated service to or on behalf of the town;
 - Efforts to sustain the high quality of life and service within the community;
 - Demonstrated understanding and activities within the essential functions of town government;
 - Service in the defense of freedom or other examples of effective citizenship;
- A geographic or functional name related to the facility or area;
- Names provided as part of trust arrangements, donations, bequests or other related activities;
- Tradition;
- Some combination of the above mentioned attributes.

Procedure:

In order to avoid personal or collective prejudice, favoritism, political pressure and/or temporary popularity, the Board shall take no action on an application to name a public facility or place for a period of at least one (1) year following submission of said application;

After the waiting period has elapsed, a subcommittee of two (2) selectmen shall seek the input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named or renamed, and hold a public hearing to seek input from the community;

The recommendation of the subcommittee shall be considered and voted by the full Select Board in an open regular meeting. Naming the public facility or place shall require a vote of four (4) members of the Select Board;

Changing the name of a public facility or place already named shall require a vote of four (4) members of the Select Board AND a two-thirds vote of Town Meeting.

Eligibility:

All public facilities and places under the jurisdiction of the Select Board and/or any of its direct and indirect appointees are eligible to be named. These facilities and places include, but are not limited to: town buildings or parts thereof, undeveloped parcels of land, recreation areas, intersections, streets and roads, and other landmarks.

Exceptions:

Exceptions to this policy shall be made for:

- The Memorial Bench Policy;
- Where state or national laws, or regulations pertaining thereto, require that a facility or place be named in any manner inconsistent with this policy. For example, the Massachusetts LAND grant program requires that property acquired with these funds be named before they will reimburse the town for said purchase;
- Where naming is utilized as part of a capital campaign to raise funds. For example, the capital campaign which supported the 2007 renovation of the main branch of the Falmouth Public Library.

Diane Davidson

From: Peter Johnson-Staub
Sent: Thursday, October 6, 2022 9:46 AM
To: Jack Whitehead
Cc: Nancy Taylor; Diane Davidson
Subject: RE: [EXTERNAL] - Fwd: Request concerning Linda D. Whitehead

Ok, will do Jack.

Peter Johnson-Staub
Acting Town Manager
Town of Falmouth, MA
O: 508-495-7320

www.falmouthma.gov

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Jack Whitehead [REDACTED]
Sent: Thursday, October 6, 2022 8:53 AM
To: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Cc: Falmouth Selectboard <selectboard@falmouthma.gov>
Subject: Re: [EXTERNAL] - Fwd: Request concerning Linda D. Whitehead

Thank you. Yes, please proceed. Jack Whitehead.

Sent from my iPhone

On Oct 6, 2022, at 8:31 AM, Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov> wrote:

Hello Jack Whitehead,

First let me say that Lin has a truly impressive record of community service and engagement. The process for naming a building, facility or place is spelled out in the attached policy. As you will see, it requires a vote of the Select Board in a regular public meeting followed by a one-year "waiting period" before a facility can be named. The reasoning for this waiting period is addressed in the policy. In this circumstance, you are seeking to change the name of an existing facility which requires a 4/5ths vote of the Select Board and Town Meeting approval. As you can see, the name cannot be changed confidentially or quickly. If you would like to move forward with this request, we will place it on an upcoming agenda to formally initiate the process. You have provided plenty of information to support your request. Please let us know if you would like to pursue this request now that you know the timeline and procedure.

Best Regards,

Peter

Peter Johnson-Staub
Acting Town Manager
Town of Falmouth, MA
O: 508-495-7320

www.falmouthma.gov

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Jack Whitehead <[REDACTED]>
Sent: Wednesday, October 5, 2022 4:04 PM
To: Falmouth Selectboard <selectboard@falmouthma.gov>; Jack Whitehead <jwhitehead@whoi.edu>
Subject: [EXTERNAL] - Fwd: Request concerning Linda D. Whitehead

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, In talking with Doug Brown after sending the Selectboard some messages, I learned that I need to put forward a complete proposal. This request, plus the earlier two messages, along with some attached photos constitutes the proposal.

I propose that the building on the Falmouth Music and Arts Pavilion have a plaque added naming the present structure "The Linda Dow Whitehead Band Shell".

Two existing plaques exist there at present (photos attached). One notes her service and is an honor to her and fine as it is.

Unfortunately, the other was removed from the previous structure "The Oscar Wolf Bandshell" which was completely demolished including the foundation. This second plaque apparently misleads the public. It would be best to relocate it to the side of the present structure, and next to it should be a plaque explaining that it is from the previous structure, which was the first bandshell on this site.

Perhaps if the Selectboard do decide to honor Lin as proposed here by naming the building that she conceived and had built, the new plaque can replace it on the front of the building.

Finally, I hope this historical misunderstanding can be corrected.

Thank you for considering this.

Jack Whitehead
7 Gregory Lane
Falmouth, MA 02540

List of Attached photos:
Plaques for Lin and Oscar

Present Pavillion Rock 2009
Grant award photos 2007
sequence of fund raising needed to produce the present structure
Grant award ceremony 2007
The previous Wolf Bandshell. 2008

----- Forwarded message -----

From: Jack Whitehead <[REDACTED]>
Date: Tue, Oct 4, 2022 at 8:57 AM
Subject: Re: Request concerning Linda D. Whitehead
To: Nancy Taylor <nancy.taylor@falmouthma.gov>
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>, Onjalé Scott Price <onjale.scottprice@falmouthma.gov>, Diane Davidson <diane.davidson@falmouthma.gov>

Hello, I will add one more set of comments of historical nature and then leave the issue.

Doug Brown was on the committee and can add his clarifications.

Here is a clip from the Enterprise dated August 15, 2015 about the August 20 concert.

"The concert will be a special night to honor Linda Whitehead, performer and Falmouth Town Band conductor for 30 years. Some of the improvements to the band that happened under Ms. Whitehead's leadership, and with the support of her husband, Jack Whitehead, include the rebuilding of the Oscar Wolf Bandshell which was completed in 2009 in order to correct some safety hazards, improve the lighting, and install much-needed double storage rooms. Ms. Whitehead spearheaded efforts to renovate the bandshell and helped secure additional funds not covered by the town to get the job done.

Ms. Whitehead will be honored for her work with a plaque that will be placed on the bandshell that will read: "For her conviction and devoted service in the 2009 rebuilding of this pavilion, we recognize Linda D. Whitehead, conductor 1982-2012."

My comment is that the structure was entirely replaced and not rebuilt. The Town meeting voted in 1998 to allocate \$10,000, followed by \$40,000 (2002), \$300,000 (2003) and \$20,000 (from the Falmouth Community Preservation Fund 2006) for a complete replacement but then, because of the cost of construction bids and the passage of time, the town government tried to quietly transfer some funds out, which did not happen only because Lin reported it. The matching funds were required for a final amount Lin secured (\$173,000) from the Massachusetts Cultural Council to complete the funding of the replacement. The final design was affordable and was a complete replacement using the funds available thanks to a beautiful design by Kenenan and Kenney Architects.

We have a huge collection filed to back all this up.

As I said, I urge the Town of Falmouth to name the structure the Linda Dow Whitehead bandshell. I grabbed the Oscar Wolfe Plaque from the old structure the day before it was

demolished and gave it to the town to remember Oscar who was honored when the first shell was completed as Lin should be for the present structure.

Thank you. Jack Whitehead

On Sun, Oct 2, 2022 at 12:03 PM Nancy Taylor <nancy.taylor@falmouthma.gov> wrote:

Hello Mr. Whitehead:

According to the 300 Committee website, the bandshell has already been named after Oscar Wolf.

I have copied this response to Peter Johnson-Staub and Diane Davidson for verification.

Regards,
Dr. Nancy R. Taylor

Sent from my iPhone

> On Oct 2, 2022, at 11:33 AM, Jack Whitehead <[REDACTED]> wrote:

>

>

> Hello Members,

>

> I don't know how everyone would feel about this, but I wonder whether you would consider naming the band shell after Linda Dow Whitehead for her 80th birthday, November 17. She worked tirelessly to raise the funds for the new facility, sometimes with great support from the town management and at other times with some problems. She persisted, however, got the job done and it is simply great. It would not be here without her that is indisputable and I can back that up if you need such information. The acoustics are excellent.

>

> She was also music teacher and department chair in the public schools for many years, with numerous students now in the professional ranks throughout the country. Her teaching and leadership included everyone, whether gifted or struggling and she changed the lives of hundreds here in Falmouth.

>

> She has been a band member for 52 years, first as Librarian and first clarinet, then as director for over 30 years. Her successors, LaVada Studley and now Tom Borning have continued to lead what is perhaps the best band in the state, certainly on the Cape. Although I have not contacted them, I expect that Tom and LaVada would support me.

>

> Finally, Lin continues to be active as a town meeting member and helping with various committee projects in town.

>

> Thank you for your consideration,

>

> (I would appreciate your keeping this in confidence if at all possible as she is not aware I have sent this.)

- >
- > i look forward to your reaction.
- >
- > Many thanks (and for all your services, as well).
- >
- > Jack Whitehead

Board of Selectmen Minutes for: 06-08-2009

Board of Selectmen
June 8, 2009
Selectmen's Meeting Room
Falmouth Town Hall

Board of Selectmen
Present: Mary Pat Flynn, Chairman; Brent Putnam, Vice-Chairman; Carey Murphy and Melissa Freitag
Others Present: Robert Whritenour, Town Manager and Heather Harper, Assistant Town Manager
Absent: Ahmed Mustafa

Mary Pat Flynn called the meeting of the Board of Selectmen to order at 7:02 p.m.

Summary of Actions

1. Accept Donation From the 300 Committee for \$135,000 for Bartolomei Acquisition
 2. Cape Cod Beagle Club - 1 Day Liquor License - 6/14/09
- Brent Putnam moved to approve the donation and liquor license. Melissa Freitag seconded.
4-Yes, 0-No

Summary of Actions Held

1. Request for Funding Under Municipal Grant Program - DNR/Shellfish
Charlie Caffrey answered questions regarding the local match of \$15,000 for in-kind services from department heads who are willing to continue in this effort. Carey Murphy moved the request. Melissa Freitag seconded. 4-Yes, 0-No
2. Proclamation - Amateur Radio Week
The proclamation was read by Brent Putnam who also noted that an event will be held on Saturday, June 27. After 2 p.m., the public is invited to Barnstable County Fairgrounds to look and see what Field Day is all about. Brent Putnam moved the week of June 22-28, 2009 as Amateur Radio Week. Melissa Freitag seconded. 4-Yes, 0-No
3. Approve Minutes of Meeting -
Minutes of 6/1/09 will be on next week's agenda.

Report - Bikeways Committee

Dr. Edward S. Gross gave a presentation on the history of the Shining Sea Bikeway and highlighted the achievements, important problems and conflicts and the goals of the committee in his annual report. The report will be posted on the Bikeway's website. He spoke on many issues including the parking and bamboo problems. Mr. Gross hopes that Falmouth can be the first Mass. Bicycle Friendly Community. Carey Murphy thought there may be a need for uniform signage and suggested digging up the bamboo. Mr. Gross informed the Board that Friends of Falmouth Bikeways has 40 Stewards who voluntarily look for any problems on the bike path. Brian Dale spoke on the confusion concerning the mowing schedule and the need for a higher level of maintenance for the bike path. At the conclusion, Mary Pat Flynn suggested the need to have Mr. Gross give his report more than twice a year as the Bikeways Committee is becoming more active. He agreed to come before the Board more often.

Report - Police Chief Anthony Riello

Chief Riello made comments concerning the bike path; in particular, the graffiti problem and the issue of Police motorcycles patrolling it for any illegal activity. There have been breaking

and entering of parked vehicles there as well. Lighting at the Depot Avenue and County Road parking areas would be beneficial. Chief Riello spoke on various issues: The Special Response Team, the Police Memorial Day Service, the completion of a Strategic Planning session, the management team which focuses on specific areas of service such as teenage drinking, a greater police presence in certain areas of Town, a second full-time drug investigator, "Operation Graduation" which deals with safe driving habits during Prom season for high schools and "Muffle the Motorcycles" to combat this noise.

Falmouth Selectmen's Meeting 6/8/09

Discussion of Coonamessett River Working Group - Greg Pinto

Greg Pinto, Chairman of the CRWG, explained to the Board that the Charter will expire on June 30, 2009. However, the group is in the implementation phase of building dikes on some bogs. There is a need for volunteer labor, but they do have a contractor who will build a dike for free which will be done next winter. The group voted to ask for an extension of the Charter until August 31, 2009 to implement these projects. A discussion ensued about the role the Conservation Commission would play after the Charter ends and whether the Board of Selectmen could lose control of the grant process or how decisions are handled. Mary Pat Flynn thought there should be a meeting with CONCOM to discuss their role. Brent Putnam thinks a joint meeting between CONCOM and the Agricultural Committee should occur before August 31. Brent Putnam moved to extend the Charter until 8/31/09. Melissa Freitag seconded. 4-Yes, 0-No. Elizabeth Gladfelter said CONCOM is working on the Falmouth Plan and is having a meeting to work on this. This meeting should occur first before the joint meeting with the Board. Ms. Gladfelter and Chairman Flynn thanked the CRWG for all the work they have done.

Discuss Beach Parking Lot Closing Hour - Falmouth Heights

Robert Whritenour met last week with Don Hoffer, Beach Superintendent, Bruce Morgado, Assistant Beach Superintendent, John Lyons from the DPW and Chief Riello to establish protocol for closure of the Heights parking lot. Two people would be responsible for different parts of Town. Communication with the local establishments and their customers is the key to minimize the towing. After Mr. Whritenour explained the process to be used in closing the lot, representatives of the two businesses in question were allowed to speak: Brian Clay, General Manager of the British Beer Company and Tom Polini, General Manager of the Casino Wharf restaurant. Both men said they had no problem working with the Town. Bill Frawley, who lives in the Heights area, thinks the lot should stay open until 11 p.m., and he read the names of neighbors who feel the same way. Most of the public spoke in favor of a 9 p.m. closing. They included Susan Silby who thought all beaches should be treated the same way, Brad Broderick, Regina Wolf Wagner, Winifred Grant, Howard Grosser, Gloria Hills, Adrian Dufresne and Rod Baltz. After discussion between the Board, Brent Putnam moved for a 10 p.m. closure of the Falmouth Heights Beach parking lot. Mary Pat Flynn seconded. 2-Yes, 2-No.

Vote Designation of Public Facility

Heather Harper gave a brief presentation on the history of the Oscar Wolfe Bandshell. The new facility was on budget and was completed before expected. Lynne Whitehead explained who Mr. Wolf was and why the bandshell was named after him: He was a Falmouth resident who was manager of the Falmouth Town Band. After the Board debated the name, Carey Murphy moved to designate the facility as the Falmouth Music and Arts Pavilion. Melissa Freitag seconded. 3-Yes, 1-No.

Discussion of Procedure for Committee Appointments

Mary Pat Flynn noted that there are 59 appointments needed to be made. While some have applied for vacancies, their list only shows three applicants for these 59 appointments. The Board discussed who should be interviewed: New applicants only or include those seeking

reappointment. Brent Putnam thinks regulatory and advisory boards such as the Conservation Committee, the Historical Commission, the Historic Districts Committee, the ZBA and the CPA should come before the Board to be interviewed. Such applicants should be posted, he said, on the Selectmen's website so the public can make comments and then go ahead with blanket approval. Mary Pat Flynn agreed but thinks public comment should be made in writing to the Board. E-mails can be sent to selectmen@falmouthmass.us. It will go to each member of the Board. The Board agreed to interview applicants to certain committees and blanket vote the rest. Committees need to get a list of open seats. Vacancies are listed on the website. Matt MacNamara suggested checking with the staff of the committees for attendance records or other needed information. Mary Pat Flynn noted that Mr. Whritenour will have the ZBA on next week's agenda.

Town Manager's Report

Robert Whritenour highlighted four activities this week. On Tuesday, June 2, he attended the meeting of the Finance Committee to review in detail the issues involved with our Special Town Meeting scheduled for Falmouth Selectmen's Meeting 6/8/09

Page 2

June 29. Because Falmouth has been recommended by the Governor to receive direct funding of approximately \$8.5 million for renewable energy projects under the federal stimulus funding being distributed by the State, the Finance Committee will be making a final recommendation for the amount and wording at Town Meeting.

Mr. Whritenour conducted a meeting with Assistant Town Manager Heather Harper, Town Counsel Frank Duffy, Chuck Martinsen of the DNR, Animal Control Officer, Tom Garland and representatives of Falmouth Friends of Dogs on Thursday, June 4, to discuss the comprehensive new animal control bylaw that is currently being drafted by that organization. The group is currently making some revisions to incorporate Town comments, and he is working to get a draft to share with the Selectmen so that the Friends of Dogs may request your support for their efforts. The bylaw gives the Town some additional teeth to help deal with issues such as dog breeding for sale, handling dangerous dogs and other issues with which we have dealt here in Town.

On Thursday, June 4, Mr. Whritenour conducted a meeting with Beach representatives Don Hoffer and Bruce Morgado, DPW Superintendent John Lyons, Police Chief Anthony Riello and Captain William MacManamin to discuss our protocols for the closing of beach parking lots and the development of a plan for the closure of the Falmouth Heights parking lot. The key issue will be to communicate with area establishments. The Police Department pledged its strong support and indicated that they will respond to any incidents that may occur involving the parking lot or other problems in the neighborhood.

Another ARRA-funded federal stimulus program that Mr. Whritenour is tracking provides funds for the construction and modification of Fire Stations. Two of these projects are currently being carried in the Town CIP, modification of the doors of the North Falmouth Station and a new station for Hatchville. If this materializes, a request will be made for the approval of the Board for these projects to move forward. This will need to go before a Special Town Meeting.

Selectmen's Informational Update

Brent Putnam asked if the Selectmen's web address could be posted at the bottom of the TV screen as in a tag line. This can be done by FCTV.

Carey Murphy invited the Board to the Cape Cod Selectmen's Council Association meeting this Friday, June 12 at 11:30 a.m. at the Anglers Club. Mr. Murphy is nominated for incoming

President.

Adjournment

Melissa Freitag moved to adjourn the meeting at 10:29 p.m. Brent Putnam seconded. 4-Yes, 0-No

Respectfully submitted,

Deborah Aguiar
Recording Secretary

Falmouth Selectmen's Meeting 6/8/09
Page 3

CONSENT AGENDA

2. Administrative Orders

- e. Vote to confirm the Charter Review Committee work is concluded and committee is disbanded

Diane Davidson

From: Peter Clark [REDACTED]
Sent: Tuesday, October 11, 2022 8:27 PM
To: Nancy Taylor; Falmouth Selectboard
Cc: Judy Fenwick; David Garrison; Carter Hunt; Dan Shearer; Charles McCaffrey
Subject: Closure for Charter Review Committee

Hello, Nancy,

I am writing to seek formal closure on our role as the 4th Charter Review Committee. Our report is submitted, and our desire to be dissolved as a committee was sent with it.

Beyond just a final step in our processes, there is, I believe, an expectation that as individual members of CRC we should not speak publicly about the issues under deliberation, but at some point that constraint needs to fall away.

I am writing to propose that if by November 1 we have not received a formal acknowledgement that our advisory role to the Select Board is concluded. we should agree that our work is done by default.

We have appreciated the attention that the Select Board has paid to our recommendations and hope you are empowered to give us this final statement.

Many thanks, Peter

Peter Clark
Chair, Charter Review Committee
charterreview@falmouthma.gov
peter.clark@falmouthma.gov
[REDACTED]

CONSENT AGENDA

2. Administrative Orders

- f. Authorize expenditure from the D.A.R.E. donations account in the amount of \$1,438.35 for the purpose of Halloween bags for the elementary students of Falmouth Public Schools

and

- g. Authorize expenditure from the D.A.R.E. donations account in the amount of \$127.09 for the purpose of supplies for the RAD Kid's Class



FALMOUTH POLICE DEPARTMENT
750 MAIN STREET ~ FALMOUTH, MA 02540
PH: 774-255-4500 ~ FAX: 508-457-2513
Kristin.nickerson@falmouthpolicema.gov

TO: SELECTBOARD
FROM: EDWARD A. DUNNE, CHIEF OF POLICE
SUBJECT: APPROVAL OF FUNDS
DATE: 10/19/2022

The Police Department is requesting authorization on an expenditure from the D.A.R.E. donations account (89-210-5210-5780) in the amount of \$1438.35 for the purpose of Halloween bags for the elementary students of Falmouth Public School.

We would also request for authorization on an expenditure from the D.A.R.E. donations account (89-210-5210-5780) in the amount of \$127.09 for the purpose of supplies for the RAD Kids class.

CONSENT AGENDA

3. Committee Appointments:

- a. Golf Advisory Committee – Richard Boles, Recreation Committee Representative
- b. Community Preservation Committee – Robert Brown, Recreation Committee Representative

Diane Davidson

From: Joe Olenick
Sent: Thursday, June 9, 2022 7:29 AM
To: Diane Davidson
Subject: Rec Committee

Hi Diane, At last nights Committee meeting the Committee reorganized. Bob Brown is now the Chair, Sandy Cuny is he Vice Chair. **Bob Brown is the Representative to the CPC, and Rich Boles is the representative to the Golf Committee.** Please let me know if you have any questions. Thanks Joe

Sent from my iPhone



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

COMMONWEALTH OF MASSACHUSETTS

The Town of Falmouth

Richard Boles
52 Cairn Ridge Road
East Falmouth, MA 02536

We, the Selectmen of the Town of Falmouth by virtue of the authority in us vested by the laws of the Commonwealth, do hereby appoint you

**MEMBER – GOLF ADVISORY COMMITTEE
RECREATION COMMITTEE REPRESENTATIVE**

UNTIL JUNE 30, 2025

Given at FALMOUTH this 24th day of OCTOBER, 2022

Please present this appointment to the Town Clerk to be sworn into the office of which you have been appointed in order to validate the appointment.

Nancy R. Taylor, Chair

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Scott Zylinski

RECORDED _____ 2022

ATTEST _____ TOWN CLERK



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

townmanager@falmouthma.gov

COMMONWEALTH OF MASSACHUSETTS

The Town of Falmouth

Robert A. Brown
P.O. Box 568
Falmouth, MA 02541

We, the Selectmen of the Town of Falmouth by virtue of the authority in us vested by the laws of the Commonwealth, do hereby appoint you

**MEMBER – COMMUNITY PRESERVATION COMMITTEE
RECREATION COMMITTEE REPRESENTATIVE**

UNTIL JUNE 30, 2025

Given at FALMOUTH this 24th day of OCTOBER, 2022

Please present this appointment to the Town Clerk to be sworn into the office of which you have been appointed in order to validate the appointment.

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski II

RECORDED _____ 2022

ATTEST _____ TOWN CLERK

MINUTES

1. Review and Vote to Approve Minutes of Meetings:
 - a. Public Session – September 26, 2022; October 1, 2022

TOWN OF FALMOUTH
Select Board
Meeting Minutes
MONDAY, SEPTEMBER 26, 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.

Present: Chair Taylor, Chair; Onjalé Scott Price, Vice Chair; Sam Patterson; Doug Brown; and Scott Zylinski.

Staff Present: Peter Johnson-Staub, Interim Town Manager; Maura O'Keefe, Town Counsel; Brian Tobin, Associate Town Counsel; Peter McConarty, DPW Director; Jim McLoughlin, Town Engineer.

1. Call to Order by Chair Taylor at 7 p.m.
2. Pledge of Allegiance
3. Proclamations
 - a. Eagle Scout Owen J. Lovell, Boy Scout Troop 40
Mr. Patterson read the proclamation as a motion. **Second Ms. Scott Price. Vote: Yes-5. No-0.**

Mr. Lovell's project was to build a bridge to replace a couple planks and log across a stream.

- b. Suicide Prevention Month
Ms. Scott Price read the proclamation as a motion. **Second Mr. Patterson. Vote: Yes-5. No-0.**
4. Recognition

Mr. Brown recognized the passing of Sgt. Greg Parson, a Falmouth Police Department Officer for many years and offered condolences to Sgt. Parson's family.

Ms. Scott Price recognized Jennifer Mullen for 10 years of service as Finance Director and noted that Ms. Mullen is leaving Falmouth.

Chair Taylor stated the Falmouth Patch had an article about former Falmouth Fire Department Chief Paul Brodeur who was honored at the International Association of Firefighters ceremony held in Colorado Springs over the weekend. Several members of the FFD attended the ceremony honoring those fire fighters who were considered to have died in the line of duty. Chief Brodeur died of lung cancer.

5. **Announcements**

Chair Brown toured the Habitat for Humanity project in North Falmouth, Representative Sue Moran toured it as well. It was built in five days and was a well-built house.

Chair Brown announced the Megansett Crossing affordable rental lottery is open and applications are available at Town Hall. The deadline for submission is 11/4/22.

Chair Brown stated he made comments about the recodification at the last meeting that gave the impression there were Planning Board and Zoning Board of Appeals issues related, but he meant to say it could become a problem if they approved the recodification and do not pay attention to the changes. Projects are not being denied because of it.

6. **Public Comment**

Barbara Schneider, Precinct 4, asked the Select Board to reconsider the policy that has Falmouth not giving large blue bins to our 501c3 non-profit companies and churches. She has been approached by a lot of them, they are hauling recycling to their homes or giving up and throwing it out. We are trying to make Falmouth environmentally friendly. She asked that some of the blue bins being returned be given to the groups that would like one, and the Town reconsider having them picked up.

TOWN MANAGER'S PRELIMINARY REPORT

Mr. Johnson-Staub reviewed the agenda.

The applicant for the public hearing #1 regarding 13 Davis Straits is requesting it be postponed because the Town and applicant have not agreed on a needed contingency.

There are no navigation or shellfish concerns found by Marine and Environmental Services regarding public hearing #2. The Conservation Commission approved and issued an order of conditions. Approval is recommended.

The Interim Town Manager contract will be deferred at this time.

Jim McLaughlin, Town Engineer and Peter McConarty, DPW Director, will provide an update on the Route 28 corridor project through to Sandwich Road.

Town Manager hiring process, Town Counsel will provide the scope of work for a search consultant.

Amp is seeking a memorandum of understanding (MOU) with the Town to donate the property and then lease it from the Town. Amp plans to build a large-scale solar project on the property.

Falmouth Housing Trust (FHT) is seeking to offset acquisition costs with \$100,000 from the Town for 33 Pheasant Lane. The ZBA approved a comprehensive permit for permanent deed restriction on this single family home.

Recommend approval of both items on the Consent agenda.

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members

a. Beach Committee

Mark Twitchell is a full time resident. He has noticed that the beaches and facilities need maintenance and would like to be part of bringing that forward. Mr. Twitchell also stated that the Town is lacking in facilities at our beaches; we need to protect and maintain them.

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

7:15 p.m. PUBLIC HEARINGS

1. Flow Neutral Bylaw – Evaluation of Request for Variance – New Creek LLC – 13 Davis Straits, Falmouth (parcel 39 15 049D 004), continued from August 22, 2022

Ms. Scott Price read the hearing notice.

Mr. Zylinski motion to continue the hearing to 10/24/22. Second Mr. Patterson. Vote: Yes-5. No-0.

2. Wetlands/Dock – Luciano and Debra Cence – Application for Special Permit to replace a failed stone seawall with vinyl sheet piling bulkhead in the waters of Eel Pond located at 353 Edgewater Drive West, East Falmouth

Ms. Scott Price read the hearing notice.

Tom Bunker, BSS Design, was present representing the applicants. He reviewed pictures of the area, and explained that the seawall is falling into disrepair. The Conservation Commission approved, and the

applicant received an order of conditions. He reviewed the work to be done to the seawall, stairwell will be built into it, the work will not impede public access requirements. No beach nourishment is associated with this project. The existing wall will remain, the stone will be pulled back and filled in with well drained material and fabric.

Public Comment: none.

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

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

BUSINESS

1. Approve Interim Town Manager Contract

Chair Taylor said there is additional language to consider and asked the Board to meet in executive session on 10/3/22 to consider the Town Counsel's language and Attorney Troy's additional language review.

2. Update on traffic improvements for the Main St. and Scranton Ave. intersection and Route 28 from Falmouth Heights Rd. – James McLoughlin, DPW/Engineering

Mr. McLoughlin, John Diaz Traffic engineer, and Mr. McConarty will present the two projects.

A signalized traffic light is proposed for the intersection of Main St. and Scranton Ave., opposite the Senior Center and housing project.

Route 28 corridor traffic improvements are broken into three segments: 1. Main Street downtown, 2. Falmouth Heights Road to Sandwich Road, 3. School Administration Building to Oxbow Road. Public meetings were held in 2018 and 2019, a Citizen Advisory Committee was created for segment three. After a year of study, the Town submitted informally to MA DOT, who suggested working on Segment 2 because that would be a better fit for what they want to see on Rt. 28 and an area with significant crashes. The intent is that project would eventually be funded through TIP, a federal and state program, this section is within the jurisdiction. The section with Scranton Avenue and Main Street is within Town jurisdiction and funded separately by the Town or a grant program.

John Diaz, GPI, reviewed the projects via PowerPoint. The focus is on the Route 28 Corridor; he reviewed the concept plan. Public outreach was done in October 2021, plans were set up, and a road safety audit was completed. Took all the comments, had discussions with MA DOT, and developed the plans in the packet. Mr. Diaz reviewed the corridor with pictures and explained that this is part of MA DOT plan for Route 28 on the entire Cape. On the left side of the road would be a sidewalk, travel lane, then buffer, and on the right side a shared use path for bikes and pedestrians. The Scranton intersection will be signalized with a left turn lane from 28 south. They will widen the road, pushing the sidewalk back on the Town property. The plan he reviewed was a conceptual plan, and they will be designing and developing construction plans. There is an option of the Town doing this section or adding it to the MA DOT project, but paid by the Town. With the location of the sidewalk, one issue is not trying to impact the surrounding property. If the crosswalk was backed up, the turn lane would only have room for one car. The lights will be high enough to get boats down that road, they can be as high as 18 feet.

Mr. Johnson-Staub commented that to fit the turn lane in, the road will be widened on the north side--Town property, including relocation of the wall.

A roundabout is proposed for the Route 28 portion, Falmouth Heights Road, and will accommodate larger vehicles.

The Dillingham Avenue intersection with Route 28 will have a traffic signal with left turn lanes and full crosswalks.

The plan for the Sandwich Road intersection is to formalize the left turn lane northbound and go with a T style intersection, eliminating the merge lane into the Route 28 South. A roundabout was considered;

however, that would require a lot of taking of the historic property by the School Administration Building. This will need to be submitted to MA DOT.

Mr. Brown asked if there could be a merge lane as one takes a left from Sandwich Road onto Route 28. Mr. Diaz said they could look into that possibility.

Maravista Avenue to Sandwich Road will remain a two lane section, left turn lanes were not included because it would involve some private land takings.

Chair Taylor asked if there were takings involved in the Falmouth Heights Road portion of the project. Mr. Diaz stated there are minor takings, but not as drastic as with the roundabout. The plan is to keep the access that currently exists. Starbucks lines back onto Davis Straits at this time. The Select Board asked if there was anything that could be done about that. Mr. Johnson-Staub is not sure of the Town having control of forcing the issue to keep the line on private property, and will speak with Town Counsel about the safety concerns of that area.

Mr. McConarty said this is a multi-year construction project, working Scranton Avenue and going east. This was three segments, segment two will likely be broken into several sections. He also stated that the pull off driveway for Starbucks is within State jurisdiction.

3. Town Manager Hiring Process

Atty. O'Keefe provided an overview of the procurement process options. Two examples are in the packet from communities that have gone through this process. It is likely the cost of hiring a consultant will be about \$8,000-\$14,000, and will inform the decision making process on how to proceed. The MA Inspector General's Office wants a fair, open, and transparent process; there is some freedom to choose what the process is even if not explicitly included in the law. Three processes were discussed: 1. Solicitation of quotes for procurement that costs between \$10,000-\$50,000, written quotes from no fewer than three vendors, contract awarded to the person offering the needed quality at the lowest quote. Have to ask at least 3 different entities. Procure, description of service, scope of work, send request to at least 3 vendors, and document the process. Contracts that are more than \$50,000 need to use an Invitation for Bid (IFB) or sometimes a Request for Proposals, but section the Town is allowed to use the process if looking for a more detailed process. Can use the competitive sealed bid. IFB's are when the contract is awarded to qualified bidder who meets the specifications and offers the lowest price. An RFP has more room for choice, is more thorough and possibly a lengthier process. The RFP advantage is that they do not always end up with lowest quote because doing extra evaluation of criteria. IFB process was reviewed, it provides a scope of services, evaluation criteria, rule for award would be helpful, along with proposed contract terms and conditions. IFB and RFP both require public notice.

The Select Board needs to decide 1. Whether to hire a consultant and 2. How to proceed to hire a consultant. There are open meeting law considerations if the Select Board wants to go forward themselves. Unless they appoint a search committee: Select Board members would do the initial work and all work would be held in public sessions. If they go with a consultant, the consultant does all the initial legwork, prospectus, screenings, application, job description, and makes the process more efficient. At this point Atty. O'Keefe has questions about whether the RFP process is available to the Select Board, because it requires oversight by the Chief Procurement Officer, but we are in flux with that position at this time. Invitation for bid process and solicitation of quotes is fully open to the Select Board.

Atty. O'Keefe said it could be done within a year--this is not going to happen in a couple months, but, hopefully, it will not take a year.

Mr. Brown thinks it is a luxury he would like if he knew the Town Manager was retiring and could they could plan, but he is not for hiring a consultant in this case.

Mr. Patterson has been through several Falmouth Public School Superintendent hiring processes. They used an association to provide those services. It is helpful to have a consultant handle the hiring process. It will be managed more efficiently by a consultant than it would be handled by the Select Board.

Chair Taylor said in terms of doing this process within the open meeting law, she would like to hire a consultant.

Price would like to hire a consultant. The time and money will be worth it and this is the most important function of the Select Board.

Mr. Zylinski concurred with Chair Taylor and Ms. Scott Price. This is very important, and if there are errors with the open meeting law, it would slow things down. The remedy by the Attorney General's Office is to repeat the process.

Mr. Patterson motion to retain a consultant for hiring the next Town Manager. Second Mr. Zylinski. Vote: Yes-4. No-1. (Mr. Brown)

Mr. Johnson-Staub asked if the Select Board wanted to provide guidance to Town Counsel? The invitation for bid is the sealed process, define minimum requirements, and award to lowest price bid. The Request for Quotes (RFQ) is similar to the IFB, but three firms you want quotes from are chosen, there is no advertising and is awarded to the firm with the lowest price.

Mr. Patterson motion to use the IFB process for selecting the Town Manager. Second Ms. Scott Price. Vote: Yes-5. No-0.

RFQ and IFB, have minimum criteria and award to lowest price.

The RFP, offers flexibility to make decision based on evaluation of non-price criteria. That will also take the longest time because the Select Board will need to develop the RFP.

Ms. Scott Price requested more information between the three types and more information on the process at the next Select Board meeting.

4. Cape Cod Country Club Land Donation Memorandum of Understanding (MOU)

Andrew Chabot, Amp Energy, stated the Cape Cod Country Club (CCCC) is closing down and the owner wants to sell the property to AMP energy. They are looking to have Town Meeting approve Articles 6 and 7; to build on the course and remove trees to allow solar to be there. Mr. Chabot reviewed the progress to date via PowerPoint presentation. Anticipated 10/15/22 formal submission to the Planning Board for Cape Cod Commission referral, Spring Town Meeting vote to accept/deny land donation, 9/1/23 Cape Cod Commission evaluation process resolves, and then to the Planning Board in December 2023 for review.

The property is three main parcels, these were reviewed via presentation, with a total space of about 150 acres.

The MOU would be submitted to the Cape Cod Commission, and it would show that they have the Town's buy-in on the project.

Atty. Matt Terry, Ament and Klauer, Attorney for AMP Solar, stated the town of Sandwich is a couple years ahead with a similar, yet smaller project. The Sandwich project involved donating the land to the Town and offset acreage used by preserving acreage preferably on site or off site in the Town. After the useful life of the ground lease, the entire project is removed, the ground lease goes away, and since Sandwich already owns the property, it is permanently conserved and available for conservation use by the Town. They are asking the Select Board to agree to sign a non-binding MOU. If the Select Board entertains approving it, the Select Board is not committing the Board or Town to actions down the line. The final approval is within the Select Board discretion and subject to seeing how the project evolves through the permitting process. Any approval to the MOU would allow Amp to move forward with the permitting process and show the Cape Cod Commission how they intend to steward the property over Amp's occupancy and the Town's discretion of how the land will be used.

The Select Board has a memo from Town Counsel in the packet.

Chair Taylor noted this is non-binding and tells the Cape Cod Commission the Town is supporting the project conceptually, either party can walk away for any reason until final binding instrument.

Mr. Johnson-Staub said there is room within what the Cape Cod Commission might approve for further discussion of how much of the land may have to go into conservation permanently for Cape Cod Commission approval. If the Select Board does not want to conserve any of the land, the Cape Cod Commission may reject the project.

Amp is planning to clear about 8 acres, it would have to be designated up front and likely the conserved acreage would not be under the solar array.

When the useful life of the array is at the end, the lease could be extended or the Town could take over the array if they would like.

Mr. Brown asked if the language could say under the care of the Select Board and/or conservation. Can some of it be considered for housing or other uses? He would like the Cape Cod Commission to understand it might not be clearly conservation.

Chair Taylor would like it to come back to the Select Board in writing.

Mr. Johnson-Staub reviewed the MOU and stated the Select Board may vote to approve it tonight as amended, that the Select Board wants more flexibility.

Mr. Brown motion approval of the MOU as amended. Second Mr. Patterson. Vote: Yes-5. No-0.

5. As trustees for the Falmouth Affordable Housing Fund, act on an application from the Falmouth Housing Trust for \$100,000 to create a deed restricted affordable single-family house at 33 Pheasant Lane

Chair Taylor asked if the court case is still under appeal? Can we condition not dispersing the money prior to the end of the appeal period has expired.

Mr. Patterson motion to create a deed restricted affordable single family house at 33 Pheasant Lane. Second Ms. Scott Price. Vote: Yes-4. Abstain-1. (Mr. Zylinski)

6. Report – Shellfish Advisory Committee

Pete Chase, Chair, provided their annual report. They have met monthly this year in person. Eel River East Pilot Aquaculture is successful and producing a high number of oysters. The goal is to remove nitrogen from the river and earn funds through aquaculture gear rental fees.

Marine and Environmental Services (MES) is surveying areas for aquaculture.

The Committee met with others regarding changes to the shellfish regulations that are being reviewed by Town Counsel. They have reviewed and supported coastal resiliency grant through MES.

The oysters are commercially harvested from Eel River, some to large wholesalers, a lot sold locally to local seafood markets and direct to public. The marketing may be the next hurdle.

7. Report – Agricultural Commission

Karen Schwalbe, Chair, provided a report via computer presentation. Commission members are Heidi Walz, Warren Collins, Amy Vickers, Jane Vose, Matt Churchill, and Jack Simonds.

This is an advocacy and support organization for farmers. Committee duties include advocating for farmers, protect agricultural lands, educate on agricultural issues, act as a voice for farmers, and to support farm-based businesses. State law changed in 2018 that allowed the Agricultural Commission to adopt new powers including buy, hold, manage, license, lease land for agricultural purposes. They receive grants, gifts, or land, and would like to create an agricultural preservation fund. In 2021 the State adopted another bylaw, the Boards of Health (BOH) are required to allow a 45-day review period by Municipal Agricultural Commissions for any regulation that impacts farming. This was done in Falmouth prior to the new state law. Falmouth has excellent livestock bylaws, is supportive to farming, but still needs to help neighbors. They are working on stable requirements. Help provided more visibility for farmers, when the Agricultural Commission formed, they restarted the Farmers' Market. This gives farmers a place to go for help.

A Right to Farm Town was adopted in 2007 by Falmouth and means the general bylaw encourages the pursuit of agriculture, promotes agricultural-based economic opportunities, and protects farmlands within the Town by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

Recent projects include working on poultry regulations, stable permit regulations, education on avian influenzas--the State removed restrictions on that and do not expect it to return. They have a Facebook page, early approval of Andrews farm lease extension, Planning for long-term maintenance of cranberry bogs and how to keep those bogs eligible to be able to put back into service.

There are pressures from 40B development on farmland and farmland preservation. The Commission's future plans include finding a way to preserve farmland, a maintenance budget for a community bog, designating farmland of local importance in MA, and create an education series on farming.

Mr. Brown asked about outreach to the property owners of land regarding 61A, maybe opportunity for community gardens. According to Ms. Schwalbe, MGL Chapter 61A requires having to farm the land, but not necessarily the owner. The Commission understands the need for housing; however, they need to keep an eye on soils, maybe some educational materials are sent out when land is considered for sale. Mr. Brown said they might consider talking with boards and creating a farming overlay district, similar to the 12-month historical demolition delay bylaw.

They have a map to determine where the good soils were, big properties, and what properties are potentially at risk.

- a. Petition Article Presentations for November 2022 Annual Town Meeting Article #10 – Fund Mass Cultural Council (Alice Kociemba)

Ms. Kociemba, Chair, and Marilyn Rowland provided copies of what was read to the Select Board. They request support for Town funds to match allocation of funds from MA Cultural Council. The MA Cultural Council yearly state allocation and fundraising from the art market does not adequately fund all the worthy and vetted applicants to the Cultural Council that benefit the community. Only about a quarter of the applications would be funded with state funding, less than half funded by state and local money. Matching funds would enable them to increase the self-imposed upper limit of \$750 to more appropriate level to \$1,000 and increase the minimum grant to \$250. This will always be a small grant program.

Ms. Rowland noted a \$250 grant meant something ten years ago, but not as much now. This adds to the vitality of our Town. They do what they can to help applicants who come forward to find a way to fund a project.

- b. Article #11 – Repeal plastic water bottle ban (Robert P. Volosevich, Jr.)

Mr. Volosevich, 37 Lucerne Ave., he has seen people complain about not being able to get bottles of water. Other towns have also repealed their ban. Mr. Nielsen will repeal his article and support this article.

Mr. Volosevich read a letter of support from Paula and Brian Chiero, Sidewinder Rd., who support the repeal.

- c. Article #12 – Repeal plastic water bottle ban (Dana C. Nielsen)

Mr. Nielsen was not present; he was unable to attend.

- d. Article #13 – Adopt bylaw for disposal of firearms (Nan Logan)

Ms. Logan, Deborah Warner, and Flannery Rogers were present. The Falmouth Police Department recently purchased new weapons that fire up to two football fields away and can penetrate steel plate. They are barred to individuals in MA. What are the options after the FPD

has to replace them? A better choice is to destroy them; the IGO says they can be destroyed if a Town creates its own rule. A citizen petition was provided to the Select Board.

- e. Article #14 – Adopt bylaw regulating single-use black plastic containers (Malcolm Donald)

Mr. Donald, Precinct 6, noted the bottom is black and equipment at the materials recovery facility cannot read the recycle symbol on the bottom because there is not enough contrast, so these containers get rejected. He would like these to not be used anymore. We would have a six month waiting period should the bylaw be adopted and approved, and for food service to implement use of alternatives. He has not talked with the Chamber of Commerce or business owners about this article.

CONSENT AGENDA

1. Administrative Orders
 - a. Approve application to Community Preservation Fund – Old Burying Ground – Ground Penetrating Radar Survey
 - b. Board vote to accept the donation from Lawrence-Lynch Corp. for the paying of the Old Dock Road town parking lot in West Falmouth

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

2. Review and Vote to Approve Minutes of Meetings:
Public Session
February 28, 2022

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

July 25 2022

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

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Johnson-Staub noted there is a recommended motion in the packet for the item regarding 33 Pheasant Lane, to authorize the Town Manager to draft and execute agreements. Mr. Zylinski recused himself.

Ms. Scott Price read the motion in the packet. Second Mr. Patterson. Vote: Yes-4. No-0. Abstain-1. (Mr. Zylinski)

Select Board Reports

Mr. Johnson-Staub noted that Wind 1 came down today. It is a hazardous operation, and they do not want the public present. Wind 2 will come down soon, with a date to be determined.

Finance Director transition was reviewed. He has met with Ms. Mullen and her direct reports. They are well prepared for setting the tax rate, and developing the fiscal year 2024 budget. They are looking into a consultant, a retired Finance Director, to assist while the position is vacant.

Staffing was reviewed--the Town has thirteen full time vacant positions at this time.

There have been a number of accidents at the intersection of Gifford Street and Dillingham Avenue, there was another accident last week. The DPW has tried to improve site lines with clearing of the brush, ordered flashing stop signs, and the DPW will do further tree work and install additional signage for visual cues.

The next Select Board Meeting will be on 10/1/22 to wrap up strategic planning and fiscal year 2024 budget priorities.

The Select Board's next regular business meetings will be on 10/3/22 and 10/24/22. On 10/17/22, they may schedule a joint meeting, but that is to be determined.

Mr. Patterson:

Attended the Affordable Housing Committee meeting, Economic Development & Industrial Corporation (EDIC) Board meeting, and the Cape Cod Regional Transit Authority (CCRTA) Board meeting. CCRTA is expanding on a program for limited taxi type service that was available in Hyannis and Yarmouth; it may come to Falmouth in the future.

Ms. Scott Price:

Attended the Affordable Housing Committee meeting, Cape Verdean festival, and Belonging to each Other fundraiser.

Strategic plan updates draft will be to the Select Board by Wednesday.

Mr. Zylinski:

Attended police open house, it was a great time.

Ms. Scott Price motion to adjourn at approximately 9:30 p.m. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

TOWN OF FALMOUTH
SELECT BOARD
Open Session
STRATEGIC PLANNING SESSION
SATURDAY, OCTOBER 1, 2022 – 9:00 A.M.
2nd FLOOR TRAINING ROOM
FALMOUTH FIRE & RESCUE DEPARTMENT HEADQUARTERS
399 MAIN STREET, FALMOUTH, MA 02540

THIS WAS A WORKSHOP MEETING – THERE WAS NO PUBLIC COMMENT.

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

Present: Nancy Taylor, Chair; Onjalé Scott, Vice Chair; Doug Brown; Scott Zylinski.
Participating remotely via computer: Sam Patterson.

Staff Present: Peter Johnson-Staub, Interim Town Manager.

1. Chair Taylor called the open session to order at 9 a.m.
2. Fiscal Year 2024 Budget Priorities

Mr. Johnson-Staub provided a memo to the Select Board and reported the fiscal position of the Town remains very strong, new revenue will be needed to maintain a level services budget. He suggested any new initiatives or positions will be limited to \$300,000-350,000. The biggest decision the Select Board faces is addressing the Select Board's policy goal to staff 6 fire stations. Chief Smith wrote a memo that identifies the minimum number of fire fighters to staff 6 stations. There are always going to be a lot of variables in the hiring process, forecasting retirements, military leave, etc. Multiple areas need to be worked on, including hiring additional fire fighters and looking at minimum shift provisions in the union contract. They are bargaining a change to 16 start of shift to guarantee shift minimum of 16, to staff 6 stations 18 are needed. At this time there is a 14-minimum start of shift, but we are offering overtime to get to 16. Sometimes we get to 16 without overtime. The overtime budget is \$700,000, set below what the actual overtime is going to be. It is hard to predict what the overtime will be, and they have been successful funding the gap between the budget and actual cost. In FY24 if increase from 14 to 16, he will look hard at the use of overtime. The predicted timeline for Hatchville Station is that it could be completed the middle of 2024, but that is optimistic. Mr. Johnson-Staub guesses it may be operational by the beginning of 2025, or it could be later.

Mr. Johnson-Staub has not asked the building committee to slow down, since costs keep going up, partly because of the inflationary pressures in construction. If the Town were to decide to intentionally delay, they would need to determine if it could be done given the contracts. He asked if the Select Board wanted to consider the delay and, if so, the Select Board would need to take it to a vote.

Mr. Zylinski, Ms. Scott Price, and Mr. Patterson want to stay on the current path.

Mr. Brown brought up the question about the School Department returning what was allocated to them in the budget. Mr. Johnson-Staub had a conversation with Superintendent Lori Duerr, who was not inclined to give up the revenue. That money is needed because the schools have new challenges that have caused cost pressures for their budget. The Select Board did not have enough information to vote today; Mr. Johnson-Staub would do more research and report back.

Ms. Scott Price motion to continue with the process of building Hatchville Station on the current timeline. Second Mr. Zylinski. Vote: Yes-4. No: 0. Abstain: 1 (Mr. Brown).

Mr. Brown commented that he did not have enough information at this time to vote.

Mr. Johnson-Staub said the recommendation is that 14 additional be hired; however, they are not needed before June 2024. In order to make a commitment to hire people, the money needs to be in the budget, but the Town will not have to spend the money in the budget for 1-2 years. He explained that the hiring process and training can take about 18 months. He noted that if the Town is removed from civil service, it could be about 6 months faster. There are many towns trying to get out of civil service for police departments and fire departments, so the system is bogged down at this time.

According to Mr. Brown, the School Department has extra money in their budget, maybe it could supplement the Fire Department budget. He would like a meeting with the School Committee to see if they have flexibility in their budget.

3. Complete Strategic Plan

The Select Board discussed the Strategic Plan Draft plan and edits.

The Select Board feels the Social Worker positions for the Falmouth Police Department are important. Mr. Johnson-Staub said there are vacant police patrol positions, and those could be used to hire Social Workers. When we get closer to filling those positions, we would need to look at funding those two additional officers. There are two positions funded in FY24, this will remain in the Strategic Plan, with a position name change to Licensed Clinical Social Worker. They will continue to monitor for grants that may be helpful.

The Select Board removed everything referring to COVID, except one sentence, respond to fiscal impacts related to COVID-19 and inflation and explore new grant and revenue opportunities.

Review and support plan for reorganization of town offices and necessary renovation at town hall. This was unrelated to moving or storm proofing Town Hall, just a renovation. The Select Board removed this as a goal.

High Speed Internet service will remain.

Priority IV. Health and Public Safety:

Updated to a 6-station model currently and refers to the Northwest quadrant of Town.

Priority V. Management of Coastal/Natural Resources

The Select Board will explore the suggestion that a supply of beach nourishment be done when the sands are affected by work performed. The Select Board also wants to develop a plan to look at how to protect public and private property. Need to look at planning a for 50-year phenomenon.

Priority VI. Organizational Effectiveness and Community Engagement: Ms. Scott Price asked if we use free cash for initial assessment/audit and then add it to the operating budget, does it need to be followed up on. Mr. Johnson-Staub said those projects can be funded with free cash, they can be looked at as individual projects. The Town has done a number of management surveys by consultants who looked at staffing levels, organizational structure, and how the department is working. Ms. Scott Price would like to look at functionality and management of the departments.

Chair Taylor would like to get more into how the department functions and why employees are leaving. How does the Select Board and Town support those departments more effectively? Mr. Brown noted exit interviews from employees leaving would be helpful.

Ongoing goals: Mr. Zylinski wants to know who determines what is needed? Should department head reports be monthly or weekly reports? There are Department Head quarterly written reports, there are a lot of LIP applications going through, the Select Board gives the Zoning Board a recommendation so the Select Board should have some response when the public inquires about a project.

The Select Board discussed talking with department heads directly, the Charter does not allow that; however, the written reports, status of projects including litigation, and other information is provided. The Select Board would like the written reports have more information provided by the department heads, and the consensus was that the department heads should communicate with the Town Manager, who would relay the information to the Select Board.

The Select Board would like to see the Strategic Plan language cleaned up.

Priority VII. Water, Wastewater & Solid Waste Management

The Select Board noted the Town still has issues related to water consumption and meeting seasonal demands. They are still working on the wastewater treatment facility, and all is important to keep in the Strategic Plan.

Chair Taylor noted the Strategic Plan is the plan of the Select Board; the Town Manager input should be minimal. The Town Manager's job is to implement what the Select Board plans.

Chair Taylor called for a five-minute break.

Chair Taylor reconvened the meeting.

Mr. Johnson-Staub said that the Fire Chief has a request for the \$300-350,000 be used for the required positions. Competing has a number of priorities, including an Assistant Parks Superintendent position, longer hours for the East Falmouth Library, Sustainability Coordinator position, and Diversity and Inclusion Officer made a full time position. The Select Board may want to allocate all those new spending dollars to Fire staffing, but if not, those are the items he would recommend based on the Select Board's priorities, department head input, and his observations. These recommendations are coming from what the Select Board discussed. Mr. Johnson-Staub stated there are a lot of other needs in departments, but the revenues are not there.

Mr. Brown asked about improving the Town website. Mr. Johnson-Staub reported they have some ability to improve the Town website without money; however, there is not money budgeted to revise the website. Mr. Johnson-Staub noted there is the ability to make significant improvements, there are capacity issues, departments have the ability to put the content in and restructure the content. The Select Board needs to determine how important that work is compared to all the department heads' workload. It is an ongoing process to continually improve the website, there will always be bugs. If the Select Board has specific suggestions, those may be filtered through the Town Manager to I.T.

At end of the fiscal year, any money not spent by June 30 goes into the general fund free cash.

The Select Board discussed the fact that affordable housing affects the hiring of Town staff.

The Select Board discussed asking the School Department to return the \$500,000 allotted to them for this year to be used towards hiring firefighters, and if the Select Board can ask the School Department how the money is being used. The superintendent reports to the School Committee, not the Select Board. The Finance Department has had a lot of input into the School budget.

Mr. Johnson-Staub noted the start of shift minimum staffing is 14 firefighters and the goal for FY2023 is 16. Now they are talking about using an override to hire 14 firefighters increasing staffing levels to 18 at start of shift. The Chief has the ability to force someone to work overtime; the fire union will ask for the Town to plan for 1, 2, or 3 more positions than the minimum, because they want to reduce forced overtime and have it worked on a voluntary basis.

What does Mr. Johnson-Staub need from the Select Board today? On fire staffing, no answer is needed today. Need priorities within the levy limit, he will submit his proposed budget to the Select Board in December. If the Select Board is talking about an override to hire firefighters, the hard date is by January.

Mr. Patterson said that due to the size of the property, the Town has limited ability to expand the West station. He suggested looking at the run and use data once the Hatchville station is in, when looking at the northwest station, then could consider what to do with West.

Ms. Scott Price said if hiring the firefighters, are we not interested in the other positions or doing the override and these positions?

Chair Taylor asked if the Falmouth Fire Department request could be a separate issue and push forward the four suggested positions by Mr. Johnson-Staub. In dealing with the fire fighters separately, they would engage the Finance Committee.

Mr. Johnson-Staub said his request for feedback today may evolve, it is not difficult for him to put together a budget and hold the \$350,000 in reserve for whatever purpose the Select Board decides. It may be helpful to go to the Finance Committee with a variety of ideas. The Select Board has more time.

Chair Taylor said she is hearing the Select Board based on their priorities, they are not willing to budge on those positions or on the firefighter based on their policy and what the Chief is looking at.

Mr. Brown stated that hiring the firefighters is a priority.

The Select Board believes they need the positions brought forward with Mr. Johnson-Staub, and they are also committed to the plan presented by the Fire Chief, but need to figure out how to do it.

Chair Taylor noted they are being very clear about what their priorities are moving forward, but need help figuring out the funding.

Mr. Johnson-Staub noted it is early in budgeting process and it is possible, as he gets more information with updated revenue, the amount of \$350,000 could go up or down. He will let the Select Board know as things shift.

4. Adjourn

Mr. Zylinski motion to adjourn at approximately 11 a.m. Second Ms. Scott Price. 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

TO: Select Board
FROM: Peter Johnson-Staub, Acting Town Manager *PJS*
SUBJECT: Supplemental Report for October 24, 2022
DATE: October 21, 2022

November Annual Town Meeting:

The Town Meeting booklet has been completed and submitted to the newspaper and the printer. Precinct meetings will be held starting November 2nd.

Precinct 1 and 2	Wednesday Nov. 2nd	7 pm	Civil Defense Room, Town Hall, 59 Town Hall Square
Precinct 3	Thursday Nov. 10th	7 pm	Gus Canty Center, 790 Main St.
Precinct 4 and 7	Wednesday Nov. 9th	7 pm	East Falmouth Elementary School, 33 Davisville Road
Precinct 5 and 6	Thursday November 10th	7 pm	North Falmouth Elementary School, 62 Old Main Road
Precinct 8 and 9	Thursday Nov. 3rd	7 pm	Navigator, 55 Ashumet Road

Mayflower Wind:

Last week staff and special counsel met with Mayflower Wind representatives to review alternative landfall sites within Falmouth which we asked them to consider. Of the four options identified, they found one viable option which they indicated they would include in an updated filing with the Energy Facilities Siting Board. They indicated the revised plans for the proposed Falmouth installation would be submitted soon. The Board may want to consider holding another public forum after the revised plans have been filed and reviewed by staff and our consulting engineer. In the interim, I suggested Mayflower Wind consider submitting written responses to the questions raised at the June 8th forum.

Staffing Updates:

- Four firefighters have been hired with a start date of November 19th. One firefighter resigned to move out of state, another resigned to work for a fire department off Cape.
- Two student police officers started the police academy training on October 16th. If they successfully complete the academy training and the subsequent in-house Police Department training, they could be available to work shifts next summer.
- The Building Department has hired an administrative clerk.
- The Library has hired a full-time library assistant for the children's department.
- The Water Department filled two vacant operator positions via internal promotion. One grade 10 Water Operator resigned to accept a position in another Cape community.

Next Meetings:

- November 7, 2022
- November 21, 2022
- December 5, 2022
- December 19, 2022

//Supplemental Report 10-24-2022