

**TOWN OF FALMOUTH**

**SELECT BOARD**

**AGENDA**

**MONDAY, JANUARY 9, 2023 – 6:30 P.M.**

**SELECT BOARD MEETING ROOM**

**TOWN HALL**

**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

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

**6:30 p.m. OPEN SESSION**

1. Call to Order
2. Pledge of Allegiance
3. Recognition
4. Announcements
5. Public Comment

**6:35 p.m. TOWN MANAGER'S PRELIMINARY REPORT**

**6:40 p.m. COMMITTEE INTERVIEWS**

1. Interview, vote and appoint committee members
  - a. Board of Health – Amy Roth
  - b. Council on Aging – Pamela Truesdale

**6:45 p.m. PUBLIC HEARINGS**

1. Application for an Entertainment License – Town Hall Partners LLC d/b/a Timber Axe Bar & Bowl, 23 Town Hall Square, Falmouth (10 minutes)
2. Applications for an Entertainment License and a Sunday Entertainment License – Moto Pizza Falmouth, LLC d/b/a Moto Pizza to be exercised at 500 Waquoit Highway, East Falmouth (10 minutes)
3. Application for a Sunday Entertainment License – Olive Restaurants, Inc. d/b/a Shiverick's Café & Bar to be exercised at 285 Main Street, Falmouth (10 minutes)
4. Application for a New All Alcoholic Beverages Hotel License – Wagner Hospitality Management, LLC d/b/a Holiday Inn Falmouth to be exercised at 291 Jones Road, Falmouth (10 minutes)
5. Vehicle for Hire Regulations – Request to Increase Taxi Fare (10 minutes)

**7:35 p.m. BUSINESS**

1. Vote to Approve Borrowing Anticipation Note Sale (5 minutes)
2. Vote to Adopt FY2024 Budget and Submit it to the Finance Committee (15 minutes)
3. Vote to Adopt Multi-Hazard Mitigation Plan (15 minutes)
4. Cape Light Compact Update on Electric Rates (15 minutes)
5. Veterans Council Committee Mission Statement (5 minutes)
6. Ferry Embarkation Fee Legislation Letter (5 minutes)
7. License
  - Approve Application for a Change of Manager of an All Alcoholic Common Victualler License – Cape Cod Country Club, located at 48 Theatre Drive, East Falmouth (5 minutes)

**8:40 p.m. CONSENT AGENDA**

**1. Licenses**

- a. Approve application for two Special One-Day Liquor Licenses – Falmouth Theatre Guild, located at 58 Highfield Drive, Falmouth – January 20, 21, and 22 and January 27, 28, and 29, 2023. Friday and Saturday service to be 6:30 pm to 9:30 pm and Sunday service to be 1:00 pm to 5:00 pm.
- b. Approve application for a Common Victualler License – Cape Cod Bagel, Inc., located at 419 Palmer Avenue, Falmouth

**2. Administrative Orders**

- a. Approve Eversource petition to install a new handhole to be labelled 433/H4 and to install approximately sixty (60') feet of conduit and cable under town road Hudson Street starting at existing pole 433/4. This work is necessary to provide electric service to 34 Hudson Street.
- b. Approve Eversource petition to install approximately fifty (50') feet of conduit and cable under town road Allen Avenue starting at existing pole 214/7 northwesterly to one (1) new handhole 214/H7. This work is necessary to provide electric service to 101 Allen Avenue.
- c. Vote to accept donation in the amount of \$1,000.00 from the Sbarbaro Family to the Falmouth Fire Rescue Department donation account

**8:45 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT**

**8:50 p.m. SELECT BOARD REPORTS**

**8:55 p.m. DISCUSSION OF FUTURE AGENDA ITEMS**

**9:00 p.m. ADJOURN**

Nancy R. Taylor, Chair  
Select Board

**OPEN SESSION**

**TOWN MANAGER'S PRELIMINARY REPORT**

January 9, 2023



**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  
SUBJECT: Preliminary Report for January 9, 2023  
DATE: January 6, 2023

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**Committee Interviews:**

1. Committee Interviews:
  - a. Board of Health - There is one candidate for one vacancy.
  - b. Council on Aging – There is one candidate for one vacancy.

**Public Hearings:**

1. Application for Entertainment License – 23 Town Hall Sq, Timber Axe Bar & Bowl:

The Board has received complaints about the noise from live and recorded music at this location which led us to discover that there is no entertainment license. The individuals who have raised concerns reside in apartments in very close proximity to this premises. Lt. Doyle has provided a summary of the noise complaints received and offers his perspective on the noise level. The application proposes relatively limited hours which may mitigate these concerns. Department staff have reviewed the application and raised no concerns other than the noise issue.

2. Application for Entertainment License – 500 Waquoit Hwy, Moto Pizza:

Department staff have reviewed the application and raised no concerns. This office has not received any concerns from abutters or other parties to date.

3. Application for Sunday Entertainment License – 285 Main St, Shiverick's Café and Bar:

The Board recently approved an entertainment license for this premises. The applicant now seeks a Sunday license with no restriction on the hours of operation. Department staff have reviewed the application and raised no concerns. This office has not received any concerns from abutters or other parties to date.

4. Application for New All Alcohol Beverage Hotel License – 291 Jones Road, Holiday Inn Falmouth:

This establishment is operating under a new ownership. They were unable to transfer the existing license due to an issue related to the prior owner. Department staff have reviewed the application and raised no concerns. This office has not received any concerns from abutters or other parties to date.

5. Request to Increase Taxi Fare:

One of the licensed taxi operators has requested a 10 cent increase -- from \$0.65 to \$0.75 per 2/5 of a mile. If approved, this rate increase would apply to all license taxi operators. Included in your packet is a rate comparison prepared by Diane Davidson that shows the proposed rate is in line with neighboring towns. I recommend approval.

**Business:**

1. Approve Borrowing Anticipation Note:

This short-term borrowing will meet our cash flow needs for FY2023 for four projects. When the note matures this October, we will determine whether to issue a long-term bond or another short-term note depending on interest rates and future borrowing plans. Town Meeting has authorized this borrowing. The notes have been sold and we are pleased with the net interest rate which is just under 3.2%. The rate is based in part on Falmouth's AAA bond rating and on the timing of the sale. The projects and amounts are outlined in a memo from Finance Director Ed Senteio. A considerable amount of work is required to complete any borrowing. I want to acknowledge the Finance team members who stepped up in the absence of the Finance Director: Vicky Rose, Patty O'Connell, Trisha Favuli and Melanie Bush. It is important that the Board's motion clearly references the lengthy written motion prepared by bond counsel which is in your packet.

2. Vote to adopt FY2024 Budget:

I included a copy of my slide presentation in your packet. I look forward to any questions or discussion the Board may offer prior to taking a vote to transmit the budget to the Finance Committee with, or without, amendments.

3. Vote to adopt Multi-Hazard Mitigation Plan:

FEMA has approved the draft plan approved by the Select Board on 07/25/2022. A confirming vote of the Select Board is now required per FEMA regulations. This report outlines plans for addressing hazards such as floods, hurricanes, winter storms, etc. The plan identifies mitigation measures the Town can take to reduce risk to human life and property damage. In addition to serving as a planning tool, updating this plan is required to maintain eligibility for grant funding from FEMA following a natural disaster. An updated plan is also required so that Falmouth property owners can continue to qualify for property insurance discounts through the Community Rating System.

4. Cape Light Compact Update on Electric Rates:

Maggie Downey, Director of the Cape Light Compact, will provide an update on electric rates paid by residents and businesses (but not Town facilities). No Board action is required.

5. Vote to approve Veterans Council Mission Statement:

The Veterans Council has drafted a mission statement for itself. As the Council is appointed by the Select Board, your approval is required. The mission statement is clear and presents no conflicts with the Town Charter. I recommend approval.

6. Ferry Embarkation Fee Legislation:

Per state legislation, Falmouth and other port towns are authorized to impose a surcharge of 50 cents per passenger for ferry service over 100 passengers which includes the Steamship Authority and the Island Queen. The Towns of Tisbury and Oak Bluffs have voted to endorse legislation which would increase this fee to \$1.50. The amount received by Falmouth varies each year. Recently it has hovered around \$400,000 per year. If the proposed rate is adopted that amount would triple. In your packet is a letter from these two towns which provides a good overview of the issue.

7. All Alcohol Change of Manager – 48 Theatre Drive, Cape Cod Country Club:

The application has been reviewed staff and no concerns were raised. I recommend approval.

**Consent Agenda:**

All items on the consent agenda have been removed by staff. No concerns have been raised. I recommend approval.

//SB Report 01-09-2023

## OPEN SESSION

### 1. COMMITTEE INTERVIEWS

#### a. Board of Health – Amy Roth

- 1 Vacancy: Unexpired term ending 6/30/23
- 1 Applicant: Amy Roth



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

If you are interested in serving the Town of Falmouth in any capacity, please fill out this form and mail it to the Select Board, Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA 02540. Information received will be available to all Town Boards and Officials, although the filling out of this form does not assure appointment. If selected for an interview, you may wish to submit a resume or additional information. This form and a listing of all boards and committees can be found on the Falmouth website: [www.falmouthma.gov](http://www.falmouthma.gov).

Name: Amy Roth

Address: 11 Wampum Road Village: East ZIP: 02536

Mailing Address: same Village: \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident X (date: 2004) / Taxpayer \_\_\_\_\_ (date: \_\_\_\_\_)

Amount of time you are available to give: ~8-10 hours/month

Town Committee, Board or Commission you are interested in serving on:

1. Board of Health
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? Yes, many.

Relevant affiliation and work and personal experiences: Master's degree in geochemistry.

Professional geologist and environmental consultant with operational and leadership experience. Worked directly with the Falmouth Board of Health in 2022 to develop rules and regulations for mandatory recycling in Falmouth, including public hearings.

Town offices held in Falmouth or elsewhere and dates of years served: Solid Waste Advisory Committee (January 2019 - present) - currently serving as Vice Chair.

Briefly describe the particular skills you feel you will add to the committee or board: \_\_\_\_\_  
My background in geology/geochemistry and my career as an environmental consultant have given me a good understanding of a number of issues that the Board of Health is charged with administering. Recently, I worked with the Board (in my role as Vice Chair of SWAC) to develop rules & regulations for mandatory recycling, which the Board will enforce. That process allowed me to work directly with, and appreciate the skills and expertise of, the Board. I am a strong listener and communicator, and am comfortable participating in televised meetings.

You may attach a resume to this application.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>Benjamin Van Mooy</u>	<u>Board of Health (Fmr)</u>	<u>[REDACTED]</u>
2.	<u>Alan Robinson</u>	<u>Solid Waste Advisory Cmte</u>	<u>[REDACTED]</u>
3.	<u>Kelly Ashton</u>	<u>School Cmte Member</u>	<u>[REDACTED]</u>

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Select Board's Appointment Policy and read the material provided.

12/13/2022  
DATE

Amy Roth  
APPLICANT'S SIGNATURE

Digitally signed by Amy Roth  
Date: 2022.12.13 12:27:07 -05'00'

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.



**Amy A. Roth, P.G., LSP**  
Vice President  
Senior Project Manager

**Experience**  
27 Years

**Education**  
M.A. Earth and Planetary Science  
Washington University, St Louis 1995  
B.A. Earth and Planetary Science,  
English Literature  
Washington University, St Louis 1993

**Registrations and Certifications**  
Licensed Site Professional MA 2005  
Professional Geologist NH 2002

**Professional Affiliations**  
Licensed Site Professional Association  
Environmental Business Council

**Amy Roth** directs and manages projects, multidisciplinary scientific teams, and specialty contractors at project sites, consistently developing and implementing creative solutions. Amy is accessible and responsive, resolving environmental matters with clients' objectives foremost in mind. She specializes in PFAS releases, environmental due diligence, property redevelopment, indoor air, and the investigation and remediation of oil and hazardous materials subject to MGL Chapter 21E and the Massachusetts Contingency Plan. Amy also provides compliance consulting (TRI/TURA, RCRA, OPA 90, SPCC, EMS) and emergency support.

### Representative Program Experience

#### Release of PFAS to Private Water Supply Wells - Stow, MA

Amy manages the assessment, mitigation, and remediation of a release of PFAS impacting over 150 private drinking water wells in the Town of Stow. The release appears to be associated with the historical use of AFFF for training at the former Fire Station property located at the Town center. Drinking water for the surrounding homes, schools, businesses, and municipal buildings has been impacted. Immediate Response Actions have included: delineation of the area of impact through iterative private well sampling; confirmatory sampling to assess plume stability; provision of bottled water to affected residents; installation, maintenance, and monitoring of point-of-entry treatment systems; assessment of soil and groundwater quality in the apparent source area; evaluation of potential additional sources of PFAS; communication with impacted residents; and coordination with MassDEP and the Town of Stow.

Commented [AR1]: PFAS, drinking water, POET, assessment, mitigation

#### PFAS Downgradient Property Status - Holden, MA

Amy completed a Downgradient Property Status submittal for a commercial/industrial property in Holden, Massachusetts, where PFAS compounds were detected in groundwater during due diligence for a property transaction. A portion of the property is within a mapped Zone A and detected concentrations exceed the GW-1 standard. Assessment was conducted at and upgradient of the property. PFAS concentrations at upgradient locations were equivalent to or higher than those detected on site, and a contribution from current and historical site activities was not identified.

Commented [AR2]: PFAS, DPS, assessment

#### Industrial and Office Building Indoor Air Mitigation - Watertown, MA

Amy oversaw assessment and mitigation activities at a commercial/industrial property following receipt by the owner of a Notice of Responsibility based on the filing of Downgradient Property Status (DPS) by an abutter. Based on the assessment and historical data provided, MassDEP invalidated the DPS and required response actions by the abutter. A significant plume of chlorinated solvents as subsequently identified on the abutting property and active remediation is underway. Mitigation of vapor intrusion at the site is being achieved through a sub-slab depressurization system operating under the impacted portion of the building. Site closure via a Permanent Solution with Conditions is anticipated in 2023.

Commented [AR3]: Indoor air, petroleum, chlorinated solvents, assessment, mitigation

**Hazardous Waste Assessment and Mitigation - Dorchester, MA**

Managed the assessment and mitigation of a historical release of chlorinated solvents at a multi-story mixed commercial/residential building. Concentrations of trichloroethylene were detected in indoor air at Imminent Hazard concentrations and immediate actions were taken to mitigate exposure and risk. Following a rapid testing program completed in coordination with MassDEP, air purifiers were installed in commercial and residential units while sub-slab depressurization was evaluated and a system was designed. The installed system uses a regenerative blower installed outside the building to create negative pressure under a partial basement and the portion of the first floor that is slab-on-grade construction. The site achieved a Temporary Solution with active monitoring of the system through remote telemetry.

**Canal Generating Station, Transformer Releases - Sandwich, MA**

Amy managed the emergency response and ongoing assessment and remediation of numerous transformer releases, including a release of up to 800 gallons of non-PCB oil released from a 345 KV transformer. Response actions have included recovery of oil, impacted trap rock and impacted soil, surface cleaning of surrounding equipment and structures, recovery of oily water within an active electrical trench, and in situ chemical oxidation. Site closure was achieved in a GW-1 area.

**Assessment and Remediation, Sherman V. Allen, Townsend, MA**

Managing the assessment and remediation of a former gasoline service station where groundwater and residual soil contamination are over 20 feet below grade. The release extends beyond the property boundaries into the residential neighborhood in a GW-1 area. Based upon site conditions, air sparge/soil vapor extraction is underway with both carbon and catalytic oxidation off-gas treatment options. Significant contaminant reductions have occurred.

**Transformer Oil Site Remediation, Framingham, MA**

Managing the assessment and remediation of a transformer oil release immediately adjacent to a large commercial building. Limited remedial excavation will be conducted during replacement of the transformer, which will require rerouting of delivery truck traffic and use of a temporary transformer. The project will be conducted in a structurally challenging area on an expedited timeframe and has required coordination of multiple stakeholders.

**Heating Oil Release at Apartment Building – Holyoke, MA**

Managed the assessment and remediation of a release of heating oil to the earthen basement floor of a 5-story multi-tenant building. The release impacted soil, soil gas, and indoor air and has resulted in a Critical Exposure Pathway and Condition of Substantial Release Migration. Structural concerns limited soil excavation and impacted soil was located well above the water table. Remediation was conducted using a Perozone Injection system followed by surface application of remedial additives. A Permanent Solution With Conditions was achieved based on an Activity and Use Limitation.

**Brownfields Remediation, Worcester, MA**

Providing LSP services for the ongoing assessment and remediation of a former industrial property in Massachusetts that is subject to an Activity and Use Limitation restricting site uses. The MCP project includes multiple overlapping release areas with contaminants of concern including chlorinated solvents, petroleum, PCBs, and metals. Enhanced reductive dechlorination and free-phase petroleum recovery have been conducted. Indoor air is impacted and sub-slab depressurization is being used to mitigate exposures. Remediation is focused on reducing contaminant levels to achieve a Permanent Solution.

**Bursaw Gas & Oil Bulk Fuel Facility – UST Replacement, Site Remediation, SPCC and SWPPP Compliance, Acton, MA**

Following replacement of three 10,000-gallon USTs, Amy directed removal of an undocumented UST, removal of multiple oil/water separators, and full site environmental investigation. Amy worked with the Conservation Commission and MassDOT, who owned the former rail line abutting the site to remediate impacted soil. The site achieved closure with a Permanent Solution. Separately, Wilcox & Barton, Inc. developed SPCC and SWPPP plans for the facility, and provides SWPPP compliance assistance on an ongoing basis.

### Town Committee Vacancies

The Falmouth Select Board announces the following vacancies on Town committees:

Committee	Term Until
Affirmative Action Committee (3 positions)	6/30/24, 6/30/25
Affordable Housing Committee (2 positions)	6/30/24
Agricultural Commission (1 position)	6/30/23
Board of Health (1 position)	6/30/23
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/23, 6/30/24, 6/30/25
Commission on Disabilities (3 positions)	6/30/23, 6/30/25
Commission on Substance Use (1 position)	6/30/24
Conservation Commission (3 alternate positions)	6/30/23, 6/30/25
Constable (2 positions)	6/30/24
Council on Aging (1 position)	6/30/24
Cultural Council (2 positions)	6/30/24
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/23
Human Services Committee (4 positions)	6/30/23, 6/30/24, 6/30/25
Solid Waste Advisory Committee (1 position)	6/30/23
South Cape Beach Advisory Committee (1 position)	6/30/25
Taskforce on Sustainable Living for Falmouth's Workforce (7 – 9 members)	5/1/23
Transportation Committee (3 positions)	6/30/24, 6/30/25
Veterans Council Committee (1 at-large position)	6/30/23
Waterways Committee (1 position)	6/30/25
Zoning Board of Appeals (1 associate position)	6/30/26

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov).

## Town Committee Vacancies

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Affirmative Action Committee (3 positions)	6/30/24, 6/30/25
Affordable Housing Committee (1 position)	6/30/24
Agricultural Commission (1 position)	6/30/23
Board of Health (1 position)	6/30/23
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/23, 6/30/24, 6/30/25
Commission on Disabilities (3 positions)	6/30/23, 6/30/25
Commission on Substance Use (1 position)	6/30/24
Conservation Commission (3 alternate positions)	6/30/23, 6/30/25
Constable (2 positions)	6/30/24
Council on Aging (1 position)	6/30/24
Cultural Council (2 positions)	6/30/24
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/23
Human Services Committee (4 positions)	6/30/23, 6/30/24, 6/30/25
Solid Waste Advisory Committee (1 position)	6/30/23
South Cape Beach Advisory Committee (1 position)	6/30/25
Taskforce on Sustainable Living for Falmouth's Workforce (7 – 9 members)	5/1/23
Transportation Committee (3 positions)	6/30/24, 6/30/25
Veterans Council Committee (1 at-large position)	6/30/23
Waterways Committee (1 position)	6/30/25
Zoning Board of Appeals (1 associate position)	6/30/26

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov).

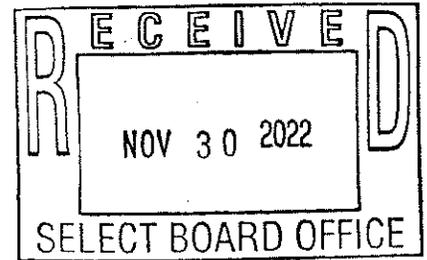
## OPEN SESSION

### 1. Committee Interviews

#### b. Council on Aging – Pamela Truesdale

- 1 Vacancy: Unexpired term ending 6/30/24
- 1 Applicant: Pamela Truesdale

***Pamela Truesdale  
47 Garrison Road  
Falmouth, MA 02540***



November 28, 2022

To the Select Board:

Attached please find my application for a position on the Board for the Council on Aging.  
I hope you will consider me a suitable candidate.  
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Truesdale".

Pamela Truesdale



\_\_\_\_\_

\_\_\_\_\_

Briefly describe the particular skills you feel you will add to the committee or board: \_\_\_\_\_  
I am an active contributor and user of the Senior Center. I currently am a  
\_\_\_\_\_ volunteer SHINE Medicare counselor. I also have experience with  
\_\_\_\_\_ hospice as visiting patient volunteer. I am retired, a Senior myself, and  
\_\_\_\_\_ interested and involved in issues of importance to Seniors.  
\_\_\_\_\_  
\_\_\_\_\_

You may attach a resume to this application.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Brenda Swain	Chair, COA	_____
2.	Margaret Gifford	_____	_____
3.	Judy Magnani	Finance Comm.	_____

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Select Board's Appointment Policy and read the material provided.

11/28/2022  
DATE

*Brenda Swain*  
APPLICANT'S SIGNATURE

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.

## **PUBLIC HEARINGS**

1. Application for an Entertainment License – Town Hall Partners LLC d/b/a Timber Axe Bar & Bowl, 23 Town Hall Square, Falmouth (10 minutes)



# TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

[townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov)

## PUBLIC NOTICE OF HEARING

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Town Hall Partners, LLC d/b/a Timber has applied for an Entertainment License to be exercised at 23 Town Hall Square, Falmouth, MA.

A hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, January 9, 2023, at 6:45 p.m. on the above application.

Per order of the Select Board

### LICENSING BOARD

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski II

*Publication date: Friday, December 30, 2022; Falmouth Enterprise  
Acct. #2056*

LICENSE APPLICATION REVIEW

Restaurant/Business: Timber

Address: 23 Town Hall Square

License Type: Entertainment

New or Transfer of License \_\_\_\_\_

or

Change of License \_\_\_\_\_

Police

No objection

Fire

No objection

Building

Building Commissioner has approved the plan-entertainment

Health

\_\_\_\_\_

Zoning

No comment on license. Town staff have been reviewing the sufficiency of existing parking in the downtown area

Planning

\_\_\_\_\_

DPW

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NOTES: Abutter notification mailed 12-22-2022

## Phyllis Downey

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**From:** Sean Doyle  
**Sent:** Thursday, January 5, 2023 7:33 PM  
**To:** Diane Davidson; Brian Reid  
**Cc:** Phyllis Downey  
**Subject:** Re: Timber - Application for Entertainment License

Good evening,

The PD first responded to the Timber Axe Bar (23 Town Hall Square) on July 22, 2022, for a loud music complaint. Including that call, we have responded 17 times for reports of loud music with the last time being on November 5, 2022.

On at least a couple of those occasions the responding officer(s) found that the exterior door was open. When it was closed the noise level was reduced substantially. Generally speaking, the responding officers agree that the noise level was not excessive and was not audible until they were just outside of the establishment. However, most of the complaints were from 137 and 141 Main St. and those buildings (particularly 137) are extremely close to the bar. Although the noise level was not excessive - especially as compared to other establishments that we often respond to for similar complaints, due to the proximity of the bar to 137 and 141 the noise level is disruptive to the residents of those buildings.

When officers have spoken with the employees at the bar, they have been receptive to trying to reduce the noise levels by closing the door (on the occasions that it was open) and by turning the music down.

Lt. Sean Doyle

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**From:** Diane Davidson <diane.davidson@falmouthma.gov>  
**Sent:** Thursday, January 5, 2023 5:14 PM  
**To:** Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>  
**Cc:** Phyllis Downey <phyllis.downey@falmouthma.gov>  
**Subject:** Timber - Application for Entertainment License

Hello Capt. Reid and Lt. Doyle,

Would you be able to provide the Select Board with a summary of any noise complaint calls (and the number of calls) received by the Police Department regarding loud noise/music from Timber Axe Bar & Bowl, 23 Town Hall Square. We would like to include this in the Select Board packets.

Thank you,

Diane

*Diane S. Davidson  
Office Manager/Licensing  
Office of the Town Manager and Select Board  
Town of Falmouth  
59 Town Hall Square  
Falmouth, MA 02540*

Town Hall Partners LLC, DBA  
Timber Axe Bar Bowl  
23 Town Hall Square  
Falmouth, MA 02540

PAID  
\$10.00  
cash

November 29, 2022

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

RE: Entertainment License – 23 Town Hall Square

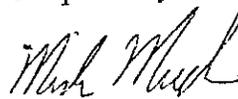
Dear Mr. Johnson-Staub,

Thank you for your letter dated November 9, 2022. The fact that we do not currently hold an entertainment license came as a surprise to us as we had been of the understanding that it was part of the liquor license. It is clear from your letter that is not the case.

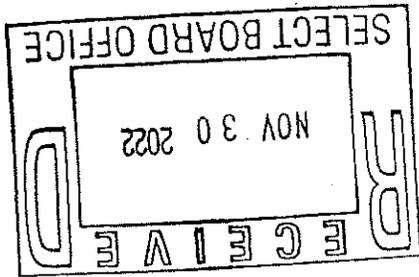
This was a misunderstanding on our part, and I apologize. In order to address and rectify this error, attached hereto please find a completed application for an entertainment license.

Please process this application at your earliest convenience. If there are any questions I can be reached by email at [mike@timberaxbarbowl.com](mailto:mike@timberaxbarbowl.com) or by phone at (508) 274-9153.

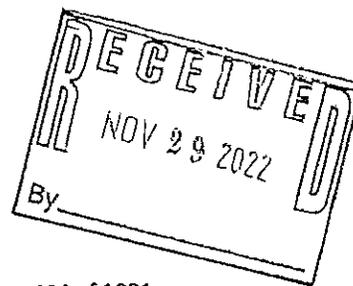
Respectfully Submitted,



Michael Mueller, Co-Owner  
Timber Axe Bar Bowl



**Town of Falmouth**  
 Office of the Town Manager and Select Board  
 59 Town Hall Square, Falmouth, Massachusetts 02540  
 Telephone (508) 495-7320



**ENTERTAINMENT LICENSE APPLICATION**

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

NAME OF BUSINESS Town Hall Partners LLC

d/b/a Timber Axe Bar & Bowl

ADDRESS 23 Town Hall Square TOWN Falmouth STATE MA ZIP 02540

MAILING ADDRESS 23 Town Hall Square TOWN Falmouth STATE MA ZIP 02540

NAME OF OWNER/MANAGER Michael Mueller, Co-Owner

HOME ADDRESS 91 Central Ave TOWN East Falmouth STATE MA ZIP 02536

TELEPHONE # 508-274-9153 EMAIL mike@timberaxbarbowl.com

NARRATIVE DESCRIBING ENTERTAINMENT Wednesday night: trivia with recorded music and speaking on a microphone.

Thursday will typically be a solo act, Friday and Saturday will be duo or DJ with occasional 3+ piece band.

\*LOCATION OF ENTERTAINMENT Center of bowl lane area.

\*Attach a floor plan showing where on the premises live music or dancing will take place.

DAYS OF OPERATION (check all that apply): MON  TUE  WED  THUR  FRI  SAT

HOURS OF ENTERTAINMENT: Wed: 7:30-9:30, Thurs: 6-9, Fri & Sat: 800-1100.

SUNDAY ENTERTAINMENT: Y/N N (Complete separate State application and include fees.)

CHECK THE APPROPRIATE BOXES, BELOW, FOR TYPES OF ENTERTAINMENT:

1. DANCING: By Patrons: Y/N Y Other Dancing: Y/N

2. MUSIC: Recorded: Y/N Y Live: Y/N Y No. of Musicians 1-5 Amplification: Y/N Y

Type of Instruments Guitar, piano, drums, DJ music.

3. OTHER: \_\_\_\_\_

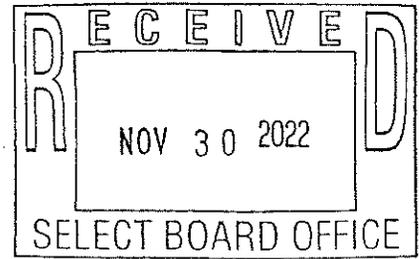
I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic 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 11/29/2022

X Michael Mueller  
 SIGNATURE - OWNER OR MANAGER

FILING FEE: \$10.00  
 PERMIT FEE: \$100.00



APPLICANT: Town Hall Partners LLC, DBA Timber Axe Bar & Bowl

ADDRESS: 23 Town Hall Square

LICENSE OR LICENSE CHANGE APPLIED FOR: \_\_\_\_\_

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

DATE:

11-30-22





RECEIVED

NOV 30 2022

Board of Assessors, Town of Falmouth

RECEIVED *ju*

NOV 29 2022

Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540  
Telephone: 508-495-7380  
Fax: 508-495-7384

REQUEST OF CERTIFIED ABUTTERS LIST Board of Assessors, Town of Falmouth

Name of person requesting abutters list: Phyllis Downey

Address of person requesting abutters list: Select Board Office

Phone: \_\_\_\_\_

Abutters to (subject property):	Map _____	Section _____	Parcel _____	Lot _____
	Map _____	Section _____	Parcel _____	Lot _____
	Map _____	Section _____	Parcel _____	Lot _____

Lot size of subject property: \_\_\_\_\_

Location of subject property: 23 Town Hall Square ✓

Check one:

- Direct abutters (includes properties across street)
- Direct abutters in local Historic District (includes properties across the street) within 100'
- Immediate abutters (includes only properties with a common property line)
- Immediate abutters plus churches and schools within 500'
- Properties within 300' ✓
- Properties within 300' or abutters abutter to abutter whichever is closest
- Properties within 100'
- Other (specify) \_\_\_\_\_

Fee: \$25.00 Total n/a

23 TOWN HALL SQUARE

CERTIFIED

A handwritten signature in cursive script, appearing to read "BCabral", is written over a horizontal line.

Bruce Cabral  
Assistant Assessor  
Town of Falmouth, MA  
December 2, 2022



188 MAIN ST 188 MAIN ST LLC 322 FOX HOLLOW WAY C/O ANNA MARIA TREMBLAY MANCHESTER, NH 03104	38A 09 012 000 LUC: 326	1 CHANCERY LN FALMOUTH HOUSING TRUST INC 200 MAIN ST SUITE 212 FALMOUTH, MA 02540	47A 08 002B 005 LUC: 959	117 MAIN ST MARKANTONIS PROPERTIES LLC 17 HIGHWOOD WAY MASHPEE, MA 02649	47A 07 064 001 LUC: 326
199 MAIN ST 199 MAIN ST LLC 5301 WISCONSIN AVE NW C/O BERNSTEIN MANAGEMENT CORP WASHINGTON, DC 20015	47A 08 012 001 LUC: 031	0 MAIN ST FALMOUTH TOWN OF 59 TOWN HALL SQ FALMOUTH, MA 02540-2761	38A 09 016A 000 LUC: 930	127 MAIN ST MARKANTONIS PROPERTIES LLC 17 HIGHWOOD WAY MASHPEE, MA 02649	47A 07 065 002 LUC: 337
39 TOWN HALL SQUARE AMENT TRUSTEE ROBERT H C/O CENTER FALMOUTH TRUST 39 TOWN HALL SQUARE FALMOUTH, MA 02540-0919	47A 07 071B 005 LUC: 340	59 TOWN HALL SQUARE FALMOUTH TOWN OF 59 TOWN HALL SQ FALMOUTH, MA 02540-2761	47A 08 001 000 LUC: 931	145 MAIN ST MCDONALD PROPERTIES LLC 105 N BOURNES POND RD E FALMOUTH, MA 02536	47A 07 068 001 LUC: 031
153 MAIN ST BOGOSIAN DEV LLC 367 MAIN ST FALMOUTH, MA 02540	47A 07 070 000 LUC: 340	149 MAIN ST GHELFI TRUSTEE WENDY MCELROY REAL ESTATE TRUST 240 HILL AND PLAIN RD E FALMOUTH, MA 02536-3994	47A 07 069 000 LUC: 325	91 MAIN ST PARISH OF SAINT BARNABAS 97 MAIN ST FALMOUTH, MA 02540-2652	47A 07 062 000 LUC: 960
23 TOWN HALL SQUARE BOGOSIAN DEVELOPMENT LLC 866 MAIN ST OSTERVILLE, MA 02655	47A 07 071 004 LUC: 370	177 MAIN ST HAJJAR TRUSTEE CHARLES C HAJJAR TRUSTEE ANNE TAMER 30 ADAMS ST MILTON, MA 02186	47A 08 002 007 LUC: 340	103 MAIN ST PARISH OF SAINT BARNABAS PO BOX 203 FALMOUTH, MA 02541	47A 07 063 000 LUC: 961
65 TOWN HALL SQUARE BOGOSIAN DEVELOPMENT LLC 367 MAIN ST C/O LONGFELLOW DES BUILD FALMOUTH, MA 02540	47A 08 007 000 LUC: 013	11 TOWN HALL SQUARE HOLLAND THOMAS A HOLLAND JEANNE M PO BOX 172 CATAUMET, MA 02534-0172	47A 07 071A 003 LUC: 325	0 MAIN ST PARISH OF SAINT BARNABAS 97 MAIN ST FALMOUTH, MA 02540-2652	47A 07 067 000 LUC: 962
25 GLENWOOD AVE CLARK TRUSTEE JEAN F W CLARK TRUST 35A NORTH MAIN ST FALMOUTH, MA 02540	47A 08 005A 004 LUC: 104	107 TOWN HALL SQUARE JEMIJ0 LIMITED PARTNERSHIP 35 PIN OAK WAY FALMOUTH, MA 02540-2680	47A 08 002A 008 LUC: 340	135 MAIN ST PARISH OF SAINT BARNABAS 97 MAIN ST FALMOUTH, MA 02540-2652	47A 07 067A 002 LUC: 961
33 GLENWOOD AVE CLARK TRUSTEE JEAN F W CLARK TRUST 35A NORTH MAIN ST FALMOUTH, MA 02540	47A 08 006 004 LUC: 111	101 TOWN HALL SQUARE LEBHERZ JR TRUSTEE GEORGE H LEBHERZ TRUSTEE CHRISTOPHER G PO BOX 546 FALMOUTH, MA 02541-0546	47A 08 002C 012 LUC: 340	189 MAIN ST ROTHMAN TRUSTEE STUART J MAIN AND CHANCERY NOMINEE TR 907 MASSACHUSETTS AVE CAMBRIDGE, MA 02139	47A 08 003 001A LUC: 031
131 MAIN ST DABON LLC 131 MAIN ST FALMOUTH, MA 02540	47A 07 066 000 LUC: 326	156 MAIN ST MARINE LODGE A F & A M PO BOX 545 FALMOUTH, MA 02541-0545	38A 09 014 000B LUC: 954	193 MAIN ST ROTHMAN TRUSTEE STUART J MAIN AND CHANCERY NOMINEE TR 907 MASSACHUSETTS AVE CAMBRIDGE, MA 02139	47A 08 004 002B LUC: 031
176 MAIN ST DIGIOVANNI TRUSTEE GERALD J DIGIOVANNI TRUSTEE SANDRA J 812 BRINY AVE UNIT 12A POMPANO BEACH, FL 33062	38A 09 013 000 LUC: 031	166 MAIN ST MARINE LODGE A F & A M PO BOX 545 FALMOUTH, MA 02541-0545	38A 09 014 000BT LUC: 326	8 CHANCERY LN ROTHMAN TRUSTEE STUART J MAIN AND CHANCERY NOMINEE TR 907 MASSACHUSETTS AVE CAMBRIDGE, MA 02139	47A 08 005A 003 LUC: 104

150 MAIN ST

38A 09 015 000

SYNH LLC

LUC: 013

1249 BEACON ST  
BROOKLINE, MA 02446

49 GLENWOOD AVE

47A 08 009 000

TASHJIAN GABRIEL

LUC: 104

TASHJIAN DIANA  
2026 MCGAW AVE  
IRVINE, CA 92614

120 MAIN ST

38A 09 016 000

UNITED STATES OF AMERICA

LUC: 900

FEDERAL BUILDING  
1522 K ST NW  
WASHINGTON, DC 20005-1202

137 MAIN ST UNIT A

47A 07 067B 000A

MEHTA RICHI

LUC: 102

137 MAIN ST  
UNIT A

FALMOUTH, MA 02540

137 MAIN ST UNIT B

47A 07 067B 000B

MAGGIO MARGARET M  
MILLET II JERRY DAVIS  
137 MAIN ST  
UNIT B  
FALMOUTH, MA 02540

LUC: 102

## Diane Davidson

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**From:** Meg Maggio [REDACTED]  
**Sent:** Wednesday, December 14, 2022 5:03 PM  
**To:** Noreen Stockman  
**Cc:** Tsimortos Linda; Brian Reid; Sean Doyle; Boyd Demello; Gary Street; Falmouth Licensing; Falmouth Planning; Falmouth Selectboard; Richi Mehta; Davies Millett  
**Subject:** Timber Entertainment License Application/137 Main Street  
**Categories:** Public Comment

Dear Noreen,

Thanks for sending meeting notices on all matters related to Timber. Frankly, I wish one of your colleagues would do the same for all matters related to 159 Main Street! I did not appreciate suddenly discovering a Town Hall Planning Board site visit (led by developer's lawyer) on our property without our involvement. In my view, the two matters of Timber and 159 Main St. are related. They both involve the same property developer; frankly, the same cohorts, who have done business for years with the same developer. In my view, board members should be recused when there is a conflict of interest, even if it's a past commercial relationship.

Here's my question: I don't understand why a quiet, once-a-week Falmouth Farmer's Market was required to move away from Main St in years past, for reasons very similar to ours: Noise and traffic congestion. In fact, Timber and the 159 Restaurant and Bar plans, would be far noisier and more problematic than a once-a-week farmer's market!

[New Location is a Success So Far for Falmouth Farmers Market](#)



### **New Location is a Success So Far for Falmouth Farmers Market**

FALMOUTH – After calling Peg Noonan Park home since 2008, the Falmouth Farmers Market is operating at its new ho...

Why do we believe that Timber and 159 Main St are not only bad for enjoyment of our property but also bad for Main St? It should be obvious: Infringing on neighbors' rights to peacefully co-exist downtown. Timber and 159 Main St at Town Hall Square share the same property developer for both projects, and are in close proximity. Both share the same property developer (Longfellow) with too many existing and incomplete projects in Falmouth! In my view, all development is not good development. All Main St business is not good Main St. business. Do we want to be more akin to Hyannis Main St today or to Osterville Main St today? Is it "Falmouth Main Street" or "Falmouth Bar Street"?

I am greatly discouraged by the fact that Timber was operating all last summer with out a proper entertainment license. I don't understand how this licensing matter "slipped through the cracks".

In addition, the back of Timber is slowly turning into a public eye sore, a dumping ground for construction materials, and with plenty of graffiti. Who do we complain to on that front?

As for noise nuisance, there is no reason for Timber not to invest in sound-proofing. It should be mandatory sound-proofing not discretionary sound-proofing. Town Hall Square - if all goes according to some folks' plans - will slowly turn into the new Falmouth Heights style night time entertainment center. All at the hand of Longfellow and their cohorts. Longfellow - as everyone knows - is over-extended with 100+ outstanding building permits in Falmouth. The Dome was never restored, it remains an eyesore, and is a sad way to pay tribute to an American icon, Buckminster Fuller. Despite the sale of million dollar condo's and expressions of support in the Falmouth Enterprise for turning The Dome into a mini-museum! When Longfellow is criticized, "mysteriously" an article appears on the front page of The Enterprise: This time, the most recent article, is applauding his provision of his workers' housing. This housing is a profit center for landlord Longfellow! Not a charitable donation!

It's very frustrating that the neighbors' requests for quiet enjoyment and regular business hours downtown are not being respected. It is important to remember that Falmouth Main Street and downtown are as much residential areas as they are commercial areas! Longfellow's "take over" of Town Hall Square should be noted and curbed. Before it is too late, and Falmouth Main Street starts to suffer from increased police calls, traffic congestion, and related "bar street" public nuisances. Pickle Ball noise and Farmer's Markets downtown are a "no-no", but bar and loud noise and loud music is ok? I don't understand.

I am happy to discuss any time. I am frustrated and upset that we had to hire a lawyer to protect our rights to quiet enjoyment of our property and safe passage to and from our property. Much time - and money - has been wasted, while application preference is given to "old friend" property developers and their representatives waving imaginary architecture plans and imaginary licensing agreements, all at the expense of neighbors and the community.

The quality of our daily existence is in fact being diminished by Timber's noisy and messy disregard for its neighbors; and now, the same developer with a second Town Hall Square project, restaurant and bar application for 159 Main St, is attempting to block our access in and out of our 137 Main St.

At 159 Main Street, at the entrance to Town Hall Square, the same property developer wants to rent to an even noisier establishment than Timber, one with indoor and outdoor seating for 130 + 40 employees! That's close to what the Sea Crest employs! This establishment billed as a "high end restaurant" is far from it. No dedicated parking, no room for its planned 130 seats and 40 employees without building over an existing 100 year old Way, nor any place except Town Hall Square parking for livery truck delivery. If the 159 Main St project is approved under its current application, there is no room for a second egress for fire, sanitation and safety either for us at 137 Main nor for 159 Main St. And, while extinguishing the 100-year old "Hewins Way" access in and out of our homes in favor of adding a deck structure: What a mess! We would be dependent if this plan is approved to one narrow access point. How did the application get this far? Please take a look at the giant bar in the plan submitted. 159 Main St sure looks more bar-like than "high end restaurant". How can a restaurant not yet approved first apply to obtain a deck approval? It seems like a very backward chain of events, and not the same procedure that Estia and La Civeta and Anéjo had to follow: That is, first you prove that your restaurant is up and running and a successful addition to the community and then only later does a restaurant apply for an outdoor seating deck!

If 159 Main goes ahead as planned, we will have restricted access in and out of our building. God forbid someone has to call an ambulance. "Good Luck EMT Folks" getting to our home.

We are gathering signatures in opposition to changing this block of Main Street under the current application. We already have 60 signatures of Falmouth tax payers in a very short time, over just the last week. All with names and addresses. This petition is in response to the developers' earlier submitted "petition" missing addresses and full names, and done prematurely, last summer, "endorsing" a project long before the start of the approval process, and without full disclosure of application details. Slick but not correct, putting it mildly. Not everyone wants an already congested part of historic Main St, to become even noisier and more congested. If there is a fire, and the 159 Main St restaurant plan is approved as is, I am not sure if anyone could get to us in time: Scary.

Nothing was ever discussed with us, no one ever approached us as neighbors to discuss. We have been treated throughout as bystanders without rights of enjoyment of our property, not as abutters and not as members of the Falmouth Main St, downtown community. It's been very discouraging. Finally, as I stated last night at the Planning Board meeting, "This is not a legal issue". This matter should not be kicked down the road to a court room. In the next meeting, we will point out where and how the Falmouth By-Laws do indeed apply, and why we will not be bullied into a courtroom,

in a David and Goliath situation. We are asking Town Hall and all those involved to be a little more forward thinking, and to be a little less hasty in granting approvals to old friends.

Happy to discuss all.

THANKS,

Meg

M.Maggio  
137 Main Street, Unit 1  
Falmouth, MA 02540

Diane Davidson

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**From:** Richi Mehta [REDACTED]  
**Sent:** Monday, December 12, 2022 3:53 PM  
**To:** Peter Johnson-Staub; Diane Davidson  
**Cc:** Mary Downey; Meg Maggio  
**Subject:** 137 Main St. - Timber Entertainment Application

**Categories:** Public Comment

Hello All,

I am writing this letter in concern of the Entertainment license application regarding Timber Axe Bar.

I am the principle owner of 137 Main Street with Linda Tsimortos .  
She has lived in this location going on 12 years .

My Concern is that the times will not be closely adhered to.  
Over the last six months Linda has had to call both the Falmouth Police and Timber Axe Bar MANY times( 30-40) when we thought they had overstepped their time frame.  
She has Documented every phone call.  
Only to find out that they NEVER were operating with the proper licensing.

It was very disappointing to hear that, considering all the headaches and frustration that it has caused .

In trying to find a middle road , we are suggesting they move the entertainment stage to far right of the property,  
The opposite side of the abutting wall.  
As they discussed before in prior emails with Linda ,Installing sound proofing.

Hopefully these remedies will give both sides peace .  
Timber to run daily operations without having the Wonderful Men and Woman of the Falmouth Police department to come out and Enforce License times.  
Linda to enjoy her space with understanding and respect for times that are Granted .

Thank you so much  
Sincerely  
Richi Mehta

Diane Davidson

---

**From:** Linda Tsimortos [REDACTED]  
**Sent:** Saturday, October 15, 2022 5:26 PM  
**To:** Falmouth Selectboard  
**Subject:** Loud music noise disturbance from Timber Axe Bowl Bar at Town Hall Sq

**Categories:** Public Comment

Madame Chairwoman Taylor and Acting Town Mgr Peter Johnson Staub-I spoke at select board meeting on aug5,2022 on this matter,although it was not on your agenda that evening- I spoke in regards to this matter and proposed BlleMoonSeaGrille at159 MainSt. My issue for this email is Timber,I reside at 137 Main,condo directly behind bar(approx) 20 ft, the music when on,either streamed or dj is deafening,I hav called police many times(see call log) and today actually spoke to Jonathan Dickinson,zoning compliance at his office, he pulled notice up on computer,it seems my hands r tied,because I reside to close to bar, for noise disturbance to be an actual violation by police and town music from bar has to be heard at a distance of 150 ft,I am too close, almost in their lap,makes no sense to me,my quality of life,including sleep of course is in danger,I am now on anti anxiety meds because of this. I hav spoken to one of the owners,MichaelMueller as well as mgr Devon-they say they are within their CURRENT license guidelines, and all they do is verbally placate me at that moment and then music is louder than ever,perhaps out of spite.,the space is rented to them from MrBogasian,Longfellow Design,he may also be a partner in bar which explains a lot,mr exempt from rules,so it seem. please please please,I beg of u to consider my plight when time comes to renew their entertainment and liquor license which currently is til 1am,I understand licenses r up for renewal soon,Jan of2022and.

This is a list of my calls to non emerg police dispatch.

Aug11th 9:45pm and10:24pm. Aug12th 11:36pm. Aug 19th 11:09pmAug 20th12:12am. Aug26 11:50pm. sept10th 10:09pm Sept16th made 3 calls 9:18pm,10:18pm and10:48pm. Oct7th made 2 calls 9:00pm and10:32pm. Oct8th9:16pm. Oct13th,made 2 calls7:12pm and7:51pm...they started very early on the 13th...that's just some of my calls,more to come if not addressed...please,please help me...I so thank you ahead of time for your valuable time and consideration on this matter.

BestRegards  
Linda Tsimortos...  
[REDACTED]

Diane Davidson

---

From: Brian Foley [REDACTED]  
Sent: Monday, October 24, 2022 12:57 PM  
To: Falmouth Selectboard  
Subject: Music Distrubance -- Timber Bar, Town Hall Square

Madame Chairwoman and Members of the Board,

I am writing to inform you of a loud music disturbance coming from the Timber Bar at Town Hall Square in Falmouth. I reside at 141 Main Street roughly 200 feet from the Timber Bar.

Starting in June the music, specifically the bass coming, from Timber started to become audible inside my residence after 10pm and increasing in intensity up until the closing of the bar. The intensity increased weekly until Mid-July when it started to become consistently unbearable and ridiculously loud and stayed at this level throughout the summer and now into Fall.

I called the non-emergency number to report the noise at the following times

7/15 11:38pm  
8/12 11:27pm and 11:40pm  
8/19 11:11pm and 11:20pm  
9/16 9:30pm

These calls had occasional immediate effect but in general the volume was consistently played at obscene levels the next business day if not the same night. I love live music and fully understand I live downtown but the volume is far above appropriate levels for the proximity to residential areas. I would like to co-exist with the bar and I hope they achieve some level of volume mitigation either through addressing the sound transmittance of the building itself or just playing music that is not loud enough to be heard inside a building two hundred feet away,

Thank you for your time

Brian  
141 Main Street

--  
Brian

## PUBLIC HEARINGS

2. Applications for an Entertainment License and a Sunday Entertainment License – Moto Pizza Falmouth, LLC d/b/a Moto Pizza to be exercised at 500 Waquoit Highway, East Falmouth (10 minutes)



# TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

[townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov)

## PUBLIC NOTICE OF HEARING

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Moto Pizza Falmouth, LLC d/b/a Moto Pizza has applied for an Entertainment License and a Sunday Entertainment License to be exercised at 500 Waquoit Highway, East Falmouth MA.

A hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, January 9, 2023, at 6:45 p.m. on the above application.

Per order of the Select Board

### LICENSING BOARD

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski II

*Publication date: Friday, December 30, 2022; Falmouth Enterprise*

LICENSE APPLICATION REVIEW

Restaurant/Business: Moto Pizza

Address: 500 Wauquoit Highway

License Type: \_\_\_\_\_

New or Transfer of License \_\_\_\_\_

or

Change of License \_\_\_\_\_

Police

No issues

Fire

No objections

Building

Plan approved by Building Commissioner for entertainment

Health

Zoning

Planning

DPW

Assessor

Tax Collector

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTES:



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: Moto Pizza Falmouth LLC D/B/A Moto Pizza  
 ADDRESS: 500 Waquoit Highway  
 TOWN: East Falmouth STATE: MA ZIP CODE: 02536  
 NAME OF OWNER/MANAGER: Dante DelGrosso  
 TELEPHONE #: 508-444-2342 EMAIL: dante@moto-pizza.com  
 MAILING ADDRESS: same as business address  
 LOCATION OF ENTERTAINMENT ON PREMISES: Inside, southeast corner

DAYS OF ENTERTAINMENT: any  
 HOURS OF ENTERTAINMENT: 4pm - 9pm

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

One-two times a week, typically from 5-8pm: Live music (amplified and acoustic), charity bingo (amplified voiceover), trivia (amplified voiceover), DJ music (amplified).

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

SUNDAY ENTERTAINMENT: NO.  YES  (if YES, complete a separate Sunday Entertainment application - see 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 pubic 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.

DATE Nov 30, 2022 X   
Signature - OWNER or MANAGER

Total Fees Payable to the Town of Falmouth : \$110  
 Filing Fee: \$10 due upon application  
 License Fee: \$100

THE COMMONWEALTH OF MASSACHUSETTS

Town OF Falmouth

LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY



State Fee, \$ 50.00  
Municipal Fee, \$ 75.00

The Name of the Establishment is Moto Pizza Falmouth LLC in or on the property at  
No. 500 Waquoit Hwy, East Falmouth, MA-02536 (address).  
The Licensee or Authorized representative, Dante DelGrosso in  
accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
		Regular Hours: Sunday 1:00 PM - Midnight - \$50 check to Commonwealth of Massachusetts
		- \$75 check to Town of Falmouth
		**Fee of \$75 payable to Town of Falmouth by Money Order or Certified Bank Check only.

Hon. Nancy R. Taylor Mayor/ Chairman of Board of Selectman, Falmouth (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm – Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm – Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

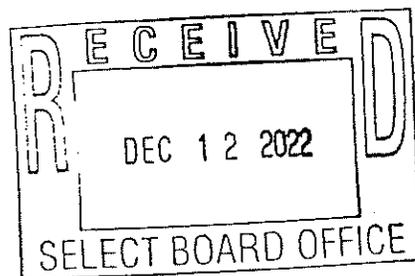
This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

PAID

\$10.00

CK# 2229



Entertainment License applications must be reviewed by the Building Commissioner's Office before the application is submitted to the Select Board

APPLICANT:

Moto Pizza Falmouth LLC dba Moto Pizza

ADDRESS:

500 Waquoit Highway

LICENSE OR LICENSE CHANGE APPLIED FOR:

Entertainment, Sunday Entertainment

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

- 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

A handwritten signature in cursive script, appearing to read "Gary Street", written over a horizontal line.

DATE:

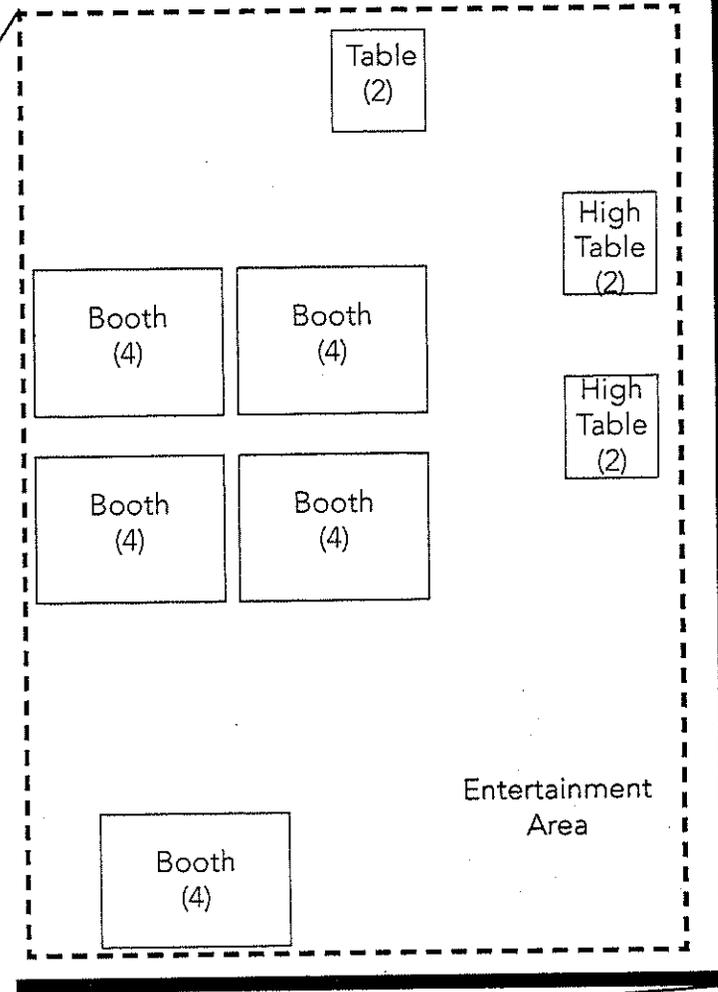
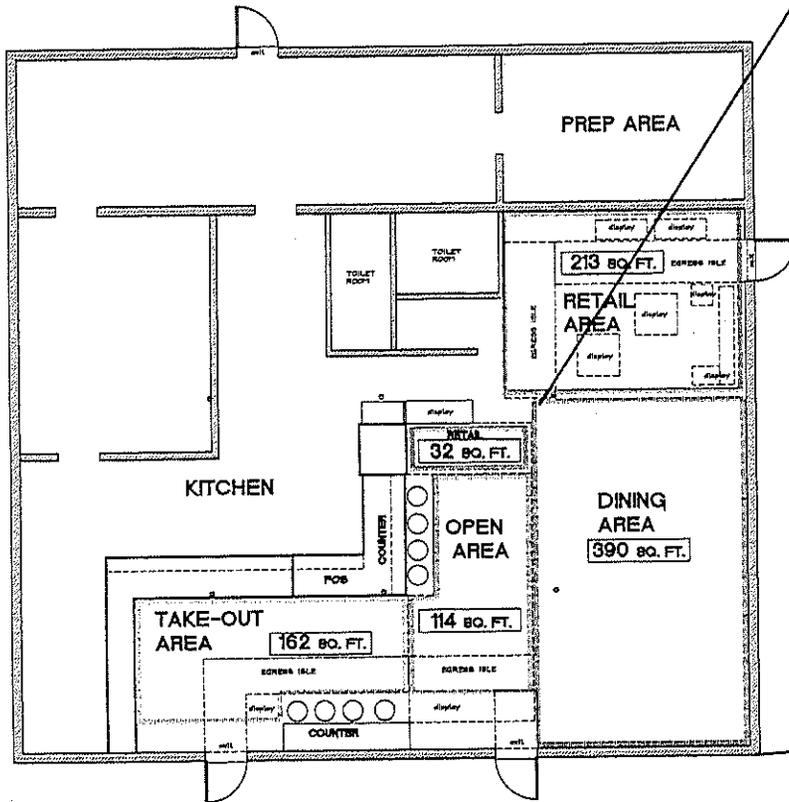
12-12-22

# Proposed Entertainment Area

DRAWINGS REVIEWED BY  
 FALMOUTH BUILDING DEPARTMENT  
 CONSTRUCTION SUBJECT TO MA  
 BUILDING CODE COMPLIANCE  
 ONE SET OF STAMPED PLANS SHALL  
 BE KEPT AT THE BUILDING SITE

12-12-22  
 DATE

*[Handwritten Signature]*  
 BUILDING OFFICIAL

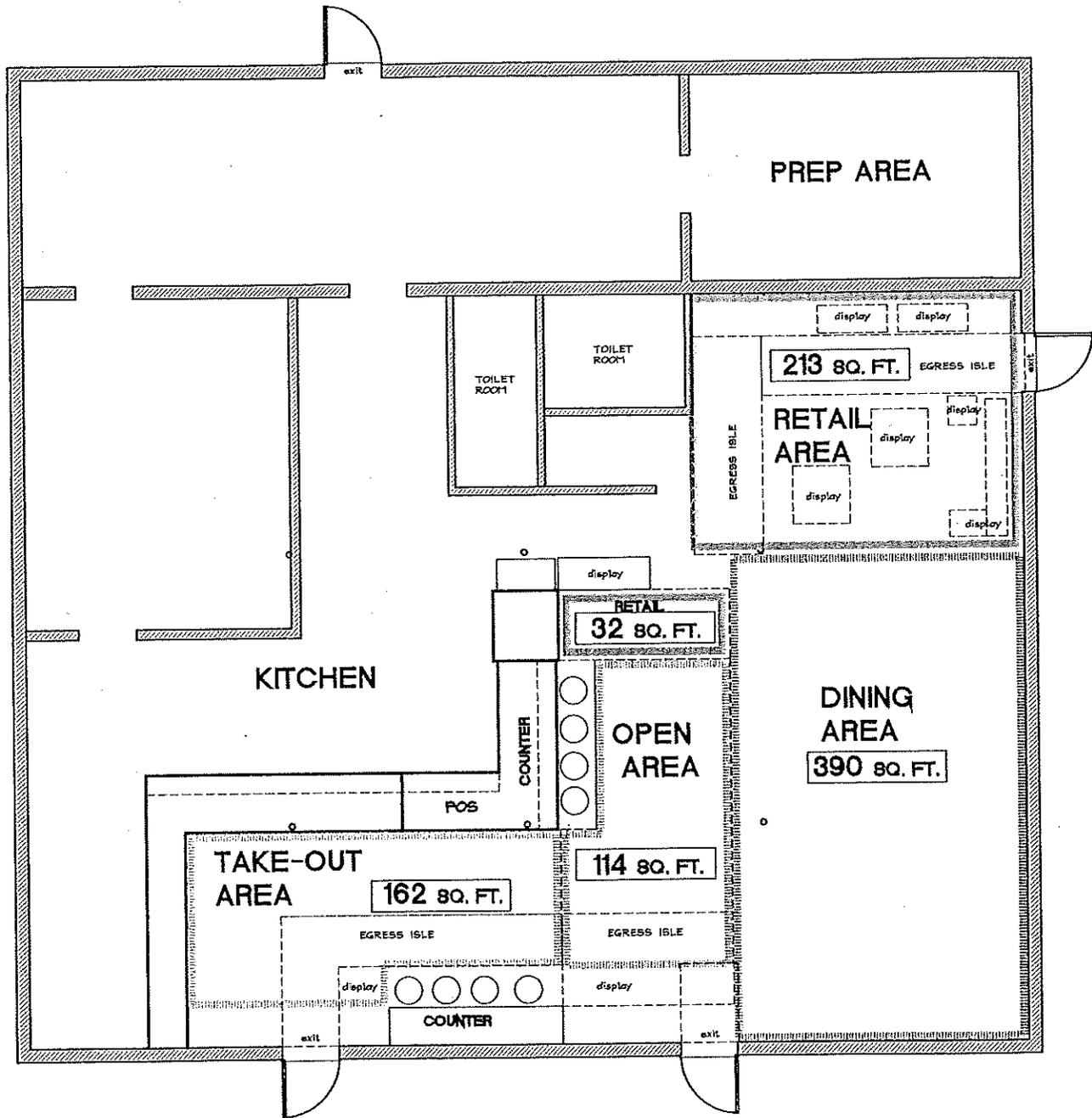


exterior wall - east side

exterior wall - front

FLOOR PLAN

N.T.B.



**FLOOR PLAN**  
 N.T.S.

12-14-22 1:00 pm



Town of Falmouth Assessing Department  
59 Town Hall Square, Falmouth MA 02540  
Telephone: 508-495-7380  
Fax: 508-495-7384  
**REQUEST OF CERTIFIED ABUTTERS LIST**

Name of person requesting abutters list: Phyllis Downey  
Address of person requesting abutters list: Town Manager's Office  
Phone: X 7325

Abutters to (subject property):  
Map \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_  
Map \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_  
Map \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Lot size of subject property: \_\_\_\_\_  
Location of subject property: 500 Waquoit Highway (moto Pizza)

Check one:

- Direct abutters (includes properties across street)
- Direct abutters in local Historic District (includes properties across the street) within 100'
- Immediate abutters (includes only properties with a common property line)
- Immediate abutters plus churches and schools within 500'
- Properties within 300'
- Properties within 300' or abutters abutter to abutter whichever is closest
- Properties within 100'
- Other (specify) \_\_\_\_\_

Fee. \$25.00 Total n/a

506 WAQUOIT HWY 506 WAQUOIT LLC 19 GREAT RIVER RD MASHPEE. MA 02649	30 06 023 002B LUC: 013	33 MOONAKIS RD HIGGINS CARL S HIGGINS ANNE K 33 MOONAKIS RD E FALMOUTH. MA 02536-7725	30 02 006A 001 LUC: 101	35 CARRIAGE SHOP RD PETERS ELIZABETH A 35 CARRIAGE SHOP RD TEATICKET. MA 02536	30 03 013 000 LUC: 101
27 CARRIAGE SHOP RD BAKER JR FRANCIS ABBOTT BAKER NANCY K PO BOX 3217 WAQUOIT. MA 02536	30 03 015 000 LUC: 101	17 CARRIAGE SHOP RD JONES RICHARD E 12 CARRIAGE SHOP RD EAST FALMOUTH. MA 02536-4907	30 03 024 000 LUC: 101	460 B WAQUOIT HWY ROTARY REALTY LLC 117 PADDOCK CIR MASHPEE. MA 02649	30 06 019 003U LUC: 328
486 WAQUOIT HWY BASS RIVER MOTEL LLC 416 MAIN ST W DENNIS. MA 02670	30 06 020 001 LUC: 325	9 CARRIAGE SHOP RD LEAF STEVEN 106 WAQUOIT HWY EAST FALMOUTH. MA 02536	30 03 025 000B LUC: 109	499 WAQUOIT HWY SOUTH CAPE MOTEL INC PO BOX 3074 SOUTH ATTLEBORO. MA 02703	30 02 007 000 LUC: 301
444 WAQUOIT HWY BOGOSIAN DEVELOPMENT LLC 367 MAIN ST FALMOUTH. MA 02540	30 06 019 001U LUC: 327	5 CARRIAGE SHOP RD MARTIN KEITH MARTIN ELIZABETH 5 CARRIAGE SHOP RD E FALMOUTH. MA 02536	30 03 025 000A LUC: 101	15 MOONAKIS RD TETZAGUIC JOSE L TETZAGUIC MARIA A 30 ORCHARD ST HYDE PARK. MA 02136	30 02 006 009 LUC: 101
446 WAQUOIT HWY BOGOSIAN DEVELOPMENT LLC 367 MAIN ST FALMOUTH. MA 02540	30 06 019 002U LUC: 327	460 C WAQUOIT HWY MOORE TRUSTEE DIANE E D E MOORE 2017 REV LIV TR 37 AMY BROWN RD MASHPEE. MA 02649	30 06 019 004U LUC: 327	36 CARRIAGE SHOP RD WAQUOIT FIELDSTONE LLC 111 CHILDS RIVER RD EAST FALMOUTH. MA 02536	30 06 018 000 LUC: 013
9 MOONAKIS RD COREY JR TRUSTEE RICHARD L COREY TRUSTEE ELIZABETH A 9 MOONAKIS RD E FALMOUTH. MA 02536	30 02 006 007 LUC: 101	19 CARRIAGE SHOP RD MORRIS MARC S 23 CARRIAGE SHOP RD EAST FALMOUTH. MA 02536-4906	30 03 016A 000B LUC: 101	460 A WAQUOIT HWY ZAKSEWICZ JR STANLEY M PO BOX 3251 WAQUOIT. MA 02536	30 06 019 005U LUC: 343
25 MOONAKIS RD COSTA KENNETH J 25 MOONAKIS RD EAST FALMOUTH. MA 02536-7725	30 02 006A 002 LUC: 101	23 CARRIAGE SHOP RD MORRIS MILTON L SARTELL DIANE M 23 CARRIAGE SHOP RD E FALMOUTH. MA 02536-4906	30 03 016 000A LUC: 101		
485 WAQUOIT HWY CUMBERLAND FARMS INC 165 FLANDERS RD WESTBOROUGH. MA 01581	30 01 008 003 LUC: 333	516 WAQUOIT HWY NEWELL COMMERCIAL REALTY LLC 26719 RAPHIS ROYALE BLVD C/O RICHARD T NEWELL ENGLEWOOD. FL 34223	30 06 022 000 LUC: 031		
16 METOXIT RD DELANEY RICHARD A DELANEY MARYANN R PO BOX 3378 WAQUOIT. MA 02536-3378	30 02 006 005C LUC: 101	441 WAQUOIT HWY NYDAM TRUSTEE AUSTIN E NYDAM TRUSTEE DAVID A 441 WAQUOIT HWY EAST FALMOUTH. MA 02536	30 01 007 002 LUC: 325		
31 CARRIAGE SHOP RD DONOHUE DENNIS J PO BOX 3536 WAQUOIT. MA 02536	30 03 014 000 LUC: 111	500 WAQUOIT HWY ONEILL LAWRENCE ONEILL ANNE 7 MILLER CIR MASHPEE. MA 02649	30 06 021A 002C LUC: 326		

## **PUBLIC HEARINGS**

3. Application for a Sunday Entertainment License – Olive Restaurants, Inc. d/b/a Shiverick's Café & Bar to be exercised at 285 Main Street, Falmouth **(10 minutes)**



# TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

[townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov)

## PUBLIC NOTICE OF HEARING

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Olive Restaurants, Inc. d/b/a Shiverick's Café & Bar has applied for a Sunday Entertainment License located at 285 Main Street, Falmouth MA.

A hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, January 9, 2023, at 6:45 p.m. on the above application.

Per order of the Select Board

LICENSING BOARD

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski II

*Publication date: Friday, December 30, 2022; Falmouth Enterprise  
Acct. #2056*

LICENSE APPLICATION REVIEW

Restaurant/Business: Shiverick's Café & Bar

Address: 285 Main Street

License Type: \_\_\_\_\_

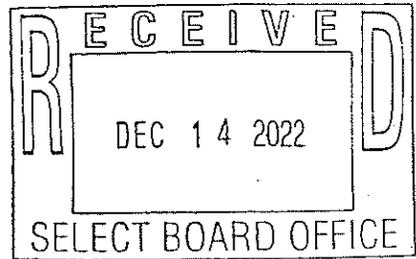
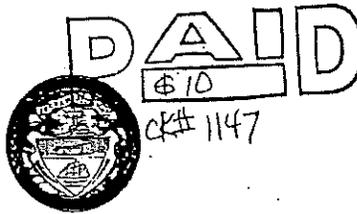
New or Transfer of License Sunday Entertainment

or

Change of License \_\_\_\_\_

- Police No objection
- Fire No objection
- Building Floor Plan has been approved for entertainment
- Health \_\_\_\_\_
- Zoning \_\_\_\_\_
- Planning \_\_\_\_\_
- DPW \_\_\_\_\_
- Assessor \_\_\_\_\_
- Tax Collector \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

NOTES: The Building Commissioner has approved the occupancy - floor plans as they relate to entertainment



Town of Falmouth  
Office of the Town Manager and Select Board  
59 Town Hall Square, Falmouth, Massachusetts 02540  
Telephone (508) 495-7320

ENTERTAINMENT LICENSE APPLICATION

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

NAME OF BUSINESS Olive Restaurants Inc.

d/b/a Shiverick's Cafe and Bar

ADDRESS 285 Main st. TOWN Falmouth STATE MA ZIP 02540

MAILING ADDRESS 285 Main st TOWN Falmouth STATE MA ZIP 02540

NAME OF OWNER/MANAGER Elias Bregoriadis

HOME ADDRESS 4 Brainerd Rd TOWN North Falmouth STATE MA ZIP 02556

TELEPHONE # 774-392-2176 EMAIL shiverick.cafe.bar@gmail.com

NARRATIVE DESCRIBING ENTERTAINMENT All Lawfull Purposes of License

\*LOCATION OF ENTERTAINMENT 285 main st. Falmouth, MA. 02540

\*Attach a floor plan showing where on the premises live music or dancing will take place.

DAYS OF OPERATION (check all that apply): ~~\_\_\_\_\_~~

HOURS OF ENTERTAINMENT: 8AM - 1AM

SUNDAY ENTERTAINMENT:  Y  N (Complete separate State application and include fees.)

CHECK THE APPROPRIATE BOXES, BELOW, FOR TYPES OF ENTERTAINMENT:

1. DANCING: By Patrons: Y/N yes Other Dancing: Y/N yes

2. MUSIC: Recorded: Y/N yes Live: Y/N yes No. of Musicians 3 Amplification: Y/N yes

Type of Instruments All kinds

3. 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 pubic 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 12/14/2022

SIGNATURE - OWNER OR MANAGER

FILING FEE: \$10.00  
PERMIT FEE: \$100.00

THE COMMONWEALTH OF MASSACHUSETTS  
Town \_\_\_\_\_ OF Falmouth \_\_\_\_\_



State Fee, \$ 100  
Municipal Fee, \$ 150

# LICENSE

For  
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Shivericks Cafe and Bar in or on the property at No. \_\_\_\_\_ (address)  
285 Main St Falmouth, MA. 02540

The Licensee or Authorized representative, Elias Gregoriadis in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion

Hon. \_\_\_\_\_ Mayor/ Chairman of Board of Selectman, Town of Falmouth (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00 \$150 + 2007

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

**THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES**



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

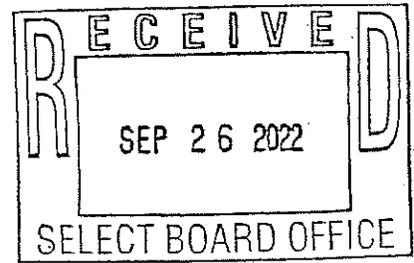
LICENSE OR LICENSE CHANGE APPLIED FOR: entertainment

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.
- If any outdoor seating, a plot plan or site plan by a certified land surveyor. Must include parking

Building Department sign-off: \* [Signature]

DATE: 9-26-22







Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540

Telephone: 508-495-7380

Fax: 508-495-7384

REQUEST OF CERTIFIED ABUTTERS LIST

Name of person requesting abutters list: Phyllis Downey

Address of person requesting abutters list: Town Manager's Office

Phone: X 7325

Abutters to (subject property):	Map <u>47A</u> Section <u>14</u> Parcel <u>003</u> Lot <u>000</u> ✓
	Map _____ Section _____ Parcel _____ Lot _____
	Map _____ Section _____ Parcel _____ Lot _____

Lot size of subject property: 0.62 acres

Location of subject property: 285 Main Street ✓

Check one:

- Direct abutters (includes properties across street)
- Direct abutters in local Historic District (includes properties across the street) within 100'
- Immediate abutters (includes only properties with a common property line)
- Immediate abutters plus churches and schools within 500'
- Properties within 300' ✓
- Properties within 300' or abutters abutter to abutter whichever is closest
- Properties within 100'
- Other (specify) \_\_\_\_\_

Fee: \$25.00 Total n/a

RECEIVED

DEC 14 2022

285 MAIN ST

CERTIFIED

A handwritten signature in black ink, appearing to read 'Bruce Cabral', written over a horizontal line.

Bruce Cabral  
Assistant Assessor  
Town of Falmouth, MA  
December 16, 2022





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:

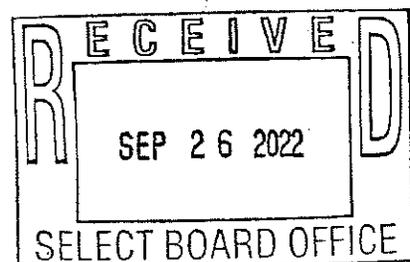
a. A seating plan completed and stamped by an Engineer or Architect and showing the occupancy load calculation.

If any outdoor seating, a plot plan or site plan by a certified land surveyor. Must include parking

Building Department sign-off: X

DATE:

9-26-22



22 CAHOON CT 47A 14 010 005  
ALBANO NICHOLAS A LUC: 104  
PO BOX 609  
TYNGSBORO. MA 01879

300 MAIN ST 38A 09 005 000  
FALMOUTH TOWN OF LUC: 931  
59 TOWN HALL SQ  
FALMOUTH. MA 02540-2761

279 MAIN ST 47A 14 002 000  
GEORGE TRUSTEE THOMAS N LUC: 031  
BONAIR REALTY TRUST  
17 THACHER SHORE RD  
YARMOUTH PORT. MA 02675-1125

27 SHORE ST 47A 14 017A 004U  
AMANTI CHRISTOPHER W LUC: 102  
AMANTI KRISTEN GARNER  
5106 40TH ST WEST  
C/O MARK GARNER  
BRADENTON. FL 34210

20 ACADEMY LN 38A 09 013A 000  
FALMOUTH TOWN OF LUC: 931  
59 TOWN HALL SQ  
FALMOUTH. MA 02540-2761

301 MAIN ST 47A 14 012 000B  
GEORGE TRUSTEE THOMAS N LUC: 325  
ABERDEEN REALTY TRUST  
17 THACHER SHORE RD  
YARMOUTH PORT. MA 02675-1125

333 MAIN ST 47A 14 014 000  
BARBO REAL EST PART LLC LUC: 325  
BARBO MANAGER DAVID P  
21 RICHARD RD  
YARMOUTHPORT. MA 02675

27 ELM ARCH WAY 47A 14 090 001AU  
FENDER WILLIAM H LUC: 102  
PO BOX 2318  
TEATICKET. MA 02536

43 SHORE ST 47A 14 019 000  
KETTERER DOLORES C LUC: 101  
KETTERER GREGORY  
43 SHORE ST  
FALMOUTH. MA 02540-3145

21 SHORE ST 47A 14 017 000B  
BUTLER GLEN LUC: 105  
325 WINTER ST  
HOLLISTON. MA 01746

27 ELM ARCH WAY 47A 14 090 002AU  
FENDER WILLIAM H LUC: 102  
PO BOX 2318  
TEATICKET. MA 02536

33 SHORE ST 47A 14 018 000  
KETTERER RLTY LLC LUC: 111  
43 SHORE ST  
FALMOUTH. MA 02540-3145

21 CAHOON CT 47A 14 005 000B  
CLARK TRUSTEE JEAN F LUC: 104  
W CLARK TRUST  
35A NORTH MAIN ST  
FALMOUTH. MA 02540

27 ELM ARCH WAY 47A 14 090 003AU  
FENDER WILLIAM H LUC: 102  
PO BOX 2318  
TEATICKET. MA 02536

0 SHORE ST OFF 47A 14 018A 000  
KETTERER RLTY LLC LUC: 130  
43 SHORE ST  
FALMOUTH. MA 02540-3145

35 CAHOON CT 47A 14 007 002  
CRAIG SIMON O LUC: 104  
CRAIG VIVA D  
3366 KENMORE RD  
SHAKER HEIGHTS. OH 44122

27 ELM ARCH WAY 47A 14 090 004AU  
FENDER WILLIAM H LUC: 102  
PO BOX 2318  
TEATICKET. MA 02536

285 MAIN ST 47A 14 003 000  
LAWRENCE TRUSTEE JEFFERY S LUC: 326  
LAWRENCE REALTY TRUST  
PO BOX 15  
EAST FALMOUTH. MA 02536

323 MAIN ST 47A 14 019A 000  
DINEEN TRUSTEE BLANCA M LUC: 031  
DINEEN TRUSTEE TERENCE L  
PO BOX 907  
FALMOUTH. MA 02541

225 MAIN ST 47A 12 088 000  
FHD REAL ESTATE LLC LUC: 325  
237 MAIN ST  
FALMOUTH. MA 02540

11 CAHOON CT 47A 14 004 000  
LAWRENCE TRUSTEE JEFFERY S LUC: 101  
LAWRENCE TRUSTEE DEBORAH L  
PO BOX 15  
EAST FALMOUTH. MA 02536

36 CAHOON CT 47A 14 008 001  
DINEEN TRUSTEE TERENCE L LUC: 301  
DINEEN TRUSTEE BLANCA M  
PO BOX 907  
FALMOUTH. MA 02541

27 SHORE ST 47A 14 017A 001U  
GARNER TRUSTEE MARK LUC: 102  
TASHA ONE REALTY TRUST  
5106 40TH ST WEST  
BRADENTON. FL 34210

273 MAIN ST 47A 14 001 000A  
MAGUIRE LIAM A LUC: 031  
MAGUIRE DEBORAH D  
273 MAIN ST  
FALMOUTH. MA 02540-2750

317 MAIN ST 47A 14 013 000A  
DINEEN TRUSTEE TERENCE L LUC: 325  
DINEEN TRUSTEE BLANCA M  
PO BOX 907  
FALMOUTH. MA 02541

27 SHORE ST 47A 14 017A 002U  
GARNER TRUSTEE MARK LUC: 102  
TASHA ONE REALTY TRUST  
5106 40TH ST WEST  
BRADENTON. FL 34210

241 MAIN ST 47A 14 089 000  
MYERS FAMILY REAL EST CO LLC LUC: 325  
80 JILLIANN'S WAY  
C/O SCOTT MYERS  
COTUIT. MA 02635

13 SHORE ST 47A 14 015 001  
DOWD JAMES M LUC: 101  
DOWD NANCY LEE  
13 ENTERPRISE ST  
SOUTH HADLEY. MA 01075-1913

27 SHORE ST 47A 14 017A 003U  
GARNER TRUSTEE MARK LUC: 102  
TASHA ONE REALTY TRUST  
5106 40TH ST WEST  
BRADENTON. FL 34210

25 CAHOON CT 47A 14 006 003  
NEW BEDFORD BARGAIN STORE INC LUC: 111  
PO BOX 310  
FALMOUTH. MA 02541-0310

28 CAHOON CT 47A 14 009 004  
NEW BEDFORD BARGAIN STORE INC LUC: 111  
PO BOX 310  
FALMOUTH, MA 02541

19 SHORE ST 47A 14 016 000  
PONTIERI DIANA M LUC: 104  
600 PHINNEYS LN  
CENTERVILLE, MA 02632-2514

291 MAIN ST 47A 14 011 007  
ROTHMAN TRUSTEE STUART J LUC: 325  
291 MAIN ST NOM TRUST  
907 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02139

261 MAIN ST 47A 14 099A 000  
SALINE HOLDINGS LLC LUC: 325  
PO BOX 223  
FALMOUTH, MA 02541

26 ELM ARCH WAY 47A 14 099 000  
TOMMYS PLACE LLC LUC: 905  
90 SHORE DR  
QUINCY, MA 02169

## PUBLIC HEARINGS

4. Application for a New All Alcoholic Beverages Hotel License –  
Wagner Hospitality Management, LLC d/b/a Holiday Inn Falmouth  
to be exercised at 291 Jones Road, Falmouth **(10 minutes)**



# TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

[townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov)

## 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 an All Alcoholic Beverages Hotel License to be exercised at 291 Jones Road, Falmouth, MA.

A hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, January 9, 2023, at 6:45 p.m. on the above application.

Per order of the Select Board

### LICENSING BOARD

Nancy R. Taylor

Onjalé Scott Price

Samuel H. Patterson

Douglas C. Brown

Edwin (Scott) P. Zylinski, II

*Publication date: Friday, December 30, 2022; Falmouth Enterprise  
Account #2056*

LICENSE APPLICATION REVIEW

Restaurant/Business: Holiday Inn Falmouth

Address: 291 Jones Road

License Type: \_\_\_\_\_

New or Transfer of License New All Alcohol  
Hotel License

or

Change of License \_\_\_\_\_

Police No objection

Fire No opposition

Building \_\_\_\_\_

Health No issues, 2023 Food Service Permit has been issued

Zoning No comment

Planning No concerns

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

Tax Collector \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTES:

Due to unforeseen changes to the previous ownership's LLC structure, the Transfer of License approved by the Select Board on October 3, 2022 was not able to be completed and an application for a New License is needed. The original LLC membership had changed one or more times in past years without notification to the Town or ABCC.



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

APPLICATION FOR A NEW LICENSE

Municipality

FALMOUTH

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Hotel	All Alcoholic Beverages	Annual

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

We acquired the Holiday Inn Falmouth and we are respectfully requesting approval for a new liquor license to operate our on premises restaurant and bar. We offer breakfast from 6am to 11am with no liquor sales, and diner from 5pm to Midnight, serving standard American fare along with beer, wine and alcoholic drinks. We cater mostly for hotel guests such as tourists couples and families, and corporate travelers.

Is this license application pursuant to special legislation?

Yes  No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name	Wagner Hospitality Management		FEIN	87-4369788
DBA	Holiday Inn Falmouth	Manager of Record	Wagner Quintanilha	
Street Address	291 Jones Rd. Falmouth, MA 02540			
Phone	(508) 540-2000	Email	wagner@wagnerhm.com	
Alternative Phone		Website	https://www.ihg.com/holidayinn/hotels/us	

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The hotel consists of 3 floors with about 33 guest rooms on each floor, totaling 98 rooms. Cellar is used for storage, a pool area, workout room, and 1 function room. Restaurant/bar is on main floor, has 2 entrances and 2 exits.

Total Square Footage:	4330 Sq. Ft	Number of Entrances:	2	Seating Capacity:	96
Number of Floors:	2	Number of Exits:	2	Occupancy Number:	109

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact re:

Name:	Wagner Quintanilha	Phone:	
Title:	Manager	Email:	wagner@wagnerhm.com

**APPLICATION FOR A NEW LICENSE**

**5. CORPORATE STRUCTURE**

Entity Legal Structure	<input type="text" value="LLC"/>	Date of Incorporation	<input type="text" value="01/11/2022"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded?	<input type="radio"/> Yes <input checked="" type="radio"/> No

**6. 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
<input type="text" value="Anwar Faisal"/>	<input type="text" value="97 Lee Rd, Brookline MA 02445"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	
<input type="text" value="Owner"/>	<input type="text" value="100%"/>	<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
<input type="text" value="Wagner Quintanilha"/>	<input type="text" value="22 Bible Hill Rd"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	
<input type="text" value="Manager"/>	<input type="text" value="0%"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**  
 Has any individual listed in question 6, 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

## APPLICATION FOR A NEW LICENSE

### 6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, 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

### 6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, 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

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B 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

## 7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name SYNH

Landlord Phone (617) 730-5888

Landlord Email anwar@alphamanagementcorp.com

Landlord Address 1249 Beacon St. Suite 1, Brookline, MA 02446

Lease Beginning Date 07/28/2022

Rent per Month  

Lease Ending Date 07/28/2032

Rent per Year  

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes  No

## 10. MANAGER APPLICATION

### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises

### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?  Yes  No \*Manager must be a U.S. Citizen  
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?  Yes  No  
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
2013	2021	General Manager	Holiday Inn Express Boston	Jiten Patel
2001	2011	Assistant General Manager	Cosmopolitan Hotel NYC	Jay Wartski
1996	2001	Sr. Accountant	Delmonico Hotel NYC	Joe Kaminski

### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

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

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date



Mistry Associates, Inc.

Contracting Engineers  
Planners  
Lead Surveyors

315 Main Street  
Reading, MA 01867  
TEL 781-944-6100 FAX 781-944-9000

### 109 SEATS RESTAURANT/BAR 2,606 sf

ITEM	QTY.	EQUIPMENT	ALL ELECTRIC
1	2	STOVE	3-DOOR 60"
2	4	PREP. TABLE	3-DOOR 60"
3	1	TWIN POT FRYLTOR	
4	1	GRIDDLE	524 TGD 1 X 24"
5	1	OVEN	2-DOOR 60"
6	1	OVEN	3-DOOR 24"
7	3	2-DOOR COOLER	2-DOOR 60"
8	1	FREEZER	1-DOOR 30"
9	1	SANDWICH BAK	
10	1	SLICER	
11	1	SODA MACHINE	
12	1	SCALE	
13	1	2-BAY STEAM TABLE	
14	1	PREP. SINK	24 X 24 X 13
15	1	TOASTER	
16	1	MICROWAVE	
17	1	COFFEE MAKER	
18	1	HAND WASH SINK	SOAP/PAPER DISP.
19	1	WALK IN FREEZER	
20	1	MOP SINK	
21	1	DRY STORAGE STAINLESS STEEL WIRED SHELVES	
22	1	3-BAY SINK (100 X 27")	WITH DRIP SHELVES
23	1	GREASE TRAP	
24	1	CLEANING SUPPLY	
25	1	ICE MACHINE	
26	3	2-DOOR UNDER COUNTER BEVERAGE COOLER	
27	1	CASH REGISTER	SHELF UNDER
28	1		
29	1		
30			

Owner:  
Anwar Faisal

391 Jones Street

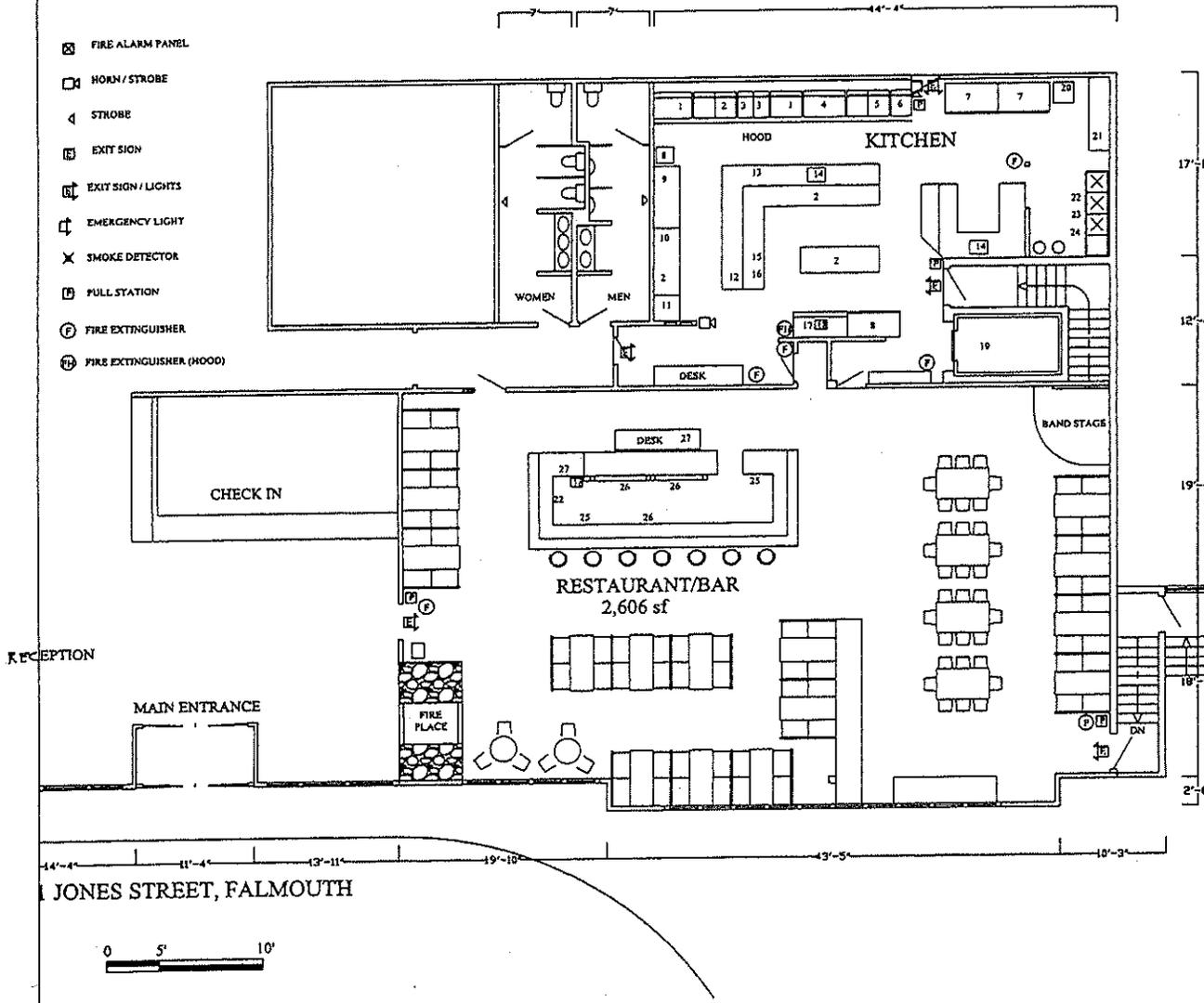
Falmouth, Massachusetts

Liquor License

First Floor

A-1  
Sheet 1 of 1  
Project Number

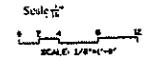
- ☒ FIRE ALARM PANEL
- ☐ HORN / STROBE
- ◀ STROBE
- ☒ EXIT SIGN
- ☒ EXIT SIGN / LIGHTS
- ☒ EMERGENCY LIGHT
- ✕ SMOKE DETECTOR
- ☒ FULL STATION
- ⊙ FIRE EXTINGUISHER
- ⊙ FIRE EXTINGUISHER (HOOD)



JONES STREET, FALMOUTH



7/25/22





**Holiday Inn**

# Meeting Rooms

## Dimensions (Sq. Feet)

## Capacities by Layout

Event Room	Boardroom Style	Hollow Square Style	U-shape Style	Classroom Style	Reception Style	Banquet Style	Theatre Style
							
Harbor Room	50	50	50	100	150	170	175
Lighthouse Room	20	20	20	21	40	40	45

Event Room	Room Dimensions L X W	Area Sq. Ft	Ceiling Height	Door Dimensions H X W	Floor Level	Natural Lighting
Harbor Room	60 X 40	2400	9	8 X 8	GRND	No
Lighthouse Room	26 X 24	624	7	10 X 8	1ST	Yes

## Dimensions (Meters)

Event Room	Room Dimensions L X W	Area Sq. M	Ceiling Height	Door Dimensions H X W	Floor Level	Natural Lighting
Harbor Room	18.29 X 12.19	222.96	2.74	2.44 X 2.44	GRND	No
Lighthouse Room	7.92 X 7.32	57.97	2.13	3.05 X 2.44	1ST	Yes





Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540  
Telephone: 508-495-7380  
Fax: 508-495-7384

RECEIVED

DEC 08 2022

REQUEST OF CERTIFIED ABUTTERS LIST

Board of Assessors, Town of Falmouth

Name of person requesting abutters list: Wagner Quintanilha  
Address of person requesting abutters list: 22 Bible hill rd.  
Bennington, NH, 03442  
Phone: (603) 831-9642

Abutters to (subject property): Map 38 Section 10 Parcel 020 Lot 000  
Map \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_  
Map \_\_\_\_\_ Section \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Lot size of subject property: 573 Acres

Location of subject property: 291 Jones Rd Falmouth MA 02540

Check one:

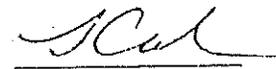
- Direct abutters (includes properties across street)
- Direct abutters in local Historic District (includes properties across the street) within 100'
- Immediate abutters (includes only properties with a common property line)
- Immediate abutters plus churches and schools within 500'
- Properties within 300'
- Properties within 300' or abutters abutter to abutter whichever is closest
- Properties within 100'
- Other (specify) \_\_\_\_\_

Fee. \$25.00 Total 25 pd ch # 1185  
JLL

EMAIL wagner@wagnerhm.com

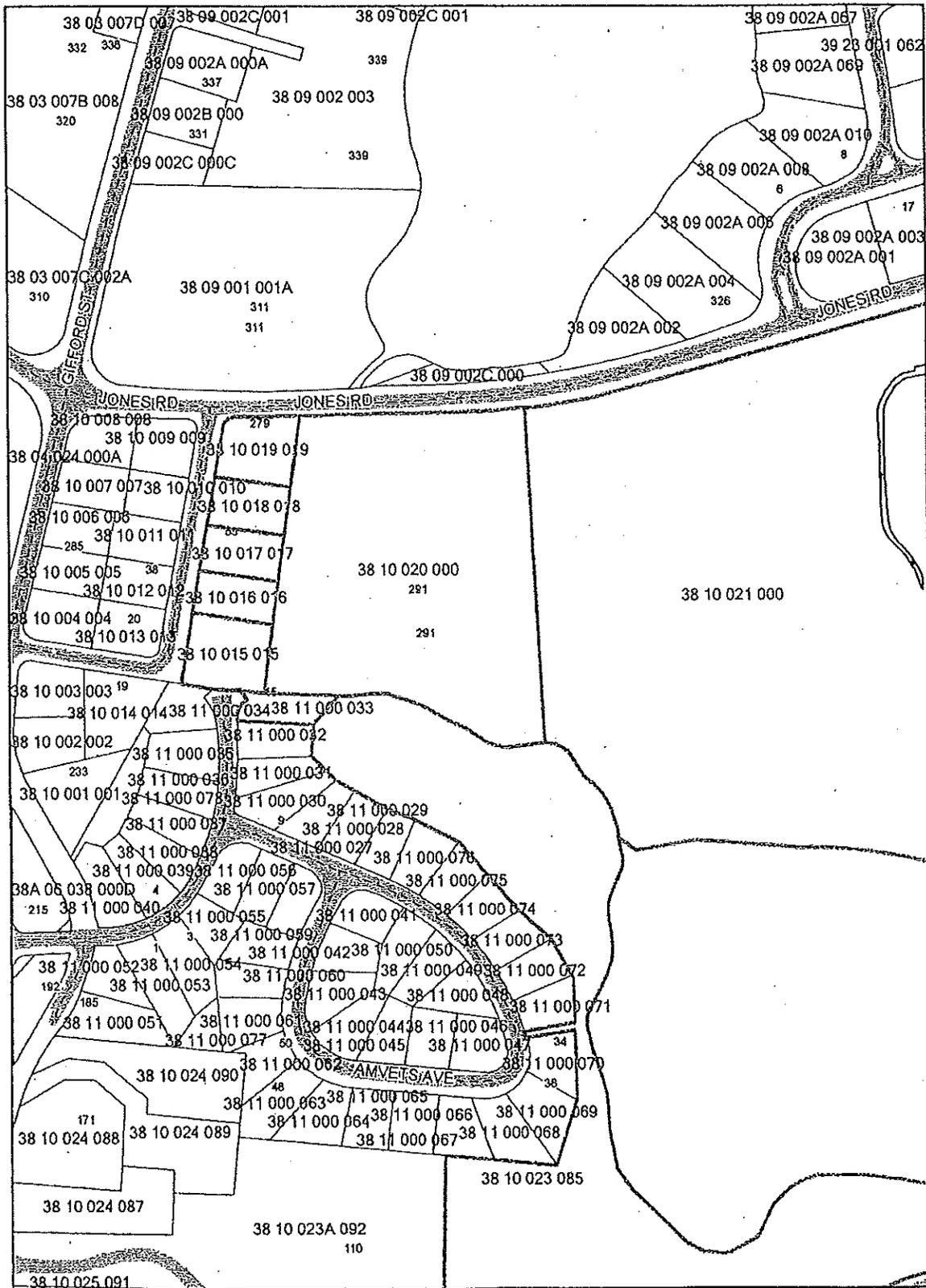
291 JONES RD

CERTIFIED

A handwritten signature in cursive script, appearing to read 'BCabral', is written over a horizontal line.

Bruce Cabral  
Assistant Assessor  
Town of Falmouth, MA  
December 12, 2022

# 291 JONES RD





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

APPLICANT:

Wagner Quintanilha

ADDRESS:

291 Jones Road, Falmouth 02540

603-831-9642

LICENSE OR LICENSE CHANGE APPLIED FOR:

Holiday Inn Falmouth

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

DATE:

7-26-22

## **PUBLIC HEARINGS**

5. Vehicle for Hire Regulations – Request to Increase Taxi Fare **(10 minutes)**

**TOWN OF FALMOUTH  
NOTICE OF PUBLIC HEARING**

**Vehicles for Hire – Rate of Fare**

The Falmouth Select Board, under the authority of the Falmouth Home Rule Charter Section C3-7 Subsection H of the Code of the Town of Falmouth, will hold a public hearing on the request of Falmouth Taxi, a licensed taxi operator, to consider an increase in the Rate of Fare in Section 280-56 A. of the Vehicle for Hire regulations:

**Present Fee**

A. For the first two-fifths (2/5) of a mile, a minimum charge of three dollars (\$3.), and for each additional one-fifth (1/5) of a mile, sixty-five cents (\$.65)

**Proposed Fee**

A. For the first two-fifths (2/5) of a mile, a minimum charge of three dollars (\$3.), and for each additional one-fifth (1/5) of a mile, seventy-five cents (\$.75)

The hearing will be held on Monday, January 9, 2023 at 6:45 p.m. in the Select Board Meeting Room, Town Hall, 59 Town Hall Square, Falmouth, MA.

Per order of the Falmouth Select Board

*Publication date: Friday, December 30, 2022; Falmouth Enterprise*

*Account #: 2056*

Vehicles for Hire – Rate of Fare Comparison

**Town of Falmouth**

Present Fee

A. For the first two-fifths ( $2/5$ ) of a mile, a minimum charge of three dollars (\$3.), and for each additional one-fifth ( $1/5$ ) of a mile, sixty-five cents (\$.65)

Proposed Fee

A. For the first two-fifths ( $2/5$ ) of a mile, a minimum charge of three dollars (\$3.), and for each additional one-fifth ( $1/5$ ) of a mile, seventy-five cents (\$.75)

**Town of Barnstable**

For the first two-fifths ( $2/5$ ) of a mile, three dollars and fifty cents (\$3.50) and for each additional one-fifth ( $1/5$ ) of a mile or fraction thereof, eighty cents (\$.80).

**Town of Mashpee**

For the first two-fifths ( $2/5$ ) of a mile, a minimum charge of three dollars (\$3.), and for each additional one-fifth ( $1/5$ ) of a mile, sixty-five cents (\$.65).

## Phyllis Downey

---

**From:** Diane Davidson  
**Sent:** Friday, January 6, 2023 2:16 PM  
**To:** Phyllis Downey  
**Subject:** Fw: Request to Increase Metered Rate on Taxi Fares

---

**From:** info falmouthtaxi.com <info@falmouthtaxi.com>  
**Sent:** Friday, November 4, 2022 7:24 AM  
**To:** Diane Davidson <diane.davidson@falmouthma.gov>  
**Subject:** Re: Request to Increase Metered Rate on Taxi Fares

The fare to be taken by or paid to the owner, driver, or other persons having charge of any licensed vehicle for hire (classified as a taxicab), shall be as per the following schedule:

**A. a minimum charge of three dollars (\$3.), and for each additional one-fifth (1/5) of a mile, Seventy Five cents (\$0.75).**

**B.**

In addition to the mileage charge of three dollars (\$3.), a charge for time in transit may be charged at the rate of Sixty cents (\$0.60) per minute from the pick-up point to the drop-off point.

**C.**

A charge for waiting time may be charged at the rate of twenty-six dollars (\$36.) per hour for actual waiting time beginning three (3) minutes after arrival of the taxicab.

**D.**

Hand bags may be carried by passengers without charge. The carriage of trunks shall be optional with the operator of the vehicle for hire, but if by the operator, an additional charge of fifty cents (\$0.50) for each trunk may be added to the metered fare.

I am asking for increase because its been over 14 years since last increase. Since then, the cost of living has easily tripled. In Barnstable they got an increase in 2015 to .70 1/5 mile and now are getting another increase to .80 1/5 mile and meter would start at 3.50. In Bourne meter starts at 5.00 and they get .75 1/5. We need increase just to compete with ride shares that cost more than us but that don't have the same costly regulations that are put on the taxi industry.

Thank you  
Adam Meehan



## *Town of Falmouth*

### Taxi Fares

**First two-fifths of a mile, minimum charge is \$3.00 each additional one-fifth of a mile is \$.65. In addition to the mileage charge of \$3.00 a charge for time in transit may be charged at \$.65 per ninety seconds from pick-up to drop-off. A charge for waiting begins 3 minutes after arrival of taxi at \$26.00 per hour. Hand bags may be carried by passenger w/o charge. A charge of \$.50 per trunk may be added to the metered fare.**

**Out of town trips shall be charged at the regular metered rate.**

**DISCOUNTS: A 25% discount from the metered rate shall be granted to persons holding a Senior Citizens Card from the Council on Aging or to Handicapped persons holding a card from the Massachusetts Rehabilitation Commission for the blind.**

## **BUSINESS**

1. Vote to Approve Borrowing Anticipation Note Sale **(5 minutes)**



# Town of Falmouth

## FINANCE DEPARTMENT

59 Town Hall Square, Falmouth, Massachusetts 02540  
(508) 495-7364 Fax (508) 457-2511

TO: Peter Johnson-Staub, Acting Town Manager

FROM: Patty O'Connell, Treasurer/Collector  
Ed Senteio, Finance Director

DATE: January 6, 2023

RE: Bond Anticipation Note (BAN) Award

---

The Town of Falmouth issued the following BAN – due October 13, 2023:

Project	Amount
Teaticket Roof	\$2,411,485.00
Wastewater Management	\$100,000.00
Wild Harbor Bulkhead Reconstruction	\$100,000.00
Sandwich Fire Station Design & Construction	\$2,300,000.00
<b>Total Issued</b>	<b>\$4,911,485.00</b>

On 1/4/2023 the Town received six competitive bids. The bid award went to BNYMellon Capital Markets. The net interest is 3.1995%. We request a vote of the Board to accept this bid and sign the note.

Motion: The Select Board votes to approve the motion provided by bond counsel as provided in the packet.

We will attend the Select Board's meeting 1/9/2023 to answer any questions.

## VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Falmouth, Massachusetts, certify that at a meeting of the board held January 9, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$4,911,485 5.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated January 26, 2023, and payable October 13, 2023, to BNY Mellon Capital Markets, LLC at par and accrued interest, if any, plus a premium of \$63,131.74.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated December 21, 2022 and a final Official Statement dated January 4, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: January 9, 2023

\_\_\_\_\_  
Clerk of the Select Board

131146933v.1

**Town of Falmouth, Massachusetts**

**\$4,911,485**

**General Obligation Bond Anticipation Notes**

Sale Date: 1/4/2023  
 Dated Date: 1/26/2023  
 Delivery Date: 1/26/2023  
 Due Date: 10/13/2023  
 Days Per Year: 360  
 Day Count: 257  
 Bank Qualified: No



Bidder	Underwriter	Principal	Coupon Rate	Premium	Interest	Net Interest	NIC	Prorata Premium	Prorata Interest	Award	Reoffering Yield
BNYMellon Capital Markets	•	\$4,911,485	5.00%	\$53,131.74	\$175,312.73	\$112,180.99	3.1995%	\$63,131.74	\$175,312.73	\$4,911,485	
Fidelity Capital Markets	•	\$4,911,485	4.00%	\$27,946.35	\$140,250.18	\$112,303.83	3.2030%				
TD Securities	•	\$4,911,485	5.00%	\$50,804.19	\$175,312.73	\$114,508.54	3.2658%				
Piper Sandler & Co.	•	\$4,911,485	3.75%	\$16,404.36	\$131,484.55	\$115,080.19	3.2821%				
Jefferies LLC	•	\$4,911,485	4.00%	\$21,659.65	\$140,250.18	\$118,590.53	3.3823%				
Oppenheimer & Co.	•	\$4,911,485	4.50%	\$26,821.61	\$157,781.46	\$130,959.85	3.7350%				
<b>Award Totals</b>								<b>\$63,131.74</b>	<b>\$175,312.73</b>	<b>\$4,911,485</b>	

Weighted Average Net Interest Cost: 3.1995%

MUNICIPAL PURPOSE LOAN

Town of Falmouth, Massachusetts

\$4,911,485 General Obligation Bond Anticipation Notes

Sale Date: 1/4/2023  
 Dated Date: 1/26/2023  
 Delivery Date: 1/28/2023  
 Due Date: 10/13/2023  
 Bank Qualification: No



PURPOSE	Vote Date(s)	Reference	Amount Authorized	Previous Issues	Grants Bonds and/or Paydowns	Renewal This Issue	New This Issue	Total This Issue	Balance Unissued	Original Issue Date	Prorate Interest	Prorate Premium	
Teascket Elementary School	5/18/2021 & 11/16/2021	Ch.70B	\$3,723,264	\$200,000	\$770,846	\$200,000	\$2,211,485	\$2,411,485	\$540,933	5/18/2022 & 1/26/2023	\$66,076.82	\$30,996.99	EXEMPT
Wastewater Management	4/8/2011 & 5/17/2011	Ch.44, s.7(1)	\$2,772,250	\$0	\$2,500,000	\$0	\$100,000	\$100,000	\$172,250	1/26/2023	\$3,569.44	\$1,285.39	EXEMPT
Wild Harbor Bulkhead Reconstruction	4/8/2014	Ch.44, s.7(17)	\$800,000	\$0	\$500,000	\$0	\$100,000	\$100,000	\$200,000	1/26/2023	\$3,569.44	\$1,285.39	EXEMPT
Sandwich Fire Station Design & Construction	4/4/2022 & 5/17/2022	Ch.44, s.7(7) & 7(1)	\$10,000,000	\$0	\$0	\$0	\$2,300,000	\$2,300,000	\$7,700,000	1/26/2023	\$82,097.22	\$29,563.97	EXEMPT
<b>Totals</b>				\$200,000	\$3,770,846	\$200,000	\$4,711,485	\$4,911,485	\$8,615,183		\$175,312.73	\$63,131.74	

## **BUSINESS**

2. Vote to Adopt FY2024 Budget and Submit it to the Finance Committee **(15 minutes)**

---

# FY2024 BUDGET PRESENTATION

SELECT BOARD – DECEMBER 19, 2022



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## PRESENTATION OVERVIEW

- Guiding Principles
- Revenue Estimates
- Expenditure Overview
- Concluding Remarks

## GUIDING PRINCIPLES

- Ensure long-term fiscal stability
- Maintain basic services
- Address Select Board policy priorities
- Promote transparency by highlighting budget changes

3

## FY24 OVERVIEW

- Maintaining service levels requires increase of more than 2.5% for some budgets;
- Proposed budget does not require Prop 2 ½ override;
- New initiatives and new positions informed by Select Board strategic plan and limited to available revenue growth;
- Proposed budget does not include the 14 additional firefighters needed to staff 6<sup>th</sup> station when Hatchville Station is operational. Fire staffing plans to be addressed at January 7<sup>th</sup> workshop meeting;
- Proposed budget also does not include many legitimate department requests;

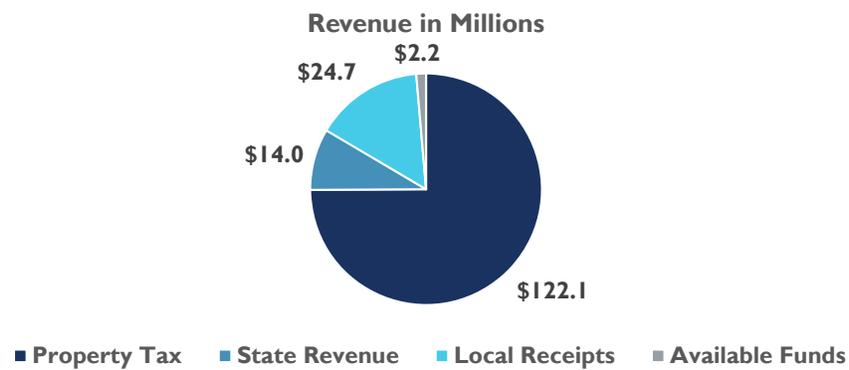
4

## LONG-TERM FISCAL STABILITY – FISCAL DISCIPLINE

- Recurring costs supported by recurring revenues;
- Revenue estimates are substantially less than prior year actual revenues;
- Include some buffer in budgeted expenditures where costs are difficult to control;
- Maintain reserves as established by policy

5

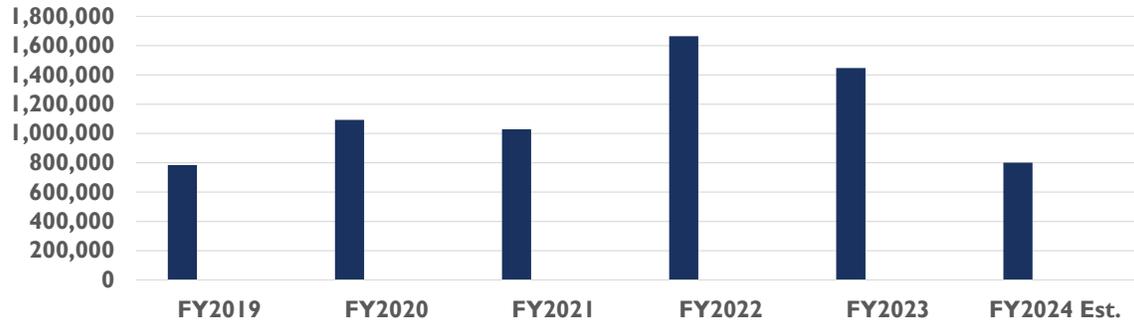
## REVENUE COMPONENTS



6

## REVENUE OUTLOOK – PROPERTY TAXES

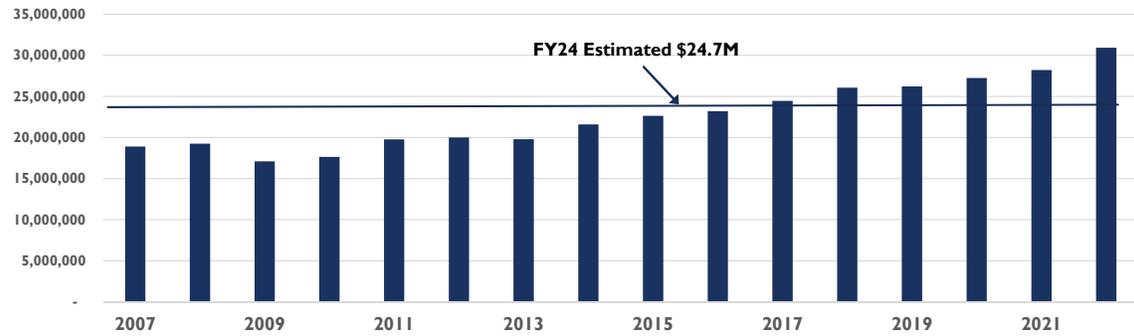
New Growth



7

## REVENUE OUTLOOK – LOCAL RECEIPTS

Local Receipts - Actual



8

## REVENUE OUTLOOK – LOCAL RECEIPTS

- FY24 Estimated Local Receipts \$2.4 Million more than FY23 Estimated – 10.8% increase;
- Estimated Local Receipts for FY24 = 80% of FY22 Actual Local Receipts;
- \$975,000 allocated to affordable housing per Select Board Operating Budget Policy;

9

## REVENUE OUTLOOK – STATE REVENUES & AVAILABLE FUNDS

- State revenue changes typically not significant relative to Town budget;
- Net Town aid in FY23 is \$15,422 less than in FY19;
- Net School aid increased \$1.8 Million since FY19;
- Available funds – no significant changes for FY24

10

## EXPENDITURE OVERVIEW – MAINTAIN SERVICES

### Wages

- Wages represents the largest portion of the Town budget;
- FY24 Budget includes wage settlements for most unions which include 2% COLA and additional increases for market adjustments and other items;
- Library and AFSCME Unit A contracts are not settled, and non-union increases are not included in the budget. These increases will be covered from funds set aside in wage settlement articles approved last year and 2021;
- Propose 15% increase in Seasonal wage rates;

11

## EXPENDITURE OVERVIEW – MAINTAIN SERVICES

### Difficult to control costs (AKA “fixed”)

- Retirement assessment increase \$920,893 / 9%
- Fuel and Solid Waste increase \$378,068 / 4.5%
- Property & Liability insurance increase \$88,913 / 5%
- Electricity and Natural Gas prices locked in, no budget increase required
- Health Insurance – no firm pricing for FY24 but anticipated increase can be absorbed without budget increase
- Information Technology increase to insure network continuity and cover increasing license fees for hardware and software \$325,284 / 32%

12

## EXPENDITURE OVERVIEW – MAINTAIN SERVICES

### School Department

- Superintendent has identified increased costs related to increase in the number of ‘high needs’ students;
- Recommended budget adds 2.3% to FY23 budget incorporating the state aid increase received this year;
- \$500,000 added from short-term rental tax
- Total increase is \$1,751,753 / 3.2%

13

## EXPENDITURE OVERVIEW – FUNDING RESERVES

### **Reserve Balances**

Free Cash	5,596,102
Capital Stabilization	4,581,366
General Stabilization	7,027,326
Debt Stabilization	1,351,394
Health Insurance	1,572,653
SPED	998,800

### **Funding Reserves**

- Capital Stabilization goal is 2% - 5% of Budget = \$3.1M - \$7.8M;
- Budget includes \$1,032,000 added to Capital Stabilization Fund;
- \$500,000 Allocated for OPEB (retiree health insurance)
- No contribution to General Stabilization Fund proposed because balance is at top end of goal;
- No specific policy goal for other balances

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## EXPENDITURE OVERVIEW – STRATEGIC PLANNING PRIORITIES

### **Affordable Housing Revenue Allocations**

- \$500,00 – Estimated portion of Room Excise from Short-Term Rental
- \$350,000 – Estimated increase due to increase in Rooms Excise rate from 5% to 6%
- \$75,000 – Estimated ‘Community Impact Fee’ applied to certain Short-Term rentals
- Above total appropriated to Falmouth Affordable Housing Fund in separate Town Meeting article
- \$50,000 – Added to Human Services budget for Homelessness Prevention

15

## EXPENDITURE OVERVIEW – STRATEGIC PLANNING PRIORITIES

Sustainability Coordinator – New position, \$94,000;

Diversity Equity & Inclusion Officer – Increase to Full-Time, Pay Grade Increase, \$100,00 / \$60,000 increase;

East Falmouth Library – Add Saturday hours 9am – 1pm, \$14,000

Assistant Parks Superintendent – Needed to maintain service levels as number of facilities has grown and tree damage becomes more frequent and severe, \$73,017

Vehicle and Body Cameras for Police Department – To promote transparency and accountability, \$75,000

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## CONCLUDING REMARKS

- Town is fortunate to be able to address immediate needs to maintain services and move forward with several Select Board priorities while maintaining sound fiscal discipline.
- We are in this position thanks to longstanding practices established by Select Board and supported by Finance Committee.
- We look forward to the Board's feedback and the detailed Finance Committee review to follow.
- Select Board is scheduled to vote to transmit the budget to Finance Committee on January 9<sup>th</sup>.

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**BUSINESS**

3. Vote to Adopt Multi-Hazard Mitigation Plan **(15 minutes)**

**Diane Davidson**

---

**From:** Fields Leslie <lfields@woodsholegroup.com>  
**Sent:** Thursday, December 1, 2022 1:43 PM  
**To:** Jennifer Lincoln; Peter Johnson-Staub  
**Subject:** [EXTERNAL] - Summary of 2017 vs. 2022 FEMA Multi Hazard Mitigation Plan

**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.

Jen and Peter,

I put together the following list of changes between the 2017 and 2022 FEMA MHMP. This is by no means comprehensive, but hits on the highlights.

Let me know if you need anything else.

Thanks,

Leslie

**A. Hazards Evaluated: 2022 plan added 2 hazards shown in red below.**

- |                                |                          |
|--------------------------------|--------------------------|
| 1. Flooding (Coastal & Inland) | 9. Earthquake            |
| 2. Coastal Erosion             | 10. Invasive Species     |
| 3. Hurricane/Tropical Storm    | 11. Other Severe Weather |
| 4. Severe Winter Weather       | 12. Landslide            |
| 5. Wildfire                    | 13. Tsunami              |
| 6. Tornado                     | 14. Dam/Culvert Failure  |
| 7. Drought                     | 15. Freshwater Quality   |
| 8. Extreme Temperature         |                          |

**B. Critical Facilities: Updated the list of critical facilities; 2022 plan has 112 critical facilities**

**C. Hazard Mitigation Goals: 2022 plan added 1 goal shown in red below (# of mitigation actions for each goal shown in parentheses)**

1. Provide residents with adequate access to emergency shelters (1)
2. Improve communications (3)
3. Maintain adequate access to public utilities (3)
4. Maintain adequate Level of Service on all roadways (7)
5. Investigate, design, and implement projects that will reduce/minimize impacts to critical municipal facilities and resources (10)
6. Develop public education outlets and materials (3)
7. Make improvements to existing practices (4)
8. Encourage future development that minimizes risks to natural hazards (3)

**D. Progress on 2017 Mitigation Actions:**

Completed 7 mitigation actions

Deleted 2 mitigation actions that were no longer relevant

Identified 7 mitigation actions that are currently underway

Identified 11 actions that are within existing capacities (i.e., routine Town process)

**E. Mitigation Actions: Developed 34 mitigation actions**

Some mitigation actions from the 2017 Plan carried forward to the 2022 plan

Many recommendations from Coastal Resiliency Action Committee Final Report were included as mitigation actions

Town MUST prepare a status report on progress towards mitigation actions annually



M. Leslie Fields

Coastal Sciences & Planning Team Leader

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

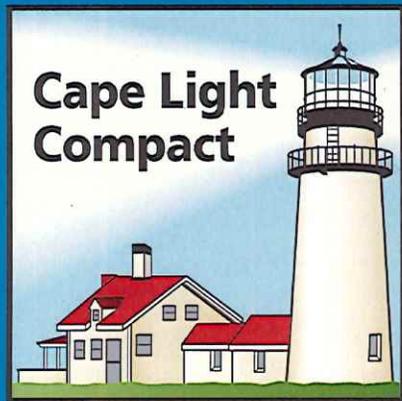
107 Waterhouse Road  
Bourne, MA 02562 - USA

[www.woodsholegroup.com](http://www.woodsholegroup.com)



## **BUSINESS**

### **4. Cape Light Compact Update on Electric Rates (15 minutes)**



*Your Trusted, Local  
Energy Resource*

# Winter Pricing Update & Mitigation Strategies

**Maggie Downey**

**January 9, 2023**

# Who is Cape Light Compact?

- CLC is a Joint Powers Entity (JPE) comprised of the 21 towns on Cape Cod and Martha's Vineyard, and Dukes County
  - CLC is a public body founded in 1997 governed by a board of appointed officials from each member entity
- CLC was the first municipal aggregator in the US, the first JPE in MA, and the only non-utility energy efficiency program administrator
- CLC is the Mass Save sponsor for Cape Cod and Martha's Vineyard
- Office located on Whites Path in S. Yarmouth



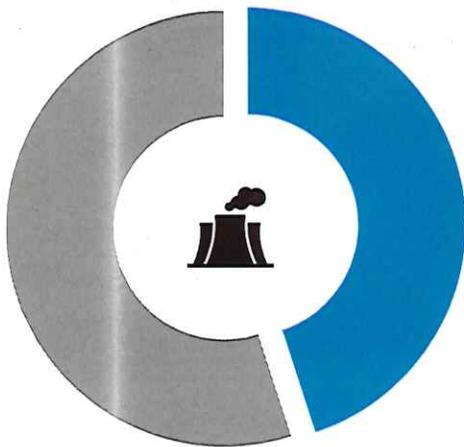
# Power Supply Rates: December '22 – June '23

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
	<i>Dec '22 – June '23</i>	<i>Dec '22 – June '23</i>	<i>Dec '22 – March '23</i>
<b>CLC Standard Product (cents/kWh)</b>	21.699	21.799	34.999
<b>Eversource Basic Service (cents/kWh)</b>	25.649	26.049	39.834
<b>National Grid Basic Service (cents/kWh)</b>	33.891	32.287	28.455

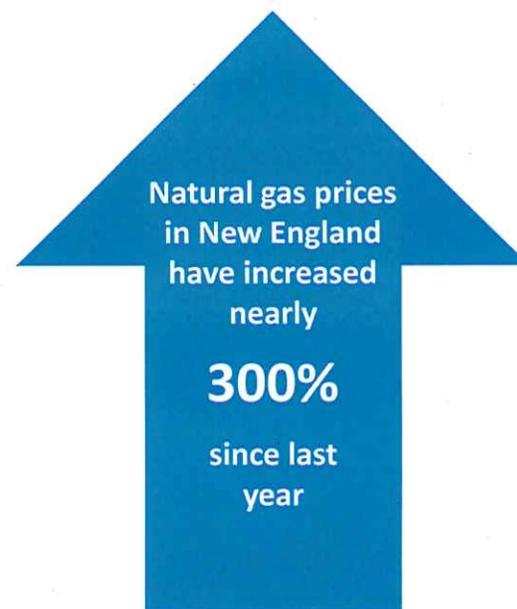
- Compact residential and commercial term: December 2022 meter reads – June 2023 meter reads
- Eversource: January 1, 2023 – June 30, 2023
- National Grid: November 1, 2022 – April 30, 2023



# Winter Pricing Drivers



**45%**  
of electric generation  
in New England  
comes from natural  
gas-fired power  
plants



Because New England relies on natural gas for much of its electricity supply, as natural gas prices increase, electricity prices increase.



# Winter Pricing Continued

- Factors within the US also impact prices
- Natural gas demand for production of electricity has increased since Pilgrim Power plant closed and as coal generators are retired
- Natural gas storage levels are below normal
- Prices will ultimately be influenced by the winter weather



# What Can You Do?

Electric and gas rates vary by income. Check to see if you are on the correct rate.

- Income eligible customers receive a 36% discount on total electric bill
- Income eligible natural gas customers receive a 25% discount
- Sign-up for budget billing
- Sign-up for fuel assistance

If you are not on the correct rate, contact Eversource and National Grid



# What Can You Do?

## 2023 Income Guidelines

Income qualifications are based on annual gross household income

# OF HOUSEHOLD MEMBERS	INCOME ELIGIBLE	ENHANCED RESIDENTIAL
1	\$42,411	\$56,548
2	\$55,461	\$73,948
3	\$68,511	\$91,348
4	\$81,561	\$108,748

*Residents above the listed income guidelines, please call 1-800-797-6699 for more information.*

CUSTOMERS BELOW THIS INCOME LEVEL ARE ELIGIBLE FOR:

- Fuel Assistance
- 100% Weatherization Incentive
- Potential Appliance and Heating System Upgrades
- Electric Discount Rate
- Gas Discount Rates

CUSTOMERS BELOW THIS INCOME LEVEL ARE ELIGIBLE FOR:

- 100% Weatherization Incentive (Insulation)
- No-cost Air Sealing



# The First Step



- Increased electric rates reinforce the importance of reducing overall kilowatt hour and energy usage
  - Participate in the Compact's energy efficiency programs to reduce total energy consumption
  - The first step is to sign up for a Home or Business Energy Assessment, which is available to customers whether they rent or own



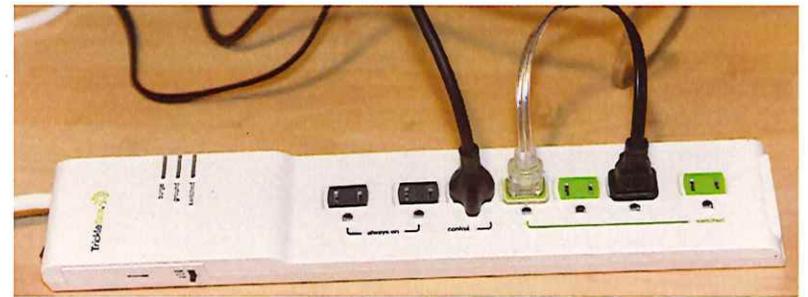
# Energy Savings Tips for Your Home

- Set your thermostat at 68 degrees
- Heat rises – use ceiling fans (clockwise direction) to help circulate air
- Make sure you have switched from incandescent lights to LEDs
- Water heater – should be set to 120 degrees
- Size your dehumidifier for your space and keep the setting as low as possible



# Energy Savings Tips for Your Home

- Unplug battery chargers or power adapters when not in use, and use advanced power strips
- Change or clean your furnace/heat pump filters once a month
- When fireplace is not in use, close the damper. Consider a chimney balloon
- Wash full loads only. This includes the dishwasher, clothes washer and clothes dryer



# Questions?

## Contact Us



For more information,  
please visit

[www.capelightcompact.org](http://www.capelightcompact.org)



Energy Efficiency

1-800-797-6699



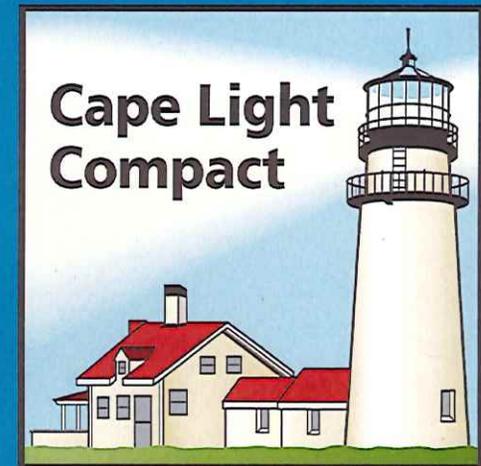
CLC Main Office  
(general questions)

508-375-6644



Power Supply

1-800-381-9192



*Your Trusted, Local  
Energy Resource*

## **BUSINESS**

### **5. Veterans Council Committee Mission Statement (5 minutes)**

#### **PROPOSED MISSION STATEMENT:**

##### **MISSION:**

*To represent the Town of Falmouth in supporting our Veterans by providing awareness, resourcing and collaboration that enable successful outcomes for our community's Veteran activities.*

**Diane Davidson**

---

**From:** Carissa April [REDACTED]  
**Sent:** Tuesday, December 20, 2022 6:54 PM  
**To:** Falmouth Selectboard  
**Subject:** Fwd: Mission Statement

Greetings,

I am forwarding for your approval the mission statement we drafted for the Veterans Council. We're hoping this simple baseline statement will help guide us in the development of procedures & keep the lanes of responsibility clear going forward.

Will you please let us know if there is anything that needs to be added or amended to meet the expectations of the Select Board on behalf of the Town?

Thank you,

Carissa April, Chair  
Falmouth Veterans Council

Begin forwarded message:

**From:** Paula Smith [REDACTED]  
**Date:** December 14, 2022 at 4:27:36 PM EST  
**To:** Julie Cadogan <julie.cadogan@falmouthma.gov>, "Carissa April [REDACTED]"  
**Subject:** Mission Statement

**MISSION:**

*To represent the Town of Falmouth in supporting our Veterans by providing awareness, resourcing and collaboration that enable successful outcomes for our community's Veteran activities.*

**BUSINESS**

**6. Ferry Embarkation Fee Legislation Letter (5 minutes)**

**Diane Davidson**

---

**From:** Peter Jeffrey <pjeffrey@steamshipauthority.com>  
**Sent:** Friday, December 30, 2022 9:04 AM  
**To:** Nancy Taylor; Onjalé Scott Price  
**Cc:** Falmouth Selectboard  
**Subject:** Embarkation Fees - Steamship Authority  
**Attachments:** 20221222 Letter to State re Embarkation Memo.pdf; 2021 Embarkation Fee Report.pdf

Dear Dr. Taylor:

I am writing to the Falmouth Select Board to make sure that the Board is aware of the efforts of the towns of Tisbury and Oak Bluffs to raise its embarkation fees. (See Joint letter from the towns of Tisbury and Oak Bluffs (Dec. 22, 2022), Attachment (Att.) 1). As set forth in the attached letter, the towns of Tisbury and Oak Bluffs are requesting to have the embarkation fee raised from \$0.50 to \$1.50 for qualified travel.

The embarkation fees collected by the Steamship Authority, and other carriers, are passed thru to the Commonwealth Department of Revenue for distribution to the towns. The Steamship Authority does not take a position on what the appropriate embarkation fee should be; however, from an operational standpoint, the Authority suggests that the embarkation fees be the same on both sides of the route(s). Currently the same ticket is valid in either direction. To have different embarkation fees for different ports would require changes in the ticketing and ticket collection procedures to ensure that the correct ticket/fee combination is used. Thus, to have different embarkation fees for different ports would result in additional costs to the Steamship Authority and a slower, less efficient, boarding process.

Based upon the above, I would request that whatever the Commonwealth's legislature determines to be the appropriate embarkation fee, that the fee be the same for each community port. To that end, the Town of Falmouth may want to consider joining the towns of Tisbury and Oak Bluffs in their requests to have their embarkation fee raised from \$0.50 to \$1.50 for qualified travel.

For your reference, I have also attached a copy of the 2021 Embarkation Fees report which includes the history of the fees collected by the Steamship Authority since 2004. (See Embarkation Fees (Feb. 3, 2021), Att. 2).

Please feel free to reach out to me should you require additional information or have questions.

Sincerely,

Peter J. Jeffrey  
Falmouth Member,  
Board of Governors  
The Woods Hole, Martha's Vineyard and Nantucket Steamship Authority  
Email: pjeffrey@steamshipauthority.com  




# Woods Hole, Martha's Vineyard and Nantucket Steamship Authority

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## **AUTHORITY MEMBERS**

**MOIRA E. TIERNEY**  
New Bedford Member, Chair

**ROBERT F. RANNEY**  
Nantucket Member, Vice Chair

**ROBERT R. JONES**  
Barnstable Member, Secretary

**JAMES M. MALKIN**  
Dukes County Member

**PETER J. JEFFREY**  
Falmouth Member

**ROBERT B. DAVIS**  
General Manager

**MARK K. ROZUM**  
Treasurer/Comptroller

**TERENCE G. KENNEALLY**  
General Counsel

February 3, 2021

To: Authority Members  
Port Council Members

From: Treasurer/Comptroller  
Re: Embarkation Fees

Attached please find a summary of embarkation fees remitted by the Steamship Authority to the Commonwealth of Massachusetts Department of Revenue for 2021, totaling \$997,344.00. Since the port towns accepted the provisions of Chapter 46 of the Acts of 2003, as amended by Chapter 55 of the Acts of 2003, the Steamship Authority has remitted over \$16,820,675.50 in embarkation fees to the Massachusetts Department of Revenue. The embarkation fees recorded on this report are for Steamship Authority passenger traffic only. The private carriers are responsible for reporting directly to the Department of Revenue on a quarterly basis.

During 2021, the Steamship Authority reported a 36.6% increase in the total amount of fees collected overall versus the prior year. The Martha's Vineyard route saw an increase in the amount of fees collected of 35.2% while the Nantucket route saw an increase of 41.7%. The increase in fees is a direct result of the increase in passenger ridership compared to the prior year which was impacted due to the effects of Covid-19. Overall passenger traffic in 2021 was up 31.9% compared to the prior year. The Martha's Vineyard route was up 30.1% and the Nantucket route was up 40.2%.

Please feel free to contact me should you require any additional information in this regard.

Mark K. Rozum  
Treasurer/Comptroller

**2021 EMBARKATION FEES**

**JANUARY - DECEMBER**

Town

	Barnstable	Falmouth	Nantucket	Oak Bluffs	Tisbury	Total
Total Passenger Trips	266,740	1,110,244	265,104	258,628	826,840	2,727,556
Exempt Commuter & Excursion Trips	29,280	326,309	32,190	26,682	295,419	709,880
Exempt Student Trips	4,045	8,598	1,919	2,302	6,124	22,988
Total Exempt Trips	33,325	334,907	34,109	28,984	301,543	732,868
Trips subject to Fee	233,415	775,337	230,995	229,644	525,297	1,994,688
Fee	0.50	0.50	0.50	0.50	0.50	
Fees Payable to Town	\$ 116,707.50	\$ 387,668.50	\$ 115,497.50	\$ 114,822.00	\$ 262,648.50	\$ 997,344.00

note: Barnstable fees are distributed 75% to Town of Barnstable, 25% to Town of Yarmouth

**EMBARKATION FEES SUMMARY**

**2004 - 2021**

Town

	Barnstable	Falmouth	Nantucket	Oak Bluffs	Tisbury	Total
2004	\$ 105,341.50	\$ 356,929.50	\$ 103,333.00	\$ 83,248.50	\$ 267,702.00	\$ 916,554.50
2005	107,916.50	351,298.00	104,344.50	80,251.50	265,429.50	909,240.00
2006	107,054.50	349,838.00	104,278.50	102,566.50	242,282.50	906,020.00
2007	110,553.50	351,810.50	108,794.50	106,096.50	239,637.50	916,892.50
2008	99,299.00	346,057.50	99,652.50	99,548.00	242,022.50	886,579.50
2009	97,670.50	347,333.00	97,326.00	99,186.50	243,279.50	884,795.50
2010	99,032.50	354,749.00	99,231.50	105,456.50	244,229.00	902,698.50
2011	98,219.00	345,798.00	98,269.50	101,089.50	239,808.50	883,184.50
2012	106,132.50	355,636.00	106,025.00	107,910.00	242,297.50	918,001.00
2013	110,499.00	354,016.00	110,171.50	104,762.00	243,734.00	923,182.50
2014	114,042.00	355,003.00	113,912.50	104,411.00	246,010.50	933,379.00
2015	122,593.50	373,023.50	122,752.00	112,352.00	255,364.50	986,085.50
2016	121,731.00	387,506.50	122,167.50	124,354.50	259,936.50	1,015,696.00
2017	108,543.00	389,542.50	107,075.50	131,818.00	254,616.50	991,595.50
2018	127,951.00	397,712.50	130,421.00	141,880.00	253,461.50	1,051,426.00
2019	125,659.50	410,717.00	124,448.50	145,361.00	261,793.00	1,067,979.00
2020	82,788.00	285,975.00	81,130.00	49,248.00	230,881.00	730,022.00
2021	116,707.50	387,668.50	115,497.50	114,822.00	262,648.50	997,344.00
Total Fees Payable to Towns	\$ 1,961,734.00	\$ 6,500,614.00	\$ 1,948,831.00	\$ 1,914,362.00	\$ 4,495,134.50	\$ 16,820,675.50

note: Barnstable fees are distributed 75% to Town of Barnstable, 25% to Town of Yarmouth



**Joint letter from  
the towns of  
Tisbury and Oak Bluffs**



December 22, 2022

Senator Julian Cyr  
24 Beacon Street  
Room 312-E  
Boston, MA 02133

Representative Dylan Fernandes  
24 Beacon Street  
Room 472  
Boston, MA 02133

Re: Tisbury and Oak Bluffs Embarkation Fee Memorandum

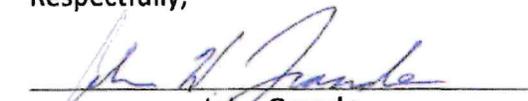
Gentlemen,

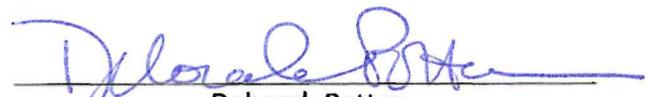
At both the Tisbury Selectboard's and Oak Bluffs Selectboard's meetings of December 21, 2022, both Selectboards unanimously voted to approve the attached Embarkation Fee Memorandum and forward it to our State Legislators for action.

As noted in the memo, both Towns are respectfully requesting an amendment to the ferry fee acts in order to increase the embarkation fee to a mutually agreed upon amount of \$1.50 which we feel is reasonable to address various issues that our town face.

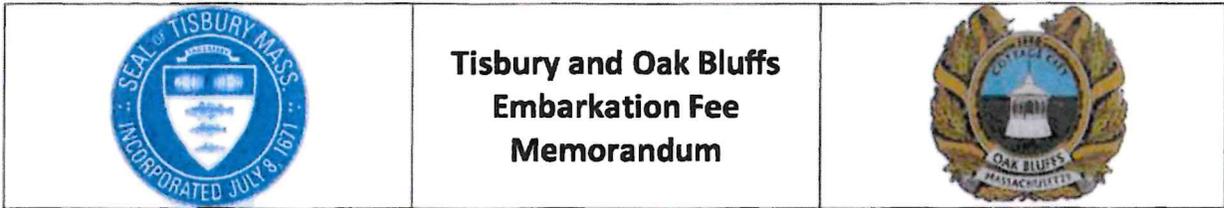
We appreciate your efforts and thank you for your assistance and cooperation in addressing the concerns and needs of our communities.

Respectfully,

  
John Grande  
Town Administrator  
Town of Tisbury

  
Deborah Potter  
Town Administrator  
Town of Oak Bluffs

Encl: Tisbury and Oak Bluffs Embarkation Fee Memorandum



The Towns of Tisbury and Oak Bluffs respectfully request an amendment to Section 11 of Chapter 55 of the Acts of 2003, as amended by Sections 44-47 of Chapter 65 of the Acts of 2004 (the "Act"), in order to increase the \$.50 embarkation fee (the "Fee") applicable to ferry passengers leaving those Towns to \$1.50. We are not asking for any other amendments to the Act. We understand the Fee is applicable to other port towns and welcome their participation in this process.

The Fee charged for embarkation from Tisbury and Oak Bluffs has been in effect for 19 years (since 2003), yielding Tisbury, on average, \$248,000 per year and Oak Bluffs, on average, approximately \$200,000 per year. It was designed to reimburse the Towns for the added costs of hosting ferry service. The Steamship Authority expects to move more than 2,000,000 ferry passengers, 428,000 automobiles and 146,000 trucks through Tisbury and Oak Bluffs on the Steamship Authority alone in 2023. Thousands of additional passengers will embark from Oak Bluffs via the Hy-line and the Island Queen ferries.

The costs of additional police, fire, traffic and infrastructure demands on the port towns are substantial. The ferries themselves cause dredging issues in our harbors, wear and tear on our jetties and seawalls, damage to our roads and other infrastructure needs. 19 years is too long for a fee to remain static when the costs that fee is supposed to cover have increased exponentially during that same time. In coming years, those costs will be further exacerbated by the infrastructure needs of the Towns due to inevitable increased usage and climate change.

**Justifications for a Fee Increase:**

**Tisbury:**

In 2006 Tisbury established a committee to review projects that fit within the parameters established for the embarkation funds and to recommend a number of these for Town Meeting votes each year.

The majority of the projects funded by embarkation fees have come from the departments responsible for public safety, infrastructure, the maintenance of downtown Vineyard Haven, and the harbor. Since 2006, these department budgets have increased significantly:

- Ambulance 497%
- Fire 417%
- Harbor 222%



## Tisbury and Oak Bluffs Embarkation Fee Memorandum



- Police 213%
- Department of Public Works (DPW) 197%

These increases have been reflected in the cost of some of the recurring expenses funded through embarkation:

- The cost of dredging the back channel of Vineyard Haven Harbor was \$293,000 in 2014 and is estimated to be \$380,000 in 2022. Dredging behind the breakwater is estimated at \$430,000 in 2022
- The cost for summer police officer salaries and uniforms nearly doubled from \$50,000 in 2021 to \$94,250 in 2022
- The yearly contribution to the dredging stabilization fund has grown from \$50,000 in 2016 to \$100,000 in 2022
- The membership fee for the Martha's Vineyard Tactical Response Team rose from \$2,500 in 2014 to \$5,750 in 2022.
- Upkeep of downtown related to ferry traffic increased from \$10,000 in 2010 to \$25,000 in 2022

### *Tisbury's Future*

Tisbury conducted a Municipal Vulnerability Preparedness Workshop in 2018/2019. The goals of the workshop were to identify hazards Tisbury faces that are being exacerbated by climate change and to prioritize actions the town can take to prepare for the identified hazards. Infrastructure issues in the waterfront were identified as top priorities to be addressed, including:

- Development of a comprehensive stormwater management plan for flooding which is particularly severe in Five Corners, the exit from the steamship terminal;
- Identification and initiation of harbor improvement (breakwater extensions) to protect downtown areas and the harbor;
- Initiation of roadway improvements to improve resiliency to coastal flooding, storm surge and sea level rise.

There are no cost estimates for these projects as yet -- as a benchmark, the recent 1 1/2" overlay paving of less than a mile of pavement cost \$242,000. Jetty extensions and seawall improvements will be in the millions. These are all major capital expenses necessary to preserve the town's ability to serve as the year-round port for residents and visitors alike. An increase in the Fee could be used, for example, to help build up the town's existing infrastructure stabilization fund or to provide matching funds for state and federal grants, allowing the town to be proactive in protecting the waterfront.

### **Oak Bluffs:**

Oak Bluffs has primarily used the Fees to offset the cost of police salaries, such usage voted on at Town Meeting.



## **Tisbury and Oak Bluffs Embarkation Fee Memorandum**



The police budget has gone up 124% from 2004-2023. In addition to that increase, police salaries in Oak Bluffs will be rising substantially as they are currently under market and the availability of special officers and community service officers has been decreasing or has been eliminated. Emergency Medical Services, another usage of the Fees, is up 387% since 2003.

In addition, Oak Bluffs has, and continues to have, significant capital costs relating to its port town status:

- In Oak Bluffs, the ferries which come into the Harbor have contributed to the disintegration of the Harbor jetties. The costs to repair those jetties was estimated to be \$5,000,000 prior to the most recent inflation pressures.
- The North Bluff seawall and beach in Oak Bluffs had to be repaired recently at a cost to Oak Bluffs of \$1,700,000.
- The North Bluff Seaview Avenue in Oak Bluffs also requires reconstruction to better serve the needs of visitors at a cost in excess of \$1,000,000.
- Periodic dredging caused by boat turbidity costs Oak Bluffs \$5,000 on average per year.

In contrast to the above escalating figures, the embarkation fee has remained the same for 19 years and the amount received by the Vineyard port towns has stayed relatively flat.

An increase in the embarkation fee is long overdue. Increased operating and capital costs of port-related towns have been substantial and will increase with inflation and climate change. Sharing the added costs with the people who come to enjoy this beautiful Island is fair and will ensure that the port towns remain safe and welcoming for years to come.

## BUSINESS

### 7. License

- Approve Application for a Change of Manager of an All Alcoholic Common Victualler License – Cape Cod Country Club, located at 48 Theatre Drive, East Falmouth (5 minutes)

LICENSE APPLICATION REVIEW

Restaurant/Business: Cape Cod Country Club

Address: 8 Theatre Drive, East Falmouth

License Type: \_\_\_\_\_

New or Transfer of License \_\_\_\_\_

or

Change of License Change of Manager

Police No issues

Fire No objections

Building No issues

Health \_\_\_\_\_

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

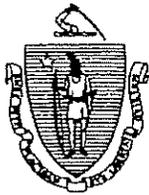
Tax Collector \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTES:



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

**AMENDMENT-Change of Manager**

Change of License Manager

**1. BUSINESS ENTITY INFORMATION**

Entity Name	Municipality	ABCC License Number
The New Cape Cod Country Club	Falmouth	0069-RS-0390

**2. APPLICATION CONTACT**

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

Name	Title	Email	Phone
LIZ FRIEL	General Manager	CAPECODCCGOLF@COMCAST.NET	5085639842

**3A. MANAGER INFORMATION**

The individual that has been appointed to manage and control of the licensed k...

Proposed Manager Name	MARK FLIBBERT	Date of Birth	
Residential Address	8 THEATRE DR EAST FALMOUTH, MA 02536		
Email		Phone	
Please indicate how many hours per week you intend to be on the licensed premises	60	Last-Approved License Manager	DANIEL LOVELL

**3B. CITIZENSHIP/BACKGROUND INFORMATION**

Are you a U.S. Citizen?  Yes  No \*Manager must be U.S. citizen  
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.  
 Have you ever been convicted of a state, federal, or military crime?  Yes  No  
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

**3C. EMPLOYMENT INFORMATION**

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
03/2022	09/2022	GROUNDS CREW	WOODS HOLE GOLF CLUB	RYAN WALSH
03/2021	02/2022	MANAGER	MAXIMUS	BRYANNA MEADE

**3D. PRIOR DISCIPLINARY ACTION**

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

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

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature		Date	12/10/2022
---------------------	--	------	------------

**ENTITY VOTE**

The Board of Directors or LLC Managers of The New Cape Cod Country Club  
Entity Name  
duly voted to apply to the Licensing Authority of Falmouth and the  
City/Town  
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 12/7/2022  
Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other

"VOTED: To authorize Mark Flibbert  
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Mark Flibbert  
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

David Friel  
Corporate Officer / LLC Manager Signature

DAVID FRIEL  
(Print Name)

For Corporations ONLY

A true copy attest,

\_\_\_\_\_  
Corporation Clerk's Signature

\_\_\_\_\_  
(Print Name)

APPLICANT'S STATEMENT

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

of The New Cape Cod Country Club  
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: David Friel  
David Friel  
2022.12.09 13:37:26 -05'00'

Date: 12/9/2022

Title: Owner



# CERTIFICATE OF COMPLETION

This certifies that

Mark Flibbert

is awarded this certificate for

TIPS On-Premise Alcohol Server Training

Hours  
3.00

Completion Date  
11/22/2022

Expiration Date  
11/21/2025

Certificate #  
ON-000027218799

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)



Issued: 11/22/2022  
Certificate #: ON-000027218799

Mark Flibbert  
6 Theatre Dr  
East Falmouth MA 02536

CERTIFIED

Expires: 11/21/2025



Phone: 800-438-8477  
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature \_\_\_\_\_

## CONSENT AGENDA

### 1. Licenses

- a. Approve application for two Special One-Day Liquor Licenses – Falmouth Theatre Guild, located at 58 Highfield Drive, Falmouth – January 20, 21, and 22 and January 27, 28, and 29, 2023. Friday and Saturday service to be 6:30 pm to 9:30 pm and Sunday service to be 1:00 pm to 5:00 pm.

LICENSE APPLICATION REVIEW

Restaurant/Business: Falmouth Theatre Guild

Address: 58 Highfield Drive, Falmouth

License Type: \_\_\_\_\_

New or Transfer of License \_\_\_\_\_

or

Change of License \_\_\_\_\_

Police No objection

Fire \_\_\_\_\_

Building \_\_\_\_\_

Health \_\_\_\_\_

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

Tax Collector \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

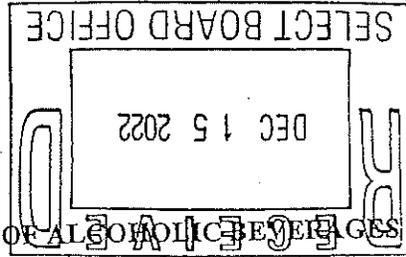
NOTES:

PAID

160  
15055



APPLICATION



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

NAME OF APPLICANT: Brian Buczkowski, Director-at-large

ADDRESS OF APPLICANT: PO Box 383

Falmouth MA 02541  
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: Falmouth Theatre Guild

MAILING ADDRESS: See Above

TELEPHONE #: 508-564-0181 EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: Highfield Theater - 58 Highfield Dr

Falmouth MA 02540  
TOWN STATE ZIP CODE

EVENT TITLE: Harvey APPROXIMATE # OF PEOPLE: 275/perf

DATE(S) OF EVENT: Jan 20,21,22,27,28,29,2023 HOURS OF EVENT: Fri & Sat 6:30-9:30, Sunday 1:00-5:00

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Tomas McCahill - Concessions Chair

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

REQUIREMENTS check list:

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

12/15/2022  
DATE

*Brian J. Buczkowski*  
APPLICANT SIGNATURE

FEE: \$25.00 PER DAY  
\$10.00 FILING FEE

Brian J. Buczkowski, Director-at-large

## CONSENT AGENDA

### Licenses

- b. Approve application for a Common Victualler License – Cape Cod Bagel, Inc., located at 419 Palmer Avenue, Falmouth

LICENSE APPLICATION REVIEW FORM

Date: 1/9/2023

Restaurant/Business: Cape Cod Bagel

Address: 419 Palmer Ave., Falmouth

License Type: Common Victualler

New or Transfer of License New

or

Change of License \_\_\_\_\_

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

Police No objection.

Fire \_\_\_\_\_

Building No issues.

Health Food service permit issued.

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Recreation \_\_\_\_\_

M.E.S. \_\_\_\_\_

Communications \_\_\_\_\_

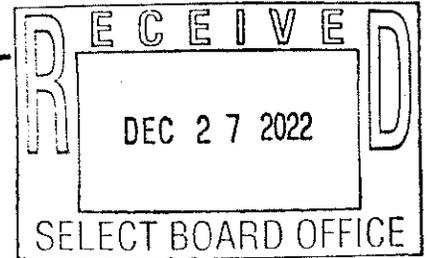
Beach \_\_\_\_\_

NOTES:

The signing of the documents between the two parties for the sale of the business to J2 Bagels, Inc. (approved by the Select Board on 12/5/22) did not occur in December as planned. Therefore, the original owner of Cape Cod Bagels, Cape Cod Bagel Co., Inc., Marilyn Fox, is re-applying for the license.



PAID  
\$70.00  
CK# 594555



### TOWN OF FALMOUTH

Office of the Town Manager & Select Board  
59 Town Hall Square, Falmouth, Massachusetts 02540  
Telephone (508) 495-7320  
M.G.L Chapters 138 §12 and §15 and Chapter 140 §2

## ANNUAL LICENSE APPLICATION – includes Common Victualler, Innholder & Package Store

CHECK THE APPROPRIATE LICENSE FOR RENEWAL

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Common Victualler ONLY          | <input type="checkbox"/> Innholder ONLY                                      |
| <input type="checkbox"/> All Alcohol Restaurant + Common Victualler | <input type="checkbox"/> Wine & Malt Beverage Restaurant + Common Victualler |
| <input type="checkbox"/> All Alcohol Innholder + Common Victualler  | <input type="checkbox"/> Wine, Malt & Cordial Restaurant + Common Victualler |
| <input type="checkbox"/> All Alcohol Club + Common Victualler       | <input type="checkbox"/> Wine & Malt Beverage Innholder + Common Victualler  |
| <input type="checkbox"/> Farmer Winery + Common Victualler          | <input type="checkbox"/> Wine, Malt & Cordial Innholder + Common Victualler  |
| <input type="checkbox"/> Farmer Brewery + Common Victualler         | <input type="checkbox"/> Wine & Malt Beverage Club + Common Victualler       |
| <input type="checkbox"/> All Alcohol Package Store                  | <input type="checkbox"/> Wine & Malt Bowling Alley + Common Victualler       |
|   | <input type="checkbox"/> Wine & Malt Beverage Package Store                  |

Required fields are outlined in red:

NAME OF APPLICANT: Marilyn Fox TITLE: President

HOME ADDRESS: 59 Cliffwood Lane

Town: West Falmouth State: MA Zip code: 02540

BUSINESS NAME: Cape Cod Bagel Co., Inc.

D/B/A if any:

BUSINESS ADDRESS: 419 Palmer Ave

Town: Falmouth State: MA Zip code: 02540

MAILING ADDRESS (if different):

Town:  State:  Zip code:

FEDERAL ID #: no social security# MANAGER OF RECORD: Marilyn Fox

EMAIL – required: foxbagels@aol.com

TELEPHONE – BUSINESS: 508-548-8485 ALTERNATE #:

DAYS OF OPERATION: Daily

HOURS OF OPERATION: 6:30am-5:30pm

Will the premises be closed for any period during the winter season? YES  NO

If YES, dates of intended closure:

**Non-Liquor License ONLY** : \*\*SEATING CAPACITY:

**\*\*Do not use this form to make changes from the originally approved seating capacity. Contact the Select Board Office for assistance.**

**LIQUOR LICENSE HOLDERS ONLY OCCUPANCY per 2022 Certificate of Inspection:**

APPLICATION MUST BE SIGNED BY OWNER, MANAGER of RECORD, OR AUTHORIZED REPRESENTATIVE

**TAX ATTESTATION:** Your Federal ID number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A. **I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law:**

*Marilyn Fox*

**Signature:** OWNER or MANAGER of RECORD

10.28.22

**\*\*DATE:**

**\*\*All Liquor License Renewals - the Manager of Record named on the current license must complete an Annual Background Check at the Central Records Office within 10 days of submission of this application. Call 774-255-4527 for information and appointments.**

### APPLICATION REQUIREMENTS FOR ALL RESTAURANTS, INNS, and most CLUBS

- **Food Service Establishment Permit – NEW PROCEDURE!!**  
go to <https://permiteyes.us/falmouth/loginuser.php> to complete the on-line permitting application
- Fees are due with application. License Renewals paid by Money Order, Cashier's Check, or Certified Bank Check ONLY

### ADDITIONAL REQUIREMENTS-LIQUOR LICENSE HOLDERS ONLY-Restaurant-Club-Inn

**!! IMPORTANT!! Beginning 2023 Liquor License applications with ALL REQUIREMENTS are due 12/15/22**

- ABCC Form
- Liquor Liability Insurance Certificate for 2023
- Certificate of Inspection (C.I.) – NEW PROCEDURE!! go to <https://www.falmouthma.gov/313/Online-Permitting> for instructions and to complete the application.
- Current alcohol safety certification (TIPS) for the Manager of Record and all other managers, bartenders, servers, & other employees handling alcohol
- Annual Background Check: The Manager of Record named on the current license must complete an Annual Background Check within 10 days of submission of filing application. Call 774-255-4527 for appointments and fee information.

### PACKAGE STORE REQUIREMENTS

- ABCC Form
- Annual Background Check - The Manager of Record named on the current license must complete a Background Check within 10 days of submission of this application. Call 774-255-4527 for information and appointments.

FOR ANY ADDITIONAL LICENSE RENEWAL APPLICATIONS: Please contact the Select Board Office at [licensing@falmouthma.gov](mailto:licensing@falmouthma.gov)

## CONSENT AGENDA

### 2. Administrative Orders

- a. Approve Eversource petition to install a new handhole to be labelled 433/H4 and to install approximately sixty (60') feet of conduit and cable under town road Hudson Street starting at existing pole 433/4. This work is necessary to provide electric service to 34 Hudson Street.



# 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: January 6, 2023

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install 60'± of underground conduit and one handhole in Hudson Street

A petition was submitted by Eversource to install 60'± of 1-3" underground conduit and one handhole in Hudson Street to provide electric service to 34 Hudson Street.

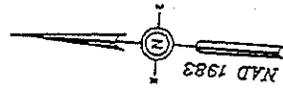
The Engineering recommendation is to approve the request as submitted on Plan No. 9858619, W/O #9858619, dated Oct. 17, 2022.

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

Thank you,

Nicholas Croft  
Engineering Technician  
DPW Engineering Division

Plan to accompany petition of EVERSOURCE ENERGY to install new Handhole #433/H4 and 60'± conduit to provide electric service to 34 HUDSON ST.



#35  
46 00F 000 C  
35 HUDSON ST  
N/F  
BRADLEY KEITH F  
BRADLEY MARY JO

#29  
46 00G 000 006  
29 HUDSON ST  
N/F  
GREELEY JOHN D  
GREELEY CAROL J

HUDSON ST

RIGHT OF WAY

EOP

EDGE OF PAVEMENT(EOP)

RIGHT OF WAY

46 00G 000 018  
38 HUDSON ST  
N/F  
GRANNIS KEITH  
SMITH KRISTEN

PROPOSED HANDHOLE  
433/H4

PROPOSED 1-3" CONDUIT  
TL=60'±

CUSTOMER HANDHOLE  
433/H4A

46 00G 000 017  
34 HUDSON ST  
N/F  
MCFARLAND PAULA T  
TESORERO PAUL J

GRASS

GRASS

RIGHT OF WAY

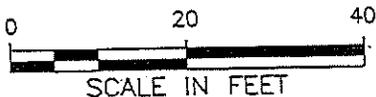
EOP

EOP

RIGHT OF WAY

LEGEND

- ⊖ Proposed Hand Hole
- ⊕ Existing Hand Hole
- Proposed Conduit
- - Existing Conduit
- Proposed Pole
- Existing Pole



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, SHAREHOLDERS, 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

C#	
Ward #	
Work Order #	9858619
Surveyed by:	N/A
Research by:	JC
Plotted by:	GC
Proposed Structures:	
Approved:	T THIBAUT
P#	

**NSTAR EVERSOURCE**

1165 MASSACHUSETTS AVE, DORCHESTER, MASS. 02125

Plan of HUDSON ST, FALMOUTH	
Showing PROPOSED CONDUIT & HANDHOLE LOCATION	
Scale	1"=20'
Date	OCTOBER 17, 2022
SHEET	1 of 1

FORM OF ORDER FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS  
WO#9858619

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 17<sup>th</sup> day of October 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.9858619 Dated October 17, 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.

Hudson Street, Falmouth

To install approximately 60' (feet) of conduit and cable under town road starting at existing pole 433/4.

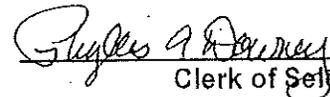
Install one new handhole to be labelled 433/H4.

One (1) 3" Conduit

One (1) Handhole

This work is necessary to provide electric service to #34 Hudson Street.

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 9<sup>th</sup> day of January 2023.

  
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 January 5 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.**

## CONSENT AGENDA

### Administrative Orders

- b. Approve Eversource petition to install approximately fifty (50') feet of conduit and cable under town road Allen Avenue starting at existing pole 214/7 northwesterly to one (1) new handhole 214/H7. This work is necessary to provide electric service to 101 Allen Avenue.

January 9, 2023



# 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: January 6, 2023

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

**Subject: Eversource – Petition to install 50'± of underground conduit and one handhole in Allen Avenue**

A petition was submitted by Eversource to install 50'± of 1-4" underground conduit and one handhole in Hudson Street to provide electric service to 101 Allen Avenue.

The Engineering recommendation is to approve the request as submitted on Plan No. 11006535, W/O #11006535, dated Dec. 2, 2022.

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

Thank you,

Nicholas Croft  
Engineering Technician  
DPW Engineering Division

\\SHARED-mmas-v10210\IMAGE\BASELINS\FAL\FAL-



Plan to accompany petition of EVERSOURCE ENERGY to install NEW 214/H7 HH and 50' ± of 1-4" conduit via pole 214/7 under public for customer at #101 ALLEN AVE.

47C 02 007 015  
111 ALLEN AVE  
N/F  
BELL GLENN R  
BELL JUDY MATTE

APPROX. R-

47C 02 008 014  
101 ALLEN AVE  
N/F  
BELL GLENN R  
BELL JUDY MATTE

APPROX. R-

47C 02 009 013  
93 ALLEN AVE  
N/F  
TRIST HALLAHAN TRUSTEE PAMELA A  
HALLAHAN TRUSTEE WILLIAM I

APPROX. RIGHT OF WAY

GRASS

EDGE OF PAVEMENT

ALLEN AVE

EDGE OF PAVEMENT

GRASS

APPROX. RIGHT OF WAY

214/7

PROPOSED  
214/H7

APPROX. 407 FEET  
TO FAIRVIEW AVE

EVERSOURCE TO  
INSTALL 1 - 4" PVC PIPE

47C 03 005 007  
96 ALLEN AVE  
N/F  
KALPERIS TR JAMES T-ANGEL  
KALPERIS FALMOUTH R E TRUST

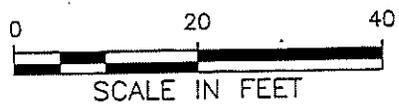
LEGEND

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

APPROX. R-

47C 03 006 006  
106 ALLEN AVE  
N/F  
BISHOP CRAIG JAMES  
BISHOP VIRGINIA H

APPROX. R-



SCALE IN FEET

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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 #	11006535
Ward #	-
Work Order #	11006535
Surveyed by:	N/A
Research by:	JC
Plotted by:	JC
Proposed Structures:	JC
Approved:	T THIBAUT
P#	

<b>NSTAR EVERSOURCE</b> ELECTRIC d/b/a 1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
Plan of	ALLEN AVE FALMOUTH
Showing PROPOSED CONDUIT & HANDHOLE LOCATION	
Scale	1"=20'
Date	DECEMBER 2, 2022
SHEET	1 of 1

FORM OF ORDER FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS  
WO#11006535

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 5<sup>th</sup> day of December 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.11006535 Dated December 2, 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.

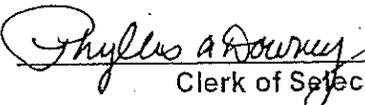
Allen Avenue, Falmouth

Install approximately 50' (feet) of conduit and cable under town road starting at existing pole 214/7 northwesterly to new handhole 214/H7.  
Install one new handhole to be labeled 214/H7.

One (1) 1-4" Conduit  
One (1) Handhole

This work is necessary to provide electric service to #101 Allen Avenue.

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 9<sup>th</sup> day of January 2023

  
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 January 5 2023 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.

## CONSENT AGENDA

### Administrative Orders

- c. Vote to accept donation in the amount of \$1,000.00 from the Sbarbaro Family to the Falmouth Fire Rescue Department donation account

## Diane Davidson

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**From:** Kim Strohm  
**Sent:** Thursday, December 29, 2022 1:25 PM  
**To:** Diane Davidson  
**Subject:** FW: Donation question/request

Good afternoon Diane,  
Would you kindly add to the next available Selectboard agenda the acceptance of a \$1,000.00 donation to the Fire Rescue Department from the Sbarbaro Family? When you have the date of that agenda I would greatly appreciate you letting me know so I can then follow up with you the next day for the approval status.  
Many thanks,



*Kim Strohm  
Administrative Assistant  
Falmouth Fire Rescue Department  
Phone: 508-495-2517  
Fax: 508-495-2519*

**From:** Timothy Smith <timothy.smith@falmouthfirema.gov>  
**Sent:** Thursday, December 29, 2022 11:28 AM  
**To:** Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>  
**Cc:** Kim Strohm <kim.strohm@falmouthfirema.gov>  
**Subject:** Donation question/request

Good morning Peter,  
We had a local couple donate \$1,000.00 to our Department. They provided a check today and asked that it be cashed before the end of the year. I believe it has something to do with managing their IRA account for tax purposes. Generally, we would send this to the BOS for their approval to accept this money to be placed in our donation account. Based on their wishes and this very generous donation, we'd like to abide by their request, and we can deposit the check and advise the BOS "after the fact" if you would approve of this action.  
Thank you for your assistance.  
Tim

Tim Smith, Chief of Department  
Falmouth Fire Rescue Department  
Cell: 508-274-6410  
Work: 508-495-2511

OPEN SESSION

TOWN MANAGER'S SUPPLEMENTAL REPORT

January 9, 2023



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

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TO: Select Board  
FROM: Peter Johnson-Staub, Acting Town Manager  
SUBJECT: Supplemental Report for January 9, 2023  
DATE: January 6, 2023

**April Town Meeting:**

The warrant for the April Town Meeting closes January 13<sup>th</sup>. I will have a working list of potential warrant articles to share with the Board on Monday. The final warrant must be voted by the Board on January 30<sup>th</sup>.

**Next Meetings:**

- *January 23, 2023 – Reserve if needed*
- January 30, 2023
- February 13, 2023
- February 27, 2023

//Supplemental Report 01-09-2023