

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, OCTOBER 2, 2023 – 6:30 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

6:30 p.m. OPEN SESSION

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

6:45 p.m. PUBLIC HEARINGS

1. Application for an Entertainment License – Cape Arts & Entertainment d/b/a Cape Symphony Presents, to be exercised at 60 Highfield Drive, Falmouth (5 minutes)

6:50 p.m. BUSINESS

1. Approve bond sale (5 minutes)
2. Report – Shellfish Advisory Committee (15 minutes)
3. Report – Board of Library Trustees (15 minutes)
4. Update – Plastic Reduction Advisory Committee (15 minutes)
5. Presentation – Interim action plan for trash reduction/composting – Solid Waste Advisory Committee (10 minutes)
6. Request for variance to sign code §184-18, §184-25 and §184-31 – Barlo Signs International on behalf of The Wilder Company, 137 Teaticket Highway, in order to replace two freestanding signs (10 minutes)
7. Vote article recommendations for November 2023 Annual Town Meeting (15 minutes)

8:15 p.m. CONSENT AGENDA

1. Licenses
 - a. Approve administrative correction of corporate name of the Wine and Malt Beverages Common Victualler License for Seafood Sam's Falmouth, Inc., 356 Palmer Avenue
2. Administrative Orders
 - a. Approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to relocate one (1) JO police labeled 10/124 approximately 30' (feet) southwest of existing location and to install one (1) JO pole to be labeled 10/124-25 approximately 60' (feet) southwest of existing police 10/124-5. This work is necessary to provide underground electric service to 878 Sandwich Road.
 - b. Application for two Special One-Day Wine & Malt Beverages Licenses – Vine Food & Restaurant, Inc. d/b/a The Vine located at 824 Main Street, Falmouth – Saturday, October 7, 2023, from 5:00 p.m. to 8:00 p.m. and Saturday, October 21, 2023, from 6:00 p.m. to 10:00 p.m.
 - c. Application for a Special One-Day All Alcoholic Beverages License – Falmouth Theatre Guild to be located at 56 Highfield Drive, Falmouth – Saturday, October 7, 2023, from 7:30 p.m. to 10:00 p.m. and Sunday, October 8, 2023, from 4:00 p.m. to 6:30 p.m.

- d. Application for a Special One-Day Wine & Malt Beverages License -- Salt Pond Areas Bird Sanctuaries, Inc. -- Pumpkin Day to be located at Bourne Farm, 6 North Falmouth Highway, North Falmouth -- Saturday, 10/7/23
- e. Application for a Special One-Day Wine & Malt Beverages License -- Shipwrecked -- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth -- Saturday, 11/5/23
- f. Accept donation of 4 push bumpers (value of \$2,200) from Dan's Truck Service for the Police Dept. cruiser fleet
- g. Accept the 2022 Edward Byrne Memorial Justice Grant in the amount of \$10,516.00 to fund the Bosch Crash Computer Reader (CDR) and Bosch CDR upgrade kit for training officers in crash reconstruction investigation
- h. Annual reappointment of Inspector of Animals - Scott McGann
- i. Approve request from the Conservation Commission to file for a MassWildlife Habitat Management Grant for Sandplain Grassland maintenance and expansion along with invasive plant control

8:20 p.m. MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - a. Public Session -- August 5, 2023; August 21, 2023; September 11, 2023
 - b. Executive Session -- July 10, 2023 -- Sessions 1 and 2

8:25 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

8:30 p.m. SELECT BOARD REPORTS

8:45 p.m. DISCUSSION OF FUTURE AGENDA ITEMS

8:55 p.m. ADJOURN

Nancy Robbins Taylor, Chair
Select Board

OPEN SESSION

PUBLIC HEARINGS

1. Application for an Entertainment License – Cape Arts & Entertainment d/b/a Cape Symphony Presents, to be exercised at 60 Highfield Drive, Falmouth (5 minutes)



TOWN OF FALMOUTH
SELECT BOARD
NOTICE OF PUBLIC HEARING

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Cape Arts & Entertainment d/b/a Cape Symphony Presents to be located at 60 Highfield Drive, Falmouth, MA has applied for an annual Entertainment License.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, October 2, 2023, at 6:35 pm.

Comments may be sent to selectboard@falmouthma.gov.

Per order of the Select Board

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

Publication date: Friday, September 15, 2023; Falmouth Enterprise



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearings 1.

ITEM TITLE: Application for an Entertainment License- Cape Arts & Entertainment d/b/a Cape Symphony Presents, to be exercised at 60 Highfield Drive, Falmouth

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Entertainment License Application, Floorplan

PURPOSE:

The Select Board will conduct a Public Hearing regarding an Entertainment License application submitted by Cape Arts & Entertainment d/b/a Cape Symphony Presents.

BACKGROUND/SUMMARY:

- The applicant Cape Symphony Presents is requesting an Entertainment License associated with offering a slate of music/dance events to be held at 60 Highfield Drive, Cape Conservancy, on September 16, September 28, October 28, November 18, December 5, and December 15.
- The hours of the proposed entertainment are from 6:30-9:30 PM.
- The applicant anticipates an attendance of 100 persons per event.
- The Fire Department has reviewed the application and submitted plans and has no objections.

- The Building Commissioner has reviewed the approved floor plans and has determined that there is adequate access to the egress adjacent to the stage area, and that the maximum capacity of the room is 160 due to the building being sprinkled.

DEPARTMENT RECOMMENDATION:

This item is subject to a Public Hearing and approval by the Select Board. There were no objections or concerns raised by Town reviewing departments.

OPTIONS:

- 1) Motion to approve the application for an Entertainment License to Cape Arts & Entertainment d/b/a Cape Symphony as presented.
- 2) Motion to deny approval of the application for an Entertainment License to Cape Arts & Entertainment d/b/a Cape Symphony;
- 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):

N/A

TOWN MANAGER COMMENTS:

This item is subject to a Public Hearing and approval by the Select Board. There were no objections or concerns raised by Town reviewing departments.

Michael Renshaw

9/28/2023

Town Manager

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: **Cape Arts & Entertainment dba Cape Symphony Presents**

Address: 60 Highfield Drive

License Type: _____

New or Transfer of License _____

or

Change of License _____

Police **No objection as long as the applicant is in compliance with inspectional services**

Fire Okay with the proposed plans

Building Floor Plans approved

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES: The Building Commissioner has approved floor plans for this building having determined that there is adequate access to the egress adjacent to the stage and the capacity of the room is appropriate as the building has sprinklers.

Charles Turner, Director of Advancement for the Cape Symphony, will attend the meeting.



Town of Falmouth

Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, MA 02540
508-495-7320 • licensing@falmouthma.gov

ENTERTAINMENT LICENSE APPLICATION

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

Required fields are outlined in red.

NAME OF BUSINESS: D/B/A

ADDRESS:

TOWN: STATE: ZIP CODE:

NAME OF OWNER/MANAGER:

TELEPHONE #: EMAIL:

MAILING ADDRESS:

LOCATION OF ENTERTAINMENT ON PREMISES:

DAYS OF ENTERTAINMENT:

HOURS OF ENTERTAINMENT:

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

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

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

1. DANCING By Patrons No Dancing

2. MUSIC Recorded Live Amplified Acoustic Other

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

DATE x

Signature - OWNER or MANAGER

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

Fees payable to Town of Falmouth



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

APPLICANT: CAPE SYMPHONY PRESENTS

ADDRESS: 2235 IXANNOUGH ROAD

LICENSE OR LICENSE CHANGE APPLIED FOR: ENTERTAINMENT

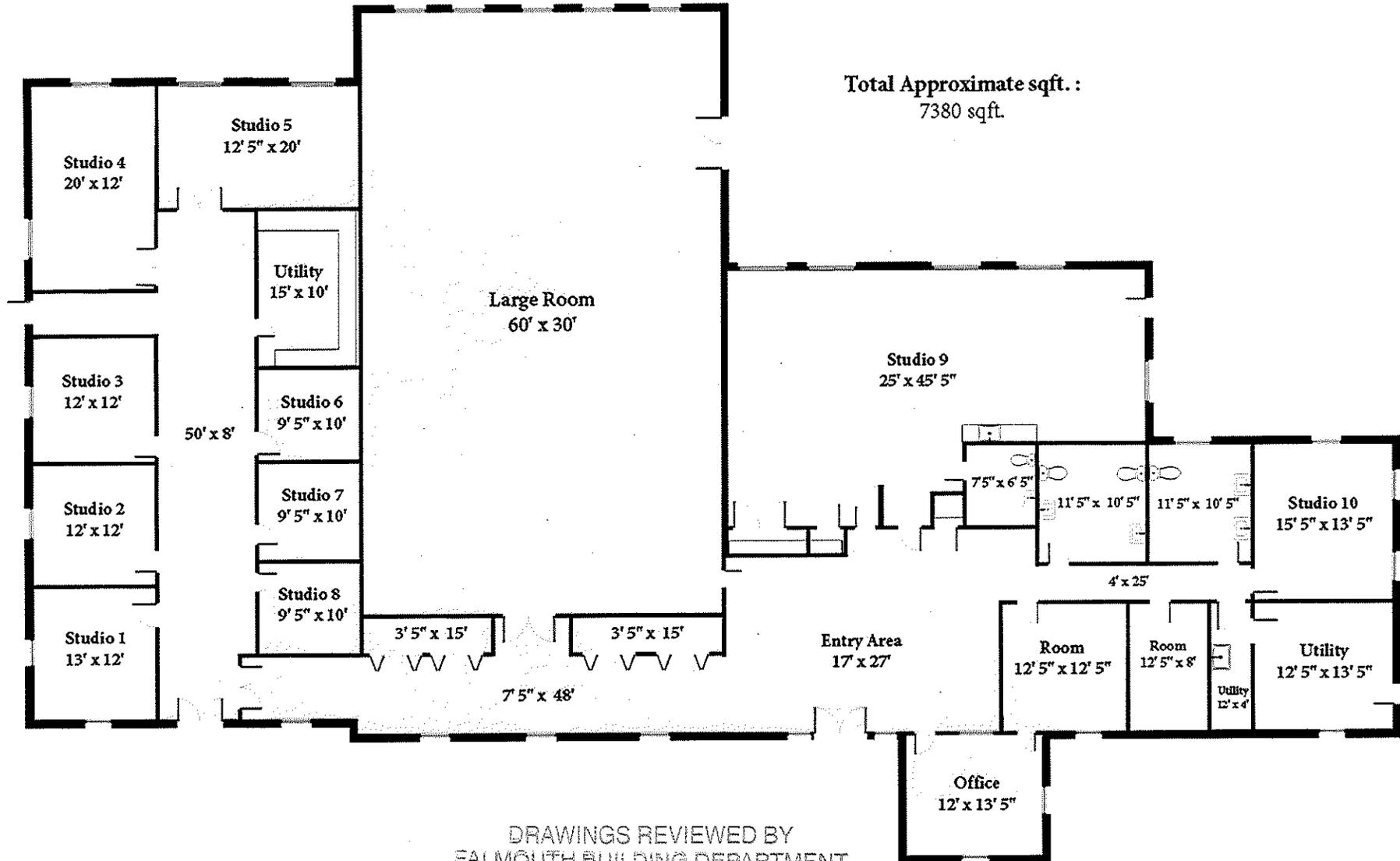
The attached application has been reviewed by the Building Commissioner's Office with the following supporting documents:

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

Building Department sign-off: 

DATE: 9-13-23

JL 99 CAPACITY



Total Approximate sqft. :
7380 sqft.

All measurements and other information are approximate and should be independently verified.

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

9-13-23
DATE

JL
BUILDING OFFICIAL

OPEN SESSION

BUSINESS

1. Approve bond sale **(5 minutes)**

Recommended motion:

“I move the motion prepared by bond counsel entitled ‘Vote of the Select Board’ contained in the Select Board packet.”



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business Item 1.

ITEM TITLE: Approval of Bond Sale

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Patty O'Connell Treasurer/Collector / Ed Senteio Finance Director

ATTACHMENTS: Bond Sale Motion and Bond Sale Results

PURPOSE:

Accept the sale of bonds for the following purposes:

Purpose	Amount	Exempt / Regular	Term
Wastewater Management	\$100,000	Exempt	20 Years
Teaticket Elementary School Roof	\$2,333,264	Exempt	20 Years
Fire Station	\$10,000,000	Exempt	20 Years
Wild Harbor Bulkhead	\$74,043	Regular	1 Year
Total	\$12,507,307.00		

BACKGROUND/SUMMARY:

The approval for the Exempt debt was previously passed at Town Meeting and at the ballot. The approval for the Regular debt was previously passed at Town Meeting.

The Town previously took out a short-term borrowing for the projects listed.

S&P reaffirmed the Town's AAA Bond rating based on a presentation provided by Town Management and the Finance Team. This should ensure the best interest rate for Municipalities based on the term.

The lowest effective interest rate chosen will be provided along with the motion by the Town's Financial Advisor once the sale to competitive bidders is known.

DEPARTMENT RECOMMENDATION:

The Finance Department recommends the approval of the bond sale to satisfy the need to pay off the short-term borrowing that was previously authorized by the Select Board. In addition, the borrowing provides the funding to complete the Fire Station.

Not approving the bond sale will require the Town to come up with available funds to pay the short-term notes and to pay for the rest of the Fire Department project without borrowing. Not excepting the results of a bond sale could have an impact on future bond ratings and access to the debt markets.

MOTION OPTIONS:

1. Move the motion prepared by bond counsel entitled 'Vote of the Select Board' as presented and contained in the Select Board packet.
2. Vote to require the Town to find short term dollars to pay off the short-term notes and to fund the projects out of available funds at a Special Town Meeting.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

See above.

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the bond sale as presented, and to use the specific motion as prepared by bond counsel and as presented in the Board packet.

Michael Renshaw

9/28/2023

Town Manager

Date

September 28, 2023

For Immediate Release

For Further Information, Contact:

Patricia O'Connell, Treasurer
Town Hall
59 Town Hall Square
Falmouth, MA 02540
Tel: (508) 495-7364

Town of Falmouth, MA \$12,065,000 Bonds Net 3.94%

Patricia O'Connell, Treasurer, announced that the Town received competitive bids from bond underwriters on Wednesday, September 27, 2023, for a \$12,065,000 20-year general obligation bond issue. Fidelity Capital Markets was the winning bidder with an average interest rate of 3.94%. The Town received 8 bids on the Bonds. Bond proceeds will be used to finance various capital projects.

Prior to the sale, S&P Global Ratings, a municipal credit rating agency, assigned the highest attainable rating of "AAA" to the Town's long-term debt. The agency cited the Town's very strong management with strong financial policies and practices, strong budgetary performance, very strong budgetary flexibility, very strong liquidity, and strong debt and long-term liability profile as positive credit factors.

The bids for the bonds were accepted at the offices of the Town's financial advisor, Hilltop Securities, Inc., at 54 Canal Street in Boston, Massachusetts.

-end-



Wire Inbox

Parity Calendar

Deal List

11:02:04 a.m. EDST

Upcoming Calendar

Overview

Compare

Summary

Bid Results

Falmouth (Town) \$12,505,000 General Obligation Municipal Purpose Loan of 2023 Bonds

The following bids were submitted using **PARITY**[®] and displayed ranked by lowest TIC.
Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	TIC
<input type="checkbox"/>	Fidelity Capital Markets	3.932645
<input type="checkbox"/>	Robert W. Baird & Co., Inc.	3.960836
<input type="checkbox"/>	UBS Financial Services Inc.	3.968767
<input type="checkbox"/>	Mesirow Financial, Inc.	3.973102
<input type="checkbox"/>	Bancroft Capital, LLC	3.990540
<input type="checkbox"/>	J.P. Morgan Securities LLC	3.991571
<input type="checkbox"/>	Janney Montgomery Scott LLC	4.002671
<input type="checkbox"/>	FHN Financial Capital Markets	4.053838

*Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

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Wire Inbox

Parity Calendar

Deal List

Upcoming Calendar | Overview | Result | Excel | Print

Fidelity Capital Markets - Boston , MA's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$13,093,154.91, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.5500	101.187
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.3400	104.460
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1700	108.149
08/15/2029	515M	5.0000	3.1700	109.684
08/15/2030	535M	5.0000	3.1600	111.237
08/15/2031	555M	5.0000	3.1800	112.539
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	5.0000	3.2100	113.679
08/15/2034	630M	5.0000	3.2700	113.186
08/15/2035	655M	5.0000	3.4000	112.125
08/15/2036	680M	5.0000	3.5200	111.156
08/15/2037	705M	4.0000	3.8500	101.110
08/15/2038	735M	4.0000	4.0000	100.000
08/15/2039	765M	4.0000	4.1000	98.838
08/15/2040	790M	4.1250	4.2000	99.096
08/15/2041	825M	4.1250	4.3000	97.830
08/15/2042	855M	4.2500	4.3500	98.718
08/15/2043	885M	4.2500	4.4000	98.023

Total Interest Cost: \$6,494,659.53
 Premium: \$588,154.91
 Net Interest Cost: \$5,906,504.62
 TIC: 3.932645
 Time Last Bid Received On:09/27/2023 10:59:09 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Fidelity Capital Markets, Boston , MA
 Contact: Katherine Estes
 Title: Sr. Associate
 Telephone:774-392-0159
 Fax: 617-692-5949

Issuer Name: Town of Falmouth

Company Name: _____



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Robert W. Baird & Co., Inc. - Milwaukee , WI's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$12,966,864.80, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.4700	101.253
08/15/2025	440M	5.0000	3.3900	102.846
08/15/2026	460M	5.0000	3.2500	104.709
08/15/2027	475M	5.0000	3.1500	106.640
08/15/2028	490M	5.0000	3.1200	108.383
08/15/2029	515M	5.0000	3.1200	109.964
08/15/2030	535M	5.0000	3.1100	111.562
08/15/2031	555M	5.0000	3.1300	112.909
08/15/2032	575M	5.0000	3.1600	114.093
08/15/2033	600M	5.0000	3.2000	113.762
08/15/2034	630M	5.0000	3.2800	113.104
08/15/2035	655M	5.0000	3.4000	112.125
08/15/2036	680M	4.0000	3.8600	101.036
08/15/2037	705M	4.0000	4.0200	99.784
08/15/2038				
08/15/2039	1,500M	4.0000	4.0500	99.415
08/15/2040	790M	4.0000	4.1000	98.787
08/15/2041	825M	4.1250	4.1500	99.682
08/15/2042	855M	4.1250	4.2000	99.025
08/15/2043	885M	4.2500	4.2500	100.000

Total Interest Cost: \$6,370,568.02
 Premium: \$461,864.80
 Net Interest Cost: \$5,908,703.22
 TIC: 3.960836
 Time Last Bid Received On:09/27/2023 10:53:44 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Robert W. Baird & Co., Inc., Milwaukee , WI
 Contact: Peter Anderson
 Title:
 Telephone:414-765-7331
 Fax:

Issuer Name: Town of Falmouth

Company Name: _____



Wire Inbox

Parity Calendar

Deal List

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UBS Financial Services Inc. - New York , NY's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$13,126,332.55, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.5400	101.195
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.3400	104.460
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1700	108.149
08/15/2029	515M	5.0000	3.1700	109.684
08/15/2030	535M	5.0000	3.1600	111.237
08/15/2031	555M	5.0000	3.1800	112.539
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	5.0000	3.2100	113.679
08/15/2034	630M	5.0000	3.2700	113.186
08/15/2035	655M	5.0000	3.4000	112.125
08/15/2036	680M	5.0000	3.5200	111.156
08/15/2037	705M	5.0000	3.6400	110.198
08/15/2038	735M	4.0000	4.1700	98.128
08/15/2039	765M	4.0000	4.2600	97.022
08/15/2040	790M	4.1250	4.2700	98.266
08/15/2041	825M	4.1250	4.3200	97.586
08/15/2042	855M	4.2500	4.3600	98.591
08/15/2043	885M	4.2500	4.4000	98.023

Total Interest Cost: \$6,592,243.28
 Premium: \$621,332.55
 Net Interest Cost: \$5,970,910.73
 TIC: 3.968767
 Time Last Bid Received On:09/27/2023 10:59:57 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: UBS Financial Services Inc., New York , NY
 Contact: Vincent Pietanza
 Title:
 Telephone:212-713-9163
 Fax:

Issuer Name: Town of Falmouth

Company Name: _____



Wire Inbox

Parity Calendar

Deal List

Upcoming Calendar Overview Result Excel Print

Mesirow Financial, Inc. - Chicago , IL's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$12,802,185.20, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.6000	101.145
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.3400	104.460
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1700	108.149
08/15/2029	515M	5.0000	3.1700	109.684
08/15/2030	535M	5.0000	3.1600	111.237
08/15/2031	555M	5.0000	3.1800	112.539
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	4.0000	3.2800	105.483
08/15/2034	630M	4.0000	3.3900	104.623
08/15/2035	655M	4.0000	3.5500	103.385
08/15/2036	680M	4.0000	3.7500	101.862
08/15/2037	705M	4.0000	3.9000	100.737
08/15/2038	735M	4.0000	4.0500	99.441
08/15/2039	765M	4.0000	4.1500	98.266
08/15/2040	790M	4.0000	4.2500	97.010
08/15/2041	825M	4.1250	4.3500	97.222
08/15/2042	855M	4.2500	4.4500	97.461
08/15/2043	885M	4.2500	4.5500	96.101

Total Interest Cost: \$6,185,789.64
 Premium: \$297,185.20
 Net Interest Cost: \$5,888,604.44
 TIC: 3.973102
 Time Last Bid Received On:09/27/2023 10:58:35 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Mesirow Financial, Inc., Chicago , IL
 Contact: Mark O'Connor
 Title:
 Telephone:212-530-7652
 Fax:

Issuer Name: Town of Falmouth

Company Name: _____



Wire Inbox

Parity Calendar

Deal List

Upcoming Calendar | Overview | Result | Excel | Print

J.P. Morgan Securities LLC - New York , NY's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$12,806,484.25, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.5500	101.187
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.3400	104.460
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1700	108.149
08/15/2029	515M	5.0000	3.2000	109.517
08/15/2030	535M	5.0000	3.1900	111.042
08/15/2031	555M	5.0000	3.2100	112.318
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	4.0000	3.2800	105.483
08/15/2034	630M	4.0000	3.3700	104.778
08/15/2035	655M	4.0000	3.6300	102.773
08/15/2036	680M	4.0000	3.8600	101.036
08/15/2037	705M	4.0000	4.0200	99.784
08/15/2038	735M	4.0000	4.1700	98.128
08/15/2039	765M	4.0000	4.2600	97.022
08/15/2040	790M	4.1250	4.3000	97.913
08/15/2041	825M	4.2500	4.3500	98.762
08/15/2042	855M	4.2500	4.4000	98.087
08/15/2043	885M	4.2500	4.4300	97.635

Total Interest Cost: \$6,220,820.00
 Premium: \$301,484.25
 Net Interest Cost: \$5,919,335.75
 TIC: 3.991571
 Time Last Bid Received On:09/27/2023 10:59:47 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: J.P. Morgan Securities LLC, New York , NY
 Contact: John Di Tomaso
 Title: Associate
 Telephone:212-834-7155
 Fax:

Issuer Name: Town of Falmouth

Company Name: _____



Wire Inbox

Parity Calendar

Deal List

Upcoming Calendar | Overview | Result | Excel | Print

Janney Montgomery Scott LLC - Philadelphia , PA's Bid



Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds

For the aggregate principal amount of \$12,505,000.00, we will pay you \$13,067,386.51, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.5500	101.187
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.3400	104.460
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1700	108.149
08/15/2029	515M	5.0000	3.1700	109.684
08/15/2030	535M	5.0000	3.1600	111.237
08/15/2031	555M	5.0000	3.1800	112.539
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	5.0000	3.2100	113.679
08/15/2034	630M	5.0000	3.2700	113.186
08/15/2035	655M	5.0000	3.4000	112.125
08/15/2036	680M	5.0000	3.5200	111.156
08/15/2037	705M	4.0000	4.0200	99.784
08/15/2038	735M	4.0000	4.1700	98.128
08/15/2039	765M	4.0000	4.2600	97.022
08/15/2040	790M	4.2500	4.3000	99.400
08/15/2041	825M	4.2500	4.4000	98.154
08/15/2042	855M	4.3750	4.4500	99.044
08/15/2043	885M	4.3750	4.5000	98.365

Total Interest Cost: \$6,571,776.77
 Premium: \$562,386.51
 Net Interest Cost: \$6,009,390.26
 TIC: 4.002671
 Time Last Bid Received On:09/27/2023 10:58:37 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Janney Montgomery Scott LLC, Philadelphia , PA
 Contact: Matthew Davis
 Title:
 Telephone:215-665-6521
 Fax: 215-557-8648

Issuer Name: Town of Falmouth

Company Name: _____



Wire Inbox

Parity Calendar

Deal List

Upcoming Calendar Overview Result Excel Print

FHN Financial Capital Markets - New York , NY's Bid



**Falmouth (Town)
\$12,505,000 General Obligation Municipal Purpose Loan of 2023
Bonds**

For the aggregate principal amount of \$12,505,000.00, we will pay you \$12,888,818.18, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
08/15/2024	335M	5.0000	3.6200	101.129
08/15/2025	440M	5.0000	3.4800	102.684
08/15/2026	460M	5.0000	3.2900	104.598
08/15/2027	475M	5.0000	3.2100	106.416
08/15/2028	490M	5.0000	3.1500	108.243
08/15/2029	515M	5.0000	3.1700	109.684
08/15/2030	535M	5.0000	3.1600	111.237
08/15/2031	555M	5.0000	3.1600	112.687
08/15/2032	575M	5.0000	3.2000	113.762
08/15/2033	600M	5.0000	3.2100	113.679
08/15/2034	630M	5.0000	3.2700	113.186
08/15/2035	655M	5.0000	3.4000	112.125
08/15/2036	680M	4.0000	3.8600	101.036
08/15/2037	705M	4.0000	4.0200	99.784
08/15/2038	735M	4.0000	4.1700	98.128
08/15/2039	765M	4.0000	4.2600	97.022
08/15/2040	790M	4.0000	4.3000	96.426
08/15/2041	825M	4.2500	4.3500	98.762
08/15/2042	855M	4.2500	4.4000	98.087
08/15/2043	885M	4.2500	4.4500	97.377

Total Interest Cost: \$6,409,104.27
 Premium: \$383,818.18
 Net Interest Cost: \$6,025,286.09
 TIC: 4.053838
 Time Last Bid Received On:09/27/2023 10:59:48 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: FHN Financial Capital Markets, New York , NY
 Contact: Robert McCraw
 Title:
 Telephone:212-418-5020
 Fax:

Issuer Name: Town of Falmouth

Company Name: _____

OPEN SESSION

BUSINESS

2. Report – Shellfish Advisory Committee **(15 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 2.

ITEM TITLE: Report- Shellfish Advisory Committee

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Narrative Report

PURPOSE:

The Select Board will hear an annual report from the Chair of the Shellfish Advisory Committee.

BACKGROUND/SUMMARY:

- The Shellfish Advisory Committee is comprised of nine (9) members.
- The Committee focuses on a wide variety of issues related to shellfish, works closely with the MES Department on how best to utilize the Town's propagation budget, and addresses comments and questions that are emailed to the Committee's email account.

DEPARTMENT RECOMMENDATION:

This item is for informational purposes only; no action is being requested.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

N/A

Michael Renshaw

Town Manager

9/28/2023

Date

Shellfish Advisory Committee

2023 has been another productive year for the Falmouth Shellfish Advisory Committee. The committee met monthly and focused on a variety of shellfish issues important to Town residents. The success of the Town Aquaculture Pilot project in Eel River East continues, with all 3 farms producing a high volume of oysters and paying gear rental fees to the Town that are being utilized for municipal quahog propagation. The goal of the pilot project, which was designed and implemented with input and support from the committee, is to remove nitrogen from the Eel River as well as generate funds for Town quahog propagation through aquaculture gear rental fees. With the funds generated from gear rentals, MES has begun to increase the size of their quahog seed orders, which will directly benefit wild diggers in the coming years and also remove additional nitrogen from Town water bodies. The MES department has continued to work on plans for expanding the project, and the details were presented to the Select Board on July 24th. The success of the Town Aquaculture Project is largely due to the outstanding cooperation between the selected growers, the committee, and the MES department.

The Shellfish Advisory Committee works closely with the MES department on how to best utilize the Town propagation budget, determine the best ratio of oyster vs quahog seed to purchase, and evaluate the most suitable locations to disperse seed. This year committee members met with shellfish departments in neighboring communities to discuss various shellfish growing methods. As a result of those meetings, the MES dept will begin a quahog seed netting project with support from wild harvesters this coming fall, with the goal of determining best methods for reducing mortality of field-plant quahogs. We have worked with the Town attorney and have found a way to move forward with changes to commercial shellfishing regulations that will benefit wild harvesters, and we hope to put those changes into effect in the coming year. The proposed changes are related to the number of permits issued, commercial catch requirements, volunteer hours, and an expanded winter fishery. The committee has also continued to push for opening Falmouth Harbor to shellfishing during the winter months. We have made progress on that issue and are waiting to receive final approval from the MA Division of Marine Fisheries.

The Shellfish Advisory Committee also regularly addresses comments and questions emailed to the shellfish committee account, so we encourage the general public to reach out to us with any shellfish related concerns.

We look forward to continuing our efforts in the coming year.

OPEN SESSION

BUSINESS

3. Report – Board of Library Trustees **(15 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business Item 3.

ITEM TITLE: Report- Board of Library Trustees

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: None

PURPOSE:

The Chair of the Board of Library Trustees will provide an annual report to the Select Board. This item is for informational purposes, and no formal Select Board action is requested.

BACKGROUND/SUMMARY:

- The Falmouth Public Library Board of Trustees is a seven-member, elected board. They serve as a vital link between the library and the community.
- The Trustees are library advocates and leaders in developing services for all members of the public.

DEPARTMENT RECOMMENDATION:

This item is for informational purposes only. No formal Select Board action is requested.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

This item is for informational purposes only. No formal Select Board action is requested.

Michael Renshaw

Town Manager

9/7/2023

Date

Board of Library Trustees

In November 2021 the Marine Biological Laboratory's Falmouth Forum hosted a presentation by Robert Darnton, the Harvard University Librarian (Emeritus)--such a short title for a position that encompasses all the materials and library services of the numerous Harvard University schools, departments, and their attendant libraries. His talk was entitled, "All the Books in the World: The Libraries of Antiquity and of the Future." An interesting part of the evening for me was the introduction of Robert Darnton by Linda Collins, Library Director of the Falmouth Public Library. Linda had served as Head of Access Services at Harvard University's Widener Library, under Darnton, before coming to Falmouth. I marveled at Darnton's coverage of thousands of years of libraries and his forecast into what the future for libraries might hold. For a brief moment in his talk the Falmouth Public Library appeared to me as a speck of dust on the continuum, but as I pulled back to my sense of our Falmouth community, the Library holds a central core position here: three library buildings open between them 104 hours a week, 52 weeks of the year, free of charge to walk in the door or access the library online, with a goal of engaging and empowering the community through its programs, services, and collections that inform, educate, and entertain all those who enter.

The Board of Library Trustees continue their primary responsibility for the governance of the three Town libraries, as stated in Falmouth's Home Rule Charter and our bylaws. The Library's 2022-2027 Strategic Plan and its annual Action Plans set our course. Our monthly Trustee meetings and aperiodic meetings of our Resource, Policy, and Building and Grounds committees continued to meet in person for FY2023 with hybrid offerings, allowing Trustees and community members to attend via Zoom.

The current Library Trustees are Jenifer Alai, Vice Chair (serving second term; class of 20024); Mary Fran Buckley (first term; class of 2025); Kathryn Elder, Treasurer (second term; class of 2025); Judith Fenwick, Chair (third term; class of 2026); Lucy Helfrich (first term; class of 2024); Kathie Mount (second term; class of 2024); Camille Romano, Secretary (first term; class of 2026). Lindsay Hopewood retired from the Board in May after serving four terms. She will be missed for her institutional memory, her long-term service on the Building and Grounds Committee, often as its chair, and for her attentiveness and personal touch as the Board's Corresponding Secretary.

Library lawn use requests, requiring Trustee approval, went from 38 requests in FY2022 to 7 in FY2023 as more programs moved back indoors. This does not include the Friends 5-day Summer Book Sale or the numerous programs offered by the Library staff on the lawn. Among the events were the Rotary Club Day of Play; Falmouth Village Association's Summer Movies under the Stars 5-week program; Falmouth Classic Car Club; Brian Boru Pipe Band; the Master Gardeners; North Falmouth Village "Unplugged"; and Paul White Memorial Road Race information center.

As a result of our meetings, the following actions were taken by the Trustees for activities or projects supported from the Trustees' Fund annual budget (not the Town's operating budget):

- Funded staff professional development for conferences/workshops including support for our Teen Librarian to attend the Public Library Youth Services Leadership Summit, Fort Lauderdale FL, March 30-31, 2023, (\$1,232); and staff recruitment (\$1,268);
- Funding for preservation of special library collections (\$400)
- Funded Adult and Young Adult programs: Adult programs--241 on site with 4,685 attendees, and 18 virtual with 412 attendees; Young Adult programs--14 on site with 144 attendees (\$9,593);
- Funded annual Falmouth High School Junior Book Awards (\$450);
- Funded two staff appreciation events (\$803);
- Covered dues, insurance bonding fees, office expenses, and the Sunshine Fund (\$1,676).

The staff of the Falmouth Public Library deserves our continuing thanks. During the height of the pandemic, Library staff found opportunities for transforming systems and processes, increased partnerships, and expanded digital access and outreach. This was a result of finding new ways of working and thinking about our mission. Much of that expanded engagement and reaching that "new normal" continued because the Library staff made it happen. In FY 2023 the Library IT Department Head and the Assistant Director worked to increase the Library's literal and figurative bandwidth to broaden digital access. The Trustees recognize more than ever before that pulling people into our libraries no longer means having them walk through the doors, but having them join us digitally, and having our services and materials reach them where they live, work, play and learn.

Two groups collaborate with Trustees and Library staff to support facilities and programming:
The Friends of the Falmouth Public Library (FFPL) under the leadership of President Edwina Yee and many volunteers put on the annual summer Book Sale, held in July. There were tens of thousands of books along with games, puzzles, and DVDs, and crowds to take them all home. The annual Holiday Book Sale was held in December, and the group honored the Library's annual wish list which supports museum passes, children's and branch programs, digital and special collections, and Joy of Learning classes through proceeds from the two book sales. The Trustees are grateful for the Friends continuing support of the Library and its mission.

The Falmouth Public Library Support Fund (FPLSF) under leadership of Chair Bob Ripley contributed funding for several library programs and equipment. Proposals from the Library staff are reviewed by the FPLSF Program Committee before being voted on by the Support Fund directors. Among FPLSF's 11-member board, two FPL Trustees served as voting Directors on the Support Fund: Lucy Helfrich and Judy Fenwick, who also served as a non-voting member of the Program Committee. The Support Fund continues with its vision to provide funding for literacy and education programs, and projects that enhance the Falmouth Public Library, as well as its mission to provide supplemental funding to the Library with emphasis on capital improvement and long-term support.

Linda Collins has retired as Library Director effective July 7, 2023, after 11 years at the Falmouth Public Library. I could not let this information wait until the FY 2024 report. We wish her well in retirement. And look forward to seeing her checking out books at the Circulation Desk, and out and about in the community.

Respectfully submitted,

Judith Fenwick, Chair
Board of Library Trustees
Falmouth Public Library
September 2023

OPEN SESSION

BUSINESS

4. Update – Plastic Reduction Advisory Committee **(15 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 4.

ITEM TITLE: Update- Plastics Reduction Advisory Committee

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: None

PURPOSE:

The Select Board will hear an update report from the Chair of the Plastics Reduction Advisory Committee concerning their challenges and progress in drafting a regulation for consideration by the Board of Health.

BACKGROUND/SUMMARY:

- 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.

DEPARTMENT RECOMMENDATION:

This item is for informational purposes only; no action is being requested.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

N/A

Michael Renshaw

Town Manager

9/28/2023

Date

OPEN SESSION

BUSINESS

5. Presentation - Interim action plan for trash reduction/
composting – Solid Waste Advisory Committee **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 5.

ITEM TITLE: Presentation- Interim action plan for trash reduction/composting- Solid Waste Advisory Committee

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Food Waste Action Plan 2023

PURPOSE:

The Select Board will hear a presentation from the Solid Waste Advisory Committee regarding an interim plan for reducing trash through composting.

BACKGROUND/SUMMARY:

- The Solid Waste Advisory Committee is comprised of seven (7) members.
- Massachusetts 2030 Solid Waste Master Plan includes a goal of a 30% reduction in trash tonnage from the 2018 baseline.
- Food waste composes 25-40% of residential curbside trash by weight. Massachusetts faces a future shortfall in trash disposal options; landfills have limited capacity and prices for disposal will only increase over time.
- Food and other organic wastes in landfills generate the harmful greenhouse gas methane.

- MADEP will likely impose restrictions on disposal of residential food waste within the decade.

DEPARTMENT RECOMMENDATION:

This item is an update and for informational purposes only; no action is being requested.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

N/A

Michael Renshaw

Town Manager

9/28/2023

Date

Falmouth Trash Tonnage Reduction through Food Waste Separation and Composting
Request for Support for an Initial Plan of Action
Solid Waste Advisory Committee
October 2, 2023

Objective:

To obtain the Select Board's support for the Solid Waste Advisory Committee to perform tasks to facilitate Falmouth developing an information base to guide future decision-making regarding solid waste management specific to food waste reduction and composting.

Background:

For the purposes of this plan, the term food waste includes: food items purchased and not consumed; food preparation and plate scraps; and unwanted or spoiled food items. Successful food waste separation and composting programs must include three principal, simultaneously-operational components: informed and motivated residents; means for food waste to be contained within the home or business and either processed onsite or transported to an offsite facility; and an operational, state-permitted composting facility for processing.

Why:

- Massachusetts' 2030 Solid Waste Master Plan includes a goal of a 30% reduction in trash tonnage from the 2018 baseline.
- Food waste composes 25-40% of residential curbside trash by weight.
- Massachusetts faces a future shortfall in trash disposal options; landfills have limited capacity and prices for disposal will only increase over time.
- Decay of food and other organic wastes in landfills generates the greenhouse gas methane.
- MADEP currently requires businesses generating 1,000 pounds or more of food waste per week to separate food waste for composting. MADEP will likely impose restrictions on disposal of residential food waste within the decade.

Elements:

- Generate interest and incentivize residents to reduce wasteful purchasing to separate food waste from other trash and to home compost and/or utilize centralized food waste drop off sites.
- Expand food waste drop off options and investigate food waste collection options.
- Identify Falmouth business food waste generation quantities and management practices.
- In conjunction with Barnstable County and other Upper Cape communities, identify potential sites for large scale, regional food waste composting facilities.

Tasks begun:

- Inform community members of the magnitude of food waste in the residential waste stream and the actions they can take to reduce trash tonnage.
- Identify means and methods other communities are using to interest and incentivize residents to separate food waste and produce healthy compost.
- Investigate potential means and methods to collect food waste on a town-wide basis including their feasibility in Falmouth.
- Partner with and build on the school administration's newly initiated, in-school food waste program.
- Build collaborative relationship with Barnstable County leadership and staff as well as other Upper Cape communities.
- Partner with DPW on all elements of this initial action plan.

Authorization requested:

- Expand the small food waste drop-off shed at the WMF and develop and implement, with DPW, at least one additional food scrap drop-off location. Inform the community of the goal to double the drop-off tonnage at the WMF for each of the next two six-month periods.
- Continue discussions with Barnstable County and other Cape and possibly SE Mass communities regarding a future regional composting facility.

Funding:

- Falmouth's MADEP-granted Recycling Dividends Program account monies can be used to expand the capacity and operate the WMF food waste drop off and establish one or more additional drop off sites.
- This initial plan of action can be started immediately. In order to successfully develop and implement a town-wide Trash Tonnage Reduction/Food Waste Separation and Composting Plan, the current part-time (19 hours/week) Recycling and Solid Waste Coordinator position needs to be made a full-time, 40-hour position on or before July 1, 2024.

Time period – Initial Plan of Action: October 2, 2023-June 30, 2024

Product: Falmouth does not have a Trash Reduction Plan. The information garnered from this initial plan of action will provide essential data and understandings for the development and implementation of such a plan. Development of a town-wide Solid Waste Management Plan can begin as soon as July 1, 2024 with installation of a full-time Recycling and Solid Waste Coordinator.

OPEN SESSION

BUSINESS

6. Request for variance to sign code §184-18, §184-25 and §184-31 – Barlo Signs International on behalf of The Wilder Company, 137 Teaticket Highway, in order to replace two freestanding signs **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business Item 6.

ITEM TITLE: Request for variance to the Town of Falmouth Zoning By-Law, Chapter 184. Signs, at 137 Teaticket Hwy

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Letter from 137 Teaticket/The Wilder Company Requesting Variance dated August 22, 2023, Landlord Authorization, Photos of Proposed and Existing Signs

PURPOSE:

Barlo Signs International, on behalf of 137 Teaticket/The Wilder Company, has requested that the Select Board consider the approval of a variance to the Town of Falmouth Zoning By-law, Chapter 184, Signs, Sections 184-5, 184-25, and 184-31 in order to replace two free-standing signs.

BACKGROUND/SUMMARY:

- On August 22 Barlo Signs International submitted a letter requesting a variance be granted to replace two existing free-standing signs on the property of 137 Teaticket Highway.
- The applicant proposes to replace both freestanding signs in their existing locations.
- The area of the proposed replacement signs exceeds the maximum total area as stated in the by-law. Proposed Sign A has an area of 80.83 sf where 40 sf is allowed and proposed Sign B has an area of 61 sf where 40 sf is allowed.

- The Fire Department has requested that the proposed name of the shopping center be changed from what is shown, "Falmouth Landing" is a road in Town improved by 36 residences.

DEPARTMENT RECOMMENDATION:

The Building Commissioner's Office recommends that the Select Board approve the size and location variance as submitted with the understanding that the name of the shopping center will change.

OPTIONS:

- 1) Motion to approve the variance request as submitted.
- 2) Motion to deny approval of the variance request as submitted.
- 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):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the sign code variance request as submitted.

Michael Renshaw

Town Manager

9/27/2023

Date

Phyllis Downey

Subject: FW: Falmouth Landing Sign Variance request

From: Eleanor MacKay <eleanor.mackay@falmouthma.gov>
Sent: Tuesday, August 22, 2023 10:53 AM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>
Subject: RE: Falmouth Landing Sign Variance request

Hi Phyllis,

The area of these signs exceed the by-law area requirements and we have instructed them thru permit eyes to seek a variance with the Select Board or reduce the area of their signs.

1. **The Fire Department requests they change their name**, there is already a Falmouth Landing in Town.
2. **SIGN ITEM A:** The applicant has applied for a new sign under **#231906** under the description "Removal of a sign". In the chat bubble, we instructed them to redesign the sign to meet the area requirements or apply to the Select board.
 - A. 184-18 Measurement of sign area,
 - B. 184-25 Freestanding Signs, A. Dimensional Standards: We define this collection of stores as a Shopping Center, (we researched and a Shopping Mall is defined by a building with stores within it, like the Cape Cod Mall) Based on Shopping Center , allowable area of signage = 40 sf, they propose 60 sf plus 20.83 sf.
 - C. 184-31 Multiple and ladder Signs, B. The maximum allowable dimension permitted for a sign that is located within the minimum building setbacks allowed under Chapter 240, Zoning, shall be in accordance with the table in 184-25A. the sign with the name of the building or office park and all horizontal crosspiece signs shall be included within the maximum allowable sign dimensions.
 - D. The proposed location is not on their property.
3. **SIGN ITEM B:** The applicant has applied for a new sign under **#231909** under the description "Removal of a sign". In the chat bubble, we instructed them to redesign the sign to meet the area requirements or apply to the Select board.
 - A. 184-18 Measurement of sign area,
 - B. 184-25 Freestanding Signs, A. Dimensional Standards: We define this collection of stores as a Shopping Center, (we researched and a Shopping Mall is defined by a building with stores within it, like the Cape Cod Mall) Based on Shopping Center , allowable area of signage = 40 sf, they propose 49 sf plus 12 sf.
 - C. 184-31 Multiple and ladder Signs, B. The maximum allowable dimension permitted for a sign that is located within the minimum building setbacks allowed under Chapter 240, Zoning, shall be in accordance with the table in 184-25A. the sign with the name of the building or office park and all horizontal crosspiece signs shall be included within the maximum allowable sign dimensions.
 - D. The proposed location is within the setback.

Please let me know if you have any more questions.

Best,
Eleanor



Sign Advertising

Electronic Message Centers

Town of Falmouth
Board of Selectman
59 Town Hall Square
Falmouth MA 02540

Board Members,

August 22, 2023

On behalf of 137 Teaticket/The Wilder Company Barlo Signs respectfully requests consideration for sign variance for replacement of two free-standing signs. Our proposal is an update to the existing signs, we hope the board will find to be an aesthetic improvement.

Sign Item A will replace an existing free-standing sign of 90.19 sf with a new sign of 80.83 sf.

Sign Item B will replace an existing freestanding sign of 39.29 with a new sign of 61 sf.

Each new sign will be internally illuminated with opaque faces - only the sign face copy will light. The topper of each sign will be identified with flat cut out lettering and down lighting. Each sign will be installed in the same location as the existing signs, with new steel.

We look forward to further detailing our proposed signage before the board in September, if there is anything further you require, any additional information, please let me know.

Barlo Signs
Jenn Robichaud
158 Greeley St.
Hudson NH 03051
jenn@barlosigns.com

CORPORATE OFFICE: 158 Greeley Street, Hudson, NH 03051-3422 (603) 882-2638 or 800-227-5674
FAX (603) 882-7680 Email: your_image@barlosigns.com Website: www.barlosigns.com



LANDLORD AUTHORIZATION
FOR PERMIT(S), VARIANCE(S), HEARING(S)
< MUST BE SIGNED BY LANDLORD OR OWNER OF THE PROPERTY
ON WHICH SIGNAGE IS BEING INSTALLED >

This document verifies that you are authorizing BARLO SIGNS to install signage on your property pursuant to the attached drawings as well as authorizing BARLO SIGNS to secure all related permits required by the local municipalities.

Barlo Signs cannot apply for permits or hearings until we receive the LANDLORD or PROPERTY OWNER'S authorization to do so.

I hereby authorize an Authorized Representative of Barlo Signs of Hudson, N.H., to APPLY FOR SIGN PERMITS for this site and to APPEAR BEFORE THE PLANNING BOARD and/or SIGN REVIEW BOARD and/or the ZBA for this site.

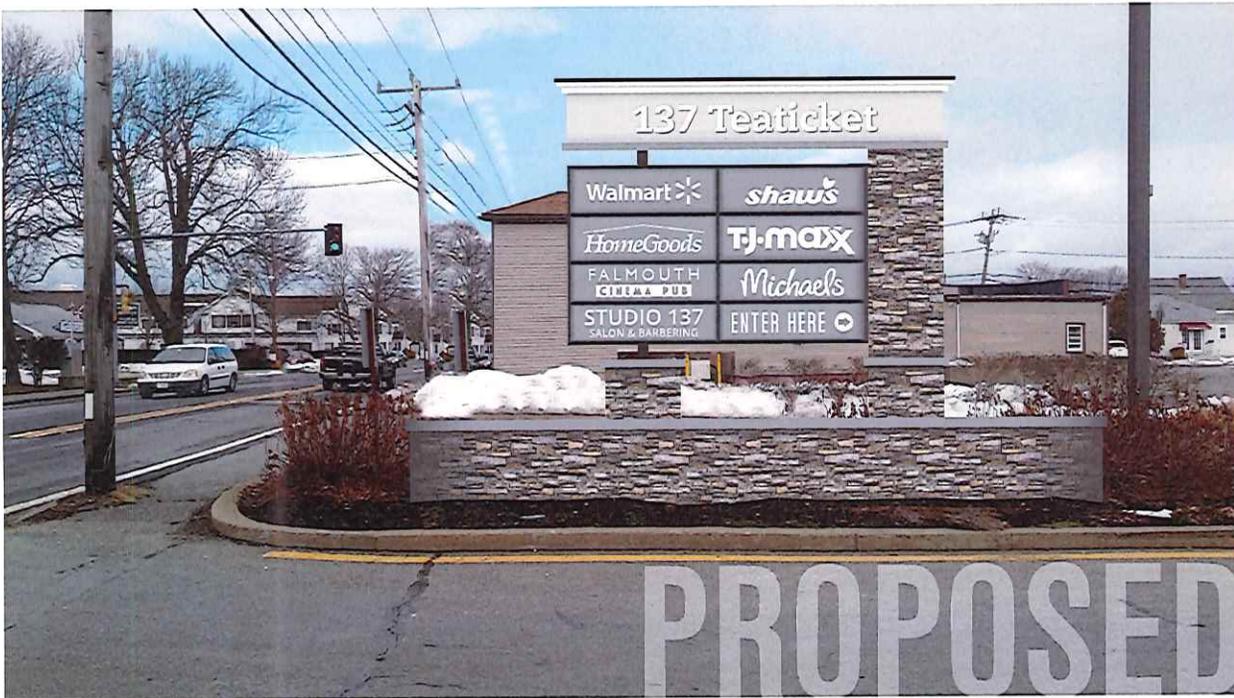
I hereby authorize BARLO SIGNS to install signage on my property exactly as shown in drawing # _____ Dated: 6/1/23

137 TEATICKET
Sign location address: Falmouth Landing ~~metal awnings (black) at retail shops: Michaels, TJMaxx, I~~

Property Owner's Signature: Matthew K Joyce
Printed Name: Matthew K. Joyce - Asset Manager/The Wilder Companies as agent
Company Name: TA Falmouth Landing, LLC c/o The Wilder Companies
Address: 800 Boylston Street
 Suite 1300
 Boston MA 02199
Phone number: 617-438-6267
Date Signed: 6/1/2023

We cannot apply for permits or hearings until we receive your authorization. Thank you!

Reference JOB NAME: ~~metal awnings at Falmouth Landing retail store~~ Job #: 2722



SCOPE OF WORK

REMOVE & DISPOSE (1) EXISTING PYLON SIGN.

MANUFACTURE & INSTALL (1) D/F EXTERNALLY ILLUMINATED PYLON SIGN. SIGN WILL BE A D/F LED ILLUMINATED CABINET WITH 3/16" THICK WHITE LEXAN FACES AND OPAQUE VINYL'S APPLIED WITH REVERSE CUT COPY; (ONLY COPY TO ILLUMINATE.) MOUNTED ON STONE VENEER ACCENT COLUMN(S) WITH FABRICATED TOPPER. SIGN WILL HAVE A STONE VEENER OVAL PLANTER/WALL AROUND THE SIGN. TOPPER WILL HAVE 1/2" WHITE PLEX FCO LETTERS AND LED DOWN-LIGHTING MOUNTED WITHIN. NEW STEEL AND FOOTINGS.

SEE SHEET 1.1 FOR DETAILED SPECIFICATIONS.

TOTAL SQUARE FEET: 80.83 SQ FT

EXISTING SQUARE FEET: 90.19 SQ FT (2.95 + 87.24)

COLOR SCHEDULE - CLIENT TO VERIFY

- 7725-61 MID GRAY VINYL
- PTM PMS COOL GRAY 2C
- VERSETTA STONE PANELING - "STERLING" LEDGESTONE
- PTM S/G WHITE/WHITE PLEX
- PTM S/G BLACK



INTERNATIONAL
 © COPYRIGHT 2022
 THIS DESIGN CONCEPT IS THE PROPERTY OF BARLO SIGNS INTERNATIONAL, INC.

PROJECT APPROVAL

Client:	Date:
Design:	Date:
Sales:	Date:
Updating:	Date:
Production:	Date:

DESIGNER: LP
 SALES REP: BARN
 PIN: TBD

137 TEATICKET
 137 TEATICKET HIGHWAY
 EAST FALMOUTH, MA 02536

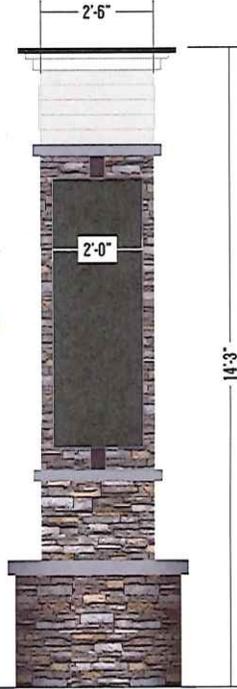
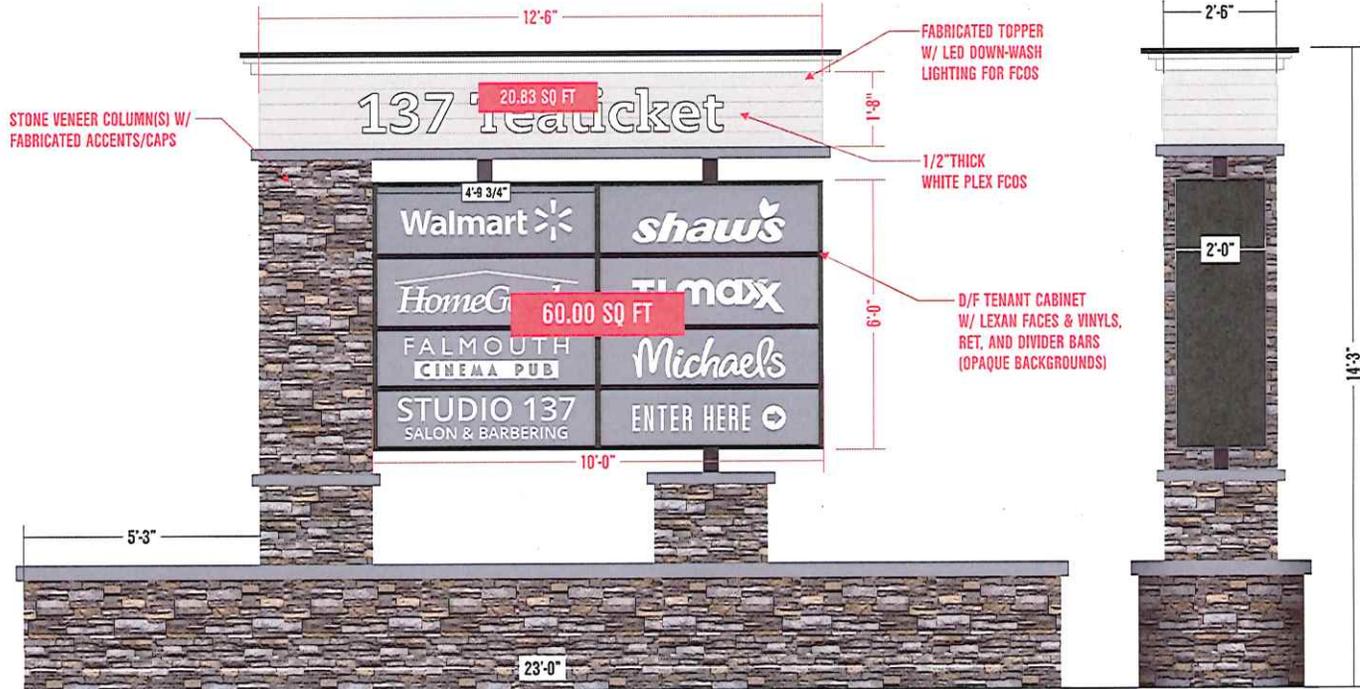
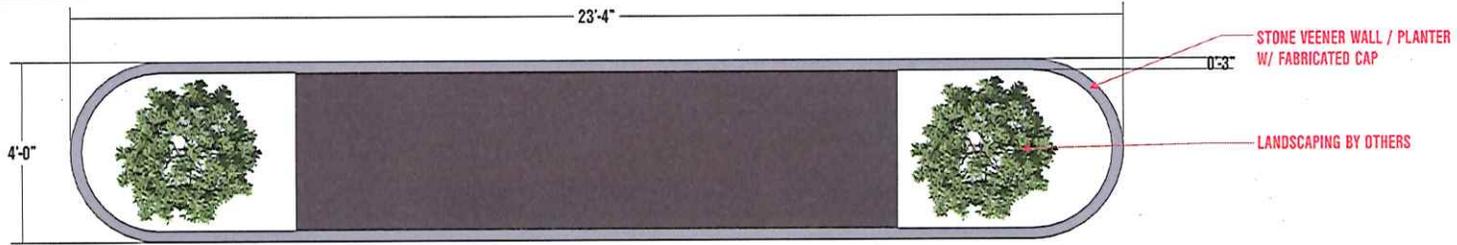
4/15/22

ITEM

A

SHEET

1.0



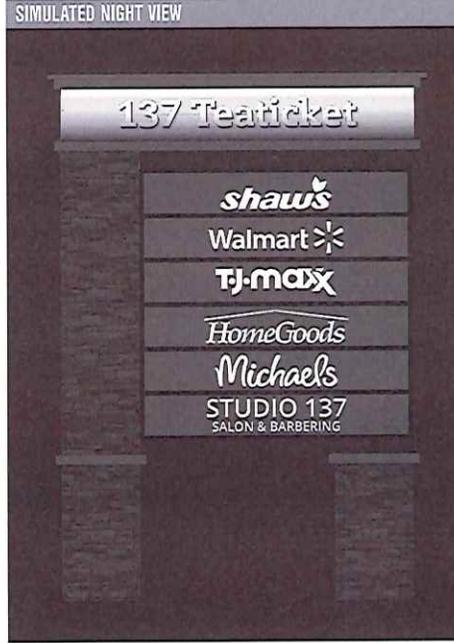
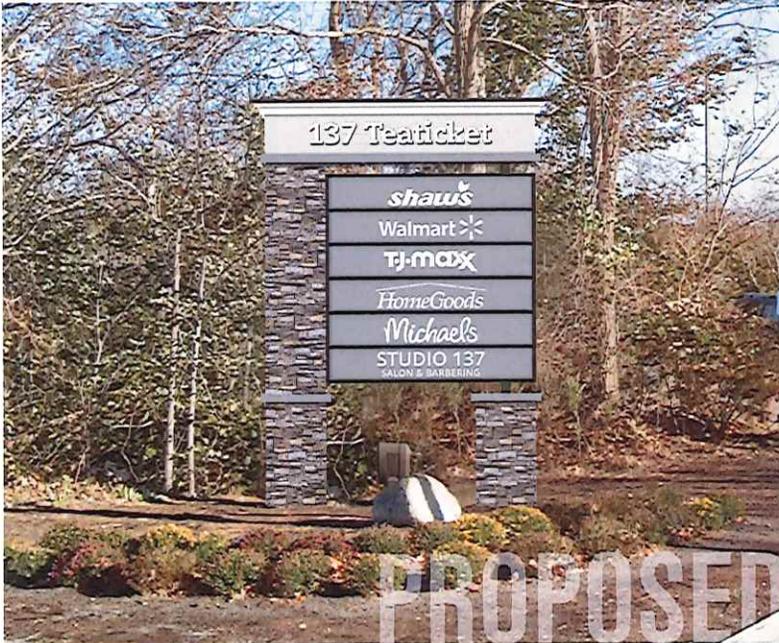
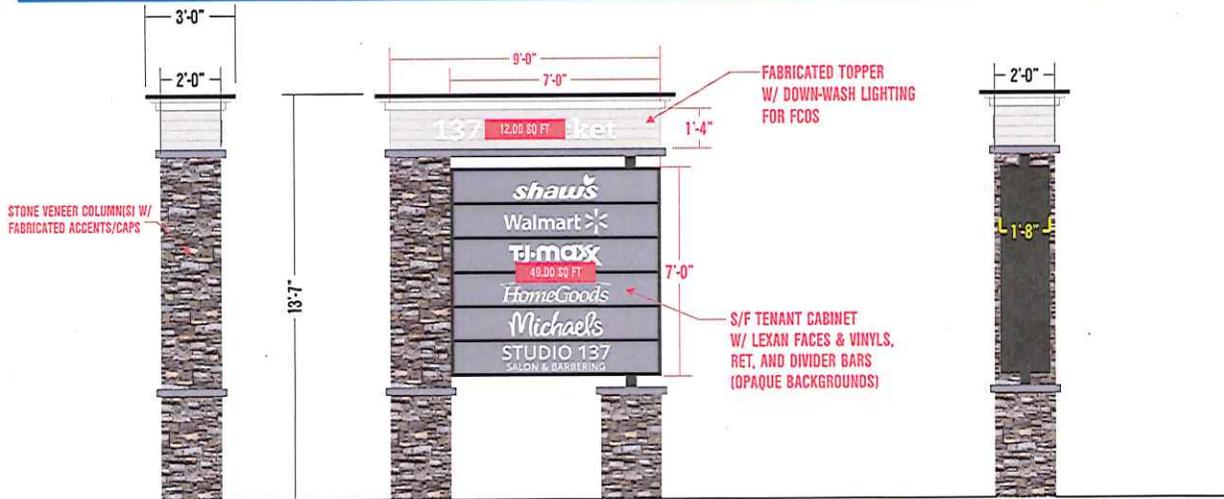
INTERNATIONAL
 137 Teaticket, 137 Teaticket Highway, East Falmouth, MA 02536
 © COPYRIGHT 2022
 THIS DESIGN CONCEPT IS THE PROPERTY OF
 BARLO SIGNS INTERNATIONAL, INC.

PROJECT APPROVAL	
Client:	Date:
Design:	Date:
Sales:	Date:
Updating:	Date:
Production:	Date:

DESIGNER: LP
 SALES REP: BARN
 PH: TBD

137 TEATICKET
 137 TEATICKET HIGHWAY
 EAST FALMOUTH, MA 02536
 4/15/22

ITEM **A**
 SHEET 1.1



SCOPE OF WORK

REMOVE & DISPOSE (1) EXISTING PYLON SIGN.

MANUFACTURE & INSTALL (1) S/F EXTERNALLY ILLUMINATED PYLON SIGN. SIGN WILL BE A D/F LED ILLUMINATED CABINET WITH 3/16" THICK WHITE LEXAN FACES AND OPAQUE VINYLs APPLIED WITH REVERSE CUT COPY; (ONLY COPY TO ILLUMINATE.) MOUNTED BETWEEN STONE VENEER COLUMNS WITH FABRICATED TOPPER & ACCENTS. TOPPER TO HAVE 1/2" THICK WHITE FCO COPY MOUNTED TO THE FACE & LED DOWN-WASH LIGHTING MOUNTED WITHIN. NEW STEEL AND FOOTINGS.

TOTAL SQUARE FEET: 61.00 SQ FT

EXISTING SQUARE FEET: 39.29 SQ FT

COLOR SCHEDULE - CLIENT TO VERIFY

- 7725-61 MID GRAY VINYL
- PTM S/G WHITE/WHITE PLEX; PTM S/G BLACK
- PTM PMS COOL GRAY 2C
- VERSETTA STONE PANELING - "STERLING" LEDGESTONE



INTERNATIONAL
 © COPYRIGHT 2022
 THIS DESIGN CONCEPT IS THE PROPERTY OF BARLO SIGNS INTERNATIONAL, INC.

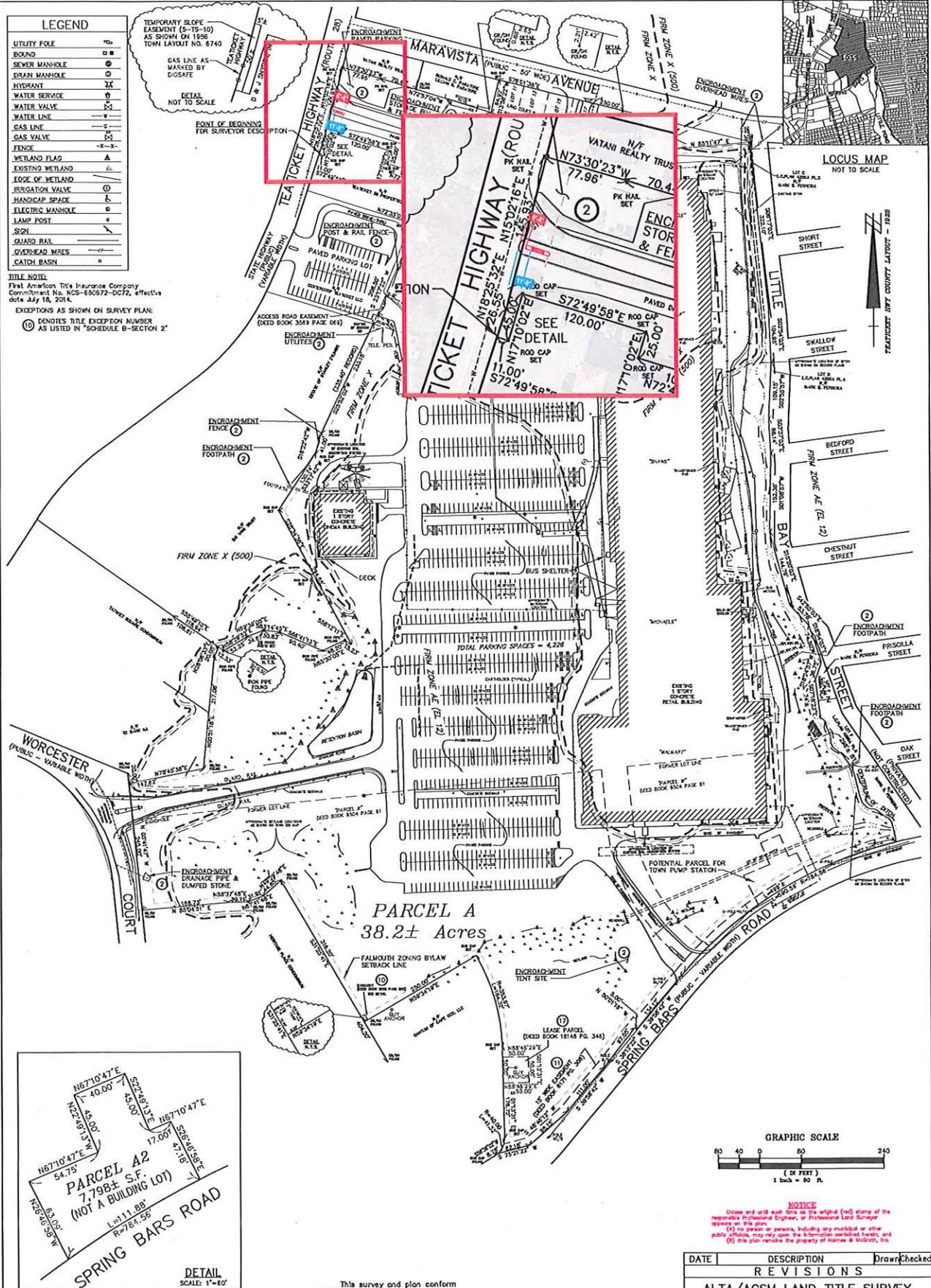
PROJECT APPROVAL

Client:	Date:
Design:	Date:
Sales:	Date:
Updating:	Date:
Production:	Date:

DESIGNER: LP
 SALES REP: BARR
 P.M.: TBD

137 TEATICKET
 137 TEATICKET HIGHWAY
 EAST FALMOUTH, MA 02536
 4/15/22

ITEM B
 SHEET 3.0

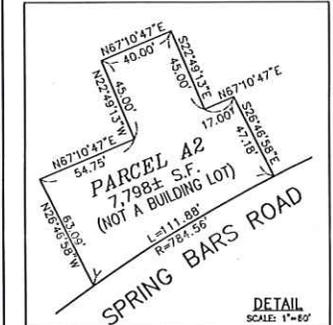


LEGEND

UTILITY POLE	○
BOUND	□
SEWER MANHOLE	⊙
DRAIN MANHOLE	⊖
HYDRANT	⊕
WATER SERVICE	○
WATER VALVE	⊙
WATER LINE	—
GAS LINE	—
GAS VALVE	⊙
FENCE	—
WETLAND FLAG	▲
EXISTING WETLAND	▨
EDGE OF WETLAND	—
IRRIGATION VALVE	⊙
HANDICAP SPACE	□
ELECTRIC MANHOLE	⊙
LAMP POST	⊙
SON	⊙
GUANO RAIL	—
OVERHEAD WIRES	—
CATCH BASIN	⊙

TITLE NOTE:
First American Title Insurance Company
Commitment No. NCS-850672-DCT2, effective
date July 18, 2014.

EXCEPTIONS AS SHOWN ON SURVEY PLAN:
Ⓢ DENOTES TITLE EXCEPTION NUMBER
AS LISTED IN "SCHEDULE B-SECTION 2"



Falmouth Zoning Bylaw
SETBACK LINE

FALMOUTH ZONING BYLAW
SETBACK LINE

This survey and plan conform to the procedural and technical standards for the practice of Land Surveying in the Commonwealth of Massachusetts.

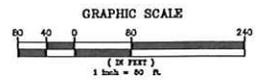
HOLMES AND McGRATH, INC.

NAME: Registered Professional Land Surveyor
Date: _____

Note: This plan is based on an on-the-ground instrument survey and compiled from record plans.

NOTES

- BUILDING NUMBERS: 137 Teaticket Highway
- ASSESSOR'S NUMBER: 39 15 044 000
- ZONING DISTRICT: B-2
- FLOOD HAZARD ZONES: AE (EL12), X (500), & X
- REFERENCE: PLAN BOOK 285, PAGE 31
PLAN BOOK 517, PAGE 36
LAND COURT PLAN 4285-A
- IBC 2009 WIND EXPOSURE CATEGORY: B



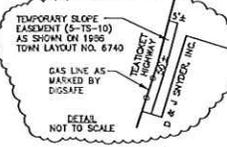
NOTICE
Users and all such time on the original (red) stamp of the responsible Professional Engineer, or Professional Land Surveyor on this plan.
(1) no person or persons, including any municipal or other public officials, may rely upon the information contained herein; and
(2) the plan remains the property of Holmes & McGrath, Inc.

DATE	DESCRIPTION	Drawn/Checked
REVISIONS		
ALTA/ACSM LAND TITLE SURVEY		
PREPARED FOR		
FALMOUTH MALL		
IN		
FALMOUTH, MA		
SCALE: 1" = 80'	DATE: AUG. 1, 2014	
holmes and mcgrath, inc. civil engineers and land surveyors 205 worcester court, unit 14 (508) 548-3564 (p)400 falmouth, ma 02540 (508) 548-9672 (f)400		
DRAWN: JRK, MES	CHECKED:	
JOB NO: 214199	DWG. NO: B7-2-B4C	SHEET 1 OF 2

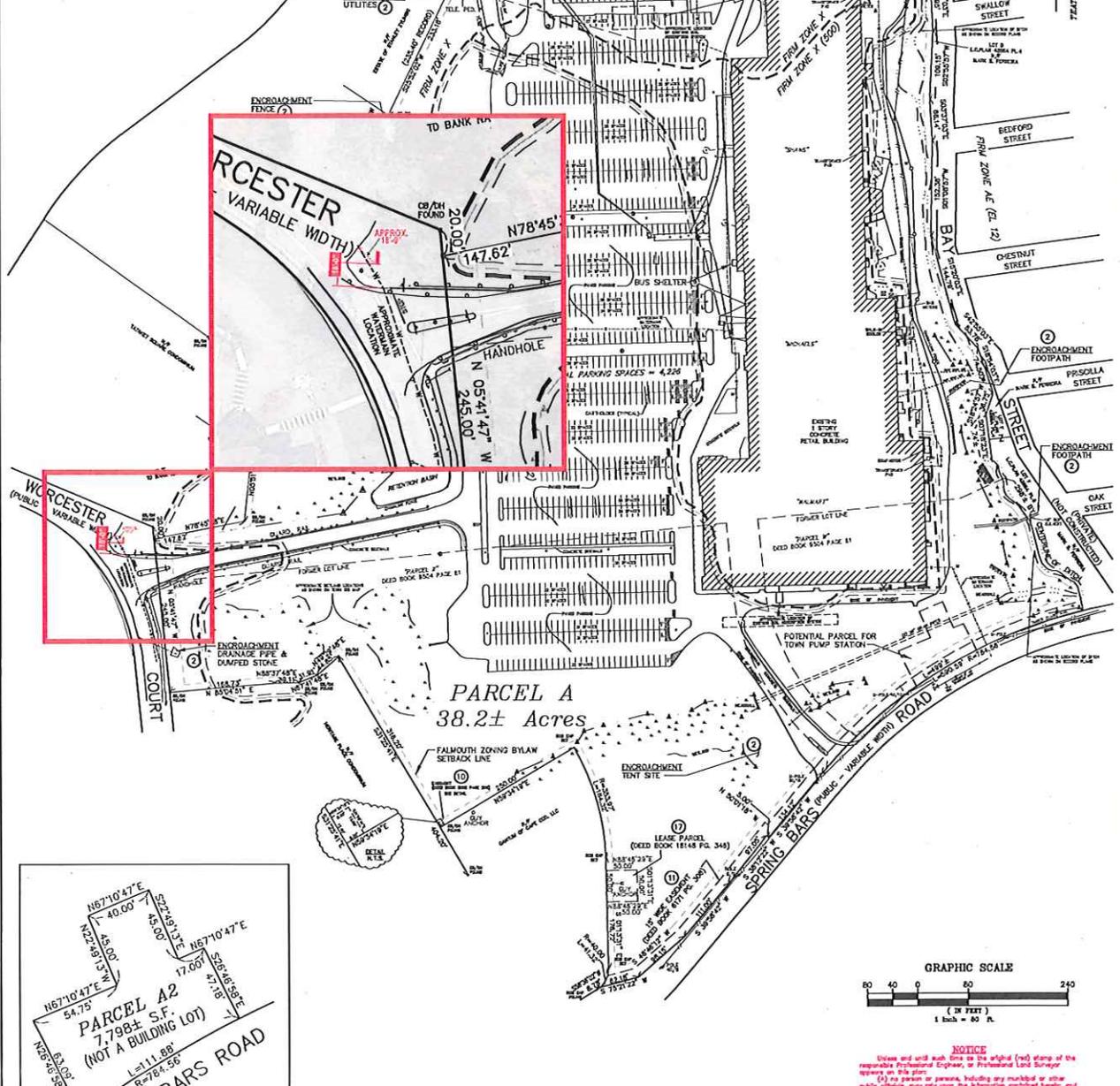
PROGRESS

LEGEND

UTILITY POLE	⊕
BOUND	—
SEWER MANHOLE	⊙
DRAIN MANHOLE	⊙
HYDRANT	⊙
WATER SERVICE	⊕
WATER VALVE	⊕
WATER LINE	—
GAS LINE	—
GAS VALVE	⊕
FENCE	—
WETLAND FLAG	⊕
EXISTING WETLAND	—
EDGE OF WETLAND	—
IRRIGATION VALVE	⊕
HANDICAP SPACE	⊕
ELECTRIC MANHOLE	⊕
LAMP POST	⊕
SIGN	⊕
QUASD RAIL	—
OVERHEAD MSES	—
CATCH BASIN	⊕



TITLE NOTE:
 First American Title Insurance Company
 Commitment No. ACS-880972-0072, effective
 date July 18, 2014.
 EXCEPTIONS AS SHOWN ON SURVEY PLAN:
 (10) DENOTES TITLE EXCEPTION NUMBER
 AS LISTED IN "SCHEDULE B-SECTION 2"



This survey and plan conform to the procedural and technical standards for the practice of Land Surveying in the Commonwealth of Massachusetts.

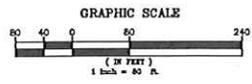
HOLMES AND MCGRATH, INC.

NAME: Registered Professional Land Surveyor
 Date: _____

Note: This plan is based on an on-the-ground instrument survey, and compiled from record plans.

NOTES

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- ASSESSOR'S NUMBER: 39 15 044 000
- ZONING DISTRICT: B-2
- FLOOD HAZARD ZONES: AE (EL12), X (500), & X
- REFERENCE: PLAN BOOK 285, PAGE 31
 PLAN BOOK 617, PAGE 38
 LAND COURT PLAN 4286-A
- IBC 2009 WIND EXPOSURE CATEGORY: B



NOTICE
 Unless and until such time as the original (red) stamp of the responsible Professional Engineer, or Professional Land Surveyor appears on this plan:
 (1) no person or persons, including any municipal or other public official, may rely upon the information contained herein, and
 (2) this plan remains the property of Holmes & McGrath, Inc.

DATE	DESCRIPTION	Drawn/checked
REVISIONS		
ALTA/ACSM LAND TITLE SURVEY		
PREPARED FOR		
FALMOUTH MALL		
IN		
FALMOUTH, MA		
SCALE: 1" = 80' DATE: AUG. 1, 2014		
holmes and mcgrath, inc. civil engineers and land surveyors 205 Worcester Court, 4th Fl. (508) 548-3564 (mso) falmouth, ma 02540 (508) 548-9572 (fax)		
DRAWN: JRK, MES CHECKED: _____		
JOB NO: 214199 DWG. NO: 87-2-84C SHEET 1 OF 2		

To New York Life Insurance Company, First American Title Insurance Company, Guaranty & Surety PC, and OCW Funded Falmouth, LLC.
 This is to certify that this map or plan and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and approved by ALTA and NSPS, and includes Items 1-4, 6-13, 14, 17-21, 23, 24, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
 Date of Map: _____ Professional Land Surveyor: _____ Registration No: _____

137
Teaticker Hwy.

FALMOUTH
CINEMA PUB

EntertainmentCinemas.com

HELP WANTED
INDIANA
JONES
ASTEROID CITY
ELEMENTAL

ENTERTAINMENTCINEMAS.COM

Walmart

shaws Osco

T.J. MAXX

HomeGoods

Michaels

wilder

3R6Z 91
BALDWIN

SPEED LIMIT
35



Shaw's Costco

Walmart

T.J. Maxx

HomeGoods

Michaels

wilder



Osco
HomeGoods
Michaels
wilder

[Blank signpost]

OPEN SESSION

BUSINESS

7. Vote article recommendations for November 2023 Annual Town Meeting **(15 minutes)**



ITEM NUMBER: Business 7

ITEM TITLE: Article Recommendations for November 2023 Annual Town Meeting

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Peter Johnson-Staub

ATTACHMENTS: Selected Town Meeting warrant articles with draft recommendations and explanations, Job descriptions for positions to be added to classification plan

PURPOSE:

The Select Board is asked to vote recommendations for those Town Meeting articles for which the Board has jurisdiction for submitting the recommendation printed in the Town Meeting handbook.

BACKGROUND/SUMMARY:

- There are seven articles for which the Select Board has responsibility for submitting a recommendation to Town Meeting.
- The Finance Committee submits recommendations for all financial articles. The Planning Board submits recommendations for zoning articles.
- In your packet, we have provided staff recommendations and explanations for the Board's consideration for these seven articles.
- The Town Meeting booklets are scheduled to be sent to the printer by the morning of October 17th so they will be received by Town Meeting members at least 10 days before the November 13th Town

Meeting. As such, this meeting is the Board's last opportunity to vote its recommendations in time for inclusion in the Town Meeting booklet -- Monday, October 9th is Indigenous People's Day.

- We look forward to responding to any questions the Board members may have regarding these articles.

DEPARTMENT RECOMMENDATION:

I recommend that the Board vote recommendations for each of the seven Town Meeting articles identified.

OPTIONS:

- 1) Board votes recommendations on all articles;
- 2) Board votes recommendations on some articles and defers recommendations on one or more, in which case the Board's recommendation for one or more articles will not be printed in the Town Meeting booklet;
- 3) Board schedules another meeting before October 16;

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

9/29/2023

Date



TOWN OF FALMOUTH

NOVEMBER 2023 ANNUAL TOWN MEETING

- Select Board Announce Annual Town Meeting..... Monday, July 24, 2023
- Close Warrant Friday, August 25, 2023
- Select Board Vote Articles & Execute Warrant..... Monday, September 11, 2023
- Petition Article Presentations Monday, September 11, 2023
- Publish Articles OnlyFriday, September 15, 2023
- Select Board Vote Article Recommendations..... Monday, October 2, 2023
- Send Warrant with Recommendations to Printer/Newspaper.....October 18, 2023
- Publish Warrant with Recommendations..... Friday, October 27, 2023
- Town Meeting..... Monday, November 13, 2023

November 2023 Annual Town Meeting Index
Select Board Recommendations Highlighted

Article #	Article Description
1	Choose Town Officers
2	Reports from Committees and Town Officers
3	Fund Capital Improvements (Note: requires majority vote)
4	Fund Lawrence Cafeteria Roof and Water Mains (Note: requires 2/3 vote)
5	Fund Non-Capital Improvements
6	Fund Teaticket-Acapesket Service Area Sewer Design
7	Fund FY2024 Supplemental Budget Appropriations
8	Fund Government Access Programming
9	Amend Chapter 240 – Zoning to Correct Errors and Omissions
10	Amend Chapter 240 – Zoning to Relocate the Accessory Apartments Bylaw
11	Petition: Funding for Trotting Park Pickleball Courts and Amenities
12	Petition: 241 Scranton Ave Sidewalk/Curb Cuts
13	Petition: Select Board to Authorize Urine Diversion Pilot
14	Petition: Use Embarkation Fee for Speed Signs
15	Petition: Amend Zoning 240-7.7B(6) for Septic Treatment
16	Amend Position Classification Plan
17	Authorize Elderly Tax Exemption Change from \$500 to \$1,000
18	Authorize Elderly Tax Exemption Change from 70 to 65
19	Adopt M.G.L. c. 59 § 5, cl. 41D Index of Elderly Tax Exemption Income & Assets to Inflation
20	Adopt Tax Exemption Change for Blind Persons

ANNUAL TOWN MEETING
All Recommendations and Explanation are DRAFT ONLY
pending Select Board review

ARTICLE 12: Where as in meeting (August 3 & 22, 2023) with Town Manager and Town Counsel, the Town Manager has decided to remove the encroaching Town's Sidewalk from the property of 241 Scranton Avenue.

Where as the encroachment has been many years and created great hardship in denying Harbor Side Realty from the use of their property.

Harbor Side petitions the Town of Falmouth to place two curb cuts per the plan submitted to Falmouth Department of Public Works.

Harbor Side Realty Trust petitions the town to grade and sub-base the driveway as shown on the Plan.

Harbor Side petitions the Town to have the Property Surveyed and agreed upon by both parties.

On petition of William Dynan, Lawrence O'Brien and others.

RECOMMENDATION (Select Board):

EXPLANATION: This is a petition article that seeks to expend Town resources on private property for the benefit of a private party. Over a period of more than 25 years, three Falmouth Town Managers working with present and prior Town Counsel have attempted to reach an agreement with the owner of the subject property to compensate the owner for an encroachment of the Town sidewalk on his property. To keep the sidewalk as is, the Town was willing to provide labor to facilitate curb cuts to the property and in exchange, the owner would deed to the Town the 155+/- sq.ft. encroachment where the sidewalk was built. Despite the efforts made by all, those negotiations did not produce an agreement acceptable to both the Town and the property owner. In order to solve the encroachment issue, the decision was made to simply remove it. The area of the encroachment will be surveyed by the Town and the portion of the sidewalk located on this private parcel is scheduled to be removed in advance of Town Meeting. Once removed, there will be no basis for the Town to pay for, or perform, work to benefit a private party when there is no public benefit to the Town in exchange for such work.

ARTICLE 13: To see if the Town will vote to advise the Select Board to authorize a Urine Diversion Pilot Project in conjunction with the Massachusetts Alternative Septic System Test Center (MASSTC) to test Urine Diversion as a method for effectively reducing the amount of nitrogen and phosphorus entering our waters or do or take any action on the matter.

On petition of Earle Barnhart, Hilda Maingay and others.

RECOMMENDATION (Select Board):

EXPLANATION: This petition article seeks nonbinding Town Meeting vote to advise the Select Board to authorize a pilot project to test urine diversion as a method for reducing the amount of nitrogen and phosphorus entering town waters. Town staff view urine diversion as an approach that has potential to address water quality issues in some areas of town where removal of 100% of the nitrogen from septic systems is not required to meet nitrogen reduction targets established by studies approved by the Massachusetts Department of Environmental Protection (DEP). For the densely developed neighborhoods south of Route 28, sewers are the only viable option for removing 100% of the nitrogen from septic systems. There are many questions and challenges that will need to be addressed to determine whether urine diversion is a viable option that could be adopted universally within other where less than 100% of nitrogen from septic systems needs to be removed to meet nitrogen targets set by the

DEP. DEP approval, state plumbing code approval, commercial farms acceptance of urine as a fertilizer source, and homeowner willingness to install the required plumbing are among those questions. Town staff propose that the cost of a pilot project for this unproven approach should be supported by grant funds and/or a collaboration with other communities in the region

ARTICLE 16: To see if the Town will vote to amend the Town's Position Classification Plan. Or do or take any other action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Action	Title	Employee Group	Grade	Wage Rate (FY 2024)
Add	Deputy Police Chief	Technical Administrative Management	M-11	\$58.41 - \$78.93
Add	Senior Project Manager	Technical Administrative Management	M-8	\$42.30 - \$57.16
Add	Coastal Resilience Coordinator	Technical Administrative Management	M-8	\$42.30 - \$57.16
Add	Assistant Human Resources Director	Technical Administrative Management	M-7	\$40.89 - \$55.26
Remove	DPW Mechanic	Public Works	9	\$28.55 - \$36.42
Add	DPW Mechanic	Public Works	10	\$30.55 - \$38.94
Remove	Fire Department Master Mechanic	Firefighters	Group 15 Grade 3	\$32.41 - \$41.80
Add	Fire Department Master Mechanic	Firefighters	Group 15 Grade 1	\$38.58 - \$49.50

EXPLANATION: The Town Manager seeks to add four new positions to the Town Classification plan and to change the pay classification for two existing positions. Town staff are in the early stages of preparing the FY 2025 operating budget which will be submitted to Town Meeting next April. As such, the Town Manager has not yet determine whether these positions can be funded in the next fiscal year. Approval of this article will allow the Town Manager to consider adding these new positions to the budget effective July 1, 2024.

- Deputy Police Chief: The Town Manager and Police Chief seek to create a Deputy Police Chief position to provide a clear chain of command in the absence of the Chief and to improve succession planning. Experience in the Deputy Chief position will improve that individual's readiness to take on the responsibilities of Police Chief.
- Assistant Wastewater Manager: New watershed permit regulations promulgated in July of 2023 necessitate an acceleration of the Town's wastewater/watershed management planning and implementation. Management support is needed to move forward with the Town's watershed plans and permits while continuing to oversee the operations of a growing wastewater system.
- Coastal Resilience Coordinator: This position will play a lead role in advancing the Town's efforts to address current and future impacts of sea level rise and climate change.
- Assistant Human Resources Director: The Human Resources Department is responsible for recruitment, payroll administration, employee relations, and training for over 350 full-time employees plus benefit administration for both active employees and over 700 retirees. The office has had a total of three full-time positions since 2004. Since that time, the number of retirees and Town employees has grown, benefit administration has become more complex, and the Fire and Police Departments have come out of civil service, transferring their hiring to the HR Department. This position is needed to manage this increased workload.

ARTICLE 17: To see if the Town will vote to authorize, pursuant to the provisions of M.G.L. c. 59, §5, Clause Forty-first C, an increase to the senior citizen real property tax exemption from \$500 to \$1,000, said adjustments to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2024. Or do or take any other action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote Article 17 as printed.

EXPLANATION: Inflationary pressure has made it increasingly difficult for low-income elderly homeowners to afford to live in Town. This article raises the tax exemption amount from \$500 to \$1,000 for individuals who meet the age and income eligibility criteria identified below. This measure along with others proposed will help to provide relief and will put the Town in line with other communities in the region that have already made these changes. The estimated total cost of Articles 17-19 for Fiscal Year 2025 is \$67,750.

Current qualifications for the Elderly Exemption include:

- 70 years of age
- Personal assets not including home cannot exceed \$30,000 if single, \$40,000 if married
- Income previous calendar year less than \$21,452 if single, \$26,599 if married, (after subtracting an allowable exclusion for Social Security - \$7,802 Married & \$5,201 Single)
- Primary residence in MA for 10 years and owned property in MA for 5 years

ARTICLE 18: To see if the Town will vote to authorize, pursuant to the provisions of M.G.L. c. 59, §5, Clause Forty-first C, lowering the qualifying age from seventy to sixty-five for the senior citizen real property tax exemption to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2024. Or do or take any other action relative thereto. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote Article 18 as printed.

EXPLANATION: Many retired or individuals unable to continue to work need relief before they reach the age of seventy. This article goes along with Article 17 and reduces the age of eligibility for low-income individuals from seventy to sixty-five. This measure along with others proposed will help to provide relief and will put the Town in line with other communities in the region that have already made these changes.

ARTICLE 19: To see if the Town will vote to adopt the provisions of M.G.L. c. 59, § 5, Clause Forty-first D which increases annually the amounts of the gross receipts and whole estate, real and personal, as set forth in clauses Forty-first, Forty-first B, and Forty-first C of said Section 5, by an amount equal to the increase in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index for Urban Consumers, Boston (CPI-U) for the previous calendar year, for such year; said adjustments to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023. Or do or take any other action relative thereto. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote Article 19 as printed.

EXPLANATION: This Article allows the income and asset levels needed to qualify for this property tax exemption to be adjusted annually based on the consumer price index for the region. This measure, along with the changes proposed in articles 17 and 18, will provide tax relief to low income seniors and will put the Town in line with other communities in the region that have already made these changes.

ARTICLE 20: To see if the Town will vote to adopt the provisions of M.G.L. c. 59, §5, Clause thirty-seven A, which provides a \$500 real property tax exemption to qualified blind persons, effective for exemptions granted for any fiscal year beginning on or after July 1, 2024. Or do or take any other action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote Article 20 as printed.

EXPLANATION: This article provides a small additional exemption increase to provide relief for individuals considered legally blind.

DRAFT ONLY
DEPUTY POLICE CHIEF – JOB DESCRIPTION
T.A.M. GRADE M-11, EXEMPT POSITION
POLICE DEPARTMENT, TOWN OF FALMOUTH

Primary Purpose

The Deputy Police Chief reports to the Chief of Police and assumes the Chief's duties in the Chief's absence. The Deputy Police Chief executes all orders and directives issued by the Chief of Police. He/she communicates these orders and directives to members of the Department and ensures that they are satisfactorily completed. In addition, under the direction of the Chief of Police, the Deputy Police Chief plans, directs, supervises, and coordinates the staff and activities of the Police Department.

Essential Functions

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Assumes the duties of the Chief of Police in his/her absence.
2. Executes all orders and directives issued by the Chief of Police. Communicates the orders and directives to the members of the Department and ensures that they are satisfactorily completed.
3. Schedules shift assignments and training activities for all personnel and assigns and initiates specific duties when necessary.
4. Assists subordinates in the performance of their duties.
5. Conducts highly sensitive investigations or other police duties, including Internal Affairs Investigations.
6. Serves as the Commander of the Detective Division, including all Task Force Officers.
7. Responds to incidents or special events which require the presence of a Command Officer.
8. Conducts briefing sessions and staff meetings.
9. Assists in the development, implementation, and review of department policies and procedures.
10. Interprets new laws, ordinances, rules, regulations, policies, and procedures for subordinate officers.

11. Assists in the preparation and monitoring of the departmental budget.
12. Supervises the recruitment, testing, selection, and background investigation of staff.
13. Assumes command of police activities in event of emergency and at major crime and accident scenes.
14. Prepares, analyzes, and reviews reports, documents, and statistics.
15. May participate in the interviewing, hiring, and training of new employees. May appraise employee performance and discipline as necessary. Addresses complaints and resolves concerns.
16. Maintains confidentiality of department records and information on a "need to know" basis.
17. Performs similar or related work as required or as the situation dictates.

Supervision

Supervision Received: Under the general and specific direction of the Chief of Police, performs responsible duties requiring judgment and initiative, in accordance with departmental policies and procedures and is expected to function effectively, efficiently, and in cooperation with other departments and personnel. Refers unusual cases to the Chief of Police. The position is subject to review and evaluation according to the Town's personnel policies and procedures.

Supervision Given: Assists with the supervision of other department staff and provides regular guidance, communication, and direction as needed. May provide input on performance evaluations for other department staff. Assumes the duties of the Chief of Police in his/her absence.

Work Environment

The employee is frequently exposed to outside weather conditions. The employee is occasionally exposed to wet and/or humid conditions; moving mechanical parts; fumes or airborne particles; toxic or caustic chemicals; extreme cold; extreme heat; risk of electrical shock; explosives; risk of radiation and vibration. The noise level in the work environment is usually moderate.

Makes frequent contact with other Town departments and officials, agencies, governmental organizations, and the public that require ordinary business courtesy. May have communication with applicants, employees, and/or the public regarding sensitive matters that require discretion and tact. Communications involve face-to-face discussion, telephone, e-mail, and hard copy correspondence.

Minimum Qualifications

Education, Training, and Experience:

Must have a bachelor's degree in criminal justice or equivalent; minimum of ten years of progressively responsible related experience and/or training, including supervisory experience; or any equivalent combination of education and experience. Must have a Massachusetts driver's license, Massachusetts L.T.C. Class A, C.P.R. certification, and First Responder certification.

Special Requirements: Must be able to maintain confidential and privileged information regarding police operations, investigations, employee personnel matters, and collective bargaining. Must be able to successfully pass a comprehensive background check, physical examination, psychological examination, and pre-employment drug screening.

Knowledge, Skills, and Abilities:

Knowledge: Must have knowledge of police leadership techniques and the ability to effectively communicate with all levels of a diverse population. Must have knowledge of in-house computers, LEAPS/CJIS, telephones, radios, and Microsoft Office software. Must maintain a cognizant level of contemporary law enforcement technology, training and education and effective police operations. Must maintain appropriate demeanor and appearance.

Skills: Must have the ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Must have the ability to write routine reports and correspondence and to speak effectively before groups of employees or citizens. Must have the ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Must have the ability to deal with problems involving several concrete variables in standardized situations.

Abilities: Must have the ability to exercise sound judgment on complex personnel issues and to exercise discretion in dealing with confidential information. Must have the ability to communicate effectively both orally and in writing and explain laws, rules, and regulations governing the department clearly and concisely to a variety of audiences. Must be able to demonstrate the ability to master detailed procedural requirements within reasonable periods of time, produce accurate work, and coordinate multiple activities and/or projects. Must consistently meet procedural deadlines and act within the scope of his/her delegated authority. Must be skilled in the use of personal computers, particularly word processing, database management, and spreadsheet applications.

Physical Requirements

While performing the duties of this job, the employee is frequently required to stand, walk, sit, and feel and reach with hands and arms. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl; talk or hear and taste or smell. The employee must frequently lift and/or move up to 50 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

(This job description does not constitute an employment agreement between the employer and the employee. It is used as a guide for personnel actions and is subject to change by the employer as the needs and requirements of the job change.)

Adopted: XXXX
Pages: (4) Four

DRAFT

Draft Only 09/28/2023
COASTAL RESILIENCE COORDINATOR- JOB DESCRIPTION
T.A.M. M-08, EXEMPT POSITION
TOWN OF FALMOUTH

Primary Purpose

Administers and coordinates efforts to address current and future impacts of coastal effects throughout the Town of Falmouth in accordance with federal and state regulations, local bylaws and policies. Provides support, coordination, and professional management for the Town of Falmouth relative to coastal issues and resource management in carrying out the Town's mandate to protect the community's coastal resources, including its unique natural areas, beach and barrier properties, and infrastructure. Specifically, regulatory, technical, inspection, managerial, and administrative work in this specific functional area.

Essential Functions

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Identifies and coordinates the implementation of new and existing strategies for managing at-risk coast resources.
2. Coordinates, compiles, conducts and submits reports for Coastal Rating System annual program on behalf of the Town.
3. Responsible for all aspects of FEMA Flood Hazard Mitigation Program. Works with homeowners of filings, schedules and conducts educational sessions, reviews and approves applications. Works with federal and state officials on funding and reimbursements.
4. Seeks out and applies for grants pertaining to coastal and marine issues. Ensures complete and competitive applications, coordinates with departments, seeks out regional and other collaborative projects.
5. Oversees consultants and serves as project manager for coastal projects including beach nourishment.
6. Prepares reports, correspondence, presentations, and other written material for town officials. Maintains electronic files in an organized manner to facilitate use by other staff members.
7. Acts as liaison with other Town departments, boards, and the general public and provides technical assistance to other Town boards and officials on coastal issues.
8. Performs field inspections and site evaluations and reports findings to staff.

9. Reviews requests from Town departments, boards, or agencies for information, guidance, or recommendations regarding coastal impacts. Serves as advisor/liaison to other Town boards/departments as directed by supervisor. Provides public assistance, information on environmental matters, and technical assistance.
10. Researches and conducts on-site evaluations. Prepares reports as needed or required.
11. Builds relationships with landowners, neighborhood associations, and agencies such as MEMA/FEMA, EPA, ACOE, DCR, EEA, DEP, CZM.
12. May recommends changes to bylaws and regulations relative to coastal issues.
13. May provides guidance and serves as a resource to residents, staff and the public about coastal issues, processes, and projects.
14. Attends seminars, workshops, training sessions, and staff meetings to remain knowledgeable and current on proper procedures and methods of operation. Some attendance at evening meetings is required.
15. Performs similar or related work as required.

Supervision

Supervision Received: Works under the administrative direction of [*to be determined*], in accordance with applicable laws and regulations. Works with minimal supervision. Provides professional support and supervision on the Town's coastal grants and projects. Supervises contracted consultants. May oversee volunteers on special projects.

Supervision Given: None.

Work Environment

Work is generally performed in typical office conditions. Use of standard office equipment is required. Fieldwork requires site visits. The work environment is moderately paced, and the noise level in the work environment is usually moderate. At times, this position may be required to work outside of normal business hours and is periodically on call to respond to emergency situations. This position is FLSA exempt and is not eligible for overtime. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Makes regular contact with town departments; county, regional, state, and federal agencies; professional associations and other non-profit organizations; developers; attorneys; engineers; and the general public. Contacts involve discussing complex environmental laws and regulations and methods of approach and procedures, as well as meeting routine requirements; requires excellent customer service and interpersonal skills.

Has access to limited confidential information; most information is available to the public. Errors could result in adverse public relations.

Minimum Qualifications

Education and Experience

Must have a bachelor's degree in environmental science, natural resources, coastal geology or related field and five years of related professional experience; or a master's degree in a related field and three years of related experience; or any equivalent combination of education and experience.

Special Requirements

Valid Massachusetts Class D Motor Vehicle Operator's License.

Knowledge, Ability and Skills

Knowledge:

- State Clean Water Act (section 401 and 404)
- M. G. L. Chapter 91
- Coastal Zone Management Act
- Local zoning bylaws
- FEMA – Flood Mitigation and Hazard Mitigation Grant Programs
- Knowledge of Coastal Processes (i.e., erosion, deposition, sediment transport, etc.) helpful

Ability:

- Ability to deal appropriately and tactfully with town officials, town employees, general public, attorneys, engineers, consultants, and governmental agencies.
- Ability to read, understand, and interpret technical specifications and site plans.
- Ability to conduct independent research, interpret results, show initiative, and solve problems.
- Ability to read and understand site plans.
- Ability to communicate clearly in written, oral, and graphic form and to critically analyze information.
- Ability to make fair and impartial decisions with the utmost integrity.
- Ability to prepare technical reports and grant applications.
- Work cooperatively with others.

Skills:

- Computer literacy including word processing, database management, spreadsheets, e-mail, web. Proficient with ArcMap or similar GIS applications.
- Equipment use including digital camera, projector, field tools, copier, fax, phone system.

Physical Requirements

While performing the duties of this job, the employee is regularly required to operate a computer and phone. The employee is required to talk and hear and to travel to different work sites including coastal sites within Falmouth. Specific vision abilities are required for this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this position.

**WASTEWATER PROJECT MANAGER – JOB DESCRIPTION
T.A.M. GRADE M-08, EXEMPT POSITION
WASTEWATER DEPARTMENT, TOWN OF FALMOUTH**

DRAFT ONLY 09/28/2023

Definition:

Professional, managerial and administrative work, assisting the Wastewater Superintendent in the management of the existing wastewater system, as well as in the management of planning, design and construction of expansions to the existing system and other nutrient management activities; all other related work as required.

Distinguishing Characteristics:

Works under the general direction of the Wastewater Superintendent.

Performs duties requiring comprehensive knowledge of division functions and techniques or the exercise of technical expertise in applying standard professional techniques. May be required to exercise considerable judgment and initiative, working independently and making decisions at the division level.

May supervise the equivalent of ten or fewer full-time employees. Performs duties of the Wastewater Superintendent in his/her absence.

Duties may require the ability to deal with the public on behalf of the division, to communicate regarding complex or controversial subjects in an appropriate manner. Makes regular contact with other town departments, regulatory agencies, engineers, contractors and the general public, requiring courtesy, professionalism and diplomacy.

Most work is performed in office conditions. Work may be performed under shop and field conditions with some exposure to untreated wastewater, hazardous chemicals, potentially explosive or toxic conditions, electrical hazards, construction sites, and adverse weather conditions. May enter confined spaces. Must be able to serve as either a confined space entrant or attendant. The employee is required to respond to emergency situations. Minimal physical effort is required to perform duties. The employee is frequently required to stand and walk and occasionally to lift or move lightweight materials.

Errors could result in reduced levels of service, excessive cost, environmental pollution, regulatory violations, damage to property, potential danger to public health, personal injury, injury to co-workers, and could have fiscal or legal repercussions.

Has access to confidential information such as bid documents, personnel records, and town billing information.

Works extensively with computer based programs, including Windows, GIS and others. Operates standard office equipment and an automobile.

Essential Functions:

Assists the Wastewater Superintendent with the management and technical affairs of the wastewater division, including assistance with the management of the Town's wastewater planning, design and construction/implementation and operations.

May prepare and provide public presentations regarding wastewater division activities and plans. Attends and represents the division in day and evening meetings of committees, boards and various agencies as required.

**WASTEWATER PROJECT MANAGER – JOB DESCRIPTION
T.A.M. GRADE M-08, EXEMPT POSITION
WASTEWATER DEPARTMENT, TOWN OF FALMOUTH**

May prepare and track budgets, including project, operating and capital budgets, under direction of Wastewater Superintendent. May authorize and monitor expenditures; maintains associated records; prepares varied reports. Acquires quotes/cost estimates for materials and services.

May direct work activities and ensure that divisional tasks are performed in a timely manner. Assists with the development and implementation of the division-wide safety program to ensure safe operations.

May assist with the compilation and filing of required state reports in order to maintain regulatory compliance; may assist Wastewater Superintendent and Chief Operator in the monitoring wastewater treatment plant performance for regulatory compliance.

Writes specifications and requests for proposals/bids.

Reviews private project wastewater system projects, including reconnections, connections and extensions.

Willing and able to work as a member of a team.

Performs other similar or related work as required, or as situation dictates.

EDUCATION AND EXPERIENCE:

Education:

Bachelor's degree in related field; three to five years of progressively responsible experience in wastewater or utility system design, planning, management and/or operation; or an equivalent combination of education and experience.

Knowledge, Ability and Skill:

Knowledge: Strong knowledge of the planning, design, construction, operation and maintenance of public wastewater facilities; knowledge of the principles and practices of wastewater treatment and nutrient management; knowledge of relevant federal and state regulations. Working knowledge of computer application programs.

Ability: Ability to work independently on long-term planning and management tasks with minimal direction/supervision; ability to perform tasks under adverse conditions and work effectively under time constraints to meet deadlines; ability to deal effectively and diplomatically with the general public and regulatory agencies; ability to write and speak clearly and effectively; ability to organize and direct the work of others.

Skill: Oral and written communication skills; organizational and planning skills; computer skills.

Special Requirements:

New position proposed TM 11/06. Rev B, 11/13/06.

DRAFT ONLY 09-28-2023
ASSISTANT HUMAN RESOURCES DIRECTOR – JOB DESCRIPTION
T.A.M. GRADE M-07, EXEMPT POSITION
HUMAN RESOURCES DEPARTMENT, TOWN OF FALMOUTH

Primary Purpose

Assists the Human Resources Director in managing the Town's comprehensive human resources program. Performs analytical, development, and administrative work in assisting the Director of Human Resources with managing recruitment and retention, training, professional development, employee relations, labor relations and compliance, performance management, and compliance with federal and state regulations, with an emphasis on wage, compensation, and benefits administration. Assists with the supervision of other Human Resources Department staff and assumes responsibility for the department in the absence of the Human Resources Director.

Essential Functions

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

1. Assists the Human Resources Director in managing the Town's human resources program. Assists with the supervision of other department staff and provides regular guidance, communication, and direction to other department staff as needed. Provides input on performance evaluations for other department staff.
2. Assumes responsibility for the department in the absence of the Human Resources Director. Has full authority to sign documents as required.
3. Maintains the payroll systems used by the Town and all employee payroll record data. Creates and maintains all employee job classes, pay types, and deduction categories within the payroll system. Ensures the proper tax status when creating these categories.
4. Coordinates implementation of labor agreements, employee contracts, and other required provisions and procedures, including new fiscal year rate changes.
5. Validates the accuracy of payroll earnings proofs prepared by Town departments; reconciles discrepancies, including those between authorizations and labor agreement provisions, employee contracts, and the Town's personnel policy requirements. Produces detailed and summary reports of payments, pre-tax deductions, taxes withheld, health insurance and other deductions, leaves of absence, and other items affecting gross and net pay as required.
6. Enforces deduction contribution limits. Approves OBRA, deferred compensation, Roth 457 rollovers and withdrawals, QDROs, and unforeseeable emergency distributions in accordance

with IRS regulations. Determines employee eligibility for special 457(b) catch-up contributions.

7. Obtains proper documentation for all payroll changes and ensures that required employee authorizations are placed in the employees' payroll files.
8. Provides financial analysis and reporting on various statistics as requested; researches and provides reports as requested regarding various matters.
9. Provides training and instruction to departments regarding payroll compliance with collective bargaining agreements.
10. Assists the Director with preparing recruitment materials and with determining qualified applicants for consideration by the hiring panel.
11. Serves on the hiring panel for selected positions at the Director's request and may assist with composing interview questions.
12. Works with the Human Resources Director to properly classify workers as independent contractors or employees.
13. Calculates retroactive payments and ensures that payments are made in accordance with tax and pension regulations.
14. Reconciles liability accounts as requested by the Finance Director.
15. May assist the Director with calculating the cost impact of contemplated changes in compensation, hours of work, conferred leaves of absence, and percentages of benefits contributions.
16. May review draft copies of union contracts and provide feedback to the Human Resources Director.
17. Maintains confidentiality of department records and information on a "need to know" basis.
18. Performs similar or related work as required or as the situation dictates.

Supervision

Supervision Received: Under the general and specific direction of the Human Resources Director, performs responsible duties requiring judgment and initiative, in accordance with departmental policies and procedures and is expected to function effectively, efficiently, and in cooperation with other departments and personnel. Refers unusual cases to the Human Resources Director. The position is subject to review and evaluation according to the Town's personnel policies and procedures.

Supervision Given: Assists with the supervision of other department staff and provides regular guidance, communication, and direction as needed. May provide input on performance evaluations for other department staff. Assumes responsibility for the department in the absence of the Human Resources Director.

Work Environment

S/he works in a typical seasonally comfortable office environment with contemporary office systems, tools, and equipment.

Makes frequent contact with other Town departments and officials, agencies, and governmental organizations that require ordinary business courtesy. May have communication with applicants and/or employees regarding sensitive matters that require discretion and excellent customer service skills. Communications involve face-to-face discussion, telephone, e-mail, and hard copy correspondence.

Minimum Qualifications

Education, Training, and Experience:

Bachelor's degree in human resource management, public administration, business, or related field; minimum of seven years of progressively responsible professional human resources experience, preferably in municipal government; supervisory experience preferred; or any equivalent combination of education and experience.

Special Requirements: Must be able to maintain confidential and privileged employee and collective bargaining information. S/he must possess and maintain a Class D Massachusetts motor vehicle operator's license. Must be able to successfully pass a C.O.R.I. background check.

Knowledge, Skills, and Abilities:

Knowledge: Must have demonstrated knowledge and experience in wage and benefits administration, and general human resource administration. Must have knowledge and experience in complex payroll preparation, spreadsheets, and databases. Must understand procedural requirements, communicate effectively with others, and provide responsive services.

Skills: Must have demonstrated skill in organizing work, meeting deadlines while working under the pressures of other service demands, and providing courteous, effective customer service. Must consistently demonstrate high levels of skill in office and records organization, adherence to required procedures, the use of technology to manage information, to prepare accurate and concise correspondence, and to provide courteous communications and coordination.

Abilities: Must have the ability to exercise sound judgment on complex personnel issues and to exercise discretion in dealing with confidential information. Ability to explain laws, rules, and regulations governing the department clearly and concisely to a variety of audiences. Ability to communicate effectively both orally and in writing at all levels of the organization. Must be able

to demonstrate the ability to master detailed procedural requirements within reasonable periods of time, produce accurate work, and coordinate multiple activities and/or projects. Must consistently meet procedural deadlines and act within the scope of his/her delegated authority. Must be skilled in the use of personal computers, particularly word processing, database management, and spreadsheet applications.

Physical Requirements

Minimal physical effort is required to perform most duties. The employee is frequently required to sit, speak, hear, and use hands to operate equipment. Visual requirements include the ability to read and analyze documents, use a computer, and operate an automobile.

(This job description does not constitute an employment agreement between the employer and the employee. It is used as a guide for personnel actions and is subject to change by the employer as the needs and requirements of the job change.)

Adopted: XXXX
Pages: (4) Four

DRAFT

OPEN SESSION

CONSENT AGENDA

1. Licenses

- a. Approve administrative correction of corporate name of the Wine and Malt Beverages Common Victualler License for Seafood Sam's Falmouth, Inc., 356 Palmer Avenue

October 2, 2023



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Licenses 1.a.

ITEM TITLE: Approve administrative correction of corporate name of the Wine and Malt Beverages Common Victualler License for Seafood Sam's Falmouth, Inc., 356 Palmer Avenue

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Licensing Authority Certification, Letter from Law Firm Lebherz & Lebherz dated September 26, 2023, Wine and Malt Common Victualler License

PURPOSE:

The Select Board will consider administrative approval of a scrivener's error on the applicant Seafood Sam's Falmouth, Inc. Wine and Malt Beverages Common Victualler License.

BACKGROUND/SUMMARY:

- The attached letter was submitted to the Select Board by the law firm Lebherz & Lebherz on behalf of their client Seafood Sam's Falmouth, Inc. for the purpose of correcting a scrivener's error on its license; the current name listed is Seafood Sam's of Falmouth, Inc.
- The Alcoholic Beverages Control Commission (ABCC) has protocols for scrutinizing applications for correct corporate information, including names, among other details in an effort to prevent money laundering and other illicit activities.

- The action requested of the Select Board is a simple administrative correction changing the name of the licensed premises to the correct name of Seafood Sam's Falmouth, Inc.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the administrative name correction to Seafood Sam's Falmouth, Inc. as requested.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the administrative name correction to Seafood Sam's Falmouth, Inc. as requested.

Michael Renshaw

Town Manager

9/28/2023

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Seafood Sam's Falmouth, Inc. dba Seafood Sam's

Address: 356 Palmer Avenue, Falmouth

License Type: Wine & Malt Beverages License

New or Transfer of License _____

or

Change of License Administrative Correction of Name

Police _____

Fire _____

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES: The ABCC has advised that a change to correct the name may be completed administratively.

The original license and the ABCC file show the name Seafood Sam's *of* Falmouth, Inc.

The correct name is Seafood Sam's Falmouth, Inc.

The ABCC protocols call for scrutinizing applications for correct corporate information among other details to prevent money laundering and other illicit activities.

LEBHERZ & LEBHERZ

Attorneys at Law

Christopher G. Leberherz

Of Counsel

Hon. George H. Leberherz, Jr. (Ret.)

(508) 548-6600

FAX (508) 457-0268

EMAIL: leberherzlaw@gmail.com

September 26, 2023

Falmouth Select Board
Town Hall, Square
Falmouth, MA

Hand delivered

RE: Seafood Sam's

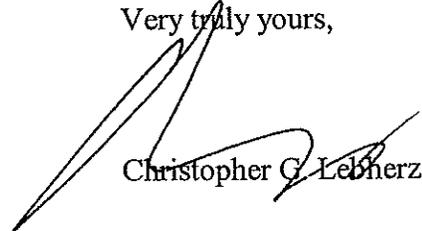
Dear Members of the Board:

Please consider this letter to be a Letter of Request from Seafood Sam's Falmouth, Inc. to correct a scrivener's error on its liquor and common victualler's licenses. The correct name of the corporation is Seafood Sam's Falmouth, Inc. However the license reads Seafood Sam's of Falmouth, Inc. A slight deviation.

It is the hope of my client, Seafood Sam's Falmouth, Inc. that this request could be brought to the attention of the board at its meeting of October 2, 2023.

Thank you for your kind attention.

Very truly yours,


Christopher G. Leberherz

CGL:cl

PLS
12/30/22

2023

License

00048-RS-0390

Fee: 1200

Alcoholic Beverages

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

Wine and Malt Common Victualler

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Seafood Sam's of Falmouth, Inc. d/b/a Seafood Sam's
Michael P. Lewis, Manager

356 Palmer Avenue
Falmouth, MA 02540

On the following described premises:

One floor: Dining room, greenhouse, kitchen, office, cellar for storage.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

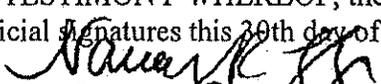
This license is valid from the 1st day of January 2023 until the 31st day of December 2023, unless earlier suspended, cancelled or revoked.

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

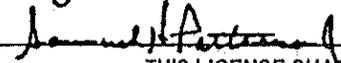
8am - 11pm MONDAY-SATURDAY 10am TO 11pm SUNDAYS
AMENDED 8/16/10

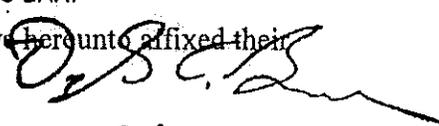
ONE FLOOR; DINING ROOM WITH GREENHOUSE, KITCHEN, OFFICE- CELLAR FOR STORAGE. Amended 01/27/21: EXISTING OUTSIDE PATIO SEATING IS 25' X 40' AND HAS 10 TABLES THAT ARE 15' FROM NEIGHBOR PROPERTY LINE AS EXPECTED. WINE AND MALT BEVERAGES TO BE SERVED WITH FOOD ONLY! NO BAR.

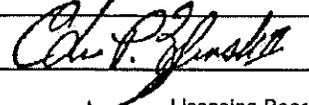
IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 30th day of December 2022











Licensing Board

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

Secretary of the Commonwealth of Massachusetts

William Francis Galvin

Business Entity Summary

ID Number: 043221113

[Request certificate](#)

[New search](#)

Summary for: SEAFOOD SAM'S FALMOUTH, INC.

The exact name of the Domestic Profit Corporation: SEAFOOD SAM'S FALMOUTH, INC.		
Entity type: Domestic Profit Corporation		
Identification Number: 043221113		Old ID Number: 000456275
Date of Organization in Massachusetts: 02-22-1994		Date of Revival:
Last date certain:		
Current Fiscal Month/Day: 12/31		Previous Fiscal Month/Day: 00/00
The location of the Principal Office: Address: 356 PALMER AVE. City or town, State, Zip code, FALMOUTH, MA 02540 USA Country:		
The name and address of the Registered Agent: Name: MICHAEL P. LEWIS Address: 356 PALMER AVENUE City or town, State, Zip code, FALMOUTH, MA 02540 USA Country:		
The Officers and Directors of the Corporation:		
Title	Individual Name	Address
PRESIDENT	MICHAEL P. LEWIS	913 W FALMOUTH HIGHWAY FALMOUTH, MA 02540 USA
TREASURER	MICHAEL P. LEWIS	913 W FALMOUTH HIGHWAY FALMOUTH, MA 02540 USA
SECRETARY	MICHAEL P. LEWIS	913 W FALMOUTH HIGHWAY FALMOUTH, MA 02540 USA
VICE PRESIDENT	SHAUN M. LEWIS	11 PENNSYLVANIA CT FALMOUTH, MA 02540 USA
DIRECTOR	MICHAEL P. LEWIS	913 W FALMOUTH HIGHWAY FALMOUTH, MA 02540 USA
Business entity stock is publicly traded: <input type="checkbox"/>		

The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares

Consent Confidential Data Merger Allowed Manufacturing

View filings for this business entity:

- ALL FILINGS
- Annual Report
- Application For Revival
- Articles of Amendment
- Articles of Charter Surrender
- Articles of Incorporation
- Articles of Organization
- Articles of Restatement
- Articles of Restatement of the Corporation
- Articles of Restatement of the Partnership
- Articles of Restatement of the Limited Liability Company
- Articles of Restatement of the Limited Liability Partnership
- Articles of Restatement of the Limited Liability Trust
- Articles of Restatement of the Trust
- Articles of Restatement of the Trust Agreement
- Articles of Restatement of the Trust Instrument
- Articles of Restatement of the Trust Instrument Agreement
- Articles of Restatement of the Trust Instrument Agreement
- Articles of Restatement of the Trust Instrument Agreement

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- a. Vote to approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to relocate one (1) JO pole labeled 10/124 approximately 30' (feet) southwest of existing location and to install one (1) JO pole to be labeled 10/124-25 approximately 60' (feet) southwest of existing pole 10/124-5. This work is necessary to provide underground electric service to 878 Sandwich Road.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.a.

ITEM TITLE: Approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to relocate one JO pole labeled 10/124 approximately 30' southwest of existing location and to install one JO pole to be labeled 10/124-25 approximately 60' southwest of existing pole 10/124-5. This work is necessary to provide underground electric service to 878 Sandwich Road.

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Falmouth DPW--Engineering Letter, Public Hearing Notice for 9/21/23, Petition for Joint or Identical Pole Relocations dated 10/21/22, Pole Order Form, Site Plan

PURPOSE:

The Select Board will consider a petition from Eversource Energy and Verizon New England to install one new jointly-owned Eversource pole and relocate one pole on Sandwich Road.

BACKGROUND/SUMMARY:

- Eversource Energy submitted a Petition for Joint or Identical Pole Re-Locations on October 21, 2022 for the purpose of installing one new pole approximately 60' southwest of an existing pole #10/124-5, and relocating a pole 10/124 approximately 30' southwest of its existing location.
- Town Engineering Department is recommending that the Select Board approve the petition request as submitted on Plan No. 9065200.
- This project is associated with the construction of the Hatchville Fire Station.

DEPARTMENT RECOMMENDATION:

The Town Engineering Department is recommending that the Select Board approve the petition request as submitted on Plan No. 9065200.

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager is recommending that the Select Board approve the petition request as submitted on Plan No. 9065200.

Michael Renshaw

Town Manager

9/29/2023

Date



Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

nicholas.croft@falmouthma.gov

Date: Sept. 27, 2023

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install one (1) new Jointly Owned Eversource Pole and relocate one pole on Sandwich Road.

A petition was submitted by Eversource to install one (1) new Jointly Owned Eversource pole (10/124-2.5) and relocate pole (10/124) approximately 30' Southwest on Sandwich Road to accommodate service and construction at 878 Sandwich Road.

The Engineering recommendation is to approve the request as submitted on Plan No. 9065200, W/O #9065200, dated October 22, 2022.

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

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division



PUBLIC HEARING NOTICE

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Small Conference Room at 3:00 p.m. on Thursday, September 21, 2023, upon the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to relocate one (1) JO police labeled 10/124 approximately 30' (feet) southwest of existing location and to install one (1) JO pole to be labeled 10/124-25 approximately 60' (feet) southwest of existing police 10/124-5.

This work is necessary to provide underground electric service to 878 Sandwich Road.

Per Order of the Falmouth Select Board

Publication Date: Friday, September 8, 2023, Falmouth Enterprise

PETITION FOR JOINT OR IDENTICAL POLE RE-LOCATIONS
WO#9065200

October 21, 2022

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

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
VERIZON NEW ENGLAND INC.

request permission to locate poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Sandwich Road, Falmouth

To relocate 1 JO pole labeled 10/124 approximately 30' (feet) southwest of existing location.

To install 1 new JO pole to be labeled 10/124-25 approximately 60' southwest of existing pole 10/124-5.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for permission to erect and maintain poles, wires, and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked plan#9065200 Dated October 21, 2022.

Also for permission to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with the poles and buildings as each may desire for distributing purposes.

Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY

By Jessica Elder
Right of Way Agent
Jessica S. Elder

VERIZON NEW ENGLAND INC.

By Daryl Crossman
Manager-Right of Way
Daryl Crossman
8/25/23

**FORM OF ORDER FOR
JOINT OR IDENTICAL POLE RELOCATION
WO#9065200**

SELECT BOARD FOR THE TOWN OF FALMOUTH, MASSACHUSETTS.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** and
VERIZON NEW ENGLAND INC.

be and they are hereby granted joint or identical locations for permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 21st day of October 2022.

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

Poles shall be of sound timber and reasonably straight and shall be set substantially at the points indicated upon the plan marked sketch work order #9065200 Dated October 21, 2022 filed with said petition. There may be attached to said poles by said **VERIZON NEW ENGLAND, INC.** not to exceed 40 wires and 4 cables and by said **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** necessary wires, cables and fixtures

and all said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Sandwich Road, Falmouth

To relocate 1 JO pole labeled 10/124 approximately 30' (feet) southwest of existing location.

To install 1 new JO pole to be labeled 10/124-25 approximately 60' southwest of existing pole 10/124-5.

Two (2) JO Poles

This work is necessary to provide underground electric service to #878 Sandwich Road.

Also that permission be and hereby granted to each of said companies to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board for the Town of Falmouth, Massachusetts held on the 2nd day of October 2023.

Rylee A Downey
Clerk of Select Board

_____, Massachusetts _____ 2023.

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

Attest:

Town Clerk

We hereby certify that on September 21, 2023, at 3:00 o'clock, P M. at Falmouth Town Hall a public hearing was held on the petition of the

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
VERIZON NEW ENGLAND INC.

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

Select Board for the Town of
Falmouth, Massachusetts

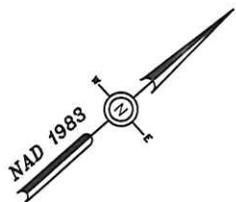
CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Select Board of the Town of Falmouth, Massachusetts, on the _____ day of _____ 2023, and recorded with the records of location orders of said Town, Book _____, Page _____.

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

Attest:

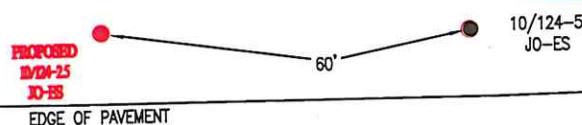
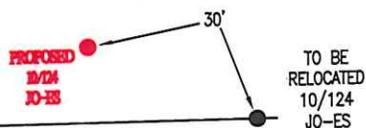
Town Clerk.



Plan to accompany petition of EVERSOURCE ENERGY to relocate Pole 10/124 Southwest approx. 30' from the existing Pole and install New Pole 10/124-2.5 60' Southwest from 10/124-5. on Sandwich Road.

17 01 017 002
878 SANDWICH RD
N/F
FALMOUTH TOWN OF
BOARD OF SELECTMAN

17 01 017 001
888 SANDWICH RD
N/F
FALMOUTH TOWN OF
BOARD OF SELECTMAN



APPROX. 542'± TO
CARRIAGE-SHOP RD.

APPROX. RIGHT OF WAY(R.O.W.)

GRASS

EDGE OF PAVEMENT

SANDWICH ROAD

EDGE OF PAVEMENT

GRASS

10/124-5S
JO-ES

APPROX. RIGHT OF WAY(R.O.W.)

21 09 001 011
865 SANDWICH RD
N/F
JONES HILDEGARD H

21 09 001 010
869 SANDWICH RD
N/F
MIRANDA ANNE M
MIRANDA JR GEORGE J

17 01 033 009
875 SANDWICH RD
N/F
PIZZI VINCENT A
PIZZI RANDIE E

21 09 001 012
859 SANDWICH RD
N/F
MCINTYRE TRUSTEE TAYLOR K
MCINTYRE TRUSTEE MARIA B

LEGEND

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



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

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

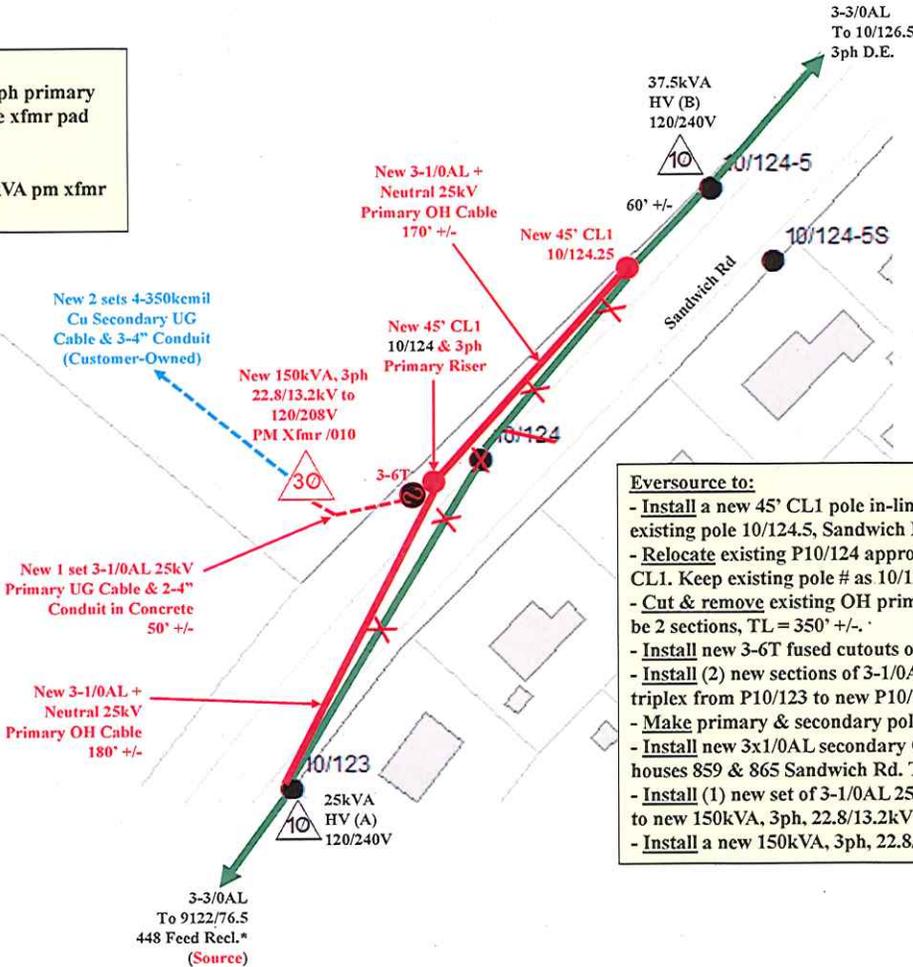
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	9065200	NSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Ward #	-	
Work Order #	9065200	Plan of SANDWICH ROAD
Surveyed by:	N/A	FALMOUTH
Research by:	JC	Showing PROPOSED POLE LOCATIONS
Plotted by:	JC	
Proposed Structures:	JC	
Approved:	T THIBAUT	Scale 1"=30' Date OCTOBER 21, 2022
P#		SHEET 1 of 1

*****PRIOR TO EXCAVATION*****
Contact Construction Inspector:
 Larry Bell (339)-987-7027
 or
 Paul Connors (339)-987-7464

Customer to:

- Install new 2-4" conduit encased in concrete from new 3ph primary riser P10/124, along Sandwich Rd, to (1) new 3ph concrete xfmr pad /010. To be 1 section, TL = 50' +/-.
- Install (1) new 3ph concrete xfmr pad.
- Install all secondary UG conduit & cable from new 150kVA pm xfmr /010 to new service location.



Eversource to:

- Install a new 45' CL1 pole in-line with existing OH facilities approx. 60' Southwest of existing pole 10/124.5, Sandwich Rd. ID as 10/124.25.
- Relocate existing P10/124 approx. 30' Southwest of its existing location & replace with a 45' CL1. Keep existing pole # as 10/124.
- Cut & remove existing OH primary & secondary cables from P10/123 to new P10/124.25. To be 2 sections, TL = 350' +/-.
- Install new 3-6T fused cutouts on new 3ph primary riser P10/124.
- Install (2) new sections of 3-1/0AL 25kV primary OH cable & 3x4/0AL secondary OH triplex from P10/123 to new P10/124.25. TL = 350' +/-.
- Make primary & secondary pole-top connections at poles 10/123, 10/124, & 10/124.25.
- Install new 3x1/0AL secondary OH triplex from newly relocated P10/124 to customers at houses 859 & 865 Sandwich Rd. TL = 80' & 110' +/-, respectively.
- Install (1) new set of 3-1/0AL 25kV primary UG cable from new 3ph primary riser P10/124 to new 150kVA, 3ph, 22.8/13.2kV to 120/208V pm xfmr /010. To be 1 section, TL = 50' +/-.
- Install a new 150kVA, 3ph, 22.8/13.2kV to 120/208V pm xfmr at /010.

Paper Size: 11" x 17"
 Sketch is not to scale

Eversource 10

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- b. Application for two Special One-Day Wine & Malt Beverages Licenses – Vine Food & Restaurant, Inc. d/b/a The Vine located at 824 Main Street, Falmouth – Saturday, October 7, 2023, from 5:00 p.m. to 8:00 p.m. and Saturday, October 21, 2023, from 6:00 p.m. to 10:00 p.m.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.b.

ITEM TITLE: Application for two Special One-Day Wine and Malt Beverages Licenses- Vine Food & Restaurant, Inc. d/b/a The Vine located at 824 Main Street, Falmouth- Saturday, October 7, 2023, from 5:00 PM to 8:00 PM and Saturday, October 21, 2023, from 6:00 PM to 10:00 PM.

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Special On-Day Liquor License for Sale of Alcoholic Beverages Application, TIPS Certification, Letters Describing Events

PURPOSE:

The Select Board will consider the approval of an application for two separate One-Day Wine and Malt Beverages Licenses submitted by The Vine Restaurant.

BACKGROUND/SUMMARY:

- The applicant Tatiana Nobre submitted Application for the October 7, 2023 wedding event on September 14, 2023, and submitted application for the October 21, 2023 wedding event on September 1, 2023.
- The restaurant is a Common Victualler License holder, and Town Counsel has confirmed that it is permissible for this type of license to have a Special One-Day License; state regulations allow a total of 30 special licenses to be issued to any one applicant each year.

- The Building Commissioner has approved the floor plan for both the Common Victualler License and the liquor license.
- Neither the Building Commissioner nor the Fire Rescue Department expressed any objections or concerns when reviewing the application.

DEPARTMENT RECOMMENDATION:

The Town Manager is recommending that the Select Board approve the applications submitted by The Vine Restaurant for two Special One-Day Wine and Malt Beverages Licenses for Saturday, October 7 and Saturday, October 21, 2023 as presented.

OPTIONS:

- Motion to approve the applications submitted by The Vine Restaurant for two Special One-Day Wine and Malt Beverages Licenses for Saturday, October 7 and Saturday, October 21, 2023 as presented.
- Motion to deny approval of the applications submitted by The Vine Restaurant for two Special One-Day Wine and Malt Beverages Licenses for Saturday, October 7 and Saturday, October 21, 2023 as presented.
- Select Board defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager is recommending that the Select Board approve the applications submitted by The Vine Restaurant for two Special One-Day Wine and Malt Beverages Licenses for Saturday, October 7 and Saturday, October 21, 2023 as presented.

Michael Renshaw

9/28/2023

Town Manager

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Vine Food and Restaurant, Inc. d/b/a The Vine

Address: 824 Main Street, Falmouth

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

New or Transfer of License New

or

Change of License _____

Police _____

Fire No Issues

Building No Issues

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

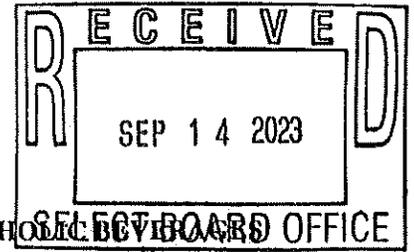
Wastewater _____

NOTES:

The restaurant is a Common Victualler License holder. Town Counsel has confirmed that it is permissible for this type of license to have Special One-Day Licenses. State regulations allow a total of 30 special licenses to be issued to any one applicant annually.

The Building Commissioner has approved the floor plan for both the Common Victualler License and the liquor license when it is submitted later in the year.

PAID
\$10
ck # 100002



APPLICATION

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

NAME OF APPLICANT: TATIANA NOBRE

ADDRESS OF APPLICANT: 429 CAPN LISAH'S RD

Centerville MA 02632
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: The Vine Food Restaurant INC

MAILING ADDRESS: 824 Main ST Falmouth Ma 02540

TELEPHONE #: [REDACTED] EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: 824 MAIN ST

Falmouth Ma 02540
TOWN STATE ZIP CODE

EVENT TITLE: Wedding APPROXIMATE # OF PEOPLE: 40
5:00 - 8:00

DATE(S) OF EVENT: 10/7/2023 HOURS OF EVENT: 3h - 17:00h - 20:00h

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Tatiana Nobre

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.) on file
- 6. Temporary Food Permit (Health Department) n/a

9/14/2023
DATE

[Signature]
APPLICANT'S SIGNATURE

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

To whom it may concern:

It will be a wedding, no music
just food and wine

It will be around forty people
on October 7th.

A dinner to celebrate.

Thank you

Tatiana Noble

It is a restaurant one floor
we will be serving food and wine

PAID
\$10
100002

APPLICATION

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

NAME OF APPLICANT: Tatiana Nobre

ADDRESS OF APPLICANT: 429 CAPN LIZAH'S RD

Centerville MA 02632

TOWN STATE ZIP CODE

NAME OF ORGANIZATION: The Vine Food Restaurant INC

MAILING ADDRESS: 824 MAIN ST, Falmouth, MA 02540

TELEPHONE #: [REDACTED] EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: 824 MAIN ST

Falmouth MA 02540

TOWN STATE ZIP CODE

EVENT TITLE: Wedding APPROXIMATE # OF PEOPLE: 50
6:00 - 10:00

DATE(S) OF EVENT: 10/21/2023 HOURS OF EVENT: 4h / 18:00 - 22:00 PM

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Tatiana Nobre

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)

9/1/2023
DATE

Tatiana Nobre
APPLICANT SIGNATURE

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

To whom it may concern

IT will be a wedding. No music
Just a dinner with wine

IT will be around Fifty people
on October 21st, to celebrate

Thank you

IT is a Restaurant, one floor
We will be serving food and wine.

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- c. Application for a Special One-Day All Alcoholic Beverages License – Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth – Saturday, October 7, 2023, from 7:30 p.m. to 10:00 p.m. and Sunday, October 8, 2023, from 4:00 p.m. to 6:30 p.m.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.c.

ITEM TITLE: Application for a Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm.

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Emails from Reviewers, Special One-Day Liquor License for the Sale of Alcoholic Beverages dated September 6, 2023, TIPS Certification Cards

PURPOSE:

The Select Board will consider the approval of an application for a Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm .

BACKGROUND/SUMMARY:

- Applicant Tomas McCahill, Director-at-Large of the Falmouth Theatre Guild, submitted the Special One-Day License for the Sale of Alcoholic Beverages on September 6, 2023.
- The event, titled Silver Threads 2: Get Closer, will be held on the dates of October 7, 2023 (7:30-10:00 PM) and October 8, 2023 (4:00 PM to 6:30 PM) and approximately 400 people are expected to attend.

- The Police Department and Fire Rescue Department have reviewed the application and have no objections or concerns with the events.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm.

OPTIONS:

- Motion to approve the application for a Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm.
- Motion to deny approval of the Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm.
- Select Board Defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day All Alcoholic Beverages License- Falmouth Theatre Guild to be located at 58 Highfield Drive, Falmouth- Saturday, October 7, 2023 from 7:30 pm to 10:00 pm and Sunday, October 8, 2023 from 4:00 pm to 6:30 pm.

Michael Renshaw

Town Manager

9/28/2023

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Falmouth Theatre Guild

Address: Highfield Hall, 58 Highfield Drive

License Type: _____

New or Transfer of License _____

or

Change of License _____

Police No Objections

Fire No concerns

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES: Days/Times:

Saturday, October 7th from 7:30 pm to 10:00 pm

Sunday, October 8th from 4:00 pm to 6:30 pm



APPLICATION

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

NAME OF APPLICANT: Tomas McCahill - Director-At-Large

ADDRESS OF APPLICANT: 66 E Harbor Dr

Teaticket MA 02536
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: Falmouth Theatre Guild

MAILING ADDRESS: PO Box 383 Falmouth, MA 02541

TELEPHONE #: [REDACTED] EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: 58 Highfield Dr

Falmouth MA 02541
TOWN STATE ZIP CODE

EVENT TITLE: Silver Threads 2: Get Closer APPROXIMATE # OF PEOPLE: 400

DATE(S) OF EVENT: Oct 7 & 8, 2023 HOURS OF EVENT: 7:30PM & 4:00PM

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Tomas McCahill

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)

09/06/2023
DATE

[Handwritten Signature]
APPLICANT SIGNATURE

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

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- d. Application for a Special One-Day Wine & Malt Beverages License – Salt Pond Areas Bird Sanctuaries, Inc. – Pumpkin Day to be located at Bourne Farm, 6 North Falmouth Highway, North Falmouth – Saturday, 10/7/23



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.d.

ITEM TITLE: Application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc.- Pumpkin Day located at Bourne Farm, 6 North Falmouth Highway, North Falmouth- Saturday, October 7, 2023.

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Emails from Reviewers, Special One-Day Liquor License for the Sale of Wine and Malt Beverages dated September 12, 2023, TIPS Certification Cards

PURPOSE:

The Select Board will consider the approval of an application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc. located at Bourne Farm, 6 North Falmouth Highway- Saturday, October 7, 2023 from 9:00 AM to 3:00 pm.

BACKGROUND/SUMMARY:

- Applicant Salt Pond Areas Bird Sanctuaries, Inc., submitted the Special One-Day License for the Sale of Wine and Malt Beverages on September 12, 2023.
- The event, titled Pumpkin Day, will be held on October 7, 2023 (9:00 AM to 3:00 PM) and approximately 1,000 people are expected to attend.

- The Fire Rescue Department has reviewed the application and have no objections or concerns with the event.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc.- Pumpkin Day located at Bourne Farm, 6 North Falmouth Highway, North Falmouth to be held Saturday, October 7, 2023.

OPTIONS:

- Motion to approve the application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc.- Pumpkin Day located at Bourne Farm, 6 North Falmouth Highway, North Falmouth to be held Saturday, October 7, 2023.
- Motion to deny approval of the approve the application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc.- Pumpkin Day located at Bourne Farm, 6 North Falmouth Highway, North Falmouth to be held Saturday, October 7, 2023.
- Select Board Defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Beverages License- Salt Pond Areas Bird Sanctuaries, Inc.- Pumpkin Day located at Bourne Farm, 6 North Falmouth Highway, North Falmouth to be held Saturday, October 7, 2023.

Michael Renshaw

Town Manager

9/29/2023

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Salt Pond Areas Bird Sanctuaries Inc. – Pumpkin Day

Address: 6 North Falmouth Highway (Bourne Farm)

License Type: One-Day Wine & Malt Beverages License

New or Transfer of License New

or

Change of License _____

Police No Objection

Fire No Concerns

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES:

The applicant's insurance certification requires adjustment and is in process for Select Board approval pending receipt of proof of coverage.

PAID
\$35
ck# 6359



RECEIVED
SEP 13 2023
SELECT BOARD OFFICE

APPLICATION

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

NAME OF APPLICANT: Salt Pond Areas Bird Sanctuaries, Inc.

ADDRESS OF APPLICANT: 6 North Falmouth Hwy.

North Falmouth MA 02556
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: Salt Pond Areas Bird Sanctuaries, Inc.

MAILING ADDRESS: PO Box 535, W. Falmouth, MA 02574

TELEPHONE #: [REDACTED] EMAIL: [REDACTED]

LOCATION TO BE LICENSED-ADDRESS: 6 North Falmouth Hwy.

N. Falmouth MA 02556
TOWN STATE ZIP CODE

EVENT TITLE: Pumpkin Day APPROXIMATE # OF PEOPLE: 1000

DATE(S) OF EVENT: Oct. 7, 2023 HOURS OF EVENT: 9am to 3pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Katharine Taylor

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

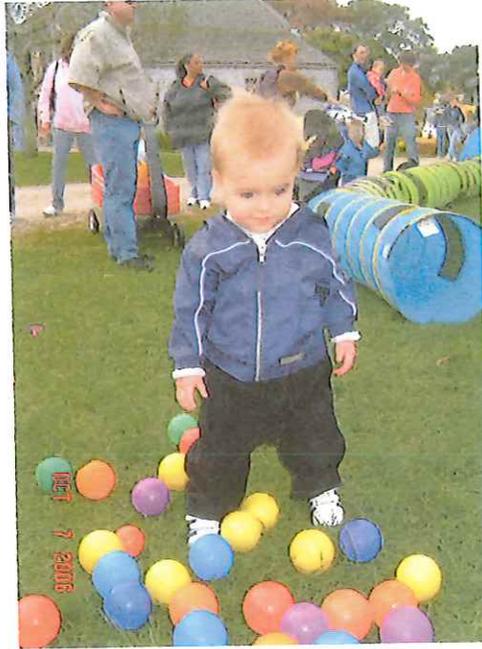
REQUIREMENTS check list:

- 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)

09/12/23
DATE

Katharine Taylor
APPLICANT SIGNATURE

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



Pumpkin Day '23

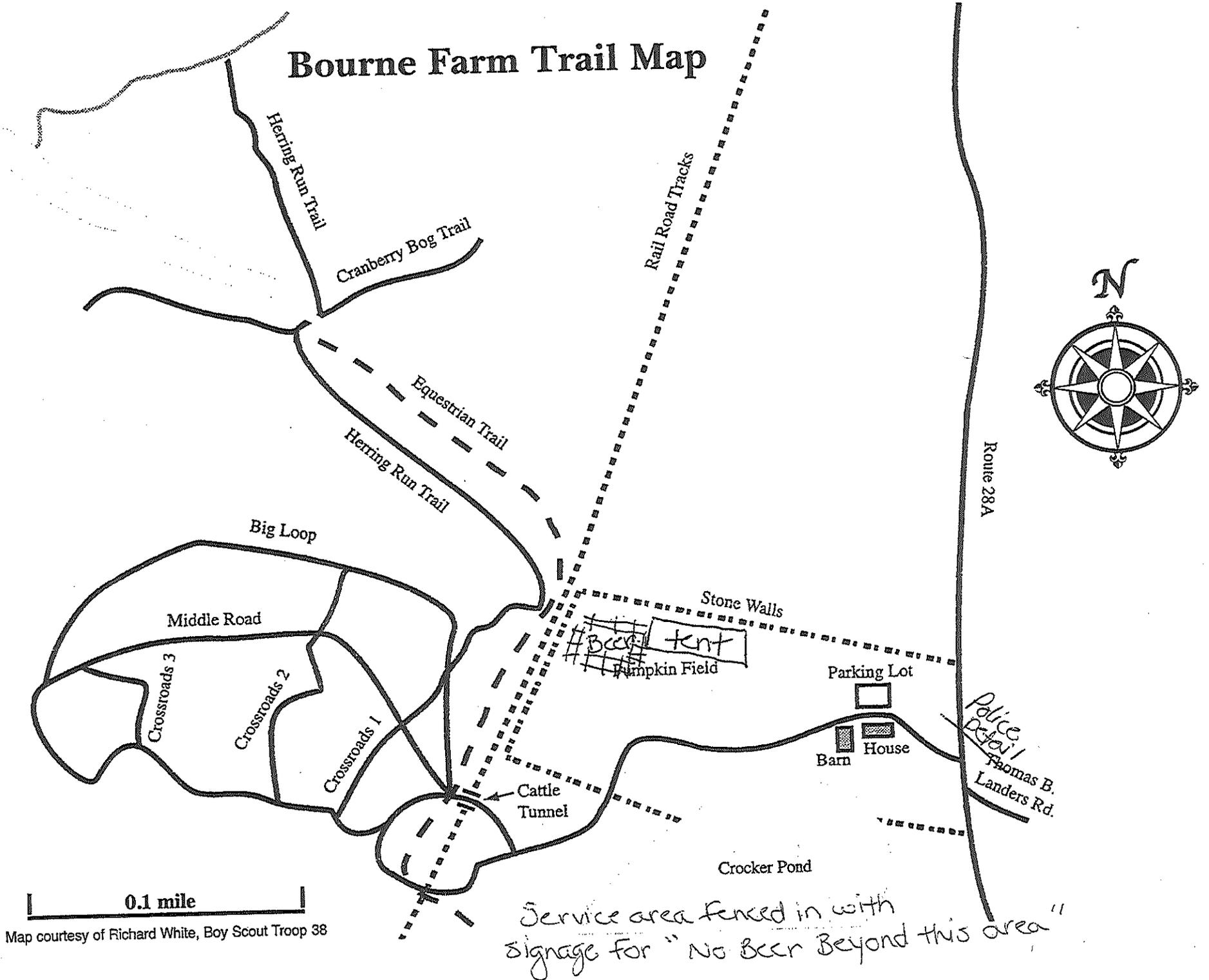
On Saturday, October 7, 2023, Salt Pond Bird Sanctuaries will host Pumpkin Day at Bourne Farm in North Falmouth, from 9am to 3pm (rain or shine). First held in 1981, this has become a much anticipated autumn event for hundreds of Falmouth families and visitors every year. With ample free parking, no entrance fee and many attractions for the children, Pumpkin Day offers something for everyone. Tickets are sold separately for some activities.

Picking your own pumpkin is the main attraction. Other activities for families include horse-drawn hay rides, crafts, balloon animals, face-painting, local crafts and vendors, tours of the antique farmhouse, bounce house and giant obstacle course.

Salt Pond Areas Bird Sanctuaries, Inc., a non-profit, private conservation group, is dedicated to preserving and maintaining open wildlife habitat for the Town of Falmouth and its visitors. We owns 251 acres of conservation land including Bourne Farm, The Knob in Quissett and Salt Pond in Falmouth, just to name a few. However, the cost of maintaining this open space for community enjoyment continues to grow. The budget to operate Bourne Farm is very costly and therefore we hold our Pumpkin Day event every year on the Saturday of Columbus Day weekend.



Bourne Farm Trail Map



Map courtesy of Richard White, Boy Scout Troop 38

Service area fenced in with signage for "No Beer Beyond this area"

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- e. Application for a Special One-Day Wine & Malt Beverages License – Shipwrecked – Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth – Saturday, 11/5/23



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.e.

ITEM TITLE: Application for a Special One-Day Wine and Malt Beverages License- Shipwrecked- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth- Saturday, November 5, 2023.

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Emails from Reviewers, Special One-Day Liquor License for the Sale of Wine and Malt Beverages dated September 8, 2023, Aerial of Site, Letter Outlining Event/TIPS Certification

PURPOSE:

The Select Board will consider the approval of an application for a Special One-Day Wine and Malt Beverages License- Shipwrecked located at 263 Grand Avenue- Saturday, November 5, 2023 from 10:00 AM to 6:00 pm.

BACKGROUND/SUMMARY:

- Applicant Rob Loewen submitted the Special One-Day License for the Sale of Wine and Malt Beverages on September 8, 2023.
- The event, titled Falmouth in the Fall, will be held on November 5, 2023 (10:00 AM to 6:00 PM) and approximately 300-400 people are expected to attend.

- The Police Department and Fire Rescue Department have reviewed the application and have no objections or concerns with the event.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Beverages License- Shipwrecked- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth- Saturday, November 5, 2023 as presented.

OPTIONS:

- Motion to approve the application for a Special One-Day Wine and Malt Beverages License- Shipwrecked- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth- Saturday, November 5, 2023 as presented.
- Motion to deny approval of the application for a Special One-Day Wine and Malt Beverages License- Shipwrecked- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth- Saturday, November 5, 2023 as presented.
- Select Board Defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Beverages License- Shipwrecked- Falmouth in the Fall to be located at 263 Grand Avenue, Falmouth- Saturday, November 5, 2023 as presented.

Michael Renshaw

Town Manager

9/29/2023

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Shipwrecked

Address: 263 Grand Avenue

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

New or Transfer of License New

or

Change of License _____

Police No Concerns

Fire No objections

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES:



APPLICATION

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

NAME OF APPLICANT: Rob Loewen

ADDRESS OF APPLICANT: 263 Grand Ave

Falmouth MA 02540
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: Shipwrecked

MAILING ADDRESS: 263 Grand Ave

TELEPHONE #: 508-540-9600 EMAIL: info@shipwreckedfalmouth.com

LOCATION TO BE LICENSED-ADDRESS: 263 Grand Ave/Parking lot of Shipwrecked and Heights Hotel

Falmouth MA 02540
TOWN STATE ZIP CODE

EVENT TITLE: Shipwrecked Falmouth In The Fall Road Race after Party APPROXIMATE # OF PEOPLE: 300-400 throughout

DATE(S) OF EVENT: 11-05-23 HOURS OF EVENT: 10am-6pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Rob Loewen

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)

09-08-23
DATE

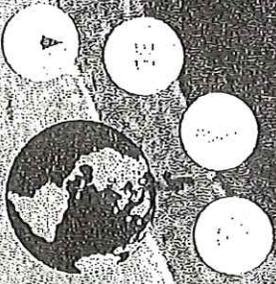
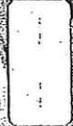
APPLICANT SIGNATURE

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



100%

20 m Camera: 149 m 41°32'43"N 70°35'43"W 2 m



To Whom it may concern,

We, Shipwrecked Falmouth, are seeking a one-day wine & malt license for the "Falmouth in The Fall" Road Race after party on November 5th, 2023. The event will take place on the Shipwrecked/Heights Hotel parking lot in the same fashion that we have hosted previous events (i.e.: Falmouth Road race after party, Beerfest and our Cornhole tournament). There will be no vehicular traffic permitted on the property during the day of the event. The event will have a few local breweries who will set up 10X10 tents along the perimeter of the lot, a D.J./band for entertainment and possibly a big screen tv for the Patriots game. The lot will be secured and monitored by our Security staff along with security provided by Frontier Security Strategies. All servers and bartenders are TIPS certified. The event will run from set up at 10am until breakdown at 6pm.

Thank you for your consideration,

Rob Loewen

Property Manager

Shipwrecked Falmouth & The Heights Hotel

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- f. Vote to accept donation of 4 push bumpers (value of \$2,200) from Dan's Truck Service for the Police Dept. cruiser fleet



ITEM NUMBER: TBD

ITEM TITLE: Donation: 4 Cruiser Push Bumpers

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Chief Jeff Lourie

ATTACHMENTS: N/A

PURPOSE:

This is a written request to the Select Board to vote to approve a donation for 4 push bumpers (value of \$2,200) for the cruiser fleet from Dan's Truck Service.

BACKGROUND/SUMMARY:

- Michael Krull of Dan's Truck Service reached out to Chief Lourie to see if the Falmouth Police Dept. would like to accept a donation of 4 ProGuard push bumpers for our marked cruiser fleet. Several of our vehicles do not have this equipment currently. This donation would save the Town a total of \$2,200.00. Chief Lourie respectfully request that the Select Board accepts this donation with gratitude and thank Mr. Krull for this generous donation.

DEPARTMENT RECOMMENDATION:

The Falmouth Police Department would recommend to accept this donation.

OPTIONS:

Briefly state the options the Select Board should consider.

There will usually be a minimum of three options:

- 1) approval of your recommended action or request;
- 2) denial of your recommended action or 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:

APPROVAL



Town Manager

mk ^{9/29}
7/14/2023

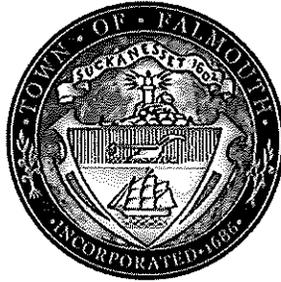
Date

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- g. Vote to accept the 2022 Edward Byrne Memorial Justice Grant in the amount of \$10,516.00 to fund the Bosch Crash Computer Reader (CDR) and Bosch CDR upgrade kit for training officers in crash reconstruction investigation



ITEM NUMBER: TBD

ITEM TITLE: Approval Request for 2022 Edward Byrne Memorial Justice Grant

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Chief Jeff Lourie

ATTACHMENTS: 2022 Edward Byrne Memorial Justice Grant Disparate Certification

PURPOSE:

This is a written request to the Select Board to vote to approve the 2022 Edward Byrne memorial Justice Grant in the amount of \$10,516.00.

BACKGROUND/SUMMARY:

- The grant will be used for funding of the Bosch Crash Computer Reader (CDR) and Bosch CDR upgrade kit that will be utilized by newly training Officers in crash reconstruction investigation. The CDR equipment is required for accident reconstruction, trained officers would be able to perform accident reconstruction investigation in the Town of Falmouth.

DEPARTMENT RECOMMENDATION:

The Falmouth Police Department would recommend that the Select Board approved / accept this grant.

OPTIONS:

Briefly state the options the Select Board should consider.

There will usually be a minimum of three options:

- 1) approval of your recommended action or request;
- 2) denial of your recommended action or 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:

APPROVAL



Town Manager

9/29/2023

Date

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

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

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

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

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

County of Barnstable: \$0 to be expended.

Please address any comments to:

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

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

h. Annual reappointment of Inspector of Animals - Scott McGann



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.h.

ITEM TITLE: Annual reappointment of Inspector of Animals

MEETING DATE: 10/2/2023

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Certificate of Appointment, Division of Animal Health, MA Department of Agricultural Services issued to Scott McGann

PURPOSE:

The Select Board will consider the approval of the reappointment of Health Agent Scott McGann as Inspector of Animals for the Town of Falmouth.

BACKGROUND/SUMMARY:

- Health Agent McGann has served the role of Inspector of Animals, and the State Division of Animal Health has recently issued Agent McGann with his Certificate of Appointment with a term expiring April 30, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the reappointment of Health Agent Scott McGann as Inspector of Animals.

OPTIONS:

- Motion to approve the reappointment of Health Agent Scott McGann as Inspector of Animals.
- Motion to deny the reappointment of Health Agent Scott McGann as Inspector of Animals.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the reappointment of Health Agent Scott McGann as Inspector of Animals.

Michael Renshaw

Town Manager

9/29/2023

Date

SELECT BOARD MEETING – OCTOBER 2, 2023

SELECT BOARD APPOINTMENTS

**INSPECTOR OF ANIMALS
1-YEAR TERM**

NAME

TERM EXPIRES

Scott McGann

4/30/24

**Attached is the certificate of appointment from the Division of Animal Health,
Massachusetts Department of Agricultural Resources.**



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF AGRICULTURAL RESOURCES

DIVISION OF ANIMAL HEALTH

100 CAMBRIDGE STREET, 9TH FLOOR

BOSTON, MA 02114

CERTIFICATE OF APPOINTMENT OF INSPECTOR OF ANIMALS

City / Town of Falmouth

Through April 30, 2024

Notice is hereby given that I, Michael Cahill, acting under the authority of section 15 and 16 of Chapter 129 of the General Laws, as amended, do hereby approve the appointment of Scott McGann as Inspector of Animals for the City or Town of Falmouth, County of Barnstable, Commonwealth of Massachusetts.

6/27/2023

Date Approved

A handwritten signature in black ink, appearing to read "Michael Cahill", written over a horizontal line.

Director of the Division of Animal Health

Diane Davidson

From: Kraft, Ashley (AGR) <Ashley.Kraft@mass.gov>
Sent: Wednesday, September 20, 2023 4:58 PM
To: Falmouth Town Manager
Subject: Falmouth McGann AI Certificate of Appointment
Attachments: Falmouth McGann Certificate of Appointment 2023.pdf

Good afternoon,

Emailing to be sure you have this certificate of appointment with your records. The Animal Inspector Certificate of Appointment is attached. The nominating authority should retain this copy as proof of appointment. The Animal Inspector may choose to carry a copy of the certificate with them. A reduction to 35% on a photocopier will produce a legible wallet-sized copy. Thank you.

Please let me know if you may need anything further.

Best,

Ashley

Ashley Kraft
Rabies Program Coordinator
Division of Animal Health
MA Dept. Agricultural Resources
Office: (617) 626- 1810
Cell: (617) 823- 0145
Fax: (617) 626 - 1738

Best,

Ashley

Ashley Kraft
Rabies Program Coordinator
Division of Animal Health
MA Dept. Agricultural Resources
Office: (617) 626- 1810
Cell: (617) 823- 0145
Fax: (617) 626 - 1738

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



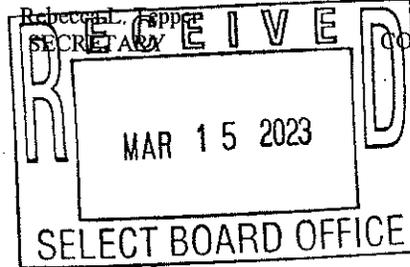
Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT
GOVERNOR



John Lebeaux
COMMISSIONER

March 3, 2023

RE: NOMINATION OF INSPECTOR OF ANIMALS

Nominating Authority:

Enclosed is the nomination form for the Inspector of Animals for your city or town. **This form is due back to the Division of Animal Health by April 1, 2023.** The appointment will run from May 1, 2023 until April 30, 2024. If more than one inspector was appointed for your city or town, there is a separate form for each. If you are nominating the same inspector(s) this year, **be sure that all of the contact information is complete and still correct.** Any corrections should be made in the space provided on the right. If you will be nominating a new inspector, that person's information should be entered in the space provided on the right. Submit a separate form for each inspector nominated. Also, be sure that all of your (nominating authority) information is complete and correct. Any changes to your information should be made in the space provided to the right.

Once all of the contact information is confirmed to be correct, all that is needed is to **have the nominee sign the form**, accepting the nomination and swearing to faithfully perform the duties of that office. **The nominee's signature must be notarized.** In many cases the city or town clerk is a notary.

Your municipality can have as many animal inspectors appointed as you feel are needed to fulfill the duties. Please note, a duty of the municipal animal inspector is the annual "barn inspection". An inspector is not able to perform an inspection on their own property. If your inspector keeps animals in your town, then the municipality will require an additional inspector to perform that inspection.

After the nominee's signature has been notarized, simply **return the form to the Division of Animal Health at the address listed at the top of the form.** The Division of Animal Health will send back confirmation of the inspector's appointment. **Please note that regardless of when the most recent appointment was made, it is only valid through April 30, 2023.** This nomination will cover the year starting May 1, 2023 and run until April 30, 2024.

If you have any questions, please call Ashley Kraft at (617) 626-1810 or email Ashley.Kraft@mass.gov.

Thank you,

Michael Cahill, Director
Division of Animal Health

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- i. Vote to approve request from the Conservation Commission to file for a MassWildlife Habitat Management Grant for Sandplain Grassland maintenance and expansion along with invasive plant control



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.i.

ITEM TITLE: Coonamessett Reservation: Improving connectivity of restored Sandplain Grassland habitat with upland forested habitats through a request for a MassWildlife Habitat Management Grant

MEETING DATE: 10/2/2023

WORK SESSION REGULAR MEETING PUBLIC HEARING

SUBMITTED BY: Mark Kasprzyk & Betsy Gladfelter

ATTACHMENTS:

PURPOSE:

For the Select Board to approve the Conservation Commission's request to file for a MassWildlife Habitat Management Grant for Sandplain Grassland maintenance and expansion along with invasive plant control.

BACKGROUND/SUMMARY:

- The Conservation Department has been actively managing the Coonamessett fields since 2000 with the express purpose of re-establishing native Sandplain Grassland habitat and controlling invasive plant species.
- During earlier years, the Town made strides through help from volunteers, DPW-Parks & Highways, the 300 Committee and AmeriCorps to mechanically remove invasive trees/shrubs and maintain re-created grassland habitat through biannual mowing events.

- In 2016, a MOU for the Mashpee National Wildlife Refuge was signed by the Towns of Falmouth & Mashpee, US Fish & Wildlife Service, MA Dept of Conservation & Recreation, MA Division of Fisheries & Wildlife, Falmouth Rod & Gun Club, Orenda Wildlife Land Trust and the Friends of the Mashpee National Wildlife Refuge.
- The MOU provided a mechanism for collaboration between groups (Federal, State, municipal, land trusts, tribal, private, etc.) within the Mashpee National Wildlife Refuge boundaries that have allowed projects that would not otherwise happen. Combining resources such as heavy equipment, expertise, permits already acquired by Federal/State agencies and going in on joint partnerships for grants have been some of the benefits. As a result, the grasslands were expanded considerably in 2018 through a US Fish & Wildlife and Team Rubicon clearing project.
- Mass Wildlife has awarded 3 grants to the Conservation Commission totaling over \$55,000 over the last two years: in 2022 for invasive plant control/grassland expansion & for a prescribed burn, in 2023 for invasive plant control. Mass Wildlife Habitat Management Grants do not require a Town match.
- The proposed project will expand our efforts by continuing targeted invasive plant eradication through herbicides (on 24 acres) and to adjacent acreage (an additional 3 acres), in three specific treatment areas. This will not only expand Sandplain Grassland habitat (1.1 acres) but also restore the Upland forested habitats, both Pitch Pine-Oak Upland Forest (1.5 acres) and White Pine Upland forest (0.5 acres).
- The connectivity of adjacent grassland and forested habitat at the specific site level will increase biodiversity at the edge zones; it will also improve connectivity at the regional level, to adjacent local and state conservation lands.
- We request a vote from the Select Board to authorize pursuit of the Mass Wildlife Grant and for the Town Manager to write a letter in support of the proposal.

DEPARTMENT RECOMMENDATION:

The Conservation Commission and Marine Environmental Services support this work.

OPTIONS:

Approval of the request to make application for a MassWildlife Habitat Management Grant is recommended.

Denial of the request will result in a lack of potential funding for the continued maintenance of Sandplain Grassland habitat and invasive plant species control.

BUDGET INFORMATION:

Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request to make application to MassWildlife for a Habitat Management Grant to improve connectivity of restored Sandplain Grassland habitat with the upland forested habitats of the Coonamessett Reservation, and to direct the Town Manager to write a letter of support for said grant.

Michael Renshaw

Town Manager

9/26/2023

Date

OPEN SESSION

MINUTES

1. Review and vote to approve minutes of meetings
 - a. Public Session – August 5, 2023; August 21, 2023; September 11, 2023

October 2, 2023

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
SATURDAY, AUGUST 5, 2023 – 9:00 A.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

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

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

1. Call to Order by Chair Taylor at 9:00 a.m.

BUSINESS

2. Request for amendment to Special One-Day Wine & Malt Liquor License - Luke Vose, Crooked Coast – Coast Fest – Bandshell/Marina Park – Saturday, 8/5/23

Mr. Renshaw reported the Falmouth Police Department (FPD) looked at the amended plan. The applicant has a license and is asking for modification to allow the entire venue be considered the gates. FPD found it more than adequate security and has no objections.

Mr. Vose stated that all servers are TIPS certified.

Mr. Brown commented this is a similar set up for other similar events in the past.

Mr. Mascali said the way it was set up last year was problematic and made it difficult for patrons to enjoy themselves because they were in a confined area.

Chair Taylor is concerned that the request came in the day of the event.

Mr. Mascali made a motion to approve. Mr. Zylinski second the motion. Vote: Yes-5. No-0.

STRATEGIC PLANNING WORKSHOP

3. Review 2023-2027 Strategic Plan and Priorities

The most recent plan was approved in October 2022. The Select Board would like to look at the priorities and determine if they are appropriate at this time.

Chair Taylor toured the FPD facilities yesterday with the Police Chief. The condition of the building is disgraceful; the rugs and flooring need to go. She would like to look at the potential of a new building; it needs to be a priority and identified in the strategic plan. She would like a feasibility study done and would also like to appoint a building committee in November 2023.

Mr. Zylinski has seen the condition of the building, he called Senator Moran who is available to assist however possible to assist the Town in securing funding for this project.

Mr. Brown suggested the Select Board consider relocating the building towards Gifford Street or the Falmouth High School.

Mr. Renshaw reported they are looking at alternate sites. There are immediate needs, such as windows. Greg Endicott reported the roof is okay, but rain gets in through the windows, they will do air quality testing, and noted that bricks and mortar pointing needs to be addressed to prevent water intrusion. They will get some quotes and take it to November Town Meeting for funding. \$1.4 million is approved for renovation. and will seek authority to use some of that funding for these projects.

They discussed another location to do their work while the building is fixed. Chief Lourie has experience using trailers for temporary relocating.

Mr. Johnson-Staub said there are plans for an interior renovation, \$1.4 million was approved to carry out that plan, it is the Chief's position that is not the best use of the funds. We need to look at a different facility and need to take care of the health and safety issues to make the existing facility useable and do a feasibility study for short-term and long-term plans to address the building. The article approved by Town Meeting was written broadly for improvements to the station, this is different than the narrative given to the public at the time of seeking the funding. Given this, it is appropriate to go back to Town Meeting regarding any changes in the plan approved.

Mr. Zylinski asked for a PowerPoint presentation at Town Meeting to show the issues to Town Meeting Members.

Mr. Mascali suggested looking at what might go there if there is a new building for FPD, noting that area is a choke point and crowded. It would be a good statement to the staff that the Select Board supports a better working environment for them.

Mr. Brown would like the community policing concept in village association meetings. Chair Taylor feels that is a good idea but would have to come from the FPD Chief.

Mr. Renshaw noted that this may be a goal appropriately under Community Engagement; the Select Board was supportive of that change. Mr. Mascali suggested a link on the Town website for village associations' contact information.

Affordable Housing:

The Select Board discussed keeping the topic broad by calling it just "Housing" because there are a number of types of housing, it is not just affordable housing, but also workforce and attainable housing.

Mr. Renshaw suggested engaging the departments when coming up with definitions, he and Mr. Johnson-Staub will work on that definition.

Mr. Brown requested an action item to add to the Housing line: he would like to consider supporting the residential deed restriction and a real estate transfer fee.

The Select Board discussed if there is any way they can assist the Falmouth Housing Authority because there are units that are out of service or vacant. Chair Taylor suggested this as a future meeting agenda item.

Energy and Water Conservation and Sustainability:

Mr. Brown wants to add solar panels at wastewater treatment facility and to tie into where the wind turbines were. Chair Taylor suggested under consideration and not as a directive.

Mr. Johnson-Staub reported that there have been two rounds of interviews for the Sustainability Coordinator position and there are strong candidates. They are now conducting reference checks and hope to bring a candidate forward for appointment in a couple weeks.

Mr. Brown wants a program to replace wasteful toilets--suggested a tax rate or purchase of a fleet of toilets to be provided to property owners, would then pay a plumber to install. Incentivize people to replace their toilets. Chair Taylor said this is an idea to pass to the Town Manager.

Mr. Johnson-Staub noted the initiative was debated at Town meeting; there was an equity concern by folks who use Town potable water to irrigate, so those on the sewer system should not be charged a fee for water not going into the sewer system. Counter argument is to not have people use potable water to water lawns. We are approaching limits of our water potable system. Water conservation while developing properties, we need to start looking at water conservation as part of development. This would be an item appropriate to go to the Sustainability Coordinator.

Mr. Brown noted no one is taking responsibility for our fresh water ponds, they are falling into disrepair quickly, over vegetated, and an initiative is needed. Mr. Zylinski asked if at certain point would it be appropriate to own our own equipment to take care of vegetation in the ponds. Mr. Brown suggested renting the equipment for a couple more piloting projects. Mr. Mascali suggested it would be a good message to the community that the Select Board is considering renewable energy.

Mr. Brown asked what support system will the Sustainability Coordinator have available to them? Mr. Johnson-Staub noted the position reports to the Assistant Town Manager and it is a highly collaborative position.

Chair Taylor asked that the specific items, ideas, and suggestions noted by the Select Board members are recorded in the record.

Financial and Economic Stability:

Mr. Brown asked that the Covid-19 language be removed. Since the Covid-19 money has been disbursed, Chair Taylor agreed.

Mr. Renshaw noted mentioning efforts regarding water rates and the good job done by staff to keep the rates where they are at. An Enterprise Fund may be appropriate for the Water Department, and Mr. Renshaw said the Finance Department needs to be more engaged with this plan. Broad goal would include creation of the Enterprise Fund.

Mr. Mascali would like to look into ways to make the tax lien process more efficient.

Health and Public Safety:

Add police station.

Mr. Brown would like to add an ambulance bay to the West Falmouth Fire Station (West), noting that there is space for an ambulance bay if a tree is removed, and the building is still livable. Mr. Zylinski agrees with Mr. Brown. There is a low response rate in West Falmouth because there is no ambulance for medical calls.

Ms. Scott Price suggested using language to explore the idea. Mr. Johnson-Staub noted the idea has been thrown around, depending on your assumptions of moving a large tree.

Chair Taylor noted the policy of the Select Board was to commit to staffing six stations and it is reasonable to add in the ambulance.

Management of Coastal Natural Resources and Infrastructure:

Mr. Brown noted that he would like a big picture focus and suggested thinking big about coastal resiliency and the need for a "dream" list including a barrier reef from Nobska to Falmouth Harbor and elevation of coastal roads. Chair Taylor cautioned the need to be careful if/when we hire, we are not committing to another position. Mr. Brown said if they hire a coastal resiliency person, it should be part of the Department of Public Works (DPW) and a professional management assignment within staff operations.

Mr. Renshaw said that pond maintenance is more appropriate under Natural Resources v. Energy and Conservation.

Mr. Brown would like to continue efforts to coastal resiliency.

The Cape Cod Commission has a low lying roads project, we may be able to get a chance.

Organizational Effectiveness and Community Engagement:

Mr. Mascali said there is a need for the Transportation Committee to be up and running again. Reinvigorate the committee to help the Town move forward. Chair Taylor said this can be sent to the Town Manager.

Mr. Renshaw would like to have in this category how effective management is working with governing body to maintain the buildings. Add goal under organization effectiveness to conduct facilities condition evaluations in fiscal year 2025 to include cost estimates to get those buildings up to standard-repair/replacement. Then connect the results of the study to a 10-year improvement plan.

Mr. Renshaw said the community policing idea by Mr. Brown would go in this section. Assign a Falmouth Police Department officer to work with villages. Mr. Renshaw would recommend this if it were a Community Engagement piece.

Mr. Mascali would like to see the Wastewater Management Committee meet at a time when it does not bump up against Select Board meetings.

Mr. Brown suggested adding additional funding for Falmouth Community Television coverage of meetings.

4. Strategic Planning Process Discussion

Mr. Renshaw's goal is to immerse and plug department heads into the plan. He will work with departments and create specific metrics to tie into policy goals. He will work with department heads to create objectives. The Town is lacking a management tool, it is an important next step. What gets measured, gets done. Over the next 2-3 months, Mr. Renshaw would like to get multiple objectives under each of the Select Board's goals, listing those, and moving them forward at November Town meeting and post it on the Town website. This cloud-based database could be updated quarterly and would be the responsibility of the departments. The software would also allow tracking of capital projects. Mr. Renshaw will work with Mr. Johnson-Staub. This is a November Town Meeting effort, and there will be other things as well, including financial management systems.

Mr. Renshaw presented Ft. Lauderdale, Florida's online dashboard for the public facing side of the tool; interface with staff has more boxes and fields. The system used green, yellow, and red colors to indicate the status of the objectives. Chair Taylor cautioned that when red appears, there may be legitimate reasons why the goal is not attained and suggested being careful and making sure there are places for explanations.

5. Review Plan Updates

Mr. Brown would like to hear if there have been any updates that are in the strategic plan.

Mr. Johnson-Staub explained that even though there has been transition at the top leadership level in Town, they have had full departments staff working throughout the transition.

Chair Taylor appreciates the updates, people are paying attention to the strategic plan and its importance.

The Select Board will get a draft and vote it. They will look at it quarterly because they will get updates from departments that will prompt their review.

Mr. Zylinski asked if there would be immediate funding to institute this software sooner and this was discussed, because the sooner this could happen, the better. The bigger challenge will be taking the Select Board's goals and working with staff on actionable items.

There is not a huge up-front cost, this will be an annual cost, because it is a service; they will be going to Town Meeting for the money, and it will become part of the ongoing budget.

Chair Taylor noted one piece to look at is how employees are evaluated: more about the system and tools we have or don't have. It's part of organizational effectiveness.

We do not have a strong evaluation instrument now, a new Human Resource Management System, will allow with recruiting and evaluations. The Human Resource Director, Mr. Johnson-Staub, and Mr. Renshaw will put something together. Mr. Renshaw said that punctuality and sick leave use are important, but what is more important are the performance reviews tied to the strategic plan, mission, vision statement, and core values. Making sure employees understand the core values and include the departments in creating those core values. Mr. Renshaw has asked department heads to talk with their staff about core values.

Mr. Renshaw showed the Select Board a card that he has with him which includes the set of core values; he provided this to new employees in his past position so that they felt like part of the organization.

Chair Taylor noted the importance of customer service.

Remote work: Mr. Johnson-Staub said it is coming slowly which was expected. A handful of employees are working remotely, about 1-2% working remotely.

Remote work at home allows 1-2 days a week working from home all day, and if hourly then a schedule is structured. Mr. Brown asked about a log-in feature to compensate through the computer--log in so they can do work.

Mr. Renshaw wants to look at alternate work schedules, additional benefits, like a four ten-hour shift per week type schedule; balance is making sure all departments have an opportunity and continue to serve the community.

6. Adjourn

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

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

Mr. Brown sought clarification on legalities regarding the easement, such as ownership questions. Associate Town Counsel Brian Tobin offered information regarding the owners of the private way and the rights the easement provided to the Town.

Mr. Mascali suggested to Atty. Tobin that the letter from Mr. Terry also be signed by the LLC. Atty. Tobin said he appreciated the suggestions, also saying that there are additional documents that are part of the package, especially those certifying the authority of the manager of the LLC to represent it.

Chair Taylor noted the recommendation of the water division to accept the easement.

Motion by Mr. Zylinski: To accept the water main easement for the condominium project at 213 North Falmouth Highway Second: Mr. Mascali Vote: Yes – 5 No – 0

Mr. Reghitto thanked Mr. Solimando for the donation of \$2,000 for the water main pipe that would be taken up later in the meeting under the Consent Agenda.

Discuss the 2023-2027 Strategic Plan Status Report

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 2 – Discuss the 2023-2027 Strategic Plan Status Report* in the Select Board packet. He summarized the main points of the plan adopted on October 24, 2022, as well as the recent discussion of the Board which focused on the police station. He said as a result of that discussion, an updated plan would be presented to the Board at an upcoming meeting. No action was required on this item.

Chair Taylor noted the prioritizing of the police department facility at the August 5 discussion.

Vote to approve Select Board support for the Resilient Woods Hole Walking Trail Project

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 3 – Vote to approve Select Board support for the Resilient Woods Hole Walking Trail Project* in the Select Board packet. He provided details of the signage, locations, purpose, and funding. He also announced a community workshop to be held on August 29 by Resilient Woods Hole to learn more about it. He recommended approval. In answer to a question from Chair Taylor, he said he has received no negative feedback on this project.

Mr. Brown asked about the materials for the posts. Mr. Johnson-Staub said it would be a wood product that will naturally age, not plastic. Mr. Renshaw confirmed that 3 of the 12 sites are Town owned.

Motion by Mr. Zylinski: To approve the Select Board support for the Resilient Woods Hole Walking Trail Project Second: Ms. Scott Price Vote: Yes – 5 No – 0

Application for 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)

Mr. Renshaw said that this item was tabled from the August 7 meeting, and he was expecting the applicant to be present tonight. Mr. Brown said that it is only the last 4 years out of the past 12 that the tent has been in the parking lot, which covers the time of the complaints. Chair Taylor expressed concern that the applicant or a representative was not present, especially in light of recent issues of noise at the Bandshell. Mr. Zylinski asked to table the item so he could ask questions of the applicant, citing feedback he has received from boatowners and users of the marina of disruption during the weekend of the event. Mr. Brown suggested tabling the item until after 7:00 to give the applicant an opportunity to get to the meeting. Chair Taylor said she would table the item, and if no one showed up, the Board would have to take a vote to take it up again.

Vote to adopt the FY25 Operating Budget Policy

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 5 – Vote to adopt the FY25 Operating Budget Policy* in the Select Board packet. He recommended approval of the policy.

Chair Taylor asked if there were changes from the previous policy. Mr. Johnson-Staub said there were updates, including simplified language to reflect current practices reinforcing workshops to inform budget priorities, and the Board's clarification in the fiscal policy of how it was treating rental rooms' excise tax going forward. He said this policy reflects those updates.

Mr. Brown asked about the one-sixth of the total revenue, and how that fits in with the \$4M funding plan for the FAHF. Mr. Johnson-Staub said that the balance in the FAHF was over \$7M at this time, and said there were replenishing appropriations coming up in November should the fund go below \$4M due to projects in the pipeline. He said he would look up the fiscal policy to ascertain if anything was in writing regarding the housing fund and its balance. He said it was not in the operating budget policy.

Motion by Mr. Zylinski: To adopt the FY25 Operating Budget Policy
Vote: Yes – 5 No - 0

Second: Ms. Scott Price

Vote to reverse the All Alcoholic Beverages Restaurant License from Peppercorn Restaurant LLC to Olive Restaurants, Inc. d/b/a Shiverick's Café and Bar at 285 Main Street

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 6 – Vote to reverse the All Alcoholic Beverages Restaurant License from Peppercorn Restaurant LLC to Olive Restaurants, Inc. d/b/a Shiverick's Café and Bar at 285 Main Street* in the Select Board packet. The review included the chronology of the situation. His recommendation, based upon the fact that the sale of the establishment did not materialize, was approval of the reversal of the license.

Chair Taylor asked why the Board would have approved a license prior to the sale going through. Mr. Zylinski said he believed he would have asked about that at the time also. Mr. Brown suggested that for a sale of a business, there may have been a contingency regarding license approval. Mr. Renshaw said that he would check the details of that 7/18 action. Mr. Mascali then questioned the use of the word "reverse" in the request for a vote. He sought clarification that the request was to approve the license going back to Olive Restaurants. Mr. Renshaw said that the word reversal may not have been the best word to use, and that the current vote would, basically, undo the action that the Board had taken on July 18 because the expected sale did not materialize. He said this current action would assure that Shiverick's Café and Bar can continue to purchase what they need to operate their establishment.

Motion by Ms. Scott Price: To approve the reversal of the All Alcoholic Beverages Restaurant License from Peppercorn Restaurant LLC to Olive Restaurants, Inc. d/b/a Shiverick's Café and Bar as presented
Second: Mr. Zylinski **Vote: Yes – 5 No - 0**

At this point, Chair Taylor skipped back to the previous item: *Application for 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)*

Chris Megan, owner of On the Water, LLC, was now present to answer questions. He first passed out printed materials to each Board member, Mr. Renshaw, and Mr. Johnson-Staub. He then said this was his 12th or 13th year at Marina Park with Striper Fest and understood there was a concern about tenting and parking. Using a map in the print materials, he described the weekend event, including when set-up began, when and where the various sections were set up, when the street was open and when closed, and how access to boats was affected. He said the shoulder season was a good time for the event due to less charter boat use and traffic, among other things. He said in the past, there were never issues reported by Gregg Fraser. He said they have used drone cameras to monitor boat spaces at Town docks. He said the road is open until around midnight Friday night.

Mr. Brown said that the primary concern is not about the charter boat area, but that people cannot find a place to park. Mr. Megan showed on the map where parking was available. Mr. Zylinski said that he had received a complaint 22 minutes before the meeting, and the issue involves slip owners rather than charter boats. He said the whole parking lot area is taken over for the whole weekend, which Mr. Megan disagreed with. Mr. Zylinski said he would talk with Mr. Fraser. Mr. Megan then explained the process he has gone through with dates of the working group meetings dealing with this event, saying that there had never been concerns raised at those times, and that across the board, there was agreement that this is a well-run event. Based upon that, he said, he was not expecting this problem. Mr. Brown then explained that for the past few years, he would begin receiving calls at the start of the weekend event due to the lack of parking, and that the event takes over the whole area. He said no matter how well the event is run, it doesn't change the lack of parking that results. Mr. Megan then mentioned 2 buses from the Lawrence School, Island Queen parking, and multi-thousand-dollar donations to Wings over the past three years.

He said for the Road Race you can't park within 2 miles and that is in the middle of the summer. He said that if there have been complaints for the past 3 years, they were not voiced in the working group meeting in February.

Mr. Johnson-Staub clarified the history of the working group action regarding any complaints, which had concerned mostly slip owner access, and that charter boat access had not come before the working group. He said that now the issue was saturation of the parking area generally due to the event's taking over the area. Mr. Megan said that the area in question is down by the Flying Bridge and working with Mr. Fraser's office would be a possible way to manage that.

There followed a discussion regarding options for how to mitigate the loss of parking spaces, which Mr. Megan estimated at 20-24. He said event attendance is mostly through registration, the high point in 2021 with 5,800. He said reconfiguring the tent might work for 2024, but that at this point, partner/vendor contracts were set based upon existing plans. He said he was prepared for a Consent Agenda item. He said his event tries to use the Lawrence School for vendors, although some park in the grassed area on site. He said it might be possible, though difficult, to arrange for slip owners' guests to sign up in advance to get a parking place, although weather would prove to be a factor. Mr. Zylinski said that slip owners often have guests on their boats and asked that consideration be given to that need for parking space moving forward. Mr. Megan again said he was unprepared for these concerns at this late date. Mr. Brown conceded that these concerns should have been addressed in the working group and request for change now is not practical.

Motion by Mr. Mascali: To approve the application for 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)
Second: Ms. Scott Price Vote: Yes – 5 No - 0

Mr. Megan said in the future, he would be happy to address concerns during the course of the year. Mr. Brown asked what concerns were addressed when identified in 2020. Mr. Megan said that, knowing many people on the list of five or six he "literally walked across the street," reaching out to as many as he could. He said the main concern was that they had access to their boats. He said he had a detail monitoring the situation, and described how access was kept open all the way.

CONSENT AGENDA

Licenses

- a. Application for a Common Victualler License – The Portuguese – 424 East Falmouth Highway, Unit B101, East Falmouth

Administrative Orders

- b. Request from Recreation Department to spend \$2,000 from the Falmouth Road Race Donation for the Community Center Playground for the Sound Study for the Trotting Park Pickleball Complex (Mr. Mascali asked if the amount was for the entire study. Mr. Johnson-Staub said that it is the entire cost of the work before construction.)
- c. Accept donation of excess water main pipe valued at approximately \$2,000 from Michael Solimando to the Water Department
- d. Approve withdrawal from the Beach Donations Account in the amount of \$500.00 for the Dr. David Garber "Dare to be Great" award to be given to a lifeguard during the annual banquet

Motion by Ms. Scott Price: To approve the Consent Agenda items Second: Mr. Zylinski.
Vote: Yes – 5 No - 0

MINUTES

Review and Vote to Approve Minutes of Meetings

- a. Public Session – March 27, 2023

Motion by Ms. Scott Price: To approve the minutes of March 27, 2023 Second: Mr. Zylinski
Vote: Yes – 5 No - 0

TOWN MANAGER'S SUPPLEMENTAL REPORT

Select Board Open Meeting Minutes of August 21, 2023

Mr. Renshaw orally reviewed his report to the Board, referring to the document entitled *Supplemental Report*, dated August 21, 2023, in the Select Board packet. It included information regarding the capital budget, recently attended meetings, and upcoming Select Board meetings through early November.

Mr. Renshaw took care to address an incident brought up earlier in this current Select Board meeting under "Recognition" regarding an August 9 meeting held in Davisville concerning a housing project there. He stressed the importance of treating all people with civility at such meetings, which are designed to gather community input. Further, he noted with dismay the poor, uncivil behavior a small number of residents displayed toward a Town staff member, Housing Coordinator Kim Fish, two days following the 8/9 meeting during her private time away from work, such as at the supermarket or at the beach. He said that staff are required to carry out the Strategic Plan priorities as directed by the Select Board, housing being the most important Strategic Plan priority, he said. He also stressed that he wants community members to contact him directly if they have any issues to air. Mr. Renshaw praised Ms. Fish, saying she is an asset to the Town.

Chair Taylor agreed wholeheartedly.

SELECT BOARD REPORTS

Mr. Zylinski reported on the following:

- Announced that the Blue Star dedication will be on Wednesday at 11:00 a.m. at the Museum on the Green, and he encourages everyone to attend.

Chair Taylor reported on the following:

- She and Mike Renshaw met with the Steamship Authority. It started out as a meet and greet, but they did discuss a couple of issues. Peter Jeffrey, Falmouth Representative on the Steamship Authority Board of Governors, will be helpful with communication between Steamship Authority and the Select Board.
- Today is National Fentanyl Prevention and Awareness Day. It is a day of coordinated response from the fentanyl awareness organization and affected families sharing their lived experiences as part of a whole group in warning and informing our youth and public and the unsuspecting. The national day of observance is on August 21.

DISCUSSION OF FUTURE AGENDA ITEMS

- Mr. Mascali – Requested an update from the Municipal Light Board to hear what they are working on now and plans for the future. Chair Taylor stated that the Municipal Light Board is just getting started, and Mike Renshaw will let the Select Board know when the Municipal Light Board is prepared to give a report.

ADJOURN

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

Respectfully submitted,
Carole Sutherland, Recording Secretary

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes - DRAFT
MONDAY, SEPTEMBER 11, 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; Edwin (Scott) Zylinski II, Vice-Chair; Douglas C. Brown; Robert P. Mascali

Absent: Onjalé Scott Price

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Maura O'Keefe, Town Counsel

OPEN SESSION

Call to Order: By Chair Nancy Taylor at 6:00 p.m.

EXECUTIVE SESSION

Chair Taylor called for a motion to go into Executive Session to conduct contract negotiations with non-union personnel (Town Manager) - M.G.L. c. 30A s. 21(a)(2).

Motion by Mr. Zylinski: So moved Second: Mr. Mascali Vote: Yes – 4 No - 0

Chair Taylor said the Board would return to Public Session.

OPEN SESSION

Before the Call to Order, Town Manager Mike Renshaw announced that an overflow area had been set up for meeting attendees who were unable to be seated. He said if those present were there to comment on the Emerald property, that the item was for a staff report, that no formal action was planned for this item, and no public comment would be taken at this meeting. Assistant Town Manager Peter Johnson-Staub said attendees in the overflow area would be able to view the meeting but not participate, which complies with the Open Meeting law. He accompanied those attendees to the overflow area.

Call to Order: Chair Taylor called to order the Open Session of the meeting at 6:32.

Pledge of Allegiance: Led by Select Board

Proclamations: None

Recognitions:

Chair Taylor asked for a moment of silence to recognize September 11 and the incidence of terrorism 22 years ago, remembering all victims and first responders who perished in this awful attack.

Mr. Brown recognized the Fire and Rescue Department for the well-done service earlier today.

Announcements:

Chair Taylor announced 2 changes to the agenda: 1) Business item #12 – Tabled: 2) Business item #14 – Re-scheduled

Mr. Zylinski announced that FCTV would be moving its government channel to Channel 9 beginning on 9/21.

Public Comment

Richard Dube, Blacksmith Shop Rd. – said he met with Mr. Renshaw and complimented him – said he had emailed the finance committee questioning the approved \$86,000 in 2021 for rifle replacement when the actual cost was \$48,000 but has received no answer about the process regarding capital expenditures – questioned the \$118,000

projected cost to replace pistons – questioned how the previous police chief could have allowed the police headquarters to crumble and decay into a health hazard, contrasting this situation with all the funding for pickleball – said he sees these examples as weaknesses and defects in town governance.

Dr. Augustin Moreira-Saporiti – said he is here to speak in support of affordable housing and to make it more accessible for year-round residents – said he is from Spain and a researcher at MBL – said many international scientists come to the Cape to work, but the current housing conditions make it an extremely unwelcoming environment for him and others like him to come to this town – said it places him at risk to be homeless – said the focus on seasonal rather than year-round housing drives away scientists – urged the Board to consider the housing crisis one of its top priorities.

PUBLIC HEARINGS

Shade Tree Hearing – on application of Alex Zelfond for the removal of one (1) Sugar Maple tree at 259 Old Main Road, North Falmouth

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Hearings 1 - Shade Tree Hearing – on application of Alex Zelfond for the removal of one (1) Sugar Maple tree at 259 Old Main Road, North Falmouth* in the Select Board packet. Mr. Renshaw said it was the DPW/Parks and Forestry Division's and his recommendation to remove the tree with the condition that the cost of removal be borne by the owner, and that a suitable replacement tree be planted under the direction of the tree warden.

Mr. Zylinski read out the hearing notice.

Tree Warden Jeremiah Pearson explained the need for the removal of the tree at 259 Old Main Rd. Mr. Brown ascertained the size of the replacement tree.

Public comment: None

Motion by Mr. Zylinski: To close the hearing Second: Mr. Mascali Vote: Yes – 4 No – 0

The Board noted that there was no correspondence in opposition to the application.

Motion by Mr. Brown: To approve the removal of the shade tree at 259 Old Main Rd., North Falmouth
Second: Mr. Zylinski Vote: Yes – 4 No - 0

Shade Tree Hearing – on application of Sandra Rothchild for the removal of one (1) Eastern Red Cedar tree at 196 Elm Road, Falmouth

Mr. Zylinski read out the hearing notice.

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Hearings 2 - Shade Tree Hearing – on application of Sandra Rothchild for the removal of one (1) Eastern Red Cedar tree at 196 Elm Road, Falmouth* in the Select Board packet. DPW/Parks and Forestry Division recommends removal of the tree due to safety concerns. Mr. Renshaw recommends removal at Town expense.

The tree warden explained the need for removal.

Public comment:

Fritz Bosch – said he lives in the area – said it's not a sugar maple or oak, rather, it's a unique species – said he's been part of the scientific community for 50 years – said the tree can be trimmed – said it's very old and unique to the Cape Cod area – said there is a small grove in Marshfield – said Elm Rd. is blessed to have it – said it is an Eastern Red Cedar and looks like a redwood – said he would not make an issue of it if it were a sugar maple.

Sandy Rothchild, 196 Elm Road – has lived at this address for 25-30 years - said now it's a dangerous situation to come out of the driveway to turn left – said there have been a couple of near misses – said she appreciates what the previous speaker said – said she has grandchildren who drive who tell her how dangerous her driveway is.

Mr. Pearson said the tree is native to Cape Cod and not a rare species. Mr. Zylinski asked if the tree creates a safety hazard regarding sight lines. Mr. Pearson said yes. Mr. Zylinski also asked about transplanting, which Mr. Pearson said was not possible. Mr. Mascali asked about trimming. Mr. Pearson said they've done what they could for the past 5-6 years and have avoided removal up to this point.

Motion by Mr. Zylinski: To close the hearing Second: Mr. Mascali Vote: Yes – 4 No – 0

Mr. Brown said that as much as he is reluctant to remove a tree, safety concerns make it necessary. Mr. Zylinski noted that this has been a recurring yearly issue and he is unwilling to wait for a fatality or injury when a safety issue has been identified.

Motion by Mr. Zylinski: To remove the tree at 196 Elm Rd. for safety concerns as described by the tree warden Second: Mr. Brown Vote: Yes – 4 No - 0

BUSINESS

Vote to accept an easement granted to the Conservation Commission for wetland restoration of the Upper Coonamessett bogs.

Mr. Renshaw orally reviewed the item for the Board, referring to the document intitled *Agenda Item Summary Sheet*, Item number and title: *Business 1 – Vote to accept an easement granted to the Conservation Commission for wetland restoration of the Upper Coonamessett bogs* in the Select Board packet. Mr. Renshaw recommended approval.

Mr. Mascali asked why the easement lasts only 10 years. Mark Kasperczyk, Falmouth Conservation Land Manager, said the owner of the property requested 10 years. He also said he didn't think it would be an issue once the wetland restoration was complete.

Motion by Mr. Zylinski: To accept an easement granted to the Conservation Commission for wetlands restoration of the Upper Coonamessett bogs as described by the Town Manager in his presentation
Second: Mr. Mascali Vote: Yes – 4 No – 0

Emerald Properties Update

Chair Taylor said there would be no public comment on this item because the presentation was primarily around the comments received by Ms. Fish and Mr. Cornock.

Mr. Renshaw orally introduced the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 2 – Emerald Properties Project-Summary of Civic Engagement Program* in the Select Board packet. He said the summary encompassed over 2 months of comment and data collection.

Housing Coordinator Kim Fish introduced the presentation entitled *Emerald Properties Project-Affordable Housing, Accessible Recreation, Historic Preservation*, by narrating approximately 7 screens summarizing the collected data, which included a review of the history of the project, an overview of the civic engagement program, a summary of input provided at meetings, a categorizing of comments, and input at the 8/9/23 public meeting. Town Planner Jed Cornock then summarized and explained the input gathered from the project website and emails, referring to graphs and charts presented on approximately 12 screens. The final portion of the presentation focused on remaining questions, options for action, and next steps. The recommendation from the Planning Department is for more time for staff to work on a compromise development scheme that takes into account the collected data.

Chair Taylor said she very much liked the questions in the survey and said that no matter what, the issue will go back to Town Meeting for a vote.

Mr. Brown asked what the closing date was for the input. Mr. Cornock said they closed the survey and emails on August 18. Chair Taylor said the Board has received many emails since that time.

Mr. Zylinski commented that he felt it was prudent at this time to pull the project and redevelop it. He said there are too many things that need to be addressed making it too soon to come up with options. He said the numbers of interested people who provided input show that we're going in the wrong direction, and that it's not the right project for this location. He commended the work done by staff on this project and the gathering of information.

Mr. Mascali asked how the survey was developed (a combination of consultants and in-house staff) and what a smaller-scaled project would look like. Ms. Fish said it would be fewer than 44 bedrooms. She said it would be a significant scale-down, taking into account ownership vs. rental and feasibility for a developer. She said they would have to go back to the drawing board, understanding that the project, in the end, might not work.

Mr. Brown said that scaling down the playground would risk ruining it. He said that he would not want to revisit that and thought it best to waste no more time and effort on this project at this location. Mr. Zylinski commended all survey respondents and emailers, saying that their comments showed they were willing and committed. He asked for their continued interest and input to help with ideas for good projects to meet the goals of the housing plan.

Chair Taylor reiterated that the purpose of the presentation was to seek guidance for how to proceed. She said, based upon Board comment, that it was time to table this idea for this particular place and this property. Mr. Mascali said he didn't necessarily agree. He noted the time and effort put into the project already and said he would like to see if the questions regarding the identified issues such as wastewater, safety, density, and traffic could be answered in agreement with the comments received. He said he would like to pursue a smaller scale and look at addressing those problems and didn't think the Board should pass on this property. Mr. Zylinski said staff is limited and that other projects fit into the housing plan better, projects that will re-vitalize the area, and that it would be better to push those projects. He said the Emerald property project is too far off and that there are better opportunities elsewhere in Town, such as the Kimco project.

Chair Taylor spoke to the idea of putting Town energy behind the Kimco project to revitalize that area of Town. She said she heard Mr. Mascali's concerns about needing workforce housing and not stopping the Emerald project. She also said she would like to see the Town's energy in other directions.

Mr. Brown said he would like to search for other town-owned parcels to see what areas might be more practical for development. Supporting that idea, Chair Taylor referred to an email that provided a link showing all addresses of town-owned properties. She acknowledged the time and energy that staff had invested in this concept, saying she wouldn't be against a smaller project, but at the same time, saying she would like to see the Town's energy and capacity pushed toward a project like Kimco, right in the center of Town, in a place that needs revitalization.

Mr. Brown said that the play space project was short-circuited due to the housing proposal on the property. He said that the Town should find a spot right away for that project or look into continuing with the play space only on Parcel #81. Ms. Fish said that that idea was included in Option #1, with the playground on either #81 or #67, keeping in mind the preference to locate it close to the road. She thanked the public for all the interest and comments provided.

Chair Taylor said the Board needed to be clear on its guidance for staff going forward. There was further brief input from members on what that guidance would entail. Mr. Mascali said he would vote against a motion that didn't include exploring other ways of building housing on the Emerald property, taking into account identified concerns.

Motion by Mr. Zylinski: To direct staff to explore Option #1 with no affordable housing, to build the accessible play space on Parcel #81, and to continue to look for alternatives for the play space on Town-owned property, if a more effective space is available
Second: Mr. Brown

At this point, the Board continued to attempt to clarify exactly what the guidance for forward action of this project would be. There was divergent opinion on whether or not to stop exploring a form of housing on Parcel #81.

Comment from this portion of the discussion appears below:

- A possible partnership with the Falmouth Housing Trust, the Falmouth Housing Authority, or the Falmouth Housing Corp. (Procurement law would require going out to bid.)
- Concern that staff would have too many directions to fulfill.
- Possibility of hiring additional staff to help with housing issues.
- Possibility of tabling the housing portion of the Emerald project for now, and whether or not to impose a time frame on the tabled issue.
- The need to answer the questions posed in the presentation regarding the housing portion of the project before stopping it.
- Tabling the housing portion means that staff would still have to explore a possible scaled-back project and seek answers to the identified questions.
- The need to get the play space portion of the project on track.

- The difficulty of finding a large enough area for the accessible play space.

At this point, Mr. Zylinski asked if Mr. Brown was withdrawing his second on the motion that was made. Mr. Brown said yes. He said that if the Board is going to table the two parcels, he still wants to get moving on the play space. Chair Taylor then asked Mr. Brown if he wanted to make that into guidance for the Town Planner and Housing Coordinator.

Mr. Brown said Option 1 with a parallel path of examining a more viable place, a more expedited location for the 3-acre play space. Chair Taylor clarified that it would be tabling affordable housing on the Emerald property at this time and moving forward with the play space.

Mr. Renshaw then suggested the Board direct the Town Manager's office to create a working group to look at the Town-owned parcel inventory, bring a recommendation over the next 4-5 months for the play space, and put a hold on, or table, affordable housing on Parcels 81 and 67. He said this would create the capacity to examine issues identified with the two parcels. Chair Taylor asked if that was agreeable to the Board. She thanked Ms. Fish and Mr. Cornock for their hard work.

Discuss the Investigatory Powers of the Select Board

Chair Taylor said that she asked Town Counsel Maura O'Keefe to define Section C3-5 of the Town Charter and to describe the process for C3-5.

Town Counsel O'Keefe said it is common to find this provision regarding investigative powers in town charters, but stressed that it is rarely used, and that Select Boards must exercise great caution in using it and only in extreme situations. She said there are other tools Boards can use to get information they need and must be careful not to infringe upon the substantive rights of others if using it. She summarized ways Boards can acquire information from other Town entities or employees. She reiterated that investigatory powers are to be used only as a last resort.

Mr. Zylinski asked Attorney O'Keefe more specifically how the process for using investigatory powers would be initiated rather than why. What is the set of rules we would use in an extreme case? Atty. O'Keefe said that the charter says nothing about the mechanics of the process, but that the rules of civil procedure and case law would be used as guidance.

Vote to approve the use of AFCEE Nutrient Management Grant Funds for the Outfall Project

Mr. Renshaw orally reviewed the item for the Board, referring to the document intitled *Agenda Item Summary Sheet*, Item number and title: *Business 4 – Approval of use of AFCEE Nutrient Management Grant Funds for the Outfall Project* in the Select Board packet. He recommended approval in the amount of \$550,000 to offset the costs associated with the outfall project.

Mr. Brown said the AFCEE funds were originally intended to mitigate East Falmouth remediation issues, so he advised making sure that the funds are appropriately used. Amy Lowell, Wastewater Superintendent, said that originally, the funds were for mitigation for the Ashumet Valley plume from the wastewater treatment plant there, benefitting Great, Green, and Bourne Ponds. She said over time, the funds have been interpreted to be used for nutrient mitigation purposes, predominantly in the East Falmouth watershed, but not entirely. She said this project benefits the entire town, but the next several phases of projects are for the south coast watersheds that are directly involved with the original AFCEE mitigation service area.

Motion by Mr. Brown: To approve the use of AFCEE Nutrient Management Grant funds for the Outfall Project in the amount of \$550,000 Second: Mr. Zylinski Vote: Yes – 4 No - 0

Council on Aging

Mr. Renshaw orally reviewed the item for the Board, referring to the document intitled *Agenda Item Summary Sheet*, Item number and title: *Business 5 – Report-Council on Aging* in the Select Board packet.

Brenda Swain, Chair, began by introducing the Council on Aging members. She and Jill Bishop, Director of the Senior Center, presented information contained on approximately 9 screens, including the following topics:

members, volunteers, service statistics, service and program updates, outreach updates, comparing of data with other towns, comparing of old vs. new senior center data, and upcoming events.

Mr. Mascali commented that, according to the information provided in the report, the Senior Center has 50% of the senior population in Town signed up as members.

Report – State of the Steamship Authority – Peter Jeffrey, Falmouth Member, Board of Governors

Mr. Jeffrey explained information contained on approximately 22 screens related to activity of the Steamship Authority as it pertains to Falmouth. The information appeared in lists, graphs, and charts, covering topics such as positive impacts, employees and wages by town, embarkation fees, traffic, numbers of vehicles including freight trucks, weekday vs. weekend vehicles per trip, projects and initiatives (such as the Woods Hole terminal), contract awards, and vessel conversion costs. The report concluded with Priorities: improved communication, looking at alternative freight ports, urging the Authority to reconvene the task force, and focusing on financial stewardship and management accountability.

Board discussion included the following comments / topics:

- Disappointment and concern that the long-range strategic planning meetings with the Authority stopped a couple years ago
- Lack of confidence in the management of the Authority, exemplified by estimates to fix ships being off by 45% and building bids coming in far too high
- The increase of freight traffic in general, shown by the number of 52 trucks on Woods Hole Rd. before 7:00 a.m. on weekdays, either boarding or arriving
- The increased width of the vehicle bays on the ships and what that will mean for future freight as development of the area continues
- Lack of coordination or outreach with the New Bedford Port Authority over possible freight service there
- Explore alternatives to RFPs to interest 3rd party carriers to find out what would make routes work, or pilot a lease program to operate surplus vessel(s)
- The capacity of freight trucks and if they are underused

Discussion and vote regarding the exercise of Right of First Refusal on 31.7-acre property on Route 151 and extension of deadline for owner to complete the sale

Chair Taylor ascertained that all Board members had received a copy of Mr. Galasso's letter, which was received earlier in the day.

Mr. Renshaw indicated that Mr. Johnson-Staub would be reviewing the item for the Board. Mr. Johnson-Staub's review included the history of the property (4 parcels) and the Board's previous actions related to it, as well as concerns related to the property identified by staff, which are listed in the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 7 - Right of First Refusal on 31.7-acre property on Route 151* in the Select Board packet. He said Attorney Laura Moynihan was present to speak to the request.

Chair Taylor asked if the Board had any questions regarding the decision to exercise or not exercise the right of first refusal.

At this point, Mr. Zylinski said he wanted to make the Board aware of his having entered into a verbal agreement with Atty. Moynihan on a private matter regarding his personal property.

Mr. Brown asked if the developer would be willing to offer what the intent is for the property. Atty. Moynihan said she could provide information about the developer's plans depending upon how much time the Board allowed. She also asked for a copy of Mr. Galasso's letter. Atty. Moynihan, using a slide presentation, showed the location of the property on Rt. 151, the zoning (a combination of Senior Care Retirement District and Agricultural AA), information on right of first refusal, details about the development entity and proposal (including about 70-75 affordable one-bedroom units), photos of developments by Northbridge Companies, and ROFR timelines. Atty. Moynihan said that if the closing does not occur, the ROFR remains in effect until Jan. 14, 2033.

Mr. Mascali asked for more detail on the affordable units. Ray Metrano from Wayside said the 70 units would be a stand-alone apartment building for seniors. There is also a stand-alone independent senior housing facility with cottages (market rate with some affordability). He said the two facilities are independent with different sponsors.

Referring to the document entitled *November 2023 Annual Town Meeting Index* in the Select Board packet listing the 21 articles, Mr. Johnson-Staub reviewed them numerically, providing additional explanatory information where necessary, pausing to ask the Board if there were any questions. He noted articles that would have future presentations. The review concluded with Article 21 regarding the Nobska Light ownership.

Motion by Mr. Brown: To remove Article 21 Second: Mr. Zylinski.
Vote: Yes – 3 No – 0 Abstain – 1 (Mr. Mascali)

Motion by Mr. Zylinski: To vote the articles and execute the warrant with the provision of deleting Article 21
Second: Mr. Mascali Vote: Yes – 4 No - 0

Petition Article Presentations for November 2023 Annual Town Meeting

Article #12 – Petition: Funding for Trotting Park Pickleball Courts and Amenities - Tom Zine was present along with Todd Bidwell to present the article. They focused on 1) why the funding (\$2.6 million) is needed and 2) the benefits to the town.

Article #13 -Petition: Harborside Realty Trust 241 Scranton Avenue Sidewalk/Curb Cuts – Lawrence O’Brien, representing Harborside Realty Trust, handed out materials to the Board. He gave a history of the situation involving sidewalk removal, requested curb cuts, and ADA compliance. Bill Dynan, a veteran, spoke about the need for the Town to correct a mistake made years ago and give Mr. O’Brien, also a veteran, access to his house.

Article #14 – Petition: Select Board to Authorize Urine Diversion Pilot – Kim Comart presented information regarding the superiority of urine diversion over modern septic systems and sewerage, including cost effectiveness. He pointed out the degraded condition of various ponds around Falmouth to underscore the urgent need for this pilot program.

Article #15 = Petition: Use Embarkation Fee for Speed Signs – Phil Logan presented information regarding the request for funding to purchase and install LED speed signs. He said a meeting with Town officials today was very productive regarding how to move forward with the location of the signs.

Article #16– Amend Section 240-7.7B(6) by adding subsection a. – Atty. Kevin Klouer, for Michael Duffany, presented information regarding how the proposed amendment would grant the permitting authority, the ZBA, with flexibility through a special permit regarding the amount of nitrogen loading from an advanced treatment system vs. a standard Title V wastewater system.

Request for variance to sign code §184-18, §184-25 and §184-31 – 137 Teaticket Highway - TABLED

Committee appointments

Cape Cod Joint Transportation Committee – Jim McLoughlin (3-year term)

Certified Weighers-Cape Cod Aggregates – Jennifer Quinn, Ted Bousfield, Brian Studley (1-year terms)

Mr. Zylinski said he would abstain from voting on the Cape Cod Aggregates appointees due to both his brothers’ working there.

Motion by Mr. Mascali: To approve the appointments as submitted Second: Mr. Brown
Vote: Yes – 3 No – 0 Abstain – 1 (Mr. Zylinski)

Board of Library Trustees - RESCHEDULED

CONSENT AGENDA

1. Licenses

- a. Vote to approve an application for two One-Day Sunday Entertainment Licenses – Highfield Hall & Gardens, 56 Highfield Drive, Falmouth – Sunday, 9/17/23 and Sunday, 10/15/23

- b. Vote to approve the administrative Change of Address of an All Alcoholic Beverages Common Victualler License – ICA Pizza, LLC d/b/a Simply Divine Pizza Co., located at 261 Main Street, Unit A, Falmouth

2. Administrative Orders

- a. Vote to accept donation from New England Endurance Events in the amount of \$1,900 to the Beach Department donation account

Motion by Mr. Brown: To approve the items on the Consent Agenda

Second: Mr. Mascali

Vote: Yes – 4 No – 0

MINUTES

1. Review and vote to approve minutes of meetings
 - a. Public Session – August 21, 2023
 - b. Executive Session – July 10, 2023, sessions 1 and 2

Chair Taylor asked that the minutes be held over until the next meeting and the Board agreed.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Renshaw orally presented his report, referring to the memo entitled *Supplemental Report* and dated September 11, 2023, in the Select Board packet. The report included Comcast channel line-up changes, the hiring of Stephanie Madsen as the Sustainability Coordinator, and recent meetings attended. Upcoming Board meetings were also included.

SELECT BOARD REPORTS

Mr. Brown reported on the following:

- An update at the Cape and Islands Municipal Leaders Assoc. meeting on the progress of the placement of the Bourne and Sagamore bridges
- Attended the Municipal Light Plant Board meeting – asked for future discussion on how to interact better with that board

Mr. Zylinski reported on the following:

- Plan to spend tomorrow's day shift and part of the evening shift with the Police Dept. patrol
- Plan to be out of the country from Wednesday to the following Saturday

Chair Taylor reported that she has a letter from Senator Moran supporting the Buzzards Bay Coalition position and their language.

DISCUSSION OF FUTURE AGENDA ITEMS

- Discussion of Steamship Authority impacts on Falmouth

ADJOURN

Motion by Mr. Zylinski: To adjourn

Second: Mr. Brown

Vote: Yes – 4 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary

OPEN SESSION

TOWN MANAGER'S SUPPLEMENTAL REPORT

October 2, 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: Supplemental Report
DATE: October 2, 2023

Part Time Conservation Agent Position Update

It was recently brought to my attention that our part time Conservation Agent has resigned her position effective September 29 to pursue completion of her graduate degree. In discussing the vacancy with our Conservation Administrator Jennifer Lincoln, I was also recently informed that over the past five-year period, the Conservation Office has lost a total of four part time Agents, whereas the full time Conservation Agent position has been held consistently without a high turnover over rate. Exit interviews conducted with the previous three part time Agents have indicated that they are more likely than not to be leaving the position due to its part time, non-benefited nature.

As you can imagine, there is a significant training investment in onboarding a new Agent, and this training requirement has placed a significant burden on the Conservation Office staff. Beyond the difficulties of recruiting, training, and retaining a part time Conservation Agent, the Conservation Office has seen a very significant workload increase. For example, over the past five years the data reflects a 32% increase in regulatory permit applications. When we compare the 1st Quarter of FY23 to the 1st Quarter of FY24, the office's regulatory permit application workload has increased by 58%! We do not anticipate this workload trend to reverse.

In speaking with Jennifer Lincoln, there is a significant concern that continuing to advertise this Conservation Agent as a part time position will only continue to lead to repeating the cycle of high turnover. Simply put, I strongly feel this part time Conservation Agent position needs to be transitioned to a full-time position. Continuing to do the same thing by recruiting for the position as part time and expecting a different result is no longer effective.

At the October 16 Select Board meeting, I plan to bring forward more details and data concerning the need, and an agenda item for the Board to consider that would recommend transitioning the part-time Agent to a full-time position immediately. Approval of this transition will require a four-fifths vote of the Select Board. In order to cover the delta in salary and benefit costs for the remainder of the fiscal year (salary delta is estimated at \$12,884 and fully loaded with wage and benefit costs the delta is \$27,124), I would propose to make a reserve fund transfer request through the Finance Committee.

Upcoming Meetings:

- October 16
- October 30
- November 6
- November 13 Town Meeting
- November 20
- December 4
- December 18