

**TOWN OF FALMOUTH**  
**SELECT BOARD**  
**AGENDA**  
**MONDAY, AUGUST 7, 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. Proclamation – Eagle Scout Harley Ellis Smith, Boy Scout Troop 42
4. Recognition
5. Announcements
6. Public Comment

**6:35 p.m. COMMITTEE INTERVIEWS**

1. Interview, vote and appoint committee members
  - a. Plastic Reduction Advisory Committee (alternate) – Daniel Gessen

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

1. Senior Center Naming and/or Senior Center Wall of Recognition, continued from May 22, 2023 (10 minutes)
2. Water rate hearing, continued from June 26, 2023 (15 minutes)
3. Sewer rate hearing (15 minutes)
4. Conduct a public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth (15 minutes)

**7:40 p.m. BUSINESS**

1. Vote to create an alternate position on the Plastic Reduction Advisory Committee (5 minutes)
2. Discuss Massachusetts regulation changes: Septic Systems and Watershed Permits (15 minutes)
3. Request from the Recreation Department to submit two applications to the Community Preservation Committee, one for a 12 or 16 court pickle ball complex and one to rehabilitate the Old Skate Park at Trotting Park (5 minutes)
4. Report – Bicycle & Pedestrian Committee (15 minutes)
5. Vote to approve the placement of Naloxboxes in select municipal buildings (10 minutes)
6. Vote to approve a letter of support to MassDOT to consider installation of a crosswalk on Woods Hole Road at Standpipe Hill Road (5 minutes)
7. Vote to approve resident sticker requirement for recycling center (5 minutes)

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

1. Licenses
  - a. Special One-Day Wine & Malt Liquor License – On the Water, LLC – Striper Fest – Bandshell/Marina Park – Saturday, 9/23/23 (rain date Sunday, 9/24/23)

- b. Special One-Day Wine & Malt Beverages License – Joe Q Coffee for the 15th Annual Bocce Tournament to be held at Falmouth Academy, 7 Highfield Drive, Falmouth – 9/23/23 from 10:00 am to 3:00 pm.
- c. Special One-Day Wine & Malt Beverages License – West Falmouth Library for a Jazz Concert to be located at 575 West Falmouth Highway, West Falmouth – 9/9/23 from 7:00 pm to 9:00 pm.
- d. Special One-Day Wine & Malt Beverages License – Woods Hole Museum – Oyster Talk & Tasting to be located at 579 Woods Hole Road, Woods Hole – 8/24/2023 from 5:00 pm to 7:00 pm.

2. Administrative Orders

- a. Request for variance to Sign Code §184-32 Off-Premise Signs: East Falmouth Village Association – display from 8/10/23 to 8/17/23

**8:45 p.m. MINUTES**

1. Review and Vote to Approve Minutes of Meetings

- a. Public Session – February 27, 2023; July 24, 2023

**8:50 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT**

**8:55 p.m. SELECT BOARD REPORTS**

**9:05 p.m. DISCUSSION OF FUTURE AGENDA ITEMS**

**9:15 p.m. ADJOURN**

Nancy Robbins Taylor, Chair  
Select Board

**OPEN SESSION**

**TOWN MANAGER'S PRELIMINARY REPORT**

August 7, 2023



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

TO: Select Board  
FROM: Mike Renshaw, Town Manager  
SUBJECT: Preliminary Report for August 7, 2023  
DATE: August 3, 2023

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**Committee Interviews:**

1. Interview, vote, and appoint committee members
  - a. Plastic Reduction Advisory Committee (alternate)- Daniel Gessen

The mission of the Committee is to solicit input from food establishment owners and representatives, and from advocates of plastic waste reduction, in developing regulations to reduce, or eliminate, the use of disposable plastic containers and utensils by food establishments in Falmouth.

If the Committee appointment of Mr. Daniel Gessen is approved, he will serve as an alternate Committee member during the anticipated military service obligation absence of current Committee member and brother Mr. Phillip Gessen.

**Public Hearings:**

1. Senior Center Naming and/or Senior Center Wall of Recognition, continued from May 22, 2023:

The Board opened a hearing on May 22, 2023 to consider naming the Senior Center for John V. Magnani. At this hearing the Board heard from David Vieira who advocated for naming the Senior Center for Mr. Magnani in light of his many contributions to the community including, but not limited to, his 18 years of service as the director of the Senior Center. The Board also heard from Brenda Swain, Chair of the Council on Aging who described the research and community engagement process the Council conducted in 2018 and 2019 regarding the naming of the Senior Center. Through that process the Council on Aging decided on the current name, the Falmouth Senior Center. Ms. Swain conveyed the view of the Council that the name should remain as it is. She further suggested the Senior Center could create a "wall of recognition" which could be used to recognize multiple individuals who have made extraordinary contributions to the senior population of Falmouth. At this meeting on May 22<sup>nd</sup>, the Board requested that the Council on Aging prepare a written proposal describing how individuals would be selected for inclusion on the wall of recognition.

The Council on Aging has provided a brief proposal describing how the wall of recognition would be managed. After receiving comment from a Council on Aging representative and the public, the Board can make a decision whether or not to name the Falmouth Senior Center the John V. Magnani Senior Center. The Board may also choose to vote on the creation of a wall of recognition. I would note that there is no existing policy requiring Select Board approval for placing a plaque inside a municipal building.

2. Water rate hearing, continued from June 26, 2023:

A Capital Efficiency Plan was developed and presented to the Select Board in April 2023 for the purpose of illustrating the need to revise water and wastewater rates. The Plan identified the need to replace approximately \$3 million in aged water mains over a 30-year period. Based upon this information and data prepared by Town consultant Tighe & Bond, in May 2023 the Town's Finance Director presented a capital funding plan to the Select Board involving a gradual water rate increase over a 3-year period that would result in collecting \$3 million in revenues by FY26.

The Select Board opened a public hearing on the proposed water rates at its meeting on June 26. Importantly, in addition to an increase in rates the proposed revisions also create a revised rate structure that is consistent with structures used by a majority of the municipalities in Massachusetts.

The Town Manager is recommending that the Select Board vote to approve and adopt the new water rates and structure as presented.

3. Sewer rate hearing:

The required public hearing notice was advertised in the July 28 edition of the Enterprise. The proposed revisions to the FY24 wastewater rate structure is identical to the proposed revisions to the water rate structure. The proposed FY24 wastewater rates are intended to generate approximately the same amount of revenue that was raised in FY23.

The Town Manager is recommending that the Select Board vote to approve and adopt the new wastewater rates and structure as presented.

4. Conduct a public hearing to determine if there are any violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth:

A Notice of Violation and Hearing was advertised in the July 28, 2023 Falmouth Enterprise for the purpose of noticing the public as to this public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road in Falmouth.

As background, on Sunday July 9, 2023 at approximately 1:06 PM the Select Board received an email complaint of loud amplified music from a live band and crowd cheering noise from a resident who resides near 4 Oxbow Road. According to the complainant, the noise was emanating from within the property boundaries of Cape Cod Winery located at 4 Oxbow Road. The complainant attached to this email audio video files as evidence of the loud music, and these files have been introduced into this hearing.

In addition to the July 9 complaint, Select Board office staff have also obtained copies of 12 additional complaints that the Select Board office has received via email between the dates of January 30, 2023 through August 3, 2023.

**Business:**

1. Vote to create an alternate position on the Plastic Reduction Advisory Committee:

Mr. Daniel Gessen submitted his application for consideration to serve on the Committee on July 25, 2023. If the Committee appointment of Mr. Daniel Gessen is approved, he will serve as an alternate Committee member during the anticipated military service obligation absence of current Committee member and brother Mr. Phillip Gessen.

2. Discuss Massachusetts regulation changes: Septic System and Watershed Permits:

On June 21, 2023 the Massachusetts Department of Environmental Protection released its newly promulgated Title V and Watershed Permit Regulations. On July 25 a working group selected by the Town Manager's office met to review and discuss these new regulations as well as to review a presentation created by Wastewater Superintendent Amy Lowell and Health Agent Scott McGann.

On July 31 both the Water Quality Management Committee and the Falmouth Board of Health reviewed the information contained with this presentation and voted to recommend to the Select Board that the Town proceed with the filing of watershed permit Notices of Intent by the January 7, 2024 deadline.

Wastewater Superintendent Amy Lowell will be presenting the PowerPoint presentation to the Select Board for discussion purposes only at this time. No formal action of the Select Board is being requested.

3. Request from the Recreation Department to submit two applications to the Community Preservation Committee, one for a 12 or 16 court pickle ball complex and a second application to rehabilitate the Old Skate Park at Trotting Park:

Recreation Director Joe Olenick is presenting this request for the Select Board to approve two applications to the Community Preservation Committee (CPC). The first of these applications concerns the design and construction of a 12 or 16 court pickle ball complex at Trotting Park. A sound study to record baseline noise and determine if the site is suitable for a pickle ball complex would be done in advance. Sound attenuation measures would be included in the project budget if the study deems it necessary.

The second application that Mr. Olenick is requesting approval to submit through the CPC later this month is for rehabilitation of the Old Skate Park also located in Trotting Park.

The Town Manager recommends that the Select Board approve the submittal of both applications, and that the number of pickleball courts to be designed and constructed be limited to twelve (12) courts.

4. Report- Bicycle & Pedestrian Committee:

Committee Chair Katherine Jansen will provide the annual report of the Falmouth Bicycle and Pedestrian Committee's projects and activities.

Established by the Town in 1975, the mission of the Committee is to develop, maintain, and improve bikeways within the Town, including the promotion of safe and healthy transportation by bicycle on our road network. In 2019, pedestrians were added to the Committee's definition to more completely represent vulnerable users of Town roadways.

5. Vote to approve the placement of Naloxboxes in select municipal buildings:

Human Services Director Suzie Hauptmann will be presenting a proposal to utilize Opioid Settlement Funds for the acquisition and installation of Naloxboxes (containing Naloxone otherwise known as Narcan) in municipal facilities. This is part of an initiative that was introduced to the Falmouth Commission on Substance Use back in November 2022.

The Town Manager recommends that the Select Board approve the installation of Naloxboxes within Town facilities. The facilities that would have these boxes installed will be determined through consultation involving Health and Human Services department heads, the Town Manager, and other Town department heads. Training to staff would be provided by staff from the organizations Learn to Cope (LTC) and the Aids Support Group of Cape Cod (ASGCC).

6. Vote to approve a letter of support to MassDOT to consider installation of a crosswalk on Woods Hole Road at Standpipe Hill Road:

For pedestrian safety and access considerations and with the approval of the Select Board, the Town Engineer has prepared the attached draft Letter of Support to be submitted to the MassDOT District 5 office for consideration for the design and construction of a crosswalk on Woods Hole Road at Standpipe Hill Road. Because there are no sidewalks currently on Standpipe Hill Road, the MassDOT may request that sidewalks be installed by the Town.

The Town Manager recommends that the Select Board approve the submittal of the attached Letter of Support to be sent to MassDOT District 5, and authorize the Chair to sign the letter.

7. Vote to approve a resident sticker requirement for the recycling center:

Due to a significant increase in recycled goods being dropped at our facility from non-residents (mattresses have been the latest issue) and the challenges that has created, Director of Public Works Peter McConarty will be recommending a plan to require resident stickers to access the recycling area of our facility.

## Consent Agenda:

### 1. Licenses

- a. Special One-Day Wine and Malt Liquor License- On the water, LLC- Striper Fest- Bandshell/Marina Park- Saturday, 9/23/23 (rain date Sunday, 9/24/23):

Per the applicant, the entire venue is fenced in. The hours of the event will be from 12:00 PM to 6:00 PM. Beer and wine are proposed to be served at four stations, and each station will be manned by a minimum of two On the Water staff and volunteers. The On the Water staff member at each of the tables is TIPS certified, and eight security personnel will be deployed (four remain within the area where beer and wine is served, and the other four circulate).

Falmouth Fire Rescue reviewed and had no objections. The Building Commissioner likewise has no objections, however stated that tent and electrical permits will be required.

- b. Special One-Day Wine and Malt Beverages License- Joe Q Coffee for the 15<sup>th</sup> Annual Bocce Tournament to be held at Falmouth Academy, 7 Highfield Drive, Falmouth- 9/23/23 from 10:00 AM to 3:00 PM:

No outside drinks or coolers will be permitted, and there will be 2-3 TIPS certified bartenders as well as 2-3 people on the fields to provide security. Both the Police Department and Fire Rescue Department have reviewed and have no objections.

- c. Special One-Day Wine and Malt Beverages License- West Falmouth Library for a Jazz Concert to be located at 575 West Falmouth Highway, West Falmouth- 9/9/23 from 7:00 PM to 9:00 PM
- d. Special One-Day Wine and Malt Beverages License- Woods Hole Museum- Oyster Talk & Tasting to be located at 579 Woods Hole- 8/24/23 from 5:00 PM to 7:00 PM

## 2. Administrative Orders

- a. Request for a variance to Sign Code Section 184-32 Off-Premise Signs, East Falmouth Village Association- display from 8/10/23 to 8/17/23:

The East Falmouth Village Association is requesting a approval through variance of four off-premises signs. The signs will be sandwich board-style and their dimensions will be 2 ft. x 3 ft. The locations of the signs, which are intended to inform residents of the EFVA annual meeting to be held August 17, will be at the following locations (same as previous years):

- RT 28 and Central Avenue
- RT 28 and Davisville Road
- RT 28 and Shorewood Drive
- Menhant Road and Davisville Road (this sign will be moved day of event to St. Anthony's Church)

## **OPEN SESSION**

3. Proclamation – Eagle Scout Harley Ellis Smith, Boy Scout Troop 42



## PROCLAMATION

WHEREAS: Harley Ellis Smith of Boy Scout Troop 42 has successfully completed qualifications for the rank of Eagle Scout, a rigorous and demanding process that teaches patience, perseverance and teamwork, and requires strong goal setting; and

WHEREAS: Harley Ellis Smith met these challenges with aplomb and shall be recognized as an outstanding representative of his family, his troop and his community; and

WHEREAS: The Boy Scouts of America, long acknowledged for building fine citizens, calls for Special Court of Honor to award its highest symbol of achievement to those who complete this rank; and

WHEREAS: Harley Ellis Smith is now an Eagle Scout with all its rank and privilege;

NOW, THEREFORE, We, Nancy Robbins Taylor, Edwin (Scott) P. Zylinski II, Douglas C. Brown, Onjalé Scott Price and Robert P. Mascali as Select Board of the Town of Falmouth, do hereby declare and PROCLAIM

### HARLEY ELLIS SMITH AS EAGLE SCOUT

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 7<sup>th</sup> day of August, 2023.

\_\_\_\_\_  
Nancy Robbins Taylor, Chair

\_\_\_\_\_  
Onjalé Scott Price

\_\_\_\_\_  
Edwin (Scott) P. Zylinski, II

\_\_\_\_\_  
Robert P. Mascali

SELECT BOARD

\_\_\_\_\_  
Douglas C. Brown

## **Diane Davidson**

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**From:** Paula Smith [REDACTED]  
**Sent:** Wednesday, July 19, 2023 5:52 PM  
**To:** Nancy Taylor  
**Cc:** Falmouth Town Manager; Lori Jones; Stacy Jones  
**Subject:** Town Proclamation for Eagle Scout Harley E. Smith

Select Board Chair Taylor:

It is with pride that I am writing to let you know that my son, Harley Smith, recently passed his Eagle Board of Review in Falmouth. Harley is part of Falmouth's wonderful BSA Troop 42, and I am looking forward to his Eagle Court of Honor scheduled for August 25th.

I look forward to the Select Board members celebrating with us. Additionally, I would be honored if you would be able to recognize Harley with an official Town proclamation that I know he would be beyond excited to have you read at the ceremony. A formal invite for you and our Select Board members will be hand-delivered.

As you may know, the Eagle rank is the highest and most coveted award in all of Scouting, and the 4% of all Scouts who have earned the Eagle rank since 1911 truly exemplify the qualities of trustworthiness, loyalty, helpfulness, friendliness, courteousness, kindness, obedience, cheerfulness, thriftiness, bravery, cleanliness, and reverence. These Scouts are recognized as young adults with strong character and whose traits will help them in everything they do, from being a partner to a parent and an employee to a community leader.

Of particular note, Eagle candidates are required to conceptualize, coordinate and execute an Eagle Scout Service Project to demonstrate leadership skills. For his year-long project, Harley connected Shining Sea Bikeway patrons with the ecological, geological, and cultural history of seven points of interest along the 10-mile bikeway using a web-based platform and QR codes. Each QR code access creates a data point that can be utilized to objectively demonstrate the utilization of the bikeway. You can see the completed project along the bikeway today as seven posts and QR plaques located near Wing Pond/Cranberry Bogs, Glacial Moraine at West Falmouth Oyster Pond, Great Sippewissett Marsh, Little Sippewissett Marsh, Oyster Pond, Vineyard Sound, and Trunk River.

The project required over 200 volunteer hours to complete, many briefings, and navigation through Town of Falmouth politics. Harley demonstrated leadership by coordinating the efforts of volunteers from several Falmouth-based organizations including The Falmouth Bicycle and Pedestrian Committee, Troop 42 Scouts and Families, Town of Falmouth Information Technology Department, Falmouth Department of Public Works, Locust Street Signs, Cape Coastal Computers, Massachusetts DigSafe, and New Wave Printing and Design to complete this multi-phased project. The installed QR codes (1) enable patrons of the Bikeway to learn more about this valued Falmouth scenic attraction, (2) allow the Town of Falmouth the means to connect with the public in real-time--the time patrons are enjoying the vistas, (3) provide the Town a vehicle of information sharing whose updating does not incur the expense of manufacturing new or altering existing signage, and (4) allow the Town of Falmouth quantitative data about the Bikeway usage to better support and prioritize project costs.

I would greatly appreciate the Select Board's time and effort in recognizing Harley's accomplishment, and, I know the Town's proclamation will absolutely mean the world to him.

I can be reached at [REDACTED] or this email [REDACTED] should you have any additional questions.

Kind regards,

Paula Smith  
Harley Smith's Mom

--



Paula Smith  
CEO, Writer  
P.S. Get it Write!



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## **OPEN SESSION**

### **COMMITTEE INTERVIEWS**

1. Interview, vote and appoint committee members
  - a. Plastic Reduction Advisory Committee (alternate) – Daniel Gessen

### Town Committee Vacancies

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

Committee	Term Until
Affirmative Action Committee (1 position)	6/30/26
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/24, 6/30/25, 6/30/26
Cape Cod Commission (1 position)	4/24/24
Cape Cod Regional Transit Authority (1 position)	6/30/26
Commission on Disabilities (5 positions)	6/30/24 (2), 6/30/25 (2), 6/30/26
Conservation Commission (3 alternate positions)	6/30/25 (2), 6/30/26
Constable (2 positions)	6/30/24 (2)
Cultural Council (3 positions)	6/30/24 (2), 6/30/26 (1)
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/26
Human Services Committee (2 positions)	6/30/25, 6/30/26
Plastic Reduction Advisory Committee (1 alternate position) (Applications due Monday, July 31, 2023)	Until completion
Solid Waste Advisory Committee (1 position)	6/30/26

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov) by Friday, July 28, 2023.

# Town of Falmouth

The Falmouth Select Board announces the following alternate position on a Town Committee:

Committee	Terms Until
Plastic Reduction Advisory Committee (1 alternate position)	Until completion

The mission of the Committee is to solicit input from food establishment owners and representatives, and from advocates of plastic waste reduction, in developing regulations to reduce, or eliminate, the use of disposable plastic containers and utensils by food establishments in Falmouth. The Committee will consider cost implications for businesses and consumers as well as the environmental impacts of disposable plastic. Proposed regulations will be presented to the Health Agent for review and comment prior to submission to the Board of Health for consideration and potential adoption.

Applications are available on the Town website at <https://www.falmouthma.gov/647/Town-Committees-Commissions-and-Boards>. The deadline for applications is Monday, July 31, 2023 at 4:30 p.m. in the Office of the Select Board, 59 Town Hall Square.

On Request of the Select Board

*July 21, 2023*





## **OPEN SESSION**

### **PUBLIC HEARINGS**

1. Senior Center Naming and/or Senior Center Wall of Recognition,  
continued from May 22, 2023 **(10 minutes)**

## NOTICE OF PUBLIC HEARING

The Select Board of the Town of Falmouth will hold a public hearing as required by the Select Board Naming Policy for Public Facilities and Places to solicit comments from the public on the request to name the new senior center the "John V. Magnani Senior Center", and that the old senior center building named after John DeMello retain his name. Comments may be sent via email to [selectboard@falmouthma.gov](mailto:selectboard@falmouthma.gov).

The public hearing will be held on Monday, May 22, 2023 at 6:45 p.m. in the Select Board meeting room, Town Hall, Falmouth, MA 02540.

Nancy R. Taylor, Chair  
Select Board

*Publication date: Friday, May 5, 2023; Falmouth Enterprise.*

*Account #: 2056*



# Town of Falmouth Senior Center

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To: Peter Johnson-Staub, Scott Zylinski  
From: Brenda Swain, Council on Aging Board Chair *BS*  
Date: June 8, 2023  
Re: Policy for a Senior Center Wall of Recognition

As requested by the Selectboard on 5/22/2023, attached please find our new policy regarding the process for adding names to a Falmouth Senior Center Wall of Recognition.

The Council on Aging Board developed, discussed, and unanimously approved this policy at our board meeting on 6/6/2023. We are pleased to forward this to you for discussion at the continuance of the Hearing regarding a possible name change to the Falmouth Senior Center building. Please let us know when this hearing is scheduled so we may attend.

Thank you.

Falmouth Senior Center Wall of Recognition Naming Policy:

The initial nomination period shall be for thirty days after approval of this policy by the Council on Aging and reviewed by the Falmouth Select Board. There shall not be more than four names initially selected to be placed on the wall.

Falmouth Senior Center inside vestibule wall is the location for said Wall of Recognition.

Town of Falmouth Council on Aging  
Naming Policy for Senior Center Wall of Recognition

Policy:

This policy is adopted pursuant to the inclusion on the Falmouth Senior Center "Wall of Recognition", in honor and/or in memory of those individuals who serve, or have served, the Falmouth Senior Center. The Wall is to be a permanent fixture within the Falmouth Senior Center. The location and design shall be determined by the Council on Aging and Director of Falmouth Senior Services.

Guidelines:

It is the policy of the Falmouth Council on Aging that the inclusion on the Wall of Recognition is a significant event for extraordinary service, and only in accordance with the following criteria:

- Long-term service to the Falmouth Senior Center. If the nominee is paid staff, their service must be beyond the Town of Falmouth job description and expectations.
- Exceptional leadership to the Council on Aging, The Friends of the Falmouth Senior Center, Senior Services Department, or other senior center related organizations.
- Supportive efforts that make a substantive, positive effect within the center.
- Interaction with the community which reflects positively on the Council on Aging, the Senior Center, and the Senior Services Department.
- Leadership in expanding, renewing or construction of space.
- Leadership in expanding and enhancing programs of services and outreach initiatives.

Procedure:

The nomination period shall be annually, only during the month of May, the public will be encouraged to submit nominations for consideration. Selected nominations will be announced during the National Senior Center month of September. It is expected that not more than two nominations will be selected in any year.

A selection and review committee shall consist of five voting members:

- Chair of the Council on Aging
- Vice Chair of the Council on Aging
- Chair of the Friends of the Falmouth Senior Center
- Select Board liaison to the Council on Aging
- Director, Falmouth Senior Services

Any of the above may appoint a designee from their respective board/staff in case of conflict of interest, unavailability, or other reason.

A nominee must receive endorsement from at least four of the five voting members.

Any citizen or organization may nominate. It is the responsibility of the nominating party to submit a complete nomination form. Nominations will not be considered without the completed form. There will be no verbal testimony. In some instances, the committee may reach out to the nomination party for further information.

*Falmouth Council on Aging approved 06/06/2023*

## Diane Davidson

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**From:** Julian Suso  
**Sent:** Friday, October 1, 2021 11:52 AM  
**To:** Diane Davidson  
**Subject:** FW: Falmouth Senior Center naming

Diane,  
FYI.  
Julian

**From:** Doug Brown <doug.brown@falmouthma.gov>  
**Sent:** Friday, October 1, 2021 11:39 AM  
**To:** Vieira, David - Rep. (HOU) <David.Vieira@mahouse.gov>  
**Cc:** Julian Suso <julian.suso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Nancy Taylor <nancy.taylor@falmouthma.gov>  
**Subject:** Re: Falmouth Senior Center naming

Hello Representative Vieira

Thanks for your email. I believe we can accommodate your request at our meeting of October 25. We will look forward to seeing you then if your schedule should allow.

Thank You, Doug

Doug Brown  
Select Board Chair  
59 Town Hall Sq  
Falmouth Ma 02540

On Sep 30, 2021, at 6:52 PM, Vieira, David - Rep. (HOU) <[David.Vieira@mahouse.gov](mailto:David.Vieira@mahouse.gov)> wrote:

Chairman Brown, I am emailing to request that the Falmouth Select Board consider naming the new senior center, the John V. Magnani Senior Center, and that the old senior center building named after John Demello retain his name.

Thank you for your consideration. I look forward to working with the board in September 2022, after the required one year wait period, to make this a reality.

David T. Vieira  
State Representative  
Third Barnstable District

**Town of Falmouth**  
**Select Board**  
**NAMING POLICY FOR PUBLIC FACILITIES AND PLACES**  
Adopted February 13, 2023

**Policy:**

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

**Guidelines:**

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

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

The Board shall consider naming based upon:

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

**Procedure:**

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

After the waiting period has elapsed, a member of the Select Board shall be designated to seek input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named or renamed and report back to the full Board. The Select Board will then advertise and hold a public hearing to seek input from the community.

Following the hearing, the Board may vote to name the public facility or place as requested. A vote of four (4) members of the Select Board shall be required to approve a naming request.

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

**Eligibility:**

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

**Exceptions:**

Exceptions to this policy shall be made for:

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

## **OPEN SESSION**

## **PUBLIC HEARINGS**

2. Water rate hearing, continued from June 26, 2023 **(15 minutes)**

August 7, 2023

**TOWN OF FALMOUTH  
SELECT BOARD  
PUBLIC HEARING NOTICE**

As provided under Chapter 119, of the Code of Falmouth, a Public Hearing will be held in the Select Board Meeting Room, Town Hall, 59 Town Hall Square, Falmouth on Monday, June 26, 2023 at 6:45 p.m. to establish and promulgate fees. The proposed water rates will be effective with the November 2023 billing.

The proposed new fee is as follows:

DEPARTMENT OF PUBLIC WORKS  
Water Department

Existing Water Rates, Effective Tuesday June 1, 2021			Proposed Water Rates FY23-FY26			
Annual Fee			Annual Fee			
Meter Size	Annual Fee	Units of Water to be Apportioned Annually	Meter Size	FY24	FY25	FY26
5/8"	\$124.00	40	5/8"	\$104	\$122	\$145
3/4"	\$148.00	48	3/4"	\$156	\$183	\$218
1"	\$236.00	76	1"	\$260	\$305	\$363
1.5"	\$412.00	124	1.5"	\$520	\$610	\$725
2"	\$590.00	176	2"	\$832	\$976	\$1,160
3"	\$976.00	292	3"	\$1,560	\$1,830	\$2,175
4"	\$1,176.00	352	4"	\$2,600	\$3,050	\$3,625
6"	\$1,766.00	528	6"	\$5,200	\$6,100	\$7,250
8"	\$2,356.00	700	8"	\$8,320	\$9,760	\$11,600
Excess Water Usage Rates (per unit)			Water Usage Rates (per unit)			
Excess per unit of water		\$3.50		FY24	FY25	FY26
1 Unit = 100 cf = 748 Gallons			Tier 1	\$2.50	\$2.95	\$3.40
			Tier 2	\$3.13	\$3.69	\$4.25
			Tier 3	\$3.75	\$4.43	\$5.10
			1 Unit = 100 cf = 748 Gallons			
Tier	Volume (Units)					
	Quarterly Billing	Semi-Annual Billing				
Tier 1	0-5	0-10				
Tier 2	>5-15	>10-30				
Tier 3	>15	>30				
Note: 1 unit = 100 cf = 748 gallons						

Nancy Robbins Taylor, Chair  
Select Board

Publication date: Friday, June 16, 2023; Falmouth Enterprise  
Account #: 2056



## AGENDA ITEM SUMMARY SHEET

**ITEM NUMBER:** Public Hearing Items 2 and 3

**ITEM TITLE:** Water and Sewer Rate Structure Revisions

**MEETING DATE:** 8/7/2023

**WORK SESSION**  **REGULAR MEETING**  **PUBLIC HEARING**

**SUBMITTED BY:** Steve Cadorette, P.E., DPW Deputy Director

**ATTACHMENTS:** See attached Water and Sewer Rate Tables

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### PURPOSE:

The revised Water and Sewer Rate Tables will be presented for Select Board approval.

### BACKGROUND/SUMMARY:

- The process of presenting the need to revise the water and sewer rates began on April 24, 2023 with the Capital Efficiency Plan (CEP) presentation. The CEP identified a need to replace approximately \$3M in aged water mains over a 30-year period.
- A preliminary introduction to potential water rate revisions was made by the Town's consultant, Tighe & Bond, at the Select Board's May 1, 2023 meeting. Two potential water rate proposals were offered.
- Finance Director Ed Senteio presented watermain replacement funding options at the Select Board's May 22, 2023 meeting. Mr. Senteio presented a third option to gradually increase water rates over a three-year period with the goal of raising \$1M in FY24, \$2M in FY25, and \$3M in FY26 for the CEP recommended water main replacement work. The Select Board indicated verbal concurrence with this approach.

- The proposed Water Rates were advertised in the Falmouth Enterprise on June 16, 2023. A Water Rate Hearing was held as part of the Select Board's June 26, 2023 meeting. The revised rates create a new rate structure that is consistent with the structure used by a majority of Cape and Massachusetts municipalities. The revised water rates required to implement the three-year water main replacement funding were presented. The revised rates are for the FY24, FY25, and FY26 fiscal years.
- A public meeting to present the proposed new water rates was held on June 27, 2023 in the Hermann Room of the Public Library. The meeting was coordinated with the Chamber of Commerce and videotaped by FCTV.
- A public hearing notice for the revised Sewer Rates was advertised in the July 28, 2023 edition of the Falmouth Enterprise. The revised FY24 Sewer Rate structure is identical to the revised Water Rate structure. The revised FY24 Sewer Rates are intended to raise approximately the same amount of revenue as was raised in FY23.
- The revised Water and Sewer rates are being presented for Select Board approval at the upcoming August 7, 2023 meeting.

**DEPARTMENT RECOMMENDATION:**

The DPW recommends the approval of the revised Water and Sewer Rates.

**OPTIONS:**

- 1) Approval of the recommended revised Water and Sewer Rates will allow the Water Department to implement the CEP recommended water main replacement program and maintain sewer rate revenue at its FY23 level.
- 2) Denial of the recommended revised Water and Sewer Rates would delay implementation of the CEP recommended water main replacement program. The revised water and sewer rate structure that would allow the Town to use a rate structure similar to the one used in the majority of Cape and Massachusetts municipalities would not be implemented.
- 3) The Board could propose alternatives that would include keeping the existing water and sewer rate structure, modifying the proposed revised water and sewer rates, or taking some other action.

**BUDGET INFORMATION:** Applicable:  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
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**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

The Town Manager recommends that the Select Board adopt and approve the recommended water and wastewater rates and structures as presented.



Town Manager

7/20/2023

Date

Existing Water Rates Effective Tuesday June 1, 2021			Proposed Water Rates Effective November 2023 Billing			
Annual Fee			Annual Fee			
Meter Size	Annual Fee	Units of Water to be Apportioned Annually	Meter Size	FY24	FY25	FY26
5/8"	\$124	40	5/8"	\$104	\$122	\$145
3/4"	\$148	48	3/4"	\$156	\$183	\$218
1"	\$236	76	1"	\$260	\$305	\$363
1.5"	\$412	124	1.5"	\$520	\$610	\$725
2"	\$590	176	2"	\$832	\$976	\$1,160
3"	\$976	292	3"	\$1,560	\$1,830	\$2,175
4"	\$1,176	352	4"	\$2,600	\$3,050	\$3,625
6"	\$1,766	528	6"	\$5,200	\$6,100	\$7,250
8"	\$2,356	700	8"	\$8,320	\$9,760	\$11,600
Excess Water Usage Rates (per unit)			Water Usage Rates (per unit)			
Excess per unit of water		\$3.50	Tier	FY24	FY25	FY26
1 Unit = 100 cf = 748 Gallons			Tier 1	\$2.50	\$2.95	\$3.40
			Tier 2	\$3.13	\$3.69	\$4.25
			Tier 3	\$3.75	\$4.43	\$5.10
			Tier Volume Limits			
Tier	Volume (Units)					
	Quarterly Billing	Semi-Annual Billing				
Tier 1	0-5	0-10				
Tier 2	>5-15	>10-30				
Tier 3	>15	>30				
Note: 1 unit = 100 cf = 748 gallons						

Existing Sewer Rates Effective Tuesday June 1, 2021			Proposed Sewer Rates Effective November 2023 Billing	
Annual Fee			Annual Fee	
Meter Size	Annual Fee	Sewer Usage Units to be Apportioned Annually	Meter Size	FY24
5/8"	\$268	40	5/8"	\$124
3/4"	\$320	48	3/4"	\$186
1"	\$510	76	1"	\$310
1.5"	\$832	124	1.5"	\$620
2"	\$1,180	176	2"	\$992
3"	\$1,956	292	3"	\$1,860
4"	\$2,360	352	4"	\$3,100
6"	\$3,540	528	6"	\$6,200
8"	\$4,700	700	8"	\$9,920
Excess Per Unit of Sewer Usage Rates (per unit)		Sewer Usage Rates (per unit)		
Excess per unit of sewer		\$6.70	Tier	FY24
1 Unit = 100 cf = 748 Gallons			Tier 1	\$4.46
			Tier 2	\$5.60
			Tier 3	\$6.75
Tier Volume Limits				
Tier	Volume (Units)			
	Quarterly Billing	Semi-Annual Billing		
Tier 1	0-5	0-10		
Tier 2	>5-15	>10-30		
Tier 3	>15	>30		
Note: 1 unit = 100 cf = 748 gallons				

Water Rates Effective November 1, 2023 Billing				Proposed Sewer Rates Effective November 1, 2023 Billing		
Annual Fee			Annual Fee			
Meter Size	FY24	FY25	FY26	Meter Size	FY24	
5/8"	\$104	\$122	\$145	5/8"	\$124	
3/4"	\$156	\$183	\$218	3/4"	\$186	
1"	\$260	\$305	\$363	1"	\$310	
1.5"	\$520	\$610	\$725	1.5"	\$620	
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3"	\$1,560	\$1,830	\$2,175	3"	\$1,860	
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8"	\$8,320	\$9,760	\$11,600	8"	\$9,920	
Water Usage Rates (per unit)			Sewer Usage Rates (per unit)			
Tier	FY24	FY25	FY26	Tier	FY24	
Tier 1	\$2.50	\$2.95	\$3.40	Tier 1	\$4.46	
Tier 2	\$3.13	\$3.69	\$4.25	Tier 2	\$5.60	
Tier 3	\$3.75	\$4.43	\$5.10	Tier 3	\$6.75	
Tier Volume Limits			Tier Volume Limits			
Tier	Volume (Units)			Tier	Volume (Units)	
	Quarterly Billing	Semi-Annual Billing			Quarterly Billing	Semi-Annual Billing
Tier 1	0-5	0-10		Tier 1	0-5	0-10
Tier 2	>5-15	>10-30		Tier 2	>5-15	>10-30
Tier 3	>15	>30		Tier 3	>15	>30
Note: 1 unit = 100 cf = 748 gallons				Note: 1 unit = 100 cf = 748 gallons		

# WATER DEPARTMENT FUNDING



## WATER DEPARTMENT FUNDING

### Agenda:

- Recap – Two Previous Presentations
- Present Proposed Water Rate Adjustments to Fund the Water Department Operating, Capital, and Water Main Replacement
  - Proposed Annual Fee Structure and Water Rate Adjustments
  - Customer Impact – Residential and Non-Residential Customers

## PREVIOUS PRESENTATION SUMMARIES

### Capital Efficiency Plan Presentation

- Outlined Upgrades Required to Improve System Performance
- Recommended a \$3M per Year Water Main Replacement Program

### Water Department Funding Options

- Adjust the Water Rates to Move Closer to Covering all Operating, Capital, and Water Main Replacement Costs

## RECOMMENDED FUNDING OPTION

- **Increase Water Revenues Over Three Years to Fund Capital, Operating, and Water Main Replacement:**
  - Three-Year annual meter fee and water usage rate adjustment is proposed to generate additional revenue and minimize customer impact
  - Increase revenues from FY 2022 over a three-year period to provide:
    - Revenue to substantially fund Water Department expenses
    - \$1M in FY24 Funding for Water Main Replacement
    - \$2M in FY25 Funding for Water Main Replacement
    - \$3M in FY26 Funding for Water Main Replacement
  - For the initial two years use one-time funding for water main replacement – Water stabilization, account clean up / reauthorization, ARPA Funds, small amounts of Free Cash, etc.

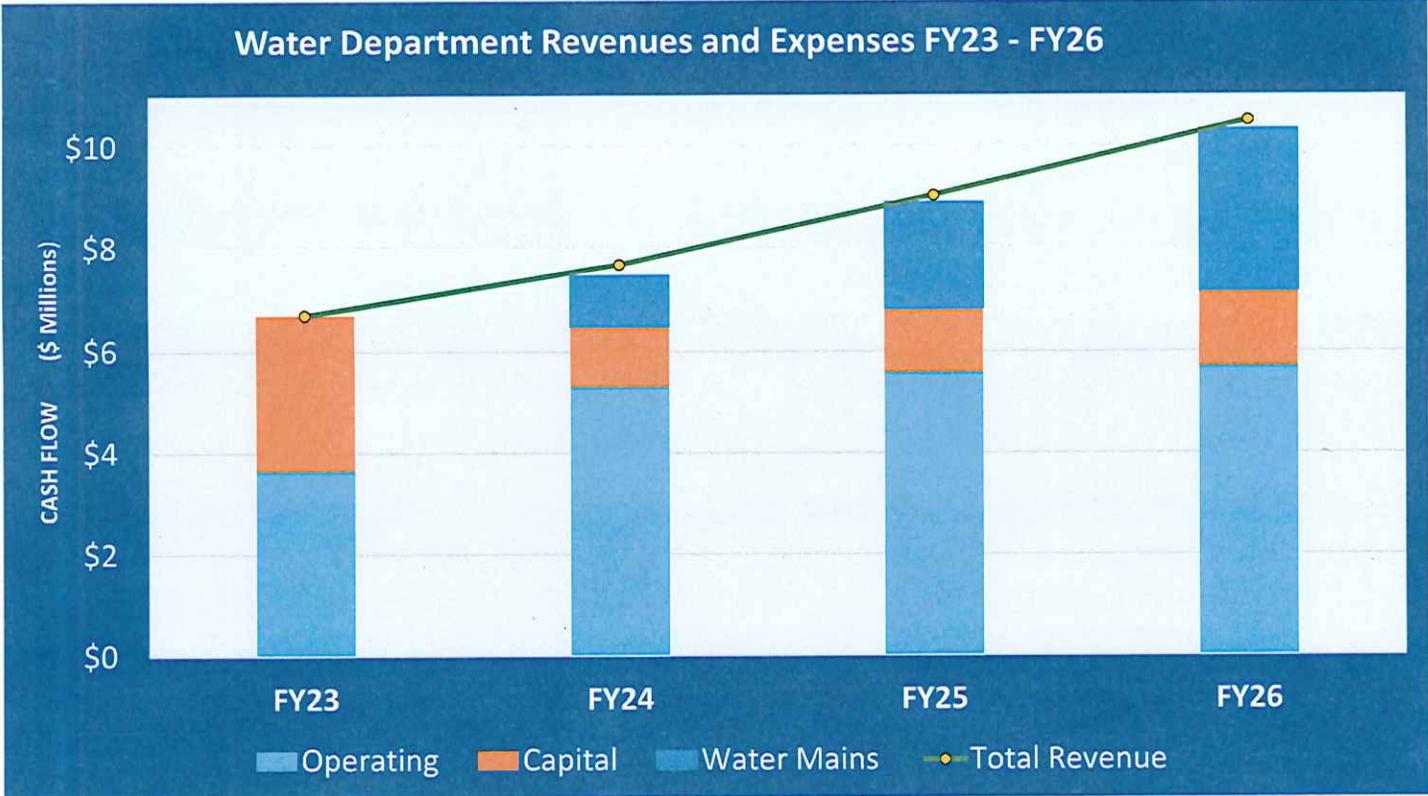
## WATER DEPARTMENT EXPENSES OVER THE NEXT THREE YEARS INCLUDING WATER MAIN REPLACEMENT FUNDING

<b>WATER DEPARTMENT EXPENSES</b>				
	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
Operating	\$3,647,778	\$5,305,000	\$5,580,000	\$5,695,000
Capital	\$3,043,723	\$1,162,000	\$1,220,000	\$1,442,000
Water Mains	-----	\$1,000,000	\$2,090,000	\$3,182,700
<b>Total Expenses</b>	<b>\$6,691,501</b>	<b>\$7,467,000</b>	<b>\$8,890,000</b>	<b>\$10,319,700</b>

## WATER DEPARTMENT REVENUE REQUIRED TO MEET THE THREE -YEAR FUNDING GOAL

<b>WATER DEPARTMENT REVENUE</b>				
<b>Year</b>	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
<b>Rate Revenue Increase</b>	-----	14%	18%	16%
Rate Revenue	\$6,643,501	\$7,617,921	\$8,972,259	\$10,450,474
Betterments	\$25,000	\$25,000	\$25,000	\$25,000
Liens & Penalties	\$5,000	\$5,000	\$5,000	\$5,000
Non-Rate Misc.	\$18,000	\$18,000	\$18,000	\$18,000
Transfer In	-----	-----	-----	-----
<b>Total Revenue</b>	<b>\$6,691,501</b>	<b>\$7,665,921</b>	<b>\$9,020,259</b>	<b>\$10,498,474</b>
<b>Total Expenses</b>	<b>\$6,691,501</b>	<b>\$7,467,000</b>	<b>\$8,890,000</b>	<b>\$10,319,700</b>

# WATER DEPARTMENT REVENUES AND EXPENSES 2023 - 2026



## RATE STRUCTURE RECOMMENDATION

- **Change to a more understandable rate structure:**
  - Flat fee based on meter size
  - No allowance – Eliminates customers paying for water they don't use
  - Three Tier structure – Customers pay for all the water that is used with an increasing usage rate for larger water use. This promotes water conservation.
  - Potential for low-income elderly relief/Participation in the LIHWAP

## PROPOSED ANNUAL FEES AND WATER RATES

- Annual Meter Fees Are Used to Fund 35% of the Water Department Capital, Operating, and Water Main Replacement Expenses
- Annual Meter Fees Based on AWWA Base Charge Escalators
- Water Rates Based on the Tier Volume/Price Ratio Table Below

BASE CHARGE ESCALATORS	
Meter Size	Meter Equivalent Ratio
	AWWA
5/8"	1.00
3/4"	1.50
1"	2.50
1.5"	5.00
2"	8.00
3"	15.00
4"	25.00
6"	50.00

Tier Volume/Price Ratio			
Tier	Volume (Units)		Price Ratio
	Quarterly	Semi-Annual	
Tier 1	0-5	0-10	1
Tier 2	>5-15	>10-30	1.25
Tier 3	>15	>30	1.5

Note: 1 unit = 748 gallons

# PROPOSED ANNUAL METER FEES AND WATER USAGE RATES

Existing and Proposed Annual Fees and Water Usage Rates FY23-FY26							
Annual Fee							
Meter Size	Existing	FY24	Change	FY25	Change	FY26	Change
5/8"	\$124	\$104	-\$20	\$122	\$18	\$145	\$23
3/4"	\$148	\$156	\$8	\$183	\$27	\$218	\$35
1"	\$236	\$260	\$24	\$305	\$45	\$363	\$58
1.5"	\$412	\$520	\$108	\$610	\$90	\$725	\$115
2"	\$590	\$832	\$242	\$976	\$144	\$1,160	\$184
3"	\$976	\$1,560	\$584	\$1,830	\$270	\$2,175	\$345
4"	\$1,176	\$2,600	\$1,424	\$3,050	\$450	\$3,625	\$575
6"	\$1,766	\$5,200	\$3,434	\$6,100	\$900	\$7,250	\$1,150
Water Usage Rates (per unit)							
	Existing	FY24	Change	FY25	Change	FY26	Change
FY23	\$3.50						
Tier 1		\$2.50	-\$1.00	\$2.95	\$0.45	\$3.40	\$0.45
Tier 2		\$3.13	-\$0.38	\$3.69	\$0.56	\$4.25	\$0.56
Tier 3		\$3.75	\$0.25	\$4.43	\$0.68	\$5.10	\$0.67

## WATER DEPARTMENT BILLING PRACTICES

- Water Usage is billed in units
  - 1 unit is 748 gallons
- Current Billing Frequency
  - The majority of the residential customers are billed on a semi-annual basis
  - Commercial and industrial customers are billed quarterly
- Residential billing in the future will be quarterly
  - Currently have a pilot program for quarterly residential meter reading
  - The change to residential quarterly billing is projected to be made in July 2024
- Quarterly residential billing
  - Will result in lower customer payments each billing cycle
  - Will provide a more consistent revenue stream

## CUSTOMER IMPACTS – RESIDENTIAL CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>SEMI-ANNUAL BILL - RESIDENTIAL CUSTOMERS (5/8" METER)</b>				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Low Usage Customer - Household Using 24 units/year (18,000 gallons per year)</i></b>				
Semi-Annual Bill	\$62.00	\$83.87	\$98.61	\$115.85
Change	-----	\$21.87	\$14.74	\$17.24
<b><i>Typical Customer - Household Using 78 units/year (61,230 gallons per year)</i></b>				
Semi-Annual Bill	\$128.50	\$173.25	\$204.08	\$237.40
Change	-----	\$44.75	\$30.83	\$33.33
<b><i>High Usage Customer - Household Using 117 units/year (91,845 gallons per year)</i></b>				
Semi-Annual Bill	\$196.75	\$246.38	\$290.36	\$336.85
Change	-----	\$49.63	\$43.99	\$46.49

# CUSTOMER IMPACTS – FOOD AND LODGING CUSTOMERS

CUSTOMER IMPACTS QUARTERLY BILL - FOOD AND LODGING CUSTOMERS				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Restaurant - 1" Meter 722 Units Annual Usage (540,056 gallons per year)</i></b>				
Quarterly Bill	\$650.50	\$757.50	\$893.40	\$1,032.43
Change	-----	\$107.00	\$135.90	\$139.03
<b><i>Motel/Hotel - 1" Meter 956 Units Annual Usage (715,088 gallons per year)</i></b>				
Quarterly Bill	\$829.00	\$948.75	\$1,119.08	\$1,292.53
Change	-----	\$119.75	\$170.33	\$173.45
<b><i>Motel/Hotel - 1 1/2" Meter 2,640 Units Annual Usage (1,974,720 gallons per year)</i></b>				
Quarterly Bill	\$2,299.00	\$2,710.00	\$3,196.00	\$3,694.50
Change	-----	\$411.00	\$486.00	\$498.50
<b><i>Motel/Hotel - 2" Meter 9,478 Units Annual Usage (7,089,544 gallons per year)</i></b>				
Quarterly Bill	\$9,048.75	\$9,877.81	\$11,648.62	\$13,469.43
Change	-----	\$829.06	\$1,770.81	\$1,820.81

## CUSTOMER IMPACTS – COMMERCIAL AND INDUSTRIAL CUSTOMERS

CUSTOMER IMPACTS				
QUARTERLY BILL - COMMERCIAL AND INDUSTRIAL CUSTOMERS				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Convenience Store - 2" Meter 849 Units Annual Usage (635,052 gallons per year)</i></b>				
Quarterly Bill	\$781.88	\$991.44	\$1,168.46	\$1,355.48
Change	-----	\$209.56	\$177.02	\$187.02
<b><i>Manufacturing - 3" Meter 1,544 Units Annual Usage (1,154,912 gallons per year)</i></b>				
Quarterly Bill	\$1,339.50	\$1,825.00	\$2,150.80	\$2,495.35
Change	-----	\$485.50	\$325.80	\$344.55
<b><i>Boating Facility - 1" Meter 287 Units Annual Usage (214,676 gallons per year)</i></b>				
Quarterly Bill	\$269.38	\$380.31	\$447.87	\$521.68
Change	-----	\$110.94	\$67.56	\$73.81

## CUSTOMER IMPACTS – MULTI-FAMILY AND LONG-TERM CARE CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>QUARTERLY BILL - LONG-TERM CARE AND MULTI-FAMILY CUSTOMERS</b>				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>80 Unit Nursing Home - 2" Meter 4,050 Units Annual Usage (3,029,400 gallons per year)</i></b>				
Quarterly Bill	\$3,656.75	\$4,225.38	\$4,983.06	\$5,760.75
Change	-----	\$568.63	\$757.69	\$777.69
<b><i>83 Unit Apartment Complex - 2" Meter 2,613 Units Annual Usage (1,954,524 gallons per year)</i></b>				
Quarterly Bill	\$2,307.00	\$2,625.50	\$3,096.65	\$3,577.80
Change	-----	\$318.50	\$471.15	\$481.15

## WATER CONSERVATION PRACTICES

- Visit the Falmouth Water Department website for tips on how to conserve water.
  - <https://www.falmouthma.gov/314/Water>
- Mass Save current has rebates for items such for items such as new washing machines.
  - <https://www.masssave.com>
- The Falmouth Water Department is exploring water conservation programs with irrigation and smart home vendors.

## **OPEN SESSION**

### **PUBLIC HEARINGS**

3. Sewer rate hearing **(15 minutes)**

TOWN OF FALMOUTH  
SELECT BOARD  
PUBLIC HEARING NOTICE

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The proposed new fee is as follows:

DEPARTMENT OF PUBLIC WORKS  
Wastewater Department

Existing Sewer Rates Effective Tuesday June 1, 2021			Proposed Sewer Rates Effective November 2023 Billing	
Annual Fee			Annual Fee	
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			Tier 2	\$5.60
			Tier 3	\$6.75
Tier Volume Limits				
Tier	Volume (Units)			
	Quarterly Billing	Semi-Annual Billing		
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Nancy Robbins Taylor, Chair  
Select Board  
Publication date: Friday, July 28, 2023; Falmouth Enterprise  
Account #: 2056



## AGENDA ITEM SUMMARY SHEET

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**ITEM TITLE:** Water and Sewer Rate Structure Revisions

**MEETING DATE:** 8/7/2023

**WORK SESSION**  **REGULAR MEETING**  **PUBLIC HEARING**

**SUBMITTED BY:** Steve Cadorette, P.E., DPW Deputy Director

**ATTACHMENTS:** See attached Water and Sewer Rate Tables

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### PURPOSE:

The revised Water and Sewer Rate Tables will be presented for Select Board approval.

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**DEPARTMENT RECOMMENDATION:**

The DPW recommends the approval of the revised Water and Sewer Rates.

**OPTIONS:**

- 1) Approval of the recommended revised Water and Sewer Rates will allow the Water Department to implement the CEP recommended water main replacement program and maintain sewer rate revenue at its FY23 level.
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- 3) The Board could propose alternatives that would include keeping the existing water and sewer rate structure, modifying the proposed revised water and sewer rates, or taking some other action.

**BUDGET INFORMATION:** Applicable:  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
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**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

The Town Manager recommends that the Select Board adopt and approve the recommended water and wastewater rates and structures as presented.



Town Manager

7/20/2023

Date

Existing Water Rates Effective Tuesday June 1, 2021			Proposed Water Rates Effective November 2023 Billing			
Annual Fee			Annual Fee			
Meter Size	Annual Fee	Units of Water to be Apportioned Annually	Meter Size	FY24	FY25	FY26
5/8"	\$124	40	5/8"	\$104	\$122	\$145
3/4"	\$148	48	3/4"	\$156	\$183	\$218
1"	\$236	76	1"	\$260	\$305	\$363
1.5"	\$412	124	1.5"	\$520	\$610	\$725
2"	\$590	176	2"	\$832	\$976	\$1,160
3"	\$976	292	3"	\$1,560	\$1,830	\$2,175
4"	\$1,176	352	4"	\$2,600	\$3,050	\$3,625
6"	\$1,766	528	6"	\$5,200	\$6,100	\$7,250
8"	\$2,356	700	8"	\$8,320	\$9,760	\$11,600
Excess Water Usage Rates (per unit)		Water Usage Rates (per unit)				
Excess per unit of water		\$3.50	Tier	FY24	FY25	FY26
1 Unit = 100 cf = 748 Gallons			Tier 1	\$2.50	\$2.95	\$3.40
			Tier 2	\$3.13	\$3.69	\$4.25
			Tier 3	\$3.75	\$4.43	\$5.10
		Tier Volume Limits				
Tier	Volume (Units)					
	Quarterly Billing	Semi-Annual Billing				
Tier 1	0-5	0-10				
Tier 2	>5-15	>10-30				
Tier 3	>15	>30				
Note: 1 unit = 100 cf = 748 gallons						

Existing Sewer Rates Effective Tuesday June 1, 2021			Proposed Sewer Rates Effective November 2023 Billing	
Annual Fee			Annual Fee	
Meter Size	Annual Fee	Sewer Usage Units to be Apportioned Annually	Meter Size	FY24
5/8"	\$268	40	5/8"	\$124
3/4"	\$320	48	3/4"	\$186
1"	\$510	76	1"	\$310
1.5"	\$832	124	1.5"	\$620
2"	\$1,180	176	2"	\$992
3"	\$1,956	292	3"	\$1,860
4"	\$2,360	352	4"	\$3,100
6"	\$3,540	528	6"	\$6,200
8"	\$4,700	700	8"	\$9,920
Excess Per Unit of Sewer Usage Rates (per unit)		Sewer Usage Rates (per unit)		
Excess per unit of sewer		\$6.70	Tier	FY24
1 Unit = 100 cf = 748 Gallons			Tier 1	\$4.46
			Tier 2	\$5.60
			Tier 3	\$6.75
Tier Volume Limits				
Tier	Volume (Units)			
	Quarterly Billing	Semi-Annual Billing		
Tier 1	0-5	0-10		
Tier 2	>5-15	>10-30		
Tier 3	>15	>30		
Note: 1 unit = 100 cf = 748 gallons				

Water Rates Effective November 1, 2023 Billing				Proposed Sewer Rates Effective November 1, 2023 Billing		
Annual Fee				Annual Fee		
Meter Size	FY24	FY25	FY26	Meter Size	FY24	
5/8"	\$104	\$122	\$145	5/8"	\$124	
3/4"	\$156	\$183	\$218	3/4"	\$186	
1"	\$260	\$305	\$363	1"	\$310	
1.5"	\$520	\$610	\$725	1.5"	\$620	
2"	\$832	\$976	\$1,160	2"	\$992	
3"	\$1,560	\$1,830	\$2,175	3"	\$1,860	
4"	\$2,600	\$3,050	\$3,625	4"	\$3,100	
6"	\$5,200	\$6,100	\$7,250	6"	\$6,200	
8"	\$8,320	\$9,760	\$11,600	8"	\$9,920	
Water Usage Rates (per unit)				Sewer Usage Rates (per unit)		
Tier	FY24	FY25	FY26	Tier	FY24	
Tier 1	\$2.50	\$2.95	\$3.40	Tier 1	\$4.46	
Tier 2	\$3.13	\$3.69	\$4.25	Tier 2	\$5.60	
Tier 3	\$3.75	\$4.43	\$5.10	Tier 3	\$6.75	
Tier Volume Limits				Tier Volume Limits		
Tier	Volume (Units)			Tier	Volume (Units)	
	Quarterly Billing	Semi-Annual Billing			Quarterly Billing	Semi-Annual Billing
Tier 1	0-5	0-10		Tier 1	0-5	0-10
Tier 2	>5-15	>10-30		Tier 2	>5-15	>10-30
Tier 3	>15	>30		Tier 3	>15	>30
Note: 1 unit = 100 cf = 748 gallons				Note: 1 unit = 100 cf = 748 gallons		

## **OPEN SESSION**

### **PUBLIC HEARINGS**

4. Conduct a public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth **(15 minutes)**



## **NOTICE OF VIOLATION AND HEARING**

Notice is hereby given under M.G.L. c. 140 § 183A and Town of Falmouth Alcohol Beverages Regulations § 16 that the Town of Falmouth Select Board will conduct a public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth, MA.

The hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, August 7, 2023, at 6:45 p.m.

### LICENSING BOARD

Nancy Robbins Taylor  
Edwin (Scott) P. Zylinski, II  
Douglas C. Brown  
Onjalé Scott Price  
Robert P. Mascali

*Publication Date: Friday, July 28, 2023*



# TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

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

## **NOTICE OF VIOLATION AND HEARING**

July 13, 2023

Cape Cod Winery, Inc. d/b/a Cape Cod Winery  
Erika Orlandella, Manager  
4 Oxbow Road  
Falmouth, MA 02536  
*By Hand Delivery, email, and Certified Mail*

Re: Notice of Violation and Hearing on alleged violation of M.G.L. c. 140 § 183A and  
Town of Falmouth Alcoholic Beverages Regulations § 16

Dear Ms. Orlandella:

This office has been notified of several noise complaints resulting in possible violations of the conditions of your Entertainment license and Sunday Entertainment license.

Notice is hereby given under M.G.L. c. 140 § 183A and Town of Falmouth Alcohol Beverages Regulations § 16 that the Town of Falmouth Select Board will conduct a public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth, MA.

**The hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, August 7, 2023, at 6:45 p.m. You will be afforded an opportunity to be heard on these issues and are invited to present evidence on your behalf.**

Please be advised that pursuant to M.G.L. c. 140 § 183A and Town of Falmouth Alcohol Beverages Regulations § 16, the Select Board may modify, suspend, revoke, or cancel the licenses upon a finding that a violation has occurred. Failure to appear for the hearing will result in a finding that a violation has occurred.

### **LICENSING BOARD**

Nancy Robbins Taylor  
Edwin (Scott) P. Zylinski, II  
Douglas C. Brown  
Onjalé Scott Price  
Robert P. Mascali



July 13, 2023

I acknowledge that the correspondence addressed to:

Cape Cod Winery, Inc. d/b/a Cape Cod Winery  
Erika Orlandella, Manager  
4 Oxbow Road  
Falmouth, MA 02536

Was delivered on July 13, 2023, in hand to:

Linde Stahowiak, mgr on duty at time of service

By: , Town of Falmouth Constable  
Signature

Harold L. March  
Print Name

7/13/23  
Date

6:15 pm  
Time

**NOTICE OF VIOLATION AND  
HEARING**

Notice is hereby given under M.G.L. c. 140 § 183A and Town of Falmouth Alcohol Beverages Regulations § 16 that the Town of Falmouth Select Board will conduct a public hearing to determine if there are violations of the Entertainment license and Sunday Entertainment license issued to Cape Cod Winery, Inc. d/b/a Cape Cod Winery located at 4 Oxbow Road, Falmouth, MA.

The hearing will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, August 7, 2023, at 6:45 p.m.

**LICENSING BOARD**

Nancy Robbins Taylor  
Edwin (Scott) P. Zylinski, II  
Douglas C. Brown  
Onjalé Scott Price  
Robert P. Mascali

July 28, 2023

Apf #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2023 07 11 1502	(FD) Outside Fuel Spill	(FD) INVESTIGATED	23-16452		N
	2023 07 10 1645	MOTOR VEHICLE STOP	Verbal Warning	23-16376		N
	2023 07 10 1308	ANIMAL COMPLAINT	HANDLED BY OFFICER	23-16355	B9800715	N
	2023 07 09 1657	RECOVERED PROPERTY	REPORT	23-16271		N
	2023 06 04 1018	CRASH	REPORT	23-12867		N
	2023 05 29 1248	ANIMAL COMPLAINT	HANDLED BY OFFICER	23-12342	B9800715	N
	2023 05 25 0924	MOTOR VEHICLE STOP	CITATION ISSUED	23-11938		N
	2023 05 07 1548	ABANDONED 911	SUPERVISOR NOTIFIED	23-10299	B9800715	N
	2023 05 06 1441	LOUD MUSIC / PARTY / NOISES	NO VIOLATION	23-10206	B9800715	N
	2023 05 06 1428	LOUD MUSIC / PARTY / NOISES	UNFOUNDED	23-10203	B9800715	N
	2023 04 28 1648	LOUD MUSIC / PARTY / NOISES	HANDLED BY OFFICER	23-9555	B9800715	N
	2023 04 22 1440	PARKING VIOLATION(S)	HANDLED BY OFFICER	23-9041	B9800715	N
	2023 04 15 1544	PARKING VIOLATION(S)	HANDLED BY OFFICER	23-8465	B9800715	N
	2023 04 07 1524	DISABLED MV	VEHICLE TOWED	23-7758		N
	2023 03 17 1236	RECOVERED PROPERTY	HANDLED BY OFFICER	23-6027	B9800715	N

For Date: 05/06/2023 - Saturday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
23-10206	1441	Phone - LOUD MUSIC / PARTY / NOISES	NO VIOLATION	3	
Call Taker:		SYLV - Sylvia, Mary			
Primary Id:		DEVI - Devito, Anthony			
Call Closed By:		AKIN - Akins, Stephen 05/06/2023 1455			
Call Modified By:		AKIN - Akins, Stephen			
Location/Address:		[FAL B9800715] CAPE COD WINERY - 4 OX BOW RD			
Party Entered By:		05/06/2023 1442 SYLV - Sylvia, Mary			
Calling Party:		10-10			

TEATICKET HWY - EAST FALMOUTH, MA 02536  
Race: W Sex: F

Narrative: 05/06/2023 1442 Sylvia, Mary  
RP would like it documented that the music is to loud coming  
from Cape Cod Winery.

Narrative: 05/06/2023 1443 Sylvia, Mary  
RP was advised that PD is on ,ocation.

For Date: 05/06/2023 - Saturday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
23-10203	1426	Phone - LOUD MUSIC / PARTY / NOISES	UNFOUNDED	3	
Call Taker: SYLV - Sylvia, Mary Primary Id: DEVI - Devito, Anthony Call Closed By: AKIN - Akins, Stephen 05/06/2023 1602 Call Modified By: DEVI - Devito, Anthony Location/Address: (FAL B9800715) CAPE COD WINERY - 4 OX BOW RD Party Entered By: 05/06/2023 1429 SYLV - Sylvia, Mary Calling Party: 10-10					
Race: W Sex: F					
Unit: 803 Devito, Anthony Disp-14:31:04 Arvd-14:38:51 Clrd-14:51:27 Dispatched By: OLIA - OLIVER, AMANDA Arrived By: OLIA - OLIVER, AMANDA Cleared By: AKIN - Akins, Stephen Vehicle Entered By: 05/06/2023 1432 OLIA - OLIVER, AMANDA Vehicle: Owner:					
Narrative: 05/06/2023 1429 Sylvia, Mary RP is reporting loud music coming from Cape Cod Winery in which the music is traveling outside of their premise.					
Narrative: 05/06/2023 1439 OLIVER, AMANDA 068- checking noise level from where the 10-10 is calling from across the street- 11 Brick Kiln					
Refer To Incident: <u>23-10203-OF</u>					



Falmouth Police Department

Page: 1

NARRATIVE FOR PATROL OFFICER ANTHONY R DEVITO

Ref: 23-10203-OF

Entered: 05/07/2023 @ 1012      Entry ID: DEVI  
Modified: 05/07/2023 @ 1022      Modified ID: DEVI  
Approved: 05/18/2023 @ 1746      Approval ID: DECO

Ptlm. DeVito  
May 07, 2023  
Noise Complaint

On May 06, 2023 at approximately 1426 hours I was dispatched to Cape Cod Winery for a noise complaint. The reporting party lived at Brick Kiln Road so I went there first to speak with them and listen for a noise violation. Upon arrival I spoke with \_\_\_\_\_ in regards to the complaint. She explained that there was music coming from the Winery prior to my arrival and that the bass was loud. During my time speaking with her there was no violation coming from the winery. I advised to call back if it persists. I proceeded to the winery to advise them that we recieved a complaint about the noise. I spoke with two employees and advised them of the situation, they did say they had an accoustic band playing and were permitted at the time.

There was no noise violation observed while on the call.

Respectfully Submitted,

Officer DeVito

For Date: 04/28/2023 - , Friday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
23-9555	1648	Phone - LOUD MUSIC / PARTY / NOISES	HANDLED BY OFFICER		3

Call Taker: BONC - BONCEK, JOHN  
 Call Closed By: SDIC - DICKINSON, STEPHANEE 04/28/2023 1705  
 Call Modified By: SDIC - DICKINSON, STEPHANEE  
 Location/Address: [FAL B9800715] CAPE COD WINERY - 4 OX BOW RD  
 Party Entered By: 04/28/2023 1649 BONC - BONCEK, JOHN  
 Calling Party: 10-10  
 Unit: \*\*\*UNKNOWN\*\*\*, @ BRICK KILN RD - FALMOUTH, MA 02540 508-468-6878  
 805 Lowe, Sear.  
 Disp-16:52:38 Arvd-16:56:40 CIRD-17:04:52  
 Dispatched By: SDIC - DICKINSON, STEPHANEE  
 Arrived By: SDIC - DICKINSON, STEPHANEE  
 Cleared By: SDIC - DICKINSON, STEPHANEE  
 Unit: 851 Hergt, Ryan  
 Disp-16:55:44 Arvd-16:57:03 CIRD-17:05:01  
 Dispatched By: SDIC - DICKINSON, STEPHANEE  
 Arrived By: SDIC - DICKINSON, STEPHANEE  
 Cleared By: SDIC - DICKINSON, STEPHANEE  
 Narrative: 04/28/2023 1649 BONCEK, JOHN  
 Loud noise on and off from winery  
 Narrative: 04/28/2023 1704 DICKINSON, STEPHANEE  
 057- music barely audible from the street. Their license is  
 until ?

For Date: 04/22/2023 - Saturday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
23-9041	1440	Phone - PARKING VIOLATION(S)	HANDLED BY OFFICER		3

Call Taker: OLIA - OLIVER, AMANDA  
Call Closed By: BARR - Barry, Stephanie 04/22/2023 1455  
Call Modified By: BARR - Barry, Stephanie  
Location/Address: [FAL B9800715] CAPE COD WINERY - 4 OX BOW RD  
Party Entered By: 04/22/2023 1441 BARR - Barry, Stephanie  
Calling Party:  
Unit: SSN: 017782781 DOB: 12/04/1993 Race: W Sex: F  
809 Maurer, Edward  
Disp-14:41:56 Arvd-14:54:21 CIRD-14:54:57  
Arrived By: MAUR - Maurer, Edward  
Cleared By: BARR - Barry, Stephanie  
Narrative: 04/22/2023 1440 OLIVER, AMANDA  
10-10 reporting vehicles parking on the side walk on Brick  
Kiln  
Narrative: 04/22/2023 1455 Barry, Stephanie  
0-9 3 vehicles on the side of the road they are having them  
move

For Date: 04/15/2023 - Saturday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
23-8465	1544	Phone - PARKING VIOLATION(S)	HANDLED BY OFFICER		3

Call Taker: BONC - BONCEK, JOHN  
Primary Id: WOOD - Woodside, Dalton  
Call Closed By: WOOD - Woodside, Dalton 04/15/2023 1602  
Call Modified By: WOOD - Woodside, Dalton  
Location/Address: [FAL B9800715] CAPE COD WINERY - 4 OX BOW RD  
Party Entered By: 04/15/2023 1549 BONC - BONCEK, JOHN  
Calling Party: \*\*\*UNKNOWN\*\*\*, \*\*\*UNKNOWN\*\*\* - FALMOUTH, MA 02540  
Unit: 812 Woodside, Dalton  
Disp-15:46:38 Arvd-15:51:32 Clrd-16:01:59  
Arrived By: WOOD - Woodside, Dalton  
Cleared By: WOOD - Woodside, Dalton  
Narrative: 04/15/2023 1545 BONCEK, JOHN  
Modified By: 04/15/2023 1557 BONCEK, JOHN  
Caller reports multiple vehicles parked illegally in rd way  
  
Narrative: 04/15/2023 1558 BONCEK, JOHN  
Status check O64 10-4  
  
Narrative: 04/15/2023 1601 Woodside, Dalton  
all vehicles were moved.

## **OPEN SESSION**

## **BUSINESS**

1. Vote to create an alternate position on the Plastic Reduction Advisory Committee **(5 minutes)**

**Town of Falmouth**  
**Plastic Reduction Advisory Committee Charge**  
**Adopted by Select Board on May 1, 2023**

The Plastic Reduction Advisory Committee shall be appointed by the Select Board in accordance with relevant provisions of the Falmouth Home Rule Charter and Town bylaws. The Committee shall consist of seven (7) members, including:

- At least one representative of the food establishment businesses directly affected by regulation of disposable plastic;
- At least one individual who is an advocate of regulating the use of disposable plastic by food establishments;
- One Solid Waste Advisory Committee member or designee;
- One Board of Health member or designee;

The mission of the Committee is to solicit input from food establishment owners and representatives, and from advocates of plastic waste reduction, in developing regulations to reduce, or eliminate, the use of disposable plastic containers and utensils by food establishments in Falmouth. The Committee will consider cost implications for businesses and consumers as well as the environmental impacts of disposable plastic. Proposed regulations will be presented to the Health Agent for review and comment prior to submission to the Board of Health for consideration and potential adoption.

The Board respectfully asks the Committee to submit a progress report to the Select Board by August 4, 2023 and to provide the Select Board with a copy of the proposed regulations at the same time they are submitted to the Board of Health.

## **OPEN SESSION**

## **BUSINESS**

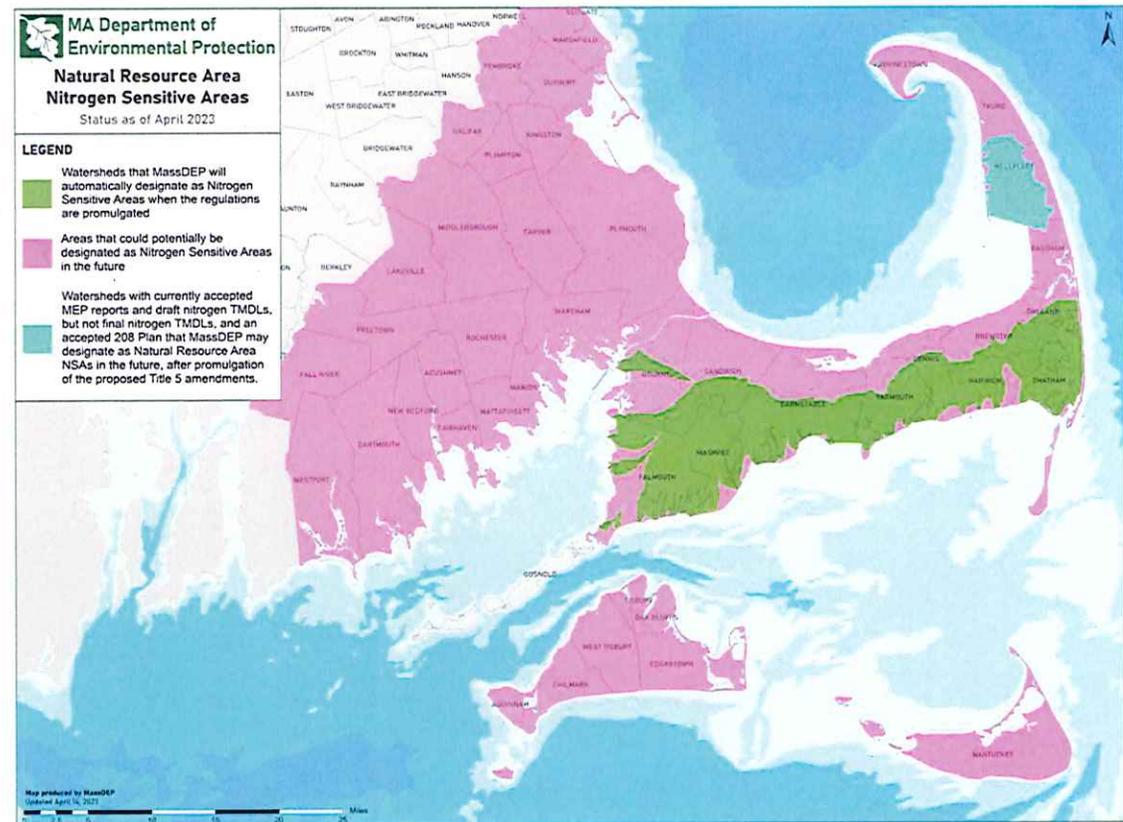
2. Discuss Massachusetts regulation changes: Septic Systems and Watershed Permits **(15 minutes)**

# Introduction to MA Regulation Changes: Septic Systems and Watershed Permits

Amy Lowell, Wastewater Superintendent  
Select Board Meeting, August 7, 2023

# Intent of Regulation Changes:

- Increase Cape Cod Towns' rate of progress towards meeting nitrogen Total Maximum Daily Loads (TMDLs)
- Reduce nitrogen load to coastal ponds from septic systems using state-approved methods



## A Pair of Closely Related Regulations:

Modification to Existing Regulation, Title 5 (310 CMR 15.000),  
which governs onsite sewage treatment systems with flow <  
10,000 gallons per day, including septic systems

New Watershed Permit Regulations (314 CMR 21.00)

Both effective July 7, 2023

# Regulations Designate “Nitrogen Sensitive Areas”

- All watersheds to ponds with nitrogen Total Maximum Daily Loads (TMDLs) – shown in green



## Regulations Establish Two Options for Nitrogen Sensitive Areas:

1) All property owners in these areas are required to upgrade their septic systems to “Best Available Nitrogen Removing Technology.”

**OR**

2) Town applies for watershed permits for these areas, providing the Town’s own plan and schedule to meet the TMDLs. The Town must then implement the plan/schedule.

**Title 5 Option**  
**(upgrade all septic systems in**  
**Nitrogen Sensitive Areas)**

## Timeline if Proceed With Title 5 Upgrade Option:

All properties in Nitrogen Sensitive Areas (~13,000 properties in Falmouth) shall upgrade septic systems to “Best Available Nitrogen Reducing Technology”

- Existing Systems: within 7 years (by July 7<sup>th</sup>, 2030)
  - approved nitrogen-reducing septic systems installed since July 2013 are grandfathered
- New Construction or construction involving a flow increase: starting 6 months from the regulation effective date (starting January 7<sup>th</sup>, 2024)

## Timeline caveat

- Regulations say that DEP *may* extend any time limit for good cause, including: an insufficient supply of necessary equipment or materials, or unavailability of contractors.
- This is a recognition of a few of the likely obstacles in implementation of the Title 5 regulations
- Nitrogen removing septic systems are not ready for implementation at large scale.
  - Design, permitting, manufacturing, installation, inspection, operation, monitoring capacity all limited.

# “Best Available Nitrogen Reducing Technology”

- Definition in new regulations is complicated/confusing. But it is basically: Innovative/Alternative (I/A) systems approved for use by the DEP for nitrogen removal (with a goal of better types of systems being installed over time after DEP approves them).
- Existing Title 5 regulations involve 3 levels of DEP use approval: general use, pilot use, and provisional use.
- The DEP’s process for reviewing and approving systems has been very slow and not effective at advancing high-performing systems.

## “Best Available Nitrogen Reducing Technology”

- The systems already approved for general use are approved for an “effluent performance value” of 19 mg/L, but performance is generally worse.
  - Good performance requires good installation, operation, maintenance and monitoring.
  - Performance is lower with seasonal occupancy/flow
- There are 2 systems that appear able to achieve an effluent nitrogen concentration of 10 mg/L on average. Neither is approved for general use.
- To achieve TMDLs for the Town’s southcoast ponds, we need 100% septic nitrogen removal from the lower watersheds, and additional nitrogen removal in the upper watersheds.

# Enforcement

- Enforcement of upgrade requirement on property owners by local Board of Health



Photos Credit: 12/12/19 Buzzards Bay Coalition Presentation to WQMC re: West Falmouth Harbor Shoreline Septic Remediation Project

# Watershed Permit Option

# Timeline if proceed with watershed permits

- File a Notice of Intent to apply for Watershed Permits within 2 years (by July 7, 2025)
  - If Town does not wish the I/A requirement for new construction to take effect, then Town needs to file the Notice of Intent by *January 7, 2024*.
  - This suspends the Title 5 system upgrade requirement
  - Simple online form
  - Shall include a proposed schedule for the filing of a Watershed Permit application and issuance of the permit as soon as practicable but no later than seven years from the applicable Nitrogen Sensitive Area designation.
- Apply for watershed permits. Must be applied for and issued by July 7<sup>th</sup>, 2030 (if deadline not met, reverts to Title 5 upgrade requirements)

# Watershed Permit Application Requirements

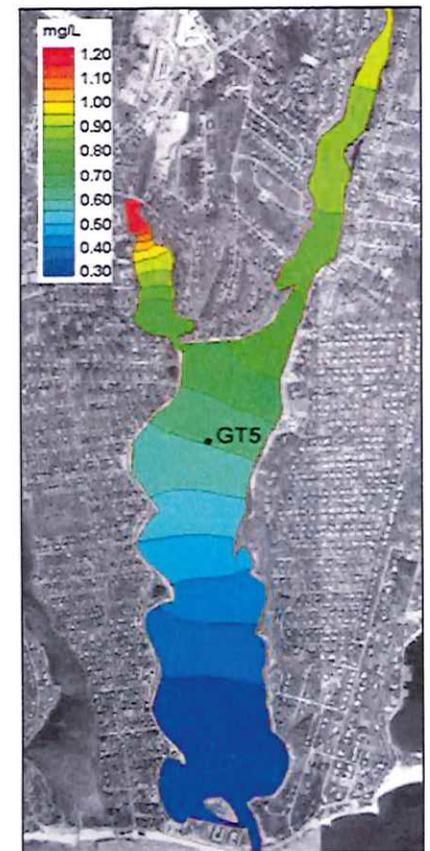
- Online application form
- Watershed Management Plan (can be a Comprehensive Watershed Management Plan or a Targeted Watershed Management Plan), including:
  - Description of all planned actions to achieve Necessary Nitrogen Load Reductions “to restore the waterbody to applicable water quality and habitat quality restoration goals identified in a TMDL”
  - Implementation schedule not > 20 years, including activities that will occur in each 5-year period. Schedule becomes enforceable.
  - Contingency plan reliant on Conventional Control Technologies (sewers or I/A’s)
  - Cost estimate
  - Monitoring plan
- If a shared watershed, an Intermunicipal Agreement

# Reasonable Progress

- If the plan will not attain the Necessary Nitrogen Load Reductions within 20 years, DEP may allow reasonable progress alternative if:
  - Alternative is reasonable based on financial costs and environmental impacts, and
  - Town cannot reasonably achieve the necessary nitrogen load reductions within 20 years, and
  - Either: (1) at least 75% of the necessary load reduction will be achieved in 20 years, or (2) an alternative schedule is appropriate based on watershed specific issues
    - i.e., number or complexity of watersheds, proportion of land area in watersheds, total nitrogen load to be reduced, logistical, financial, etc.
- The alternative plan must include a plan/schedule to ultimately achieve the required reductions

# Elements of a Watershed Permit

- Approved Plan and Implementation Schedule
- Annual reporting of water quality monitoring results for each watershed.
- Progress reports every five-years
- Adaptive management framework – evaluate results, adjust and modify the strategy as needed; contingency plan



# Termination or Revocation of a Permit

- DEP can modify, revoke, terminate or renew watershed permits.
- If permit is revoked or terminated, revert to Title 5 upgrade requirements; properties in Nitrogen Sensitive Areas have 2 years to incorporate Best Available Nitrogen Removing Technology

# Enforcement

- DEP can take action to enforce the provisions of 314 CMR 21.00 and any Watershed Permit, including:
  - Requiring permittee to provide information
  - Revoking permit
  - Assessing civil administrative penalties



## Decisions to be Made

- Does the Town want to file Notices of Intent and apply for Watershed Permits for all nitrogen sensitive areas in Falmouth or allow the Title 5 upgrade requirement to take effect in certain areas?
- What role should Board of Health and Water Quality Management Committee play?
- Who from the Town should lead the process?

## Pros of Option 1 – Septic System Upgrades for All

- Takes effect soon; would begin to reduce nitrogen load to ponds (though load reduction performance would be low for most systems installed)
- No town vote, appropriation or plan required

## Cons of Option 1 – Septic System Upgrades For All

- For some of Falmouth's coastal ponds, including all southcoast ponds, this would not even come close to achieving the goal; would not come close to reducing the nitrogen load enough to meet TMDLs
- For some of Falmouth's coastal ponds, this would exceed the nitrogen removal requirement, requiring upgrades of more properties than necessary
- No prioritization/no planning, no town control

# Cons of Option 1 – Septic System Upgrades For All, Continued

- Not even feasible to fully comply
  - There are only 2 types of systems that sufficiently reduce nitrogen, neither approved
  - Installation of low performing systems allowed when others not available
  - Manufacturers/installers do not have capacity to install at this scale
  - Town/County do not have capacity to enforce, oversee
  - Systems do not perform well if not properly installed, operated, monitored
- Puts all cost/responsibility on homeowners for implementation, and on Board of Health for permitting/enforcement
- If the Town later needs to implement other actions (sewers) in watersheds to actually improve water quality, homeowners would have to “pay twice”

## Pros of Option 2 – Watershed Permits

- Town would control the planning, prioritization, implementation and cost distribution.
- Will ultimately achieve much greater nitrogen load reduction (meet the TMDLs), with an appropriate plan customized for each watershed.
- Not all 13,000 property owners in Nitrogen Sensitive Areas would have to upgrade their septic systems within 7 years.
- Innovative/Alternative nitrogen reducing systems will be required in some areas under the Town's watershed plans but:
  - Areas will be targeted based on the watershed needs and development density (ex: areas of lower density and/or where no sewer is envisioned).
  - Town can set its own standards for the nitrogen removal technology. Won't waste resources on technology that does not work.

## Cons of Option 2 – Watershed Permits

- More effort and cost for the Town
- Slower start to implementation

# Recommendation

- By January 2024, submit Notices of Intent to file watershed permit applications for all Nitrogen Sensitive Areas (may group watersheds to reduce the number of permits)
  - Town staff can do this
- Town Meeting article in 2024 to fund Wastewater Management Plan for remaining watersheds
- Apply for watershed permits for all watersheds as soon as reasonably feasible; before July 7, 2030 deadline.



# Falmouth Health Department

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540  
(508) 495-7485 • [health@falmouthma.gov](mailto:health@falmouthma.gov)

August 2, 2023

Dear Town Manager Mike Renshaw and the Falmouth Selectboard:

On July 31, 2023, The Falmouth Board of Health voted to support the Town of Falmouth pursuing watershed permits as outlined in 314 CMR 21.00 and the recent changes to 310 CMR 15.000 (Title 5).

Sincerely,

Scott McGann, Health Agent

On behalf of the members of the Board of Health:

Diana Molloy, Chair  
Georger Heufelder  
Kevin Kroeger  
John Waterbury  
Amy Roth

August 2, 2023

Dear Town Manager Mike Rennshaw and the Falmouth Selectboard:

On July 31, 2023 the Water Quality Management Committee held a public meeting and received a powerpoint presentation on the recent changes to 310CMR 15.000 the segment of the code related to on site wastewater disposal, commonly referred to as Title V as well as on the newly promulgated regulation 314 CMR 21.00 that establishes the guidelines for Watershed Permits for Nitrogen Sensitive Designated Watersheds.

At the conclusion of the presentation the following motion was made and seconded:

“That the WQMC recommend that the Select Board proceed with filing watershed permit Notices of Intent by January 7, 2024.”

The motion was unanimously approved by the members present.

Sincerely,

Stephen Rafferty, WQMC Chairperson

On behalf of the members of the Water Quality Management Committee.

## OPEN SESSION

### BUSINESS

3. Request from the Recreation Department to submit two applications to the Community Preservation Committee, one for a 12 or 16 court pickle ball complex and one to rehabilitate the Old Skate Park at Trotting Park **(5 minutes)**



**ITEM NUMBER:** Business Item 3.

**ITEM TITLE:** Recreation Department seeking CPC Application approval

**MEETING DATE:** August 7

**WORK SESSION**  **VOTING SESSION**  **PUBLIC HEARING**

**SUBMITTED BY:** Joe Olenick-Recreation Department

**ATTACHMENTS:**

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**PURPOSE:**

The Recreation Department is looking for Select Board Approval to submit 2 CPC Applications. One for a 12 or 16 Court Pickleball Complex, and the second one to rehabilitate the Old Skate Park at Trotting Park.

**BACKGROUND/SUMMARY:**

- Falmouth has over 500-600 Pickleball Players in town. We do not have any adequate courts for them to play as they are all near homes. Trotting Park has a minimum distance of 550 feet to the closest residence and up to 700-800 feet to other residences.
- We are looking into having a sound study/analysis for confirmation this is a good location for the Pickleball Courts.
- Sound Proofing will be included in the budget if the study deems it necessary.
- The Old Skate Park is in very poor condition, and becoming a safety concern.
- Even with a newer Skate Park that is for the more advanced skaters, the Old Skate Park is still more popular and used by younger Skaters as well as young adults who prefer to use small bikes on all the ramps and jumps.

**DEPARTMENT RECOMMENDATION:**

- I recommend that both these applications be approved as both address recreational opportunities for two age groups that do not have many things to do in town.
- If we can move forward with these projects, we have the opportunity to improve other aspects of the Trotting Park Fields.
- Parking and Rest Room facilities will a big concern once these projects are completed. This will give us the chance to address these concerns now or in another project that will be brought forward next year. I also believe that we will need to address security issues as there has been vandalism in the past few weeks.

**OPTIONS:**

- My hope is the Select Board will approve both of these applications so that the Town can continue to be a leader in adding new and improved Recreational activities for residents of Falmouth.
- The Select Board will have a choice of approving one or both of these projects.
- The Select Board may also decide if we should build 12 or 16 Pickleball Courts.
- The Select Board will also have the choice of denying or delaying both of these projects.
- At this time, I do not have any cost estimates but hope to have them by the time these requests go before the board.

**BUDGET INFORMATION:** Applicable:  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

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**Town Manager**

---

**Date**

**OLD SKATE PARK**

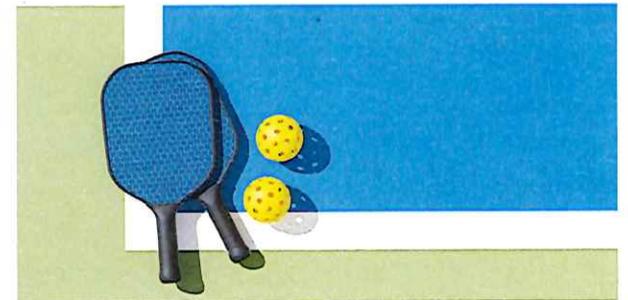
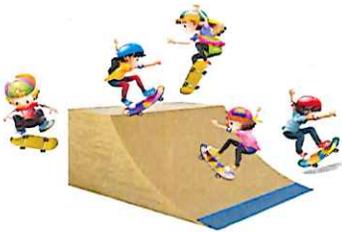
**and**

**PICKLEBALL**

**COURT**

**CPC**

**APPLICATIONS**



# TROTting PARK OLD SKATE PARK REHABILITATION



**BUILT IN 1999**



**SHOWING ITS AGE**

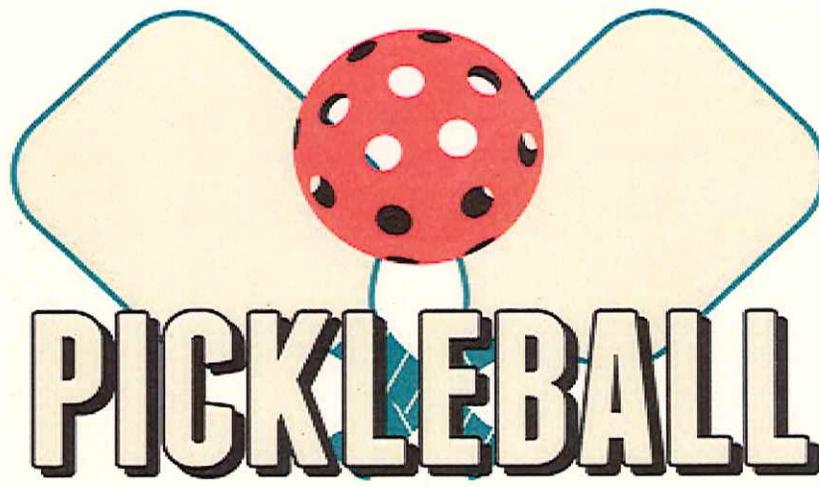


**Since the new Skate Park was completed in 2020, the Old Skate Park still sees lots of skating activity.**

- **There's a large contingent of 20-35 year old and older skaters and bikers that prefer the ramps and jumps of the old park.**
- **This is also an age where there is not a lot Recreational activities.**

- **The plan for the park is to rehabilitate what we have, since that is what the skaters like.**
- **Most of the original ramps and jumps are still in usable condition, they will be rehabilitated to their original condition.**
- **The surface of the park will be redone in concrete as it is a much safer and durable surface for skateboarding.**
- **And finally, if the budget allows we would like to add some benches, and fencing around the park for safety.**

**REQUESTING \$500,000**



**PICKLEBALL**

- **Pickleball is the fastest growing sport in the U S. Participation increased 160% over the past 3 years.**
- **Falmouth has at least 500-600 players**
- **8 total Pickleball courts in town. 4 of which are open only 4 days a week.**
- **High School tennis courts adding pickleball lines = 8 additional courts.**
- **More courts needed.**

- **Reviewed multiple sites: Goodwill Park, The Old Water Department on Route 28, The Land behind the Dog Park, The Waste Water Treatment Facility, and land on Gifford Street at the Water Treatment Plant.**
- **Trotting Park Field area behind the Old Skate Park is the best option. Secluded, Well buffered by trees and elevation changes. Further away from residential homes than other options – closest house is 550'.**

- **SOUND STUDY**- Yes, we will perform a sound study to be sure the noise will not be an issue.
- **Parking**- I am also looking to pave the parking lot to increase parking capacity
- **12-16 Pickleball Courts – 4 Handicapped Accessible Courts, ADA Accessible Walkway among other ideas to make these the best courts on the Cape and beyond.**
- **It's a lot of work involving several Town Departments and many people. This is what makes Falmouth great – TEAMWORK.**
- **Cost: \$2.6 Million includes Lighting the courts for night play. The Parking Lot, Rest Room Facilities are not included in the cost yet, but will be added in a future cost estimate.**

# THE PLAN



With your support I will  
submit both of my CPC  
applications on  
Wednesday August 9<sup>th</sup>.

**OPEN SESSION**

**BUSINESS**

4. Report – Bicycle & Pedestrian Committee **(15 minutes)**

## **Falmouth Bicycle and Pedestrian Committee 2022 Annual Report**

The mission of the Falmouth Bicycle and Pedestrian Committee, as established by Town Meeting in 1975, is to develop, maintain, and improve bikeways in Falmouth, including the promotion of safe and healthy transportation by bicycle on our road network. Pedestrians were added to the Committee's definition in 2019 to more fully represent vulnerable road users in our Town.

### **Our vision:**

Falmouth is a great place to both live and to visit because its bicycle and pedestrian friendly culture and infrastructure yield calm roads, clean air, and a healthy populace in a vibrant, sustainable economy.

The Town of Falmouth Complete Streets Prioritization Plan, prepared by the Cape Cod Commission (CCC) in collaboration with our Committee and the Department of Public Works, was approved by MassDOT in April of 2022. "A complete street is one that provides safe and accessible options for all travel modes – walking, biking, transit and vehicles – for people of all ages and abilities." The Town is eligible to apply for construction grant funding up to \$400,000 from MassDOT for any of the projects listed on the Prioritization Plan. The Plan is available on the CCC website: <https://www.capecodcommission.org/our-work/falmouth-complete-streets/>

### **Highlights of the year:**

Number 5 on the Complete Streets Plan, the ADA compliant signalized HAWK crossing at Goodwill Park across Palmer Avenue/Rt.28, was completed in December 2022. This important project connects Goodwill Park to the Shining Sea Bikeway and provides a safe option for a portion of the longer term goal of providing safe east/west travel in Falmouth. For June of 2023, the crossing has averaged 90 users per day who now can safely go to and from Goodwill Park across Route 28.

Members of the Bicycle and Pedestrian Committee presented a workshop on root lifts on multi-use paths at the annual MassTrails Conference in November of 2022. Bumps due to root lifts is a problem shared by other multi-use paths on Cape and in the Commonwealth. Unfortunately, there is no easy answer to the issue. For the Shining Sea Bikeway, there is a persistent root lift problem on certain sections, creating large bumps that are difficult to navigate and unsafe for many. With approximately 300,000 walkers and bicycle riders trips per year on the path, it's a persistent problem for this crown jewel of our Town. The Bicycle and Pedestrian Committee is working with the DPW to identify the priorities for repair and also reminds our Town that the DPW needs a budget sufficient to maintain the Bikeway each year.

The Bicycle and Pedestrian Committee, along with Falmouth DPW, assisted Harley Smith with his Eagle Scout project on the Shining Sea Bikeway. Completed in November 2022, the project created QR codes, 3D printed and mounted on posts near significant geologic and historic locations on the Bikeway. People using the Bikeway can access a website via the QR codes and learn about the landscape and its history.

Number 1 on the Complete Streets Plan, the improvements to Katherine Lee Bates Road are underway. Town DPW has divided the project into 2 parts, the first of which, the engineering phase, is underway. The construction phase of the project includes widening the sidewalk to make it a multi-use path, plus a signaled crossing and connection to the Shining Sea Bikeway from KLB Road. This project is critical for a Safe Routes to School path for Mullen Hall and Lawrence schools and will help drive visitors and revenue to downtown with the proper wayfinding signs.

The sidewalks along Palmer Avenue are currently being improved by the relocation of nearly 20 telephone poles that currently obstruct safe passage by pedestrians and cyclists. This progress is due to negotiations by the Bicycle and Pedestrian Committee and Selectboard Chair with Eversource as a part of their planned cable deployment alongside the bike path in 2023.

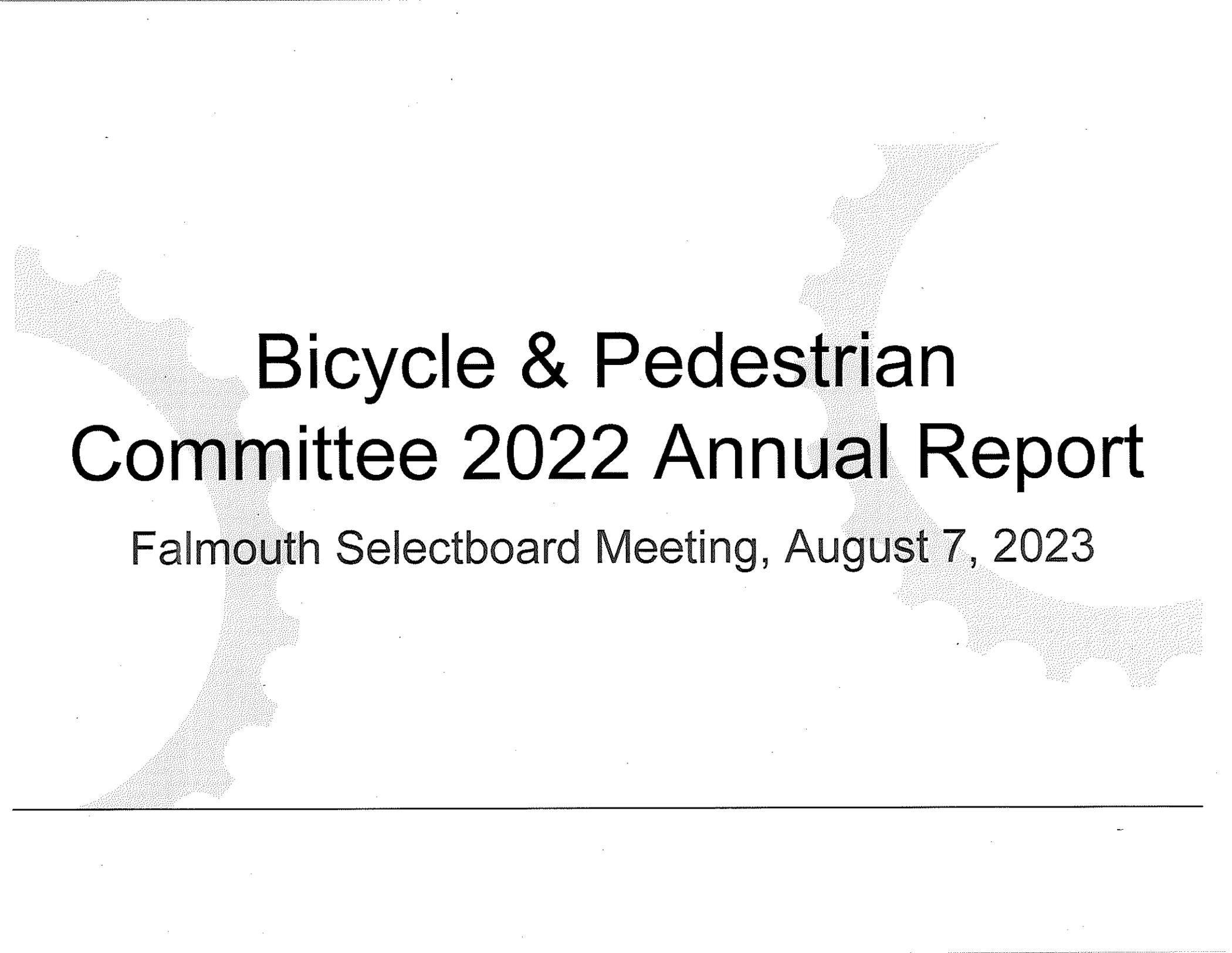
Members of our Committee met with a member of the Steamship Authority Board in person and with the entire Board via Zoom in April 2023. Our request was focused on the unsafe conditions for pedestrians and cyclists at the SSA Terminal in Woods Hole. We also asked for safe transit for cyclists and pedestrians in the new terminal design so that residents and visitors can safely transition from the end of the Shining Sea Bikeway into town. The Committee will be asking the Selectboard to use the renewal of Church Street Parking to require a traffic pattern study funded by the Embarkation Fund.

In fiscal year 2021, Falmouth DPW applied for and was awarded a Shared Streets grant for traffic calming on Curley Blvd. Number 13 on the Complete Streets Plan, the project was completed in June of 2023 resulting in a repaved and re-stripped roadway with a 10 foot multi-use path and a street zone buffer. Both the Bicycle and Pedestrian Committee and the DPW learned a lot from this project and will continue to improve it.

### **Forward Looking:**

The Bicycle Pedestrian Committee will be goal-setting in August and will then hold a strategic planning session with Falmouth DPW in September. Our plan is to align our mutual goals to be more effective, to learn from this process and to improve going forward.

There is an opportunity to dramatically improve conditions for pedestrians and cyclists while delivering low cost transportation to residents of 40B projects in Falmouth. Many of the large multi-unit projects that are currently under consideration are in areas with no safe infrastructure for walkers or bike riders. The result is that lower income folks are forced to use the most expensive mode of transportation, a car, to get their children to school, to get to work, to shop. That is not how we create equity in our town. For all residents, we're missing the chance to create a multi-modal corridor that can dramatically reduce carbon emissions and the impact of high density housing. We are asking this Selectboard to ensure that developers of high density affordable housing invest in the infrastructure of our town to let people use low-cost means of transportation – their feet or a bicycle.



# Bicycle & Pedestrian Committee 2022 Annual Report

Falmouth Selectboard Meeting, August 7, 2023

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# Vision

Falmouth is a great place to both live and to visit because its bicycle and pedestrian friendly culture and infrastructure yield calm roads, clean air, and a healthy populace in a vibrant, sustainable economy

# We are part of a larger ecosystem



# Bicycle and Pedestrian Committee

## Business “As Usual”

Eversource detours and project feedback on safety and collaboration with DPW and FPD

Feedback on MassDOT Road Safety Audit of 28a in West Falmouth

Consistent regular attendance at TAC to represent voice of walkers and riders

“What are you doing about e-bikes speeding on the Bikeway?”

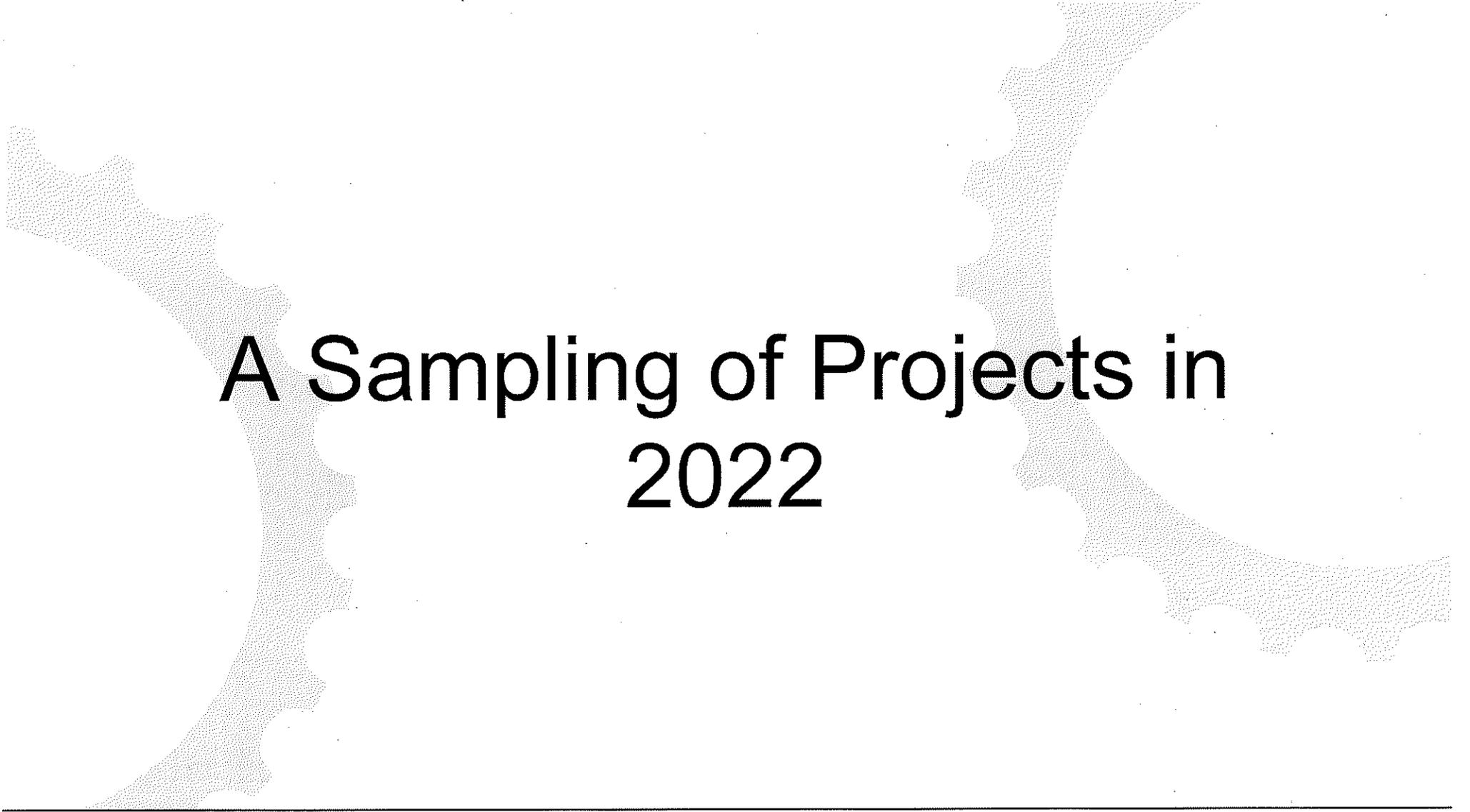
Bollards missing on Surf Drive entrance to Bikeway

Staffed bike rodeo with SRTS

Concerns about AutoCamp guests exiting en masse onto the SSBW

Bike Breakfast during Bay State Bike Month

Poison ivy on Palmer Ave dangerous to pedestrians



# A Sampling of Projects in 2022

---

# Goodwill Crossing

## A Complete Streets Project

**Before**

**Kids darting across Palmer**



**After**

**Currently 90 safe crossings/day**



# Root Lifts “Open House” Session

## MassTrails Conference, November 2022

### Bikeway Root Lift: A Search for Solutions

[falmouthma.gov/401/Bicycle-and-Pedestrian-Committee](https://falmouthma.gov/401/Bicycle-and-Pedestrian-Committee)

partner:  
Falmouth Bicycle and Pedestrian Committee

Shining Sea Bikeway:  
302,000 trips taken by  
walkers and bike riders in  
2022

trail problem  
and solution



Goal: crowd source potential  
solutions for root lifts



# Eagle Scout Project QR Codes on Bikeway



7 Sites  
QR codes link to website with  
historical and geological  
information

# SSA Terminal and Lot

## PHASE - F

8 Weeks  
Mar - May

### Entry

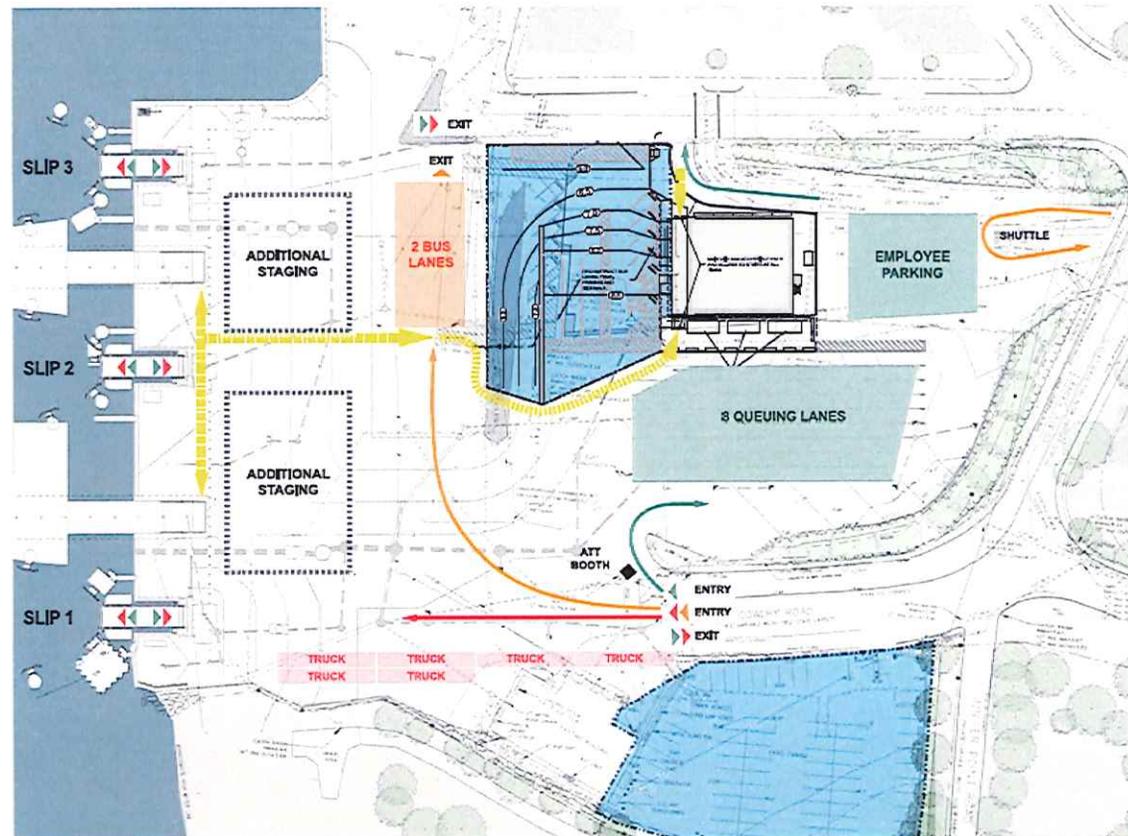
- Cowdry Rd - Two Lanes

### Exit

- Cowdry Rd
- Railroad Ave

-  Work Area
-  Pedestrian
-  Bus
-  Truck
-  Passenger

BIA.studio



2 a.iii: Woods Hole Terminal Site Work

# SSA Terminal and Lot

Steamship Authority

Woods Hole Ferry Terminal Reconstruction

January 2022

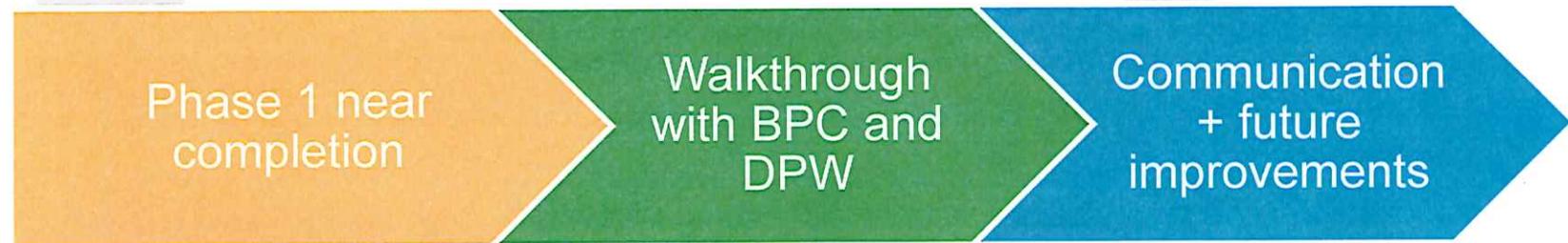
## Site Plan



BIA.studio IBI

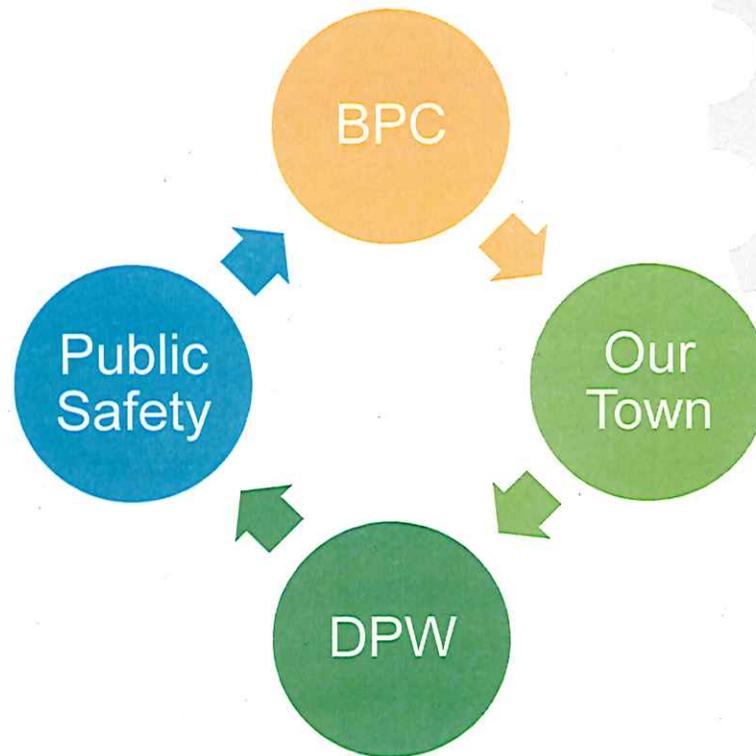
3.d: Woods Hole Terminal Design Development Presentation

# Road Diet Curley Blvd: A Complete Streets Project



# What's Next?

Alignment on priorities and continuous feedback



## OPEN SESSION

## BUSINESS

5. Vote to approve the placement of Naloxboxes in select municipal buildings **(10 minutes)**



**ITEM NUMBER:** Business item 5.

**ITEM TITLE:** Naloxbox Initiative

**MEETING DATE:**

**WORK SESSION**  **VOTING SESSION**  **PUBLIC HEARING**

**SUBMITTED BY:** Suzie Hauptmann

**ATTACHMENTS:**

**Naloxbox Initiative**

**Purpose:**

To place Naloxobox rescue kits in select Municipal Buildings. Naloxboxes contain Naloxone also known by the trade name of Narcan. Narcan is a medication that can help temporarily reverse the effects of an opioid overdose by helping to restore breathing. Like the placement of an AED device, A Naloxbox can be placed in a visible area with clear visual instructions on how to recognize the signs of an opioid overdose and how to respond (which includes the 1st step of calling 911).

**Background/History:**

- This initiative was introduced to the Falmouth Commission on Substance Use at their meeting on 11/17/22 by Doris Kraemer – Cape Liaison at Learn to Cope, a peer-led support network for families and friends dealing with addiction and recovery. Their Family Resource Center will open in Falmouth on August 1<sup>st</sup>.
- The Commission gave their endorsement and offered to assist in the effort to bring this to the Falmouth community. At the 7/20/23 meeting of the Commission they voted to submit a letter to the Select Board in support of the Naloxobox initiative.
- Learn to Cope (LTC) has partnered with Aids Support Group of Cape Cod (ASGCC) on this initiative in Falmouth.

- LTC and ASGCC have met with several key Town Dept heads to establish an implementation plan for installing Naloxboxes in select municipal buildings. Suzie Hauptmann and Scott McGann have advised on this and have worked internally on some of the logistics.
- LTC and ASGCC have presented to the Board of Health at 2 meetings. On June 5<sup>th</sup>, 2023. The Board of Health voted favorably to support this program.
- Suzie Hauptmann has reported on this effort at Town Dept head meetings and Community Services Department meetings.
- LTC met with Community Services Department Heads on May 18<sup>th</sup>, 2023. Human Services, Beaches, Recreation, Libraries have all expressed interest in having Naloxboxes in their buildings.
- Town Counsel was engaged to draft an MOU between the Town of Falmouth, LTC, and ASGCC re: roles and responsibilities of each organization.
- There is **no requirement to have Town of Falmouth staff responsible to administer Narcan.**
- Health and Human Services department heads will consult with other Town department heads on the placement of Naloxboxes in municipal facilities. LTC and ASGCC to offer education and training to staff at locations where Naloxboxes are placed.
- Opioid Settlement Funds are available for costs associated with this project. ASGCC is providing the Narcan.
- This initiative can address 3 key areas:
  - Overcoming the stigma of SUD
  - Preventing deaths from overdoses
  - Increasing access to publicly available naloxone

**Recommended Action:**

That the Town of Falmouth allow for the placement of Naloxboxes in select municipal buildings allowing for designated Town staff to continue to work with the agencies (LTC, ASGCC) in developing and administering this initiative.

**Options:**

1. Approve the above recommended action
2. Deny the above recommended action
3. Select Board identified alternative

**Sample Motion:**

Move to support this initiative to place Naloxbox rescue kits in select municipal buildings – placement to be determined by select Town staff with approval by Town Manager.

**BUDGET INFORMATION:** Applicable: X  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.		Budget	Balance	Requested	Remaining
Opioid Abatement Funds	Town Manager						

**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

\_\_\_\_\_  
**Town Manager**

\_\_\_\_\_  
**Date**



July 24, 2023

Dear Town Manager Mike Renshaw and members of the Falmouth Select Board:

The mission of Falmouth's Commission on Substance Use is "to prevent substance abuse among Falmouth's citizens, provide information and education to the community and to promote the development and availability of a continuum of substance abuse services for all Falmouth residents."

The depredations caused by opioid use disorder, including 86 opioid overdose deaths in Barnstable County in 2022 and 13 of those deaths in Falmouth, require greater attention to harm reduction strategies. Falmouth Police department reports 46 lives saved with Narcan in 2022 and 29 lives saved so far in 2023.

The placement of Naloxboxes, highly-visible and accessible containers for Naloxone (commonly known as "Narcan"), in municipal facilities (i.e. Library, Recreation Center, Senior Center, Town Hall, DPW) as well as area businesses, houses of worship, communal gathering spaces, etc. can be a life-saving action.

Placement of Naloxboxes, combined with appropriate educational efforts, Narcan-training opportunities and press coverage would provide further benefit to our town in making visible our community's commitment to addressing the challenges posed by opioid substance use disorder.

Therefore we, the members of Falmouth's Commission on Substance Use endorse the acquisition and placement of Naloxboxes in readily accessible municipal facilities throughout the Town of Falmouth.

Respectfully submitted,

Members of the Commission on Substance Use

Samantha Bauer  
Beverly Costa Ciavola  
Rick Corey  
Rabbi Elias Lieberman  
Dennis Lyons



# Falmouth Health Department

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540  
(508) 495-7485 • [health@falmouthma.gov](mailto:health@falmouthma.gov)

August 1, 2023

Dear Town Manager Mike Renshaw and the Falmouth Selectboard:

On June 5, 2023, The Falmouth Board of Health voted to support the initiative to acquire and place Naloxboxes in municipal buildings in the Town of Falmouth. The Board's decision aligns with the mission of the Board of Health, which is to protect and promote the health, safety and well-being of residents and visitors of the Town of Falmouth.

Naloxboxes are accessible containers for the storage of Naloxone (Narcan). Their placement in easily accessible areas, both public and private, along with appropriate educational efforts can be a life-saving action by increasing access to Narcan.

Regards, Scott

Scott McGann, Health Agent

On behalf of the members of the Board of Health:

Diana Molloy, Chair  
Georger Heufelder  
Kevin Kroeger  
John Waterbury  
Amy Roth

## OPEN SESSION

## BUSINESS

6. Vote to approve a letter of support to MassDOT to consider installation of a crosswalk on Woods Hole Road at Standpipe Hill Road **(5 minutes)**



## AGENDA ITEM SUMMARY SHEET

**ITEM NUMBER:** Business Item 6.

**ITEM TITLE:** Authorize Request to MassDOT for Crosswalk

**MEETING DATE:** 7/24/2023

**WORK SESSION**  **REGULAR MEETING**  **PUBLIC HEARING**

**SUBMITTED BY:** Town Engineer

**ATTACHMENTS:** Draft letter to MassDOT Attached

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### PURPOSE:

Citizen petition to the Traffic Advisory Committee requesting MassDOT install a crosswalk on Woods Hole Road at Standpipe Hill Road.

### BACKGROUND/SUMMARY:

- The speed limit at this location on Woods Hole Road is 35 MPH. MassDOT will review the sight distance and determine the appropriate location for the crosswalk.
- There are no sidewalks on Standpipe Hill Road.
- MassDOT may request that sidewalks be installed by the town.

**DEPARTMENT RECOMMENDATION:**

Public Works recommends the attached draft letter be approved and transmitted to MassDOT.

**OPTIONS:**

Briefly state the options the Select Board should consider.

There will usually be a minimum of three options:

- 1) Approval will open a dialogue with MassDOT to consider the request.
- 2) Denial will delay any further consideration by MassDOT of the request.
- 3) Board defined alternative.

**BUDGET INFORMATION:** Applicable:  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

\_\_\_\_\_  
Town Manager

7/20/2023  
Date

**DRAFT LETTER**

Ms. Mary-Joe Perry, District Highway Director  
MassDOT District 5  
1000 County Street  
Taunton, MA 02780

July 25, 2023

Re: Proposed Crosswalk on Woods Hole Road at Standpipe Hill Road

Dear Ms. Perry,

We request your office consider installation of a crosswalk on Woods Hole Road at Standpipe Hill Road.

The posted speed limit at this location is 35 miles per hour and the sight distance appears adequate.

We request that your staff meet with Town of Falmouth staff to discuss the merits of the crosswalk and any concerns your office may have.

Please contact our office if we can provide additional information.

Nancy Taylor  
Chair, Falmouth Select Board

## OPEN SESSION

## BUSINESS

7. Vote to approve resident sticker requirement for recycling center **(5 minutes)**



## AGENDA ITEM SUMMARY SHEET

**ITEM NUMBER:** Business Item 7

**ITEM TITLE:** Waste Management Facility – Resident Stickers Required for drop-off of Mattresses, White Goods, Propane Tanks, and Tires

**MEETING DATE:** 8/7/2023

**WORK SESSION**  **REGULAR MEETING**  **PUBLIC HEARING**

**SUBMITTED BY:** Peter McConarty, Director of Public Works

**ATTACHMENTS:** None

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**PURPOSE:** Public Works is looking to reinforce the Falmouth Waste Management Facility resident sticker requirements for drop-off of Mattresses, white goods, propane tanks and tires.

**BACKGROUND/SUMMARY:**

- Currently, there are resident sticker requirements and fees in-place for most items that are dropped-off at the facility. Public Works is requesting approval to require resident stickers for mattresses, white goods, propane tanks and tires.
- Non-residents are taking advantage of Falmouth's reasonable disposal fees and the facility is taking in large quantities of items that are not generated from Falmouth. This extra quantity of materials is becoming a burden for Public Works to dispose of.
- In order to keep reasonable costs for residents, we need to discourage non-residents from entering our facility and bringing out-of-town items.

**DEPARTMENT RECOMMENDATION:**

Public Works recommends approval and permission for Public Works to enforce Falmouth resident stickers for mattresses, white goods, tires and propane tanks.

**OPTIONS:**

N/A

**BUDGET INFORMATION:** Applicable:  Not Applicable:  Budgeted: Yes  No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

**FINANCE DIRECTOR COMMENTS (IF APPLICABLE):**

**TOWN MANAGER COMMENTS:**

The Town Manager recommends that the Select Board approve the requirement that resident stickers be required for the drop off and disposal of all mattresses, white goods, propane tanks, and tires as presented.



Town Manager

8/2/2023

Date

## **OPEN SESSION**

### **CONSENT AGENDA**

#### **1. Licenses**

- a. Special One-Day Wine & Malt Liquor License – On the Water, LLC – Striper Fest – Bandshell/Marina Park – Saturday, 9/23/23 (rain date Sunday, 9/24/23)

Date: 8/7/23

**ONE-DAY LIQUOR LICENSE APPLICATION REVIEW FORM**

Applicant: On the Water, LLC

Event: Striper Fest

Location: Bandshell/Marina Park - 180 Scranton Ave.

Date: Saturday, 9/23/23 Time: 12:00 p.m. to 6:00 p.m.

License Type:  Wine & Malt Beverages or  All Alcoholic Beverages

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

Police No objection.

Fire No objections.

Health \_\_\_\_\_

Building No objections. Tent & electrical permits are required.

Communications \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTES: Rain date: Sunday, 9/24/23.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



PAID  
\$35.00 ck# 23460



### Town of Falmouth

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

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

NAME OF APPLICANT: On The Water, LLC  
ADDRESS OF APPLICANT: 707 Teaticket Highway, E. Falmouth, 02536  
NAME OF ORGANIZATION: On The Water  
MAILING ADDRESS: 707 Teaticket Highway, E. Falmouth, 02536  
EMAIL: val@onthewater.com TELEPHONE #: (508) 548-4705 ext.212  
LOCATION TO BE LICENSED AND ADDRESS: 180 Scranton Avenue, Falmouth  
Marina Park

AUTHORIZED MANAGER/OFFICER OF ESTABLISHMENT: Chris Megan  
TYPE OF EVENT: Fishing Festival & Awards Ceremony  
DATE(S) OF EVENT: 9/23/23  
HOURS OF EVENT: Noon - 6pm  
APPROXIMATE # OF PEOPLE: 3,000 over course of the day

TYPE OF LICENSE:  
1. WINE & MALT  NON-PROFIT  \*FOR PROFIT   
2. ALL ALCOHOLIC  (NON-PROFIT ONLY)  *Donation to Wings*

REQUIREMENTS:

1. Narrative describing the event
2. Floor plan of area where alcohol will be served and consumed, and security plan
3. Certificate of non-profit status (if your organization is non-profit)
4. Certificate of liquor liability insurance: \$1 million per occurrence/\$2 million in the aggregate
5. Certificate of TIPS or other alcohol safety training for all persons handling alcohol
6. Application for Temporary Food Permit (Health Department)

*Chris J. Megan*  
APPLICANT'S SIGNATURE

6/28/23  
DATE

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

## StriperFest 2023

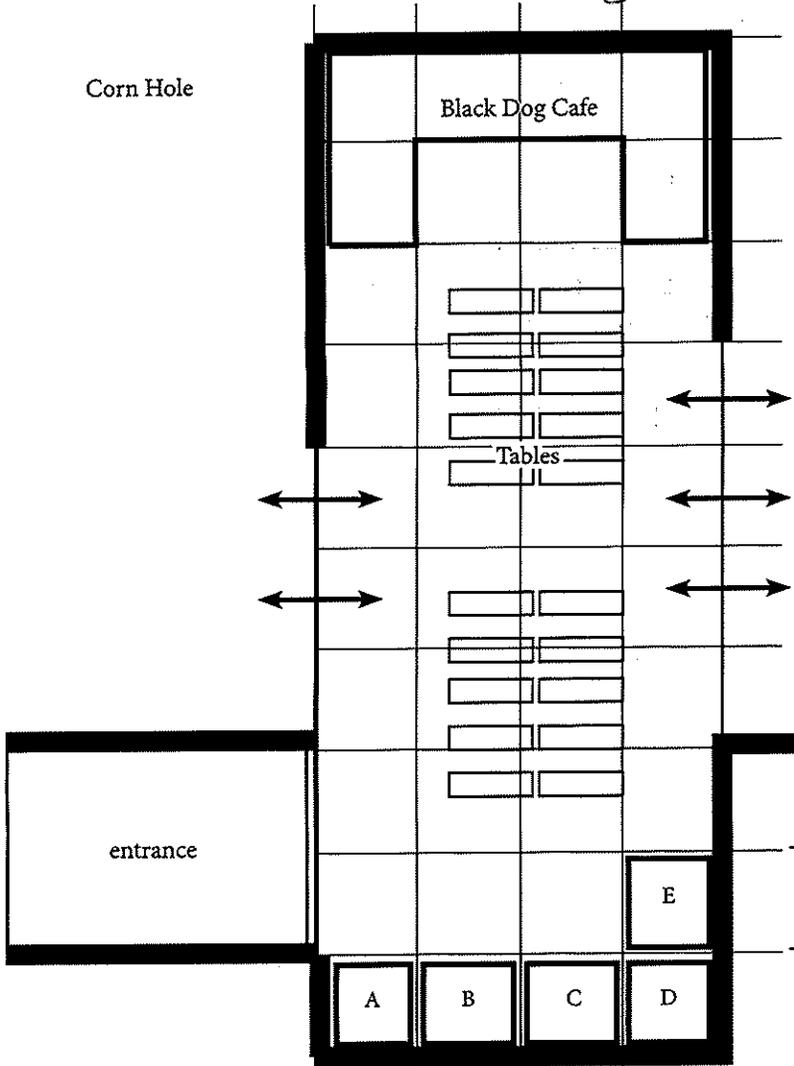
Beer and wine will be served at 4 stations, each manned by at least 2 OTW staff and volunteers. The OTW staff member at each table is TIPS certified. We use 8 security guards during the event, half of which remain in the area around the beer/wine stations; the other half circulate throughout the venue and assist at the entrances, watching for anyone attempting to leave with alcohol. We also hire a police officer to work the event in case of any issues.

As in past years, the entire venue is fenced in.

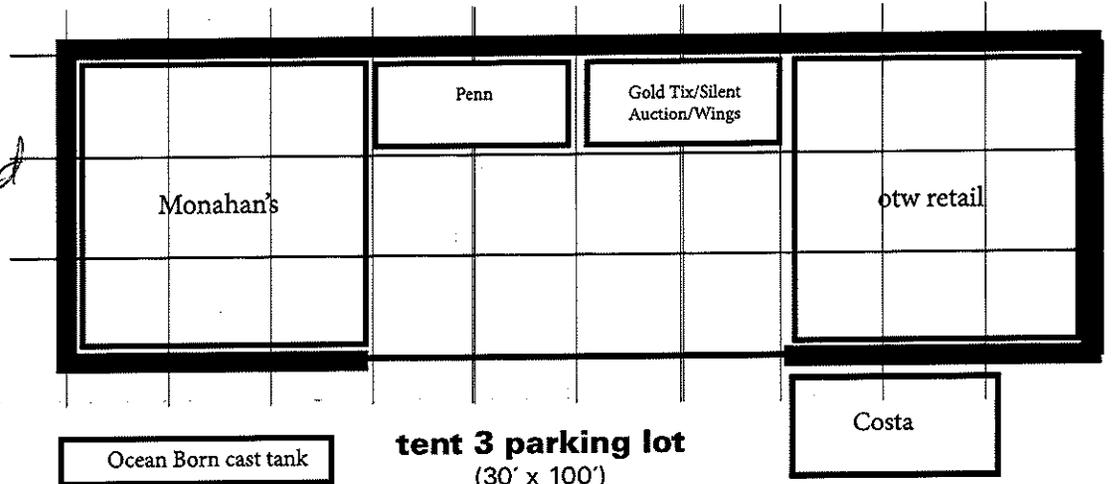
Falmouth Harbor

Entire venue is enclosed with fencing

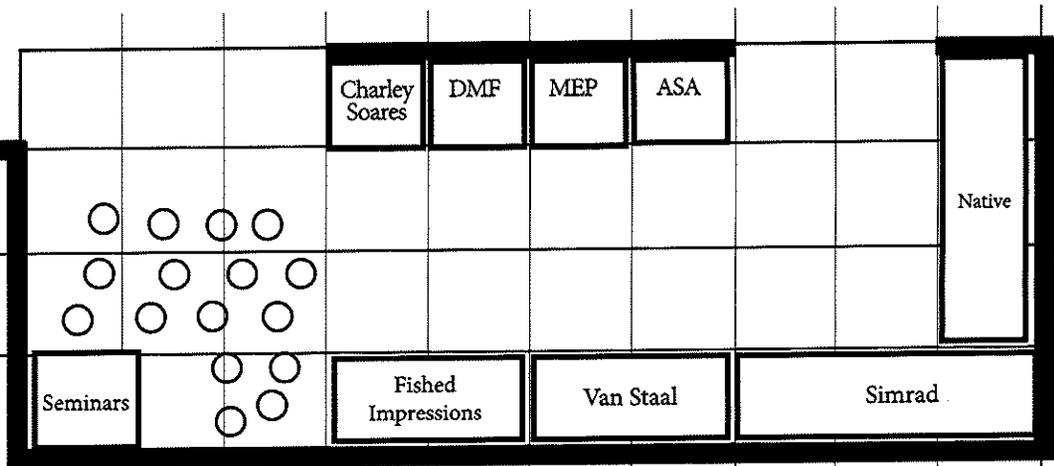
Corn Hole



tent 1 (40' x 100')



tent 3 parking lot (30' x 100')



tent 2 (40' x 100')

Stage

## **OPEN SESSION**

### **CONSENT AGENDA**

#### **1. Licenses**

- b. Special One-Day Wine & Malt Beverages License – Joe Q  
Coffee for the 15th Annual Bocce Tournament to be held at  
Falmouth Academy, 7 Highfield Drive, Falmouth – 9/23/23  
from 10:00 am to 3:00 pm.

**LICENSE APPLICATION REVIEW**

Restaurant/Business: Joe Q Coffee

Address: Event to be held at Falmouth Academy, 7 Highfield Drive

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

New 15th Annual Bocce Tournament

or

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

Police No Objection

Fire No Objection

Building \_\_\_\_\_

Health \_\_\_\_\_

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTES: Fundraising event, formerly held to benefit the Samaritans, now held to benefit the Falmouth Community Veterans Center.

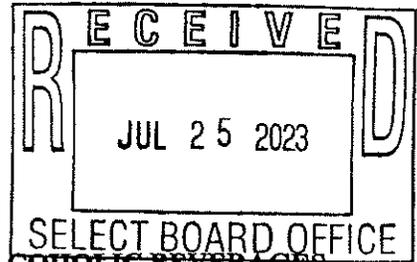
Luncheon details TBD as of 7/25/23

**PAID**

\$70  
OK # 201



APPLICATION



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

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

NAME OF APPLICANT:

Carole Kenney

ADDRESS OF APPLICANT:

84 Brigantine Dr.

Hatchville MA 02536  
TOWN STATE ZIP CODE

NAME OF ORGANIZATION:

Joe & Veteran Coffee Break

MAILING ADDRESS:

P.O. Box 1423 N. Falmouth, MA 02536

TELEPHONE #:

[REDACTED]

EMAIL:

Joe@coffee@gmail.com

LOCATION TO BE LICENSED-ADDRESS:

Falmouth Academy - 7 Highfield Dr

Falmouth MA 02540  
TOWN STATE ZIP CODE

EVENT TITLE:

15th Annual Grape Cool Picnic Team

APPROXIMATE # OF PEOPLE:

130

DATE(S) OF EVENT:

9/23/23

September 23, 2023

HOURS OF EVENT:

10-3

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT:

Carole Kenney

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, 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) NA

July 25, 2023  
DATE

Carole A. Kenney  
APPLICANT SIGNATURE

FEE: \$25.00 PER DAY

\$10.00 FILING FEE

15<sup>th</sup> Annual Cape Cod Bocce Tournament

September 23, 2023

Falmouth Academy Athletic Fields

7 Highfield Drive, Falmouth, MA 02540

10 am sign in      11 am lunch      12 pm Tournament play begins

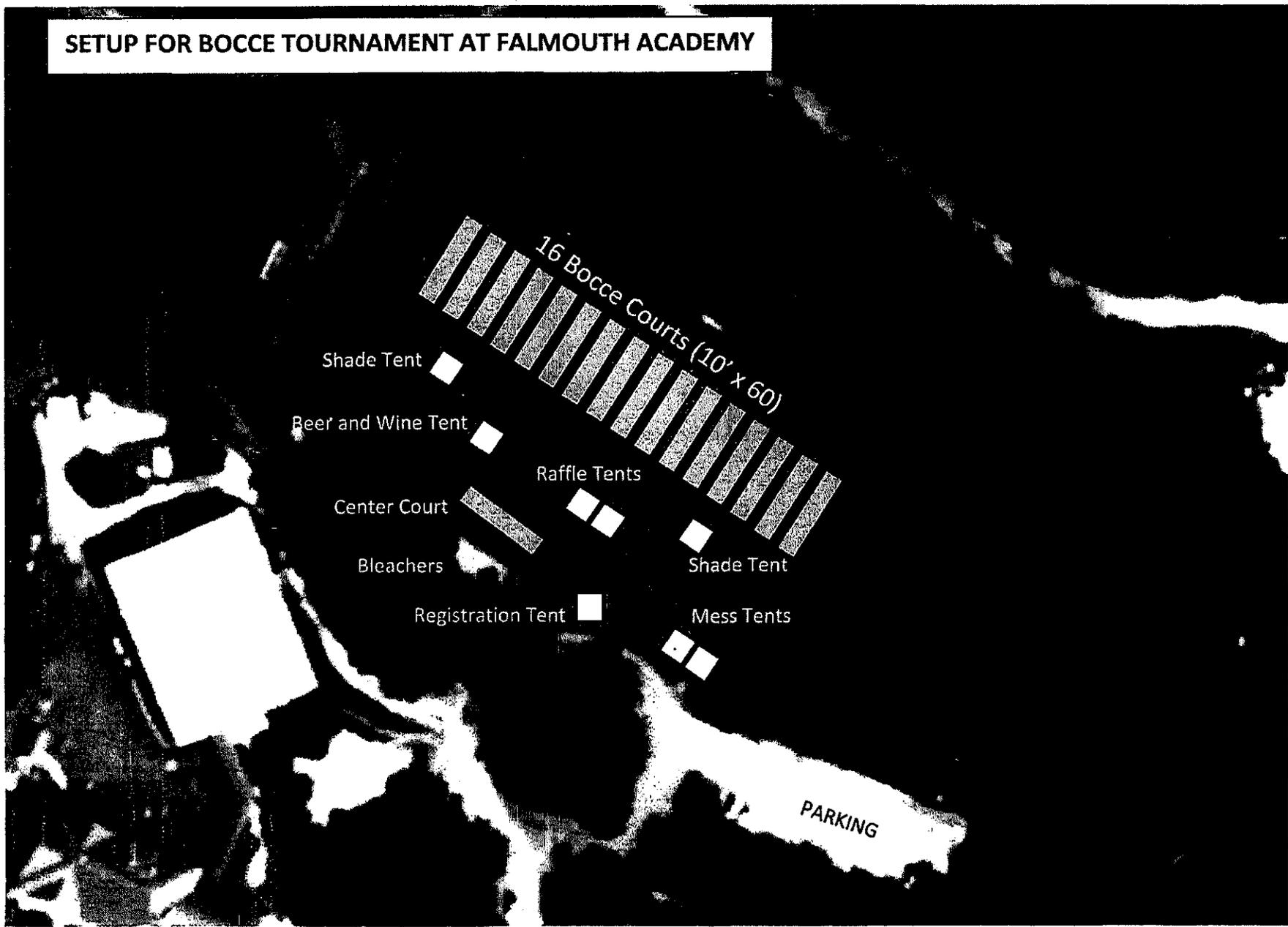
Fundraiser For Joe Q Veteran Coffee Break to benefit the Falmouth Community Veterans Center

Contact- Carole Kenney [REDACTED]

The 15<sup>th</sup> Annual Cape Cod Bocce Tournament is a fundraising event started by the Ralph Vaccaro Family 15 years ago. The tournament for the last several years has been run by the Samaritans of Falmouth as a fundraiser for them. Due to some conflicts and a change in event plans the Samaritans decided to forgo the tournament. The Vaccaro Family asked the Board of Joe Q Veteran Coffee Break to do the event as a fundraiser for the Falmouth Community Veterans Center. This will be our second year running the Tournament.

The tournament will consist of 32 teams with 4 players on a team. A luncheon will be provided for all the players prior to game play. Beer and wine will be available, as well as a water filling station. No outside drinks or coolers will be allowed. There will be 2-3 TIP certified bartenders. 2-3 people will be on the fields for security. Beer and wine sales will be by ticket purchase only. Beer and wine will stay in the athletic field area. Porta Pots will be available on the field.

**SETUP FOR BOCCE TOURNAMENT AT FALMOUTH ACADEMY**



## OPEN SESSION

### CONSENT AGENDA

#### 1. Licenses

- c. Special One-Day Wine & Malt Beverages License – West Falmouth Library for a Jazz Concert to be located at 575 West Falmouth Highway, West Falmouth – ~~9/9/23~~ Friday, 9/29/23 from 7:00 pm to 9:00 pm.

**Please note:** The event date on the application is typed as 9/9/23, and the narrative states the date as Friday, September 29, 2023. We have checked with the applicant, and the correct date is Friday, September 29, 2023.

**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 Wine & Malt Beverages License Jazz Concert

or

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

Police No Objection

Fire No Objection

Building \_\_\_\_\_

Health \_\_\_\_\_

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

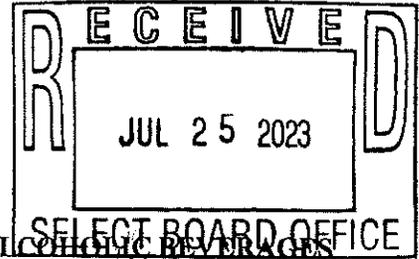
\_\_\_\_\_

NOTES:



APPLICATION

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



NAME OF APPLICANT:

Suzy Bergmann

ADDRESS OF APPLICANT:

Po Box 1209

West Falmouth

MA

02574

TOWN

STATE

ZIP CODE

NAME OF ORGANIZATION:

West Falmouth Library

MAILING ADDRESS:

PO Box 1209, West Falmouth, MA 02574

TELEPHONE #:

508 548-4709

EMAIL:

suzybergmannwfl@gmail.com

LOCATION TO BE LICENSED-ADDRESS:

575 West Falmouth Highway

Falmouth

MA

02540

TOWN

STATE

ZIP CODE

EVENT TITLE:

Jazz Concert

APPROXIMATE # OF PEOPLE:

90

DATE(S) OF EVENT:

9/9/23 (9/29/23)

HOURS OF EVENT:

7:00 pm - 9:00 pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT:

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

7/23/23

DATE

Suzy Bergmann

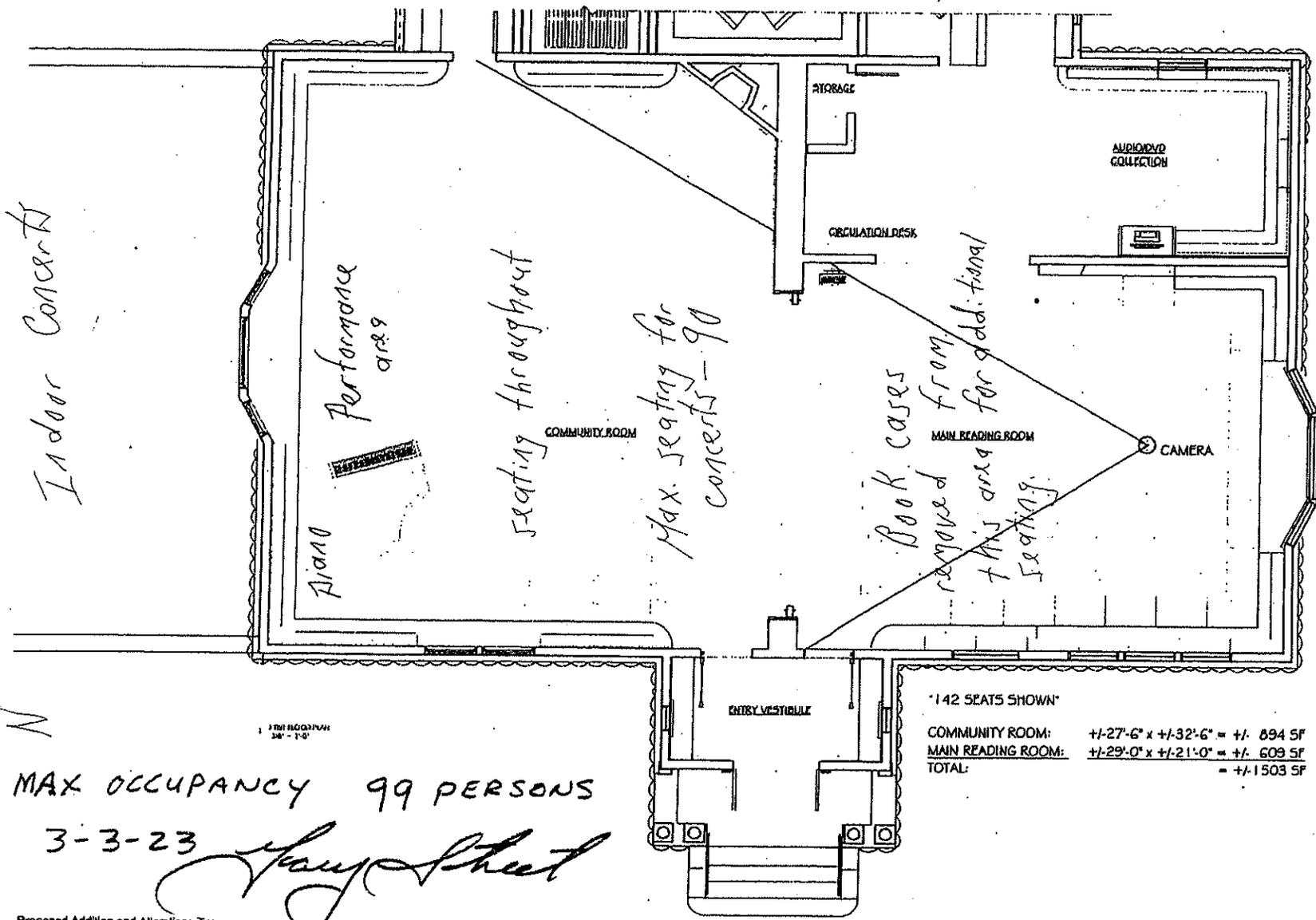
APPLICANT SIGNATURE

FEE: \$25.00 PER DAY

\$10.00 FILING FEE

## West Falmouth Library

The Library has scheduled a jazz concert for the evening of Friday, September 29, 2023. The featured artist is Caity Gyorgy. The concert will run from 7:00 pm – 9:00 pm and will take place in the community room. We hope to have 80-90 in attendance. (Our capacity is 99). We are applying for a one-day liquor license as we intend to serve wine, beer and soft drinks before the concert. Light refreshments such as goldfish and pretzels will be available.



N

MAX OCCUPANCY 99 PERSONS

3-3-23 *Lang Street*

## **OPEN SESSION**

### **CONSENT AGENDA**

#### **1. Licenses**

- d. Special One-Day Wine & Malt Beverages License – Woods Hole Museum – Oyster Talk & Tasting to be located at 579 Woods Hole Road, Woods Hole – 8/24/2023 from 5:00 pm to 7:00 pm.

**LICENSE APPLICATION REVIEW**

Restaurant/Business: Woods Hole Museum

Address: 579 Woods Hole Road

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

New Annual Oyster Talk & Tasting

or

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

Police No Objection

Fire No Objection

Building \_\_\_\_\_

Health \_\_\_\_\_

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

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

\_\_\_\_\_

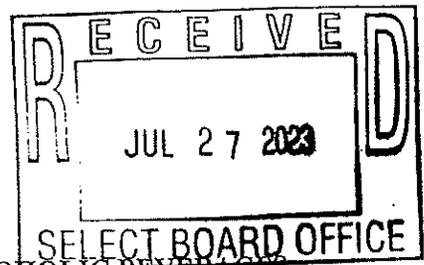
\_\_\_\_\_

\_\_\_\_\_

NOTES: Annual event



APPLICATION



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

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

NAME OF ORGANIZATION: Woods Hole Historical Museum

MAILING ADDRESS: PO Box 185 Woods Hole MA 02543

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

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

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

DATE(S) OF EVENT: Aug. 24, 2023 HOURS OF EVENT: 5-7 PM

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Sara F. Piccini

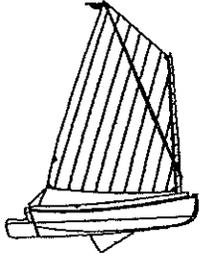
TYPE OF LICENSE:  
1. WINE & MALT  NON-PROFIT  FOR PROFIT   
2. ALL ALCOHOLIC  NON-PROFIT ONLY

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

7/27/2023

Sara F. Piccini  
APPLICANT SIGNATURE

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



# Woods Hole Historical Collection & Museum

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

## **Annual Oyster Talk and Tasting Summer Fundraiser**

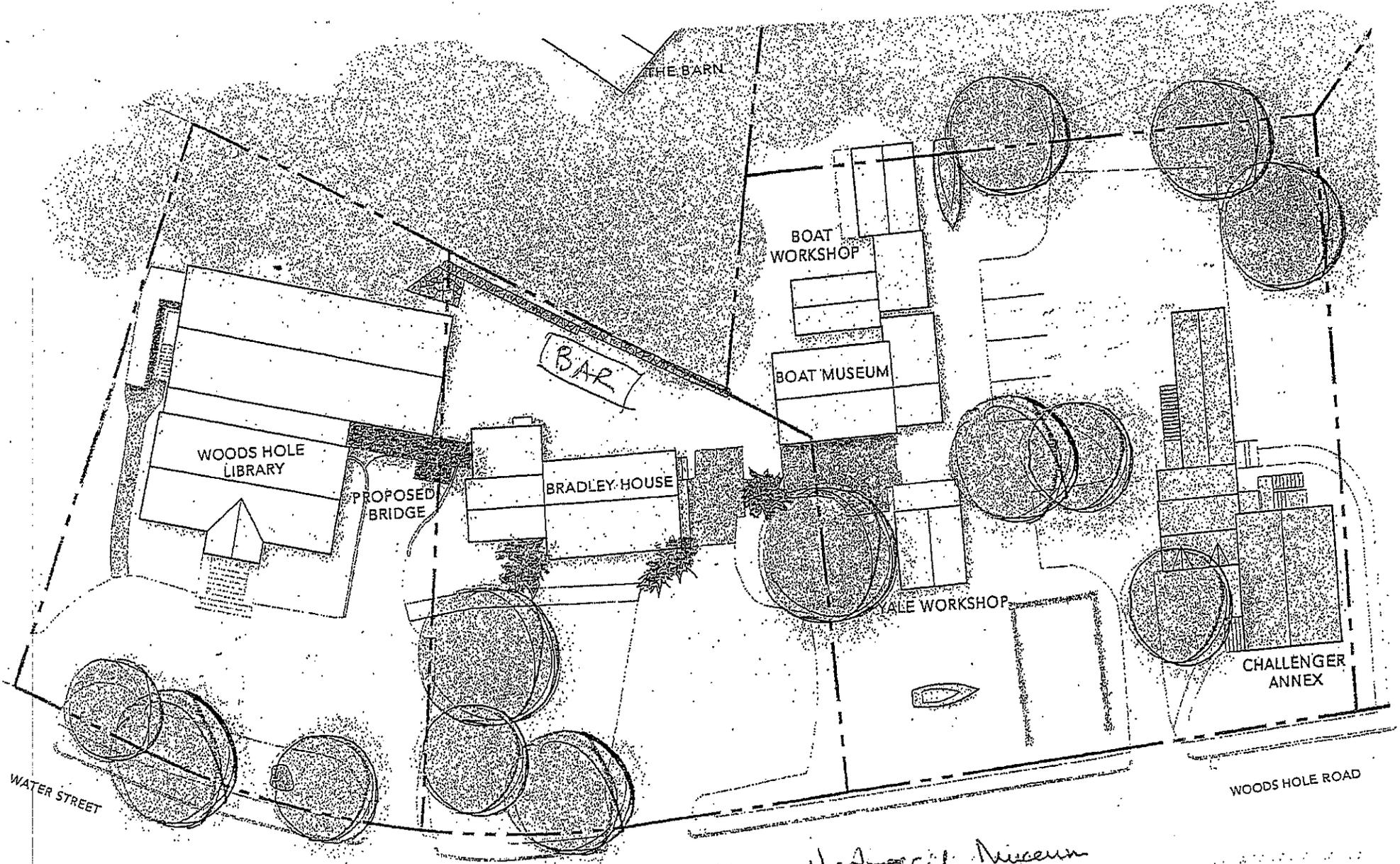
The Woods Hole Historical Museum will hold its annual Oyster Talk and Tasting on Thursday, August 24, 2023, from 5-7 PM on the museum grounds at 579 Woods Hole Road.

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

After the talk, which will include a demonstration of shucking oysters, the audience will proceed to the tasting tables where the bivalves will be opened for them. Wines and beer will be available, as well as light snacks.

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

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



Woods Hole Historical Museum

## **OPEN SESSION**

### **CONSENT AGENDA**

#### **1. Administrative Orders**

- a. Request for variance to Sign Code §184-32 Off-Premise Signs:  
East Falmouth Village Association – display from 8/10/23 to  
8/17/23

East Falmouth Village Association

Request for Off-Premise Signs

Purpose: East Falmouth Village Association Annual Meeting on Thursday, August 17, 2023

Quantity: 4

Locations:

1. Central Ave. and Rt. 28
2. Davisville Rd. and Rt. 28
3. Shorewood Dr. and Rt. 28
4. Davisville Rd. and Menauhant Rd.

One sign will be moved from Davisville/Menauhant to St. Anthony's Church on the day of the event (August 17)

Size: 2 feet wide x 3 feet high (6 square feet), sandwich board signs. Sign size is within the 8 sq. ft. maximum size.

Length of time: Thursday, August 10, 2023 through Thursday, August 17, 2023

**Diane Davidson**

---

**From:** Doug Brown  
**Sent:** Sunday, July 23, 2023 9:35 AM  
**To:** Nancy Taylor  
**Cc:** Diane Davidson; Michael Renshaw; Peter Johnson-Staub  
**Subject:** East Falmouth Village Association

Hi Nancy

On behalf of the EFVA I'm writing to request Select Board approval for 4 off premises signs from August 10 through August 17 2023. 2' x 3' sandwich board signs to inform residents of the EFVA annual meeting on Aug 17.

Sign locations are the same as in past several years.

RT 28/Central Ave.

RT 28/Davisville Rd.

RT 28/Shorewood Dr.

Menhaunt Rd/Davisville Rd.

One sign will be moved from Menhaunt/ Davisville to St Anthony's Church on the day of the event August 17 Please include in August 7 Select Board agenda.

Thank You,

Doug Brown  
Select Board Member  
59 Town Hall Sq  
Falmouth Ma 02540



## **OPEN SESSION**

### **MINUTES**

1. Review and Vote to Approve Minutes of Meetings:
  - a. Public Session – February 27, 2023; July 24, 2023

August 7, 2023

**TOWN OF FALMOUTH**  
**SELECT BOARD**  
**Meeting Minutes**  
**Open Session**  
**MONDAY, FEBRUARY 27, 2023 – 6:00 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.*

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

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

1. The open session was called to Order by Chair Taylor at 6pm.
2. Ms. Scott Price motioned to convene the executive session under M.G.L. c.30A s.21(a)(3) – to discuss strategy with respect to collective bargaining - non-union personnel because to not go into executive session could prejudice ongoing negotiations. Mr. Patterson seconded the motion. It was followed by a unanimous 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: Chair Taylor, aye; Doug Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Mr. Patterson, aye.
3. Chair Taylor reconvened the open session at 6:32pm and stated that no vote was taken during the executive session and the conversation with respect to collective bargaining of non-union personnel will continue in the future.
4. Pledge of Allegiance
5. Proclamation in Recognition of Waquoit Congregational Church  
Chair Taylor read the proclamation in the packet as a motion. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.
6. Recognition  
Mr. Brown recognized that Emma T. Barrow, who had been Principal of the Woods Hole School and then Principal of the Mullen-Hall School, was the first person of color to be a public school teacher on Cape Cod when hired in 1959.
7. Announcements  
Recovery Without Walls bike ride event is looking for ride sponsors to support women in recovery, to learn more go to [www.recoverywithoutwalls.org](http://www.recoverywithoutwalls.org).
8. Public Comment

David Moriarty, Precinct 6, provided what he described as an article to the Select Board members and said he previously emailed the article to the Select Board. Mr. Moriarty stated that recreational beachfront communities in other areas of the country are dealing with wind farms and one of the concerns include dead whales washing up on those community beaches.

Rosemary Carey, Precinct 5, stated the Sustainability position is important to hire and fund in fiscal year 2024. April 2022 Town Meeting voted to hire a position to integrate and drive the sustainability agenda. Grant writing is an important role, there are millions of dollars available at this time. This would improve safety, resiliency, and bring economic benefits to the Town.

Lyn Shad, Precinct 3, stated she is in favor of creating and funding the Sustainability Director position. Spring Town Meeting 2022 members approved the full time position and is disappointed about the more

recent decision to pull funding for this position. Ms. Shad noted that federal infrastructure bills support cleaner and sustainable communities.

Steven Thom, Precinct 2, believes the Substantiality Director is critical and filling the position is a responsible step to long term cost savings and preparedness.

## TOWN MANAGER'S PRELIMINARY REPORT

Mr. Johnson-Staub reviewed the report in the packet.

Seapit Road project was approved by the Conservation Commission and Marine and Environmental Services (MES) did not identify any shellfish concerns.

The 5% cost of living adjustment (COLA) option received by current retirees increased from 3% to 5%, due to higher inflation rates this year allowing municipal COLA's to be increased.

Emerald Housing outline plan will be presented. Concept plan and authorization to proceed with community engagement will be requested.

Change of Manager Cape Verdean Club, Town Staff has no recommendations, this was deferred at the 1/30/23 Select Board meeting because the manager was not present to provide more information the Select Board requested.

Special Town Meeting, Sustainability Director was not included in the current operating budget.

There are 13 Articles with explanations of the articles the Select Board needs to vote tonight.

Authorization of the Safer Grant application, the Town is seeking approval to pay for wages and benefits for six additional firefighters. An override is needed to create a reliable long term grant.

Staff have no concerns regarding the items on the Consent Agenda.

## COMMITTEE INTERVIEWS

### 1. Interview, vote and appoint committee members

- a. Agricultural Commission – Stanwood Ingram  
Mr. Ingram stated he served on the commission before.

Mr. Patterson noted that Mr. Ingram has done an excellent job on the committee. Mr. Brown supports his appointment.

**Mr. Zylinski motioned to appoint Mr. Ingram to a term ending 6/30/23. Mr. Patterson seconded the motion. Vote: Yes-4. No-0.**

- b. Commission on Substance Use  
Beverly Costa-Ciavola, Chair, noted there are two openings on the committee.

Mr. Johnson-Staub noted advertised one vacancy, for tonight need to limit the appointment to one seat.

Rabbi Elias Lieberman, Precinct 8, is committed to doing this work and has attended meetings.

Mr. Patterson feels that pastors of any faith are dealing with this on a continuing basis. He supports appointment.

Rabbi Lieberman deferred his application to the next open position.

Richard Corey Jr.

Has been in the recovery field for over 25 years, worked at the soup kitchen, Vice President of Babe Ruth baseball, owns a business in Town, and stated too many people in our community are dying. He

is a recovery coach for the Barnstable Sheriff's Office and would like to get involved in his community in a different capacity. He has not attended any meetings.

He is a certified recovery coach in the field of recovery.

Mr. Brown feels he would be appropriate for the job.

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

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

1. Wetlands/Dock Hearing – Kathleen A. White Trustee, Kathleen A. White Revocable Trust – Modify the existing permitted pier by converting the end portion to a ramp and float in Childs River, located at 209 Seapit Road, East Falmouth

Ms. Scott Price read the hearing notice.

Michael Borselli, Falmouth Engineering, was present representing the applicant, he explained that the existing house and fixed pier are at the property, the applicant is asking to modify the pier. The pier was approved as a fixed pier in the mid 2000's. At low tides it is difficult for the applicant to access her boat. They want to eliminate the fixed pier, ramp to the end of the pier, reinstall pilings in and around a float so that it will rise and lower with the tides. They will stay within the existing footprint and the same number of pilings will be used. The Conservation Commission issued conditions. This is a modification of the existing permit.

Public Comment: none.

**Mr. Patterson made a motion to close hearing. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.**

Discussion:

Mr. Brown believes this is a simple improvement. Chair Taylor agreed.

**Mr. Brown motion approval. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

#### BUSINESS

1. Discuss and vote 5% local retirement COLA option  
Falmouth Retirement Board requested approval, effective this year going from 3% to 5%.

**Mr. Brown motion to grant an increase to the Cost of Living Adjustment from 3.0% to 5.0% on a maximum base retirement allowance of \$14,000 for FY2023, pursuant to Chapter 269 of the Acts of 2022. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

2. Emerald Properties Affordable Housing and Community Play Space Plan

Jed Cornock, Town Planner, and Kim Fish, Housing Coordinator, outlined the uses to the Emerald Property Project and made a PowerPoint presentation. They are seeking approval to move into the civic engagement phase of the project.

The idea is to bring affordable housing, accessible recreation, and preserving the house and community gardens currently on the property.

Kim Fish, Housing Coordinator, reviewed the goals, area median income (AMI) including 100% and 120%, the State does not provide funding for it. AMI for Barnstable 115,016 difficult for families to afford "affordable" housing. Reviewed properties available.

Mr. Cornock provided history of the plan since 2020, they have fit all the pieces together on the master plan for the site. Housing will be located on 81 Davisville Road because it does not have Article 97 protection. The process includes planning, outreach, request for proposals, pre-construction, and construction. The timeline was reviewed.

Mr. Patterson asked if package sewer capacity may be an option, maybe an opportunity to put in a localized sewer facility. It is the most complex part, it is on the table but creates higher costs.

Mr. Brown asked about the play space being 1.5 acres versus previous plan for 2 acres. Mr. Cornock said they will do their best to fit it into 1.5 acres.

Kathleen Haynes stated the 1.5 acres is not enough, the play space could be extended into the 200 foot river buffer. They can see if the architect can fit the items into the play space.

Mr. Johnson-Staub noted guidance received through MA Housing Partnership, if they try to design the project it will be subject to prevailing wage and bids, so the path they are seeking is writing a broad Request for Proposal, the idea is not for the Town to be the landlord, it is to sell the land to a developer for development of the land.

The Select Board members stated they are comfortable going to the next step and as they get further down the line they will consider a vote.

3. Application for a Change of Officers/Directors and a Change of Manager – Cape Verdean Club of Falmouth, Inc., located at 126 Sandwich Road, East Falmouth

Ms. Scott Price is a member of the club.

Mr. Brown asked about residency of the Manager, Andrea Diggs, reported that she is a member of the 102<sup>nd</sup> intelligence wing and is there daily, she also has family in the area. Mr. Brown reminded her that she is responsible for the liquor license and Ms. Diggs said she understood.

Andrea Diggs, Lifelong member of Cape Cod, Manager has been a member of the club since 2016, always on one of the committees, she is in the military and brings a lot of experience managing projects, and she is starting her own business.

**Ms. Scott Price motioned to approve. Second Mr. Zylinski. Vote: Yes-5. No-0.**

4. Vote Article Recommendations for April 2023 Annual Town Meeting

Mr. Johnson-Staub noted the reason to call a special town meeting would be to give the Select Board a chance to add the two positions that were recommended, but not included in the Finance Committee budget because of procedural issues. The Sustainability Coordinator position is in Article 29 which comes after the budget. Special Town Meeting would address both positions.

Option 2 is to ask the Town Moderator to take Article 29 out of order.

Option 3 is to wait until November election for both positions.

Chair Taylor stated that these positions came up in the Select Board's Strategic plan and feels the Select Board should support these positions in any way they can going forward.

Mr. Brown prefers the Special Town Meeting so that they may correct both positions. Ms. Scott Price believes it is worth doing.

Mr. Brown made a motion to request to hold a Special Town Meeting for consideration of the two articles.

Mr. Johnson-Staub said the Select Boards needs to vote the following:

1. Call a Special Town Meeting for 4/10/23.
2. Announce the warrant for the Special Town Meeting will close on 3/1/23, then they will have an additional meeting on 3/6/23 to vote the warrant.

Mr. Brown made a motion to hold a Special Town Meeting on 4/10/23. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

Mr. Brown made a motion to close the Special Town Meeting Warrant on 3/1/23. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

Ms. Scott Price will not be available on 3/6/23 to participate in the vote.

5. Vote articles.

Ms. Scott Price made a motion to recommended Article 14 as printed. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.

David Buzanoski, President of the Falmouth Heights Maravista Association reported the membership are opposed to Article 15. There was overwhelmingly not support at the June 8, 2022 public presentation. Petitioners are using the Falmouth Democratic Committee and politicizing this issue. There are five members of the Energy Committee, the Committee minutes are not posted and he questions what the committee told and what message have they sent to Mayflower. The petition was not submitted in the name of the committee. This was effectively a quorum by the Energy Committee. The premise of Article 15 is not in the best interest of the Town.

Rosemary Carey, Precinct 5, the petitioners, members of the Energy Committee, and those who support them have been advocates for renewable energy and stand for that and solutions for climate change. This is not an approval of the entire project, it is to allow for soil testing. Our Town needs to understand the science and benefits of the project. Soil testing for feasibility and safety is necessary to determine whether it may be appropriate for this project. She would like the Select Board to reverse their position.

The Energy Committee had a presentation with Mayflower Wind.

David Moriarty, Precinct 6, is opposed to this article and stated that Mayflower Wind has cancelled or postponed meetings. He feels this is not a good fit for the Town and stated we are not an industrial electric right of way.

Sandra Faiman-Silva, 50 Davis Rd, said that we need to consider we are in an environmental crisis, this project is potentially a legitimate project. We need to learn from the past about what could happen in the future.

Greg Mazmanian, Precinct 2, does not support Article 15, he supports renewable energy and the Select Boards' choice last month. He would like to move forward.

Edward Jalowiec, Worcester Court, Precinct 2, he emailed the Select Board earlier in the week. This article will allow any testing from any wind entity and he does not support it. A power station in proximity to our watershed would be unreasonable.

Mark Finneran, 98 Grande Ave., is against this project. He is a member of the ZBA and noted that this is only to save money, it belongs routed directly to the Canal power plant. We will all pay through our electric bill for the project company to save money.

Steven Thom, Precinct 2, did not expect an emotional discussion. This is a question of whether the Select Board could rescind a decision previously made.

Ms. Scott Price feels there is nothing stopping Mayflower Wind from saying they heard the concerns and are willing to work with the Town and want to resubmit and do the testing. They have not done that. The vote that she made on 12/19/22 was what she felt was in the Town's best interest at the time.

Chair Taylor agreed with Ms. Scott Price.

Mr. Zylinski noted an obligation to show compassion and empathy to the neighbors most directly impacted by this.

Mr. Brown feels that Mayflower is not working in good faith with the Select Board. He does not feel that this company will provide straight answers and is not willing to change his vote. There has been a past practice of Mayflower talking with the Town Manager and not the Select Board. He sent an email to Mayflower with a question and did not receive a response.

Mr. Patterson thinks this is a communication problem, the corporation is trying to figure out what kind of a system they need. Renewable generation sources are less expensive than fossil fuel; we need renewable energy sources. This is a long process to figure out everything. We have higher rates than the rest of New England because we are so far from the energy source.

Ms. Scott Price feels their vote was to hold Mayflower accountable, it was to force their hand to give them something and is not that we do not support renewable energy, it is about this company and the lack of working with the Town.

**Mr. Brown motioned to recommend indefinite postponement of Article 15. Mr. Zylinski seconded the motion. Vote: Yes-5. No-2 (Chair Taylor and Ms. Scott Price.)**

Chair Taylor called the Select Board into recess for five minutes.

Article 18: Chair Taylor stated that Article 18 will affect the business community and there has not been much outreach to the business community.

Mr. Brown not in favor of indefinite postponement, he thinks it is a good idea.

Mr. Patterson talked with Phil Gessen, who wants to call attention to this growing problem, it should be sent to Town Meeting to endorse or not. We will run out of landfill space if all we do is collect plastic and put it in landfills.

**Mr. Brown made a motion to support Article 18 as printed. Mr. Patterson seconded the motion. Vote: Yes-4. No-1 (Chair Taylor).**

Article 19

Sandra Silva, 50 Davis Rd., stated the sword above someone is not a sympathetic image.

Mr. Patterson feels it is important to change these symbols, this flag does not represent Cape Cod.

**Ms. Scott Price made a motion to recommend as printed. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

Article 29 amend the town classification plan.

Ms. Scott Price recommends indefinite postponement. Mr. Johnson-Staub will put an explanation into it. This is deferred to the Special Town Meeting.

**Mr. Brown made a motion to recommend as printed in case it is a fallback position. If the special election is approved, they can change their recommendation. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

Article 30

**Mr. Patterson made a motion to recommend as printed. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.**

Article 31

**Ms. Scott Price made a motion to approve as printed. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

Article 32

**Mr. Brown made a motion to approve as printed. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.**

Article 33

**Mr. Brown made a motion to approve as printed. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.**

**Article 34**

**Mr. Patterson made a motion to approve as printed. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.**

**Article 35**

**Ms. Scott Price made a motion to approve as printed. Mr. Brown seconded the motion. Vote: Yes-5. No-0.**

**6. Authorize Application for SAFER Grant to Fund Additional Fire Department Personnel (5 minutes)**

Safer grant would fund 6 positions.

**Mr. Brown motioned to authorize application for SAFER Grant to fund additional Fire Department Personnel. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.**

**7. Confirm name of Hatchville Fire Station**

**Mr. Zylinski made a motion to confirm the name of the Hatchville fire station. Mr. Brown seconded the motion. Vote: Yes-5. No-0.**

**CONSENT AGENDA**

**I. Licenses**

- a. Application for Special One-Day All Alcohol Liquor License – Bands for Badges, Inc. – Cape Cod Fairgrounds – 8/12/23
- b. Application for Special One-Day Wine & Malt Liquor License – Food Truck Festivals of America LLC – Cape Cod Food Truck & Craft Beer Festival – Cape Cod Fairgrounds – 8/5/23
- c. Application for Special One-Day All Alcohol Liquor License – Belonging to Each Other, Inc. – 3<sup>rd</sup> Claddagh Bowl – Trade Center Bowl, 89 Spring Bars Rd. – Saturday, 3/18/23
- d. Application for a Pledge of License of an All Alcohol Innholder License – Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire located at 350 Quaker Road, North Falmouth
- e. Application for a Common Victualler License – J2 Bagels, Inc. d/b/a Cape Cod Bagels, located at 419 Palmer Avenue, Falmouth

**2. Administrative Orders**

- a. Approve Eversource petition to install approximately 39' (feet) of 1" (inch) conduit and cable under town road Westmoreland Drive starting at existing pole 1102/5. This work is necessary to provide electric service to 30 Westmoreland Drive.
- b. Approve Eversource petition to install on private property one new pull box to be labeled 10600/010 and to install approximately 130' (feet) of 2-4" (inch) conduit and cable under town road northwesterly starting at new pull box 10600/010. This work is necessary to provide electric service to 267 Clinton Avenue.
- c. Approve request to spend over \$500 from the Fire Rescue Department donation account for the purchase of Challenge Coins
- d. Vote to approve request from The 300 Committee for a Conservation Restriction for the Ed Brown-Leger 3.72-acre property at 0 Boxberry Hill Road
- e. Approve request from Falmouth Housing Trust, Inc. for a Waiver of the Building Permit Fees for the Sam Turner Road (Esker Place Modification) Affordable Housing Project

- f. Authorize application to Division of Local Services for a second referendum due to the increase cost for wastewater improvement.

**Ms. Scott Price made a motion to approve the consent agenda. Mr. Patterson seconded the motion. Vote: Yes-5. No-0.**

## **MINUTES**

### **1. Review and Vote to Approve Minutes of Meetings**

#### **a. Public Session**

January 23, 2023

The Select Board requested the article numbers of the minutes be checked for accuracy and then be resubmitted to the Select Board for approval.

February 13, 2023

**Mr. Patterson made a motion to approve with edits and release for public access. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.**

## **TOWN MANAGER'S SUPPLEMENTAL REPORT**

Mr. Johnson-Staub reported the FPD Chief Selection process will include three citizen panels and came up in conversation with the search consultant and HR Director. The panels will be a mix of staff and community members, a set of questions will be prepared by each panel. Citizen interviews will be part of the confidential process, this will support a neutral environment for the interviews and confidentiality of the candidates.

Mr. Johnson-Staub reviewed the position vacancies filled and existing vacant positions.

The Select Board will meet on the following dates: 3/6/23, 3/15/23, 3/27/23, 4/1/23 Saturday workshop, and Annual Town Meeting will be held on 4/10/23.

## **SELECT BOARD REPORTS**

Mr. Brown:

Attended the Planning Board Meeting, during which there was discussion of the short term rental. 37% of property sold on Cape Cod last year was sold to second home buyers and now that pandemic is over those homes are becoming short term rentals.

Attended the League of Women Voters meet and greet event.

Mr. Patterson:

His community subdivision gathering was yesterday-they discussed short term rental issues, there are three in their subdivision of 50 homes and the number is growing quickly. This is happening all over the cape, hoes are being operated as business properties. About 50% of people who work on Cape Cod commute onto Cape Cod. Working together as a region may be the only way to address this growing problem.

Ms. Scott Price:

Attended the Affordable Housing Committee meeting.

Mr. Zylinski:

Attended the Finance Committee meeting.

Scheduled to spend the day and evening shift with the FPD Officers and thanked Captain Loewen for coordinating this with Mr. Zylinski.

## **DISCUSSION OF FUTURE AGENDA ITEMS**

None.

**Mr. Patterson made a motion to adjourn. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

DRAFT

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

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

Select Board:

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

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

**OPEN SESSION**

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

Pledge of Allegiance: Led by Select Board

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

Announcements: None

Public Comment:

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

**COMMITTEE INTERVIEWS**

Interview, vote and appoint committee members

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

Cultural Council – Patricia Kauffman

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

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

**Motion by Mr. Mascali: To appoint Patricia Kauffman to the Cultural Council for the term ending 6/30/2026**

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

Commission on Disabilities – Dr. Tracy LaChapelle

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

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

**Motion by Mr. Brown: To nominate Dr. Tracy LaChapelle to the Commission on Disabilities for a term ending 6/30/2026.**

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

## **BUSINESS**

### Vote to Approve a Traffic Calming Policy

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

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

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

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

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

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

**Vote: Yes – 5    No – 0**

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

### Report - Cultural Council

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Motion by Ms. Scott Price: To approve and send the letter    Second: Mr. Zylinski**

**Vote: Yes – 5    No - 0**

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

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

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

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

Public comment:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Vote: Yes - 5    No - 0**

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

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

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

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

Announce November 2023 Annual Town Meeting schedule

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

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

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

## CONSENT AGENDA

### 1. Administrative Orders

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



**Mr. Mascali reported on the following:**

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

**Mr. Brown reported on the following:**

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

**Mr. Zylinski reported on the following:**

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

**Chair Taylor reported on the following:**

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

**DISCUSSION OF FUTURE AGENDA ITEMS**

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

**ADJOURN**

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

Respectfully submitted,  
Carole Sutherland, Recording Secretary

**OPEN SESSION**

**TOWN MANAGER'S SUPPLEMENTAL REPORT**



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

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TO: Select Board  
FROM: Mike Renshaw, Town Manager  
SUBJECT: Supplemental Report  
DATE: August 7, 2023

**Creation of the Beach Facilities Working Group:**

In late July, membership of the Beach Facilities Working Group was established. The working group will be comprised of Beach Committee member Nancy Quigg, Assistant Town Manager Peter Johnson-Staub, Director of Public Works Peter McConarty, Facilities Director Greg Endicott, and Beach Superintendent Maggie Clayton.

The scope of the working group's review will include the structures at Old Silver Beach and Surf Drive. Due to the physical condition and current exposure to the elements of the existing structures, the group is being asked to evaluate future alternate locations for Beach Department offices. There are many considerations to evaluate as we prepare a plan including vulnerability to flooding, wind damage, code requirements, efficient department operations, cost to maintain and operate, and of course providing functional and attractive facilities for residents and visitors.

The working group's first task will be to develop a scope of work for consulting services to assist with evaluating the feasibility of various options and prepare cost estimates. The target date is to have the scope of work completed by September 15<sup>th</sup>. We intend to submit a capital request for this consulting work in the amount of \$50,000 for consideration at the November 2023 Annual Town Meeting.

The group's second task will be to work with the selected consultant to evaluate options to meet the facility needs of the Beach Department. I am asking that the working group provide a status report by March 31, 2024 and another by August 1, 2024, with a final report submitted to me by November 1, 2024.

**Project Management Software Platform Review**

Due to the need for improved efficiency and accountability in managing our capital projects, as well as improving our ability to monitor, measure, and report on departmental progress towards accomplishing the goals and objectives of the 2023-2027 Strategic Plan, I am currently evaluating project management software platforms to determine which platform most closely matches our needs.

Once a solution is implemented, we will be in a better position to track the status of projects and programs and the level of overall accountability will increase.

**Recent External Meetings Attended:**

On August 1<sup>st</sup> I attended the full day OneCape Summit organized through the Cape Cod Commission. The speakers were outstanding, and topics included Connecting Housing Strategies to Action, Sustainable Infrastructure and Climate Resiliency, and Broadband Access and Digital Equity.

**Upcoming Meetings:**

- August 21
- August 28
- September 11
- October 2
- October 16
- October 30
- November 6