

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, JANUARY 23, 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 – Woodneck Beach Update
5. Public Comment

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

6:45 p.m. BUSINESS

1. Update on COVID-19 – Scott McGann, Health Agent (5 minutes)
2. Vote Seasonal Wage Rates for FY2024 (5 minutes)
3. Discuss override for fire staffing (10 minutes)
4. Review of April 2023 Town Meeting Articles (45 minutes)

7:50 p.m. CONSENT AGENDA

1. Licenses
 - a. Approve application for three Special One-Day Wine and Malt Liquor Licenses – West Falmouth Library, located at 575 West Falmouth Highway, West Falmouth – January 25, March 15, and June 7, 2023, from 6:00 p.m. to 7:30 p.m.
2. Administrative Orders
 - a. Approve letter for support for Town of Sandwich special legislation regarding state revolving fund eligibility for wastewater treatment and disposal facilities located at Joint Base Cape Cod
 - b. Approve agreement for Payment in Lieu of Taxes for Personal Property between SCS Nathan Ellis 011282 Falmouth West, LLC and the Town of Falmouth
 - a. Approve 2023 Seasonal Population Increase Estimation Form for submittal to the Alcoholic Beverages Control Commission

7:55 p.m. MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – October 24, 2022; December 19, 2022; January 7, 2023; January 9, 2023; January 11, 2023

8:00 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

8:05 p.m. SELECT BOARD REPORTS

8:15 p.m. DISCUSSION OF FUTURE AGENDA ITEMS

8:20 p.m. ADJOURN

Nancy R. Taylor, Chair
Select Board

OPEN SESSION

4. Announcements – Woodneck Beach Update

OPEN SESSION

TOWN MANAGER'S PRELIMINARY REPORT

January 23, 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 23, 2023
DATE: January 19, 2023

Announcements:

- Woodneck Beach Update: Conservation Land Manager/MES Technician Mark Kasprzyk will provide a very brief report on recent storm damage and the quick response by Conservation and Public Works staff to push the sand back and remove some hazards.

Business:

1. Update on COVID-19:

Health Agent Scott McGann will provide a brief update on the status of COVID-19.

2. Vote Seasonal Wage Rates for FY2024:

I am seeking Select Board approval to increase wage rates for seasonal positions listed in your packet by 15%. For several years, the Town, like all employers in the region, has struggled to fill seasonal positions. We have consistently turned back a substantial portion of funds budgeted for seasonal positions because many of the positions and hours have been unfilled. This increase can be accommodated within the proposed FY2024 by adopting more realistic estimates of the number of hours to be filled. The impacted departments have been consulted and support this proposal.

3. Discuss Override for Fire Staffing:

The Board will have an opportunity to continue the conversation about an override for Fire Department staffing. A vote on placing the override on the warrant is planned for the following meeting on January 30th.

At your January 7th workshop meeting, the Select Board reached a consensus to pursue an override to hire 14 additional firefighters in order to be able to staff 6 fire stations when the Hatchville Station comes online. I presented two options: An override of \$1.5 million or \$950,000. Both will allow us to hire 14 firefighters. The larger override provides more flexibility to address other department needs within levy limit in future years, but it comes with a larger tax impact. In your packet, we have included information requested at the workshop: comparisons of average tax bill to other Cape Cod and Massachusetts cities and towns, an overview of tax deferral and exemption options available to Falmouth taxpayers. We also included in the packet the tax impact information previously distributed.

I have drafted an override article and an article to establish a Fire Department Stabilization fund. These articles need to be reviewed by the Department of Revenue and Town Counsel before we finalize the wording next week.

4. Review April 2023 Town Meeting Articles:

A draft of the town meeting warrant is included in your packet. The articles are too numerous to summarize. I will highlight one set of related issues that requires further analysis and discussion. The cost of the improvements to the wastewater treatment facility is now estimated to be approximately \$10 million more than the \$24 million approved by Town Meeting. A debt exemption for this project was also approved on the election ballot. This inflation-driven spike in costs requires us to revisit our debt management plan in order to avoid a tax increase. The Finance Director and I are working with staff and bond advisers to evaluate myriad options including re-allocation of existing funds, new revenues, and deferring other borrowing projects which will be presented for consideration after the warrant is closed but before the Finance Committee votes its recommendations.

Consent Agenda:

You have a memo in your packet from Trisha Favulli describing a Payment In Lieu of Taxes agreement negotiated with the Barnstable County Fairgrounds. Town Counsel has approved as to form. I recommend approval of this and all other items on the consent agenda.

OPEN SESSION

BUSINESS

1. Update on COVID-19 – Scott McGann, Health Agent **(5 minutes)**

OPEN SESSION

BUSINESS

2. **Vote Seasonal Wage Rates for FY2024 (5 minutes)**

FY24 Seasonal Salary Schedule - 15% Increase

Grade	TITLE	step 1	step 2	step 3	step 4	step 5
2	Parking Attendant - Beach	\$16.39	\$17.21	\$18.07	\$18.97	\$19.92
	Clerk 1					
3	Clerk II	\$17.05	\$17.90	\$18.80	\$19.74	\$20.73
	Head Parking Lot Attendant - Beach					
	Parking Lot Security - Beach					
	Night Watch - Harbormaster					
	Camp Counselor - Recreation					
	Waterways Assistant					
4	Lifeguard - Beach	\$18.24	\$19.15	\$20.11	\$21.12	\$22.18
	Senior Waterways Assistant					
	Harbor Assistants					
	Sailing Instructor					
5	Water Safety Inst. / Asst. Head Guard - Beach	\$19.52	\$20.50	\$21.53	\$22.61	\$23.74
	Pump Out Boat Operator - Harbormaster					
	Certified Sailing Instructor					
6	Head Guard - Beach	\$20.89	\$21.93	\$23.03	\$24.18	\$25.39
	Assistant Animal Control Officer					
7	Clerk III	\$22.35	\$23.47	\$24.64	\$25.87	\$27.16
	Staff Guard/Supervisor					
	Assistant Harbormaster - Constable					
	Seasonal Police Officer					
	Laborer					
	Shellfish Technician					
8	Swim Program Director - Beach	\$23.91	\$25.11	\$26.37	\$27.69	\$29.07
	Assistant Harbormaster - Dockmaster					
	Maintenance Foreman - Beach					
9	Assistant Superintendent of Beaches	\$25.58	\$26.86	\$28.20	\$29.61	\$31.09
11	Superintendent of Beaches	\$29.16	\$30.62	\$32.15	\$33.76	\$35.45
	Inspector	\$15.00				
	Election Clerk	\$15.76				
	Deputy Warden/Deputy Clerk	\$15.76				
	Election Warden	\$16.83				
	Calculation					
	Inspector	\$13.50	\$15.00	111%		
	Election Clerk	\$14.18	\$15.76			
	Deputy Warden/Deputy Clerk	\$14.18	\$15.76			
	Election Warden	\$15.15	\$16.83			

OPEN SESSION

BUSINESS

3. Discuss override for fire staffing **(10 minutes)**

Tax Rate Impact Scenarios



Data Analytics and Resources Bureau
 Estimated Impact on Property Taxes with a
 Prop 2 ½ Referendum Question Approval

Data current as of 01/19/2023

Select Municipality:

Falmouth

Enter Amount to Adjust by **\$950,000**

Falmouth			
	Residential & Open Space (RO)	Commercial, Industrial and Personal Property (CIP)	Total
FY 2023 # of Parcels	22,844	9,685	32,529
FY 2023 Assessed Value	15,989,800,682	1,233,736,026	17,223,536,708
FY 2023 Tax Levy	110,649,421	8,537,453	119,186,874

RO Tax Rate	CIP Tax Rate
6.92	6.92

Proposed Tax Rate Impact Per \$1,000:	0.06
Proposed New Tax Rate Per \$1,000 (Estimated New):	6.98
FY 2023 Average Single Family Assessed Value (Current):	761,884
FY 2023 Average Single Family Tax Bill (Current):	5,272
FY 2023 Average Single Family Tax Bill Impact (Estimated New):	45.71

Assessed Value	Current Estimated Tax Bill	Proposed Estimated Tax Bill	Estimated Tax Bill Impact
250,000	1,730.00	1,745.00	15.00
350,000	2,422.00	2,443.00	21.00
450,000	3,114.00	3,141.00	27.00
550,000	3,806.00	3,839.00	33.00
650,000	4,498.00	4,537.00	39.00
750,000	5,190.00	5,235.00	45.00
850,000	5,882.00	5,933.00	51.00
950,000	6,574.00	6,631.00	57.00
1,050,000	7,266.00	7,329.00	63.00
1,150,000	7,958.00	8,027.00	69.00
1,250,000	8,650.00	8,725.00	75.00
1,350,000	9,342.00	9,423.00	81.00
1,450,000	10,034.00	10,121.00	87.00
1,550,000	10,726.00	10,819.00	93.00



DLS

DIVISION OF LOCAL SERVICES
MA DEPARTMENT OF REVENUE

Data Analytics and Resources Bureau

Estimated Impact on Property Taxes with a
Prop 2 ½ Referendum Question Approval

Data current as of 01/19/2023

Select a

Municipality: **Falmouth**

Enter Amount to Adjust by **\$1,500,000**

Falmouth			
	Residential & Open Space (RO)	Commercial, Industrial and Personal Property (CIP)	Total
FY 2023 # of Parcels	22,844	9,685	32,529
FY 2023 Assessed Value	15,989,800,682	1,233,736,026	17,223,536,708
FY 2023 Tax Levy	110,649,421	8,537,453	119,186,874

RO Tax Rate	CIP Tax Rate
6.92	6.92

Proposed Tax Rate Impact Per \$1,000:	0.09
Proposed New Tax Rate Per \$1,000 (Estimated New):	7.01
FY 2023 Average Single Family Assessed Value (Current):	761,884
FY 2023 Average Single Family Tax Bill (Current):	5,272
FY 2023 Average Single Family Tax Bill Impact (Estimated New):	68.57

Assessed Value	Current Estimated Tax Bill	Proposed Estimated Tax Bill	Estimated Tax Bill Impact
250,000	1,730.00	1,752.50	22.50
350,000	2,422.00	2,453.50	31.50
450,000	3,114.00	3,154.50	40.50
550,000	3,806.00	3,855.50	49.50
650,000	4,498.00	4,556.50	58.50
750,000	5,190.00	5,257.50	67.50
850,000	5,882.00	5,958.50	76.50
950,000	6,574.00	6,659.50	85.50
1,050,000	7,266.00	7,360.50	94.50
1,150,000	7,958.00	8,061.50	103.50
1,250,000	8,650.00	8,762.50	112.50
1,350,000	9,342.00	9,463.50	121.50
1,450,000	10,034.00	10,164.50	130.50
1,550,000	10,726.00	10,865.50	139.50

Average Single Family Tax Bill – 2022

January 23, 2023

DOR Code	Municipality	Fiscal Year	Single Family Values	Single Family Parcels	Average Single Family Value	Single Family Tax Bill	Single Family Tax Bill as % of Value	DOR Income Per Capita	Average Tax Bill as a % of Income	Rank	Barnstable County
075	Dennis	2022	6,783,722,160	11,718	578,915	3,242	0.56	38,727	8.37	336	Y
351	Yarmouth	2022	5,838,417,170	12,884	453,153	4,160	0.92	35,635	11.67	287	Y
020	Barnstable	2022	11,808,462,000	21,068	560,493	4,843	0.86	42,926	11.28	237	Y
086	Eastham	2022	2,957,949,600	5,158	573,468	4,920	0.86	38,633	12.74	229	Y
096	Falmouth	2022	11,688,834,400	18,521	631,112	5,080	0.81	47,421	10.71	216	Y
041	Brewster	2022	3,650,943,540	5,629	648,595	5,091	0.78	39,211	12.98	215	Y
172	Mashpee	2022	4,571,724,600	7,127	641,465	5,151	0.80	42,586	12.10	210	Y
126	Harwich	2022	5,481,957,000	8,612	636,549	5,162	0.81	41,451	12.45	208	Y
055	Chatham	2022	6,584,677,500	5,891	1,117,752	5,164	0.46	79,459	6.50	207	Y
036	Bourne	2022	4,103,840,280	7,820	524,788	5,295	1.01	39,386	13.44	199	Y
318	Wellfleet	2022	2,154,234,367	3,110	692,680	5,389	0.78	49,928	10.79	194	Y
300	Truro	2022	1,758,097,274	2,123	828,119	6,401	0.77	49,681	12.88	137	Y
261	Sandwich	2022	4,254,860,100	8,553	497,470	6,547	1.32	44,941	14.57	127	Y
224	Orleans	2022	3,565,764,500	3,830	931,009	6,703	0.72	56,545	11.85	120	Y
242	Provincetown	2022	1,052,543,205	867	1,214,006	8,085	0.67	61,308	13.19	70	Y
121	Hancock	2022	85,579,400	318	269,118	807	0.30	14,246	5.66	351	
253	Rowe	2022	55,583,800	212	262,188	1,397	0.53	29,298	4.77	350	
098	Florida	2022	49,511,200	291	170,142	1,501	0.88	49,733	7.61	349	
190	Monroe	2022	8,718,500	65	134,131	1,557	1.16	11,139	13.98	348	
091	Erving	2022	112,729,100	513	219,745	1,736	0.79	23,256	7.46	347	
263	Savoy	2022	53,852,850	300	179,510	2,585	1.44	29,090	8.89	346	
109	Gosnold	2022	114,251,370	132	865,541	2,614	0.30	25,333	10.32	345	
255	Royalston	2022	117,786,700	516	228,269	2,787	1.22	25,063	11.12	344	
225	Otis	2022	565,706,100	1,545	366,153	2,838	0.78	35,153	8.07	343	
345	Windsor	2022	98,535,200	451	218,482	2,873	1.32	28,301	10.15	342	
297	Tolland	2022	161,166,000	500	322,332	2,901	0.90	26,270	11.04	341	
022	Becket	2022	468,012,900	1,700	275,302	2,973	1.08	31,376	9.48	340	
058	Cheshire	2022	266,581,300	1,136	234,667	2,994	1.28	31,416	9.53	339	
195	Mount Washington	2022	73,203,500	148	494,618	3,022	0.61	27,796	10.87	338	
209	North Adams	2022	442,899,000	2,643	167,574	3,105	1.85	17,907	17.34	337	
063	Clarksburg	2022	122,455,000	614	199,438	3,287	1.65	25,626	12.83	335	
200	New Ashford	2022	27,800,100	92	302,175	3,306	1.09	30,825	10.73	334	
015	Athol	2022	705,709,200	3,413	206,771	3,319	1.61	21,545	15.40	333	
217	Northfield	2022	265,119,100	1,083	244,801	3,390	1.39	31,004	10.93	332	
004	Adams	2022	366,261,000	2,204	166,180	3,472	2.09	23,696	14.65	331	
281	Springfield	2022	4,896,741,700	26,448	185,146	3,484	1.88	16,406	21.24	330	
311	Warren	2022	293,947,000	1,310	224,387	3,491	1.56	20,315	17.18	329	
057	Chelsea	2022	220,165,254	835	263,671	3,494	1.33	20,707	16.87	328	
310	Wareham	2022	3,061,885,294	9,475	323,154	3,513	1.09	27,317	12.86	327	
095	Fall River	2022	2,647,403,800	9,322	283,995	3,584	1.26	18,948	18.91	326	
132	Hinsdale	2022	224,228,900	851	263,489	3,599	1.37	35,431	10.16	325	
080	Dudley	2022	985,266,200	3,195	308,378	3,608	1.17	29,142	12.38	324	
149	Lawrence	2022	1,368,169,500	4,288	319,069	3,650	1.14	17,984	20.30	323	
260	Sandisfield	2022	168,236,600	594	283,227	3,654	1.29	22,113	16.52	322	
061	Chicopee	2022	2,407,595,100	11,166	215,618	3,663	1.70	21,803	16.80	320	
343	Winchendon	2022	701,762,050	2,895	242,405	3,663	1.51	23,173	15.81	321	
094	Fairhaven	2022	1,991,428,200	5,438	366,206	3,743	1.02	31,353	11.94	319	
059	Chester	2022	95,882,700	491	195,280	3,745	1.92	23,972	15.62	318	
302	Tyringham	2022	139,418,200	250	557,673	3,748	0.67	27,051	13.86	317	
069	Cummington	2022	87,966,900	337	261,029	3,772	1.45	31,606	11.93	316	
033	Blandford	2022	130,684,800	512	255,244	3,775	1.48	31,952	11.81	315	
183	Middlefield	2022	40,138,300	186	215,797	3,839	1.78	17,257	22.25	314	
234	Petersham	2022	127,506,020	449	283,978	3,845	1.35	34,487	11.15	313	
223	Orange	2022	430,289,200	2,123	202,680	3,875	1.91	21,447	18.07	311	
323	West Brookfield	2022	385,181,300	1,315	292,914	3,875	1.32	40,689	9.52	312	
233	Peru	2022	73,944,900	347	213,098	3,904	1.83	20,438	19.10	310	
093	Everett	2022	1,018,989,975	2,702	377,124	3,907	1.04	22,568	17.31	309	
222	Oakham	2022	204,840,900	665	308,031	3,918	1.27	34,394	11.39	308	
212	North Brookfield	2022	353,669,600	1,339	264,130	3,925	1.49	27,784	14.13	307	
280	Spencer	2022	941,481,762	3,151	298,788	3,932	1.32	28,926	13.59	306	
192	Montague	2022	491,941,800	2,092	235,154	3,941	1.68	24,895	15.83	305	
150	Lee	2022	531,978,800	1,834	290,065	3,959	1.37	33,198	11.93	304	
306	Wales	2022	154,557,800	719	214,962	3,981	1.85	23,995	16.59	303	
135	Holland	2022	348,286,500	1,357	256,659	3,988	1.55	36,145	11.03	302	
194	Montgomery	2022	94,438,500	330	286,177	3,992	1.40	39,336	10.15	301	
106	Gill	2022	107,227,270	446	240,420	4,005	1.67	26,502	15.11	300	
084	East Brookfield	2022	245,561,500	824	298,012	4,032	1.35	33,799	11.93	299	
129	Hawley	2022	32,987,700	143	230,683	4,042	1.75	24,737	16.34	298	
294	Templeton	2022	660,268,700	2,484	265,809	4,051	1.52	27,597	14.68	297	

201	New Bedford	2022	3,279,590,410	12,569	260,927	4,055	1.55	19,208	21.11	296
124	Hardwick	2022	190,910,100	691	276,281	4,061	1.47	21,140	19.21	295
313	Washington	2022	67,905,100	247	274,919	4,080	1.48	30,824	13.24	294
325	West Springfield	2022	1,685,819,000	6,502	259,277	4,086	1.58	28,481	14.35	293
312	Warwick	2022	65,304,700	335	194,939	4,107	2.11	23,875	17.20	292
066	Colrain	2022	119,498,600	595	200,838	4,113	2.05	33,016	12.46	291
236	Pittsfield	2022	2,512,537,640	11,314	222,073	4,122	1.86	28,672	14.38	290
235	Phillipston	2022	203,785,100	770	264,656	4,123	1.56	30,481	13.53	289
151	Leicester	2022	941,321,000	3,191	294,992	4,127	1.40	31,458	13.12	288
237	Plainfield	2022	55,349,600	265	208,866	4,167	2.00	25,949	16.06	286
309	Ware	2022	562,025,500	2,599	216,247	4,182	1.93	24,566	17.02	285
112	Granville	2022	152,574,800	557	273,922	4,186	1.53	33,936	12.33	284
143	Huntington	2022	181,825,060	762	238,616	4,190	1.76	31,871	13.15	283
006	Alford	2022	247,589,200	310	798,675	4,193	0.52	38,740	10.82	281
334	Westport	2022	2,999,686,900	6,066	494,508	4,193	0.85	45,792	9.16	282
193	Monterey	2022	426,493,900	739	577,123	4,201	0.73	30,935	13.58	280
090	Egremont	2022	416,976,700	787	529,831	4,202	0.79	31,766	13.23	279
130	Heath	2022	66,501,700	340	195,593	4,207	2.15	13,501	31.16	278
137	Holyoke	2022	1,168,897,359	5,326	219,470	4,227	1.93	18,353	23.03	277
108	Goshen	2022	130,062,900	495	262,753	4,238	1.61	13,831	30.64	276
278	Southbridge	2022	655,366,100	2,750	238,315	4,266	1.79	21,878	19.50	275
227	Palmer	2022	688,068,600	3,196	215,291	4,269	1.98	29,236	14.60	274
165	Malden	2022	1,963,603,688	5,669	346,376	4,278	1.24	30,767	13.90	273
021	Barre	2022	386,507,631	1,521	254,114	4,279	1.68	27,000	15.85	272
319	Wendell	2022	60,132,200	322	186,746	4,340	2.32	20,888	20.78	271
349	Worthington	2022	130,892,800	480	272,693	4,374	1.60	29,980	14.59	270
156	Leyden	2022	70,910,400	261	271,687	4,385	1.61	41,568	10.55	269
203	New Marlborough	2022	411,429,700	872	471,823	4,388	0.93	37,460	11.71	268
316	Webster	2022	1,220,726,700	3,881	314,539	4,391	1.40	28,697	15.30	267
140	Hubbardston	2022	449,242,729	1,425	315,258	4,414	1.40	35,039	12.60	266
292	Swansea	2022	2,064,042,883	6,096	338,590	4,419	1.31	34,865	12.67	265
293	Taunton	2022	3,630,193,187	10,824	335,384	4,420	1.32	27,148	16.28	264
103	Gardner	2022	959,390,400	4,032	237,944	4,423	1.86	22,360	19.78	263
072	Dartmouth	2022	4,719,945,300	10,087	467,924	4,431	0.95	37,127	11.93	262
005	Agawam	2022	2,131,209,055	7,737	275,457	4,438	1.61	30,743	14.44	261
097	Fitchburg	2022	1,669,165,300	6,614	252,369	4,444	1.76	21,452	20.72	260
117	Hadley	2022	615,159,400	1,677	366,821	4,468	1.22	36,661	12.19	259
348	Worcester	2022	7,505,298,009	25,500	294,325	4,477	1.52	23,987	18.66	258
204	New Salem	2022	100,476,949	420	239,231	4,526	1.89	25,557	17.71	257
268	Shelburne	2022	154,705,000	494	313,168	4,538	1.45	23,194	19.57	256
191	Monson	2022	683,536,953	2,677	255,337	4,553	1.78	31,636	14.39	255
226	Oxford	2022	1,051,485,300	3,718	282,809	4,570	1.62	31,313	14.59	254
003	Acushnet	2022	1,164,788,000	3,378	344,816	4,576	1.33	33,075	13.84	253
054	Charlton	2022	1,455,718,400	4,217	345,202	4,588	1.33	38,985	11.77	252
273	Somerset	2022	2,092,594,900	6,059	345,370	4,590	1.33	32,878	13.96	251
053	Charlemont	2022	89,229,400	402	221,964	4,601	2.07	22,474	20.47	250
308	Waltham	2022	3,633,603,654	8,740	415,744	4,631	1.11	41,058	11.28	249
045	Brookfield	2022	263,146,800	926	284,176	4,669	1.64	28,791	16.22	248
029	Bernardston	2022	201,875,000	743	271,703	4,673	1.72	31,439	14.86	246
047	Buckland	2022	163,462,900	587	278,472	4,673	1.68	23,204	20.14	247
160	Lowell	2022	4,380,540,846	11,892	368,360	4,674	1.27	23,331	20.03	245
202	New Braintree	2022	84,798,700	293	289,415	4,703	1.63	40,192	11.70	244
013	Ashfield	2022	165,693,400	606	273,421	4,752	1.74	27,622	17.20	243
044	Brockton	2022	5,713,165,700	16,742	341,248	4,767	1.40	22,876	20.84	242
043	Brimfield	2022	379,533,500	1,303	291,277	4,786	1.64	39,581	12.09	241
127	Hatfield	2022	356,617,100	1,018	350,311	4,789	1.37	40,016	11.97	240
267	Sheffield	2022	513,318,600	1,332	385,374	4,794	1.24	37,741	12.70	239
102	Freetown	2022	1,177,853,500	2,944	400,086	4,825	1.21	37,193	12.97	238
256	Russell	2022	128,450,780	527	243,740	4,850	1.99	25,574	18.96	236
070	Dalton	2022	466,761,100	1,983	235,381	4,882	2.07	35,454	13.77	235
064	Clinton	2022	800,563,070	2,437	328,504	4,898	1.49	32,620	15.02	234
087	Easthampton	2022	1,203,880,700	4,056	296,815	4,906	1.65	31,498	15.58	233
186	Millbury	2022	1,195,750,855	3,652	327,424	4,911	1.50	35,504	13.83	232
289	Sunderland	2022	261,184,700	781	334,423	4,916	1.47	30,915	15.90	231
248	Revere	2022	2,135,839,700	4,515	473,054	4,920	1.04	27,286	18.03	230
114	Greenfield	2022	858,863,207	3,882	221,242	4,938	2.23	23,416	21.09	228
275	South Hadley	2022	1,319,732,300	4,395	300,280	4,940	1.65	33,087	14.93	227
128	Haverhill	2022	4,098,041,700	10,522	389,474	4,954	1.27	31,363	15.80	226
337	Whately	2022	206,397,112	567	364,016	4,991	1.37	25,034	19.94	225
148	Lanesborough	2022	319,102,900	1,221	261,346	4,992	1.91	28,928	17.26	224
060	Chesterfield	2022	144,281,000	525	274,821	5,015	1.83	22,243	22.55	223
229	Peabody	2022	5,466,925,800	11,009	496,587	5,016	1.01	34,926	14.38	222
161	Ludlow	2022	1,527,524,100	6,070	251,651	5,031	2.00	30,357	16.57	221
329	Westfield	2022	2,567,790,146	9,436	272,127	5,032	1.85	28,511	17.65	220
216	Northbridge	2022	1,310,166,200	3,566	367,405	5,059	1.38	36,175	13.98	219

152	Lenox	2022	756,861,900	1,619	467,487	5,068	1.08	54,283	9.34	218
025	Bellingham	2022	1,722,725,915	4,781	360,328	5,073	1.41	36,840	13.77	217
188	Millville	2022	281,985,500	836	337,303	5,097	1.51	32,128	15.86	214
259	Salisbury	2022	969,248,600	2,117	457,841	5,100	1.11	31,292	16.30	213
181	Methuen	2022	4,267,768,260	10,882	392,186	5,118	1.31	32,436	15.78	212
279	Southwick	2022	936,398,950	3,101	301,967	5,127	1.70	37,604	13.63	211
347	Woburn	2022	4,476,307,500	8,103	552,426	5,160	0.93	43,351	11.90	209
074	Deerfield	2022	486,175,260	1,428	340,459	5,165	1.52	43,189	11.96	206
079	Dracut	2022	3,324,962,600	7,874	422,271	5,190	1.23	36,546	14.20	205
163	Lynn	2022	4,871,054,400	11,655	417,937	5,195	1.24	23,099	22.49	204
016	Attleboro	2022	3,558,891,500	9,896	359,629	5,197	1.45	34,233	15.18	203
035	Boston	2022	14,589,955,329	30,455	479,066	5,212	1.09	53,562	9.73	202
012	Ashby	2022	330,814,800	1,119	295,634	5,230	1.77	33,070	15.81	201
265	Seekonk	2022	1,981,216,000	5,020	394,665	5,265	1.33	39,249	13.41	200
336	Weymouth	2022	6,275,719,440	13,438	467,013	5,352	1.15	37,358	14.33	198
019	Ayer	2022	674,079,900	1,686	399,810	5,365	1.34	36,673	14.63	196
304	Uxbridge	2022	1,231,929,939	3,481	353,901	5,365	1.52	37,989	14.12	197
017	Auburn	2022	1,631,101,100	5,100	319,824	5,379	1.68	35,764	15.04	195
332	Westminster	2022	972,146,600	2,845	341,704	5,399	1.58	39,877	13.54	193
024	Belchertown	2022	1,389,858,400	4,535	306,474	5,412	1.77	37,377	14.48	192
146	Lakeville	2022	1,765,326,100	3,930	449,192	5,422	1.21	42,546	12.74	191
276	Southampton	2022	780,666,300	2,160	361,420	5,447	1.51	41,806	13.03	190
270	Shirley	2022	554,252,270	1,568	353,477	5,472	1.55	29,258	18.70	189
244	Randolph	2022	2,926,277,963	7,235	404,461	5,501	1.36	29,081	18.92	188
153	Leominster	2022	2,753,119,500	8,284	332,342	5,504	1.66	30,447	18.08	187
257	Rutland	2022	971,371,925	2,779	349,540	5,519	1.58	37,548	14.70	186
011	Ashburnham	2022	716,992,274	2,449	292,769	5,527	1.89	36,488	15.15	185
076	Dighton	2022	950,562,000	2,456	387,037	5,531	1.43	36,288	15.24	184
089	Edgartown	2022	6,449,196,323	3,518	1,833,200	5,555	0.30	66,700	8.33	183
338	Whitman	2022	1,308,725,600	3,405	384,354	5,596	1.46	33,139	16.89	182
111	Granby	2022	606,702,825	2,063	294,088	5,605	1.91	34,242	16.37	181
283	Stockbridge	2022	661,135,300	1,101	600,486	5,633	0.94	42,259	13.33	180
068	Conway	2022	188,708,600	600	314,514	5,646	1.80	37,266	15.15	179
170	Marlborough	2022	3,046,739,000	7,066	431,183	5,657	1.31	38,619	14.65	178
182	Middleborough	2022	2,083,144,100	5,643	369,155	5,678	1.54	29,971	18.94	177
247	Rehoboth	2022	1,783,341,300	3,972	448,978	5,689	1.27	50,494	11.27	176
249	Richmond	2022	336,597,400	751	448,199	5,710	1.27	50,243	11.36	175
326	West Stockbridge	2022	321,822,200	707	455,194	5,717	1.26	46,191	12.38	174
120	Hampden	2022	544,400,200	1,762	308,967	5,784	1.87	40,946	14.13	173
027	Berkley	2022	897,282,800	2,131	421,062	5,790	1.38	39,461	14.67	172
299	Townsend	2022	957,408,900	2,908	329,233	5,798	1.76	34,992	16.57	171
040	Braintree	2022	5,306,388,200	9,101	583,056	5,801	0.99	46,268	12.54	170
185	Milford	2022	2,227,993,300	5,909	377,051	5,803	1.54	34,602	16.77	169
077	Douglas	2022	994,289,900	2,782	357,401	5,840	1.63	38,214	15.28	168
272	Shutesbury	2022	201,594,118	749	269,151	5,876	2.18	28,682	20.49	167
340	Williamsburg	2022	218,291,500	722	302,343	5,878	1.94	29,258	20.09	166
176	Medford	2022	5,144,966,000	7,862	654,409	5,896	0.90	42,895	13.75	165
032	Blackstone	2022	718,480,000	2,179	329,729	5,902	1.79	32,964	17.90	164
031	Billerica	2022	5,145,080,600	10,947	469,999	5,941	1.26	39,856	14.91	163
220	Norwood	2022	3,238,170,200	5,849	553,628	5,952	1.08	44,477	13.38	162
048	Burlington	2022	3,958,574,300	6,592	600,512	5,975	1.00	48,304	12.37	161
250	Rochester	2022	854,019,453	1,813	471,053	6,001	1.27	44,102	13.61	160
211	North Attleborough	2022	2,991,246,100	6,930	431,637	6,013	1.39	42,323	14.21	159
133	Holbrook	2022	1,173,426,500	3,217	364,758	6,015	1.65	32,629	18.43	158
218	Norton	2022	1,881,113,290	4,452	422,532	6,025	1.43	38,688	15.57	157
238	Plainville	2022	877,880,400	2,016	435,357	6,108	1.40	44,489	13.73	156
262	Saugus	2022	3,682,294,800	7,230	509,308	6,117	1.20	36,470	16.77	155
062	Chilmark	2022	2,386,528,700	1,097	2,175,505	6,135	0.28	75,881	8.09	154
258	Salem	2022	2,330,958,200	5,007	465,540	6,168	1.33	33,517	18.40	153
285	Stoughton	2022	2,868,478,400	6,698	428,259	6,171	1.44	34,656	17.81	152
052	Carver	2022	1,219,983,300	3,151	387,173	6,187	1.60	32,569	19.00	151
018	Avon	2022	506,080,600	1,292	391,703	6,193	1.58	38,141	16.24	150
322	West Bridgewater	2022	811,690,900	2,124	382,152	6,199	1.62	39,982	15.50	149
205	Newbury	2022	1,531,585,400	2,397	638,959	6,217	0.97	73,077	8.51	148
123	Hanson	2022	1,316,175,500	3,185	413,242	6,236	1.51	38,038	16.39	147
085	East Longmeadow	2022	1,697,484,000	5,508	308,185	6,253	2.03	43,755	14.29	146
331	Westhampton	2022	196,630,500	644	305,327	6,256	2.05	46,549	13.44	145
282	Sterling	2022	1,047,828,600	2,553	410,430	6,259	1.53	48,045	13.03	144
221	Oak Bluffs	2022	3,154,976,822	3,412	924,671	6,279	0.68	29,348	21.39	143
214	Northampton	2022	2,011,092,100	5,708	352,329	6,303	1.79	39,191	16.08	142
245	Raynham	2022	1,864,402,200	3,886	428,307	6,352	1.48	42,085	15.09	141
284	Stoneham	2022	3,136,856,600	5,139	610,402	6,354	1.04	44,658	14.23	140
134	Holden	2022	2,331,817,400	6,051	385,361	6,382	1.66	46,270	13.79	139
231	Pembroke	2022	2,411,591,500	5,338	451,778	6,393	1.42	43,861	14.58	138
346	Winthrop	2022	1,253,531,685	2,300	545,014	6,409	1.18	37,901	16.91	136

321	West Boylston	2022	724,695,287	1,994	363,438	6,426	1.77	36,686	17.52	135
162	Lunenburg	2022	1,341,445,900	3,583	374,392	6,436	1.72	39,033	16.49	134
239	Plymouth	2022	8,110,842,000	19,439	417,246	6,438	1.54	38,940	16.53	133
243	Quincy	2022	7,434,851,712	13,683	543,364	6,510	1.20	38,359	16.97	132
154	Leverett	2022	225,827,700	653	345,831	6,515	1.88	47,495	13.72	131
251	Rockland	2022	1,482,209,100	3,810	389,031	6,516	1.68	32,368	20.13	130
290	Sutton	2022	1,275,958,914	2,970	429,616	6,522	1.52	56,186	11.61	129
287	Sturbridge	2022	1,049,188,392	3,073	341,422	6,538	1.92	49,010	13.34	128
042	Bridgewater	2022	2,578,011,400	5,634	457,581	6,553	1.43	35,348	18.54	126
083	East Bridgewater	2022	1,619,393,500	3,850	420,622	6,562	1.56	36,856	17.80	125
232	Pepperell	2022	1,224,809,400	3,198	382,992	6,568	1.72	39,033	16.83	124
118	Halifax	2022	913,671,000	2,220	411,564	6,589	1.60	35,309	18.66	123
241	Princeton	2022	526,436,900	1,245	422,841	6,630	1.57	57,790	11.47	122
113	Great Barrington	2022	964,425,600	2,160	446,493	6,635	1.49	44,392	14.95	121
142	Hull	2022	2,041,144,000	3,797	537,568	6,741	1.25	43,922	15.35	119
100	Framingham	2022	6,641,991,100	13,527	491,017	6,747	1.37	36,678	18.40	118
171	Marshfield	2022	4,792,123,800	9,196	521,110	6,748	1.30	51,394	13.13	117
301	Tyngsborough	2022	1,456,006,400	3,196	455,571	6,806	1.49	43,784	15.54	116
197	Nantucket	2022	10,275,413,545	5,613	1,830,646	6,847	0.37	70,197	9.75	115
274	Somerville	2022	1,559,561,715	2,308	675,720	6,879	1.02	47,230	14.56	114
001	Abington	2022	1,744,723,400	3,843	454,000	6,910	1.52	38,406	17.99	113
071	Danvers	2022	3,376,711,600	6,166	547,634	6,933	1.27	51,853	13.37	112
141	Hudson	2022	1,954,130,100	4,448	439,328	6,968	1.59	41,180	16.92	111
228	Paxton	2022	565,075,700	1,539	367,171	6,969	1.90	42,710	16.32	110
341	Williamstown	2022	769,115,800	1,863	412,837	6,985	1.69	39,111	17.86	109
138	Hopedale	2022	608,345,400	1,478	411,600	7,042	1.71	44,180	15.94	108
314	Watertown	2022	1,525,489,179	2,858	533,761	7,072	1.33	48,632	14.54	107
342	Wilmington	2022	3,876,904,320	7,134	543,440	7,081	1.30	53,879	13.14	106
145	Kingston	2022	1,980,973,918	4,066	487,205	7,103	1.46	44,096	16.11	105
230	Pelham	2022	163,615,800	473	345,911	7,112	2.06	38,728	18.36	104
339	Wilbraham	2022	1,620,088,877	4,663	347,435	7,119	2.05	50,471	14.11	103
101	Franklin	2022	3,930,834,400	7,756	506,812	7,121	1.41	51,461	13.84	102
173	Mattapoisett	2022	1,732,917,166	2,998	578,024	7,168	1.24	62,047	11.55	101
327	West Tisbury	2022	1,810,145,523	1,469	1,232,230	7,172	0.58	41,970	17.09	100
350	Wrentham	2022	1,897,378,254	3,614	525,008	7,177	1.37	55,847	12.85	99
028	Berlin	2022	380,989,180	827	460,688	7,201	1.56	52,419	13.74	98
240	Plympton	2022	398,942,100	928	429,895	7,227	1.68	41,004	17.63	97
039	Boylston	2022	671,692,500	1,469	457,245	7,243	1.58	66,047	10.97	96
252	Rockport	2022	1,783,927,850	2,417	738,075	7,248	0.98	49,720	14.58	95
116	Groveland	2022	982,158,900	1,925	510,212	7,383	1.45	42,413	17.41	93
271	Shrewsbury	2022	4,912,463,542	9,389	523,215	7,383	1.41	60,082	12.29	94
295	Tewksbury	2022	3,846,007,800	7,864	489,065	7,434	1.52	43,048	17.27	92
178	Melrose	2022	4,481,993,500	6,372	703,389	7,435	1.06	56,442	13.17	91
099	Foxborough	2022	2,247,523,320	4,376	513,602	7,458	1.45	53,382	13.97	90
050	Canton	2022	3,603,445,300	5,478	657,803	7,466	1.14	61,997	12.04	89
030	Beverly	2022	5,245,979,300	8,545	613,924	7,471	1.22	50,164	14.89	88
180	Merrimac	2022	758,357,800	1,656	457,946	7,483	1.63	39,810	18.80	87
105	Georgetown	2022	1,335,865,460	2,493	535,847	7,545	1.41	52,365	14.41	86
147	Lancaster	2022	815,737,500	2,096	389,188	7,570	1.95	44,075	17.18	85
110	Grafton	2022	2,053,979,093	4,579	448,565	7,572	1.69	50,925	14.87	84
167	Mansfield	2022	2,757,489,450	5,445	506,426	7,682	1.52	49,268	15.59	83
169	Marion	2022	1,603,526,595	2,264	708,271	7,685	1.09	65,257	11.78	82
254	Rowley	2022	891,949,800	1,682	530,291	7,753	1.46	48,107	16.12	81
305	Wakefield	2022	3,939,285,182	6,250	630,286	7,765	1.23	51,145	15.18	80
179	Mendon	2022	990,653,800	1,962	504,920	7,781	1.54	57,369	13.56	79
303	Upton	2022	1,076,313,200	2,315	464,930	7,797	1.68	55,126	14.14	78
056	Chelmsford	2022	4,498,486,477	9,061	496,467	7,829	1.58	56,598	13.83	77
088	Easton	2022	2,940,588,500	5,739	512,387	7,886	1.54	52,551	15.01	76
144	Ipswich	2022	2,257,982,500	3,649	618,795	7,958	1.29	59,943	13.28	75
073	Dedham	2022	3,964,824,100	6,633	597,742	7,980	1.34	60,765	13.13	74
007	Amesbury	2022	1,593,007,700	3,508	454,107	8,033	1.77	41,297	19.45	73
107	Gloucester	2022	4,968,791,300	7,218	688,389	8,075	1.17	39,872	20.25	72
177	Medway	2022	1,761,171,500	3,691	477,153	8,078	1.69	55,691	14.51	71
196	Nahant	2022	951,955,700	1,141	834,317	8,168	0.98	77,151	10.59	69
215	Northborough	2022	2,021,140,300	4,067	496,961	8,195	1.65	73,987	11.08	68
210	North Andover	2022	3,849,319,600	6,337	607,436	8,219	1.35	60,207	13.65	67
014	Ashland	2022	1,987,866,200	3,814	521,202	8,277	1.59	54,874	15.08	66
081	Dunstable	2022	600,493,000	1,106	542,941	8,280	1.53	61,274	13.51	65
206	Newburyport	2022	3,119,229,900	4,444	701,897	8,430	1.20	70,373	11.98	64
174	Maynard	2022	1,113,614,800	2,689	414,137	8,498	2.05	40,982	20.74	63
307	Walpole	2022	3,912,376,400	6,616	591,351	8,551	1.45	59,099	14.47	62
008	Amherst	2022	1,663,169,622	4,109	404,763	8,609	2.13	19,921	43.22	61
187	Millis	2022	1,031,639,200	2,230	462,618	8,734	1.89	46,451	18.80	60
324	West Newbury	2022	935,286,800	1,390	672,868	8,754	1.30	70,872	12.35	59
264	Scituate	2022	4,758,263,800	6,837	695,958	8,783	1.26	70,406	12.47	58

122	Hanover	2022	2,501,434,906	4,217	593,179	9,046	1.53	58,467	15.47	57
136	Holliston	2022	2,352,238,700	4,498	522,952	9,089	1.74	60,935	14.92	56
291	Swampscott	2022	2,465,274,700	3,465	711,479	9,128	1.28	71,258	12.81	55
184	Middleton	2022	1,449,837,400	2,104	689,086	9,130	1.33	55,533	16.44	54
296	Tisbury	2022	2,239,206,703	2,129	1,051,765	9,150	0.87	24,564	37.25	53
198	Natick	2022	5,865,707,500	8,545	686,449	9,157	1.33	64,849	14.12	52
158	Littleton	2022	1,595,690,500	3,079	518,250	9,178	1.77	54,237	16.92	51
115	Groton	2022	1,732,533,800	3,238	535,063	9,198	1.72	70,928	12.97	50
246	Reading	2022	4,593,087,390	6,574	698,675	9,313	1.33	66,250	14.06	49
010	Arlington	2022	6,764,864,600	8,009	844,658	9,646	1.14	65,778	14.66	48
330	Westford	2022	3,821,520,500	6,365	600,396	9,678	1.61	63,200	15.31	47
159	Longmeadow	2022	2,139,190,800	5,444	392,945	9,682	2.46	77,765	12.45	46
049	Cambridge	2022	6,372,979,255	3,893	1,637,036	9,691	0.59	68,001	14.25	45
208	Norfolk	2022	1,678,940,037	3,134	535,718	9,750	1.82	58,124	16.77	44
164	Lynnfield	2022	3,169,704,400	3,871	818,833	9,818	1.20	84,195	11.66	43
213	North Reading	2022	2,833,156,200	4,298	659,180	9,888	1.50	64,187	15.40	42
168	Marblehead	2022	5,883,726,497	6,230	944,418	9,935	1.05	94,921	10.47	41
104	Aquinnah	2022	635,766,466	400	1,589,416	9,966	0.63	45,256	22.02	40
189	Milton	2022	5,940,994,100	7,206	824,451	10,281	1.25	75,560	13.61	39
328	Westborough	2022	2,184,590,808	3,911	558,576	10,328	1.85	64,295	16.06	38
092	Essex	2022	661,016,100	994	665,006	10,441	1.57	70,424	14.83	37
023	Bedford	2022	2,678,372,882	3,460	774,096	10,512	1.36	77,641	13.54	36
131	Hingham	2022	5,784,654,400	6,236	927,623	10,723	1.16	121,098	8.85	35
286	Stow	2022	1,173,959,500	2,108	556,907	10,893	1.96	71,446	15.25	34
009	Andover	2022	6,614,726,757	8,720	758,570	11,075	1.46	87,339	12.68	33
277	Southborough	2022	1,990,729,200	2,885	690,027	11,234	1.63	123,270	9.11	32
038	Boxford	2022	1,957,397,900	2,650	738,641	11,242	1.52	101,339	11.09	31
119	Hamilton	2022	1,491,108,600	2,370	629,160	11,249	1.79	77,046	14.60	30
298	Topsfield	2022	1,289,710,800	1,884	684,560	11,398	1.67	81,043	14.06	29
037	Boxborough	2022	793,227,500	1,210	655,560	11,420	1.74	61,952	18.43	28
082	Duxbury	2022	4,395,361,100	4,922	893,003	11,466	1.28	88,033	13.02	27
139	Hopkinton	2022	3,045,920,126	4,473	680,957	11,597	1.70	85,045	13.64	26
219	Norwell	2022	2,434,561,800	3,443	707,105	11,752	1.66	100,540	11.69	25
034	Bolton	2022	1,029,662,700	1,737	592,782	11,779	1.99	82,548	14.27	24
266	Sharon	2022	3,249,911,800	5,340	608,598	12,020	1.98	67,811	17.73	23
125	Harvard	2022	1,145,756,955	1,698	674,769	12,085	1.79	70,911	17.04	22
335	Westwood	2022	3,813,616,579	4,547	838,710	12,438	1.48	117,977	10.54	21
175	Medfield	2022	2,548,578,200	3,536	720,752	12,555	1.74	99,242	12.65	20
002	Acton	2022	3,325,605,600	4,995	665,787	12,950	1.94	70,004	18.50	19
199	Needham	2022	8,549,161,900	8,413	1,016,185	13,586	1.34	123,021	11.04	18
065	Cohasset	2022	2,667,003,700	2,419	1,102,523	13,848	1.26	128,353	10.79	17
207	Newton	2022	22,581,704,800	16,940	1,333,040	14,024	1.05	149,667	9.37	16
166	Manchester By The Sea	2022	2,139,769,500	1,604	1,334,021	14,141	1.06	149,728	9.44	15
320	Wenham	2022	813,814,500	1,117	728,572	14,265	1.96	76,927	18.54	14
288	Sudbury	2022	4,339,227,738	5,441	797,506	14,395	1.81	120,476	11.95	13
315	Wayland	2022	3,421,042,700	4,080	838,491	15,386	1.84	150,253	10.24	12
051	Carlisle	2022	1,617,762,600	1,729	935,664	15,438	1.65	155,314	9.94	11
026	Belmont	2022	6,107,452,000	4,535	1,346,737	15,568	1.16	98,942	15.73	10
078	Dover	2022	2,326,891,400	1,839	1,265,303	15,715	1.24	240,778	6.53	9
344	Winchester	2022	7,177,000,496	5,678	1,264,001	15,813	1.25	127,272	12.42	8
067	Concord	2022	5,189,205,622	4,611	1,125,397	16,611	1.48	154,426	10.76	7
155	Lexington	2022	10,904,445,000	9,058	1,203,847	16,613	1.38	196,680	8.45	6
269	Sherborn	2022	1,169,578,300	1,328	880,707	16,760	1.90	212,856	7.87	5
317	Wellesley	2022	10,551,056,000	7,297	1,445,944	16,889	1.17	220,432	7.66	4
157	Lincoln	2022	1,904,083,200	1,527	1,246,944	18,617	1.49	155,262	11.99	3
046	Brookline	2022	9,206,462,880	4,578	2,011,023	20,492	1.02	95,466	21.47	2
333	Weston	2022	5,991,001,700	3,371	1,777,218	22,766	1.28	354,387	6.42	1

Average Single Family Tax Bill – 2023

January 23, 2023

2023 TAX RATES - Barnstable County

Municipality	Single Family Values	Single Family Parcels	Average Single Family Value	Single Family Tax Bill	Rate	Split
Dennis	8,729,143,050	11,735	743,855	3,474	4.67	
Yarmouth	7,038,873,470	12,889	546,115	4,429	8.11	
Eastham	3,711,584,000	5,175	717,214	5,193	7.24	
Harwich	6,810,124,500	8,636	788,574	5,236	6.64	
Chatham	7,981,200,500	5,894	1,354,123	5,254	3.88	
Falmouth	14,157,326,600	18,582	761,884	5,272	6.92	
Brewster	4,359,949,150	5,651	771,536	5,393	6.99	
Bourne	4,914,039,640	7,830	627,591	5,529	8.81	
Wellfleet	2,728,440,640	3,119	874,781	6,088	6.96	
Sandwich	5,135,611,300	8,589	597,929	6,876	11.50	
Orleans	4,479,560,800	3,842	1,165,945	7,264	6.23	
Barnstable		21,104			7.07	6.43
Mashpee *		7,127			7.01	6.94
Provincetown		868			5.98	5.70
Truro		2,127			6.54	6.23

* Maspee parcel data based on 2022 information

Data Source - Massachusetts Department of Revenue Databank

Tax Deferral and Exemption Options

January 23, 2023

DOR Code	Municipality	Clause 37A Blind Amount	Veterans	Elderly Person Exemption Clause Adopted	41C Age	41C Amount	41C Income if Single	41C Income if Married	41C Assets if Single	41C Assets if Married	Clause 41A Tax Deferral Age	Clause 41A Tax Deferral Income	Senior Tax Work off Website Sampling	Senior Tax Work off Age	Clause 18 Temporary Financial Hardship	Residential Exemption	CPA Exemption	CPA Exemption Age
020	Barnstable*	\$500	\$400 up to 100%	41C	65	1,000	33,409	48,419	66,813	91,848	65	40,000	1,500	60	Up to 100%	Y		
036	Bourne	\$500	\$400 up to 100%	41C	65	1,000	20,000	30,000	28,000	30,000	65	40,000	500	60	Up to 100%			
041	Brewster	\$500	\$400 up to 100%	41C	65	1,000	20,000	30,000	40,000	55,000	65	40,000	500	60	Up to 100%		Y* in progress	60
055	Chatham*	\$500	\$400 up to 100%	41C	65	1,030	30,227	45,334	60,454	83,124	65	40,000	500	60	Up to 100%		Y	60
075	Dennis	\$500	\$400 up to 100%	41C	65	1,000	20,000	30,000	40,000	55,000	65	40,000	1,500	60	Up to 100%			
086	Eastham*	\$500	\$400 up to 100%	41C	65	1,000	21,670	32,549	43,399	59,673	65	40,000	??		Up to 100%			
096	Falmouth	\$437	\$400 up to 100%	41C	70	500	21,452	26,599	28,000	30,000	65	40,000	No	N/A	Up to 100%			
126	Harwich	\$500	\$400 up to 100%	41C	65	1,500**	34,332	51,498	58,649	80,642	65	40,000	1,500	60	Up to 100%			
172	Mashpee	\$500	\$400 up to 100%	41C	65	500	24,385	36,576	48,767	67,056	65	40,000	??		Up to 100%	Y		
224	Orleans*	\$500	\$400 up to 100%	41C	65	1,000	22,931	34,937	45,862	63,061	65	40,000	1,500	60	Up to 100%			
242	Provincetown*	\$500	\$400 up to 100%	41C	65	1,000	33,410	50,113	66,817	91,850	65	40,000	1,000	60	Up to 100%	Y	Y	60
261	Sandwich*	\$500	\$400 up to 100%	41C	65	1,000	20,746	31,120	41,493	57,053	65	40,000	??		Up to 100%			
300	Truro	\$500	\$400 up to 100%	41C	65	1,000	20,000	30,000	40,000	55,000	65	40,000	??		Up to 100%	Y		
318	Wellfleet	\$500	\$400 up to 100%	41C	65	1,000	20,000	30,000	40,000	55,000	65	40,000	1,500	60	Up to 100%			
351	Yarmouth*	\$500	\$400 up to 100%	41C	65	1,000	23,851	35,779	47,706	65,593	65	40,000	500	60	Up to 100%			

* Adopted ability to index income and assets to DOR provided inflation index. The sooner adopted the higher the levels can reach.

** Harwich special legislation

State Senior Circuit Breaker - do not have to owe State Income Tax

<https://www.mass.gov/info-details/massachusetts-senior-circuit-breaker-tax-credit>

Age	65
Max Credit	\$1,200
Income	
Single	\$64,000
Head of Household	\$80,000
Married	\$96,000
Max Assessed Property Value	\$912,000

Criteria	
Homeowner	If you are a homeowner, your Massachusetts property tax payments, together with half of your water and sewer expense, must exceed 10% of your total Massachusetts income for the tax year.
Renter	If you are a renter, 25% of your annual Massachusetts rent must exceed 10% of your total Massachusetts income for the tax year.

*** Potential to adopt a lower than 8% deferral rate

**** Currently Mass Assessors Association is filing local adoption option for a circuit breaker

Real Estate Tax Relief

Blind Persons:

The tax exemption option is available to Taxpayers that can provide a certificate issued by the Massachusetts Commission for the Blind, attesting to a condition of legal blindness. The certificate must be provided annually.

Veterans:

Service-Connected Disabled Veterans, Spouses, Parents or Specific Veteran Award Recipients upon approval, the veteran is entitled to an exemption in varying amounts (starting at \$400 and up to the full amount of the tax depending on the clause).

Seniors – 65 and Older:

Upon approval, the taxpayer is entitled to up to a \$500 exemption.

Senior 65 and Older – Surviving Spouse:

Upon approval, the taxpayer is entitled to a \$175.00 exemption.

Hardship:

An Exemption up to the full amount of the property tax can be provided based on hardship as determined by the Board of Assessors. The amount of the exemption can be up to the full amount of the tax for a fiscal year. This is meant as a temporary solution to a financial hardship.

Senior Tax Work Off - Not Currently Offered in Falmouth – up to \$1,500:

In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town.

Veterans Tax Work Off - Not Currently Offered in Falmouth – up to \$1,500:

In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4 or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to that city or town.

CPA Exemption – Not Currently Offered in Falmouth:

In communities that have adopted the low- and moderate-income exemption, eligible property owners must submit an application annually to receive the exemption.

What are the low and moderate income guidelines in my community?

These CPA income guidelines are derived from the United States Department of Housing and Urban Development (HUD) areawide median income figures. Persons and families whose annual income is less than 80 percent of the areawide median income qualify as low income. Persons of the age of 60 or over whose annual income is less than 100 percent of the areawide median income qualify as moderate-income seniors. These figures are updated annually.

Real Estate Tax Relief

Blind Persons:

The tax exemption option is available to Taxpayers that can provide a certificate issued by the Massachusetts Commission for the Blind, attesting to a condition of legal blindness. The certificate must be provided annually.

Veterans:

Service-Connected Disabled Veterans, Spouses, Parents or Specific Veteran Award Recipients upon approval, the veteran is entitled to an exemption in varying amounts (starting at \$400 and up to the full amount of the tax depending on the clause).

- The veteran must satisfy the following residency requirements: either have been a Massachusetts domiciliary for at least 6 consecutive months prior to entering military service OR have lived in Massachusetts at least one year prior to July 1.
- Veteran must provide a copy of his/her DD-214 (for first-time applicant).
- Veteran may have a service-connected disability of 10% or more.
- Veteran must provide annual VA benefits letter the first time filing and, for 100% disabled veterans, annually.
- Veteran may have received the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross or a Purple Heart.
- The surviving spouse or parent of a qualified veteran may also apply if the veteran is deceased. First-time filer must provide copy of veteran's death certificate and U.S. Dept. of Veterans Affairs benefits summary/documentation or DD Form 1300.

Upon approval, the veteran is entitled to a real estate tax exemption in varying amounts (depending on the clause?)

Seniors – 65 and Older:

Upon approval, the taxpayer is entitled to up to a \$500 exemption.

- Must be 65 or older as of July 1.
- Must have occupied the property as domicile as of July 1.
- Must have owned property in Massachusetts for 5 years.
- Must have had a domicile in Massachusetts for ten consecutive years prior to July 1.
- Previous calendar year's income can't exceed \$21,452 if single, \$26,599 if married (after subtracting a Social Security deduction).
- As of July 1, whole estate (the value of personal assets not including the domicile) can't exceed \$30,000 if single, \$40,000 if married.

Taxpayer must provide copies of:

- Birth certificate or driver's license (for first-time applicant).
- Prior year's federal tax return.
- All complete bank statements, balances as of July 1.
- Stocks, bonds, certificates of deposit, IRAs, annuities, etc. as of July 1

Senior 65 and Older – Surviving Spouse:

Upon approval, the taxpayer is entitled to a \$175.00 exemption.

Taxpayer must be either:

Real Estate Tax Relief

- 65 years of age as of July 1 and have owned and occupied the property for at least ten years.
- A surviving spouse or minor with a parent deceased, who owns and occupies the property.

Taxpayer's assets cannot exceed \$40,000. Taxpayer must provide copies of:

- Birth certificate or driver's license (for first-time applicant).
- Death certificate if surviving spouse or minor.
- Mortgage statement as of July 1.
- All asset statements, including stocks, bonds, CDs, IRAs, annuities, balances as of July 1.
- All complete bank statements, balances as of July 1

Hardship:

An Exemption up to the full amount of the property tax can be provided based on hardship as determined by the Board of Assessors. The amount of the exemption can be up to the full amount of the tax for a fiscal year. This is meant as a temporary solution to a financial hardship.

Senior Tax Work Off - Not Currently Offered in Falmouth:

In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Real Estate Tax Relief

Veterans Tax Work Off - Not Currently Offered in Falmouth:

In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4 or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to that city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; provided, however, that person shall not receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for the services provided pursuant to that reduction; and provided further, that the reduction of the real property tax bill shall not exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of that record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of that record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. The cities and towns shall have the power to create local rules and procedures for implementing this section in a way that is consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace existing staff.

The amount by which a person's property tax liability is reduced in exchange for the volunteer services shall not be considered income, wages or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws. While providing such volunteer services, that person shall be considered a public employee for the purposes of chapter 258 and those services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (i) allowing an approved representative for persons physically unable to provide such services to the city or town; or (ii) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Real Estate Tax Relief

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OPEN SESSION

BUSINESS

4. Review of April 2023 Town Meeting Articles **(45 minutes)**

Article

- 1 Choose Town Officers
- 2 Hear Reports from Committees and Town Officers
- 3 Fix Salaries of Elected Officials
- 4 FY2024 Operating Budget
- 5 Authorize - Stabilization Fund for Fire Department Wages and Expenses
- 6 Fund - Override for Fire Department Wages and Expenses
- 7 Fund - Capital Improvement Stabilization Fund
- 8 Fund - Other Post Employment Benefits Trust Fund
- 9 FY2023 Budget Transfers
- 10 FY2023 Budget Appropriations
- 11 Rescind Debt Authorization
- 12 Re-authorize Debt
- 13 Authorize - Revolving Funds
- 14 Authorize - Retiree COLA Calculation Adjustment
- 15 Authorize - Rescind Chapter 31 Section 48 Acceptance of Civil Service for Police and Fire
- 16 Petition: Authorize Access to Conduct Testing for Wind Energy Landfall
- 17 Petition: Amend Town Code Leaf Blower Regulation
- 18 Petition: Amend Town Code Plastic Reduction Bylaw
- 19 Petition: Resolution to Support Change to State Flag
- 20 Fund - Union settlements and Non-union wage adjustments (transfer and appropriate)
- 21 Fund - Various items from free cash
- 22 Fund - School capital items (transfer and appropriate)
- 23 Fund - School design and owner's project manager services for three roof replacements
- 24 Fund - Supplemental Appropriation for Wastewater Treatment Facility Improvements
- 25 Fund - Design and Permitting of sewer system extension to Teaticket-Acapesket and related sewer system improvements (borrowing authorization)
- 26 Fund - Water Main Replacements (borrowing authorization)
- 27 Fund - Water Service Line Lead Inventory
- 28 Fund - Water Supply Testing - unregulated contaminants
- 29 Fund - Ashumet Well & Fresh Pond Well Treatment Locations
- 30 Amend - Position Classification Plan (Non-Union)
- 31 Amend - Town Code Article X Fingerprint-Based Background Checks
- 32 Amend - Town Code - Article IV Vehicle for Hire Permit, Section 280-12 Insurance Certification
- 33 Amend - Flow Neutral Bylaw (Sewer Service Area Updates)
- 34 Amend - Town Code, Div. 1, Part II, Article 1, Sections 83-1 - 83-12, Stable Regulations
- 35 Accept MGL Chapter 41, Section 110A relative to calculating legal deadlines for filing matters with Town Clerk
- 36 Authorize - Eversource Funds to Relocate and Reconnect Jones Rd and Mill Rd Water Mains

Article

- 37 Authorize - Nstar d/b/a Eversource Electric Company Easements
- 38 CPC: Upper Coonamessett River Restoration
- 39 CPC: Little Pond Conservation Area improvements
- 40 CPC: Edward Marks Building exterior improvements
- 41 CPC: Old Burying Ground ground penetrating radar survey
- 42 CPC: Preservation of Francis Wicks House, 55 Palmer Ave and historical artwork rehabilitation
- 43 CPC: Preservation of Highfield Hall, 56 Highfield Drive
- 44 CPC: Falmouth Affordable Housing Fund
- 45 CPC: Administrative Expenses

ARTICLE 1: To choose all other necessary Town Officers for the year in accordance with nominations to be offered at Town Meeting.

ARTICLE 2: To hear reports of Committees and Town Officers and act thereon.

ARTICLE 3: To see if the Town will vote to fix the salaries of the Elected Officials as follows:

Moderator	_____	\$1,500
Town Clerk	_____	\$102,622
Select Board	_____	\$5,000
Chair of Select Board	_____	\$6,000

And further, the Town Clerk is authorized to receive a wage adjustment on the same terms and conditions of Technical Administrative and Management (TAM) employees. Or do or take any other action in the matter. On request of the Select Board.

ARTICLE 4: To see if the Town will vote to appropriate such sums of money as may be deemed necessary to defray the Town's expenses for Fiscal Year 2024 and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Select Board.

ARTICLE 5: To see if the Town will vote to establish a stabilization fund pursuant to MGL Chapter 40 Sec. 5B to pay for Fire Department Wages and Expenses including, but not limited to, costs associated with training, equipment, wages and benefits for 14 additional firefighter positions. On request of the Select Board.

ARTICLE 6: To see if the Town will vote to appropriate a sum of money to pay for the wages, benefits and expenses associated with hiring fourteen (14) additional firefighters and to appropriate a sum of money the Stabilization Fund for Fire Department Wages and Expenses contingent upon voter approval of a proposition 2½ override ballot question. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 7: To see if the Town will vote to appropriate a sum of money to the Capital Improvement Stabilization Fund for the purpose of funding future capital improvements, and to determine how the same shall be raised. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 8: To see if the Town will vote to appropriate a sum of money to the Other Post-Employment Benefits Trust Fund for further appropriation and to determine how the same shall be raised. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 9: To see if the Town will vote to transfer a sum of money within the FY 2023 budget approved by Article 10 of the April 4, 2022 Annual Town Meeting to make necessary adjustments thereto. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 10: To see if the Town will vote to appropriate a sum of money to supplement the FY 2023 budget approved by Article 10 of the April 4, 2022 Annual Town Meeting, to determine how the

same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 11: *Rescind Debt Authorization*

ARTICLE 12: *Re-authorize Debt*

ARTICLE 13: To see if the Town will vote to authorize continued use of the following Revolving Funds for certain Town departments under MGL Chapter 44, Sec. 53E½ for the fiscal year beginning July 1, 2023, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY24 Spending Limit	Disposition of FY23 Fund Balance
Emerald House	Town Manager	Payments in Lieu of Rent	Maintenance of Building	\$28,000	Available for expenditure
Recreation Department	Recreation Director	Participation Fees	Departmental Special Activities	\$40,000	Available for expenditure
Historical Commission	Historical Commission	Sale of Books	Administer Book Program	\$7,500	Available for expenditure
Shellfish Propagation	Conservation Commission	Mitigation and Donations	Purchase Shellfish Seed	\$13,000	Available for expenditure
Shellfish and Aquaculture	Marine and Environ Srvcs	Rental Equipment	Propagation and Aquaculture	\$150,000	Available for expenditure
Senior Services	Senior Services Director	Fees	Activities	\$400,000	Available for expenditure
TOTAL SPENDING				\$638,500	

Or do or take any action on the matter. On request of the Select Board.

ARTICLE 14: To see if the Town will vote, in accordance with M.G.L. Chapter 32 §103(j) and Section 19 of Chapter 188 of the Acts of 2010, to increase from \$14,000 per year to \$16,000 per year the maximum base amount upon which the annual cost-of-living-adjustment (COLA) for a retiree is calculated. Said increase is to be effective July 1, 2023. On request of the Falmouth Contributory Retirement Board.

ARTICLE 15: To see if the Town will vote to rescind its acceptance of Section 48 of Chapter 31 of the General Laws (Tercentenary Edition)(Civil Service for fire and police forces), which acceptance was done pursuant to Article 54 of the February 12, 1936 Town Meeting, or do or take any other action on the matter. On request of the Select Board.

ARTICLE 16: To see if Town Meeting will vote in favor of allowing offshore wind developers the right of entry to conduct soil investigations and studies to assess the feasibility of horizontal directional drilling in Town-owned parcels. This right of entry to conduct physical investigation agreements will grant offshore wind developers only temporary access to conduct physical investigations and studies. Any offshore wind electric cable landing on or siting of facilities on any other Town-owned property must be approved by the Select Board or other Town bodies with jurisdiction over such matters.

The Agreement will allow the Town to better assess the feasibility of an interconnection with offshore renewable energy projects that would facilitate the decarbonization of the Massachusetts electric grid and

assist the Commonwealth in achieving net-zero greenhouse gas emissions by 2050 consistent with state climate law and the Climate Emergency declared by the Town of Falmouth in 2020.

On petition of Alessandro Bocconcelli, Linda Bowers, Rosemary Carey, Eleanor Ling, David Mark Welch, Scott Mueller, Matthew Patrick.

ARTICLE 17: To see if Town Meeting will vote to adopt the following as a general bylaw into Chapter 150 of the Code of the Town of Falmouth, establishing seasonal restrictions on the use of gas-powered leaf blowers. Or do or take any other action on the matter.

Section 150-5, Leaf Blower Restrictions

- 1) No leaf blower may be operated in the Town of Falmouth at a noise level higher than 67 decibels, as rated by the manufacturer. To comply with this section, leaf blowers must bear a manufacturer's label documenting a noise rating of 67 dBs or less and said level may not be altered or concealed. All leaf blowers shall meet current EPA standards for leaf blowers.
- 2) Subject to the additional restrictions below, permitted hours of use for all leaf blowers are limited to 7:00 a.m. to 5:00 p.m. at all times during the year, including Sundays and legal holidays.
- 3) Seasonal ban: Gas-powered leaf blowers may only be used from March 1 through May 31 and from October 1 through December 31.
- 4) Electric or battery powered leaf blowers may be used year round.
- 5) The Director of the DPW, in their sole discretion, may suspend enforcement of this bylaw after a declared weather emergency for an amount of time to be determined by the Director.
- 6) This bylaw may be enforced by the Falmouth Police Department.

The Town shall be exempt from all restrictions in this bylaw.

Section 150-6 Violations

Violations of this section are subject to civil ticketing pursuant to M.G.L. c. 40 section 21D and may be punishable by a fine of \$50.00.

These bylaws will become effective on January 1, 2024. On petition of Patricia P. Johnson and others.

ARTICLE 18: To see if the Town will vote to amend the Town's General Bylaw by inserting a new bylaw entitled, Plastic Reduction, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

CHAPTER ____: PLASTIC REDUCTION

This bylaw is enacted pursuant to the general police power in order to protect the health, safety and welfare of the inhabitants of the Town.

Effective Date

This Bylaw shall take effect on September 1, 2024

Purpose and Intent

Plastic food containers and single-use utensils form a significant portion of the solid waste stream going into landfills. Local landfills are running out of room; our future solid waste may have to be transported hundreds of miles to a landfill at considerable cost. Plastic food containers are not recyclable, nor are they biodegradable. Once buried in our landfills, they will persist for centuries. If incinerated the toxins in plastic are linked to cancer and threaten our air quality. Appropriate alternative and sustainable products are readily available from the vendors used by local food establishments; cooperative bulk buying arrangements are possible. Thus, elimination of plastic food containers and utensils is in the best interest of the health and welfare of Town inhabitants.

Definitions

“Disposable Food Service Container” means single-use disposable products for serving or transporting prepared, ready-to-consume food. This includes plates, bowls, trays, hinged or lidded containers, and utensils.

“Food Establishment” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a Food Establishment for purposes of this Bylaw.

“Plastic” is defined as any type of plastic resin, which may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. The material is commonly categorized in terms of #1, #2, #3, #4, #5, #6, #7; plastic as referenced includes all categories.

“Prepared Food” means any food or beverage prepared for consumption on the Food Establishment’s premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.

“Town Facility” means any building, structure, land, or park owned or operated by the Town of Falmouth, its agents and departments.

“Town Facility Users” means all persons, societies, associations, organizations, or special event promoters who require a permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town’s expense.

Prohibition

A. Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers and utensils made from Plastic.

B. Town Facility Users are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers made from Plastic and providing utensils made from Plastic.

Administration and Enforcement

This Bylaw is enforced by the Town Administrator, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provision of this Bylaw shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

Any such fines collected shall be payable to the Town of Falmouth. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Administrator deems the inspection to be no longer be required. On petition of Philip Alexander Gessen.

ARTICLE 19: Whereas the history of the Commonwealth of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winters on their land;

Whereas members of the Native Nation for whom the Commonwealth of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, at Wessagussett (now Weymouth) in April of 1623, barely two years after the Pilgrims arrived:

Whereas the Colonial broadsword held by a white hand above the head of the indigenous person on the Massachusetts Flag and Seal is modeled after Myles Standish's own broadsword, borrowed for that purpose from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the proportions of the body of the Indigenous person on the Flag and Seal were taken from the skeleton of an Indigenous person unearthed in Winthrop, the bow modeled after a bow taken from an Indigenous man shot and killed by a colonist in Sudbury in 1665, and the facial features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in the winter of 1675, the enslavement of Indigenous people in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Indigenous men, women and children in Massachusetts beginning in 1686;

Whereas Indigenous people were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that Colonial law was finally repealed;

Whereas the 400th anniversary of the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government policies of cultural destruction against Native Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area now known as the Town of Falmouth, shares a rich Native history with modern tribal Nations such as the Wampanoag, who have inhabited this area long before the first colonial settlers arrived in 1660;

Now, therefore, BE IT RESOLVED that the Town of Falmouth hereby adopts this resolution in support of the work of the Special Commission on the Official Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and in support of a new flag and seal for the Commonwealth that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Susan Moran, Rep. Dylan Fernandes, and Rep. David Vieira, with the request that they continue their strong support for the work of the aforementioned Special Commission and their advocacy for a new flag and seal for the Commonwealth; and take any additional action pertaining thereto. On Petition of Sandra Faiman-Silva.

ARTICLE 20: To see if the Town will vote to transfer and appropriate a sum of money from the unspent balance of Article 7 of the April 12, 2021 Town Meeting for the purpose of wage adjustments for union settlements and non-union employees of the Town. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 21: To see if the Town will vote to appropriate a sum of money from free cash for the following purposes. Or do or take any other action on the matter. On request of the Select Board.

- To support opioid use disorder treatment, harm reduction and other purposes outlined in the “Statewide Opioid Settlements”;
- To support the Falmouth Fireworks Celebration;
- To retain a consultant to conduct independent department reviews of one or more Town departments;

ARTICLE 22: To see if the Town will vote to appropriate a sum of money for the purpose of repairing the Lawrence School elevator and replacing the Morse Pond School fire alarm, and any other costs incidental or related thereto, and to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 23: To see if the Town will vote to appropriate a sum of money for the purpose of funding the design, permitting and construction for phase one of the roof replacement projects for the East Falmouth Elementary, North Falmouth Elementary, and Morse Pond schools, and any other costs incidental and related thereto, and to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 24: To see if the Town will vote to appropriate a sum of money for the purpose of funding the design and construction of improvements to the Town’s Wastewater Treatment Facility on Blacksmith Shop Road, originally approved and authorized by Article 14 of the April 4, 2022 Town Meeting, including costs incidental and related thereto, to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 25: To see if the Town will vote to appropriate a sum of money to fund the engineering, design and permitting of the collection and transmission system and expanded treated wastewater discharge area for the Teaticket-Acapesket Service Area, including costs incidental and related thereto, to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 26: To see if the Town will vote to appropriate a sum of money for the purpose of funding the installation of approximately 9,200 linear feet of new 8-inch ductile iron water main and appurtenances in all or a portion thereof of Gansett Road, Little Island Road, Edgewater Drive West, Point Road, and Hayway Road and any other costs incidental or related thereto, to determine how the same shall be raised and by whom expended, or do or take any action on this matter.

ARTICLE 27: To see if the Town will appropriate a sum of money for the purpose of financing the costs of dedicated engineering/inspection for a lead service line inventory, including the payment of costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or do or take any other action in this matter.

ARTICLE 28: To see if the Town will vote to appropriate a sum of money for the purpose of complying with the United States Environmental Protection Agency (USEPA) Unregulated Contaminant Monitoring Rule (UCMR5) sampling and reporting requirements, and any other costs incidental or related thereto, to determine how the same shall be raised and by whom expended or do or take any action on this matter.

ARTICLE 29: To see if the Town will vote to appropriate a sum of money for the purpose of evaluating locations for treatment of the raw water from the Ashumet Well and the Fresh Pond Well, pursuing the reactivation of the Ashumet Well, and evaluating the treatment alternatives for combined production from the Ashumet Well and Fresh Pond Well, including permitting and pilot treatment studies and any other costs incidental or related thereto, to determine how the same shall be raised and by whom expended or do or take any action on this matter. Such appropriation shall not be available until such time as an agreement is reached with the Air Force Center for Engineering Excellence to reimburse the Town for all costs of such evaluations, studies, and permitting that are directly related to the wells being located within the PFAS plume.

ARTICLE 30: *Amend - Position Classification Plan (Non-Union)*

ARTICLE 31: To see if the Town will vote to amend the Code of Falmouth, Division 1, Part II, Article X, Section 156-17, Applicant's submission to fingerprinting by Police Department required, by deleting the words in section 156-17(A)(1) "Manager of alcoholic beverage license." and inserting a new section (B) as follows: "Any new applicant for a manager of an alcoholic beverage license shall submit a full set of fingerprints taken by the Falmouth Police Department as in section A above, and thereafter every five calendar years, notwithstanding any annual renewal applications submitted to the Town for approval within those five years." To read:

§ 156-17 Applicant's submission to fingerprinting by Police Department required.

A. Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Falmouth Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the applicant for the license:

- (1) Hawker and peddler.
- (2) Owner or operator of public conveyance.
- (3) Dealer of secondhand articles.
- (4) Ice cream truck vendor.

B. Any new applicant for a manager of an alcoholic beverage license shall submit a full set of fingerprints taken by the Falmouth Police Department as in section A above, and thereafter every five calendar years, notwithstanding any annual renewal application submitted to the Town for approval within those five years.

C. At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's FBI criminal history records.

Or do or take any action on the matter. On behalf of the Select Board.

ARTICLE 32: To see if the Town will vote to amend the Code of Falmouth, Division 2, Article IV, Vehicles for Hire Permit, Section 280-12(B) by deleting the words "a vehicle for hire license holder shall purchase a combined coverage of property and liability insurance in the amount of one million dollars (\$1,000,000.)" and adding in their place "the Town Manager may require additional insurance in amounts consistent with industry standards" to read:

§ 280-12(B). In addition to insurance coverage mandated by Massachusetts General Laws, **the Town Manager may require additional insurance in amounts consistent with industry standards.**

Or do or take any other action on the matter. On behalf of the Select Board.

ARTICLE 33: To see if the Town will vote to amend Chapter 180 of the Code of Falmouth, Article VIII, Flow Neutral By-law for Present and Future Sewer Service Areas, Section 180-53, Determination of wastewater flow in sewer service areas, subsections B and C as shown below in revision marks:

§ 180-53 Determination of wastewater flow in sewer service areas

A. (Unchanged)

B. The flow allocations for present and future sewer service areas for treatment at the Blacksmith Shop Road Wastewater Treatment Plant are as follows:

(1) Areas sewered prior to the Town's 2013 Comprehensive Wastewater Management Plan: 450,000 gallons per day (excluding the Service Areas listed below).

(2) Little Pond Sewer Service Area: 260,000 gallons per day.

(3) Teaticket-Acapesket Service Area: 360,000 gallons per day.

C. These flow allocations will be adjusted if additional flow or modifications to sewer service areas are made through (1) approved comprehensive wastewater management plans, (2) approved notice of project change to a comprehensive wastewater management plan, or (3) approval from MA Department of Environmental Protection.

ARTICLE 34: To see if the Town will vote to repeal certain sections of a bylaw and amend the Code of Falmouth by deleting Division I, Part II, Article I, Chapter 83, Sections 1 and 3 through 12, Stable Regulations. This repeal shall take effect on January 1, 2024. Or do or take any other action on the matter. On petition of the Board of Health.

Existing bylaw, with the following sections to be deleted:

§ 83-1 License required for use.

Under the authority of MGL c. 111, § 155, no person shall erect, occupy or use for a stable any building or land for the housing of horses and/or ponies in the Town of Falmouth unless such use is authorized and licensed by the Board of Health.

§ 83-3 License required for construction.

No stable may be constructed within the Town of Falmouth unless a stable license is first obtained from the Board of Health. The construction of stables shall be in conformity with the Falmouth Building Code.

§ 83-4 General requirements.

Stables will conform to the following:

A. There shall be at least two (2) windows in every stable.

B. There shall be adequate ventilation in every stable.

C. Each stall shall be of adequate size so that any horse and/or pony shall have room to comfortably lie down or stand up.

D. There shall be adequate drainage, either natural or artificial, for urine or waste matter in every horse or pony stall.

E. All flooring in any stable shall be acceptable to the Board of Health and meet with the acceptance of the Massachusetts Society for the Prevention of Cruelty to Animals (M.S.P.C.A.) upon inspection by either party.

§ 83-5 Fencing.

Land on which horses or ponies are pastured shall be fenced in such a manner so as to prevent any damage to abutting property, trees or shrubbery.

§ 83-6 Location restrictions.

No person, company or corporation shall erect, occupy or use a building for a livery or horse or pony stable for the keeping of horses or ponies unless such stable or building is more than two hundred (200) feet from a church or school building and is more than fifty (50) feet from a building that is used as a dwelling or home.

§ 83-7 Cleaning of waste matter; disposition.

Owners of stables housing horses or ponies must clean the manure from the stable at least once a day. Commensurate with the area in which horses and/or ponies are pastured, waste matter shall be disposed of periodically at the discretion of the Board of Health.

§ 83-8 Pasturing restrictions.

No horse or pony shall be allowed to be pastured on any land unless said area is fifty (50) feet from a home or dwelling.

§ 83-9 Proper shelter required.

Any owner or keeper of a horse or pony must provide stabling facilities for same. No horse or pony shall be allowed to remain out of doors at all times without having access to proper shelter.

§ 83-10 Slaughtering license required.

Any person, company or corporation engaged in or desiring to engage in the business of slaughtering horses for the purpose of rendering them shall apply to the Board of Health for a license as required by the MGL c. 111, § 154.

§ 83-11 Decisions on health problems.

The Falmouth Board of Health and the M.S.P.C.A. reserve the right to make any decision on situations or problems that arise in regard to health.

§ 83-12 Violations and penalties.

Under MGL c. 111, § 157, anyone who violates the provisions of these regulations shall be punished by a fine of five dollars (\$5.) for each day such violation continues. The Falmouth Board of Health also reserves the right to suspend or revoke licenses previously issued if continued violations of these regulations occur.

The new bylaw will read as follows:

§ 83-2 License fee.

The license fee shall be five dollars (\$5.) for each horse and/or pony, effective July 1, of each calendar year.

ARTICLE 35: To see if the Town will vote to accept the provisions of MGL Chapter 41, Section 110A, to authorize the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office; or take any other action relative thereto.

MGL Section 110A: Office hours on Saturday

Section 110A. Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

ARTICLE 36: To see if the Town will vote to appropriate a sum of money for the purpose of funding the construction of underground cable and conduit duct banks and manholes under Town of Falmouth roadways and the Shining Sea Bike Path and related construction, improvements or repairs, including costs incidental and related thereto, to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

ARTICLE 37: To see if the Town will vote to authorize the Select Board to grant certain easements to NStar Electric Company dba Eversource Energy in connection with its proposed additional underground power supply cables to Martha's Vineyard on, in, over, under and across the following Town property:

1. The Shining Sea Bikeway Municipal parking lot located at Locust Street

And take or do any other action on the matter. On request of the Select Board.

ARTICLE 38: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money for the Upper Coonamessett Restoration project located at 170 Hatchville Road and 0 Thomas B. Landers Road; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 39: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money for the Little Pond Conservation Area Public Access Improvement project located at 89 Spring Bars Road; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 40: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money to make exterior building improvements to the historic Edward Marks Building located at 744 Main Street; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 41: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money for a ground penetrating radar survey at the Old Burying Ground located at 0 Cemetery Lane; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 42: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money to the Falmouth Historical Society for the Dr. Francis Wicks House and historical artwork rehabilitation project located at 55 Palmer Avenue; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 43: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money to Historic Highfield, Inc. to make exterior building improvements to Highfield Hall located at 56 Highfield Drive; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

ARTICLE 44: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money to the Falmouth Affordable Housing Fund; to determine how the same shall be raised and by whom expended or do or take any other action on the matter. On the request of the Community Preservation Committee.

ARTICLE 45: To see if the Town will vote to appropriate or transfer from the Community Preservation Fund a sum of money to fund the administrative expenses of the Community Preservation Committee; to determine how the same shall be raised and by whom expended or do or take any action on the matter. On request of the Community Preservation Committee.

CONSENT AGENDA

1. Licenses

- a. Approve application for three Special One-Day Wine and Malt Liquor Licenses – West Falmouth Library, located at 575 West Falmouth Highway, West Falmouth – January 25, March 15, and June 7, 2023, from 6:00 p.m. to 7:30 p.m.

LICENSE APPLICATION REVIEW

Restaurant/Business: West Falmouth Library

Address: 575 West Falmouth Highway, West Falmouth

License Type: _____

New or Transfer of License Special One-Day Liquor License

or

Change of License _____

- Police No objection
- Fire No objection
- Building _____
- Health No issue. Has applied for temporary food permit.
- Zoning _____
- Planning _____
- DPW _____
- Assessor _____
- Tax Collector _____
- _____
- _____
- _____

NOTES:

PAID \$10
CK# 0152

RECEIVED
JAN 12 2023
SELECT BOARD OFFICE



APPLICATION

SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES

M.G.L.A. CHAPTER 138, SECTION 14

NAME OF APPLICANT: Susan Bergmann

ADDRESS OF APPLICANT: [Redacted]

Falmouth MA 02540
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: West Falmouth Library

MAILING ADDRESS: PO Box 1209 West Falmouth, MA 02574

TELEPHONE #: 508 548 4709 EMAIL: [Redacted]

LOCATION TO BE LICENSED-ADDRESS: 575 West Falmouth Highway

West Falmouth MA 02574
TOWN STATE ZIP CODE

EVENT TITLE: Wine Tastings APPROXIMATE # OF PEOPLE: 34

DATE(S) OF EVENT: 1/25, 3/15, 6/17 HOURS OF EVENT: 6-7:30 PM

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Susan Bergmann

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

REQUIREMENTS check list:

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

1/12/2023
DATE

Susan Bergmann
APPLICANT SIGNATURE

FEE: \$25.00 PER DAY x 3 = 75.00
\$10.00 FILING FEE + 10.00
85.00

1/25
3/15
6/17

CONSENT AGENDA

2. Administrative Orders

- a. Approve letter for support for Town of Sandwich special legislation regarding state revolving fund eligibility for wastewater treatment and disposal facilities located at Joint Base Cape Cod



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

townmanager@falmouthma.gov

January 23, 2023

Mr. George H. Dunham
Town Manager
Town of Sandwich
100 Route 6A
Sandwich, MA 02563

Dear Mr. Dunham,

The Town of Falmouth writes in support of Special Legislation proposed by the Town of Sandwich intended create a level playing field for municipal wastewater treatment and disposal solutions to be considered for Joint Base Cape Cod (JBCC). The act specifically authorizes the Town of Sandwich to contract for wastewater treatment and disposal services at JBCC, and makes improvements necessary for municipal use of JBCC infrastructure eligible for State Revolving Funds.

In recent years, we have partnered with the Towns of Barnstable, Bourne, Mashpee and Sandwich on multiple Shared Wastewater Management System planning grants, all funded through the Community Compact Cabinet's Efficiency and Regionalization program. The proposed Special Act is consistent with our mutual planning goals for shared watershed management and efficient use existing infrastructure.

A regional wastewater treatment facility will benefit all Upper Cape Communities as we work to implement management plans and construct infrastructure needed to enhance ground and surface water resources, ensure the safety of drinking water, protect public health and develop more resilient communities.

The Town of Falmouth supports Sandwich's efforts to ensure eligibility to apply for funding through the Clean Water Trust for a regional wastewater treatment facility that can serve the communities surrounding Joint Base Cape Cod. We thank you for taking the lead on this effort on behalf of the Town of Sandwich and the region.

Sincerely,

Nancy R. Taylor, Chair
Falmouth Select Board

CONSENT AGENDA

2. Administrative Orders

- b. Approve agreement for Payment in Lieu of Taxes for Personal Property between SCS Nathan Ellis 011282 Falmouth West, LLC and the Town of Falmouth



TOWN OF FALMOUTH ASSESSING DEPARTMENT

59 Town Hall Square, Falmouth MA 02540
Telephone: 508-495-7377
Fax: 508-495-7384

January 20, 2023

Selectboard,

The Falmouth Board of Assessors have signed the Agreements for Payment In Lieu of Taxes for SCS NATHAN ELLIS FALMOUTH WEST, LLC AND SCS NATHAN ELLIS FALMOUTH EAST, LLC.

It is recommended that the Selectboard accept the agreements based on the following factors.

On November 16, 2020 Town Meeting voted to authorize the Board of Assessors, with the concurrence of the Select board, to enter into a two (2) Payment in Lieu of Taxes (PILOT) Agreements with SCS Nathan Ellis 011282 Falmouth West, LLC and SCS Nathan Ellis 011282 Falmouth East, LLC for that portion of the Barnstable County Agricultural Society's property to be developed for two (2) photovoltaic solar arrays for the purpose of determining the value of the personal property to be taxed and establish a schedule of equal amortized payments due and payable each year.

Falmouth West will begin payment on July 1, 2023, for 20 years, the first payment will be \$49,377, with an annual increase of 2.5 percent, they have also paid a \$5,000.00 administration fee at signing.

Falmouth East will follow the same payment schedule, the first payment will be \$13,826, with an annual 2.5 percent increase and a \$5,000.00 payment at signing.

The agreed upon payments are based on Solar valuation methods using construction and income following state guidelines.

Due to the factors involved in the Solar project the Fairgrounds property have become fully taxable. This began in Fiscal 2022; we have been able to collect an additional annual tax of \$60,000 a year.

Falmouth Board of Assessors
Trisha Favulli, Director of Assessing



TOWN OF FALMOUTH ASSESSING DEPARTMENT

59 Town Hall Square, Falmouth MA 02540

Telephone: 508-495-7377

Fax: 508-495-7384

January 12, 2023

Peter,

Enclosed please find the Agreement For Payment In Lieu Of Taxes for the SCS NATHAN ELLIS FALMOUTH EAST LLC AND WEST LLC. I would like to be able to have the agreements signed at the January 20th BOS meeting.

You will need to sign where the yellow tab is and the BOS signs were the red tab is. Maura has already signed her page and the BOA has signed their page.

I have deposited the two checks for \$5,000 on each agreement.

We are looking at creating an account that we can reserve the admin fees for future consultants on the next project.

Please let me know if you have any questions.

Thank you

Trisha

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

FOR PERSONAL PROPERTY

between

SCS NATHAN ELLIS 011282 FALMOUTH WEST, LLC

and

THE TOWN OF FALMOUTH

AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR PERSONAL PROPERTY

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR PERSONAL PROPERTY (this "Agreement") is made and entered into as of December 22, 2022 (the "Effective Date") by and between SCS Nathan Ellis 011282 Falmouth West, LLC with a usual place of business at 8800 N. Gainey Center Dr., Suite 250, Scottsdale, AZ 85258 ("Developer"), and the TOWN OF FALMOUTH, a municipal corporation duly established by law with a usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Commonwealth of Massachusetts (the "Town"). Developer and the Town are collectively referred to in this Agreement as the "Parties" and are individually referred to as a "Party".

WHEREAS, Developer plans to build, own and operate a photovoltaic generation facility (the "Project") with an expected nameplate capacity of approximately 5.356 megawatts ("MW") direct current ("DC"), on a portion of an approximately 20.09 acre parcels of land owned by Barnstable County Agricultural Society, Inc., a non-profit corporation organized and operating under the laws of the Commonwealth of Massachusetts ("Owner"), being shown as the Town of Falmouth Assessor's Department ("Assessors") Parcel ID 18-02-006-002 and Parcel ID 18-03-001-001, as more particularly described in Exhibit A (the "Property");

WHEREAS, Developer is the lessee of the portion of the Property more particularly described in Exhibit B (the "Premises");

WHEREAS, it is the intention of the Parties that Developer make annual payments to the Town for the term of this Agreement in lieu of applicable personal property taxes for the Project, in accordance with G.L. c.59, §5, cl. 45 (Acts of 2021 Chapter 8, Section 61) and the Massachusetts Department of Revenue ("DOR") orders, guidance or regulations adopted in connection therewith;

WHEREAS, because both Developer and the Town need an accurate projection of their respective expenses and revenues with respect to the personal property that is taxable under law, the Parties believe that it is in their mutual best interests to enter into this Agreement fixing the payments that will be made with respect to all taxable personal property incorporated within the Project for the term of the Agreement;

WHEREAS, the Parties intend that, during the term of the Agreement, Developer or Owner will not be assessed for any additional statutory personal property taxes attributable to the Project to which it might otherwise be subjected under Massachusetts law, and this Agreement will provide for the exclusive payments in lieu of such personal property taxes that Developer (or any successor owner of the Project) or Owner will be obligated to make to the Town with respect to the Project during the term hereof, provided, however, that the Parties do not intend for this Agreement to affect any other taxes that may be owed by Developer or Owner, nor any payments for services provided by the Town to the Project, including but not limited to, permit fees, consultant services associated with any permit applications, water and sewer services, and similar payment obligations not in the nature of personal property taxes that Developer or Owner is otherwise obligated to pay the Town;

WHEREAS, the Town is authorized to enter into this Agreement with Developer, and to reasonably require payment of such amounts that would have been received under a standard tax assessment for the Project; and

WHEREAS, the Parties have reached this Agreement after good faith negotiations.

NOW THEREFORE, in exchange for the mutual commitments and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Payment in Lieu of Personal Property Taxes. Developer agrees to make payments to the Town in lieu of applicable personal property taxes for the Project for a period of twenty (20) consecutive years in accordance with the terms of this Agreement provided that the Town would otherwise be required to assess personal property taxes for the Project during this term (as defined below; each such annual payment an "Annual Payment", collectively the "Annual Payments"). Each Annual Payment will be paid to the Town in one (1) installment on the first business day of each fiscal tax year running from July 1 to June 30 (each, a "Payment Date") in accordance with the terms and conditions of this Agreement, including without limitation Exhibit D. The Town shall submit one annual invoice to the Developer no less than thirty (30) days prior to such Payment Date. Payments due hereunder shall be paid to the Town on or before the Payment Date.

The first Annual Payment shall be due on the first Payment Date to occur no less than six (6) months after the "Commercial Operations Date", which is defined as the date the Project commences commercial operations following its receipt of "permission to operate" from the local electric distribution company ("LDC"); and thereafter each Annual Payment shall be due on each successive Payment Date during the remaining term of this Agreement, for a cumulative total of twenty (20) Annual Payments. The Developer shall promptly notify the Town upon commencement of commercial operations.

Except as expressly provided in Sections 2, 3 and 4, (i) Developer agrees that the Annual Payments will not be reduced on account of a depreciation factor, revaluation or reduction in the Town's tax rate or assessment percentage, in each case beyond that reflected in the terms and conditions of this Agreement, including without limitation Exhibit D, and (ii) the Town agrees that the Annual Payments will not be increased on account of an inflation factor, revaluation or increase in the Town's tax rate or assessment percentage, in each case beyond that reflected in the terms and conditions of this Agreement, including without limitation Exhibit D.

2. Improvements or Additions, Retirements. If at any time after the date of this Agreement, the Developer, makes any capital improvements to the Project or adds personal property or equipment to the Project in addition to the property listed in the Inventory resulting in an increase in nameplate capacity, as defined in Section 4 herein, the remaining Annual Payments will be increased as described in Section 3. If at any time after the date of this Agreement, the Developer, decommissions or removes any capital improvements from the

Project or retires or removes any personal property from the Project as listed in the Inventory resulting in a decrease in nameplate capacity, the remaining Annual Payments will be decreased as described in Section 3. Developer shall provide the Town with written notice of its intent to make any capital improvements and the addition of any new personal property or the removal or decommissioning of any improvement or personal property. In addition, the Developer shall notify the Town within fourteen (14) days after any improvements, additions, removals or decommissioning is complete. Failure to provide such written notice of an improvement or addition as stated herein shall constitute a material breach of this Agreement. The term "decommission" shall mean the permanent removal from service of any personal property associated with the Project.

3. Calculation of Adjustment. If Developer makes capital improvements to the Project or adds new personal property or equipment to the Project, as provided in Section 2, and if such improvements or new personal property increase the nameplate capacity of the Project, as determined by the Falmouth Board of Assessors in accordance with Massachusetts General Laws and the orders, regulations and guidelines of DOR, the remaining Annual Payments under this Agreement will be increased in accordance with the same formula used to calculate the Annual Payments as of the Effective Date. Similarly, if Developer removes or decommissions personal property from the Project, and if such removal decreases the nameplate capacity of the Project, as determined by the Falmouth Board of Assessors in accordance with Massachusetts General Laws and the regulations and guidelines of the DOR, the remaining Annual Payments under this Agreement will be decreased in accordance with the same formula used to calculate the Annual Payments as of the Effective Date. For the avoidance of doubt, the formula used to calculate such Annual Payments, and to be used for calculating any such adjustments to the Annual Payment pursuant to this Agreement is 9,219 per MW (DC) of Project nameplate capacity per year. Project nameplate capacity is the cumulative total nameplate capacity, stated in watts (DC), of the individual photovoltaic modules installed and operating at the Project.

4. Inventory. Attached to this Agreement as Exhibit C is a preliminary, itemized inventory prepared by the Developer (the "Inventory") including the photovoltaic modules, inverters and other material equipment that are anticipated to be incorporated into the Project. Promptly, within thirty (30) days after the Commercial Operations Date, Developer shall provide the Town with a revised Exhibit C reflecting the as-built description of such photovoltaic modules, inverters and material equipment installed in the Project, including the Project nameplate capacity, which shall upon receipt by the Town be considered the Inventory under this Agreement, amending and restating Exhibit C attached hereto as of the Effective Date, without further amendment of this Agreement. In addition, the Developer shall immediately provide to the Town a copy of the Developer's interconnection application filed with the local utility, and a copy of the Developer's interconnection agreement with the utility promptly after it has been signed, including any future amendments or changes to such application and agreement. Prior to delivering the aforementioned interconnection application and agreement, Developer may redact the estimated cost of any distribution system upgrades required by the local utility and such other information as reasonably deemed confidential by Developer. Developer will update the Inventory annually as of January 1 of each year following the Commercial Operations Date in which any personal property comprising the Project was installed or removed, and in such case an updated written Inventory including the specification

of any changes to the Project nameplate capacity shall be provided to the Town on or before March 1 of each such year; *provided however*, that if there is no change in the Inventory, then Developer will not be obligated to provide such update and the Project nameplate capacity will be deemed to have not changed. The Town, its officers, employees, consultants and attorneys will have the right to periodically inspect the Project on reasonable prior notice to Developer, subject to the Town agreeing to comply with Developer safety requirements and any access requirements set forth in the lease for the Project, and to review documents in the possession of Developer that relate to the Project and Inventory, for the sole purpose of verifying that Developer has accurately updated the Inventory and has complied/is complying with the material terms of this Agreement. For clarity, no increases to the Annual Payment shall be due or required for the replacement of Inventory items that are nonfunctional, obsolete or are otherwise replaced due to wear and tear or casualty or as part of scheduled or unscheduled maintenance, unless such change results in an increase to the Project nameplate capacity.

5. Payment Collection. All rights and remedies available to the Town for the collection of taxes shall apply to the Annual Payments hereunder, including but not limited to, the rights and remedies provided in G.L. c. 59 and G.L. c. 60, and all such rights and remedies are hereby reserved notwithstanding anything to the contrary herein. Moreover, the provisions of G.L. c. 59 and G.L. c. 60, and other applicable laws, will govern the collection of Annual Payments provided for in this Agreement as though they were personal property taxes due and payable to the Town. Developer shall pay interest on late payments at the rate of 14 percent per annum, as set forth under G.L. c. 59, § 57.

6. Tax Status, Separate Tax Lot. The Town agrees that during the term of this Agreement, the Town will not assess Developer for any personal property taxes with respect to the Project to which Developer might otherwise be subject under Massachusetts law, and the Town agrees that this Agreement will exclusively govern the payments of all personal property taxes and payments in lieu of such taxes that Developer will be obligated to make to the Town with respect to the Project, provided, however, that this Agreement is not intended to affect, and will not preclude, other assessments of general applicability by the Town for excise taxes on vehicles due pursuant to G.L. c.60A and for services provided by the Town to the Project, including but not limited to, permit fees and consultant services. Notwithstanding anything to the contrary set forth in this Agreement, this Agreement does not affect or limit in any way the assessment and collection of taxes for personal property not included in the Inventory, as the same may be updated in accordance with this Agreement, or taxes for any buildings (except for storage sheds associated with the Project) or fixtures (except the Project) now or hereinafter located or installed on the Property.

7. Successors and Assigns. Except as otherwise set forth in this Section 7, Developer shall not assign this Agreement in whole or in part without the advance written consent of the Town, which shall not be unreasonably withheld or delayed. The Developer shall provide the Town with thirty (30) days' notice of the intended assignment with all information reasonably requested by the Town to make an informative determination. This Agreement will be binding upon the successors and assigns of Developer, and the obligations created hereunder will run with the Property and the Project. In the event that Developer assigns this Agreement in accordance with this Section 7, this Agreement will thereafter be binding

on the assignee. Notwithstanding any other provision of this Agreement, this Agreement may, without the prior consent of the Town, be (i) collaterally assigned by Developer to a party providing financing for the Project without further consent of the Town, and (ii) assigned by Developer to (a) any affiliate, subsidiary or parent entity, or to (b) a successor in the operation of the assignor's assets and/or business by reason of a reorganization, merger, consolidation or foreclosure, where substantially all of such assets are acquired by such successor, or to (c) a purchaser of the Project as long as such person's creditworthiness is equal to or greater than Developer's as of the Effective Date; *provided however*, that Developer shall provide the Town with written notice within thirty (30) days of any such assignment; and *provided further*, that any such collateral assignee shall have no obligations under this Agreement unless and until they foreclose on the collateral and assume the Agreement. A Notice of this Agreement may be recorded in the Barnstable County Massachusetts Registry of Deeds by the Developer.

8. Statement of Good Faith. The Parties agree that the payment obligations established by this Agreement were negotiated in good faith. Each Party was represented by counsel in the negotiation and preparation of this Agreement and has entered into this Agreement after full and due consideration and with the advice of its counsel and its independent consultants. The Parties further acknowledge that this Agreement is fair and mutually beneficial to them because it reduces the likelihood of future disputes over personal property taxes, establishes tax and economic stability at a time of continuing transition and economic uncertainty in the electric utility industry in Massachusetts and the region, and fixes and maintains mutually acceptable, reasonable and accurate payments in lieu of taxes for the Project that are appropriate and serve their respective interests. The Town acknowledges that this Agreement is beneficial to it because it will result in mutually acceptable, steady, predictable, accurate and reasonable payments in lieu of taxes to the Town. Developer acknowledges that this Agreement is beneficial to it because it ensures that there will be mutually acceptable, steady, predictable, accurate and reasonable payments in lieu of taxes for the Project.

9. Additional Documentation and Actions. Each Party will, from time to time hereafter, execute and deliver or cause to be executed and delivered, such additional instruments, certificates and documents, and take all such actions, as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement, including, without limitation, lender consent documents on customary terms and conditions requested by Developer and approved by the Town through its Board of Selectmen. The reasonable costs of executing and delivering such documents or instruments, including attorney's fees, shall be paid by the requesting Party; provided that a Party shall not be required to give an opinion of such Party's legal counsel. Furthermore, upon the exercise by a Party of any power, right, privilege or remedy pursuant to this Agreement that requires any consent, approval, registration, qualification or authorization of any third party, each Party will execute and deliver all applications, certifications, instruments and other documents and papers that the exercising Party may be so required to obtain.

10. Invalidity. The Parties understand and agree that this Agreement shall be void and unenforceable if this Agreement, or any material portion of this Agreement, is determined or declared to be illegal, void, or unenforceable. In the event this Agreement is declared void in accordance with this Section 10, any payments due and/or made to the Town before the date

of such declaration shall be and remain property of the Town, provided that for any payments made under this Agreement for a period including days after the Agreement is considered void, such payments shall be credited against personal property taxes thereafter assessed by the Town to the Developer for the Project, to the extent the payment is for the days after the Agreement is considered void.

11. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a Party must be in writing and will be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service, or by mail in a manner of delivery that results in a confirmation of receipt, such as certified mail or federal express. Notices may also be transmitted by electronic mail, provided that any notice transmitted solely by electronic mail which is not confirmed as received by the receiving party shall be followed up by personal delivery or overnight delivery of such notice within forty-eight (48) hours. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

To Developer:

SCS Nathan Ellis 011282 Falmouth West, LLC
c/o Arevon Asset Management
8800 N. Gainey Center Dr., Suite 250
Scottsdale, AZ 85258
Attention: Anand Narayanan
contractnotices@arevonenergy.com

With a copy to:

Sol Customer Solutions, LLC
1101 Connecticut Ave. NW, Second Floor
Washington, D.C. 20036
Attention: General Counsel
general.counsel@solsystems.com

With a copy to Developer's Secured Lender:

[To be provided by Developer to Town when applicable and from time to time]

To Town:

Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

With a copy to:

Falmouth Board of Assessors
59 Town Hall Square
Falmouth, MA 02540

and Falmouth Town Counsel:
Maura O' Keefe
157 Locust ST
Falmouth, MA 02540

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party. Notice given by counsel to a Party shall be effective as notice from such Party.

12. Applicable Law. This Agreement will be made and interpreted in accordance with the laws of the Commonwealth of Massachusetts without regard to conflicts of laws. The Parties each consent to the jurisdiction of the Massachusetts courts or other applicable agencies of the Commonwealth of Massachusetts regarding any and all matters, including interpretation or enforcement of this Agreement or any of its provisions. Venue for any action brought hereunder shall be the courts of Barnstable County, Massachusetts.

13. Good Faith. The Parties shall act in good faith and reasonably cooperate to carry out and implement this Agreement.

14. Force Majeure. The Parties recognize that there is the possibility during the term of this Agreement that all or a portion of the Property or Project may be damaged or destroyed or otherwise rendered unusable due to events beyond the control of the affected Party.

These events are referred to as "Force Majeure." As used herein, Force Majeure includes, without limitation, the following events:

- a. Acts of God including floods, winds, storms, earthquake, fire or other natural calamity;
- b. Acts of War or other civil insurrection or terrorism; or
- c. Taking by eminent domain by any governmental entity of all or a portion of the Property or the Project.

In the event an event of Force Majeure occurs during the term of this Agreement with respect to any portion of the Property or Project that renders the Property or Project unusable for the customary purpose of the production of electricity, then Developer may, at its election, notify the Town of the existence of this condition as well as of its decision whether or not to rebuild that portion of the Property or Project so damaged or destroyed or taken.

In the event the Developer elects to decommission any portion of the Project affected by Force Majeure, the parties shall proceed in accordance with Sections 3 and 4 herein. If Developer elects to rebuild, it shall so notify the Town and may request a reduction in its payment in lieu of taxes under this Agreement and the Town shall make a pro rata adjustment for the number of days of such Force Majeure period in the bill in the next ensuing fiscal year. Notwithstanding the foregoing and any Force Majeure, Developer shall continue to make all payments required under this Agreement except as otherwise agreed unless and until this

Agreement is terminated.

15. Certification of Tax Compliance. Pursuant to G.L. c. 62C, s49A the undersigned Developer by its duly authorized representative certifies that as of the Effective date it is in tax compliance with the tax laws of the Commonwealth of Massachusetts.

16. Covenants, Representations and Warranties of Developer and Town.

- a. During the term of the Agreement, Developer will not voluntarily do any of the following:
1. seek to invalidate this Agreement, or otherwise take a position adverse to the purposes or validity of this Agreement, except as expressly provided herein; or
 2. convey, without the express written consent of the Town, by sale, lease or otherwise any interest in the Project to any entity or organization that qualifies as a charitable organization pursuant to M.G.L. c. 59 § 5 (Third).
- b. Developer represents and warrants:
1. It is a corporation or other business entity duly organized, validly existing and in good standing under the laws of the state in which it was formed, and if a foreign corporation or other legal entity, is registered with the Massachusetts Secretary of the Commonwealth, and has full power and authority to carry on its business as it is now being conducted.
 2. This Agreement constitutes the legal, valid and binding obligation of Developer enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable bankruptcy, insolvency or other laws affecting other enforcement of creditors' rights generally or by general equitable principles.
 3. It has taken all necessary action to authorize and approve the execution and delivery of this Agreement.
 4. The person executing this Agreement on behalf of Developer has the full power and authority to bind it to each and every provision of this Agreement.
 5. The performance of its obligations under this Agreement will not violate

or result in a breach or default of any agreement or instrument to which Developer is a party or to which Developer is otherwise bound.

- c. The Town represents to Developer that:
1. It has secured all approvals of appropriate officers, boards and bodies necessary to duly authorize the execution, delivery and performance of this Agreement and its obligations hereunder, including its Board of Selectmen and Town Meeting, and the person executing this Agreement on behalf of the Town is an "authorized officer" under applicable law with the full power and authority to bind the Town to each and every provision of this Agreement.
 2. This Agreement constitutes the legal, valid and binding obligation of the Town enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable bankruptcy, insolvency or other laws affecting other enforcement of creditors' rights generally or by general equitable principles.
- d. During the term of this Agreement, the Town will not do any of the following:
1. seek to invalidate this Agreement or otherwise take a position adverse to the purpose or validity of this Agreement;
 2. seek to collect from Developer any property tax upon the Project or the improvements thereon in addition to the amounts herein; or
 3. impose any lien or other encumbrance upon the Project or the improvements thereon except as is expressly provided herein.

17. Entire Agreement. The Parties agree that this is the entire, fully integrated Agreement between them with respect to payments in lieu of taxes for the Project and the Property, including the Premises, and that there are no third party beneficiaries to this Agreement.

18. A.) Events of Default. Any one or more of the following events shall constitute an event of default under this Agreement, and the terms "Event of Default" or "Default" shall mean, whenever they are used in this Agreement, any one or more of the following events:

- (i) Failure of the Developer to pay any amount due and payable by it pursuant to this Agreement, other than an amount that is subject to a good faith dispute, which failure remains uncured thirty (30) days after Developer has received written notice from the Town of non-payment.
- (ii) Failure of any of the Parties to observe and perform any other material covenant, condition or agreement on its part to be observed and performed under this Agreement (other than as referred to in paragraph (i) above), and

continuance of such failure for a period of thirty (30) days after written notice to the defaulting Party specifying the nature of such failure and requesting that it be remedied; provided that if a cure is not achievable during such thirty (30) day period but the defaulting Party commences cure during such thirty (30) day period and so long as the defaulting Party continues to diligently pursue curing the failure, this period shall be extended to ninety (90) days.

(iii) Any warranty, representation or other statement by or on behalf of any Party contained in this Agreement shall prove to have been knowingly false or incorrect in any material respect on the date when made or on the Effective Date.

(iv) In the event of bankruptcy of a Party. For this purpose, "bankruptcy" means a Party (a) files or consents to the filing against it of a petition for relief or reorganization or any other petition in bankruptcy, for liquidation or to take advantage of bankruptcy, insolvency, reorganization, moratorium or similar laws, (b) admits in writing its inability to pay its debts as they become due, (c) makes an assignment for the benefit of creditors, (d) consents to the appointment of a custodian, receiver, trustee or other officer with similar powers with respect to it or any substantial part of its property, or (e) is adjudicated as insolvent or to be liquidated.

B) Remedies on Default of Either Party. Whenever any Event of Default under Section 18(A) shall have occurred and be continuing with respect to this Agreement, the non-defaulting Party may terminate this Agreement. Without limitation of the other remedies available to it at law or in equity, in the Event of Default by the Developer, the Town may, at its sole option, terminate this Agreement and assess and collect taxes under Chapters 59 and 60 of the Massachusetts General Laws against the Project for any period of time for which Annual Payments were not paid. The provisions of the General Laws, including but not limited to G.L. c. 59 and G.L. c.60, will govern the establishment of liens and the collection of the Annual Payment provided for in this Agreement as though said Annual Payments were real or personal property taxes due and payable to the Town.

(C) Remedies, Waiver and Notice.

(i) No Remedy Exclusive. No remedy herein conferred upon or reserved to the parties is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

(ii) Notice. With the exception of any payment default, in order to entitle the parties to exercise any remedy reserved to them in this Agreement, it shall be necessary to give thirty (30) days written notice to the other party except as may otherwise be expressly required in this Agreement or law.

(iii) No Waiver. In the event any provision contained in this Agreement

should be breached by any Party and thereafter duly waived by the other Party so empowered to act, such waiver shall be limited to the particular breach so waived and shall not be deemed to be a waiver of any other breach hereunder. No waiver, amendment, release or modification of this Agreement shall be established by conduct, custom or course of dealing.

(iv) Liability. Except as otherwise set forth herein, neither Party shall be liable to the other Party or any party claiming by or through the other, for any damages that were not reasonably foreseeable at the time of execution of this Agreement, or for any other special, punitive, or consequential damages.

19. Lender's Right to Cure. The Town shall send a copy of any notice of default sent to Developer's secured lender by certified mail at the same time such notice is sent to Developer, and Developer shall also send a copy of said notice to Developer's secured lender at the same time such notice is received by the Developer, and where this Agreement expressly provides for a cure of said default, no such notice of default to Developer shall be effective unless and until a copy of such notice has been delivered to Developer's secured lender by either Developer or the Town, and the applicable cure period, beginning on the date of such delivery, has expired. Developer's secured lender shall have the same time and rights to cure any default as Developer, and the Town shall accept a cure by Developer's secured lender as if such cure had been made by Developer, provided said cure is made in accordance with the provisions of this Agreement. Developer shall provide written notice to the Town as to the name and address of Developer's secured lender for such notices to be sent, as request expressly herein noted in Section 10.

20. Upon execution of this Agreement, the Developer shall pay the Town by bank or certified check, the amount of \$5,000 representing payment of estimated administrative expenses incurred by the Town in review and negotiation of this Agreement. The Town further requests that the check will be presented to the Falmouth Board of Selectmen at the time of execution.

21. This Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

This Agreement is hereby executed under seal by the undersigned as of the Effective Date, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

TOWN OF FALMOUTH

SCS NATHAN ELLIS 011282
FALMOUTH WEST, LLC

By: _____

By:  _____

Jon Faltis

Title: Authorized Officer

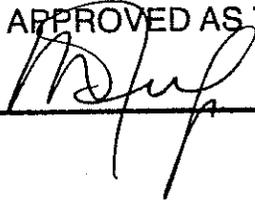
Title: Authorized Signatory

Date: _____

Date: December 22, 2022

Tax Identification Number: 85-4342847

TOWN OF FALMOUTH
OFFICE OF TOWN COUNSEL
APPROVED AS TO FORM



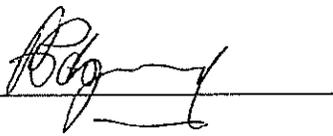
ACKNOWLEDGED AND AGREED:

FALMOUTH BOARD OF ASSESSORS

By: 

Title: _____

Date: _____

By: 

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

ACKNOWLEDGED AND AGREED:

FALMOUTH BOARD OF SELECTMEN

By: _____

By: _____

Title: Select Board Chair

Title: Select Board member

Date: _____

Date: _____

By: _____

By: _____

Title: Select Board Vice Chair

Title: Select Board member

Date: _____

Date: _____

By: _____

Title: Select Board member

Date: _____

EXHIBIT A

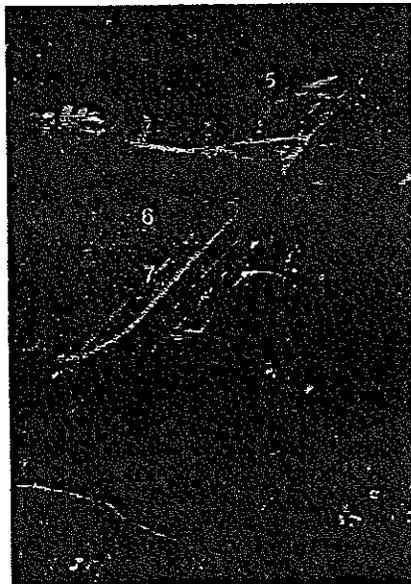
The Property:

Addresses and Property Description ("Barnstable West"):

The Property includes the two (2) tax parcels located at 1178 Nathan S. Ellis Highway and 250 Currier Rd., East Falmouth, MA 02536, identified by the "Site" number(s) and applicable tax parcel IDs noted and depicted below.

Site 5 – Parcel ID: 18-02-006-002 (partial) (a/k/a "Barnstable West – North"), approx. 6.62 acres

Site 6 & 7 – Parcel ID: 18-03-001-001 (partial) (a/k/a "Barnstable West – South"), approx. 13.47 acres.



Legal Description:

Site 5: 1178 Nathan S. Ellis Highway: Lot 2 shown on Land Court Plan No. 34812A, dated September 30, 1971, a copy of which is filed with Certificate of Title No. 53207. Excepting and excluding from said Lot 2, Lot 3 shown on Land Court Plan 34812-B, dated January 3, 1980. Being Falmouth Assessors' Parcel 18-02-006-002.

Site 6 & 7: 250 Currier Road: Lot 1 shown on Land Court Plan No. 34812A, dated September 30, 1971, a copy of which is filed with Certificate of Title No. 53207. Being Falmouth Assessors' Parcel 18-03-001-001.

EXHIBIT B

The Premises:

Description of the Premises ("Barnstable West"):

The Premises includes those sites of the Property as depicted in the site plan attached hereto and such additional areas in immediate proximity to the System necessary for the construction, installation, maintenance, operation, and decommissioning of the System. Such Premises area as depicted in blue and purple.

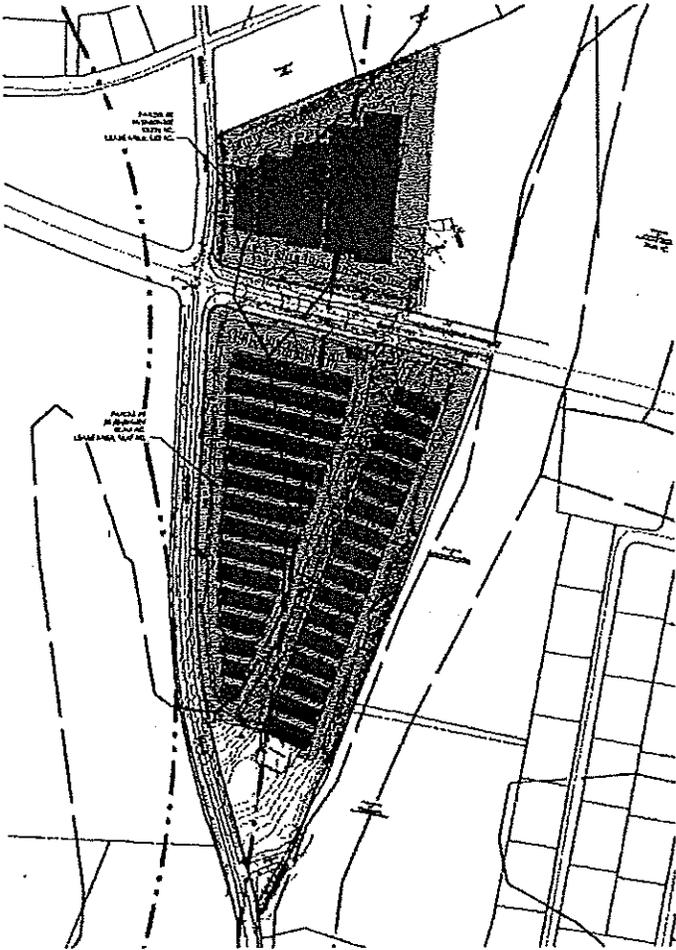


EXHIBIT C

Inventory

Barnstable West:

Inventory Item	Model #	Unit Count	\$/w DC	Total Cost
Modules, including nameplate wattage (DC)	East: Jinko JKM400M-72HL-V and Jinko JKM405M-72HL-V West: Jinko JKM400M-72HL-V	East: JKM400 -3,276 and JKM405 - 468 West: 13,390	0.30	2,056,782
BOS Products	East: AC Switchboard 600V, 3PH, 4W, 800A, 65KAIC East: Maddox Industrial Transformer, 3-Phase Padmount Transformer 500kVA Solar Step-Up West: AC Switchboard 600V, 3PH, 4W, 1600A, 65KAIC and AC Switchboard 600V, 3PH3W, 2000A, 100KAIC West: 3-Phase Padmount Transformer 1000kVA Solar Step-Up and 3-Phase Padmount Transformer 1500kVA Solar Step-Up	East: Switchbard 800A - 2 East: Transformer 500kVA - 2 West: Switchboard 1600A - 1 and Switchboard 2000A - 2 West: Transformer 1000kVA: 1 Transformer 1500kVA: 2		507,294
Inverter	East: SunGrow SG125HV-20 West: SunGrow SG125HV-20	East: 8 West: 32		2,278,718
Structure	East: Quest Renewables, Quadpod Long Span West: Quest Renewable, Quadpod Long Span and Double Cantilever			4,443,251
Metering & Monitoring	Campbell Scientific Inc.	East: 2 West: 2		89,623
Battery Storage Equipment	East: SunGrow ST556KWH-D250HV	East: 2 West: 8		

	West: SunGrow ST556KWH-D250HV			
Fencing & Gates				150,000

SMART Block Award: SMART Block 5

EXHIBIT D

Schedule of Annual Payments*

Fiscal Tax Year (July 1-June 30)	Annual Payment Amount
Year 1**	\$ 49,377
Year 2	\$ 50,612
Year 3	\$ 51,877
Year 4	\$ 53,174
Year 5	\$ 54,503
Year 6	\$ 55,866
Year 7	\$ 57,262
Year 8	\$ 58,694
Year 9	\$ 60,161
Year 10	\$ 61,665
Year 11	\$ 63,207
Year 12	\$ 64,787
Year 13	\$ 66,407
Year 14	\$ 68,067
Year 15	\$ 69,769
Year 16	\$ 71,513
Year 17	\$ 73,301
Year 18	\$ 75,133
Year 19	\$ 77,012
Year 20	\$ 78,937

* Annual Payment Amounts reflect a 2.5% year over year escalation, as shown above.

** In accordance with Section 1 of this Agreement, the Year 1 Fiscal Tax Year shall commence on the first July 1 to occur after the date that is six (6) months following the Commercial Operation Date.

CONSENT AGENDA

2. Administrative Orders

- c. Approve 2023 Seasonal Population Increase Estimation Form for submittal to the Alcoholic Beverages Control Commission

COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL
COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

2023 Seasonal Population Increase Estimation Form

City / Town:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of

City / Town Name

, as of July 10, 2023 will be

Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

This certificate must be signed by a majority of the members of the local licensing authority.

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings

- Public Session – October 24, 2022; December 19, 2022; January 7, 2023; January 9, 2023; January 11, 2023.

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – October 24, 2022

Note:

**The October 24, 2022 draft minutes are being finalized.
(These will be ready for the January 30, 2023 agenda.)**

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – December 19, 2022

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, DECEMBER 19, 2022 – 5:30 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.

5:30 p.m. OPEN SESSION

5:30 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – To discuss strategy with respect to potential litigation where an open meeting may have a detrimental effect on the Town’s litigating position

6:00 p.m. OPEN SESSION

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

6:05 p.m. BUDGET PRESENTATION

1. Presentation of Proposed Fiscal Year 2024 Budget (30 minutes)

6:35 p.m. TOWN MANAGER’S PRELIMINARY REPORT

6:40 p.m. BUSINESS

1. Report – Community Preservation Committee (15 minutes)
2. Acting as Trustees of the Falmouth Affordable Housing Fund, Discussion and Vote on application from Falmouth Housing Corp. for \$2,500,000 additional funding for affordable, age-restricted housing project at 24 Scranton Avenue & 763 Main Street (5 minutes)
3. Acting as Trustees of the Falmouth Affordable Housing Fund, Discussion and Vote on application from Falmouth Housing Trust for \$32,000 additional funding for affordable housing project at 33 Pheasant Lane (5 minutes)
4. Consider approval of access agreement to allow Mayflower Wind to conduct certain investigations and studies at Worcester Park, Central Park and the “Kite Park” located at 0 Grand Ave. (5 minutes)
5. Broadband update (10 minutes)
6. Town Manager selection process (15 minutes)
 - a. Selection Committee appointments
 - b. Community input forum
 - c. Web page for community input on Town Manager selection
 - d. Salary range
7. Approve Annual License Renewals for 2023 (5 minutes)

ALL ALCOHOL RESTAURANT LICENSE and
COMMON VICTUALLER LICENSE
The Cape Club, 125 Falmouth Woods Road

ALL ALCOHOL CLUB LICENSE
Portuguese American Association, 55 Ashumet Road

COMMON VICTUALLER LICENSE

Bite on the Go, 424 East Falmouth Highway, Unit B101
Cape Cod Bagels, 419 Palmer Avenue
Dana's Kitchen, 881 Palmer Avenue
Devour, 352 Main Street
Dilly's Taqueria, 281 Main Street
Dunkin Donuts, 4 Sandwich Road
Dunkin Donuts, 363 East Falmouth Highway
Dunkin Donuts, 1184 Sandwich Road
Dunkin Donuts, 634 Holly Park Road
Dunkin Donuts, 614 Main Street
East Falmouth Subway, 236 Teaticket Highway
Falmouth Hospital, 100 Ter Heun Drive
Holiday Inn Falmouth, 291 Jones Road
Lobos House of Pizza, 338 East Falmouth Highway
Moonakis Café, 460A Waquoit Highway
Peel Pizza, 31 Teaticket Highway
Prime Time House of Pizza, 286 old Main Road
The Buffalo Jump, 277 Hatchville Road
The Stand, 75 County Road

ENTERTAINMENT

Holiday Inn Falmouth, 291 Jones Road

Portuguese American Association, 55 Ashumet Road
Shiverick's Café & Bar, 285 Main Street
The Cape Club, 125 Falmouth Woods Road

SUNDAY ENTERTAINMENT

Holiday Inn Falmouth, 291 Jones Road
Portuguese American Association, 55 Ashumet Road
Shiverick's Café & Bar, 285 Main Street
The Cape Club, 125 Falmouth Woods Road

USED CAR DEALER LICENSE

Cid's Auto Brokers, 91 Carl Landi Circle
Excel Auto Sales & Repair, 94 East Falmouth Highway
Executive Auto, 118 East Falmouth Highway
Falmouth Auto Center, 614 East Falmouth Highway
M&N Auto Mall, Inc., 20A Village Common Drive
Route 28 Auto Center, 550 East Falmouth Highway

VEHICLE FOR HIRE LICENSE

AA Taxi, 90 Boxberry Hill Road
All Seasons Taxi, 45 Simpson Lane
Falmouth Taxi, 424 East Falmouth Highway
White Tie Limousine, 292 Teaticket Highway

7:40 p.m. CONSENT AGENDA

1. Administrative Orders

- a. Approve Preservation Restriction - West Falmouth Library, 575 West Falmouth Highway
- b. Approve Eversource petition to install a new handhole to be labelled 15/H36A and to install approximately 40' (feet) of conduit and cable under town road starting at existing pole 15/36. This work is necessary to provide electric service to 21 Little Island Road.
- c. Approve Eversource easements for Surf Dr. and Mill Rd.

7:45 p.m. MINUTES

1. Review and Vote to Approve Minutes of Meetings

- Public Session – June 8, 2022; October 24, 2022; November 7, 2022; December 5, 2022

7:50 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

7:55 p.m. SELECT BOARD REPORTS

8:05 p.m. DISCUSSION OF FUTURE AGENDA ITEMS

8:15 p.m. ADJOURN

Nancy R. Taylor, Chair
Select Board

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
Open Session
MONDAY, DECEMBER 19, 2022 - 5:00 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.

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

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

1. Chair Taylor called the open session to order at 5:30 p.m. Mr. Patterson motioned to convene the executive session M.G.L. c.30A s.21(a)(3) – To discuss strategy with respect to potential litigation where an open meeting may have a detrimental effect on the Town's litigating position because to not go into executive session could prejudice ongoing negotiations. Ms. Scott Price seconded the motion. It was followed by a roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Ms. Scott Price, aye; Chair Taylor, aye; Mr. Zylinski, aye.
2. Chair Taylor reconvened the open session at 6 p.m.
3. Pledge of Allegiance
4. Recognition

Mr. Brown noted the passing of Brian Howes and expressed his condolences to the family.

Chair Taylor congratulated Ms. Scott Price for being recognized by the Advancing Earth and Space Science Center at an event in Chicago. Ms. Scott Price was presented with the Science and Society Team Award.

5. Announcements

Mr. Brown noted the Department of Environmental Protection (DEP) comment period for Title V regulation changes will be open until January 31, 2023.

6. Public Comment

None.

BUDGET PRESENTATION

1. Presentation of Proposed Fiscal Year 2024 Budget

Mr. Johnson-Staub stated the budget is a collective effort with the Select Board policy directives and a collective work that relies on the Department Heads. The budget was reviewed via PowerPoint presentation. He acknowledged the Finance Department was very helpful in putting the budget together.

Mr. Brown asked about permitting for dredging projects and the inflated costs, he asked if there should be a reserve fund for dredging permitting and what would the process be? Mr. Johnson-Staub can research with finance team and outline proposals.

TOWN MANAGER'S PRELIMINARY REPORT

Select Board Meeting Minutes Open Session - December 19, 2022

Page 1 of 7

Mr. Johnson-Staub noted the Community Preservation Committee (CPC) will provide a report, and their slide presentation is in the packet.

The Falmouth Affordable Housing Fund application for \$2.5 million, second request for this 48-unit age restricted project. There has been a spike in construction costs and interest rates since the first subsidy was authorized by the Select Board. Originally, they requested \$100,000 per unit and are now applying for an additional \$32,500 per unit, which exceeds the Select Board Funding Guidelines. Approval is recommended, as it is the only way for this to be converted to a legal affordable unit. It is due to the rise in interest rates which affects the affordability of the house.

Mayflower Wind access agreements expired, so Mayflower is seeking to extend the agreements and add a new site; the Heights Kite Field. Temporary access does not imply Town or Select Board support for the project in Falmouth. Testing is needed for review by other public entities, and another public forum will be held in the future. A motion drafted by Mr. Johnson-Staub is in the packet.

David Eisenberg will talk about internet service subsidies.

Town Manager Selection to be discussed, and as a candidate for the position, Mr. Johnson-Staub recused himself from this item.

Annual license renewals, all those listed have submitted complete applications.

Consent agenda, Eversource easement approvals for electrical cable to provide Martha's Vineyard with electronic supply. Approval of the easements and the two other items is recommended.

BUSINESS

1. Report – Community Preservation Committee
Maureen Thomas, CPC coordinator, presented the 2022 annual report via PowerPoint presentation. The presentation is in the packet.
2. Acting as Trustees of the Falmouth Affordable Housing Fund, Discussion and Vote on application from Falmouth Housing Corp. for \$2,500,000 additional funding for affordable, age-restricted housing project at 24 Scranton Avenue & 763 Main Street

Ms. Scott Price motion that the Select Board, acting as Trustees of the Falmouth Affordable Housing fund, grant \$2,500,000 to Falmouth Housing Corp for the construction of 48 units of affordable rental housing for seniors age 62 and older at 24 Scranton Ave. and 763 Main Street. This amount is in addition to the \$2,300,000 previously approved bringing the total subsidy for the property to \$4,800,000 in total. And to authorize the Interim Town Manager to execute a commitment letter setting forth the terms of the financial award to the Falmouth Housing Trust. Second Mr. Patterson. Vote: Yes-5. No-0.

3. Acting as Trustees of the Falmouth Affordable Housing Fund, Discussion and Vote on application from Falmouth Housing Trust for \$32,000 additional funding for affordable housing project at 33 Pheasant Lane

Mr. Brown asked how in this environment the sale price was lowered? Mr. Johnson-Staub explained there is a formula that is used, the interest rate went from 4% to 7% and it affects the size of the mortgage the person can afford.

Ms. Scott Price motion that the Board, acting as Trustees of the Falmouth Affordable Housing fund, grant \$32,500 to Falmouth Housing Trust to place a permanent deed restriction on the existing house at 33 Pheasant Lane. This amount is in addition to the \$100,000 previously approved bringing the total subsidy for the property to \$132,500 in total. And to authorize the Interim Town Manager to execute a commitment letter setting forth the terms of the financial award to the Falmouth Housing Trust. Second Mr. Patterson. Vote: Yes-4. No-0. Abstain-1. (Mr. Zylinski).

4. Consider approval of access agreement to allow Mayflower Wind (Mayflower) to conduct certain investigations and studies at Worcester Park, Central Park and the "Kite Park" located at 0 Grand Ave.

Mr. Johnson-Staub noted the access agreement has been reviewed by Town Counsel.

Ms. Scott Price asked if there is other information the Town can gain from the work Mayflower is seeking to do. Mr. Johnson-Staub said the process requires soil borings, the plans are then filed, consulting engineers who report to the Town review the plans so that the Town has the benefit of all that information. The Town may be most interested in if there are any environmental resources being disturbed. This agreement allows Mayflower to conduct the testing needed. Whatever plans are submitted as part of this process are accessible to the Town.

Dan Hubbard, Mayflower Wind, said they are willing to share any studies to the extent they can.

Mr. Brown does not have a full understanding of the project but has some and does not want to encourage exploring the previously identified areas. He suggested just focusing on the kite park at this time. He does not have a concept of what would really be on the ground at the sites. Mr. Zylinski expressed agreement with Mr. Brown.

Mr. Johnson-Staub said the purpose of the motion is a policy statement of the Select Board.

Mr. Hubbard said phase 1A is the initial testing. The agreement could be modified to only one site for testing since they did not complete what they needed to do during the last time period.

Mr. Hubbard explained the test pits are to examine the sediment layers, look at Kite Park, Worcester Court, and Central Park. Nothing will be done sooner than January, weather permitting.

Mr. Patterson said he supports keeping the scope as it is, as much information for the decision is in the interest of Falmouth. The Energy Facility Siting Board will ultimately make the decision.

Public Comment:

Greg Mazmanian, Precinct 2, is opposed to an industrial application in any residential village of Falmouth. The previous Select Board approved test drillings in the Heights. Mr. Mazmanian opposes Mayflower's industrial application and if the agreements are signed, they are opening this up to every village in Falmouth.

Dave Moriarty, Precinct 6, asked for answers to the questions they asked on 5/8/22. He has looked at the plans, it appears to be a new project. What is the start date of this project, because the old project is dead as of 6/8/22. Why would we want to pay for a multinational company's infrastructure for their project?

Carol Ziemian, Falmouth Heights, sited concern about health problems resulting from Mayflower bringing this into a densely populated area. Why open up the other two sites? There will be impacts to the local businesses. She referenced two recent articles in the Boston Globe, one on nuclear fusion citing the success of MIT scientists who say they are close to this being on the scene as an alternative energy, it is a clean energy, and inexpensive. She would not like to offer Mayflower another site alternative. This does not only affect Maravista and the Heights.

Dave Buzanoski, President Maravista Heights association and resident Lucerne Ave., he wrote a letter today. They oppose onboarding of Mayflower cables anywhere in the Heights. These cables belong in a commercial site. The infrastructure needs to be updated, transmission lines are first come first serve basis-there is no coordination. When the test boring was done in Worcester and Central Parks, Mayflower submitted those in their State applications. Mr. Buzanoski feels the Town should encourage Mayflower to find a commercial location elsewhere.

Joe Netto, Precinct 9, noted the Select Board has an obligation to make decisions based on facts. He does not have a plan in front of him to make a decision on, we have to be objective and open minded. He would support allowing this company to do test borings. Worcester Court is not the best place to site something. This company is going to use public property for transmission lines, like the gas and electric companies do at this time. Saying no tonight is not the answer, have to let this get started, then we get the facts. Wind farms are all over Europe, they are in an energy crisis. Where on the south side of Cape Cod is there an area that is not residential? It does not exist. If the Select Board does not even want to investigate it, than they are not being fair to those who elected you. How can we make an opinion without any facts? Let's be objective and rely on the experts to answer questions the community has.

Marc Finneran, Heights, all indications are the amount of power these turbines will produce is many times the amount of power we consume in total on Cape Cod. The electric would need to be updated, it will show up on

the delivery part of everyone's electric bill. Brayton Point is a better location because it has the infrastructure needed to transport the energy.

Edward Jabberwock, 126 Worcester Court, there were plans earlier this year when they wanted to go down Worcester Court. He and others showed what the disruption would be in Worcester Court area. They could go to another area, including Buzzards Bay where there is a power plant, the new owner has expressed an intention to work with wind turbine companies. There has been no dialogue with the power plant owners. It is too big for the area. Please tell them to go elsewhere.

Rob Dugan, Falmouth Heights, asked about p.2 item c, it says if no response within ten business days, the Select Board is granting their consent. Why would the Town want to include that in the agreement? There may be other issues in the agreement as well, he hopes there will be another review of the agreement draft. Mayflower applied for a waiver to bypass local zoning, that was agreed to. Has Mayflower withdrawn that waiver or are they going forward with it? Allowing that is one of the worst mistakes the Town could make.

Mr. Hubbard said answers to questions from the June meeting will be submitted. End of 2024 is the projected start date. The waiver to bypass all local zoning has not been withdrawn.

Mr. Brown had questions and forwarded a study to Mayflower, this should be thought through by higher governments than Falmouth, and commercial sites should be considered. He never received an answer. More information is needed before the Select Board makes commitments. He is not inclined to deny access to Kite Park but does not want to include the other two sites. Communication has not been good, and he does not feel strong about the partnership they are considering.

Mr. Patterson said the decisions are affecting generations into the future. We owe something to the future generations of Falmouth, this accommodation to get more information to assist the Select Board in dealing with issues on how to generate the power we need without further impacting the environment, which could include taking a close look and there is a benefit to raising these issues up to a broader board.

Mr. Zylinski is not willing to relinquish this responsibility to a greater board, we need other alternatives.

Ms. Scott Price said good points have been raised including Article 7 in motion.

Mr. Zylinski motion to deny the applicant's request in its entirety. Second Ms. Scott Price. Vote: Yes-4. No-1. (Mr. Patterson)

5. Broadband update

Alan Steinbock, Family Practice Physician, health starts with housing, good food, and includes broadband access. Affordable access by eligible incomes can be really important for health in general. Dr. Steinbock, Peter Clark, and David Eisenberg advocate for this and the Select Board ideas to get affordable broadband access for our community.

David Eisenberg made a PowerPoint presentation, he grew up in Falmouth, had a career in internet and broadband services off cape, and brings that knowledge back to the community.

Affordable Connectivity (ACP) and Internet Essentials Plus programs (IEP), have the potential to zero out low income households internet bills each month. ACP provides a \$30 discount to lower the bill, 43% of us qualify. IEP is open to all who qualify for the ACP and provides additional assistance. Falmouth agencies have signed up 22 low income households for the SCP and IEP. It is complicated to apply for it, there is misinformation and part of the problem is that Comcast is reimbursed for the ACP, not the IEP. These federal grants are to help Towns to do outreach to lower income households and the grants would potentially staff and fund Town outreach.

They propose recruiting and training volunteers to coach Falmouth citizens to apply for the ACP and IEP, also ask the community to identify grants when they learn of them. They hope to get a volunteer core to work with applicants in completing applications. They asked that Town Departments assist in this enrollment process. They request a stronger Town response for future opportunities.

Mr. Johnson-Staub said there are several departments putting significant efforts to educate the community, it needs to be a volunteer driven effort. The request of the Select Board is to acknowledge the validity of these programs. Affordable internet is incredibly important, staff from Town departments have done outreach. Mr. Johnson-Staub does not have an employee with free time to take on an initiative outside their core responsibilities. There are ways the Town can support these efforts, but he questions how it fits in the Select Board's Strategic Plan.

Mr. Eisenberg said Falmouth Public Schools with a call to Comcast could fast-track this; about 40% of the Falmouth kids are on the school lunch program. If the Town could communicate to those households identifying themselves as receiving school lunch and let them know that they would be on the application for the programs. Attempts have been made to reach out to the Superintendent, who put him in contact with Mr. Saint Julian.

Chair Taylor noted the Select Board supports their efforts.

Mr. Patterson noted the School Committee meetings have public comment and meet regularly.

6. Town Manager selection process
Mr. Johnson-Staub recused himself.

Each Select Board member was asked to put forward a name to participate in the Screening Committee. Consultant Rick White has been consulted. Names: Catherine Bumpus, Frank Duffy, Dave Garrison, Natalie Nevarez, and Keith Schwegel.

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

Mr. Zylinski motion to appoint Keith Schwegel as Chair of the Screening Committee. Second Mr. Patterson. Vote: Yes-5. No-0.

Chair Taylor suggested the Board have a community input forum to listen to community feedback about what people are looking for in a Town Manager. Those who would like to make comments could make them at the meeting and/or submit them via the Select Board web page.

Chair Taylor will go back and review with Mr. White.

The Select Board discussed a salary range, Mr. White provided the Cape and Islands survey. The position is currently funded at \$201,000. The survey suggests \$180,000-200,000. The Select Board noted that benefits and relocation would be part of the negotiations. Chair Taylor was thinking in the range of \$200,000-\$210,000.

Mr. Brown motion approval of the Town Manager salary range of \$180,000-210,000. Second Mr. Patterson. Vote: Yes-5. No-0.

7. Approve Annual License Renewals for 2023

ALL ALCOHOL RESTAURANT LICENSE and
COMMON VICTUALLER LICENSE

The Cape Club, 125 Falmouth Woods Road

ALL ALCOHOL CLUB LICENSE

Portuguese American Association, 55 Ashumet Road

COMMON VICTUALLER LICENSE

Bite on the Go, 424 East Falmouth Highway, Unit B101

Cape Cod Bagels, 419 Palmer Avenue

Dana's Kitchen, 881 Palmer Avenue

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The Buffalo Jump, 277 Hatchville Road

The Stand, 75 County Road

ENTERTAINMENT

Holiday Inn Falmouth, 291 Jones Road

Portuguese American Association, 55 Ashumet Road

Shiverick's Café & Bar, 285 Main Street

The Cape Club, 125 Falmouth Woods Road

SUNDAY ENTERTAINMENT

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USED CAR DEALER LICENSE

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Route 28 Auto Center, 550 East Falmouth Highway

VEHICLE FOR HIRE LICENSE

AA Taxi, 90 Boxberry Hill Road
All Seasons Taxi, 45 Simpson Lane
Falmouth Taxi, 424 East Falmouth Highway
White Tie Limousine, 292 Teaticket Highway

Ms. Scott Price motion approval of the annual license renewals for 2023. Second Mr. Zylinski. Vote: Yes-4. No-0. Absent-1. (Mr. Patterson)

CONSENT AGENDA

I. Administrative Orders

- a. Approve Preservation Restriction - West Falmouth Library, 575 West Falmouth Highway
- b. Approve Eversource petition to install a new handhole to be labelled 15/H36A and to install approximately 40' (feet) of conduit and cable under town road starting at existing pole 15/36. This work is necessary to provide electric service to 21 Little Island Road.
- c. Approve Eversource easements for Surf Dr. and Mill Rd.

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

Meeting Minutes

I. Review and Vote to Approve Minutes of Meetings

Public Session – the time should be listed in the minutes.

June 8, 2022

Mr. Patterson motion approval as amended adding the time of the meeting. Second Ms. Scott Price. Vote: Yes-5. No-0.

October 24, 2022-none.

November 7, 2022

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

December 5, 2022

Mr. Patterson motion approval and release for public access. Second Mr. Zylinski. Yes-5. No-0.

TOWN MANAGER'S SUPPLEMENTAL REPORT

- Fire station construction bids came in under budget, they are under review.
- Next meeting will be on 1/7/22.

SELECT BOARD REPORTS

Mr. Brown:

- Waterways committee is anxious about the amount of work that will be needed in the future and more financial requests coming. The new dredge person is doing a good job, but permitting is the most challenging issue and the reason why they would like to create a fund to draw from for unforeseen circumstances.

Mr. Patterson:

- Attended affordable housing meetings, including Senator Moran's zoom meeting on 40b projects.
- Senior Center lunch

- Cub Scout den presentation on government.
- MA Municipal Leaders Association annual meeting is on 1/20/23.
- AAA had an electric vehicle charging station presentation, it is the wave of the future and they want to find ways to make sure people can get their electric vehicles charged.

Ms. Scott Price

- Habitat for Humanity build on was on 12/6/22.

DISCUSSION OF FUTURE AGENDA ITEMS

Mr. Patterson suggested an update on the lift station issue on Robbins Rd. Mr. Johnson-Staub reported it would be on a February meeting agenda.

Ms. Scott Price motion to adjourn at approximately 8:07 p.m. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – January 7, 2023

TOWN OF FALMOUTH
SELECT BOARD

AGENDA

SATURDAY, JANUARY 7, 2023 – 9:00 A.M. – 11:00 A.M.

**SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

THIS IS A WORKSHOP MEETING – THERE WILL BE NO PUBLIC COMMENT.

9:00 a.m. OPEN SESSION

1. Call to Order
2. Budget Workshop – Addressing needs not included in FY2024 Proposed Budget:
 - o Fire staffing
 - o Other departments
 - o Consider spending reductions and potential override
3. Adjourn

Nancy R. Taylor, Chair
Select Board

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.

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
SATURDAY, JANUARY 7, 2023 – 9:00 A.M.

SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

THIS IS A WORKSHOP MEETING – THERE WILL BE NO PUBLIC COMMENT.

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

Others Present: Peter Johnson-Staub, Interim Town Manager; Timothy Smith, Fire Department Chief; Ed Senteio, Finance Director.

1. Chair Taylor called the open session to order at 9:00 a.m.
2. Upcoming calendar was discussed.
 - 1/10/23 Falmouthnet; Mr. Brown and Mr. Patterson will attend.
 - 1/11/23 Community Forum at Lawrence School.
 - 1/16/23 No meeting due to the Martin Luther King, Jr. holiday.
 - 1/18/23 Substance Use round table 2pm with Senator Sue Moran at the library.
 - 1/30/23 Business meeting
 - 1/23/23 Possible business meeting.
 - 1/20/23 MA Municipal Association meeting at the Hynes Convention Center.
3. Budget Workshop—Addressing needs not included in FY2024 Proposed Budget:

Mr. Johnson-Staub said this is a follow up to the 12/19 budget presentation with a focus on department needs not included and not funded within the level service budget reviewed on 12/19.

- o Fire staffing
Funding options for Fire Department, other department needs, then discussion and decision.

Mr. Johnson-Staub made a PowerPoint presentation.

Civil service exit petition has not yet been submitted to the legislature. Fire academy wait may be 6-9 months.

Stabilization fund, any money not needed in the first year to pay costs of hiring new firefighters, gets deposited into Fire Department Stabilization Fund so it can be used in future years for related expenses.

Discussion:

Mr. Patterson noted out of placement costs for students that would go up and down. A stabilization budget helped smooth things out. Housing crisis will make staffing volatile, noting 1,000 families are moving off cape each year.

Mr. Brown would like to know the impact to the average homeowner and put that information out to the community.

Chair Taylor notes it is important to come up with a hard number and how it affects families based on their home assessment.

o Other departments

Mr. Johnson-Staub noted the strategic planning session in the fall, and presented a PowerPoint presentation of the following needs identified by Department Heads. He has not vetted these needs as he would have if they were part of the budget.

- Conservation Department: half time position that was filled two times by qualified individuals, but who left for full time positions. Part time positions do not have benefits.
- Solid Waste Advisory Committee would like to see the Solid Waste/Recycling Coordinator increased to full time.
- Two Custodians.
- Electrician, one will retire and they could use two.
- Coastal Resiliency Coordinator, have the sustainability coordinator positions this year.
- Assessing Department Administrative Clerk.
- Chief Procurement Officer because there is no process for compliance and support.

Chair Taylor noted that Town Meeting approved the Hatchville station, and the Select Board has committed to a six station model, but we cannot hire enough firefighters for all stations within the current budget and levy limit.

Mr. Zylinski asked about any idea on how long it will be to have more information on those positions not included in the budget. Mr. Johnson-Staub said that could be done within a month or two, but it will not be in time for Spring Town Meeting.

Mr. Brown noted they have a clear picture of what the Falmouth Fire Department needs, but other needs are not as clearly outlined at this time. More than one override is needed in this Town in the future.

Mr. Patterson feels a clear cost benefit analysis should be made so people understand why they need to pay more in their taxes.

Mr. Brown brought a dredging priority list today, he noted the top 20 priorities do not have permits or a budget yet. The funding is not there to move these forward. There is a clear need, but no funding. Beaches need a nourishment program and he noted importing sand to the beaches. What is being dredged cannot be reused, so we will have to find a source who will take it. There is no monetary value, so it is the cost to get it out and then transport it. The availability of a dredge has been an ongoing issue. A stabilization fund may assist in this need. Mr. Brown noted capital stabilization fund may be an option. Mr. Brown suggested the material be composted, or maybe shared with other municipalities.

o Consider spending reductions and potential override

Mr. Brown made a motion to consider recommending an override to fund the Fire Department at this time in the amount of \$1.5 million as described by Mr. Johnson-Staub.

Mr. Senteio passed around documents outlining a \$950,000 override and a \$1.5 million override.

Chair Taylor's concern is that if they go for the \$1.5 million and it does not pass because of the amount, we will be in trouble with Fire Department staffing.

Mr. Patterson noted the need for fire services has been high in the citizens' mind. They need to make sure there is a strong case and improve the communities' quality of life.

Mr. Brown would like to look at other towns across the cape, noting that Sandwich has a beach nourishment program and their beaches held up well to a recent storm.

Mr. Johnson-Staub noted that at the fiscal year 2023 tax rate, for a typical family house assessed at \$750,000, and an override of \$950,000, it would be a \$45 impact. An override of \$1.5 million, would be a \$67.50 impact. That is not a huge difference, but those who do not like having taxes raised will point out this is on top of a 2.5% increase every year. The actual annual tax impact difference is modest, but there is the reality of the difference in the impact.

Mr. Johnson-Staub said the Select Board needs to make a decision by January 30, 2023. The Select Board may take more time and make a decision on the amount of that override by January 30, 2023.

Mr. Johnson-Staub noted options for those having difficulty paying taxes include elderly individuals of a certain income, veterans and blind individuals of a certain income. There is not a program for those over 65 years of age. Mr. Zylinski noted this is a lot of money to some people, and we have to address their concerns as well. There is a menu of options already available through State law and assessor's office informs people of. The residential exemption is a complicated issue.

Mr. Brown motioned to submit to voters a request for \$1.5 million to fund the fire department as described by Mr. Johnson-Staub. Second Mr. Patterson. Yes-2. No-3. (Chair Taylor, Ms. Scott Price, Mr. Zylinski).

Chief Timothy Smith commented that this approach and all that has been done to provide the information based on all they discussed over the last few years is a great segway to improve staffing. Option 1 seems to be the best approach and he welcomes the support. The \$950,000 approach could get part of the work done, but not reaching the goal of having the staffing at the start of shift.

Mr. Johnson-Staub noted under both options, the Chief would be authorized to fill all positions right away. The tradeoffs that come in are all the other Town departments, if the economy does not do well, how will they allocate funding across all departments. The question is about budget sustainability and flexibility. The new money will go to the Falmouth Fire Department, and there will be unmarked money to fund other Town needs.

Ms. Scott Price noted in the option 2 override plan, the \$950,000, there are places to make up the difference between the \$1.5 million.

The Select Board talked about getting more information about the numbers. Mr. Johnson-Staub needs a decision by 1/30/23. Mr. Brown asked him to outline the deferment options.

Ms. Scott Price would like more information about looking at the taxes of other communities before the January 30, 2023.

Mr. Johnson-Staub noted there are other factors that make comparison difficult, we can get the tax rate for each community. However, the average tax bill for those municipalities with a residential exemption will not be a direct comparison, they do not publish the tax bill. Those with fire districts and water districts do not include those services in the tax bill.

Mr. Zylinski motion to adjourn at approximately 10:30 am. Second Ms. Scott Price. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – January 9, 2023

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

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes - DRAFT
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.

Select Board:

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

Absent: None

Others present: Peter Johnson-Staub, Interim Town Manager

OPEN SESSION

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

Pledge of Allegiance: Led by the Select Board

Recognition: None

Announcements:

- Mr. Brown announced the White Ribbon Campaign on 3/14 at 6:00 at the Falmouth Public Library

Public Comment:

- Marc Finneran, Grand Ave., said that he noticed that the agenda for Select Board meetings had not appeared in the Falmouth Enterprise for the last few months. He said he thinks that the public depends on it. Chair Taylor said that except for Friday's Enterprise, she was not aware of any other times that the agenda had not appeared but would look into it. She also noted specific instances where notice had been sent to the Enterprise by the deadline but did not appear in the paper, so the Town Manager's office was not responsible for those omissions.

TOWN MANAGER'S PRELIMINARY REPORT

Peter Johnson-Staub orally previewed/summarized all agenda items for the Board, referring to a memo in the Select Board packet entitled "Preliminary Report for January 9, 2023."

COMMITTEE INTERVIEWS

Board of Health – Amy Roth

Ms. Roth, who has lived in Falmouth for 18 years and served on the Solid Waste Advisory Committee for 4, highlighted her credentials and work experience, saying that the goals of the Board of Health (BOH) align with her goals as an environmental consultant regarding public health and welfare. Mr. Zylinski said that he serves on the Solid Waste Advisory Committee with Ms. Roth and that she does an excellent job.

Motion by Scott Zylinski: To appoint Amy Roth to the Board of Health for an unexpired term ending 6/30/2023 **Second: Sam Patterson** **Vote: Yes – 5 No - 0**

Council on Aging – Pamela Truesdale

Ms. Truesdale, a long-time resident of Falmouth, noted her experience working with the conservation commission as its administrator, as well as her history of working with the senior center staff. She said she has been a SHINE Medicare counselor, and wishes to expand her involvement with and contribution to the senior center. Mr. Patterson complimented Ms. Truesdale's interactions with clients at the senior center explaining Medicare benefits.

Motion by Sam Patterson: To appoint Pamela Truesdale to the Council on Aging for an unexpired term ending 6/30/2024 **Second: Onjalé Scott Price** **Vote: Yes – 5 No - 0**

PUBLIC HEARINGS

Application for an Entertainment License – Town Hall Partners LLC d/b/a Timber Axe Bar & Bowl, 23 Town Hall Square, Falmouth

Mr. Brown recused himself due to his having a family member who works in the building.

Ms. Scott Price read out the hearing notice.

Michael Mueller, co-owner, was present to speak for the application. He said that the initial understanding was that entertainment was included in the liquor license. He outlined the type of entertainment he was applying for – guitar, piano, singer (solo or duo) for example. He said the guitar would be amplified, but not intrusively so. He said the hours and music type would be specific.

Mr. Patterson said that there have been complaints about the loudness of the music and asked if management had responded to them with policy changes. Mr. Mueller said that yes, they had done a number of things: educated staff to keep doors and windows closed; moved entertainment into the center of the building away from the west side to be less noticeable to abutters; advised musicians, through training, to keep volumes reasonable, at a lower decibel, and to turn it down on later evenings.

Atty. Kevin Klauer (from Ament Klauer) said that correspondence from the police department noted that the noise level was generally not excessive or audible until just outside the establishment.

Mr. Zylinski asked if changes in policy to address noise concerns were posted inside the business. Mr. Mueller said yes, that a new general manager has been working for the past few weeks to address the issue, that notes are posted, and referred to packets of instructions that apply to policies for nights with entertainment. Mr. Zylinski said that he wants to be sure that staff members would not be able to say that they didn't know about the policy.

Mr. Patterson asked if there were a number for abutters to call to correct a problem if necessary. Mr. Mueller said that the main number is now staffed with either the general manager or shift leader who knows all the operations.

Public comment:

Linda Tsimortos, 137 Main St – said she lives 25 to 30 feet from the business – referred several times to anti-anxiety medication made necessary by the noise level at the business – said the problem goes back to June, and that she would text the general manager many times about the noise with no response – said the buffer of 150 feet before being in violation does not help her – voiced frustration at the continuation of the problem – said she loves where she lives – said that sound proofing of the building is necessary to keep amplification inside the walls of the business – said she appreciates the hearing to voice her concerns.

Brendan O'Keefe, local musician who has played at other bars in the area – said the noise level is no louder than a basic sound system in any establishment on Main St. – said the noise level is never past "2" and often goes as low as "1" – said the music is singer/songwriter style – said he supports local music and Timber.

Richi Mehta, 137 Main St. – referred to the accuracy of Linda Tsimortos' comments – expressed concerns about the ability of the police department to enforce the times included in a license – said music was heard well past midnight – said his unit is more like 15 to 20 feet from the business, not 25 to 30 – advocated installing sound proofing – wants to find middle ground to solve the problem.

Meg Maggio, 137 Main St. – said no one is against music but why has sound proofing not been installed? – said she is shocked by procedural errors regarding this issue, asking how a business could operate the entire summer without a license despite complaints – questioned how legal counsel for the business could have overlooked this – said granting an entertainment license in an old building should include upgrades to address noise – said omissions require a fine or penalty for operating an entire summer without a license.

Atty. Kevin Klauer– reiterated that the applicant made an error in understanding the scope of the initial license and is now trying to rectify it/make it right – said that Town Hall Square is a B1 zoning district and that it's natural to seek an entertainment license – said the request is for limited scope of entertainment, and that for a busy area, it is a more than reasonable request.

Mr. Zylinski asked Atty. Klauer if his client would be able to provide sound proofing for the building. Atty. Klauer said he could not answer that question at this point.

Motion by Onjalé Scott Price to close the hearing Second: Sam Patterson Vote: Yes – 5 No – 0

Board discussion – Mr. Zylinski said he thought it was a small ask for the applicant to investigate sound proofing for the building, considering the revenue gained for the time period the business operated without a license. Mr. Patterson said it is important that the right form of sound proofing materials would need to be explored. Ms. Scott Price clarified the suggestion that the applicant would evaluate/investigate the sound proofing issue and return to the

Select Board with a proposal to mitigate, or not, and costs associated with it. Chair Taylor sought clarification that the license would not be granted until the sound proofing issue was addressed.

**Motion by Scott Zylinski: To continue the hearing to January 30, 2023 Second: Sam Patterson.
Vote: Yes – 3 No – 1 (Nancy Taylor)**

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

Ms. Scott Price read out the hearing notice.

Dante DelGrosso was present. Mr. Brown asked if abutters across the street had been notified of the hearing. Mr. DelGrosso did not have that information. He said he was exploring entertainment after requests from customers. Asked about loudness by Mr. Brown, Mr. DelGrosso said it would be one or two-member groups, maybe a DJ, low-key. The business closes at 9:00 typically. Ms. Scott Price said the hours of operation are reasonable. Asked about closer abutters by Mr. Zylinski, Mr. DelGrosso said that the next-door business has two units upstairs.

Public comment:

Matthew Patrick, 24 Collins Rd – asked if music would be amplified. Mr. DelGrosso said yes.

Marc Finneran, Grand Ave – said the previous business at that location had bands and loud music, and along with highway noise, he did not think noise was an issue then – said he did not recall any complaints and he knew the two previous owners.

Peter Johnson-Staub spoke to the process used to notify abutters, which is the same process used by the ZBA. He said approximately 25 abutters, the legal owners of the properties, were notified about the hearing.

Motion by Douglas Brown: To close the hearing Second: Onjalé Scott Price Vote: Yes – 5 No – 0

Motion by Doug Brown: To approve the application as requested for the hours from 4:00 to 9:00 Second: Sam Patterson Vote: Yes – 5 No – 0

Application for a Sunday Entertainment License – Olive Restaurants, Inc. d/b/a Shiverick’s Café & Bar to be exercised at 285 Main Street, Falmouth

Ms. Scott Price read out the hearing notice.

Elias Gregoriadis, the applicant, was present. Asked by Mr. Patterson how close any residents are to the establishment, Mr. Gregoriadis estimated 40 to 50 feet. Agreement was reached to reduce the entertainment hours on Sunday to 11:00 p.m.

Public comment: None

Motion by Onjalé Scott Price: To close the hearing Second: Douglas Brown Vote: Yes – 5 No – 0

Motion by Onjalé Scott Price: To approve the application as amended, to 11:00 p.m. from 1:00 a.m. Second: Douglas Brown Vote: Yes – 5 No – 0

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

Ms. Scott Price read out the hearing notice.

Wagner Quintanilha, general manager, was present, and explained why he was applying for the license. He said he spends approximately 50 hours a week on site. He said all who work behind the bar are TIPS certified.

Public comment: None

Motion by Onjalé Scott Price: To close the hearing Second: Scott Zylinski Vote: Yes – 5 No – 0

Motion by Doug Brown: To approve the application Second: Scott Zylinski Vote: Yes – 5 No – 0

Vehicle for Hire Regulations – Request to Increase Taxi Fare

Ms. Scott Price read out the hearing notice.

Adam Meehan, owner of Falmouth Taxi, gave a document to Board members with corrected pricing, adding that it had been approximately 15 years since the last increase. Chair Taylor, read out the email to Diane Davidson that contained the correct pricing. Peter Johnson-Staub clarified for the Board that once a hearing was posted, it does not restrict the Board from making changes to the hearing proposal.

Public comment: None

Motion by Sam Patterson: To close the hearing Second: Onjalé Scott Price Vote: Yes – 5 No – 0

Sam Patterson noted the critical service that taxis provide to Falmouth residents. Clarification on the change(s) was then discussed. Chair Taylor read aloud again the email sections detailing the rate change - on the email, parts A and B dealing with rate change and rate for waiting – saying that this is what the Board is voting on. Mr. Brown noted an additional error in another section of the email, but it was not to be part of the vote.

**Motion by Onjalé Scott Price: To approve the amended proposed fee schedule Second: Sam Patterson
Vote: Yes – 5 No – 0**

BUSINESS

Vote to Approve Borrowing Anticipation Note Sale

Peter Johnson-Staub said his summary in his earlier report had covered the details of this issue. He said he would need a vote from the Board to approve a motion drafted by bond counsel included in the Select Board packet. Mr. Brown asked Mr. Johnson-Staub what made this offer the most advantageous. Mr. Johnson-Staub said it was an analysis of 2 factors, the premium and the interest rate, that produced the best package.

**Motion by Onjalé Scott Price: To approve as written in the vote of the Select Board in the packet Second:
Sam Patterson Vote: Yes – 5 No – 0**

Vote to Adopt FY2024 Budget and Submit it to the Finance Committee

Alice Kociemba, chair of the Falmouth Cultural Council, was invited by Chair Taylor to make a request to include a line item of \$10,000 in the Town's FY2024 operating budget for the Falmouth Cultural Council. Ms. Kociemba underscored the value in tourism and revenue that arts programs, such as Arts Alive, bring to the Town and reiterated the one-time allocation that November Town Meeting awarded the council. She said that an alternative to a line item in the budget would be a petition article in April.

Ensuing Board discussion on this request included the following points:

- That a line item vs. a one-time allocation would mean funding comes from regular revenues and is part of the annual budget
- Concern for setting a precedent for other committee regarding requests for funding
- Acknowledgement of the value that the arts bring to the Town
- That a petition article could include a request to be part of the annual budget
- That presenting yearly petition articles places a significant onus on a group comprised of regular citizens
- The desire to be fair regarding funding requests, acknowledging that many groups were denied their requests
- The strong message at November Town Meeting to go to the Select Board with the budget request

The Board discussion then focused on the appropriate process for showing their support of the cultural council's request. Members enumerated pros and cons of showing support now vs. showing support at April Town Meeting, and what Town Meeting action might look like if that were the process used. The cultural council chair urged the Board to support the request with their approval now.

Motion by Doug Brown: To include the \$10,000 request from the Falmouth Cultural Council in the budget for consideration by Town Meeting Second: Sam Patterson Vote: Yes – 5 No - 0

The Board moved on to make positive comments about how well-presented and understandable the budget was this year. Facilitating this were the extra meetings the Board held during budget preparation. Mr. Patterson asked about the percentage of the operating budget going to salaries. Peter Johnson-Staub said that approximately 52% of this year's budget goes to salaries, not including benefits. If including benefits, he said it would still be under 80%.

Motion by Onjalé Scott Price: To approve the FY2024 budget and send it to the Finance Committee Second: Sam Patterson Vote: Yes – 5 No - 0

Vote to Adopt Multi-Hazard Mitigation Plan

Peter Johnson-Staub explained that a confirming vote is required following FEMA approval.

Motion by Onjalé Scott Price: To approve Second: Sam Patterson Vote: Yes – 5 No - 0

Cape Light Compact Update on Electric Rates

Matt Patrick, Falmouth's representative to the Cape Light Compact, introduced Maggie Downey, the group's director, who led a Power-Point presentation entitled "Winter Pricing Update and Mitigation Strategies" included in the Select Board packet. The Board asked questions about various services and costs, and who is eligible. They also thanked Ms. Downey for the presentation.

Veterans Council Committee Mission Statement

Chair Taylor read the proposed mission statement aloud.

Motion by Nancy Taylor: To accept the mission statement from the Veterans Council Second: Sam Patterson Vote: Yes – 5 No - 0

Ferry Embarkation Fee Legislation Letter

Doug Brown voiced support for the two towns that brought the issue forward and said that he thought it was good for Falmouth as well. Ms. Scott Price pointed out that commuters and students are exempt from the new raised fee.

Motion by Onjalé Scott Price: To approve sending the letter on behalf of support for the increase of fees Second: Sam Patterson Vote: Yes – 5 No - 0

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

A representative for the applicant was present to address questions, but there were none.

Motion by Onjalé Scott Price: To approve Second: Scott Zylinski Vote: Yes – 5 No - 0

CONSENT AGENDA

Chair Taylor read out the items on the consent agenda below.

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

Motion by Sam Patterson: To approve the Consent Agenda Second: Onjalé Scott Price
Vote: Yes – 5 No - 0

TOWN MANAGER'S SUPPLEMENTAL REPORT

Peter Johnson-Staub distributed a revised report to the Select Board. He briefly explained for the Board's awareness, but no discussion, 32 Town-sponsored warrant articles that will be for April Annual Town Meeting. Review of articles will occur on January 23.

Mr. Johnson-Staub next provided a staffing update for November and December, which included 13 full time positions across several departments: fire, water, building, police, library, finance, and human resources. He also said there are currently 4 new vacancies in IT, fire department, assessor's office, and one administrative clerk in accounting that has just been filled. He said the Select board would be meeting on Jan. 23, Jan. 30, Feb. 13, and Feb. 27.

In response to a request from Mr. Patterson, Mr. Johnson-Staub offered to provide a full list of all outstanding vacant positions at the next meeting.

SELECT BOARD REPORTS

Sam Patterson reported on the following:

- Conservation Commission meeting via Zoom. Mr. Patterson commended the commission on the continuous hard work they do.

Doug Brown reported on the following:

- Waterways Committee met last week.
- Beach Committee will meet this week.

Scott Zylinski reported on the following:

- After having attended many ZBA meetings, Mr. Zylinski raised the issue of needing clarification when disclosures or recusals are required for those serving on boards, committee, and commissions. The Board briefly discussed the best way to go about getting this clarification, including a presentation from Town Counsel on ethics and conflict of interest. Chair Taylor noted it as an item for a future agenda.

DISCUSSION OF FUTURE AGENDA ITEMS

- Management of Black Beach/Chapaquoit Beach area re unleashed dogs
- Covid-19 update from health agent
- Policy workshop

Motion by Onjalé Scott Price: To adjourn at 8:50 Second: Scott Zylinski Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary

OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - Public Session – January 11, 2023

January 23, 2023

TOWN OF FALMOUTH
SELECT BOARD
AGENDA

WEDNESDAY, JANUARY 11, 2023 – 5:30 P.M. – 7:00 P.M.

**LAWRENCE SCHOOL
AUDITORIUM
113 LAKEVIEW AVENUE, FALMOUTH, MA 02540**

**AND
FCTV CHANNEL 13**

5:30 p.m. OPEN SESSION

1. Call to Order
2. Opening Remarks – Nancy Taylor, Chair
3. Community Input on Town Manager Selection
4. Closing Remarks
5. Adjourn

Nancy R. Taylor, Chair
Select Board

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.

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes - DRAFT
WEDNESDAY, JANUARY 11, 2023 – 5:30 P.M. – 7:00 P.M.
LAWRENCE SCHOOL
AUDITORIUM
113 LAKEVIEW AVENUE, FALMOUTH, MA 02540
AND
FCTV CHANNEL 13

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

Select Board:

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

Absent: None

OPEN SESSION

Call to Order – By Chair Nancy Taylor at 5:30.

Pledge of Allegiance: Led by Select Board

Opening Remarks – Nancy Taylor, Chair

Chair Taylor opened the forum saying it was called by the Board in order to get input and feedback from community members on the characteristics they would look for in a new town manager. She briefly listed the types of comments that were allowable and types not allowable.

Community Input on Town Manager Selection

Ed DeWitt, Precinct 1 – Mr. DeWitt said that first and foremost, the Select Board needs to get together to determine how to supervise the town manager. He said the laissez-faire style of management did not work well with the previous town manager and referring to his work on the transportation committee, began to cite specific examples. Chair Taylor re-directed the comment to look more to the future rather than the past. Mr. DeWitt said the Select Board needed to do a google search to learn a candidate's style of management to determine if it was a good fit for Falmouth. He said he wanted Falmouth to return to being pro-active rather than re-active, and again said that the Select Board needs to establish how it will interact with the new town manager. He also said that if the candidate is in-house, determine if the candidate is "an enabler" of the previous administration.

Ralph Herbst, Precinct 8 – Mr. Herbst cited his many years of service to Falmouth as a town meeting member, on the planning board, the CPC, and the transportation committee, as well as his experience as an airline pilot. He used a 1977 airline collision as an example of how interpersonal management style can lead to disaster, in that case, an arrogant pilot. Mr. Herbst asked the Select Board to look beyond education and work experience to explore what kind of person the candidate is, and to seek insight into this area by talking to those who have worked with the candidate. He referred to "crew resource management" as a methodology used in his work experience but thought it had overlap for town governance as well. He said it is important to use all resources to be successful. He gave materials to Doug Brown to share with the Board.

Dan Shearer, Precinct 6 – Mr. Shearer said that the town charter contains the details of what the Town needs in a town manager and said that "we want to get a very good man." He asked that the Select Board remember what kind of community Falmouth is, highlighting the Town's attributes as a tourist/beach town. He would like a person sensitive to the needs of the Town's older residents, someone who lives in Town, and can think 10 years ahead. He briefly mentioned the importance of preserving Falmouth's ability to attract good people to the community. He acknowledged the hard job the Select Board has ahead of it.

Marc Finneran, Grand Ave. – Mr. Finneran said that unlike what occurred by degrees over the past eleven years, the Select Board now needs to be “hands on” regarding all aspects of Town business. He said that the Town has good bond ratings, but the infrastructure of the Town is “falling apart.” He said the Town has “hemorrhaged” decent people and that proper hiring wasn’t done. He said there was not enough interaction between management and Town employees, and said again that the Select Board would need to be more hands on. He ended with the caution that whoever is hired, “watch him.”

Barbara Schneider, Precinct 4 – Referring to her education and experience with leadership and policy, as well as her experience on the search committee for the previous town manager, Dr. Schneider pointed out the importance of working together and being respectful of people and process. She urged the Select Board to establish common goals at the outset of the search process. She also underscored the importance of showing respect for the 285 volunteers who give their time and expertise to the Town. She said management should walk the halls of Town Hall every day to encourage two-way communication with employees, which, in turn, will build a sense of community, camaraderie, and a happy work environment.

Mary Harris – Ms. Harris enumerated a list of characteristics and/or requirements for a new town manager:

- Having a vision that aligns with the comprehensive long-range plan for the Town
- Has experience with towns similar in size and governance with Falmouth, and familiarity with laws and regulations that apply to MA towns’ municipal operations
- Possesses financial acumen and knowledge of the budget process, as well as a healthy respect for the bond rating
- Is an excellent communicator, persuasive speaker, and logical thinker with polished skills but not a “fast talker”
- Is straightforward, honest, kind, direct, intelligent, and has a sense of humor
- Uses an inspirational vs dictatorial style of management to build community

Annie Hart Cool, Precinct 6 – Ms. Cool said she agreed with much of what had been said so far and stressed the importance of the ability to work well with others. She added that the candidate should have a work history with a tourism town and an aging population. She highlighted the critical need for housing in Falmouth and that the town manager should be able to address that. She also said that the candidate should not have a history of “being booted out” from previous positions. (At this point, Chair Taylor noted the importance of the vetting process for candidates.)

Jeff Brody – Mr. Brody, raised the issue of costs related to litigation, and said the Town should try to avoid “going to court as much” by researching repeated patterns in candidates. He supported previous comments regarding respect, leadership, and the importance of a functioning Town Hall. He supported a collaborative approach and an inspirational leadership style. He would like the Select Board to instill a vision for a coastal community in the next town manager.

At this point, Doug Brown asked for comment about what the Select Board should do differently. A forum attendee asked the chair for an update on the process. Chair Taylor said that the firm of Groux-White Consulting has been hired to oversee the search/hiring process. The Board has appointed a screening committee, and the position has been posted. She said the consultant and screening committee will do their parts, and then the information will come to the Board. She said the process will take some time and that the Board wants to do it deliberately.

Ed DeWitt, Precinct 1 – Regarding the screening process, Mr. DeWitt said that minority candidates who are involved and screened out should be passed on to the Select Board. He said that there is evidence of discriminatory hiring practices in the country, and any minority candidate should get a second look.

Chinna Mapp – Ms. Mapp said that the Board should identify its “look fors, non-negotiables (things you absolutely require), nice to haves, and need to haves” to ensure getting their desired candidate. She said that the Board should pay attention to “situational awareness” during the process, realizing that no single candidate will have all desired characteristics, but that they must be able to assess all the characteristics in order to find the best fit for the Town.

Robert Mascali, Oxbow Rd. – Mr. Mascali thanked the Board for holding the listening session. He said he echoed Ms. Harris’s list of characteristics. He added that any candidate should support the concepts of “equity, diversification, and inclusion.” Regarding having to reside in Town, he said due to the high cost and/or lack of housing in Falmouth, residency should not be a must, but the candidate should be willing to be a part of the community and open to meeting with the community.

Judy Fenwick, Precinct 1 – Ms. Fenwick pointed out to the Board some features of the notice of vacancy that she felt deserved mention, features such as text that had been cut and pasted from the 1990 Home Rule Charter with no updates in qualifications, education, or experience. She noted what must have been an error in the salary range. Also, she was unable to obtain a position profile brochure that was supposed to be on the consulting firm’s website or obtainable by email. She asked the Board specifically what it was looking for from the forum, noting that the information was not going to appear in print anywhere. (At this point, Chair Taylor reiterated that the Board was seeking specific characteristics that community members would like to see in a town manager.) Ms. Fenwick went on to add characteristics that she called the four I’s – Imaginative, Innovative, seeking to Improve, and then to Implement what resulted from the first three.

At this point, brief Board comment included the need to adjust the technological features of the posted job application, and support for the “crew resource management” methodology offered by Mr. Herbst.

Donna Buckley, Precinct 6 – Ms. Buckley asked the Select Board to explain the thought process behind appointing members of a selection committee vs. soliciting letters of interest to see who would like to serve, and to clarify what would happen with the information gathered at the forum and how it would be dealt with. (In response, Chair Taylor said that while the Board did not solicit letters of interest, it did receive some. Through communication with the consultant, it was agreed that the screening committee would be comprised of 5 members, and that each Select Board member would be able to appoint 1 member. Regarding forum input, notes on the meeting would be available to the public and all materials would be considered by the consultant and screening committee.) Ms. Buckley then asked how some of the contradictory traits offered at the forum would be resolved during the selection process.

At this point, there was brief Board discussion about process. Scott Zylinski reiterated that there would likely not be a perfect candidate, but that the Board would get all the information, assess it for character and effectiveness, and do the best it could for the Town. He said that gathering public comment now adds important content to the Board’s decision-making process. Chair Taylor said that any conversation about a candidate would occur at a public meeting. Doug Brown then offered information on the charter and the limitations it imposes on matters such as employment considerations of the town manager. He said that sometimes the structure of town government can be cumbersome regarding what it allows or does not allow. Sam Patterson also said that limitations exists in all entities run by boards of directors, but in the end, the Select Board’s main responsibility is that the town manager reflects the character needed to run a successful and harmonious town. Onjalé Scott Price said that characteristics will be evaluated regarding which ones align with the charter and which don’t, and through that evaluation, the characteristics most appropriate for what the Town is looking for will be selected. Ms. Buckley said she appreciated the explanation and that she would look for as much public involvement as possible moving forward.

Ron Dyer, Precinct 8 – Mr. Dyer suggested that, as part of the hiring process, each Select Board member hold a one-on-one interview with each candidate, and then that the Board hold a group interview with each candidate separately. This way, each candidate can be evaluated on how he/she reacts both individually and collectively.

Jeff Brody – Mr. Brody asked if the town manager was evaluated by the Select Board. (Chair Taylor said yes, the Board does evaluate the manager, and submits evaluations. Review occurs at a public meeting.) Mr. Brody asked if there were enough checks and balances to achieve the goals for the Town. (Mr. Zylinski said that increasing the frequency of evaluation was possible. Perhaps bi-annually suggested Mr. Brown. Chair Taylor said that the Board has struggled with the evaluation tool’s parameters. Mr. Zylinski also said that interpretation of the town charter could be included in the evaluation.) Mr. Brody asked if the staff would be able to interview the candidates. (Chair Taylor said that would need to be checked on. She

said there should be a public “meet and greet,” and that collective narratives gathered from department heads, Select Board, and the public would be given to the candidates.)

Barbara Schneider, Precinct 4 – Dr. Schneider addressed the need to define what a goal is and then how to determine if it is met or not as a way to avoid evaluation conflicts that have arisen in the past. She said that goals should be on top of doing a correct job every day. (Mr. Patterson agreed, saying that goals could be thought of as opportunities for growth or improvement.)

Dan Shearer, Precinct 6 – Mr. Shearer reiterated the value of respecting the volunteers who work for the Town. He said a good town manager must be able to communicate with community members genuinely and openly. It’s a real community job, he said.

Robert Dugan, Precinct 2 – Mr. Dugan said he thought the residency requirement was very important and if possible, not waived. He said residency would make the town manager more accountable to the Town. He also said that closer oversight of department heads by the town manager was needed, and that the Select Board should have the same information as the town manager.

Closing Remarks

Brief Board discussion ended the forum, Chair Taylor said all comments were very helpful and the forum resulted in good ideas. She said the Board received some helpful suggestions regarding town manager oversight, evaluation, and frequency. Mr. Zylinski said that the Board must accept responsibility for the learning curve, failures, and insufficiencies of the town manager, and move forward from them. Mr. Brown suggested re-evaluating the Board’s list of priorities and goals, re-cap the high-lights, and give it to the candidates so they know what to expect. Chair Taylor said candidates should read the strategic plan.

Chair Taylor said written comments can be submitted to the Town at comments@falmouthma.gov up to January 30, 2023.

Judy Fenwick, Precinct 1 – Ms. Fenwick suggested that the Board review the section in the town charter related to the Select Board, namely, its various powers. Board members responded that they had become very familiar with the charter over the past six months.

Motion by Scott Zylinski: To adjourn at 6:44 Second: Sam Patterson Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary