

**TOWN OF FALMOUTH**

**SELECT BOARD**

**AGENDA**

**SATURDAY, DECEMBER 7, 2024 – 8:00 A.M. to 11:00 A.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.*

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

**8:00 a.m. OPEN SESSION- WORKSHOP**

1. Call to Order
2. Discuss roles/responsibilities of the Select Board and supporting Town management
3. Adjourn

Nancy Robbins Taylor, Chair  
Select Board

# Town of Falmouth



Select Board  
Onboarding Packet

## Select Board Member Onboarding Packet

1. Town Charter-Selected Sections
2. Organizational Charts
3. Select Board Strategic Plan
4. Select Board Policies (*selected policies of particular import included here. A complete set of policies is available at <https://www.falmouthma.gov/1177/Select-Board-Policies>*)
  - a. Code of Conduct
  - b. Public Comment Policy
  - c. Budget Policy
  - d. Fiscal Policy
  - e. Fee Waiver Policy
  - f. Liaison Policy
5. Local Comprehensive Plan - Prepared by the Planning Board
6. Capital Improvement Plan
7. Capital Facilities (Finance) Plan
8. Overview of Prop 2.5 and the Tax Levy
9. Committee List
10. Committee Handbook- Includes Open Meeting Law and Conflict of Interest Law overview

Massachusetts Municipal Association Handbook for Massachusetts Selectmen -264 pages, available in electronic format from Town Manager's Office

## 1. Town Charter-Selected Sections

## **Chapter C**

### **FALMOUTH HOME RULE CHARTER**

#### **GENERAL REFERENCES**

**Administrative legislation** — See Part I of Division 1 of the Code.

#### **HOME RULE CHARTER**

##### **Preamble**

We, the people of the Town of Falmouth, Massachusetts, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government and to take the fullest advantages inherent in the home rule amendments of the Constitution of the Commonwealth, do hereby adopt the following Home Rule Charter for this Town.

ARTICLE I  
**Incorporation, Form of Government and Powers**

**§ C1-1. Incorporation.**

The present Town of Falmouth, Massachusetts, within its territorial limits as now or may hereafter be established by law, is hereby continued as a body corporate and politic under the name "Town of Falmouth."

**§ C1-2. Scope of town powers.**

The Town shall possess, exercise and enjoy all the powers possible under the constitution and laws of the Commonwealth of Massachusetts as fully and completely as though they were expressly enumerated in this Charter.

**§ C1-3. Form of government. [Amended ATE 5-15-2007, Question 12; ATE 5-19-2020, Question 3]**

This Charter provides for the Representative Town Meeting/Select Board/Town Manager form of government and it shall be known by the title "Falmouth Home Rule Charter." Governmental bodies, both elected and appointed, may be used to perform a public purpose.

**§ C1-4. Construction of Charter.**

The powers of the Town of Falmouth under this Charter shall be construed liberally in its favor, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers of the Town as stated in § C1-2 of this Charter.

**§ C1-5. Intergovernmental relations.**

Consistent with any constitutional or statutory provision, the Town of Falmouth may exercise any of its powers, or perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one (1) or more municipalities, civil divisions, subdivisions or agencies of the Commonwealth, other states or the United States Government.

**§ C1-6. Definitions. [Added ATE 5-19-2020, Question 3]**

A. Unless another meaning is clearly apparent, from the manner in which the word is used, the following words as used in the Charter shall have the following meanings:

CERTIFICATION — That the person has been declared elected and sworn to the faithful performance of duty by the Town Clerk.

CHARTER — This Charter and any amendments to it made through any of the methods provided under Articles 89 and 113 of the amendments to the Constitution of the Commonwealth.

FINANCIAL PLAN — A forecast of revenues and expenditures for a predetermined period of time, including operating and capital categories.

GOVERNMENTAL BODY — Any multi-member body or subcommittee thereof

within the Town, whether elected, appointed or otherwise constituted, and established to serve a public purpose, and whether or not specifically mentioned in this Charter, with the exception of Town Meeting. The provisions of this Charter apply to all governmental bodies within the Town unless specifically exempted herein.

**LOCAL COMPREHENSIVE PLAN** — The Local Comprehensive Plan is the community vision of the future of the Town, including issues of growth, economic and community development, historic community character, civic improvements and resource conservation.

**MAJORITY VOTE** — A majority of those present and voting provided that a quorum of the body is present.

**MULTI-MEMBER BODY** — Any reference to a multi-member body shall be considered a reference to a governmental body as previously defined.

**STRATEGIC PLAN** — A plan developed by the Select Board sometimes referred to as the Strategic Plan covering areas of importance to the Town.

**TOWN** — The Town of Falmouth.

**TOWN AGENCY** — Any governmental body, department, or office of the town government.

**VOTERS** — Registered voters of the Town of Falmouth.

B. Word usage.

(1) (Reserved)

(2) Counting of Days. "Working days" shall include every day, except Saturdays, Sundays and holidays. "Days" shall mean calendar days.

ARTICLE II  
**The Representative Town Meeting**

**§ C2-1. Composition, membership and eligibility.**

- A. A Town Meeting of not more than two hundred and fifty two (252) members shall be elected for three year overlapping terms as determined by Chapter 349 of the Acts of 1935 and any amendments thereto. [Amended ATE 5-19-2020, Question 3; ATE 5-19-2020, Question 4]
- B. Any registered voter of the town shall be eligible for election to Town Meeting membership.
- C. Town Meeting members shall serve without compensation or monetary allowance.

**§ C2-2. Powers.**

- A. The Town Meeting shall exercise all the legislative powers of the Town.
- B. The Town Meeting shall consider, and act upon, all proposed bylaws.
- C. The Town Meeting may adopt rules and regulations relating to its procedures and its methods of operation.

**§ C2-3. Procedures.**

- A. A Town Meeting shall be held annually in the spring, on a date to be fixed by bylaw, to consider and act upon, with or without amendments, all proposed operating and capital improvement budgets, bond issues and all other issues that may properly come before the Meeting.
- B. A Town Meeting shall also meet annually in the fall, on a date chosen by the Select Board, to consider and act upon matters that may properly come before the Meeting. [Amended ATE 5-19-2020, Question 3]
- C. The standing and powers of both of these Meetings shall be those of an Annual Town Meeting.
- D. The quorum necessary for the conduct of any business shall be one-half (1/2) plus one (1) of the number of Town Meeting members established by bylaw. A smaller number than the established quorum, however, shall adjourn any Meeting forthwith, to a stated date, time and place.
- E. The Town Meeting shall always operate in open session.

**§ C2-4. Attendance records.**

A record of those in attendance shall be kept by the Town Clerk. Such record shall remain open until the end of each session to enable latecomers to be recorded as present. The attendance record shall be a public record, shall be posted in the Town Hall, and published in the Annual Town Report and published in a newspaper of general circulation within the Town.

**§ C2-5. Voting.**

- A. The Town Meeting shall establish a system of recorded votes whereby, upon the request of twenty (20) Town Meeting members, the ayes and nays of members shall be ascertained and recorded. A standing vote or a vote by an electronic vote counting and recording system shall be taken whenever a voice vote is not sufficient as determined by the Moderator. [Amended ATE 5-16-2017, Question 3]
- B. The results of all such recorded votes shall be included in the Town Meeting minutes.

**§ C2-6. Moderator.**

- A. A Moderator shall be elected as provided in § C4-2.
- B. The Moderator shall preside at all sessions of the Town Meeting and shall have no vote unless the members present and voting are equally divided.
- C. The Moderator shall establish and promulgate written procedures for the orientation of new Town Meeting members and shall conduct an annual meeting at which time said orientation shall take place.

**§ C2-7. Division of Town into precincts.**

The Town shall be divided into voting precincts which shall contain, as nearly as may be, an equal number of inhabitants and which shall be composed of compact and contiguous territory, as prescribed by General Law.

**§ C2-8. Rights of nonmembers.**

Registered voters, residents and taxpayers of the Town may speak on any article in the warrant. Persons who are not voters, residents or taxpayers of the town may address the Meeting only with the consent of a majority of those present.

**§ C2-9. Compulsory attendance.**

- A. All appointed town officers, the Town Manager, department heads, chair of multimember bodies or their designated representatives shall attend Town Meeting sessions when the warrant includes articles relating to their office or function. [Amended ATE 5-15-2007, Question 12]
- B. Such persons shall have all the privileges of Town Meeting members, except the power to vote unless they have been elected to the office of Town Meeting member. The absence of any such person shall not invalidate the actions of the Town Meeting.

**§ C2-10. Attendance of Town Meeting members.**

Town Meeting members shall attend all sessions of the Town Meeting.

**§ C2-11. Vacancy.**

- A. A vacancy in the office of Town Meeting member shall result from the resignation, death or removal of any member from the Town. Any Town Meeting member moving to a new place of residence in another precinct within the Town shall continue to serve as Town Meeting member until the next annual election.
- B. A Town Meeting member may resign by filing a written resignation with the Town Clerk. Such resignation shall take effect on the date of filing.
- C. If an elected Town Meeting member fails to attend more than one-half (1/2) of all sessions of the Town Meetings held in an eighteen-month period beginning on June 1, without a reasonable excuse filed with the Town Clerk, the office of that member shall thereupon be declared vacant. The Town Clerk shall be the sole judge of what constitutes a reasonable excuse.
- D. Vacancies in the office of s member shall be filled until the next annual election by the unsuccessful candidate for Town Meeting in that precinct receiving the largest number of votes at the most recent election. If no such unsuccessful candidate exists, the remaining precinct members shall be called together by the Town Clerk, by written notice, before the next Town Meeting. The Town Clerk shall conduct an election, having first publicized any vacancy in accordance with C7-1. The remaining members shall fill any vacancy by choosing a registered voter residing in the precinct in which the vacancy exists. [Amended ATE 5-21-2013]

**§ C2-12. Town Meeting governmental bodies. [Amended ATE 5-21-2013; ATE 5-19-2020, Question 3]**

- A. Motions intended to establish ad hoc or temporary governmental bodies shall include the name of the governmental body and its charge or mandate, its size and composition, whether it shall be elected or appointed, and by what methods, and a date by which said governmental body is expected to present a progress or final report.
- B. Unless the motion establishing any such governmental body shall name the members, provide for their election or provide for a different appointive authority, all such governmental bodies shall be appointed by the Moderator.
- C. The Moderator shall establish a standing governmental body, the Rules and Procedures Committee, of Town Meeting members, to review Town Meeting rules, procedures and related town bylaws and submit recommendations to Town Meeting.

**§ C2-13. Town Clerk.**

- A. The Town Clerk shall serve as the Clerk of Town Meeting and as an ex-officio member of the Rules and Procedures Committee. The Town Clerk shall cause notice of Town Meeting to be posted in the town office building and a public place in each precinct and shall mail copies of the notice, citing the date, place and time of Town Meeting to all Town Meeting members at least ten (10) days before the date of each meeting. The Town Clerk may comply with this section by mailing within the prescribed time the Finance Committee report containing the complete warrant with recommendations and explanations as required by § C8 – 4B of this

Charter. [Amended ATE 5-21-2013]

B. The Town Clerk shall keep a detailed journal of all Town Meeting procedures.

**§ C2-14. Watcher of the Warrant. [Amended ATE 5-15-2007, Question 13; ATE 5-21-2013; ATE 5-19-2020, Question 3]**

The Moderator, or a person designated by the Moderator, shall act as Watcher of the Warrant and shall present a written progress report on each passed action article of Town Meeting to be printed in the Annual Town Report.

**§ C2-15. Finance Committee. [Added ATE 5-19-2020, Question 5]**

- A. The Finance Committee shall consist of fifteen (15) members, who shall be nominated by the Town Moderator and from the floor of Town Meeting, and elected by Town Meeting for three year overlapping terms at the Annual Town Meeting in the spring of each year.
- B. No member of the Finance Committee shall be an employee of the Town or hold any other elected or appointed town office, except the office of Town Meeting member.
- C. Any vacancy in the membership of the Finance Committee shall be filled as follows: replacement members shall be nominated by the Town Moderator and from the floor of Town Meeting and elected by Town Meeting to complete the term of the departed member at any Annual or Special Town Meeting.
- D. The Finance Committee may consider such questions with reference to the conduct of the Town Affairs as it may deem advisable and may consult with any and all officers and governmental bodies of the Town with reference to matters under its supervision. It shall consider the various articles calling for expenditure or appropriations of funds and may consider any other articles in the warrant for any Annual or Special Meeting called during its tenure of office and shall make a report of its doings and recommendations to the Town.

ARTICLE III  
The Select Board

[Amended ATE 5-15-2007, Question 7; ATE 5-15-2007, Question 8; ATE 5-15-2007, Question 9; ATE 5-15-2007, Question 12; ATE 5-21-2013; ATE 5-19-2020, Question 3]

**§ C3-1. Composition and terms.**

- A. A Select Board of five (5) members shall be elected for three-year overlapping terms. The regular election for the office of Select Board member shall be held in accordance with Article VI.
- B. Vacancies in the office of Select Board member shall be filled by special election in accordance with the provisions of MGL c. 41, § 10.
- C. Any compensation for the members of the Select Board shall be determined by the Town Meeting acting on an annual recommendation of the Finance Committee.

**§ C3-2. General powers.**

Except as otherwise provided in this Charter, all executive powers of the Town shall be vested in the Select Board. It is the intent of this Charter that the Board shall exercise control over town affairs by:

- A. Setting and communicating policies to be carried out by the Town Manager, other officers, and governmental bodies appointed by the Board.
- B. Recommending major courses of action to the Town Meeting.
- C. Making recommendations to Town Meeting on all articles except those that are the responsibility of the Finance Committee, the Community Preservation Committee or the Planning Board.
- D. Acting on the authorization of the Town Meeting, and if no action is taken, the Select Board report back in a timely manner.
- E. The Select Board shall have all the powers and authority of a Select Board, and its members and officers shall have all the powers and authority of members and officers of a Select Board, under any general or special law of the Commonwealth of Massachusetts, any bylaw, rule or regulation of the Town or any contract or agreement of the Town.

**§ C3-3. Policy leadership.**

- A. The Board shall serve as the chief executive goal-setting and policy-making governmental body of the Town. The Board shall set a Strategic Plan of no less than five (5) years to be examined annually and modified as needed, and evaluated for consistency with the Local Comprehensive Plan. The Board shall issue procedures to assure that the actions of town agencies are evaluated for consistency with the Strategic Plan and the Local Comprehensive Plan. The Board shall cause the plan to be regularly printed in the Annual Town Report. [Amended ATE 5-18-2021, Question 2]

- B. The Board shall schedule public meetings with such other governmental bodies as it deems necessary, and shall hold them jointly, for the consideration of the town's Local Comprehensive Plan and other planning and policy initiatives. The Select Board shall participate actively with the Planning Board in the formulation of goals and policies of the Local Comprehensive Plan, meeting with the Planning Board to develop consensus whenever possible. [Amended ATE 5-19-2020, Question 6; ATE 5-18-2021, Question 2]
- C. The Board shall issue policy statements setting the outer limits of possible budget expenditures, as provided in § C8-3C. Such policy statements shall be binding on all town departments and governmental bodies.

**§ C3-4. (Reserved)**

**§ C3-5. Powers of investigation.**

The Select Board shall have the power to make investigations and may authorize the Town Manager to investigate the affairs of the Town and the conduct of any town department, office or agency, including any doubtful claims against the Town. For this purpose the investigatory authority may subpoena witnesses, administer oaths, take testimony and require the production of evidence. The report of such investigation shall be placed on file in the office of the Town Clerk, and a report summarizing such investigation shall be printed in the annual town report.

**§ C3-6. Powers of appointment.**

- A. The Board shall appoint:
- (1) A Town Manager, as provided in Article V.
  - (2) A Town Accountant for a term of three (3) years in accordance with MGL c. 41, § 55.
  - (3) Three (3) members of a Board of Registrars.
  - (4) Election officers.
  - (5) Town Constables.
- B. The Board shall also have the power to appoint town governmental body,, as provided in Article VII.
- C. The Board shall also have the power to appoint ad hoc governmental bodies and define their duties, set the limits for the scope of their responsibilities and the terms of their existence. Any such governmental body having a planning function shall coordinate its activities with the Planning Board at least once a year.

**§ C3-7. Specific powers, administrative duties and responsibilities.**

- A. The Board shall not administer the day-to-day operations of the town but shall direct the Town Manager to do so. The Board shall act only as a collective body and members shall possess no individual authority. The Board shall work through the Town Manager when dealing with matters involving department heads or other

town employees.

- B. The Board shall act as the licensing authority of the Town and shall have the power and responsibility required to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses and to attach conditions and impose such restrictions as it considers to be in the public interest, and further to enforce, or cause to be enforced, the laws, rules and regulations relating to all businesses for which it issues licenses.
- C. The Board shall be recognized as head of the town government for all ceremonial purposes.
- D. The Board shall have the power to approve all collective bargaining contracts to which the Town is a contracting party.
- E. The Board shall maintain liaison with all governmental bodies and shall mediate disputes among governmental bodies.
- F. The powers and duties of the former Board of Public Works shall be vested in the Select Board..
- G. The Select Board. shall publish a copy of the Warrant in a newspaper of general circulation in the Town at least four (4) weeks before a Town Meeting and, again, with recommendations by the Finance Committee, Planning Board and Select Board. at least 14 days before a Town Meeting.
- H. The Board shall have the power and authority, after public hearing and publication, to adopt rules and regulations for the conducting of town business, the use of town real and personal property and other matters within its jurisdiction and set the penalties for violations thereof. **[Added ATE 5-19-2020, Question 7]**

**§ C3-8. Prohibitions.**

- A. Except for the purpose of investigation authorized by this Charter, the Board or its members shall deal officially with town officers and employees who are subject to the direction and supervision of the Town Manager solely through the Town Manager, and neither the Board nor its members shall give orders to any such officer or employee, either publicly or privately.
- B. Members of the Board shall be ineligible to serve on governmental bodies established by this Charter or bylaw to which the Board is the appointive authority with the exception of the Economic Development Industrial Corporation.

ARTICLE IV  
**Other Elected Town Boards and Officers**

**§ C4-1. General provisions.**

- A. Following the adoption of this Charter, the only officers to be elected shall be a Moderator and a Town Clerk.
- B. Town governmental bodies to be elected, in addition to the Select Board, shall be: **[Amended ATE 5-19-2020, Question 3]**
  - (1) A School Committee.
  - (2) A Board of Library Trustees.
  - (3) A Planning Board.
  - (4) A Housing Authority.
  - (5) Such town members of regional districts, multimember bodies and authorities as are now, or may be, established as elective offices by General Law, vote of the Town Meeting or intergovernmental agreement.
- C. Governmental bodies established or continued under this article shall perform their functions and duties in accordance with the Constitution, General Law, this Charter, bylaws and votes of the Town Meeting. They shall organize annually; elect necessary officers; adopt rules of procedure and voting including the development of agendas; maintain minutes and records of attendance, copies of which shall be public records and shall be filed regularly with the Town Clerk. It is the responsibility of each chairperson to file a current description of the duties and responsibilities of the governmental body and its members with the Town Clerk. **[Amended ATE 5-21-2013; ATE 5-19-2020, Question 3]**

**§ C4-2. Moderator.**

- A. A Moderator shall be elected at the Annual Town Election for a three-year term.
- B. The Moderator, in consultation with the Town Clerk, shall prepare simplified rules of parliamentary procedure, which shall be made available to all elected Town Meeting members.
- C. The Moderator shall appoint ad hoc governmental bodies of the Town Meeting as provided in § C2-12B. **[Amended ATE 5-19-2020, Question 3]**
- D. The Moderator shall preside at any public hearing to discuss the suspension or removal of the Town Manager. **[Amended ATE 5-15-2007, Question 12]**

**§ C4-3. Town Clerk. [Amended ATE 5-15-2007, Question 4]**

- A. A Town Clerk shall be elected at the Annual Town Election for a three-year term.
- B. The Town Clerk shall keep the official records of the Town, record vital statistics, issue licenses and shall be the Clerk of the Board of Registrars. The Clerk shall have the powers and duties of Town Clerks, as provided by General Law, this

Charter, bylaw and vote of the Town Meeting. [Amended ATE 5-19-2020, Question 3]

- C. Compensation for the Town Clerk shall be determined by the Town Meeting acting on an annual recommendation of the Finance Committee. [Amended ATE 5-19-2020, Question 3]

**§ C4-4. School Committee.**

- A. A School Committee of nine (9) members shall be elected at large for three-year overlapping terms.
- B. The School Committee shall have general charge of all public schools in the town and shall have the powers and duties of school committees, as provided by General Law, this Charter, bylaw and vote of the Town Meeting. [Amended ATE 5-19-2020, Question 3]

**§ C4-5. Board of Library Trustees.**

- A. A Board of Library Trustees of seven (7) members shall be elected at large for three-year overlapping terms.
- B. The Board shall be responsible for the administration and operation of the town library, including the appointment of a Library Director and other staff, acquisitions and promulgation of library rules and regulations.

**§ C4-6. Planning Board.**

- A. A Planning Board of seven (7) members shall be elected at large for three-year overlapping terms.
- B. The Board shall make recommendations as it deems necessary on all matters concerning the physical, economic and environmental development of the Town to the Select Board and to the parties directly involved through the Town Planner, who acts as the Board's Administrator. [Amended ATE 5-15-2007, Question 5; ATE 5-19-2020, Question 3]
- C. The Planning Board shall be responsible for the development and periodic review of a Local Comprehensive Plan or portions thereof and shall seek the active participation of the Select Board in developing and fulfilling all elements of the Plan. Such plan may include all or portions of plans developed by other governmental bodies, but these inclusions must be approved by a vote of the Planning Board. The Local Comprehensive Plan shall be submitted to the Town Meeting and then to the Cape Cod Commission. [Amended ATE 5-15-2007, Question 5; ATE 5-21-2013; ATE 5-19-2020, Question 3; ATE 5-18-2021, Question 3]
- D. The Planning Board shall recommend proposed amendments to the Zoning Bylaw<sup>1</sup> and shall provide detailed written explanation of its recommendations and the extent to which such recommendations are consistent with the Local

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1. Editor's Note: See Ch. 240, Zoning.

Comprehensive Plan. [Amended ATE 5-19-2020, Question 3; ATE 5-19-2020, Question 8]

- E. The Planning Board shall possess and exercise all powers given to it under the Constitution and Laws of the Commonwealth and shall have and exercise such additional powers and duties as may be authorized by the Charter, bylaw or vote of the Town Meeting. It shall also:
- (1) Consult with the Town Manager on the appointment, suspension and removal of the Town Planner. [Amended ATE 5-15-2007, Question 12; ATE 5-21-2013]
  - (2) Meet with the Select Board at least twice a year. [Amended ATE 5-19-2020, Question 3]
  - (3) Conduct meetings in accordance with the Open Meeting Law.
  - (4) During the term for which a member of the Planning Board is elected and for one (1) year following expiration of such term, no member shall be eligible to accept any paid position with the Planning Board.

**§ C4-7. Housing Authority. [Amended 5-19-2020, Question 9]**

A Housing Authority shall be established consisting of five (5) members to be selected in accordance with the laws of the Commonwealth. All members shall serve five year overlapping terms.

ARTICLE V  
The Town Manager  
[Amended ATE 5-15-2007, Question 12]

**§ C5-1. Appointment.**

- A. The Select Board, by an affirmative vote of at least four (4) members, shall appoint a Town Manager for an indefinite term to serve at its pleasure. [Amended ATE 5-19-2020, Question 3]
- B. In its search for a Town Manager, the Select Board shall advertise in the International City Management Association (I.C.M.A.) Newsletter or similar professional publication and in at least two (2) newspapers having statewide or regional circulation. [Amended ATE 5-19-2020, Question 3]
- C. No person who has held any at-large elective office in the Town of Falmouth at any time during the preceding two (2) years shall be eligible for the position of Town Manager.

**§ C5-2. Qualifications.**

- A. The Town Manager shall be appointed on the basis of educational, executive and administrative qualifications and experience. The educational qualifications shall consist of a master's degree, preferably in public or business administration, granted by an accredited degree-granting college or university. The professional experience shall include at least three (3) years of prior full-time compensated executive service in public or business administration. Alternatively, five (5) years or more of such professional experience and a bachelor's degree in an appropriate discipline shall qualify any applicant. Seven (7) years or more of prior full-time compensated service in public or business administration shall also qualify any applicant.
- B. The Town Manager need not be a resident of the town when appointed but shall establish a place of residence in the Town of Falmouth within eight (8) months of the date of appointment, unless excused by vote of the Select Board. [Amended ATE 5-19-2020, Question 3]
- C. The Town Manager shall not be a part of the classified personnel system of the town.

**§ C5-3. Powers and duties. [Amended ATE 5-19-2020, Question 3]**

- A. The Town Manager shall be the chief administrative officer of the town and shall be responsible for administering and coordinating all employees, activities and departments placed by general law, this charter or bylaw under the control of the Select Board and the Town Manager. The Manager shall implement the goals and carry out the policies of the Select Board. The Manager, pursuant to procedures set by the Select Board [C3- 3A], shall assure that the actions of town agencies are evaluated for consistency with the Local Comprehensive Plan, the Strategic Plan and the Capital Improvement Plan. [Amended ATE 5-18-2021, Question 4]
- B. The Manager shall devote full working time to the office and shall neither become

a candidate for, or hold, any elective office during the term of appointment nor engage in any business activity during the term, except with the written consent of the Select Board. The Manager shall:

- (1) Attend all meetings of the Select Board, except when excused, and shall have the right to speak but not to vote.
- (2) Assemble, prepare and present to the Select Board all annual operating and capital budgets of the town and be responsible for the development and annual revision of the capital improvements plan.
- (3) Administer the budget and ensure that funds appropriated therefor are expended in accordance with General Law, this Charter and bylaw.
- (4) Inform the Select Board on all departmental operations, fiscal affairs, general problems and administrative actions, and to this end shall submit periodic reports to the Board.
- (5) Keep the Board informed on the availability of state and federal funds and how such funds might possibly relate to short-range and long-range needs and goals.
- (6) Solicit and prepare applications for grants.
- (7) Be responsible for the purchasing of all supplies, materials and equipment for the Town, except those of the School Department and the Town Library, unless so requested, respectively, by the School Committee or the Library Trustees.
- (8) Be responsible for overseeing the enforcement of zoning, acting through an enforcement agent.
- (9) Develop, keep and annually update a full and complete inventory of all real and personal property of the town, except school property.
- (10) Possess the right to attend and speak at any regular meeting of any town multimember body.
- (11) Negotiate collective bargaining contracts on behalf of the Select Board, unless the Manager, with the approval of the Select Board, shall have designated another negotiator or negotiating team. All such contracts shall be subject to the approval of the Select Board.
- (12) Perform such other duties as assigned by Charter, bylaw or vote of the Representative Town Meeting or of the Board of Selectmen.

**§ C5-4. Responsibility for appointments.**

- A. Subject to the approval of the Select Board granted within ten (10) working days, the Town Manager shall appoint on the basis of fitness and merit alone, an Assistant Town Manager, a Town Planner, a Town Counsel, a Finance Director, a Director of Personnel and other department and division heads. The failure of the Select Board to act within ten (10) working days shall constitute approval of the Town

Manager's action. The Town Manager may suspend or remove any person so appointed consistent with the General Laws, this Charter or the bylaws of the Town. [Amended ATE 5-15-2007, Question 10; ATE 5-21-2013; ATE 5-19-2020, Question 3]

- B. Any person appointed to a position enumerated in Subsection A need not be a resident of the town when appointed but shall establish a place of residence in the Town of Falmouth within eight (8) months of the date of appointment, unless excused by vote of the Select Board. [Amended ATE 5-19-2020, Question 3]
- C. Additionally, and except as otherwise mandated by General Law, this Charter, collective bargaining agreement, personnel bylaw or vote of the Town Meeting, the Town Manager shall appoint on the basis of merit and fitness alone and may suspend or remove any appointed town official and full-time or part-time employee. In the case of an employee who reports to a multimember body, any action under this clause shall be taken only after consultation with the multimember body to whom the person reports.

**§ C5-5. Responsibilities in personnel administration.**

- A. The Town Manager, acting through the Director of Personnel, shall administer and enforce collective bargaining contracts, personnel bylaws, rules and regulations adopted by the town.
- B. The Town Manager, acting through the Director of Personnel, shall from time to time propose, and the Select Board may adopt, with or without amendment, personnel regulations and rules relating to all town positions, except those covered by collective bargaining contracts and those of the School Department. Such regulations shall provide for: [Amended ATE 5-19-2020, Question 3]
  - (1) The classification of positions, based on duties, responsibilities and authority of each position with adequate provision for reclassification of any position whenever warranted by changed circumstances.
  - (2) Salary and pay plan for all positions subject to Town Meeting vote.
  - (3) Methods of determining the merit and fitness of candidates for appointment and promotion.
  - (4) Policies and procedures regulating reduction in force and removal of employees.
  - (5) Hours of work, attendance regulations and provisions for sick, vacation, military and other leave.
  - (6) Policies and procedures governing persons holding provisional appointments.
  - (7) Policies and procedures governing relationships with employee organizations.
  - (8) Policies regarding in-service training programs.
  - (9) Grievance procedures, including procedures for the hearing of such grievances.

- (10) Such other practices and procedures as may be necessary for the administration of the personnel system.

**§ C5-6. Administrative organization. [Amended ATE 5-21-2013]**

- A. The administrative functions of town government shall be performed within the organizational framework of several departments, divisions thereof and other administrative organizations as determined by the Town Manager.
- B. The Town Manager shall determine the functions, duties and responsibilities of departments, divisions and other administrative organizations.
- C. The Town Manager, with the approval of the Select Board, may directly supervise any department, division and other administrative organization; provided, however, such additional duties shall be performed without additional compensation. [Amended ATE 5-19-2020, Question 3]

**§ C5-7. Responsibilities for administrative reorganization. [Amended ATE 5-19-2020, Question 3]**

- A. With the approval of the Select Board,, the Town Manager may establish, reorganize, consolidate or abolish any division, department or position placed by this Charter or vote of the Select Board, under the Manager's direction and supervision, except as otherwise provided by General Law or this Charter.
- B. The creation of any additional permanent, compensated position shall require approval by the affirmative vote of four (4) members of the Select Board,, and such action shall not be effective until the position has been funded by a vote of the Town Meeting.

**§ C5-8. Responsibilities for disbursements. [Amended ATE 5-19-2020, Question 3]**

Warrants or vouchers for the payment of town funds, prepared and signed by the Town Accountant in accordance with General Law procedures, shall be submitted to the Town Manager. The approval of the Manager on such warrants shall be sufficient authorization for payment by the Treasurer; provided, however, that at least three (3) Select Board shall approve all warrants in the Town Manager's absence or in the event of a vacancy in the office of Town Manager.

**§ C5-9. Evaluation.**

- A. The Select Board shall annually evaluate the performance of the Town Manager. The Board shall adopt a written set of procedures and criteria which shall form the basis for the evaluation. [Amended ATE 5-19-2020, Question 3]
- B. A copy of the evaluation shall be provided to the Town Manager.

**§ C5-10. Removal.**

- A. The Select Board, by the affirmative vote of at least three (3) members, may initiate the removal of the Town Manager by adopting a resolution to that effect, provided

that no such resolution shall be adopted within ninety (90) days following any town election that has resulted in a change in the incumbents on the Board. The resolution shall state the reasons for the proposed removal and shall be adopted only at a regular scheduled public meeting and in open session. [Amended ATE 5-19-2020, Question 3]

- B. The adoption of said resolution shall serve to suspend the Town Manager for not more than forty-five (45) days, during which the salary shall continue to be paid. A copy of such resolution shall be delivered forthwith to the Town Manager in hand, or sent by registered mail, return receipt requested, to the Manager's place of residence.
- C. Within five (5) days following receipt of such resolution, the Town Manager may file with the Select Board and the Town Clerk a written request for public hearing. Upon receiving such a request, the Board shall schedule a hearing within two (2) weeks, and it shall be held in a public place. At least seven (7) days prior to the public hearing, the Board shall advertise the hearing in a newspaper of local circulation and shall cause identical notices stating the purpose, location, time and date to be posted in at least four (4) public places in the town. [Amended ATE 5-19-2020, Question 3]
- D. The Moderator shall preside at any such hearing.
- E. At any such hearing, the reasons for the removal shall first be read aloud. The Town Manager shall have the right to respond, personally or through counsel. The Select Board and the Town Manager shall have the power to call and cross-examine witnesses and to subpoena any and all town records. [Amended ATE 5-19-2020, Question 3]
- F. Final removal of any Town Manager shall be effected by the affirmative vote of at least three (3) members of the Select Board at a public meeting of the Board, the time and place of which are announced, held within seven (7) days of such hearing, if any. If no hearing has been requested, final removal may be effected by an affirmative vote of at least three (3) members, at a meeting of the Board held not earlier than fourteen (14) days after the resolution is adopted initiating the removal. The salary of the Town Manager shall be paid for a period of sixty (60) days after the vote effecting removal from office. [Amended ATE 5-19-2020, Question 3]

**§ C5-11. Resignation. [Amended ATE 5-19-2020, Question 3]**

The Town Manager shall provide the Select Board with at least ninety (90) days' notice of an intended resignation; provided, however, that the Board may shorten or waive such requirement.

**§ C5-12. Filling vacancy. [Amended ATE 5-19-2020, Question 3]**

When a vacancy arises in the office of the Town Manager, the Select Board shall advertise the vacancy as soon as possible. The Board shall fill the vacancy as soon as possible, preferably within six (6) months.

**§ C5-13. Acting or Interim Town Manager. [Amended ATE 5-15-2007, Question**

**11; ATE 5-21-2013; ATE 5-19-2020, Question 3]**

- A. The Assistant Town Manager shall perform the duties and responsibilities of the Town Manager during any period when the Town Manager is unable to perform the duties of the office of the Town Manager. If the Assistant Town Manager is also absent or unable to perform, the Select Board shall designate a competent and qualified person, preferably a town employee, to serve on an acting basis at the will of the board until the Town Manager or the Assistant Town Manager returns to office. No member of the Select Board shall serve in this capacity. The Select Board shall make the appointment at a duly noticed open meeting and shall file written notice thereof with the Town Clerk.
- B. The Assistant Town Manager shall perform the duties and responsibilities of the Town Manager during any vacancy in the office of Town Manager. If the Assistant Town Manager is unable to perform, the Select Board shall designate a competent and qualified person to serve on an interim basis at the will of the board until a permanent Town Manager has been appointed and sworn to the office. No member of the Select Board shall serve in this capacity. The Select Board shall make the appointment at a duly noticed open meeting and shall file written notice thereof with the Town Clerk.

ARTICLE VI  
**Citizen Participation: Elections and Recall**

**§ C6-1. Initiative.**

- A. A Special Town Meeting may be called by the Select Board or shall be called by said Board upon the request, in writing, of at least two hundred (200) registered voters of the town. [Amended ATE 5-19-2020, Question 3]
- B. By written petition to the Select Board, any ten (10) voters of the Town may secure the inclusion of an article for the warrants of the Annual Town Meeting in the spring and the regular Fall Town Meeting, provided that such petition shall be submitted in compliance with the requirements established by bylaw. [Amended ATE 5-19-2020, Question 3]
- C. By written petition to the Select Board, any one hundred (100) voters may secure the inclusion of an article for the warrant of any Special Town Meeting, provided that such petition shall be submitted at least thirty (30) days in advance of the date of such meeting. [Amended ATE 5-19-2020, Question 3]
- D. The Board may waive the requirements set forth in Subsection C.

**§ C6-2. (Reserved)<sup>2</sup>****§ C6-3. (Reserved)****§ C6-4. Town elections.**

The regular election for all town offices shall be by official ballot held on a date established by bylaw.

**§ C6-5. Town elections to be nonpartisan.**

All town elections shall be nonpartisan, and election ballots shall be printed without any party mark or designation.

**§ C6-6. Eligibility of town voters. [Amended ATE 5-19-2020, Question 3]**

Any registered voter of the Town shall be eligible for election to any elective office or governmental body of the town; provided, however, that no person shall hold, concurrently, more than one (1) at-large elective office of the town.

**§ C6-7. Ballot position.**

- A. Except as otherwise provided by General Law, the order in which the names of all candidates, including incumbents, appearing on election ballots for any office shall be determined by a drawing, by lot, conducted by the Town Clerk, which shall be open to the public.
- B. Before every election, the Town Clerk shall make available the names and

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2. Editor's Note: Former § C6-2, Publicizing of vacancies, was repealed ATE 5-21-2013.

residences of all candidates to be voted for and the form of any questions to be submitted to the voters at such election. Such lists shall be a public record, and the Town Clerk shall cause one (1) copy of the official ballot to be posted in Town Hall and published in a newspaper of general circulation within the town at least one week prior to the election.

**§ C6-8. Time of taking office. [Amended ATE 5-19-2020, Question 3]**

Any person duly elected to any office or governmental body shall take up the duties of the office on the first business day of the week following the election and following certification of the Town Clerk.

**§ C6-9. Referendum.**

- A. A vote of the Town Meeting under any article in the warrant shall not be operative until the expiration of five (5) days after the final adjournment of the Town Meeting, other than the following:
- (1) To adjourn.
  - (2) To appropriate money for the payment of principal and interest of bonds and notes of the town.
  - (3) To authorize the temporary borrowing of money in anticipation of revenue.
- B. If within such period of five (5) days a petition signed by not less than five percent (5%) of the registered voters in the town is filed with the Town Clerk asking that any question involved in such a vote be submitted to the voters of the town, then a referendum shall be held for the sole purpose of presenting the question to the voters of the town.
- C. The Town Clerk shall, within one (1) working day of receipt of said petition, submit the petition to the Board of Registrars in the town, and the Registrars shall within fourteen (14) working days certify thereon the signatures which are names of registered voters. If the petition shall be found and certified by the Board of Registrars to be sufficient, the Town Clerk shall within one (1) working day submit same with a certificate so stating to the Select Board. The Select Board shall within seven (7) working days order a special election to be held on a date fixed by them, which shall not be less than sixty (60) nor more than eighty (80) days after the date of the Town Clerk's certificate that a sufficient petition has been filed. **[Amended ATE 5-19-2020, Question 3]**
- D. Each question to be voted on in the referendum shall be submitted to the voters in the following form: "Shall the town vote to approve the action of the Town Meeting whereby it was voted that [here insert a brief summary of the substance of the vote]?" **[Amended ATE 5-19-2020, Question 3]**
- E. All procedures for voting upon such a question shall be in the same manner as is provided by General Law for the conduct of Special Town Elections.

**§ C6-10. Recall of elective officeholders.**

- A. Any elected officeholder, except Town Meeting members, may be recalled by the voters as herein provided.
- B. One hundred (100) registered voters of the town may file with the Town Clerk an affidavit containing the name of the officeholder sought to be recalled and a statement of the grounds for recall; provided, however, that not more than twenty-five (25) names shall be from any one (1) precinct of the town.
- C. The Town Clerk shall within one (1) working day of receipt submit the affidavit to the Board of Registrars in the town, and the Registrars shall within fourteen (14) days certify thereon the signatures which are names of registered voters. If the affidavit shall be found and certified by the Board of Registrars to be sufficient, the Town Clerk shall thereupon deliver to the ten (10) voters first named on such affidavit a sufficient number of copies of petition blanks demanding such recall, printed forms which shall be kept available. The blanks when issued shall be signed by the Town Clerk and shall have the Official Seal attached thereto. They shall be dated and addressed to the Select Board and shall contain the names of the ten (10) persons to whom they are issued, the number of petitions to be issued, the name of the officeholder whose recall is sought, the grounds for recall as stated in the affidavit and shall require the election of a successor to such office. **[Amended ATE 5-19-2020, Question 3]**
- D. The recall petition shall bear the signatures and residential addresses of at least fifteen percent (15%) of the registered voters, no more than twenty-five percent (25%) of which shall be from any one (1) precinct, and shall be returned to the Town Clerk within twenty (20) working days after the filing of the affidavit. The petitions containing the signatures requesting a recall election need not all be submitted at the same time.
- E. The Town Clerk shall within one (1) working day of receipt submit the petition to the Board of Registrars in the town, and the Registrars shall within fourteen (14) working days certify thereon the number of signatures which are names of registered voters. **[Amended ATE 5-19-2020, Question 3]**
- F. If the petition shall be found and certified by the Board of Registrars to be sufficient, the Town Clerk shall submit the same with a certificate so stating to the Select Board. The Select Board shall, within three (3) working days, give written notice by registered mail of the receipt of the certificate to the officeholder sought to be recalled. **[Amended ATE 5-19-2020, Question 3]**
- G. Unless the officeholder shall have resigned within five (5) days thereafter, the Select Board shall order a special election to be held on a date fixed by them, which shall be not less than sixty (60) nor more than eighty (80) days after the date of the Town Clerk's certificate that a sufficient petition has been filed; provided, however, that if any other town election is to occur within ninety (90) days after the date of the certificate, the Select Board shall postpone the holding of the special election to the date of such other election. **[Amended ATE 5-19-2020, Question 3]**
- H. Any officeholder sought to be removed may not be a candidate to succeed himself in the recall election. The nomination of candidates, the publication of the warrant for the recall election and the conduct of the same shall all be in accordance with the provisions of General Law relating to elections, and the election to replace the

officeholder sought to be removed shall be held on the same day and on the same ballot as the recall election.

- I. The incumbent shall continue to perform the duties of office until the recall election. If not recalled, the incumbent shall continue in office for the remainder of the unexpired term. An incumbent having successfully survived a recall election shall not again be subject to recall until six (6) months after such survival. If recalled, the incumbent shall be deemed removed upon the certification of the successor who shall hold office during the unexpired term. If the successor fails to qualify within five (5) days after receiving notification of election, the incumbent shall thereupon be deemed removed and the office vacant.
- J. The form of the question to be voted upon shall be substantially as follows: "Shall [here insert the name and title of the elective officer whose recall is sought] be recalled?" The action of the voters to recall shall require a majority vote, but shall not be effective unless the total of those voting for and against recall shall exceed twenty percent (20%) of the registered voters of the town.
- K. No person, having been removed from office by recall or having resigned from office while recall proceedings were pending against him, shall be appointed to any town office within two (2) years following said removal or resignation.

## ARTICLE VII

**Appointed Town Governmental Bodies**

[Amended ATM 4-5-2006, Art. 46; ATM 4-7-2008, Art. 47, approved 5-20-2008; AFTM 11-13-2008, Art. 8, approved 2-11-2008; ATE 5-18-2010, Question 4; ATE 5-21-2013; AFTM 11-12-2015, Art. 18, approved 2-29-2016; ATE 5-19-2020, Question 3]

**§ C7-1. Publicizing of vacancies on town governmental bodies.**

- A. Except as otherwise specifically provided, the Select Board shall be the appointing authority for all governmental bodies. Prior to making appointments to governmental bodies, the board shall publicize all vacancies to be filled together with information on the filing of applications by prospective members, and the deadline for receiving applications. The board shall also require all chairs of governmental bodies to file with the Town Clerk a description of the duties and responsibilities of the governmental body and the members thereof. The board shall further consult with the governmental body to which appointments are to be made to obtain the names of prospective candidates for appointment. The board shall interview all applicants and make appointments in a timely manner, but no appointments shall be made until the last day for filing applications has passed.
- B. In cases where the Moderator is the appointing authority to a governmental body, the Moderator shall follow a procedure similar to the procedure set forth in paragraph A above: provided, however, the Moderator may delegate the function to a duly appointed nominating committee, which shall follow a similar procedure.

**§ C7-2. General provisions.**

- A. Governmental bodies established in this article shall possess and exercise all powers given to them under the Constitution and laws of the Commonwealth and shall possess and exercise such additional powers and duties as may be authorized by this charter, bylaw or vote of Town Meeting. This Charter names those governmental bodies which 1) are mandated or authorized by the laws of the Commonwealth and 2) exercise regulatory or other authority. This Charter names those governmental bodies which 1) are mandated or authorized by the laws of the Commonwealth and 2) exercise regulatory or other authority. [Amended ATE 5-19-2020, Question 10]
- B. All governmental bodies of the town shall organize annually; elect necessary officers; adopt rules of procedure and voting, including the development of agendas; maintain minutes of meetings and records of attendance, copies of which shall be public record and shall be regularly filed with the Town Clerk. It is the responsibility of each chairperson to file a current description of the duties and responsibilities of the governmental body and its members with the Town Clerk. Governmental bodies may nominate prospective employee(s) of their choice, who shall then be considered for appointment by the Town Manager. All such employees shall be under the day-to-day supervision of the Town Manager.
- C. All governmental bodies shall submit a written report to or meet with the Select Board at least once in each year.

- D. All such governmental bodies shall conduct their meetings in accordance with the Open Meeting Law.
- E. During the term for which a member is appointed to a multimember body and for one (1) year following expiration of such term, no member of any appointed governmental body shall be eligible to accept any paid position under any such governmental body.
- F. Any person duly appointed to any such governmental body shall take up the duties of office immediately.
- G. The unexcused absence, without good cause, of a member from one-half (1/2) of the total number of meetings during any twelve-month period or from four (4) or more consecutive meetings of any such governmental body shall serve to vacate the office. The vacancy shall be determined by the chairperson and confirmed by a majority vote of the governmental body. When such vacancy has been so determined, it shall be filled in accordance with the General Laws, when applicable, or the process to fill the vacancy shall begin within thirty (30) days. **[Amended ATE 5-18-2021, Question 5]**
- H. No member of a governmental body shall serve more than three (3) consecutive three year terms, except that members of governmental bodies who serve five (5) year terms shall serve for no more than two (2) consecutive five year terms: provided, however, that the appointment of a member to fill an unexpired term of another member shall not be counted in determining this term limitation.

**§ C7-3. Change in composition of appointed governmental bodies.**

The Town Meeting may, by bylaw, enlarge or decrease the number of persons to serve as members of appointed town multimember bodies; provided, however, that all such bodies shall always consist of an odd number of members.

**§ C7-4. Appointive authority; term.**

Except as otherwise provided, the governmental bodies established in this article shall be appointed by the Select Board for overlapping three-year terms.

**§ C7-5. Board of Assessors. [Amended ATE 5-19-2020, Question 11]**

A Board of Assessors of three (3) members shall be appointed whose appointment shall be exempt from the provisions of § C7-2H relative to term limits.

**§ C7-6. Conservation Commission.**

A Conservation Commission of seven (7) members shall be appointed.

**§ C7-7. Board of Health.**

A Board of Health of five (5) members shall be appointed.

**§ C7-8. Council on Aging.**

A Council on Aging of nine (9) or more members shall be appointed.

**§ C7-9. (Reserved)****§ C7-10. (Reserved)<sup>3</sup>****§ C7-11. (Reserved)<sup>4</sup>****§ C7-12. (Reserved)<sup>5</sup>****§ C7-13. (Reserved)<sup>6</sup>****§ C7-14. Zoning Board of Appeals.**

A Zoning Board of Appeals of five (5) members and two (2) associate members shall be appointed.

**§ C7-15. Falmouth Historical Commission.**

A Historical Commission shall be appointed as provided by the provisions of Massachusetts General Laws, Chapter 40C, and applicable Town bylaw.

**§ C7-16. Community Preservation Committee. [Added ATE 5-19-2020, Question 10; amended ATE5-18-2021, Question 6]**

A Community Preservation Committee shall be appointed as provided by the provisions of Massachusetts General Laws Chapter 44B and applicable Town bylaw consisting of nine (9) voting members, four (4) members to be appointed by the Select Board, and one (1) each appointed by the following five (5) governmental bodies: Conservation Commission, Historical Commission, Housing Authority, Planning Board and Recreation Committee.

**§ C7-17. Economic Development and Industrial Corporation. [Added ATE 5-19-2020, Question 10]**

An Economic Development and Industrial Corporation shall be appointed as provided by the provisions of Massachusetts General Laws, Chapter 121C and applicable vote of Town Meeting.

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3. Editor's Note: Former § C7-10, Recreation Committee, was repealed ATE 5-18-2021, Question 6.  
 4. Editor's Note: Former § C7-11, Waterways Committee, was repealed ATE 5-18-2021, Question 6.  
 5. Editor's Note: Former § C7-12, Beach Committee, was repealed 5-18-2021, Question 6.  
 6. Editor's Note: Former § C7-13, Human Services Committee, was repealed 5-18-2021, Question 6.

ARTICLE VIII  
Financial Provisions and Procedures

**§ C8-1. Financial planning.**

- A. The Town Manager shall develop and annually revise a long-range general financial plan for the town. The plan shall project anticipated revenues from all sources, provide projections relating to the town's future debt obligations and identify anticipated municipal problems likely to require major expenditures in the future. [Amended ATE 5-15-2007, Question 12]
- B. The financial plan shall be reviewed by the Select Board and Finance Committee and adopted by the Select Board with or without amendments. [Amended ATE 5-19-2020, Question 3]

**§ C8-2. (Reserved)<sup>7</sup>**

**§ C8-3. Submission of budget and budget message.**

- A. On or before the first day of October each year, the Town Manager shall request and receive from all financial officers the estimated revenues for the next fiscal year. [Amended ATE 5-15-2007, Question 12]
- B. Upon receipt by the financial officers of any additional specific fiscal data provided by the commonwealth or from any other source, such estimates shall be revised, updated and submitted forthwith to the Town Manager. [Amended ATE 5-15-2007, Question 12]
- C. On or before the first day of November of each year, the Select Board, after consulting with the Town Manager, shall issue a policy statement relating to the budget for the next fiscal year. The statement shall establish the outer limits of possible budget growth for the town. [Amended ATE 5-15-2007, Question 12; ATE 5-19-2020, Question 3]
- D. All department heads and multimember bodies shall submit their budget requests to the Town Manager on or prior to the first day of December each year. The budget request submitted by the School Committee shall be submitted in sufficient time, and in sufficient detail, to enable the Town Manager to assess the probable impact of the School Department's budget upon the total town budget. [Amended ATE 5-15-2007, Question 12]
- E. On or prior to the first day of January of each year, the Town Manager shall submit to the Select Board a comprehensive budget for all town functions for the ensuing fiscal year and an accompanying budget message. [Amended ATE 5-15-2007, Question 12; ATE 5-19-2020, Question 3]
- F. The budget message shall explain the budget both in fiscal terms and in terms of what specific projects are contemplated in the year ahead. It shall:
  - (1) Outline the proposed financial policies of the Town for the ensuing fiscal year.

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7. Editor's Note: Former § C8-2, Finance Committee, was repealed ATE 5-19-2020, Question 5. See now § C2-15.

- (2) Describe the important features of the budget.
  - (3) Indicate any major changes from the current year in financial policies, expenditures and revenues, together with the reasons for such changes.
  - (4) Summarize the town's debt position.
  - (5) Include such other material as the Town Manager may deem appropriate. **[Amended ATE 5-15-2007, Question 12]**
- G. The budget shall provide a complete financial plan for all town funds and activities in such format as the Finance Committee may suggest, provided the format suggested is compatible with the standards recommended by the State Association of Finance Committees. The budget shall indicate proposed expenditures for both current operations and capital projects during the ensuing fiscal year, detailed by departments, offices, multimember bodies and specific purposes and projects.
- H. The Finance Committee shall annually review the salaries of all elected officials and make recommendations to the Town Meeting. **[Amended ATE 5-15-2007, Question 6; ATE 5-19-2020, Question 3]**

**§ C8-4. Action on proposed budget. [Amended ATE 5-15-2007, Question 12; ATE 5-19-2020, Question 3]**

- A. The Select Board shall within fifteen (15) days adopt the budget, with or without recommendations, and submit it to the Finance Committee on or before the 16th day of January of each year. The Select Board shall also transmit the budget request of the School Committee to the Finance Committee.
- B. The Finance Committee shall conduct at least one (1) public hearing on the proposed budget and shall issue printed recommendations and detailed explanations on all financial articles in an annual Finance Committee report, which shall be mailed or distributed to the residences of all members of the Town Meeting at least fourteen (14) days prior to any scheduled Town Meeting. In preparing its recommendations, the Committee may require the Town Manager or any town department, office or any multimember body to furnish it with appropriate financial reports and budgetary information.
- C. The Select Board shall be responsible for presenting the budget to the Town Meeting.

**§ C8-5. Budget adoption. [Amended ATE 5-19-2020, Question 3]**

The Town Meeting shall adopt the budget, with or without amendments, prior to the beginning of the fiscal year.

**§ C8-6. Capital improvements plan.**

- A. The Town Manager shall prepare a five-year capital improvements plan which shall include a clear summary of its contents; a list of all capital improvements proposed to be undertaken during the next five (5) fiscal years, together with supporting data; cost estimates, methods of financing and recommended time schedules; and the

estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired. The above information shall be revised and extended each year with regard to capital improvements pending or in the process of construction or acquisition. [Amended ATE 5-15-2007, Question 12]

- B. The capital improvements plan shall be submitted to the Select Board on or before the 15th day of December of each year. The Board shall act thereon within thirty (30) days and shall then submit it to the Finance Committee, which shall issue its recommendations to the Town Meeting. [Amended ATE 5-19-2020, Question 3]

**§ C8-7. Notice of public hearing on capital improvements plan.**

The Finance Committee shall publish, in one (1) or more newspapers of general circulation in the Town, the general summary of the capital improvements plan and a notice stating:

- A. The time and places where copies of the capital improvements plan are available for inspection.
- B. The date, time and place, not less than seven (7) days following such publication, when the Committee shall conduct a public hearing on said plan. The public hearing shall be conducted at least thirty (30) days prior to the Town Meeting at which the capital budget is acted upon.

**§ C8-8. Collections.**

Except as otherwise provided by General Law or bylaw, all moneys and fees received by any department, officer or multimember body shall be paid forthwith into the town treasury.

**§ C8-9. Lapse of appropriations.**

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned, after which any funds remaining in the appropriation shall be returned to the general fund by the Town Accountant. The purpose of any such appropriations shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation.

**§ C8-10. Public records.**

The budget and capital improvements program shall be public records, and copies shall be kept available for inspection at the office of the Town Clerk and at the Falmouth Library.

ARTICLE IX  
**General and Transitional Provisions**

**§ C9-1. Enforcement. [Added ATE 5-21-2013]**

- A. Any person who has reason to believe that a town official or governmental body has violated any provision of this charter by action or failure to act may file a written complaint with the Town Clerk, setting forth the circumstances which constitute the alleged violation.
- (1) The written complaint shall identify the official or governmental body, specify the date and time of the alleged violation and cite the section of the charter allegedly violated.
  - (2) The written complaint shall be filed within six (6) months of the alleged violation. Upon receiving the written complaint, the Town Clerk shall forward a copy thereof to the official or the chairperson of the governmental body with a further copy to the Town Manager and the Select Board. [Amended ATE 5-19-2020, Question 3]
- B. The official or chairperson of the governmental body shall file a reply with the Town Clerk.
- (1) It shall either acknowledge the alleged violation with proposed remedial action if appropriate and feasible, or deny the alleged violation with a statement of reasons therefore.
  - (2) The reply shall be so filed by an official within 30 days of receipt of a copy of the complaint. In the case of a governmental body, its chairperson shall file a reply within thirty (30) days of the receipt of the copy of the complaint or within ten (10) days after the second regularly scheduled meeting of the governmental body following receipt of the copy of the complaint, whichever is greater.
  - (3) The Town Clerk shall forward a copy of the reply to the complainant with a copy of the reply to the Town Manager and the Select Board. [Amended ATE 5-19-2020, Question 3]
- C. A complainant who is aggrieved by the reply may pursue any remedy available at law or in equity.

**§ C9-2. Continuation of existing laws.**

Except as specifically provided in this Charter, all General Laws, special laws, town bylaws, votes, rules and regulations of or pertaining to the Town that are not inconsistent with the provisions of this Charter shall continue in full force and effect until amended or rescinded by the course of law or expire by their own limitation.

**§ C9-3. Continuation of government. [Amended ATE 5-19-2020, Question 3]**

Except as specifically provided in this Charter, all governmental bodies of the town shall remain in existence and their incumbents shall continue to perform their duties until not

reappointed, reelected or until successors to their respective positions are duly appointed or elected or their duties have been transferred.

**§ C9-4. Continuation of personnel.**

Any person serving in the employment of the town shall retain such position and shall continue to perform the duties unless provisions shall have been made in accordance with this Charter of the performance of the said duties by another person or agency.

**§ C9-5. Transfer of records and property.**

- A. If a power or duty is reassigned in the course of conduct of town affairs, the records, property and equipment necessary to fulfill said power or duty shall likewise be reassigned to the newly responsible office or agency.
- B. Said transfer shall be carried out under the direction of the Town Manager. [Amended ATE 5-15-2007, Question 12]

**§ C9-6. Board of Assessors.**

The terms of office of the incumbent members of the Board of Assessors shall continue to their normal expiration. As the term of an incumbent expires, the position shall be filled by appointment for a term of three (3) years, in accordance with § C7-5.

**§ C9-7. Board of Health.**

The terms of office of the incumbent members of the Board of Health shall continue to their normal expiration. As the term of an incumbent expires, the position shall be filled by appointment for a term of three (3) years, in accordance with § C7-7.

**§ C9-8. Multimember bodies made appointive.**

The terms of office of the incumbent members of the Recreation Committee and the Beach Committee shall all continue to their normal expiration. As the term of each incumbent expires, the position shall be filled by appointment, as provided in Article VII of this Charter.

**§ C9-9. Revision of bylaws. [Amended ATE 5-21-2013; ATE 5-19-2020, Question 3; ATE 5-19-2020, Question 12]**

The Select Board shall ensure that the town bylaws are reviewed periodically, in whole or in part, and prepare any appropriate or necessary revisions or amendments.

**§ C9-10. Charter amendment.**

This Charter may be revised or amended in accordance with the procedures made available by Articles 89 and 113 of the amendments to the Constitution of the Commonwealth, commonly known as the "Home Rule Amendment," and MGL c. 43B, commonly known as the "Home Rule Procedures Act."

**§ C9-11. Board discontinued. [Amended ATE 5-19-2020, Question 3]**

The Board of Public Works in existence on the day this Charter becomes fully effective shall be abolished. The powers and duties of said Board shall be vested in the Select Board.

**§ C9-12. (Reserved)<sup>8</sup>****§ C9-13. Review of Charter. [Amended ATE 5-19-2020, Question 3]**

- A. At least every seven (7) years, the Select Board shall appoint a Charter Review Committee for the purpose of recommending changes to the Charter, based upon active solicitation of suggestions from the public and town officials.
- B. Changes recommended by the Committee shall be the basis for action as deemed appropriate by the Select Board consistent with the provisions described in § C9-10 preceding.

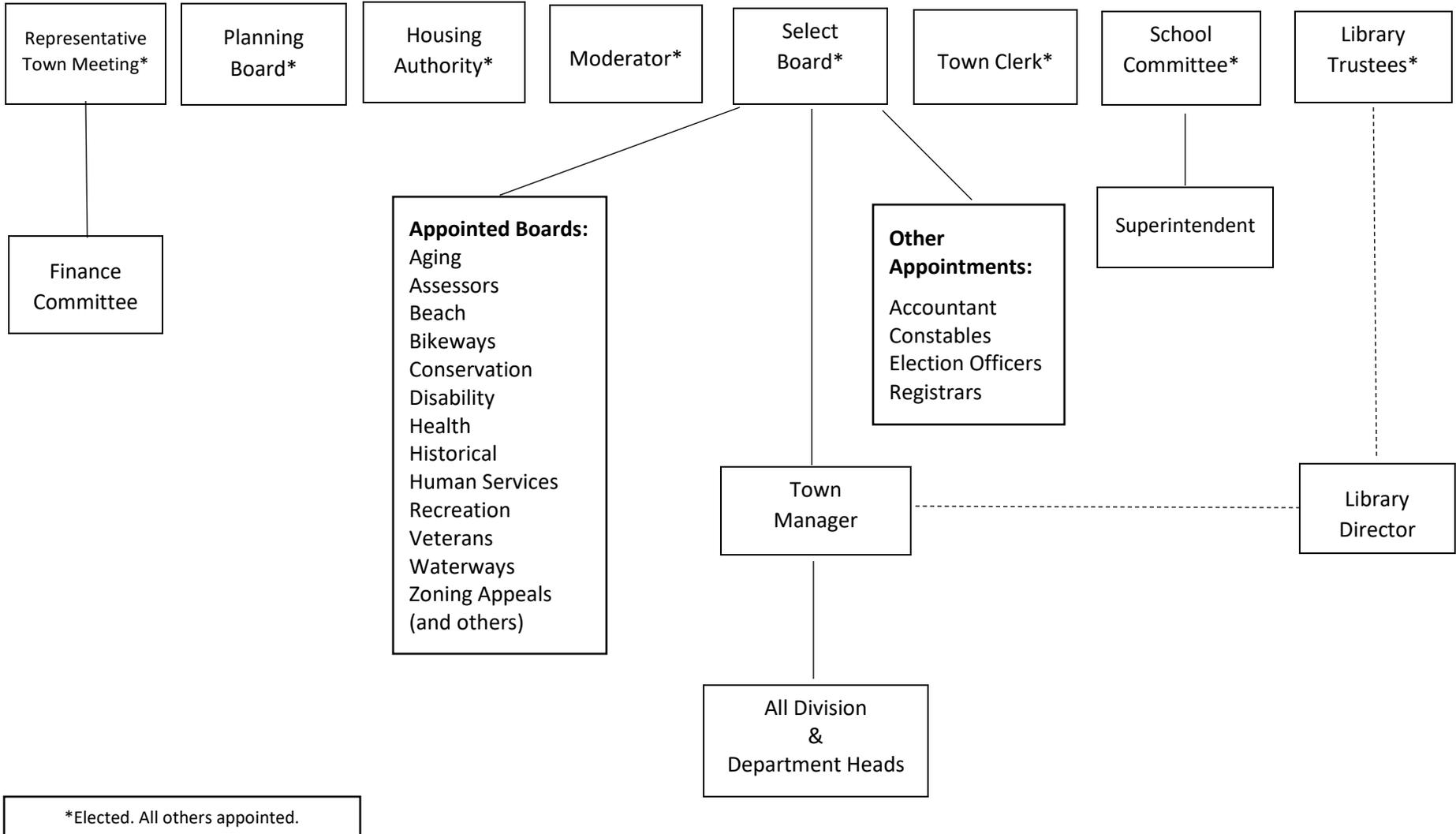
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8. Editor's Note: Former § C9-12, Definitions, was repealed ATE 5-19-2020, Question 3. See now § C1-6.

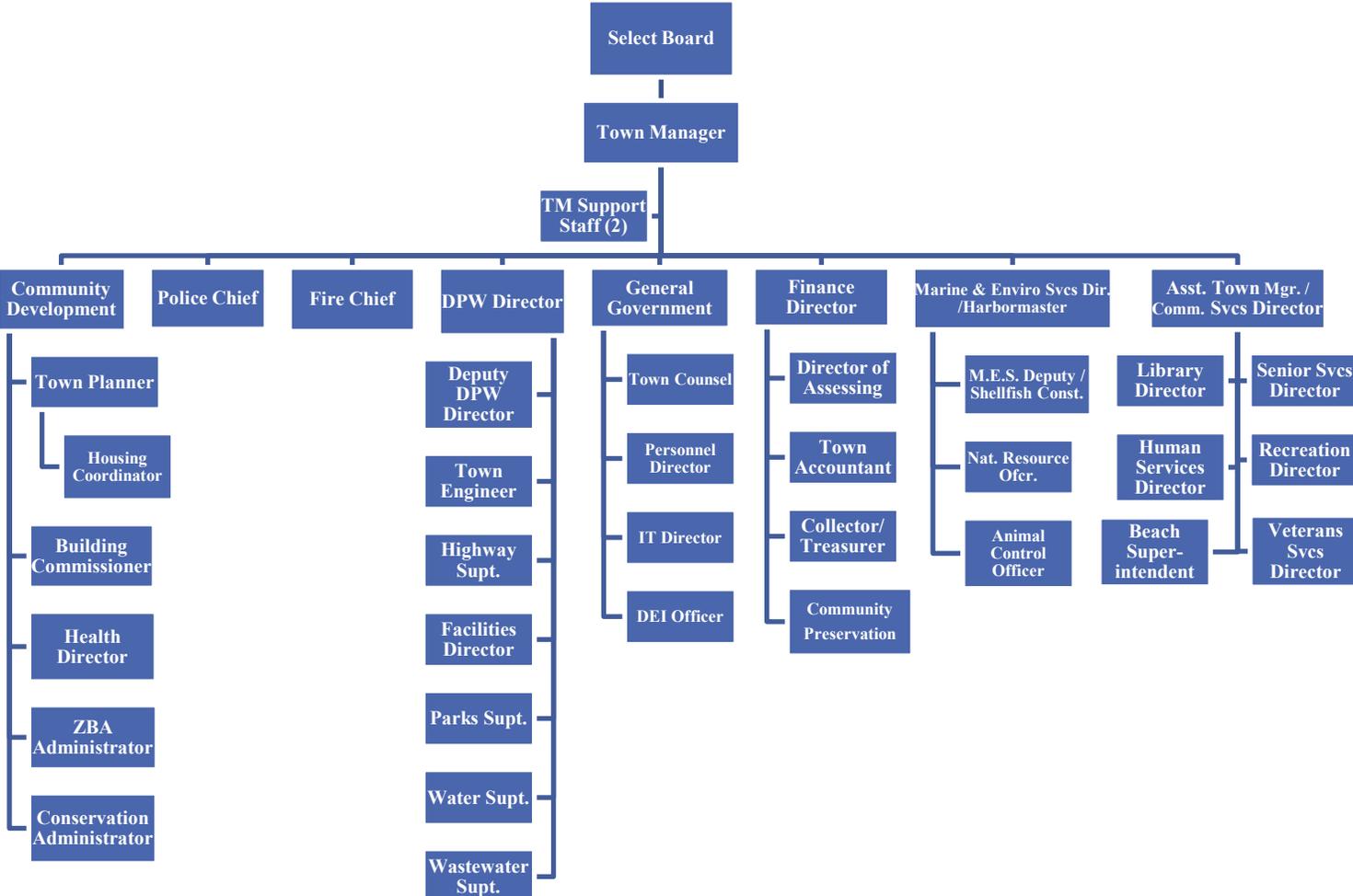
## 2. Organizational Charts

# Falmouth Organization Chart

## V O T E R S



# Town of Falmouth Staff Organization



### 3. Select Board Strategic Plan

# Select Board Strategic Plan



## **FY2023 – FY2027**

Updated per Select Board Vote October 16, 2023

## Introduction

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

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

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

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

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

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

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

Falmouth Select Board

*Adopted: October 24, 2022*

Nancy Robbins Taylor, Chair

Onjalé Scott Price, Vice Chair

Douglas C. Brown

Samuel H. Patterson

Edwin Scott Zylinski

*Revised and Adopted: October 16, 2023*

Nancy Robbins Taylor, Chair

Edwin Scott Zylinski, Vice Chair

Douglas C. Brown

Robert P. Mascali

Onjalé Scott Price

## I. Housing

The Select Board has included housing as a specific priority area to signify its importance. Prioritizing creation of housing that is available and attainable to individuals of all income levels including working individuals and families is critical to supporting the hiring and retention of Town staff and maintaining the stability of Town operations. The vitality of the Town is dependent upon a community that is affordable and accessible.

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

### **The ongoing goals within this strategic priority area are:**

- Continue using the Housing Production Plan as a guide.
- Evaluate Town owned parcels of land for potential development of affordable housing.
- Update Local Initiative Program (LIP) guidelines and procedures with input from ZBA, Planning Board, Affordable Housing Committee to facilitate development of affordable housing.
- Consider developing a program to purchase deed restrictions on existing properties to be converted on future sale.
- Support Falmouth Housing Authority with renovating existing residential properties by supporting state and federal grant applications.
- Seek methods of addressing housing needs of the so-called “missing middle” which refers to households that have an income that is not high enough to afford market rate housing in Falmouth but whose income is above the 80% of Area Median Income (AMI) threshold applied by the Commonwealth under M.G.L. c. 40B.
- Consider proposing special legislation to assess a new real estate transfer fee to raise funds for creating new housing opportunities.
- Consider pursuing a residential deed exemption program similar to the one adopted by Vail Colorado.
- Consider supporting a Planning Board proposal to broaden the scope of the Mixed Residential Commercial Overlay District (MRCOD) to allow greater zoning flexibility for permitting multifamily housing within the designated District.

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

- Add a minimum of 100 more deed restricted affordable rental units over the course of the next 5 years.
  - The Housing Coordinator should manage this list and conduct a review every 3 months.
- Consider creative and radical solutions to increasing affordable housing options.
  - Housing Coordinator in collaboration with Affordable Housing Committee seek innovate/radical ways to increase housing stock such as addressing ADU bylaw issues/confusion, reviewing strategies implemented by other Cape towns to incentivize developers to build affordable housing, etc.

- Special focus on researching an Airbnb moratorium.
- Contract with creative contractors to establish innovative ways to increase affordable housing stock through existing infrastructure.
- The Town Manager to provide regular (monthly/quarterly) updates on LIP (Local Initiative Plan) or other affordable housing related projects and their status.  
Maintain a minimum balance of \$4 million in the Falmouth Affordable Housing Fund Trust.

## II. Energy & Water Conservation and Sustainability

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

### **The ongoing goals within this strategic priority area are:**

- Pursue and promote energy efficiency in new building construction.
- Promote and provide infrastructure to support electric vehicles.
- Continue to investigate viability of electric vehicles when replacing municipal vehicles.
- Explore & implement municipal sites for alternative energy.
- Develop program to encourage solar energy on private property.
- Consider ground mounted and rooftop solar installations.
- Explore public and private partnerships for renewable energy.
- Enhance and promote efforts to improve composting and recycling practices.
  - Explore a municipal composting program through private/public partnerships.
- Continue ESCO and related programs – i.e., building upgrades to improve energy efficiency.
- Consider utilizing the interconnection to the Eversource electric grid at the Wastewater Treatment Facility for a solar installation.
- Explore strategies to conserve potable water. (*already addressed in priority VII.*)
- Consider taking on negotiation of power purchase agreement with Eversource as part of the AMP Solar project. The Town would negotiate the power purchase agreement with Eversource instead of AMP Solar doing so.
- Consider Town purchase of solar power from local non-profit owner of solar pv installation.
- Consider well-planned, appropriate wind power (suggested by one member, not clear there is a majority of Select Board in support)

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

- Hire a Sustainability Coordinator as voted at Town meeting.

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

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

### III. Financial and Economic Stability

In this five-year planning period, the fiscal health of our operations and community remains a strategic priority for the Town of Falmouth as we face the continued challenges of high inflation, increasing housing costs and a declining supply of qualified workers for municipal positions.

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

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

**The ongoing goals within this strategic priority area are to:**

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

- Support Finance Department implementation of a carefully crafted tax lien program to collect past due taxes without putting any year-round resident at risk of homelessness.

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

- Increase Water rates to generate funds needed for a comprehensive annual water main replacement program.

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

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

## IV. Health and Public Safety

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

### **The ongoing goals within this strategic priority area are:**

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

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

- Provide Licensed Social Workers (LSW) to the Falmouth Police Department (FPD) to assist on calls related to mental health, substance use disorder, and people without housing.
  - The FPD will convert 2 patrol officer positions to Licensed Social Workers during FY223. For FY25 and beyond, the Select Board will: 1) add the 2 Patrol Officer positions back into the FPD budget, and 2) retain at least 2 LSW positions in the FPD budget.
- Actively support the Town's vote to remove FPD from Civil Service.
  - The Select Board will support the passing of this legislation through letter writing or any other appropriate means
- Collaborate with local and regional organizations providing treatment and support to those impacted by Opioid epidemic.
  - The Health and Human Services Department, in collaboration with other appropriate departments, identify gaps in services offered within the Town and options for filling the gaps. Recommendations for funding to be presented in preparation for the FY25 budget.
- Commit to a full-time six-fire station model.
  - The Select Board will work to create a budgetary plan to support six fire stations.

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

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

## V. Management of Coastal/Natural Resources & Infrastructure

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

### **The ongoing goals within this strategic priority area are:**

- Continue to pursue Community Rating System.
- Continue to implement municipal shellfish management plan.
- Dredging:
  - Explore alternatives to increase annual dredging.
  - Consider financial implications of permitting dredging in areas that have not been dredged on a regular basis in the past.
  - Support regional efforts to improve dredging resources and opportunities including legislation that reduces time of year restrictions.
  - Continue annual dredging and associated permitting to maintain channels and harbors.
- Survey curb cuts at beach and harbor entrances and parking lots.
- Incorporate accessibility improvements in conjunction with any sidewalk or pavement improvements.
- Consider construction of barrier reef to protect Nobska Point.
- Consider elevating roads.
- Develop a plan to protect water quality of fresh water ponds. Assign responsibility for evaluating causes and implementing solutions. Conduct detailed evaluation of sea level rise and storm threats to additional areas of Town similar to what was done for Surf Drive.
- Evaluate low lying roads and consider actions to mitigate problems identified.

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

- Consider hiring a Coastal Resiliency Coordinator (or similar position) for FY25
- Develop a plan to prioritize and protect public infrastructure and to inform private development.
- Review, discuss and adopt Coastal Resiliency Action Plan on recommendation of Coastal Resiliency Action Committee.
- Develop beach improvements and ten-year Beach Management Plan.
- Prioritize and plan for repairs to aging coastal structures, such as docks, ramps and retaining structures.
- Prioritize, plan, and manage needs of non-waterways coastal structures, such as parking areas, bridges, bikeways, Trunk River sewer, etc. and other non-waterways retaining structures.
- Explore a policy modeled after Chatham to require recurring beach nourishment to compensate for coastal structures.

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

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

## VI. Organizational Effectiveness & Community Engagement

The Select Board will encourage continued evaluation of the Town's organizational effectiveness. We will evaluate our own effectiveness in serving the community in our role as the Select Board and we will encourage ongoing assessment of all Town functions and services including those performed by municipal staff and volunteer committee members<sup>1</sup>. We take pride in knowing that Falmouth community members benefit from a wide array of high-quality municipal services, and we acknowledge there is always room for improvement.

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

### **The ongoing goals within this strategic priority area are:**

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

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

- Develop training video for committee members on open meeting law, ethics, and role of committee members relative to staff.

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

- Host meeting with committee chairs to discuss annual schedule and how the Board can support the committees in their work.
- Make municipal services (specifically the Town website) easier to navigate for the public.
- Fill Town staff vacancies
  - Especially Director of Finance and DEI Officer.
- Support departments
  - Conduct departmental assessment or audit to allow the Select Board and Town Manager to assess each department's strengths and weaknesses, where departments need support, etc.
- Support and show appreciation to volunteer committees, boards, and commissions
  - Reinstitute (as deemed safe and appropriate under COVID-19 restrictions) annual potluck social
  - Explore designating one staff person to serve as resource to committee chairs and members with questions and concerns about committee protocols
- Increase general community engagement with the Town
  - Continue to hold two Community Engagement Forums each year including one in the summer months when seasonal residents are in town.
    - Consider potential action items based on feedback received at Community Engagement Forums.
  - Continue engaging/communicating with non-municipal entities (Woods Hole scientific institutions, CCHC, JBCC, etc.)
  - Encourage Chief of Police to consider re-establishing community policing with Police Department resident assigned to each village association subject to available staffing.
  - Consider providing more funding to televise more community meetings.
- Conduct a comprehensive evaluation of the condition of municipal facilities including cost estimates for needed improvements.

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

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

## VII. Water, Wastewater & Solid Waste Management

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

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

### **The ongoing goals within this strategic priority area are:**

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

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

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

- Consider a program to require nitrogen reducing septic systems (AKA Innovative/Alternative systems) to protect fresh water ponds.
- Ensure continual supply of quality drinking water and adequate water pressures.
  - Replace larger sections of existing water mains: Connect loops to help with water quality and fire suppression pressure.

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

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

4. Select Board Policies (*selected policies of particular import included here. A complete set of policies is available at <https://www.falmouthma.gov/1177/Select-Board-Policies>*)

a. Code of Conduct

## **Code of Conduct of the Select Board**

1. A member of the Select Board, in relation to his or her community should:
  - a) Realize that his or her basic function is to make policy, with administration delegated to the Town Manager.
  - b) Realize that he or she is one of a team and shall abide by, and carry out, all Board decisions once they are made.
  - c) Be well informed concerning the duties of a Board member on both local and state levels.
  - d) Remember that he or she represents the entire community at all times.
  - e) Accept the role of a member is a means of unselfish service, not to benefit personally or politically from his or her Board activities.
  - f) Abide by the ethics guidelines established by the State and not use the position of Selectmen to obtain inside information on matters that may benefit someone personally.
  
2. A member of the Select Board, in his or her relations with the Town Manager, should:
  - a) Endeavor to establish sound, clearly defined policies that will direct and support the administration of or the benefit of the staff and residents of the community.
  - b) Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - c) Give the Town Manager full responsibility for discharging his or her disposition and/or solutions.
  - d) Not give instructions to Town department heads, but rather channel all such activities through the full Board and the Town Manager.
  
3. A member of the Select Board, in his or her relations with fellow Board members, should:
  - a) Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Board outside of such meetings.
  - b) Not make statements or promises of how he or she will vote on matters that will come before the Board until he or she has had an opportunity to hear the pros and cons of the issue during a Board meeting.
  - c) Uphold the intent of executive session and respect the privileged communication that exists in executive session.
  - d) Make decisions only after all facts on a question have been presented and discussed.
  - e) Refrain from communicating the position of the Select Board to anyone unless the full Board has previously agreed on both the position and the language of the statement conveying the position.
  - f) Treat with respect the rights of all members of the Board despite differences of opinion.

## **Code of Conduct of the Select Board**

4. A member of the Select Board, in his or her relations with Town staff, should:
  - a) Treat all staff as professionals, with clear, honest communication that respects the abilities, experience, and dignity of each individual.
  - b) Limit contact to specific Town staff; questions of Town staff and/or requests for additional background information should be directed only to the Town Manager, Town Counsel, Assistant Town Manager, Administrative Assistants in the Town Manager and Select Board's office, or Department heads. The office of the Town Manager should be copied on all requests or correspondence.
  - c) Never publicly criticize an individual employee. Concerns about staff performance should only be made to the Town Manager through private conversation.
  - d) Limit requests for staff support, and insure that all requests go through the Town Manager's office.
  - e) Insure that any materials or information provided to a Select Board member from a staff member be made available to all members of the Select Board.
  
5. The Chair of the Select Board, in his or her relations with the public, the Board and Town staff, should:
  - a) Develop an agenda based on the Town Charter, the Strategic Plan, and the Town bylaws.
  - b) Facilitate the requests of the other Select Board members, including agenda items and requests for information.
  - c) Run the meetings according to an agreed upon set of rules so that everyone understands how to conduct business, and all are treated fairly and equally.
  - d) Understand that the Chair serves at the pleasure of the Board to run the Board's meetings and develop the agenda. In all other respects, the Chair is an equal member of the Board who possesses no special authority or privilege.
  - e) Act as the voice of the Board and represent the decisions of the Board when requested from the media.

Note: This code of conduct was developed based on similar codes used by other elected boards and committees in other communities.

## b. Public Comment Policy

**FALMOUTH SELECT BOARD**  
**POLICY ON PUBLIC COMMENT AND PARTICIPATION**

The Select Board values public comment and participation in matters before the board. Meetings of the Select Board are conducted in accordance with G.L. c. 30A, ss. 18 – 25 known as the Open Meeting Law (“the OML”). A **meeting** is generally defined as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” A **deliberation** is defined as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” As a general rule, members of the Select Board are permitted to deliberate and act upon matters identified as an agenda item in the Notice of Meeting posted for the meeting in accordance with the OML. If a matter is not identified as an agenda item in the Notice of Meeting, the board may not deliberate and act upon it unless there are emergency circumstances. For this reason the board has promulgated this policy on public comment and participation at its meetings.

There are two parts to the policy. The first relates to public comment and participation in a matter identified as an agenda item in the Notice of Meeting. The second relates to public comment and participation in a matter which is not identified as an agenda item in the Notice of Meeting.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER**  
**IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING**  
**WITH SELECT BOARD PARTICIPATION**

The OML grants the public the right to attend any meeting of a public body except an executive session. An individual in attendance may not address the public body without the permission of the chair. An individual may not disrupt the meeting of a public body and the audience must remain silent. It is within the discretion of the chair to issue warnings to or order the dismissal of members of the public who disrupt the meeting or fail to heed warnings.

At the beginning of any meeting of the board, the chair shall call the meeting to order and announce any relevant information pertaining to public comment and participation on a matter identified as an agenda item in the Notice of Meeting. Ordinarily public comment and participation will be permitted only when the item is reached for deliberation by the board in accordance with the agenda.

There shall be no time limit on recognized public speakers unless 1) the chair announces the limit beforehand and 2) the limit applies equally to all speakers. No speaker may yield to another speaker without the permission of the chair. All speakers will be expected to focus remarks on the matter identified as an agenda item in the Notice of Meeting and remain “on topic.” There shall be no discrimination based upon the speaker’s viewpoints. The chair may terminate the comments and participation of any speaker who continues to make irrelevant and extraneous remarks after warning by the chair.

Any speaker who reads from a document or displays an exhibit to the board must leave a copy with the board to be filed with the minutes of the meeting.

Any member of the public or any representative of a group may request to address the Select Board if the matter pertains to a matter within the jurisdiction of the board and the matter will likely require participation and action by members of the board. In these circumstances the person or representative of a group must inform the Town Manager who will confer with the chair to determine if and when the matter might be identified as an agenda item on the Notice of Meeting of a future meeting of the board.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER  
NOT IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING  
WITHOUT SELECT BOARD PARTICIPATION**

It is the practice of the Select Board to schedule a “PUBLIC COMMENT” period during regularly scheduled meetings of the board. The purpose of the public comment period is to allow any person or a representative of a group to briefly address the board on routine matters not identified as an agenda item on the Notice of Meeting. During the public comment period, the Select Board will not engage in discussion with the speaker or take any action on the matter.

The public comment period may be used to announce events or other matters which do not require deliberation or action by the board.

The public comment period is a discretionary matter and the board may omit the public comment period from the Notice of Meeting to prioritize available time for other matters. The public comment period is subject to such rules as the board may promulgate from time to time.

**THE PUBLIC COMMENT PERIOD IS SUBJECT TO THE FOLLOWING PROCEDURE,  
SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD**

1. Early on the agenda there will be a public comment period for individuals or group representatives to address the Select Board on any issue under the jurisdiction of the board. The Chairperson will determine the duration of the public comment period depending on the number of persons who inform the chair of intent to address the board. The duration of the public comment period will ordinarily not exceed ten (10) minutes.
2. Speakers will be allowed two (2) minutes and the chair may allow a group representative more time to avoid repetitive comments from multiple speakers.
3. Speakers may address the board on any subject within the jurisdiction of the board, which is subject to reasonable determination by the chair. Speakers may not address the board on any subject that is the subject of an agenda item of the meeting. The chair will direct the speaker to wait for the agenda item to be identified and taken up by the board at that time.
4. If it is necessary for the speaker to identify a town employee or other person, the speaker may do so. Comments about job performance and decisions made are permissible, but it is not appropriate to use the public comment period to comment on any person's reputation, character, physical condition or mental health, disciplinary matters or civil or criminal charges. These matters are subject to discussion in executive session as provided in the Open Meeting Law. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
5. Any other subject which is a proper purpose for executive session as provided in the Open Meeting Law is not a proper subject for the public comment session. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
6. The use of obscenities, threats of violence or other speech likely to provoke a violent reaction is prohibited and the chair may issue a warning to or order the dismissal of the speaker.
7. All remarks or statements must be made to the chair and the speaker may not ask questions of any member of the board or the public in attendance.
8. Member of the board are not permitted to respond to any comment made during the public comment period. If any comment requires a response, the chair will direct the Town Manager to respond after the meeting or place the matter on the agenda for a subsequent board meeting for public discussion and action.

### c. Budget Policy



**TOWN OF FALMOUTH  
SELECT BOARD  
Fiscal Year 2025  
Operating Budget Policy  
August 21, 2023**

**INTRODUCTION**

The Town of Falmouth Select Board hereby establishes the following Fiscal Year 2025 (FY2025) budget policy to maintain financial stability and meet the needs of our community.

This policy recognizes and reinforces the existing financial policies of the Town and clarifies strategies for meeting the goals contained therein. The FY2025 Budget Policy is intended to establish guidelines to ensure the strong fiscal health of the Town of Falmouth as we continue to follow the sound management practices that have enabled us to meet the Town's financial goals and promote quality of life for Falmouth residents.

The FY2025 budget shall be based on conservative and achievable estimates of available revenues. The FY2024 budget established a baseline for municipal services offered within a sustainable operating budget. Recommended expenses shall continue to be analyzed within a framework of local revenues. Early action shall be taken to address projected shortfalls to ensure that the Town is providing service levels that can be sustained with our anticipated revenue stream over the next few years.

The Town of Falmouth will seek to establish a level service budget which limits increases in order to maintain operations within the proposition 2½ levy limit. The Town will not rely on the use of non-recurring revenues such as free cash, stabilization or other one-time revenues to support the operating budget. The Town's management staff will continue to monitor the stream of recurring revenues with

the ongoing goal of identifying additional local revenues to support and enhance service levels in our community. Through the Capital / Free Cash request process, items which may have started as one-time trials that are now annual items will be moved into the operating budget (e.g. Annual Field Maintenance). The net effect will be reducing Free Cash generated to be offset by not needing to fund the items with Free Cash.

In establishing a budget ceiling for the coming fiscal year, the Select Board adopts a maximum tax revenue growth of 2.5% above the FY2024 levy and an estimated new growth component of \$800,000. A more comprehensive estimate of total revenue growth will be made available in October.

The operating budget is supported by four major revenue sources: tax levy, state aid, local receipts and other available funds. Among those, the tax levy is the only source of revenue that predictably increases each year. Revenue growth shall be allocated to operating budgets primarily for fixed costs and approved wage rate increases.

The Town will fund appropriations to the Capital Projects Fund and Other Post Employment Benefits (OPEB) funds in the amount of \$1,500,000 from recurring revenues. In accordance with the Select Board Fiscal Policy, the Town Manager shall allocate the greater of 1/6<sup>th</sup> of estimated rooms excise tax, or \$850,000, to affordable housing.

Some individual line items may require an increase to address uncontrollable costs or strategic priorities, and other individual line items may need to be reduced in order to stay within the overall budget increase.

To assist the Town Manager and our Department Managers as they develop an operational budget for the Select Board's review, the following policies will apply:

## **REVENUE POLICY**

### **Local Estimated Receipts**

The Town will continue to maintain the goal of conservatively budgeting local estimated receipts to responsibly avoid any future revenue deficits and to help meet the Town's goals for financial stability. We will continue to monitor local receipts and anticipate a modest increase for FY2025 may be warranted.

### **State Revenues**

The State recently adopted the FY2024 budget which reversed some of the increase received by the

Falmouth School Department in FY2023. At this early stage, the FY2025 budget will assume level funding for all State aid categories.

### **Property Taxes**

The Town will present an operating budget that is consistent with the revenues available within the levy limit established under Proposition 2 ½ to support FY2025 operations. Considering the \$950,000 general override to fund additional firefighters approved for FY2024, the Board will not propose a general override to support the operating budget for FY2025. A debt exclusion for one or more capital projects may be proposed at the April 2024 Annual Town Meeting.

### **APPROPRIATION POLICY**

To protect the Town's conservative budget strategy, appropriations shall be limited to the existing programs and fixed cost increases. Town Departments shall endeavor to limit any significant increase in requested budgets unless there is a fixed cost increase required to support a current service that the Town offers. Department Heads will submit budgets that include only approved wage rate increases and expense increases that are required to continue level services. Any additional wages, positions or expenses will require justification and the approval of the Town Manager.

Among the challenges to be addressed in balancing the FY2025 budget are:

1. Funding a portion of the cost to add 14 additional Fire Department personnel that was not covered by the \$950,000 Proposition 2 ½ general override;
2. Wage rate increases approved for union and non-union employees are somewhat greater in FY2025 than they have been in prior years;

### **Strategic Priorities**

To further guide the Town Manager in the development of the FY2025 Budget, the Select Board will hold periodic strategic planning workshops to identify specific policy priorities for the FY2025 budget. Consideration of any new positions and other new initiatives must be prioritized and will likely be constrained by available revenues.

### **Reserves**

This section addresses three separate reserves: General Stabilization Fund, Capital Stabilization Fund and the OPEB Trust Fund. The General Stabilization Fund balance is \$7,599,245 which exceeds the overall policy goal of 5% of the previous year's operating budget not including exempt debt. The Town will continue to appropriate \$500,000 to the Other Post Employment Benefit Trust Fund.

The Town will allocate the same fixed amount to the Capital Stabilization Fund that has been allocated for many years - \$1,032,079. This amount was initially established based on 75% of the meals tax and an amount from the tax levy. After assessing basic service needs, the Town will continue to review revenue growth along with long range Capital needs and will make recommendations as necessary to responsibly increase reserves.

#### d. Fiscal Policy

**Town of Falmouth  
Select Board  
Fiscal Policy**

**Update Approved April 1, 2023**

I. Introduction

The Town of Falmouth recognizes the challenges involved with managing and operating a first-class, full service municipality within the confines of the legally restricted revenue raising authority provided to cities and towns in the Commonwealth of Massachusetts. With growing expenditure pressure for labor costs, fringe benefits, insurance and infrastructure maintenance a systematic and concerted effort is required for all financial decisions in order to be successful in providing sustainable service levels under the restrictions created by proposition 2 ½. The Town of Falmouth has recognized these challenges and over the long term understands that consistent short and long term financial planning, conservative budgeting techniques, and professional management can result in high quality service levels that contribute strongly to the quality of life in our community while maintaining affordable property taxes.

These financial policies serve to memorialize the critical financial considerations that govern financial decision making at the local level; and contribute to stabilizing our tax levy, controlling expenditures and protecting sufficient levels of fund balances to guarantee internal financial stability regardless of economic uncertainty.

II. Goals

- a. Support Business and Community Development to sustain a vibrant local economy
- b. Promote Long Term Financial Stability of Town Operations through sound financial planning and practices
- c. Sustain the Town's AAA bond rating
- d. Minimize financial risk
- e. Submit and maintain a Comprehensive Annual Financial Report

III. Revenue Policy

- a. On or before the first day of October each year, the Town Manager shall request and receive from all financial officers the estimated revenues for the next fiscal year (Charter sec. 8-3a).
- b. Finance officials will consult with state officials to get a timely report on state receipts in order to estimate local aid for the next fiscal year.
- c. Revenue forecasts for local receipts and state aid shall be conservative and revenue deficits will be avoided at all costs.
- d. Annually, fees will be re-examined and possible new revenue sources will be recommended for adoption by the Select Board in order to maximize revenue potential.
- e. Town officials will explore new grant opportunities and scrutinize such opportunities in order to maximize their potential. Future costs will be examined and a recommendation made if the grant will be financially feasible and in the best interest of Town services.
- f. Town officials will review a comparison of estimated revenues against actuals in order

to determine if adjustments need to be made.

- g. Actual revenues will be monitored monthly to determine if they are on pace with forecasts or if Management needs to act on any shortfall.
  - h. User charges and fees will be set to recover not more than 100% of the total direct and indirect costs associated with their respective programs.
  - i. Town Manager's proposed budget shall allocate to affordable housing the greater of:
    - i. 1/6<sup>th</sup> of estimated rooms excise tax revenue consistent with the explanation provided to Town Meeting for article 15 of the November Town Meeting of 2021; or
    - ii. \$850,000
- IV. Operating budget policy
- a. On or before the first day of November of each year, the Select Board, after consulting with the Town Manager, shall issue a policy statement relating to the budget for the next fiscal year. The statement shall establish the outer limits of possible budget growth for the Town (Charter sec. 8-3c).
    - i. The operating budget shall be submitted using conservative revenue projections to sufficiently cover projected appropriations.
    - ii. The Town will avoid relying on one-time revenues to fund on-going operations.
  - b. All department heads and multimember bodies shall submit budget requests to the Finance Director on or prior to the first day of December each year taking into consideration the Select Board's budget policy and Town Manager's directives. The budget request submitted by the School Committee shall be submitted in sufficient time, and in sufficient detail, to enable the Town Manager to assess the probable impact of the School Department's budget upon the local town budget (Charter sec. 8-3D).
  - c. On or prior to the first day of January of each year, the Town Manager shall submit to the Select Board a comprehensive budget for all town functions for the ensuing fiscal year and an accompanying budget message (Charter sec. 8-3e).
  - d. The budget message shall explain the budget both in fiscal terms and in terms of what specific projects are contemplated in the year ahead.
    - i. Outline the proposed financial policies of the Town for the ensuing fiscal year.
    - ii. Describe the important features of the budget.
    - iii. Indicate any major changes from the current year in financial policies, revenues and expenditures, together with reasons for such changes.
    - iv. Summarize the Town's debt position
    - v. Include such other material as the Town Manager may deem appropriate. (Charter sec. 8-3f)
  - e. The budget shall indicate proposed expenditures for current operations during the ensuing fiscal year, detailed by departments, offices, multimember bodies and specific purposes.
  - f. The Select Board shall within 15 days of January 1<sup>st</sup> adopt the budget with or without recommendations, and submit it to the Finance committee on or before the 16<sup>th</sup> day of January of each year. The Select Board shall also transmit the budget request of the School Committee to the Finance committee (Charter sec. 8-4a).
- V. Appropriation/Expenditure policy
- a. Appropriations are approved through Town Meeting in April and November.
  - b. Budgeted appropriations will be monitored against expenses weekly by the accounting office and monthly by department heads to ensure such expenditures do not exceed the

authorized budget.

- c. Expenses will be monitored to ensure proper procurement procedures have been met and an approved contract is on file.
- d. Invoices will be submitted in a timely fashion and authorized by the appropriate signatory authority
- e. Capital Project appropriations will be closed at the end of the fiscal year if there has been no activity in the past three years and if the project has been completed.

#### VI. Reserve Fund Balance Policy

Maintaining adequate reserves presents a strong picture of financial performance which increases the confidence of investors, credit rating agencies and the banking industry which potentially contributes to a higher bond rating and access to capital.

- a. The Town shall provide a reserve fund appropriation within each annual budget to be managed by the Finance Committee and the amount will not be less than \$325,000
- b. At a minimum, the Town shall maintain a range of 5-15% of operating budget expenditures in the undesignated fund balance and general stabilization fund.
- c. The Town will maintain a range of 15-25% of operating budget expenditures categorized as unassigned fund balance to include but not limited to:
  - i. Undesignated fund balance
  - ii. General Stabilization Account
  - iii. Capital stabilization account
  - iv. Water Stabilization Account
  - v. Special Education Stabilization Account
- d. The Town will not rely on reserves to sustain operating deficits or operations. The use of such reserves will be limited to assisting the Town with short term or unanticipated, emerging financial stress.

#### VII. Capital Improvement and Stabilization Fund Policy

Capital planning and budgeting is central to economic development, transportation, communication, delivery of essential services, environmental management and maintaining the quality of life of our citizens. Much of what is accomplished by local government depends on a sound long-term investment in infrastructure and equipment. In that regard, the Town recognizes conditions that necessitate capital intervention and include:

- *Imminent threat to the health and safety of citizens/property*
- *Preservation of operations*
- *Legal requirement of Federal or State agencies*
- *Improvement of infrastructure*
- *Improvement in the efficiency and effectiveness of service delivery*

The Town endeavors to conduct the following to satisfy these objectives:

- a. The Town Manager shall prepare a five-year capital improvement plan which shall include a clear summary of its contents; a list of capital improvements proposed to be undertaken during the next five (5) fiscal years, together with supporting data; cost estimates, methods of financing and recommended time schedules; and the estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired. (Charter sec. 8-6a) Recognizing the strong need to plan and prioritize capital spending in order to maintain the fiscal stability of the Town, it shall be the policy

of the Town that all proposed capital improvements recommended for funding shall have been included in the Capital Improvement Program. Except for emergency situations, any such requests or Town Meeting articles submitted for capital expenditures that have not been submitted through the Capital Improvement Programming process should be referred at the appropriate time of year to the Town Manager for consideration; all projects must be submitted in a timely manner in the capital request form, including justifying backup information, as may be required by the Town Manager as instructions for submitting projects.

- b. Funding for the capital plan will be in accordance with the recommendations from the Town Manager, as follows:
  - i. \$25,000-\$1,000,000 - available funds
  - ii. Greater than \$1,000,000 - borrowing, capital exclusion or available funds
- c. The Finance Committee (the Committee) shall publish, in one (1) or more newspapers of general circulation in the Town, the general summary of the capital improvements plan and a notice stating:
  - i. The time and places where copies of the capital improvements plan are available for inspection  
The date, time and place, not less than (7) days following such publication, when the Committee shall conduct a public hearing on said plan. The public hearing should be conducted at least thirty (30) days prior to Town Meeting at which the capital budget is acted upon (Charter sec. 8-7a,b).
- d. Capital Stabilization Fund-The Capital Stabilization Fund was created to address the Town's aging infrastructure needs and to dedicate a revenue source to address those needs.
- e. At a minimum, the Town will continue to dedicate 75% of the meals tax revenue to the Capital Stabilization Fund. The Town will maintain a balance of 2-5% of the operating budget in the fund.
- f. The Capital Stabilization Fund will also be used as a funding source for the Town's capital improvement plan.
- g. The capital stabilization fund may be used in lieu of borrowing to minimize the Town's borrowing and interest costs.

#### VIII. Debt Policy

Debt is an effective way to finance capital improvements. Properly managed debt helps to preserve the Town's credit rating and is an effective approach to managing the Town's long term capital assets that maintain or improve its quality of life.

- a. Long term debt and debt exclusions will be issued for purposes authorized by M.G.L. Chapter 44 sections 7 and 8.
- b. Excluded debt and debt exclusions will be issued in a manner that stabilizes the tax levy over a number of years. The Finance Director will maintain a financing plan that calculates the current and future debt capacity.
- c. The Town will attempt to vote all significant debt ballot questions (over \$1,000,000) exempt from the limits of proposition of 2 ½.
- d. General fund debt service, exclusive of debt funded from dedicated revenue sources, shall not exceed 5% of expenditures.
- e. The Town will continually pursue opportunities to acquire capital by means other than conventional borrowing; such as grants, and low-or-zero interest loans from State or Federal agencies.

- f. The Town will maintain good communications with bond rating agencies, the Town's financial advisor and bond counsel and work closely with them to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained. This includes preparation of the Official Statement.

e. Fee Waiver Policy

**Select Board  
Fee Waiver Policy  
Adopted February 11, 2016**

I. General Fee Waiver Policy (excluding Special Events Fees)

It is the policy of the Town of Falmouth to consistently and equitably implement the annual schedule of fees; however, there may arise from time-to-time unique circumstances in which fees may be waived.

Fee Waivers shall be granted by the Town Manager only as follows:

- Municipal and School Projects: Town Projects in which the procurement and solicitation documents clearly indicate in the bidding process prior to the opening of the price proposals that fees shall be waived.

Private non-profit agencies presenting a case for a unique public benefit may seek a waiver of fees subject to staff review and approval by the Select Board. These agencies should contemplate up to a two-month review and approval period. To be eligible for a waiver of fees, the private non-profit shall exhibit that it offers a unique public benefit at no charge to the public or provides a service to the Town Residents, particularly the neediest of our residents. Affordable Housing projects that are required to prepare a development pro forma to receive permits or grants will not be considered unless they provide 100% affordable housing and the development fees and profit are limited to below 20% of the project cost.

Inspection fees and fees associated with direct service or material costs will not be waived.

II. Special Events Fees and Use Charges Policy

Public amenities in the Town of Falmouth such as parks, facilities, special open spaces and public ways have been developed for the use and enjoyment of the public. Special events fees and use charges have been established with an understanding that these fees and charges relate to the cost of supporting the facility for such events. Special events may limit access to the public, may only be available to the public willing to pay a fee for the use and enjoyment of the facility/event, and for some events the general public may be prohibited from accessing the facility during the approved Special event.

## Select Board Fee Waiver Policy (continued)

### Daily Fees:

The daily fee established shall be charged for each day the Special event has been granted use and enjoyment of the facility. Set up and break down days will be charged the daily fee.

### Recurring Events:

Recurring one-day events (more often than four times a year) will be charged the full fee for at least the first and the last day of the scheduled event. Any consideration for a waiver is as described below.

### Fee Waivers:

The Town will waive daily fees for special events sponsored by established Village associations, the Falmouth Fireworks Committee, the Falmouth Chamber of Commerce, Falmouth VIPS, Falmouth Public Schools, Falmouth Academy, or the Town of Falmouth. With the exception of School or Town events, fees will not be waived for any events that have limited public access or charge an admission fee.

Fee waivers can also be granted, upon request, by the Town Manger under the following conditions:

- An event providing broad community benefit and sponsored for charitable purposes may request a fee waiver. The Sponsor must present a letter of request including financial documentation verifying that all net event fees collected will be directed to a specific charitable purpose.

Any recurring events may be granted a discount up to 75% of the daily charge (excluding the required first and last days) upon application to the Select Board. The Board will consider the cost of maintenance of the facility, the public benefit of the event, and the public disruption caused by the event.

All events will carry any necessary insurance and supply bonds as required for the event.

## f. Liaison Policy

**Town of Falmouth  
Board of Selectmen  
LIAISON POLICY  
Adopted: September 24, 2012  
Revised: December 7, 2020**

**Definitions**

**Governmental Body** – A multi-member board, committee, commission or subcommittee within the Town, however created, elected, appointed or otherwise constituted to serve a public purpose.

**Assignment** – Those governmental bodies, individuals and/or organizations to which Select Board members serve as liaisons.

**Applicability**

This policy applies to the appointment of liaisons by the Select Board to other governmental bodies, individuals and organizations.

**General Policy and Responsibility**

1. The Board will annually review assignments no later than the third Board meeting after Town elections.
2. Liaison duties include:
  - a. to keep informed of the activities of assignments, for example, by reviewing minutes or attending meetings;
  - b. provide a contact e-mail address and phone number to the governmental body chair to establish the flow of information;
3. The role of liaisons is not to do the work of, or influence, their assignments. Under no circumstances are liaisons to engage in any deliberation or participate in any vote with their assignments.
4. The Chair or his/her designee will serve as liaison with the Town Manager and Constables and the other elected governmental bodies, including Town Meeting Moderator, Planning Board, School Committee, Finance Committee, Falmouth Housing Authority, and the Board of Library Trustees.
5. Liaison assignments will be made with all other town governmental bodies including, but not limited to:

Affirmative Action/Diversity and Inclusion	Energy Committee
Affordable Housing	Historical Commission
Agricultural Commission	Human Services Committee

Beach Committee	Recreation Committee
Bicycle and Pedestrian Committee	Sign Review Committee
Board of Health	Solid Waste Advisory Committee
Cable Advisory Committee	Substance Abuse Commission
Coastal Ponds Management Committee	Veterans Council
Community Preservation Committee	Waterways Committee
Conservation Commission	Zoning Board of Appeals
Council on Aging	

6. Liaison assignments will be made according to the preferences of the individual members of the Select Board. Where two or more members of the Select Board request an assignment, seniority shall decide.
7. Members of the Select Board shall, on a regular basis, provide to the full Board a report of their liaison activities and the activities of the governmental bodies to which they are assigned.
8. It shall be the responsibility of the Chair of the Board to carry out this policy.
9. It shall be the responsibility of the Town Manager to support the Chair so that he/she is able to carry out this policy.

## 5. Local Comprehensive Plan - Prepared by the Planning Board

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LOCAL  
COMPREHENSIVE  
PLAN

Guiding the  
Development of  
Falmouth for the next  
50 years

Town of Falmouth Planning Board



## Foreword

It has been our distinct privilege to serve as the Planning Board's Local Comprehensive Plan Subcommittee. Our task was to envision the future of Falmouth through the next 50 to 100 years, to recommend goals and policies that will guide governmental decisions, to create Action Items for the present and future, and to describe the vision in each Element's narrative. This is a living document to be changed as time goes on, in particular the Action Items. We hope you find it to be a useful document, and that you will contact the Planning Office with suggested updates.

There are several members of the Public to whom we give special acknowledgement:

Christiane Crasemann Collins, Urban Planner, historian, our most tenacious contributor

Barbara Weyand, protector of all things historical in the Town of Falmouth

Michael Galasso, housing, particularly affordable, being his concern, as well as the economy

The above have contributed in innumerable ways to the finished document. Thank you.

Marlene McCollem, former Assistant Planner for the Town of Falmouth, was a guiding light from the start, suggesting ideas, providing us with multitudes of documents to inform our discussions and decisions.

Corey Pacheco, current Assistant Planner, whose special interest is the historic, came in at the right time for that Element, and has been aiding in the wrap-up of the document.

Local Comprehensive Plan Subcommittee

Patricia H. Kerfoot, Chairman

Robert J. Leary

Jim Fox

December 2016

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## Introduction

The purpose of the Local Comprehensive Plan is to act as a guide to help make our Town government more proactive, responsive, nimble, and resilient in the face of challenges both now and in the years to come. Each Element consists of *goals and policies* that are deliberately written to be far-reaching and universal. Following the Goals and Policies are the *action items* that are the nuts and bolts of how to plan for change, implement policies, and maintain those resources unique to Falmouth that make it such a desirable place to live, work, and play.

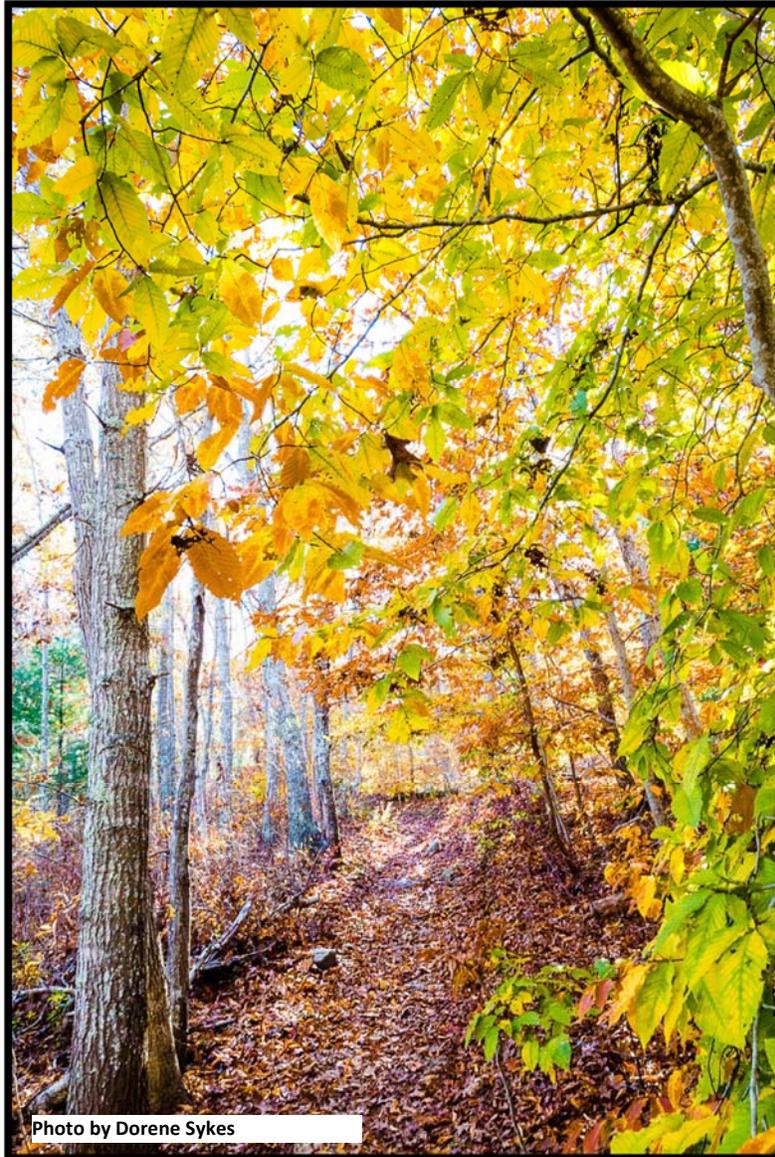
The *guiding principles* behind the construction of the plan consist of *vision, sustainability, flexibility, resiliency,* and *communication,* important values necessary to build a Comprehensive Plan that will live far into the future. It is designed to be concise, user-friendly, and easily monitored by the agencies and departments responsible for its implementation. The Plan segmented itself into three organizing principles:

- Developing a vision that would maintain that which is special about Falmouth, especially maintaining the resilience of our natural resources.
- Developing appreciation for our distinctive character by examining our land-use practices, recreation opportunities, and historic assets.
- Focusing on sustaining economic vitality, especially emphasizing the infrastructure necessary to attract and support the business sector.

All the Elements in this Plan directly correlate to the quality of life to be maintained, improved, or attained for those who live in and visit our Town. It lays out those things about our Town to be treasured and kept, such as our natural resources and our heritage, and it provides a vision for the future to secure that which is Falmouth.

The Local Comprehensive Plan is a dynamic document, designed to be easily modified as challenges are met and others appear. This Plan stresses throughout a proactive approach to potential risks, hazards, and changes not only in the physical environment, but also in the demographic and sociological challenges we will face in the future.

By constantly referencing this Local Comprehensive Plan, appropriate public and private organizations can help ensure our Town government is an entity responding to its citizens' needs. The all-encompassing aspiration of the Falmouth Local Comprehensive Plan is to provide the guidelines for our local government to be transparent, responsible, accountable, and responsive to those whom it is meant to serve.



# LAND USE

## Narrative

Falmouth is the second largest town in Barnstable County with over 44 square miles that encompasses approximately 70 miles of coastline, plus wetlands, and forests. Over 5832 acres (almost 5%), including Federal, State, and local properties, have been set aside as of 2014 as conservation and open space. Falmouth is indeed land rich. This wealth comes with the burden to plan responsibly and comprehensively to sustain this resource so that future generations share in the benefits of living in such a unique and special Town.

How we choose to use and reuse our land forms the foundation for all the other Elements of the Local Comprehensive Plan: transportation corridors, sufficient and appropriate kinds of housing, economic health, sufficient water supply and treatment of the waste we create, energy provision and use efficiency, protection of our historic, agricultural and built past, and recognition of how land use must be amended to provide a resilient coastline.

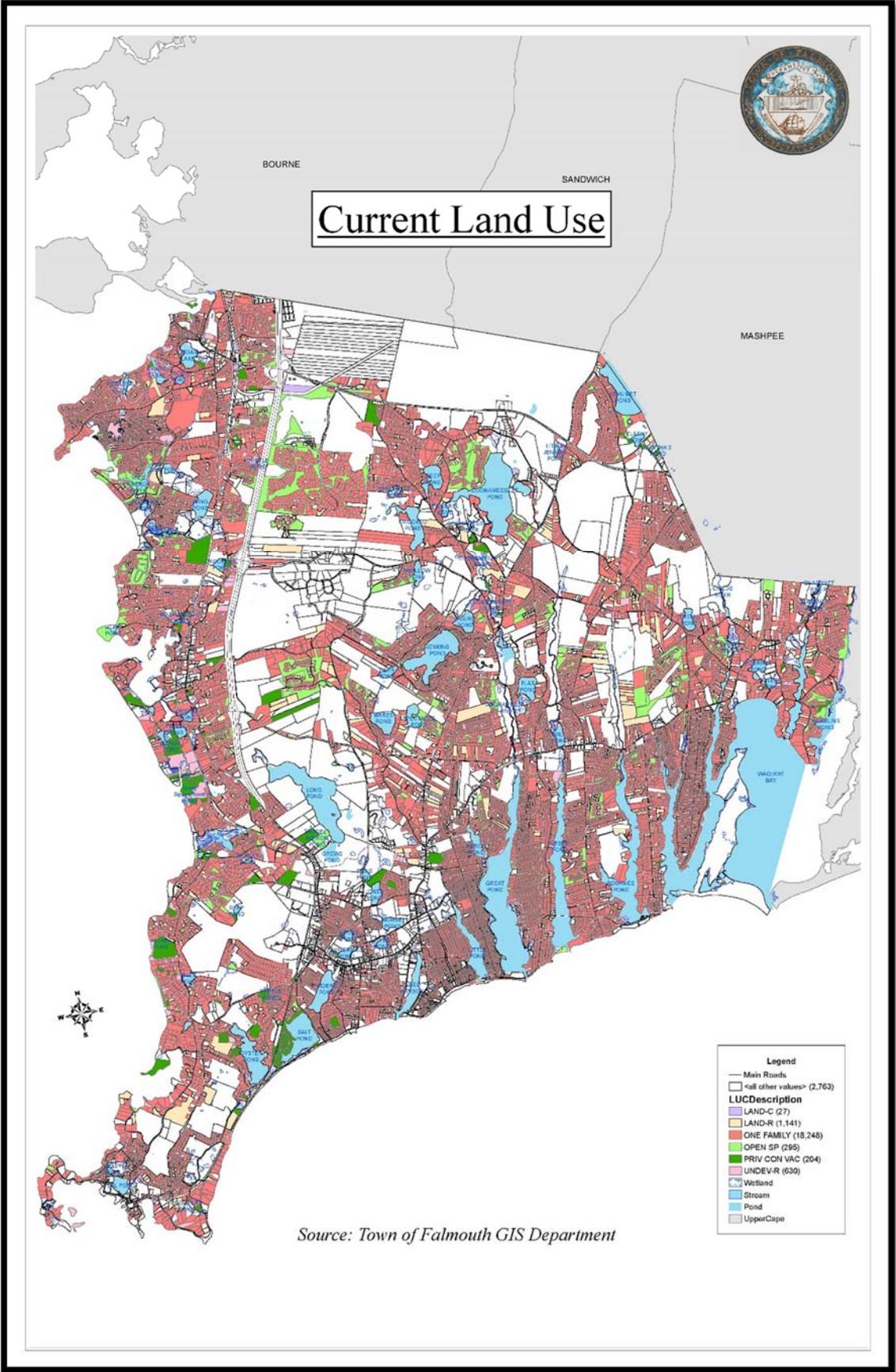
Land use planning must provide for a diverse, healthy economy, which means zoning in appropriate areas to allow for expansion of business and industry. Falmouth needs to expand the potential, especially for clean industry, through zoning initiatives and seeking out those industries to encourage economic growth.

In order to fully realize the long-term vision, we must shift haphazard growth and guide development to strengthen village cores and allow increased residential density in certain locations. Doing so will help create more pedestrian-friendly villages and greater bicycle connectivity between them. Connecting to the whole of the town will require dedication to the goal of expanding public ownership of the travel width of our transportation network to achieve “Complete Streets.” It would be a healthy picture to see pedestrians, cyclists, and autos safely using a transportation corridor simultaneously.

Recognition of climate change creates many challenges. To respond to new environmental realities we will be required to gradually shift incompatible development away from vulnerable coastal locations. Doing this properly can open up the possibility of increasing public ownership of shoreline to maximize enjoyment of the sea.

Falmouth’s remaining farmlands are critical to our community’s resiliency and open space network. Presently, farmland is viewed as more valuable when subdivided into single-family home lots. To allow retention of monetary value for the land owner while preserving our farms, the Town should aggressively explore the use of Transfer of Development Rights. Land north of Brick Kiln Road should be rezoned to reflect a gradation of lot size, becoming larger from south to north. Changing some of the tenets of our existing bylaws would eradicate conflicting uses. These changes will prove necessary to sustain a resilient community and a healthy environment.

Land is a valuable commodity in our society. This plan seeks to balance that commodity not only with the rights of property owners and the rights of our current citizens but also with the rights of future generations. Both the natural and built environment that makes Falmouth a unique and special place to live, work, and play would be protected where warranted, changed where necessary, and done so to insure that Falmouth remain unique, vibrant, and sustainable.



## Community Goal and Public Policies:

Falmouth shall use land appropriately to create places to *live, work, and play* by encouraging *sustainable* and *balanced* growth.

**Policy #1:** Falmouth shall continuously analyze the zoning rules that guide development to ensure that they are flexible, fair, and innovative to improve the quality of the public streetscape.

**Policy #2:** Falmouth shall thrive and grow by guiding development into convenient and pleasant villages suitable for the 21<sup>st</sup> Century, balanced with large reserves of open land.

**Policy #3:** Falmouth shall encourage a high-quality and durable built environment that respects the culture of the community.

**Policy #4:** Falmouth shall provide for a comprehensive network of access corridors, to accommodate many modes of travel.

**Policy #5:** Falmouth shall encourage increased density, primarily through redevelopment, in some areas, and discouraging further development in others.

*(Voted at November 2014 Town Meeting)*

## Action Items for Implementation:

- Create a farmland preservation trust.
  - Term: Begin now and continue indefinitely.
  - Responsible Parties: 300 Committee, Conservation Commission.
- Initiate land planning to control flooding.
  - Term: Begin now and continue indefinitely.
  - Responsible Parties: Planning Board, Conservation Commission, Town Meeting.
- Adopt design review guidelines to be administered by the Planning Board.
  - Short-term: 1 year.
  - Responsible Parties: Planning Board.
- Create a multi-family district zoning bylaw.
  - Short-term: 1 to 2 years.
  - Responsible Parties: Planning Board, Town Meeting.

- Revise local grandfathering bylaws (240-3).
  - Short-term: 1 to 2 years.
  - Responsible Parties: Planning Board, Town Meeting.
  
- Establish a General Plan, including mapping, that guides Town growth.
  - Short-term: 1 to 3 years.
  - Responsible Parties: Planning Board, Conservation Commission, Zoning Board of Appeals, Board of Selectmen.
  
- Change and update the Transfer of Development Rights (TDR) bylaw, and create a TDR bank.
  - Short-term: 2 years.
  - Responsible Parties: Board of Selectmen, Planning Board, Town Meeting, (Consultant?).
  
- Hire a consultant to review areas of Falmouth where Form-Based Zoning would be applicable, and to report on what benefits would accrue.
  - Mid-term: 3 years.
  - Responsible Parties: Board of Selectmen, Planning Board.
  
- Create a conservancy bylaw in regard to Town-owned property, reviewing examples such as Chatham.
  - Mid-term: 3 years.
  - Responsible Parties: Planning Board, Conservation Commission.
  
- Increase the amount of land available for industrial uses.
  - Mid-term: 3 years.
  - Responsible Parties: Planning Board, Town Meeting.
  
- Acquire contiguous areas of Town as resource areas, which also have some potential compatible uses such as recreation, agriculture, and flood control.
  - Long-term: Begin immediately and continue indefinitely.
  - Responsible Parties: Board of Selectmen, Planning Board, Conservation Commission, GIS, Town Meeting.
  
- Establish a fund for the acquisition of identified vulnerable shoreline properties.
  - Long-term: Begin immediately and continue indefinitely
  - Responsible Parties: Board of Selectmen, Conservation Commission, Finance Committee.



Photo by Cape Cod Regional Transit Authority



Photo by Palmer House Inn



Photo supplied by Jim Fox

# TRANSPORTATION

## Narrative

Transportation binds our community to the world.

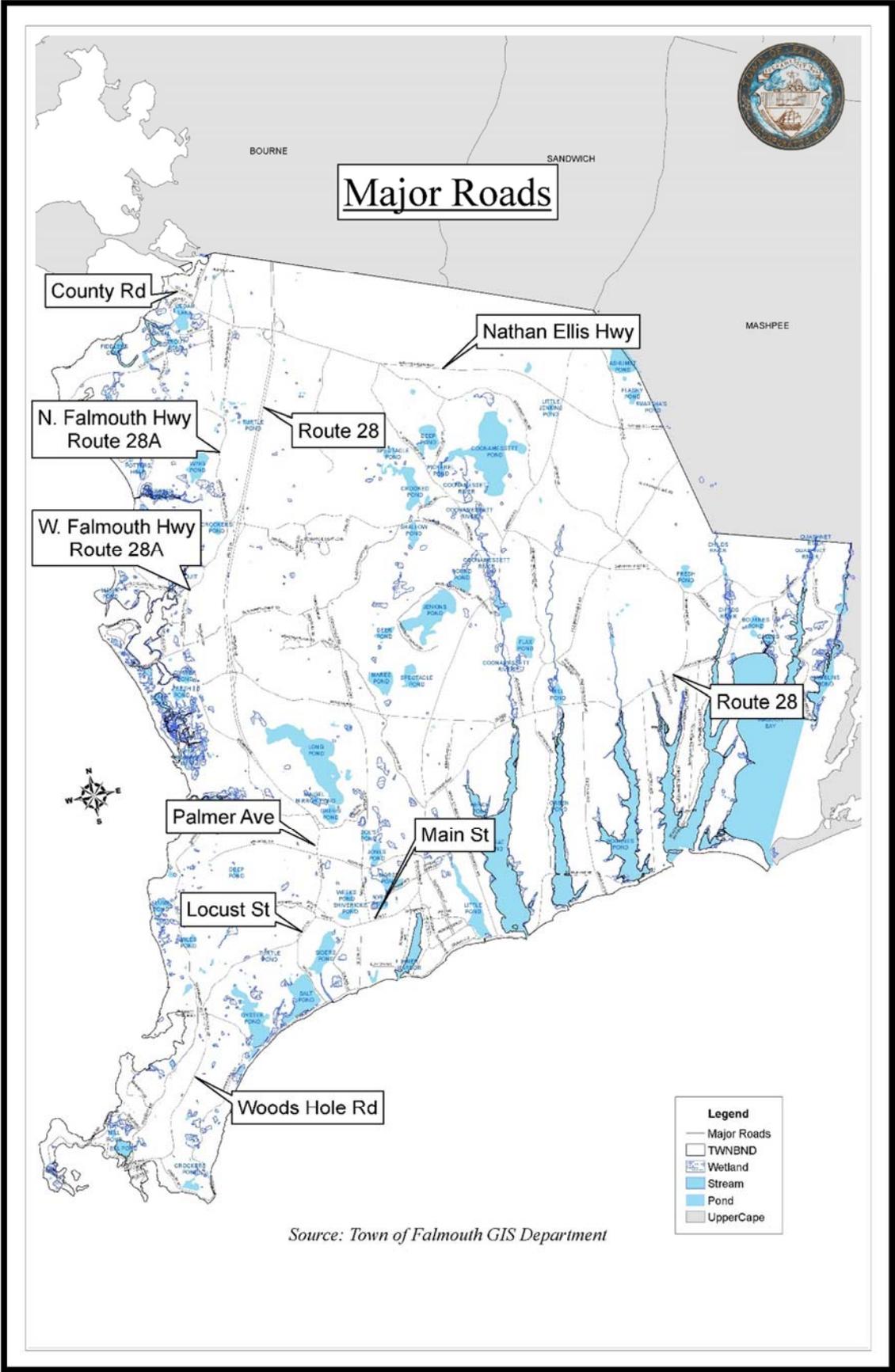
Our mobility is a key component to our economic and social well-being. Freedom to choose how we move about the planet will require some major paradigm shifts in order to provide safe and reliable transportation for all of our citizens. To accomplish this, we support the implementation and evolution of innovative and clean, low-impact transportation technologies.

We need to broaden the transportation choices for our citizens by incorporating the “complete streets” concept of transportation, whereby pedestrian, cyclist, and motorized vehicles can safely use the same transportation corridors.

Our future mobility will also depend on maximizing our regional inter-modal connectivity through cooperation with neighboring communities as we develop roadways, bikeways, and mass transit corridors. Falmouth will need to partner with public and private transit organizations to better utilize all transportation resources to reduce traffic congestion and air pollution.

Falmouth must also be dedicated to the maintenance and re-engineering of the corridors we currently use and others we choose to create in the future.

Transportation is not exclusive to how we move about. Transportation affects our economic development, how our land is utilized, how our town functions, and how it will look in the future.



## Community Goal and Public Policies

Falmouth will increase transportation *choices and opportunities*.

Policy #1: Falmouth will increase the local and regional transportation system's efficiency, flexibility and resilience.

Policy #2: Falmouth will budget life-cycle maintenance for transportation infrastructure.

Policy #3: Falmouth will encourage alternate and environmentally sensitive modes of travel and promising emerging Technologies.

*(Voted at November 2016 Town Meeting)*

### Action Items for Implementation:

- Strengthen partnerships with regional and state transportation agencies, private institutions and service providers to increase communication, share information and resources, and coordinate scheduling and programming.
  - Short-term: begin immediately and continue indefinitely.
  - Responsible Parties: DPW, Planning Department, Town Manager.
- Design and implement the improvements recommended in the Main Street/Rt-28 Transportation Master Plan" prepared by McMahan Associates, 2015.
  - Short-term: begin within the next 6 months.
  - Responsible Parties: DPW, Board of Selectmen, Planning Board, Town Meeting.
- Collaborate to develop multiple proposals to better manage Falmouth's transportation network, including wayfinding, a parking management plan, as well as the Commonwealth's Safe Routes to Schools Initiative.
  - Short-term: complete within the next year.
  - Responsible Parties: Board of Selectmen, DPW, Planning Board.
- Review subdivision design and construction standards for infrastructure investments and streetscape design considerations to further transportation goals.
  - Short-term: begin within the next year.
  - Responsible Parties: Planning Board.
- Strategically invest Ch. 90 funds to strengthen network connectivity.
  - Short-term and ongoing: begin within the next year.

- Responsible Parties: DPW& Planning Board.
- Begin to implement improvements recommended in the “Bike Plan” prepared by the Cape Cod Commission.
  - Short-term: begin within the next year.
  - Responsible Parties: Board of Selectmen, DPW, Bikeways Committee
- Comprehensively evaluate Falmouth’s existing public transportation infrastructure, including: age, quality, and maintenance needs. Identify future needs and gaps in service to develop a long-term plan for maintenance and strategic expansion. Pay particular attention to intermodal connections, accessibility, and safety improvements. Compile a baseline data inventory of resources.
  - Short-term: begin within the next year.
  - Long term: non-ending
  - Responsible Parties: DPW, Board of Selectmen.
- Develop a robust capital improvement planning process and corresponding capital budget to assess the entire infrastructure, facilities and equipment needs of the town and appropriately schedule maintenance and expansion projects.
  - Short-term: complete within the next 2 years.
  - Responsible Parties: DPW, Town Manager, Finance Director, Finance Committee, Board of Selectmen, Town Meeting.
- Replace vehicles in the Town fleet with low-emission vehicles.
  - Short-term: begin within the next year and continue thereafter as replacement is scheduled.
  - Responsible Parties: DPW, Town Manager, Board of Selectmen, School Committee.
- Recommend zoning changes to allow alternative re-fueling stations.
  - Mid-term: complete within the next 5 years.
  - Responsible Parties: Planning Board, Town Meeting.
- Advocate for preservation and enhancement of rail capabilities.
  - Long-term: start immediately and continue indefinitely
  - Responsible Parties: DPW, Board of Selectmen, Planning Board



Photo by Robert Leary



Photo by Oyster Pond Environmental Trust



Photo by Waquoit Bay National Estuarine Research Reserve

# Coastal Resiliency

## Narrative

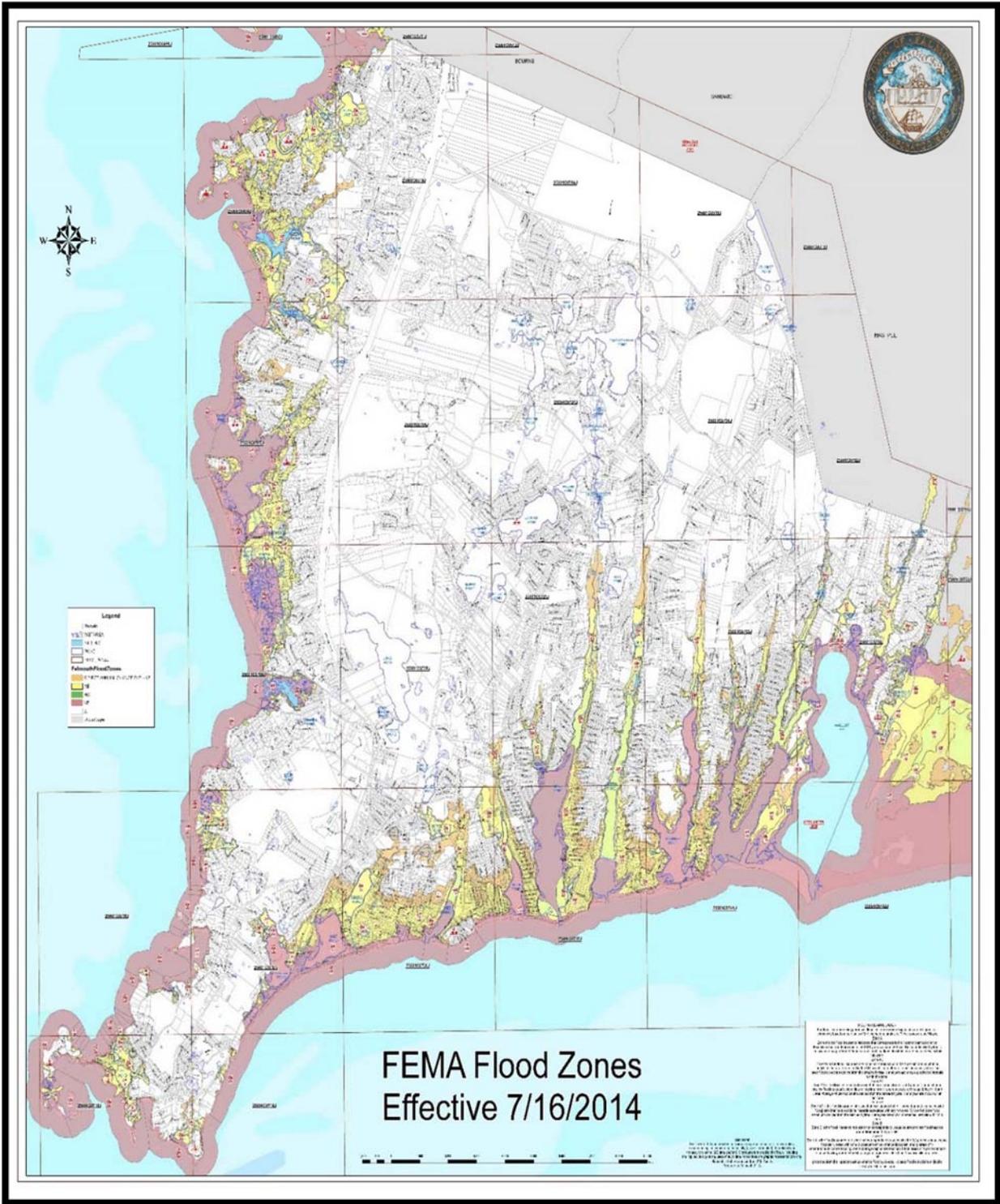
“As the coasts become increasingly populated, more and more people are placed in harm’s way. Thus far, science has not found effective ways to reduce most hazards. Therefore, citizens must look to strengthening communities. Building safer buildings and strengthening infrastructure are important steps, but it is the manner in which societies are built that largely determines disaster resilience. A vital part of effective disaster planning—whether for mitigation, preparation, response, or recovery—is an understanding of the people and institutions that make up each community, including their strengths and their weaknesses, as a basis for developing policies, programs, and practices to protect them. In the end, it is human decisions related to such matters as land use planning and community priorities that will build stronger, safer, and better communities.”

--H. John Heinz III Center for Science, Economics and the Environment, 2002, *Human Links to Coastal Disasters*.

Falmouth is not immune to the challenges posed by climate change, including increasingly unpredictable storm events and rising sea levels. In addition to the generalized increased risk from powerful storms, the historical development pattern of building homes and infrastructure very near to the shore has also increased the community’s exposure to damage. Over the course of the next 50-to-100-years a different way of building and living may become necessary in order to adequately protect life and property. Although, the areas along the coast are at greatest risk, the town as a whole will be severely impacted if normal operations are disrupted for any significant length of time. We will need to assess our community’s vulnerabilities, redesign ourselves and our institutions to better absorb disruption, and learn to shift our behavior rapidly in response to new information.

Difficult choices will have to be made in the future about how the town’s land is used, where investments will be made to protect existing development, and where development will not be permitted. The town may choose a strategy of restoring and enlarging wetlands, marshes, beaches, and dunes to provide a natural buffer between developed areas and the coast. These natural systems allow for flood water storage and shelter from damaging wind and waves. They serve as shock absorbers that will bear the brunt of the wind and wave energy so that the damage to homes, infrastructure, and other property is mitigated. Obviously such a strategy will have enormous impacts on the visual character of the coastline, how property is owned, and how the shore is used. These are important and vexing issues that the Planning Board, Board of Selectmen, Town Meeting, and citizens will have to grapple with. Change will be slow, uneven, and divisive, and the final outcome is uncertain. Similar decisions must be made with respect to the public infrastructure that is vulnerable to flooding and wind damage. The location or relocation of water mains, sewer lines, and roadways must be evaluated with respect to vulnerability

Planning for greater resiliency requires a new and different way of thinking about how we build and live. In many cases we will be building to mitigate failure so that we can recover faster and smarter. It will be increasingly important to build local networks and skillsets that can keep the community functioning under great duress until normal operations can be reestablished. By clearly analyzing existing vulnerabilities, understanding how small, short-term decisions can lead to big impacts over time, and strategically changing before a disaster hit, Falmouth will be better positioned to bounce back more quickly, avoiding as much damage as possible.



## Community Goal and Public Policies:

Falmouth shall retain its cultural identity by *balancing* use, access, and enjoyment of coastal resources, while accounting for geologic and ecosystem shifts in *response* to weather-related *impacts* and sea level rise.

**Policy #1:** Falmouth shall preserve, restore, and enhance coastal ecosystems to better absorb impacts.

**Policy #2:** Falmouth shall protect the operational capacity of vulnerable infrastructure systems.

**Policy #3:** Falmouth shall create the tools to foster the dynamic natural system's own resiliency.

**Policy #4:** Falmouth shall encourage community-wide institutional adaptability.  
(Voted at November 2014 Town Meeting)

## Action Items for Implementation:

- Create a comprehensive wetlands restoration plan and begin reconstruction in the most vulnerable areas.
  - Short-term and ongoing: begin restoration within the next 2-years.
  - Responsible Parties: Conservation Commission, Town Meeting, DPW.
- Study the range of options and ideas found in the winning proposal of the “Rebuild By Design” competition ([www.rebuildbydesign.org](http://www.rebuildbydesign.org)) and how they may be modified and implemented in Falmouth.
  - Short-term: begin study immediately.
  - Responsible Parties: Board of Selectmen, Planning Board, Conservation Commission, DPW.
- Contract with an independent environmental risk analysis firm to evaluate of the Town of Falmouth’s vulnerability to flooding, wind damage, and other coastal storm hazards. The assessment should offer specific recommendations based on actual data and best practices.
  - Short-term: provide recommendation within 2-years.
  - Responsible parties: Board of Selectmen, Conservation Commission, Town Manager, DPW, Town Meeting, Planning Board.
- Maintain a list of municipal construction projects, bylaw/code revisions, and properties to acquire, ranked by highest priority, in order to increase Falmouth’s long-term resiliency.
  - Short-term: begin immediately.
  - Responsible parties: DPW, Conservation Commission, Planning Department, Town Manager, Town Meeting, Board of Selectmen.
- Encourage strong neighborhood, civic, and business networks.
  - Short-term: begin immediately and ongoing.

- Responsible parties: Planning Board, Human Services Department, Chamber of Commerce.
- Develop educational partnerships between Falmouth Public Schools to include resiliency in the curriculum.
  - Short-term: begin immediately and ongoing.
  - Responsible Parties: Falmouth School's Superintendent, Planning Board, Conservation Commission.
- Integrate municipal adaptation projects into the town's operating and capital budgets.
  - Mid-term and ongoing: within the next 5-years.
  - Responsible Parties: Finance Committee, Finance Director, Town Manager, Board of Selectmen, Town Meeting.
- Thoroughly review all local codes and by-laws to increase the resiliency of construction projects and lobby for changes in the state building code.
  - Mid-term and ongoing: within the next 5-years.
  - Responsible Parties: Planning Board, Zoning Board of Appeals, Town Meeting, Town Planner, Building Commissioner and Inspectors.



# Water and Wastewater

## Narrative

The Town of Falmouth is facing significant future challenges to appropriately manage the wastewater generated within town, and to provide clean, high-quality drinking water to the residents. The LCP has defined wastewater as the grey and black water generated by the various land uses throughout town, storm water is not included in the definition of wastewater. Wastewater is further divided into sewage and septic, with a sewer defined as a system of mains collecting the sewage from individual properties, treating it at central plant, and discharging large quantities of treated wastewater on a continual basis. Septic differs from sewers in that it is an on-site treatment system that serves a single property, or small group of properties. The Water and Wastewater Element has taken the position that a municipal-scale sewer expansion project is the most responsible future course of action, which will be discussed in greater detail below. Furthermore, this Element will expand upon the critical importance of protecting the town's drinking water supplies, and the need to budget carefully and to fully account for all the costs associated with the capital construction, repair, maintenance, and operation of Falmouth's water and sewer systems.

Falmouth is facing a serious nitrification problem in both fresh and coastal water bodies. The fresh water ponds are impacted by the addition of phosphorous, while the coastal ponds are impacted by nitrogen, both of which are found in the wastewater flowing from homes and businesses. The overloading of nutrients results in very poor water quality, algae blooms and fish kills. Expanding the limited municipal sewer is a hugely expensive proposal, and should first be planned for the higher-density areas of town where the costs can be shared by the greatest numbers of users possible, primarily those areas south and west of Route-28. However, those areas of town not likely to be sewered within the next 20-to-50 years must also take steps to ensure that as little nitrogen and phosphorous as possible is added to the groundwater by utilizing advanced or alternative plumbing and septic systems. A comprehensive and holistic approach to efficiently and effectively addressing the critical wastewater needs in Falmouth is essential, relying on a reasonable balance of both municipal-scale sewers, and alternative techniques, where appropriate.

The Town of Falmouth has an extensive municipal water system providing potable water directly to the vast majority of properties in town. Falmouth's water is sourced from both a series of groundwater wells and Long Pond, which is an open surface supply. Falmouth also cooperates with the other Upper Cape towns and the Massachusetts Military Reservation to meet the peak summertime water needs on a regional basis. In the near-future the town is likely to be researching and exploring filtration, or other disinfectant options, for the water pumped from Long Pond. In the long-term, Falmouth has protected an area of land in the Ashumet Valley for possible future well sites. An emerging issue facing Falmouth, and all other municipalities, is the presence of trace amounts of endocrine disruptors and other pharmaceuticals in drinking water. The impacts of these types of contaminants on human health are not well understood, and the methods for removing them are extremely expensive. Falmouth is well positioned to provide plenty of water to its citizens, but must be careful to protect the quality of both the groundwater and surface water used for drinking water.

Reliable and effective water and sewer systems are expensive. Tax increases, debt exclusions, and rate increases are unpopular. Planning and budgeting responsibly for the services that the residents of Falmouth need and deserve are critically important for the future quality-of-life of the citizens, and the fiscal health of the municipality. The LCP recommends that the Town of Falmouth institutionalize a rigorous capital budget process to clearly define and communicate the long-term vision for the future

water and sewer system needs, and then lay out a course of action to meet implement the vision. Investing in the ability to provide high-quality drinking water, efficiently manage wastewater, and protect the health of both the people and water bodies will pay significant dividends long into the future.

### *Community Goal and Public Policies:*

Falmouth shall provide its residents with a *high quality water* supply to meet the present and future needs of its population.

Falmouth shall protect the *health* of its citizens and water bodies from the harmful *effects of wastewater*. Multiple approaches shall be considered.

**Policy #1:** Falmouth shall develop and protect all current and future drinking water sources, by purchasing and reserving sufficient land for those purposes.

**Policy #2:** Falmouth shall institutionalize a budget process to provide for the full-cost pricing needs of the water and wastewater infrastructure.

**Policy #3:** Falmouth shall practice water conservation and efficient use of water resources, and shall explore recycling wastewater for reuse.

**Policy #4:** Falmouth shall endeavor to manage its entire wastewater infrastructure to the greatest extent possible.

**Policy #5:** Falmouth shall explore where-and-whenver appropriate, regionalization of sewage treatment.

**Policy #6:** Falmouth shall equitably and fairly distribute the cost of building and operating the wastewater treatment infrastructure.

*(Voted at April 2013 Town Meeting)*

### *Action Items for the Implementation:*

- Implement the recommendations of the Feasibility Study conducted for the Long Pond water treatment plan to ensure the highest quality potable water is conveyed.
  - Short-term and ongoing (begin implementation within next 2-years)
  - Responsible parties: DPW Director, Town Manager, Board of Selectmen, Finance Committee, Town Meeting.

- Implement the recommendations included in the Comprehensive Wastewater Management Plan, including beginning Phase I of the sewer expansion project.
  - Short-term and ongoing (begin implementation within next 2-years)
  - Responsible parties: DPW director, Town Manager, Finance Director, Finance Committee, Board of Selectmen, Town Meeting, Electorate.
  
- Evaluate and monitor the rate of groundwater withdrawal and recharge. Take appropriate steps to ensure adequate aquifer recharge annually.
  - Intermediate-term and ongoing (begin within the next 5-years)
  - Responsible party: DPW Director
  
- Develop an effluent discharge plan, including the feasibility of utilizing injection wells for groundwater recharge by sub-watershed.
  - Intermediate-term (specific recommendations within the next 5-years)
  - Responsible Party: DPW Director.
  
- Fully investigate an Enterprise Fund, or other appropriate mechanism, in order to finance current and future water and sewer infrastructure projects.
  - Intermediate-term (in place within the next 5-years)
  - Responsible Parties: DPW Director, Town Manager, Finance Director, Finance Committee, Board of Selectmen.
  
- Evaluate water and sewer rate structure to ensure that the full cost of operation and maintaining the system is accounted for.
  - Intermediate-term (finished within the next 5-years)
  - Responsible Parties: DPW Director, Finance Director, Finance Committee.
  
- Investigate non-potable reuse of treated effluent.
  - Intermediate-term (specific recommendations developed within the next 5-years)
  - Responsible Party: DPW Director.
  
- Explore increased opportunities for a regionalized system of water and sewer infrastructure with Bourne, Mashpee, Sandwich, and the Massachusetts Military Reservation.
  - Intermediate-term (specific recommendations developed within the next 5-years).
  - Responsible Parties: DPW Director, Town Manager, Board of Selectmen.
  
- Develop a robust capital improvement planning process and corresponding capital budget to assess the entire infrastructure, facilities and equipment need of the town and appropriately schedule water and sewer system replacement and expansion projects.
  - Short term (complete within the next two years).
  - Responsible Parties: DPW director, Town Manager, Finance Director, Finance Committee, Board of Selectmen, Town Meeting, Electorate

- Develop an equitable sewer betterment policy that addresses connection fees for existing land uses, new development, and redevelopment.
  - Short-term (complete recommendations within the next 2-years)
  - Responsible Parties: DPW director, Town Manager, Board of Selectmen.
  
- Develop a water conservation program for all users of the town's potable water system, and establish standards for a grey water re-capture pilot program.
  - Short-term (develop programs within the next 2-years)
  - Responsible Parties: Water Superintendent, DPW director, Board of Health, Building Commissioner and Inspectors.



Photo by Falmouth CPFund



Photo by Falmouth Housing Trust



Photo by Atria Woodbriar

# HOUSING

## Narrative

Falmouth will have attractive, desirable, and affordable housing and residential amenities for people at all stages of life, for all abilities and life-styles, and for all incomes.

Falmouth's buildings and housing stock have reflected the cumulative needs of its residents from the 1600s to the present; this historical depth provides part of the charm that draws people to live in the town. Providing for future housing needs should not negate that which makes Falmouth an exceptional place to live. However, rising prices and demographic changes have created a disparity between what is available and what is needed. To provide housing diversity for today and the future, in both style and price-point, Falmouth needs to develop more flexible housing options.

The dominant housing form in Falmouth has long been the single family residence. However a sense of neighborhood should be strengthened by supporting innovative housing concepts, such as courtyard living, micro-housing, community housing with communal spaces, multigenerational dwellings that accommodate modern and variable family structures. Achieving more diversity in housing options will require zoning changes, along with community acceptance.

Falmouth can improve on its housing affordability by addressing land use regulations and density, construction methods and materials, and the permitting process. Mixed use development and adaptive re-use should be encouraged to promote smaller, more versatile units. An important goal is a higher percentage of rental opportunities. Private-public partnerships should be encouraged to meet the Town's needs, particularly for the young and elderly. Unless these and other opportunities are considered, Falmouth may have to look at economic constraints to create balance in the market.

In order to solve the housing problem in Falmouth, we need to change zoning to allow greater density in existing neighborhoods wherever appropriate, while respecting a balance of housing and open space. Locations for future housing options should be determined by available infrastructure, walkability, schools, and services. The form of the neighborhoods should be considered in any infill design. Increased density, including mixed-use development and innovative design, will promote diverse neighborhoods and vibrant social interaction, all signs of a healthy community.

Adequate and diverse housing is inextricably bound to the economic health and diversity of the community. Without housing for all, the viability of the town will be challenged.

## Community Goal and Public Policies:

Falmouth will meet the *housing needs* of the *entire community*.

**Policy #1:** Falmouth will allow for greater infill residential density where appropriate.

**Policy #2:** Falmouth will allow and encourage the market to create multiple housing opportunities that allow for more choices.

**Policy #3:** Falmouth will accept responsibility for providing housing for people at all stages of life and all levels of income, separate from mandatory state statutory requirements.

*(Voted at April 2015 Town Meeting)*

## Action Items for Implementation:

- Prioritize the options and ideas found in the “Falmouth Housing Demand Study,” dated October 1, 2014, prepared by RKG, Associates, and determine how they may be implemented.
  - Short-term: begin immediately.
  - Responsible Parties: Board of Selectmen, Planning Board, Town Manager, Planning Department.
- Institute a program to monitor existing housing units, and enforce current conditions. Consider consolidating the number of monitoring agents active in the town.
  - Short-term: begin immediately.
  - Responsible Parties: Board of Selectmen, ZBA, Town Manager, Town Counsel.
- Strengthen public private partnerships to create more housing for vulnerable residents.
  - Short-term: begin immediately.
  - Responsible Parties: Human Services Department, private non-profit developers.
- Explore the creation of innovative zoning tools that will increase housing choices, including: a by-right accessory apartment overlay district; new districts that allow for multifamily housing, cottage courts, and other types of housing; revision to the “conversion” bylaw found at §§240-23.B, 240-28.B, 240-33.B, and 240-51.A (2).
  - Short-term: begin within the next 6-months.
  - Responsible Parties: Planning Board, Planning Department, Town Meeting.
- Explore innovative financing programs used to fund housing elsewhere and adapt them to fit Falmouth’s needs.
  - Short-term: begin within the next 2-years.
  - Responsible Parties: EDIC, private development partners, local banking community.

- Design an expedited permitting process for affordable housing projects requiring local permits.
  - Mid-term: complete within the next 5-years.
  - Responsible Parties: ZBA, Planning Board, Board of Health, Conservation Commission, Town Manager, Building Commissioner.
  
- Create a strategy based on redevelopment and adaptive reuse of existing structures leading to new, innovative housing types.
  - Mid-term: complete within the next 5-years.
  - Responsible Parties: EDIC, Redevelopment Authority, Planning Board, private development partners.
  
- Organize a “housing summit” to create a strategic plan for implementing tasks and increasing cooperation and communication between parties interested in housing issues.
  - Mid-term: complete within the next 5-years.
  - Responsible Parties: Planning Board, ZBA, local for-profit, and non-profit development partners, Affordable Housing Committee.

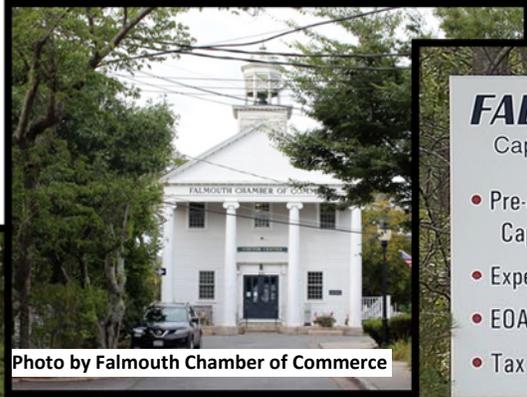


Photo by Falmouth Chamber of Commerce

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Photo by Falmouth EDIC



# Economic Sustainability

## Narrative

Falmouth shall enhance well-established sectors of the local and regional economy and encourage emerging sectors in order to increase the economic opportunities available to residents. Growth shall be responsibly managed to ensure that the local economy is sustainable, resilient, adaptable and innovative to maximize the quality of life, remaining a viable community for all demographic groups.

The health of the local economy will heavily impact Falmouth's future. The economic vitality of the community will determine whether the future is bright, prosperous, and abundant, or stagnant and uninspired. Critical decisions regarding economic development, education, job creation, and infrastructure investment are on the horizons. These short-term decisions will set the long-term course of sustainable growth, or painful decline.

Falmouth has many unique and important economic strengths including its natural amenities, recreational opportunities, second home market, and the scientific sector. However, there are serious barriers to future economic growth as well. Some of the areas of concern include substandard infrastructure, including, lack of sewers, poor cell and internet connectivity, unaffordable housing and insurance costs, and an artificially low tax rate leading to deferred maintenance. A second area of critical concern is the small and shrinking labor market. Due to demographic shifts that appear to be accelerating, young and middle age adults are leaving town and not returning. This is leading to a shortage of skilled employees available for local employment. However, the largest barrier to economic sustainability is the absence of a clear public policy direction and the leadership necessary to see it through to implementation.

The Local Comprehensive Plan is offering a vision for the future of Falmouth's economy. This Element commits to strengthening our current employers, and welcoming more; building on our strengths, and addressing our weaknesses; and ensuring that Falmouth remain a viable and vibrant place for people of all incomes to call home. Falmouth is well positioned to leverage its strengths, including a high quality of life, and many opportunities for rewarding work, to maximize the success of all the local participants in the economy. The municipality, businesses, and employees need to find ways to partner together to invest in the future of the entire community. The town must identify and foster local capacity by focusing on wise development and redevelopment. The most appropriate role for the local government is to create a high quality environment in which to live and to do business. The municipality should work to provide the physical and social factors that will allow business to grow and expand organically, then step back and let private entrepreneurs and companies determine the best way to proceed.

The Town of Falmouth can control its own economic future by creating well-defined goals and committing to a long-term investment of building a sense of place that provides physical and economic security, reliable services, leadership, openness, and a high quality of life for all of the residents, businesses and visitors. The town must manage the community's resources to develop capacity, including the vision to see economic potential and act on it, and the ability to generate agreement on a strategy and achieve widely desired results. The strength of Falmouth's economy depends on its leaders and their decisions.

## Community Goal and Public Policies:

Falmouth shall *enhance* well-established sectors of the local and regional economy and *encourage* emerging sectors in order to increase the economic opportunities available to residents. Growth shall be responsibly managed to ensure that the local economy is *sustainable, resilient, adaptable and innovative* to maximize the quality of life, remaining a viable community for all demographic groups.

**Policy #1:** Falmouth shall foster a supportive climate for businesses, institutions, and the arts to thrive.

**Policy #2:** Falmouth, working in partnership with Barnstable County, the Commonwealth, and the federal government, shall provide the necessary infrastructure to meet the needs of the local and regional economy.

**Policy #3:** Falmouth shall promote educational partnerships to invest in a strong future labor force and to remain open to new ideas.

(Voted at April 2013 Town Meeting)

## Action Items for Implementation:

- Contract with an independent economic development expert to evaluate the Town of Falmouth's municipal structure for identifying and achieving future economic development goals.
  - Short-term: provide recommendation within 2-years.
  - Responsible parties: Board of Selectmen, Town Manager.
- Develop a "marketing and public relations" plan that clarifies and distills the community's vision for future economic growth and sustainability.
  - Short-term: within the next 2-years.
  - Responsible parties: Board of Selectmen, Chamber of Commerce, EDIC, and the community at-large.
- Strengthen the working relationship and coordination between the municipality, Chamber of Commerce, and EDIC.
  - Short-term: begin immediately and on-going.
  - Responsible parties: Board of Selectmen, Chamber of Commerce, and EDIC.

- Develop land-use vision plans for defined areas of town in order to create jobs, increase tourism, and maintain diverse economic opportunities through responsible development and redevelopment.
  - Intermediate-term: within the next 5 years.
  - Responsible party: Planning Board.
  
- Implement an on-line permitting system, and other actions to streamline the permitting process to reduce development costs and uncertainty for municipal development permits.
  - Short-term: within the next 2 years.
  - Responsible parties: Information Technology, Building Department, Health Department, Conservation Commission, Planning Board, Zoning Board of Appeals, Historic Districts Commission.
  
- Develop educational partnerships between Falmouth Public Schools, The Cape Cod Community College, Massachusetts Maritime Academy, Open Cape, the scientific community, and the private sector.
  - Short-term: immediately and ongoing.
  - Responsible Parties: Falmouth School’s Superintendent, The Cape Cod Community College President, Admiral of the MA Maritime Academy, and representatives from the Open Cape initiative, local institutions, The Chamber of Commerce, and interested businesses.
  
- Develop a “quality of life” satisfaction survey to identify amenities that sustain and create economic growth.
  - Short-term: within the next 2-years.
  - Responsible Party: Chamber of Commerce.
  
- Determine if a Redevelopment Authority should be created.
  - Short term: 1 to 2 years
  - Responsible Parties: Board of Selectmen, Town Manager, EDIC



# Energy

## Narrative

The Town of Falmouth's citizens are a small piece of a global challenge concerning expanding energy use and dwindling traditional sources of fossil fuels. We have met such challenges throughout history with improved efficiency, technological development and citizen participation in finding solutions.

*We the people of Falmouth must take personal responsibility for our energy use, and we as a community must work to achieve energy self-sufficiency and independence to the fullest extent possible.*

Our fossil fuel-based economy exacts hidden, but very real, costs: decreased public and environmental health; weakened national security; and increased fiscal pressures to expand and maintain the infrastructure necessary to support an oil-dependent society. Creating change is not easy, but we must do our part to use less energy and to shift our public and private investments to a sustainable, renewable energy-based economy that fully accounts for all the costs of our choices, even those we do not immediately see.

The local regulatory framework should be adapted to respond to the need for a dispersed network of power generation facilities utilizing solar panels, wind turbines, geothermal heat pumps and tidal energy, as well as exploring new and innovative energy technologies. However, above all else, our public policies must move towards encouraging the conservation and efficient use of our resources. Although any local regulation should be in concert with State and Federal laws, we do not have to wait for other levels of government to act first. The people of Falmouth may begin now to reduce our energy use to better protect our environment and to conserve our resources.

This section outlines the steps that can be taken by our municipal government, residents, businesses and visitors that will result in benefits to all of us. We must recognize here Falmouth Energy Committee's years of dedicated effort to bring Falmouth to its current awareness, and Falmouth's Climate Action Plan and Emissions Updates are included as an appendix to this plan; the data and trends contained in these documents should be consulted when energy goals, policies and action items are discussed.

## Community Goal and Public Policies:

Falmouth's Town government and residents will use the best available *cost effective technologies* to minimize dependence on carbon-based fuels, with a carbon dioxide reduction target of no less than 50% of 2001 baseline levels.

**Policy #1:** The municipality will provide leadership and set the example in carbon footprint reduction.

**Policy #2:** Public policy will strongly support the use of appropriate renewable energy sources.

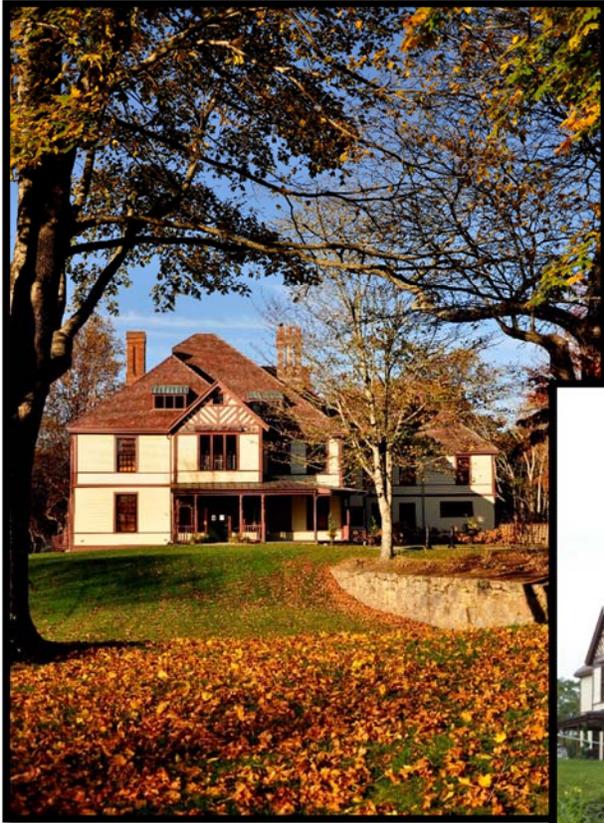
**Policy #3:** Public policy will promote energy conservation and efficiency technologies and practices.

*(Voted April 2013 Town Meeting)*

## Action Items for Implementation:

- Better integrate the municipal energy coordinator position in the town hierarchy and structure to oversee and be responsible for progress on meeting the targets of the Energy Element.
  - Short-term (complete within the next 2-years)
  - Responsible party: Town Manager
- The Town of Falmouth will reduce municipal sector fossil fuel use by 2.5% annually (adjusted for weather conditions) for the next 5 consecutive years.
  - Short-to-intermediate (completed within the next 5-years)
  - Responsible parties: Board of Selectmen, Town Manager, all municipal Department Heads, Energy Coordinator
- Monitor and measure municipal sector energy use on an annual basis, then set projections and goals for year-over-year reduction targets.
  - Short-term and ongoing (begin within next 2-years)
  - Responsible parties: Energy Coordinator, Energy Committee
- Develop a replacement plan for the municipal fleet and all other municipal equipment powered by fossil fuels in order to identify lower emission options.
  - Short-term (complete within 2-years)
  - Responsible parties: DPW, Police, Fire, Schools, Energy Coordinator, Selectmen, Finance Committee, Town Meeting
- Develop a public outreach and education program to reach interested citizens, including technical assistance on the energy code for new construction and renovation, and the energy benefits of recycling.
  - Short-term and ongoing (begin within the next 2-years)
  - Responsible parties: Energy Committee, Energy Coordinator

- Establish and maintain a database of programs the Town of Falmouth may utilize in order to finance energy improvements.
  - Short-term and ongoing (begin within the next 2-years)
  - Responsible party: Energy Coordinator
  
- Explore opportunities to license town-owned real estate for energy generation infrastructure.
  - Intermediate-term (complete within the next 5-years)
  - Responsible parties: Board of Selectmen, Town Meeting, Legal Dept., Town Manager, Energy Coordinator
  
- Amend the “Site Plan Review” requirements in the Zoning Bylaw to require an analysis of maximizing solar exposure, as well as a minimum percentage of on-site renewable energy production.
  - Short-term (complete within 2-years)
  - Responsible parties: Planning Board, Town Meeting
  
- Establish a public recognition program to highlight outstanding efforts made by the commercial, residential and municipal sectors in achieving gains in the use of renewable energy sources, energy conservation measures, and efficiency improvements.
  - Short-term and ongoing (begin within the next 2-years)
  - Responsible parties: Board of Selectmen and Energy Committee in partnership with the Falmouth Enterprise and FCTV
  
- Establish and maintain a resource center to serve the general public with additional information about programs to increase the use of renewable energy, efficiency and conservation, including: best practices, grants, rebates, loans, and utility lease agreements.
  - Short-term and ongoing (begin within the next 2-years)
  - Responsible party: Energy Coordinator
  
- Establish and strengthen municipal partnerships with: the state, county, non-profits, private foundations, and the utilities.
  - Short-term and ongoing (begin within the next 2-years)
  - Responsible parties: Board of Selectmen, Energy Committee, Energy Coordinator
  
- Create a municipal pilot program identifying the physical and regulatory barriers to building an infrastructure for alternative fuel and electric vehicles.
  - Long-term (complete within the next 10-years)
  - Responsible parties: Energy Coordinator, Energy Committee, Planning Board, Board of Selectmen



# Historic Character

## Narrative

Falmouth will respect its rich historic culture while building its future. Noted architecture critic and Pulitzer Prize winner Ada Louise Huxtable once stated that good preservation should seek to bind a living past to change, and retain an “active relationship of buildings of the past to the community’s functioning present.”<sup>i</sup> Preserving Falmouth’s historic character demands this same duality. We can both respect our past and plan our town’s future.

A town’s built environment is influenced by changing attitudes, technological advancements, and its shifting patterns of economic development, which become its recorded history. Its resulting buildings and landscape elements become its collective historical documents. Decisions about how and what to build create the physical environment we inhabit. Winston Churchill said that we shape our buildings and then our buildings shape us.

To preserve Falmouth’s community character and simultaneously plan for the future, three historic preservation themes guide the development of Falmouth’s Historic Character Element: Adaptive Re-use; a Heritage Landscape Approach; and Enlightened Land Use Management.

Adaptive Re-use simply means the “process of returning a property to a state of utility, through repair or alteration which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.”<sup>ii</sup> Retaining the external historical context is of primary importance for existing buildings.

The second theme of this Element is the Heritage Landscape Approach, embodying the connections between natural landscapes and human habitation to define a community’s character. A Heritage Landscape Approach utilizes thoughtful place-making and land-use planning that will safeguard and continue to define Falmouth’s historic landscape character.

The third theme encourages Enlightened Land Use Management to maintain the character of Falmouth’s village centers, especially, but not exclusively, in the villages protected by local historic districts. Incompatible development occurs when the zoning allows for growth that is at odds with a village’s traditional development pattern, showing insensitivity to a village’s context of scale, massing, density, and open space. Cohesive intelligent zoning that respects the historical context of a village directs development and re-development of the built environment. Physical form becomes the organizing principle for future development, protecting the historic form of the village while encouraging compatible contemporary development.

Actions based on Adaptive Re-use, Heritage Landscapes, and Enlightened Land Use Management will strengthen and sustain cultural resources respecting Falmouth’s past, while allowing future generations to grow and transform the Town into Falmouth’s future.

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<sup>i</sup> NY Times June 26, 2015 NYT comment: “Translation: Good preservation doesn’t embalm history. It binds a living past to change.”

<sup>ii</sup> National Park Service, <http://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm>

## Community Goal and Public policies:

Falmouth will *respect* its rich *historic culture* while building its *future*.

**Policy 1:** Falmouth shall strive to preserve its historic structures.

**Policy 2:** Falmouth shall build support of historic preservation planning through community outreach and encourage public and private initiatives to maintain its cultural heritage.

**Policy 3:** Falmouth shall use a heritage landscape approach to (re)development and historic preservation.

**Policy 4:** Falmouth shall recognize heritage tourism as an economic driver.

*(Voted November 2016 Town Meeting)*

## Action Items for Implementation:

- 1) Create a list of preservation priorities that will further the heritage landscape approach; update Falmouth's inventory of historic resources and List of Significant Buildings and consider protective measures to sustain the Town's historic character.
  - Short term: complete within the next 2 years.
  - Responsible Parties: Historical Commission.
- 2) Require the Department of Public Works (DPW) to consider historic character when making infrastructure improvements within the seven Historic Districts.
  - Short term: begin immediately.
  - Responsible Parties: Department of Public Works, Planning Department, Historical Commission.
- 3) Partner with the Chamber of Commerce to create a heritage-based tourism plan that promotes Falmouth as a national and an international destination.
  - Short term and continuing: begin immediately; continue indefinitely.
  - Responsible Parties: Board of Selectmen, Chamber of Commerce.
- 4) Revise the boundaries of Falmouth's seven Historic Districts so as to encompass the entirety of the individual properties located within the district.
  - Mid-term: complete within the next 5 years.
  - Responsible Parties: Board of Selectmen, Town Meeting, Historical Commission.

- 5) Implement the Historic District Overlay Initiative in Falmouth's seven Historic Districts to protect the physical form, scale, and setting of district character.
  - Mid-term: complete within the next 5 years.
  - Responsible Parties: Board of Selectmen, Planning Department, Planning Board, Town Meeting, Historical Commission.
  
- 6) Create distinct wayfinding methods to promote and inform residents and visitors about important historic sites and events, as well as National Register and Local Historic Districts.
  - Mid-term: initial completion within 5 years; continue long-term.
  - Responsible Parties: Department of Public Works, Building Department, Chamber of Commerce, Historical Commission, private organizations as appropriate.
  
- 7) Consider a historical property tax abatement to encourage adaptive re-use or rehabilitation of designated historic structures.
  - Mid-term and continuing: initial completion within 5 years; continuing long term.
  - Responsible Parties: Board of Selectmen, Director of Finance, Finance Committee, Planning Department, Historical Commission.
  
- 8) Create a revolving fund to aid in exterior restoration of designated historic structures.
  - Mid-term: complete within the next 5 years.
  - Responsible Parties: Board of Selectmen, Director of Finance, Finance Committee, Historical Commission, Community Preservation Committee, Town Meeting.
  
- 9) Create a more efficient permitting process that provides owners of designated historic properties more predictability when performing work, and encourages best practice in historic preservation.
  - Mid-term: complete within 5 years.
  - Responsible Parties: Building Commissioner, Building Department, Planning Department, Historical Commission.
  
- 10) Create an assemblage of representative Cape Cod historical architectural styles as an educational and tourism destination to honor Falmouth's architectural past and the industries that sustained each period.
  - Long term: begin within 5 to 10 years.
  - Responsible Parties: Board of Selectmen, Community Preservation Committee, Planning Department, Historical Commission, private organizations as appropriate.

## 6. Capital Improvement Plan



Description	Dept	Dept #	Dept Name	FY 2023 Voted	FY 2024 Requested	FY 2024 Proposed	FY 2025 Program	FY 2026 Program	FY 2027 Program	FY 2028 Program	FY 2029 Program	FY 2030 Program	FY 2031 Program	FY 2032 Program	FY 2033 Program
Ford F250	PD	210	POLICE			0	75,000								
Mobile Data Terminals	PD	210	POLICE			0	50,000				52,000				
New Police Station Construction or Renovation	PD	210	POLICE		0	0			TBD						
Office Furniture	PD	210	POLICE			0	15,000			15,000					
Police Vehicle Radios	PD	210	POLICE			0					120,000				
Security Cameras	PD	210	POLICE			0					150,000				
Security Gates	PD	210	POLICE			0			35,000						
SRO Vehicle	PD	210	POLICE			0	55,000								
Support Vehicle - Prisoner/Equipment	PD	210	POLICE			0						140,000			
			<b>POLICE Total</b>	185,736	1,293,000	1,085,000	572,000	264,000	308,500	388,000	608,000	659,000	339,500	311,000	319,000
West Falmouth Station Improvements	FD	220	FIRE		80,000	80,000									
Driveway Replacements Main St & E Falmouth	FD	220	FIRE		330,000	330,000									
Ambulance Equipment	FD	220	FIRE		556,000	556,000									
Marine 1 Upgrades	FD	220	FIRE		150,000	150,000					600,000				
Back-Up Radio System	FD	220	FIRE		100,000	100,000									
Rescue Boat 1 (RB1)	FD	220	FIRE		170,000	170,000									
Chief Vehicle (C11)	FD	220	FIRE		80,000	0									90,000
Paramedic Vehicle (32)	FD	220	FIRE		90,000	0									
Ambulances	FD	220	FIRE	456,000		0		525,000		575,000				500,000	600,000
Brush Breaker	FD	220	FIRE			0							90,000		
Deputy Chief Vehicle (C12)	FD	220	FIRE			0									
Emergency Generators	FD	220	FIRE			0		80,000							120,000
EMS Supervisor Vehicle (C33)	FD	220	FIRE			0	50,000								
Fire Engines	FD	220	FIRE	1,100,000		0	960,000							1,000,000	
Fire Equipment/Protective Gear (PPE & SCBA)	FD	220	FIRE	65,000		0				200,000	200,000				300,000
Fire Gear/Washer	FD	220	FIRE			0					40,000				
Fire Prevention Officer Vehicle (C13)	FD	220	FIRE			0	50,000								60,000
Forestry Vehicle	FD	220	FIRE			0			500,000						
FPI Vehicle (C14)	FD	220	FIRE			0	50,000								60,000
Hose & Appurtenances	FD	220	FIRE			0								40,000	
Mechanic Vehicle w/plow (car 29)	FD	220	FIRE			0				80,000					
Monitors/Defibrillators	FD	220	FIRE			0			235,000						
Rescue Boat 1 (RB2)	FD	220	FIRE			0			125,000						
SCBA - Self Contained Breathing Apparatus	FD	220	FIRE			0		600,000							800,000
Shift Commander Vehicle (car 28)	FD	220	FIRE			0					95,000				
Station Design & Construction - 3 & 4	FD	220	FIRE			0				950,000	12,000,000				
Utility Vehicle (C27)	FD	220	FIRE			0						55,000			
			<b>FIRE Total</b>	1,621,000	1,556,000	1,386,000	1,110,000	1,205,000	860,000	1,805,000	12,335,000	745,000	500,000	1,640,000	1,430,000
Radio System Replacement	CC	230	CONSOLIDATED COMM		2,000,000	2,000,000									
Portable Radios (Police, Fire, DPW and MES)	CC	230	CONSOLIDATED COMM			0						250,000			
			<b>CONSOLIDATED COMM Total</b>	0	2,000,000	2,000,000	0	0	0	0	0	250,000	0	0	0
Marina Electrical Upgrades	MES	295	MARINE & ENVIRON		20,000	20,000		25,000		25,000		25,000		25,000	
Bulkhead - New Simpsons	MES	295	MARINE & ENVIRON		430,000	107,500									
Vehicle - New Pickup Truck	MES	295	MARINE & ENVIRON		27,000	27,000									
Dock & Ramp - Great Harbor Dock & Ramp	MES	295	MARINE & ENVIRON	75,000	200,000	200,000									
Dredging - Annual Inlet/Engineering	MES	295	MARINE & ENVIRON	225,000	150,000	0	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
AED Replacement	MES	295	MARINE & ENVIRON			0		9,000				9,000			
Aids to Navigation/Lights	MES	295	MARINE & ENVIRON			0					10,000				
Aquaculture for Nitrogen Reduction	MES	295	MARINE & ENVIRON			0	400,000		4,000,000						
ATV Covered Trailer	MES	295	MARINE & ENVIRON			0			10,000						
ATV Replacement 4W	MES	295	MARINE & ENVIRON			0		15,000							15,000
ATV Single Track	MES	295	MARINE & ENVIRON			0	17,000					17,000			

Description	Dept	Dept #	Dept Name	FY 2023 Voted	FY 2024 Requested	FY 2024 Proposed	FY 2025 Program	FY 2026 Program	FY 2027 Program	FY 2028 Program	FY 2029 Program	FY 2030 Program	FY 2031 Program	FY 2032 Program	FY 2033 Program
Boat Engine 105 Patrol	MES	295	MARINE & ENVIRON			0							40,000		
Boat Engine 107 Pump Out	MES	295	MARINE & ENVIRON			0		18,000						18,000	
Boat Engine 108 Marina	MES	295	MARINE & ENVIRON			0						8,000			
Boat Engine 109 (shellfish)	MES	295	MARINE & ENVIRON			0			12,000						
Boat Engines 104 (2)	MES	295	MARINE & ENVIRON			0		40,000						40,000	
Boat Engines 106 (2)	MES	295	MARINE & ENVIRON			0	30,000					30,000			
Boat Pump-out (107)	MES	295	MARINE & ENVIRON			0			120,000						
Boat Replacement (109)	MES	295	MARINE & ENVIRON			0		45,000						45,000	
Boat Trailers	MES	295	MARINE & ENVIRON			0	20,000					20,000			
Bulkhead - Quissett	MES	295	MARINE & ENVIRON			0			310,000						
Bulkhead - Tide's Bulkhead	MES	295	MARINE & ENVIRON			0		885,000							
Bulkhead - Wild Harbor Bulkhead	MES	295	MARINE & ENVIRON			0								645,000	
Bulkhead / Dock - Main Marina 2822 LF	MES	295	MARINE & ENVIRON			0			6,209,000						
Bulkhead / Dock - Robbins /Davis 477LF	MES	295	MARINE & ENVIRON			0				1,050,000					
Computers	MES	295	MARINE & ENVIRON			0		10,000		10,000		10,000		10,000	
Dinghy Racks	MES	295	MARINE & ENVIRON			0	20,000		20,000		20,000		20,000		20,000
Dock - Eel Pond	MES	295	MARINE & ENVIRON			0				184,800					
Dock - Eel Pond Bridge	MES	295	MARINE & ENVIRON			0	35,200								
Dock - Great Harbor Dock	MES	295	MARINE & ENVIRON			0	100,000								
Dock - Megansett	MES	295	MARINE & ENVIRON			0		150,000							
Dock - MH Fixed	MES	295	MARINE & ENVIRON			0			286,000						
Dredging - Bournes Interior	MES	295	MARINE & ENVIRON			0				150,000					
Dredging - Eel River Emb	MES	295	MARINE & ENVIRON			0	100,000				100,000				100,000
Dredging - Eel River Manauhant	MES	295	MARINE & ENVIRON			0						3,000,000			
Dredging - Great Pond Emb	MES	295	MARINE & ENVIRON			0						150,000			
Dredging - Green Pond Emb	MES	295	MARINE & ENVIRON			0					650,000				
Dredging - Megansett Embayment	MES	295	MARINE & ENVIRON			0					5,000,000				
Dredging - Rand's Canal	MES	295	MARINE & ENVIRON			0							40,000		
Dredging - Waquoit Emb	MES	295	MARINE & ENVIRON			0		250,000		250,000					
Floats - Main Marina	MES	295	MARINE & ENVIRON			0		600,000							
Floats - Robbins Road	MES	295	MARINE & ENVIRON			0	150,000								
Herring Run - Babtist 1 Pipe	MES	295	MARINE & ENVIRON			0			30,000						
Herring Run - Caleb's/Bog Pond	MES	295	MARINE & ENVIRON			0	75,000								
Herring Run - Flax	MES	295	MARINE & ENVIRON			0		50,000							
Herring Run - Southview 14 Pipe	MES	295	MARINE & ENVIRON			0				75,000					
Marina Building Const	MES	295	MARINE & ENVIRON			0	50,000	300,000							
MPTC Police Academy	MES	295	MARINE & ENVIRON			0	12,000				12,000				12,000
Patrol Boat Replacement (104)	MES	295	MARINE & ENVIRON			0								275,000	
Patrol Boat Replacement (105)	MES	295	MARINE & ENVIRON	190,000		0									225,000
Patrol Boat Replacement (106)	MES	295	MARINE & ENVIRON			0				150,000					
Patrol Boat Replacement (108) 18' Eastern	MES	295	MARINE & ENVIRON			0			40,000						
Ramp - Child's River	MES	295	MARINE & ENVIRON			0						650,000			
Ramp - Falmouth Inner	MES	295	MARINE & ENVIRON			0				750,000					
Ramp - Green Pond Ramp	MES	295	MARINE & ENVIRON			0					448,800				
Ramp - Harrington Street	MES	295	MARINE & ENVIRON			0			250,000						
Ramp - West Falmouth	MES	295	MARINE & ENVIRON	208,300		0									
Security Cameras/Equipment	MES	295	MARINE & ENVIRON			0	25,000			25,000				25,000	
Shellfish Gear	MES	295	MARINE & ENVIRON			0	25,000			25,000			25,000		
Storage Shed Replacement	MES	295	MARINE & ENVIRON			0			30,000						30,000
Vehicle - Fork lift/lift truck	MES	295	MARINE & ENVIRON			0		14,000					14,000		
Vehicle 1 - Director Vehicle - 2015 Interceptor	MES	295	MARINE & ENVIRON			0	40,000						40,000		
Vehicle 2 - Dep Director Vehicle	MES	295	MARINE & ENVIRON	45,000		0					40,000				
Vehicle 3 - Truck 2021	MES	295	MARINE & ENVIRON			0				40,000					
Vehicle 4-F150 2017	MES	295	MARINE & ENVIRON			0		35,000						35,000	
Vehicle 5 - Animal Control Vehicle - 2019 Transit	MES	295	MARINE & ENVIRON			0			35,000						





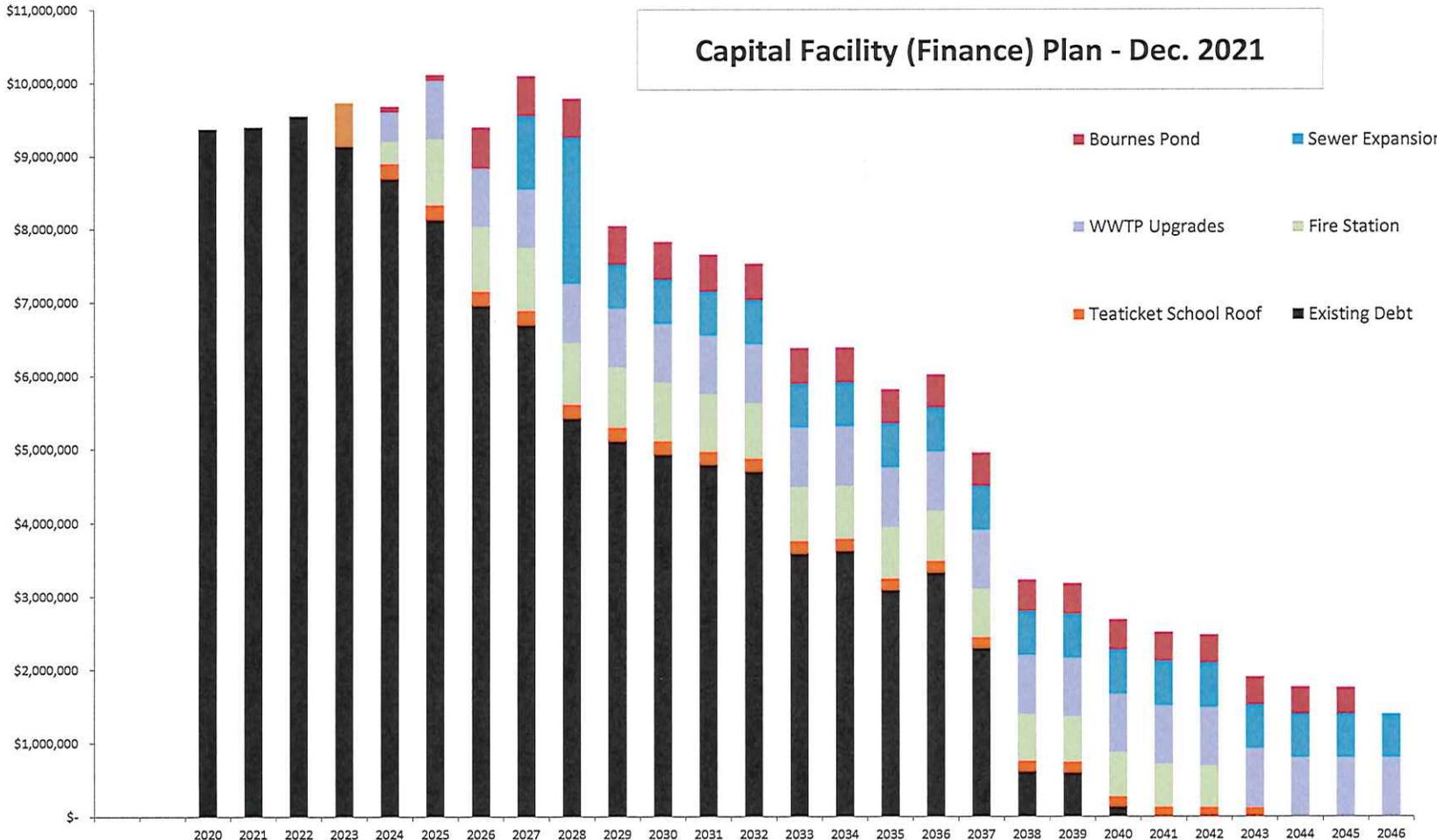


Description	Dept	Dept #	Dept Name	FY 2023 Voted	FY 2024 Requested	FY 2024 Proposed	FY 2025 Program	FY 2026 Program	FY 2027 Program	FY 2028 Program	FY 2029 Program	FY 2030 Program	FY 2031 Program	FY 2032 Program	FY 2033 Program
Mullen Hall & North Falmouth PA Systems	SCH	300	SCHOOL		105,600	105,600									
District Wide Floor Repair & Replacement	SCH	300	SCHOOL		300,000	300,000	300,000	300,000	300,000	300,000	300,000	400,000	400,000	400,000	400,000
District Wide Van Purchases	SCH	300	SCHOOL		260,000	90,000	90,000	180,000	180,000	180,000	250,000	250,000	250,000	250,000	250,000
District Wide Security Camera Additions	SCH	300	SCHOOL		162,000	162,000									
District Wide Door Replacements	SCH	300	SCHOOL		60,000	60,000	60,000	60,000	60,000	60,000	75,000	75,000	75,000	75,000	75,000
Lawrence Stage Lighting	SCH	300	SCHOOL		290,000	0									
EF Outdoor Learning Space	SCH	300	SCHOOL		26,000	0									
Lawrence Cafeteria Roof	SCH	300	SCHOOL		550,000	550,000									
Teaticket Exterior Painting	SCH	300	SCHOOL		50,000	50,000									
Lawrence Granite Stairs	SCH	300	SCHOOL		9,120	0									
Lawrence Window Repairs	SCH	300	SCHOOL		14,000	0					20,000				
District Wide Roof and AC	SCH	300	SCHOOL		0	0	4,915,000	3,388,150	4,301,982	3,500,000	1,500,000				
Admin Bldg. Boilers and Vents	SCH	300	SCHOOL		0	0						1,200,000			
Admin Bldg. Fire Alarm Upgrade	SCH	300	SCHOOL		0	0		250,000							
Admin Bldg. Project Adventure	SCH	300	SCHOOL		0	0	150,000								
District Wide Building Assessment	SCH	300	SCHOOL		0	0	200,000								
District Wide Classroom Reconfiguration	SCH	300	SCHOOL		0	0		100,000	100,000	100,000	100,000	100,000			
District Wide Mobile Infrastructure	SCH	300	SCHOOL	250,000	0	0									
District Wide Playgrounds	SCH	300	SCHOOL		0	0					250,000	250,000	250,000	250,000	
District Wide Repairs/Painting	SCH	300	SCHOOL		0	0	50,000	50,000	50,000	50,000	100,000	100,000	100,000	100,000	100,000
District Wide Turf Replacement	SCH	300	SCHOOL		0	0									1,000,000
District Wide Windows	SCH	300	SCHOOL		0	0								600,000	600,000
EF Generator Upgrade	SCH	300	SCHOOL		0	0			102,775						
EF Windows/Painting	SCH	300	SCHOOL		0	0			250,000						
Lawrence Ceiling Tile / Floor	SCH	300	SCHOOL		0	0			450,000						
Lawrence Elevator	SCH	300	SCHOOL	160,000	0	0									
Lawrence Recurbing/Sidewalks	SCH	300	SCHOOL		0	0		750,000							
Lawrence Track	SCH	300	SCHOOL		0	0							750,000		
MH Generator Upgrade	SCH	300	SCHOOL		0	0					125,000				
MP Alarm Upgrade	SCH	300	SCHOOL	90,000	0	0									
MP Generator Upgrade	SCH	300	SCHOOL		0	0					125,000				
MP Windows/Floors/Doors	SCH	300	SCHOOL		0	0					450,000				
NF Boiler	SCH	300	SCHOOL		0	0	600,000								
NF Controls and Univents	SCH	300	SCHOOL		0	0	400,000								
NF Fire Alarm	SCH	300	SCHOOL		0	0				150,000					
NF Generator Upgrade	SCH	300	SCHOOL		0	0				300,000					
Tennis Courts	SCH	300	SCHOOL	1,700,000	0	0									
TT Generator	SCH	300	SCHOOL		0	0		97,586							
TT Windows	SCH	300	SCHOOL		0	0			300,000						
			<b>SCHOOL Total</b>	2,200,000	1,851,720	1,342,600	6,765,000	5,175,736	6,094,757	4,640,000	3,295,000	2,375,000	1,825,000	1,675,000	2,425,000
East Falmouth Library Renovate or Replace	LIB	610	LIBRARY		0	0			6,000,000						
			<b>LIBRARY Total</b>	0	0	0	0	0	6,000,000	0	0	0	0	0	0
Replace Gym Floor	REC	630	RECREATION		275,000	275,000									
Lawrence & Swift Park Tennis Court Repainting	REC	630	RECREATION		88,000	88,000									
Lawrence School Tennis Courts Electronic Access Clock	REC	630	RECREATION		30,000	30,000									
Exercise Stations at Trotting Park	REC	630	RECREATION		0	0		100,000							
Ford Transit Cargo Van	REC	630	RECREATION	50,000	0	0									
Frisbee Golf Course	REC	630	RECREATION		0	0				50,000					
Gazebo at Trotting Park	REC	630	RECREATION		0	0		100,000							
John Neil Baseball Complex - Phase 2	REC	630	RECREATION		0	0	1,000,000								
Old Skate Park	REC	630	RECREATION	220,000	0	0	507,500								
Pickleball Courts	REC	630	RECREATION		0	0	2,600,000								
Repair Rec Center Outside Basketball Court	REC	630	RECREATION		0	0				250,000					

Description	Dept	Dept #	Dept Name	FY 2023 Voted	FY 2024 Requested	FY 2024 Proposed	FY 2025 Program	FY 2026 Program	FY 2027 Program	FY 2028 Program	FY 2029 Program	FY 2030 Program	FY 2031 Program	FY 2032 Program	FY 2033 Program
Replace Carpet Recreation Office Center Office	REC	630	RECREATION			0	42,900								
Sandwich Rd Playground	REC	630	RECREATION	125,000		0									40,000
Trotting Park Parking Lot Upgrade	REC	630	RECREATION	55,000		0									
Turf Field - Design and Engineering	REC	630	RECREATION	100,000		0	2,000,000								
			<b>RECREATION Total</b>	550,000	393,000	393,000	6,150,400	200,000	0	250,000	50,000	0	0	0	40,000
Beach Facilities Study	BCH	632	BEACH		50,000	50,000									
Beach Profile Surveys	BCH	632	BEACH	15,850	17,000	17,000	17,000		17,500		18,000		18,500		19,000
Parking Attendant Booths	BCH	632	BEACH		49,500	0									
Beach Management Plan	BCH	632	BEACH	63,723		0									
Beach Signs	BCH	632	BEACH			0	60,000								
Electronic Message Sign Boards	BCH	632	BEACH			0					40,000				
Portable Restrooms	BCH	632	BEACH			0	200,000								
Surf Rake	BCH	632	BEACH	69,982		0									
			<b>BEACH Total</b>	149,555	116,500	67,000	277,000	0	17,500	0	18,000	40,000	18,500	0	19,000
			<b>Grand Total</b>	10,988,087	23,694,220	19,675,107	71,760,100	40,784,936	87,389,438	45,572,826	34,519,622	51,680,157	18,416,622	89,154,310	18,739,320

## 7. Capital Facilities (Finance) Plan

### Capital Facility (Finance) Plan - Dec. 2021



## 8. Overview of Prop 2.5 and the Tax Levy

## **PROPOSITION 2 ½**

### **Tax Levy Limit Overview**

#### **What is a Levy?**

The property tax levy is the revenue a community can raise through real and personal property taxes. In Massachusetts, municipal revenues to support local spending for schools, public safety and other public services are raised through the property tax levy (often referred to as simply the 'levy'), state aid, local receipts and other sources. The property tax levy is the largest source of revenue for Falmouth and most Massachusetts municipalities.

#### **How Does Prop 2 ½ Limit Tax Increase?**

Proposition 2 ½ places constraints on how much the levy can be increased from year to year. The maximum amount a community can levy in a given year is referred to as the levy limit. The levy limit is calculated as follows:

$$\text{'Total Property Value'} \times \text{'Tax Rate'} = \text{'Levy'}$$

The levy can only increase by 2 ½% every year plus an allowance for "new growth" (i.e. new construction). If values increase significantly it can drive the tax rate down and if property values decrease significantly it can drive the tax rate up. Please see above equation.

Proposition 2 ½ does provide communities with some flexibility. Proposition 2 ½ has provisions which allow a community to levy more than the levy limit. However, this increase must be approved by a simple majority of the voters at an election. The two types of increases allowed are "overrides" and "exclusions."

**OVERRIDE:** Used to obtain additional funds for annual operating budgets and fixed costs (recurring expenses).

An override question must be placed on the ballot by a majority vote of the Select Board. Approval of an override by the voters allows the Town to assess taxes in excess of the automatic annual 2-½% increase. The result is a permanent increase in the amount of property taxes a community may levy and becomes part of the base which will increase by 2 1/2 % every year.

**EXCLUSIONS:** Used to obtain additional funds for capital projects only, including public buildings, public works projects, and land and equipment purchases (one-time costs).

Any exclusion question must be placed on the ballot by a two-thirds vote of the Select Board. Approval of an exclusion by the voters allows the Town to assess taxes in excess of the automatic annual 2.5% increase. The result is a temporary increase in the amount of property taxes a community may levy. There are two types of exclusions: capital exclusions and debt exclusions.

CAPITAL EXCLUSION: Used to raise additional taxes to pay for a specific capital project or purchase. This is a property tax increase for one year only--the year in which the project or purchase is budgeted.

DEBT EXCLUSION: Used to raise additional taxes for the annual debt service cost of projects funded by borrowing. This is a temporary property tax increase which lasts only for the term of the debt.

For more on how the Town plans capital projects and borrowing, please refer to the Town Fiscal Policy.

## 9. Committee List

<b>Committee</b>	<b>Member term</b>	<b>Appointed by</b>	<b>Number of Members</b>
<b>TOWN COMMITTEES</b>			
Affirmative Action Committee	3 years	Select Board	5
Affordable Housing Committee	3 years	Select Board	7
Agricultural Commission	3 years	Select Board	7
Beach Committee	3 years	Select Board	7
Bicycle and Pedestrian Committee	3 years	Select Board	9
Board of Assessors	3 years	Select Board	3
Board of Health	3 years	Select Board	5
Board of Survey	3 years	Select Board	3
Building Code Board of Appeals	5 years	Select Board	5
Cable Advisory Committee	3 years	Select Board	5
Charter Review Committee	Indefinite	Select Board	7
Coastal Pond Management Committee (inactive)	3 years	Select Board	7
Commission on Disabilities	3 years	Select Board	9
Commission on Substance Use	3 years	Select Board	5
Community Preservation Committee	3 years	Select Board	9
Conservation Commission	3 years	Select Board	10
Council on Aging	3 years	Select Board	9
Cultural Council	6 years	Select Board	12
EDIC	3 years	Select Board	7
Edward Marks Building Advisory Committee	12/31/2024	Select Board	7
Energy Committee	3 years	Select Board	7
Finance Committee	3 years	Moderator	13
Freshwater Ponds Advisory Committee	3 years	Select Board	7
Golf Advisory Committee	3 years	Select Board	7
Historical Commission	3 years	Select Board	7
Human Services Committee	3 years	Select Board	9
Recreation Committee	3 years	Select Board	7
Sandwich Road Fire Station Bldg Comm	Until Completion	Select Board	8
Shellfish Advisory Committee	3 years	Select Board	9
Sign Review Committee (inactive)	3 years	Select Board	7
Solid Waste Advisory Committee	3 years	Select Board	7
Town Building Committee (inactive)	3 years	Select Board	7
Transportation Committee	3 years	Select Board	7
Veterans Council Committee	1 year	Select Board	9
Water Quality Management Committee	3 years	Select Board	7
Waterways Committee	3 years	Select Board	7
Zoning Board of Appeals	5 years	Select Board	7

<b>Committee</b>	<b>Member term</b>	<b>Appointed by</b>	<b>Number of Members</b>
<b>NON-TOWN COMMITTEES/APPOINTMENTS</b>			
Barnstable County Assembly of Delegates	2 years	Elected	1
Barnstable County Home Consortium Advisory Council	3 years	Select Board	1
Cape & Vineyard Electric Cooperative	3 years	Select Board	1
Cape Cod & Islands Water Protection Fund	3 years	Select Board	1
Cape Cod Commission	3 years	Select Board	1
Cape Cod Joint Transportation Committee	3 years	Select Board	2
Cape Cod Regional Transit Authority	3 years	Select Board	1
Cape Cod Water Protection Collaborative	2 years	Select Board	1
Cape Cod Water Protection Collaborative - TAC	2 years	Select Board	1
Cape Light Compact-Joint Powers Entity (JPE)	3 years	Select Board	2
Constable	3 years	Select Board	8
JBCC-Community Advisory Council	Ongoing	Select Board	1
JBCC-Military-Civilian Community Council	Ongoing	Select Board	1
South Cape Beach Advisory Committee	3 years	Select Board	1
Steamship Authority-Board of Governors	3 years	Select Board	1
Steamship Authority-Port Council	2 years	Select Board	1
Steamship Authority-Task Force	Until completion	Select Board	2
Steamship Authority-Working Group	Until completion	Select Board	2
Upper Cape Cod Reg. Tech. School	2 years	Elected	1
Upper Cape Regional Transfer Station	1 year	Select Board	1
Upper Cape Regional Water Supply Cooperative	2 years	Select Board	2

10. Committee Handbook- Includes Open Meeting Law and Conflict of Interest Law overview

# FALMOUTH COMMITTEE HANDBOOK



## FALMOUTH, MASSACHUSETTS

Adopted November 9, 2020

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# FALMOUTH COMMITTEE HANDBOOK

## FOREWORD

This handbook has been prepared under the direction of the Falmouth Select Board as an informational toolkit to all Town boards, committees, and commissions, and to help improve communication between the Select Board and Town committees.

Many residents have served the Town in its three hundred and thirty-plus-year history. Their contributions of time and thoughtful consideration of issues and challenges before our Town over the centuries are greatly appreciated. Through service to the community, you will have the opportunity to get to know the workings of your Town from many perspectives, and have a deeper appreciation of its history and its place in the Commonwealth. It will hopefully be a rewarding and informative experience.

In 1986 the Falmouth Historical Commission published *The Book of Falmouth* to commemorate the Town's Tricentennial. From that book's Foreword we share these words:

*From 1686 to 1986 generations of Falmouth families have cleared the land, tended sheep, hunted whales and fished the sea, harvested cranberries and strawberries, explored oceans, built churches, schools, houses, laboratories and businesses. For 300 years the people of Falmouth have lived together, creating a town with a rich diversity of ethnic groups and varied traditions.*

*The editors of this tricentennial book believe that the separate villages of Falmouth combine to create a unique and splendid town. We...hope...that we can keep the diversity of our town alive, continue to respect one another's differences, and preserve the beauty of Falmouth before it is lost to uncontrolled growth and pollution of its clear air, sparkling ponds, and shining sea.*

This is where you come in. The Select Board, in carrying out its duties as prescribed by the Home Rule Charter, State law, and by the votes of Town Meetings, expends considerable time and effort to make logical and sensible appointments to committees. You will be working with people, who like yourself, have volunteered to address specific areas or problems in the community, and bring back to the Select Board - or perhaps Town Meeting - recommendations for a course of action and/or solution that is best for the Town.

It is important that the good of the Town, present and future, be of primary consideration in your deliberations and actions. It is also important to remember that you represent the entire Town. A solution that makes sense from the perspective of your committee may not always be what is best for the entire Town. Therefore, all plausible solutions need to be explored while considering many factors such as the cost in tax dollars and the impact on other programs or plans or groups.

Your committee or board should use the offices of the Town Manager to facilitate communications and answer any questions you believe pertinent to your committee assignment. The Select Board wishes to thank you for giving of your effort to the well-being and the improvement of our community.

Although this handbook has been published for use by Town committees appointed by the Select Board, we hope it will also be useful to elected committees, boards, and officers as well as citizens-at-large.

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Wherever the term "committee" appears in the handbook, it is meant to encompass boards and commissions as well. Michael Palmer, Falmouth Town Clerk, prepared the first Handbook in 2014; this significant revision was completed in 2020 by Doug Brown (Select Board member) and Judy Fenwick (Town Meeting member, member/former member of three appointed committees and two elected committees), under the guidance of Assistant Town Manager, Peter Johnson-Staub. Feedback, comments, and suggested edits were received from numerous elected and advisory committee members, Town Counsel, as well as from the Falmouth League of Women Voters' "Local Study on the Role of Appointed Committees in Falmouth Town Government." For further information or to advise of omissions or corrections, please contact the Town Manager, [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov).

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### Falmouth Select Board

Megan English-Braga (Chair), Douglas C. Brown (Vice Chair),  
Doug Jones, Samuel Patterson, Nancy Taylor

# FALMOUTH COMMITTEE HANDBOOK

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Full text of the following will be provided by the Town Clerk at the time new members are sworn in or appointed:

1. Conflict of Interest Law
  2. Open Meeting Law and Open Meeting Law Guide
  3. Sexual Harassment: Policy and Procedures (for Special Employees)
  4. Harassment of Individuals in Protected Classes: Policy and Procedures (for Special Employees)
-

# 1. STRUCTURE OF FALMOUTH'S GOVERNMENT: Elected and Appointed Committees

Falmouth's Legislative Body is Representative Town Meeting, and the Executive Body is our Select Board. A great deal of important work is accomplished by citizen volunteers on elected and appointed Town committees that perform critical roles for the Town.

## ELECTED POSITIONS

Name	Elected By	# Members	Terms, # Years
Select Board	Citizens	5	3
Board of Library Trustees	Citizens	7	3
Planning Board	Citizens	7	3
School Committee	Citizens	9	3
Finance Committee	Town Meeting	15	3
Housing Authority (4 elected; 1 MA appointed)	Citizens	5	5
Moderator	Citizens	1	3
Town Clerk	Citizens	1	3

## APPOINTED POSITIONS

Name	Appointed By	# Members	Terms, # Years
Affordable Housing Committee	SB	7	3
Agricultural Commission	SB	7	3
Assessors, Board of	SB	3	3
Beach Committee	SB	5	3
Bicycle and Pedestrian Committee	SB	9	3
Building Code Board of Appeals	SB	5	5
Cable Advisory Committee	SB	5	3
Charter Review Committee (appointed every 7 years)	SB	7	1-2
Coastal Pond Management Committee	SB	7	3
Coastal Resiliency Action Committee	SB	5	3
Community Preservation Committee	SB (5 apptd. from Town Comms)	9	3
Conservation Commission	SB	7 /3 Alt	3
Council on Aging	SB	7	3
Cultural Council	SB	12 (max.)	3
Disabilities, Commission on	SB	9	3
Diversity & Inclusion Comm (was Affirmative Action Comm.)	SB	5	3
Energy Committee	SB	5	3
Golf Advisory Committee	SB	7	3
Health, Board of	SB	5	3
Historical Commission	SB	5 Reg/2Alt	3
Human Services Committee	SB	9	3
Recreation Committee	SB	7	3
Registrars, Board of	SB	3+Town Clerk	3
Shellfish Advisory	SB	9	3
Sign Review Committee	SB	5	3
Solid Waste Advisory Committee	SB	7	3
Substance Use, Commission on	SB	5	3
Survey, Board of	SB	3	3
Traffic Advisory Comm.	Town Manager	5	3
Transportation Management Committee	SB (4 appt Town Comms; 5 at-large)	9	3
Veterans Council/Veterans' Service Office	SB	9	3
Water Quality Management Committee	SB	7	3
Waterways Committee	SB (6) / BoH (1)	7	3
Zoning Board of Appeals	SB	5 Reg/2 Alt	3

## Non-Profit Community Development Corporations

EDIC [Economic Development Industrial Corp. [501(c)(3)]	Apptd by SB	7	3
Falmouth Housing Trust [501(c)(3)]	Elected by FHT board	9 at-large	3
	Apptd by SB, HA, HSC, PB	4 by Town Comms	2

## **2. COMMUNICATIONS**

One purpose of this handbook is to improve communication between the Select Board and the many Town committees. As the policy setting board of the Town per the Town Charter, the Select Board maintains a liaison with many committees. The Select Board's Liaison Policy including the duties of the liaison is in Appendix D. So that committees will know their work is valued, the liaison from the Select Board will establish the flow of information between the various committees and the Select Board.

From time to time the Select Board will convene joint meetings to address matters involving multiple boards. Most committees communicate with the Select Board by way of annual reports: some annual reports are delivered at the Board's open meetings and many are published in the Town Annual Report.

## **3. COMMITTEE MEMBERSHIP**

### **3A. Appointments**

All committee vacancies are publicized on the Town's website and in the Falmouth Enterprise. Individuals interested in being appointed are asked to complete a Committee Application Form that is available at the Select Board/Town Manager's Office and online at (<http://www.falmouthmass.us/647/Committees-Commissions-and-Boards>). Applicants are interviewed by the Board at a regular public meeting. All Select Board appointments are made by majority vote after applicants are interviewed.

Written notification of an appointment is made by the Select Board or the appointing officials. When you receive notification of an appointment, you must contact the Town Clerk to be sworn in and to receive copies of the Open Meeting Law, the Conflict of Interest Law, applicable Town policies, and this Committee Handbook, which includes the Committee Code of Conduct (See Sec. 5B). You will be asked to sign an acknowledgment of your receipt and understanding of these documents. In addition, training is held annually by Town Counsel on the Open Meeting Law and Conflict of Interest Law. After your swearing-in, you will be considered a Special Employee of the Town.

### **3B. Duration of Appointments**

Except as otherwise provided, members of appointed boards and committees shall be appointed by the Select Board or appropriate official for overlapping three-year terms. No member of an appointed town board shall serve more than three (3) consecutive three-year terms, unless otherwise provided.

### **3C. Basic Duties of Committees and Attendance**

Committee members shall exercise all powers given them under the Constitution and laws of the Commonwealth and may exercise such additional powers and duties as authorized by the Select Board, the Charter, Town Bylaw(s) or vote of Town Meeting.

Some committees, such as the Conservation Commission, Board of Health, Historical Commission, Planning Board, School Committee, and Zoning Board of Appeals are charged by the applicable laws of the Commonwealth to act and consider matters in a narrowly defined way. If you have been appointed to one of those positions, ensure that you obtain a copy of these laws. Other standing or ad hoc committee members will receive a letter of their duties and responsibilities from the Select Board or responsibilities will be charged in accordance with the Bylaws of the Town.

The unexcused absence, without good cause, of a member from one-half of the total number of meetings during any twelve-month period or from four or more consecutive meetings of any appointed board shall be considered as vacating the office. The vacancy shall be determined by the chairperson and confirmed by a majority vote of the governmental body. When such a vacancy has been created, it shall be filled within thirty (30) days or in accordance with General Law (as per the Falmouth Home Rule Charter).

### **3D. Committee Leadership**

All committees will organize annually to elect a chair and other officers as necessary (e.g., Vice Chair, Secretary); review the code of conduct (see Sec. 5B); adopt rules of procedure and voting through use of Robert's Rules [Appendix H] or other manner at the discretion of the committee; and maintain minutes and records of attendance, copies of which shall be filed with the Town Clerk.

### **3E. Resignations**

Resignations must be submitted in writing and delivered to the Select Board's Office with copies to the respective Committee Chair and Town Clerk. When a vacancy occurs, the committee chair may recommend individual(s) who have demonstrated an interest in the work of the committee for consideration to apply to fill the vacancy. All applicants will be considered.

## **4. MEETINGS**

### **4A. Meeting Checklist for Chairs and Board/Committee Members**

1. Meeting Notice/Agenda must be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.
2. In emergency situations, the 48 hour notice period may be waived. However, every effort should be made to update the Meeting Notice whenever possible. The threshold for an emergency meeting is high. It must be a threat to public health or safety in most situations. Contact the Town Manager's Office or Town Counsel for advice prior to holding a meeting under these circumstances.
3. Notice must include the agenda for the meeting and any other matters that the Chair reasonably believes will be discussed at the meeting. See the sample agenda [Appendix A]. The agenda should include the phrase "*This agenda is subject to change.*" The agenda may be revised as long as it meets the 48-hour requirement.
4. Notice must be visible to the public "at all times." This has been interpreted as meaning 24 hours a day, 7 days a week. Town Clerk will implement the necessary requirements. At present, posted Notices/Agendas can be found in the "Agenda Center" on the Town's website.
5. The Chair must announce at the beginning of each meeting if the meeting is being recorded.
6. All exhibits presented at the meeting are public records, and they become part of the record for the hearing.
7. Meeting minutes must reflect all actions taken by the Board/Committee.
8. Meeting minutes must include exhibits presented at the meeting.
9. Minutes must be filed properly with the Town Clerk for permanent holding.
10. E-mails are likely to lead to deliberations outside of a public meeting. E-mails should therefore be used only to distribute meeting materials and to convey logistical meeting information to the Board/Committee Members. See the E-mail Policy for Public Bodies [Appendix E.]

### **4B. Meetings and Deliberations**

#### **Purpose of the Open Meeting Law**

The purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based. Because the democratic process depends on the public having knowledge about the considerations underlying governmental action, the Open Meeting Law requires, with some exceptions, that meetings of public bodies be open to the public. It also seeks to balance the public's interest in witnessing the deliberations of public officials with the government's need to manage its operations efficiently.

## What meetings are covered by the Open Meeting Law?

With certain exceptions, all meetings of a public body must be open to the public. A meeting is generally defined as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” As explained more fully below, a deliberation is a communication between or among members of a public body.

These four questions will help determine whether a communication constitutes a meeting subject to the law:

1. Is the communication between or among members of a public body;
2. If so, does the communication constitute a deliberation;
3. Does the communication involve a matter within the body’s jurisdiction; and
4. If so, does the communication fall within an exception listed in the law?

Distributing by e-mail a meeting agenda, scheduling or procedural information, or reports or documents that may be discussed at the meeting will not constitute deliberation, so long as material does not express an opinion of a member of the public body. E-mail exchanges between or among a quorum of members of a public body discussing matters within the body’s jurisdiction may constitute deliberation, even where the e-mail sender does not ask for a response from recipients. See the E-Mail Policy for Public Bodies [Appendix E].

There are five exceptions to the definition of a meeting under the Open Meeting Law.

1. Members of a public body may conduct an onsite inspection of a project or program; however, they cannot deliberate at such gatherings;
2. Members of a public body may attend a conference, training program or event; however, they cannot deliberate at such gatherings;
3. Members of a public body may attend a meeting of another public body provided that they communicate only by open participation; however, they cannot deliberate at such gatherings;
4. Meetings of quasi-judicial boards or commissions held solely to make decisions in an adjudicatory proceeding are not subject to the Open Meeting Law; and,
5. Town Meetings are not subject to the Open Meeting Law.

### 4C. Location

Every committee should establish a regular meeting schedule to suit the needs and convenience of its members, subject to change if needed. Meetings must be scheduled, however, in public locations and some coordination with other boards and committees for meeting space may be necessary. Space is available in multiple Town buildings; meetings in Town Hall must be scheduled by calling the Town Hall Receptionist at 508-548-7611.

### 4D. Posting of Meetings

Massachusetts General Laws, (MGL) Chap. 30A, Sections 18-25, commonly called the sunshine law, specifies the parameters of the public notice of meetings. You will receive a copy of this law when you are sworn in after your election or appointment.

A public body must provide the public with notice of its meeting 48 hours in advance, excluding Saturdays, Sundays and holidays. A meeting notice (also referred to as a meeting agenda) must contain all topics that the Chair reasonably anticipates. See a sample of a meeting agenda [Appendix A]. **Each committee must post meeting notices/agendas with the Town Clerk's office and on the Town website 48 hours before the meeting begins, excluding Saturday, Sundays and holidays. For committees that do not have an assigned staff member to post to the website, the agenda must be emailed to [meetings@falmouthma.gov](mailto:meetings@falmouthma.gov). This email is monitored by the Town Clerk’s Office which will post the agenda to the website and physically post it at Town Hall. Please send the email no later than 4:00pm if it needs to be posted on the same day. Best practice is to follow-up with a phone call to the Town Clerk’s Office if the agenda is being sent close to the deadline.**

### 4E. Minutes

Public bodies are required to create and maintain accurate minutes of all meetings, including executive sessions. The minutes, which must be created and approved in a timely manner, must state the date, time, location address of the meeting, a list of the members present or absent, the decisions made and actions taken including a record of all votes. While the minutes must also include a summary of the discussions on

each subject, a transcript is not required. No vote taken by a public body, either in an open or in an executive session, shall be by secret ballot. All votes taken in executive session must be by roll call and the results recorded in the executive session minutes. In addition, the minutes of the open meeting and of executive session must include a list of the documents and other exhibits received at the meeting. While public bodies are required to retain these records in accordance with records retention laws, the documents and exhibits listed in the minutes need not be physically stored with the minutes, but is preferable.

The minutes, documents and exhibits are public records and a part of the official record of the meeting. Whether records are subject to disclosure under the Open Meeting Law will depend on whether the records are from an open session or an executive session.

The law requires that existing minutes be made available to the public within 10 days upon request, whether they have been approved or remain in draft form. Materials or other exhibits used by the public body in an open meeting are also to be made available to the public within 10 days upon request. Minutes must be filed with the Town Clerk. These can be transmitted by e-mail. All minutes are permanent records of the Town.

### **In Summary:**

A written record of all meetings is required by law and becomes part of the public record.

Minutes must contain:

- Date, time, place/location, address of the meeting;
- Names of members present or absent; names of guests present, where applicable.
- Decisions made and actions taken, including a record of all votes;  
(which includes record of any vote to enter into executive session and the reason. See Appendix F).
- A summary of the discussions on each subject;
- List of all documents and exhibits used at the meeting.

Minutes should be approved by the members at the next regularly scheduled meeting. After approval, all minutes should be forwarded to the Town Clerk, including appropriate documents and exhibits.

## **4F. Public Participation**

Under the Open Meeting Law, the public is permitted to attend meetings of public bodies but is excluded from an executive session that is called for a valid purpose listed in the law. Any member of the public also has a right to make an audio or video recording of an open session of a public meeting. A member of the public who wishes to record a meeting must first notify the chair and must comply with reasonable requirements regarding audio or video equipment established by the chair so as not to interfere with the meeting. The chair is required to inform other attendees of such recording at the beginning of the meeting.

While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the chair. See the Speaker's Policy [Appendix B]. An individual is not permitted to disrupt a meeting of a public body, and at the request of the chair, all members of the public shall be silent. If after clear warning, a person continues to be disruptive, the chair may order the person to leave the meeting, and if the person does not leave, the chair may close or recess the meeting, and may authorize a police officer to remove the person.

## **4G. Staff Support**

Minutes of meetings and mailings are usually done by the clerk or recording secretary of the committee. Some committees may have paid employees working for that committee. All appointments of such personnel must be made by the Town Manager. Committees appointed by the Select Board do not have the power of appointment.

#### **4H. Public Hearings**

If you serve on the Select Board, School Committee, Planning Board, Zoning Board of Appeals, Conservation Commission, Historical Commission, or the Board of Health, occasionally you will be required to hold a public hearing in accordance with Massachusetts General Laws. Hearings are held for the purpose of gathering information from which your board or committee can draw a conclusion. Written notices, the initiation of the hearing, and the written conclusions of a hearing may have strict legal time limitations that vary with the nature of the hearing and the Board. Several procedures are common to all hearings. The Chairman or other designated person should run the hearing and state the guidelines and time allowances - if restricted - before any testimony is given. All questions should be directed to the chair who in turn, may ask for a response from the floor.

We suggest that each board/committee develop written guidelines that:

- Set ground rules, time limits, direct all questions to chair, etc.;
- During deliberations, findings of fact are noted;

A sample format for the hearing is as follows:

- Open Public Hearing
- The Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given.
- Order of Presentation
- Presentation by Proposer
- Receipt of recommendations from any Town agency or officer
- Questions from Board Members
- Statements by members of the public
- Close Public Hearing
- Deliberate on Findings and Merit
- Entertain Motions to render a decision or take the matter under advisement, announcing the intended date of decision.

An important aspect of the hearing process is that a decision must be based on the testimony and evidence submitted at the hearing or if written, entered into the record at the hearing. The decision must be based on facts and cannot be arbitrary.

A board member serving on a hearing panel must be neutral without having formed an opinion in advance. The purpose of the hearing is to determine all facts. Once fact finding is complete, then the board can begin to develop a basis for an opinion based on those facts that have been identified and outlined. If a board member is pre-disposed to a decision, they must consider recusing themselves from the hearing.

#### **4I. Executive Session**

Deliberations and votes held in executive session, are allowed under strict circumstances outlined in the Open Meeting Law. See Appendix F, "10 Purposes for an Executive Session" with detail for each of the purposes, along with suggested motions to enter into Executive Session.

**When conducting an executive session there are certain steps that must be followed:**

- Convene in open session;
- State the reason for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;
- State whether the public body will reconvene in open session at the end of the executive session;
- Take a roll call vote of the body to enter executive session.

Many people think that the Open Meeting Law has made committee work more difficult or more complex. The Open Meeting Law, however, encourages meetings to be as open and transparent as possible. This will build the public's trust in the work of its government. These exceptions for executive session should only be used when necessary. The ten purposes for which a public body may vote to hold an executive session are listed below. For more complete information on each of the purposes, along with suggested motions for entry into Executive Session, see Appendix F:

1. **To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual**, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties.
2. **To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;**
3. **To discuss strategy with respect to collective bargaining or litigation** if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. **To discuss the deployment of security personnel or devices**, or strategies with respect thereto;
5. **To investigate charges of criminal misconduct or to consider the filing of criminal complaints;**
6. **To consider the purchase, exchange, lease or value of real property** if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. **To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;**
8. **To consider or interview applicants for employment or appointment by a preliminary screening committee** if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. **To meet or confer with a mediator, as defined in section 23C of chapter 233**, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
  - (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
  - (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.
10. **To discuss trade secrets or confidential, competitively-sensitive or other proprietary information** provided:
  - in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164;
  - in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164; or
  - in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164;
  - when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

## **5. CONDUCT OF COMMITTEES and PUBLIC OFFICIALS**

### **5A. Conflict of Interest**

In addition to the Open Meeting Law, the conduct of public officials is subject to the Conflict of Interest Law which was enacted in 1962. The ethical conduct of public officials is now governed by this law. The Ethics Commission has ruled that the law applies to all public officials paid or unpaid. It also regulates the activities of public officials after their term of service is over. Its purpose is to ensure that the private interests of any individual do not conflict with the best interest of the community. Chapter [268A](#) of the Mass. General Laws governs your conduct as a public official or employee. You could face civil and criminal penalties if you take a prohibited action. Many aspects of the law are complicated and there are often exemptions to the general rules. Any member of a committee may seek a written opinion about the application of the Conflict of Interest Law to you in any particular situation from either the State Ethics Commission or Town Counsel. The opinion must be sought before you act and does not excuse past violations of the law. You will have received a detailed summary from Town Counsel when you joined your committee.

The State Ethics Commission maintains a website which details all aspects of the Law. A list of Frequently Asked Questions from the State Ethics Commission can be found in Appendix F or at [MA State Ethics Commission's FAQs](#). If you have a doubt about a conflict, contact the state Ethics Commission (<http://www.mass.gov/ethics>).

### **5B. Committee Code of Conduct**

A member of any committee who has accepted appointment by the Select Board or the Town Manager to a committee position must comply with Open Meeting Law (M.G.L. c. 30A, §§18-25) and the Conflict of Interest Law (MGL c. 268A). If an appointee is found to have violated any applicable law in connection with conduct related to his/her appointment, the member may be censured or removed by the appointing authority for misfeasance. In addition to complying with applicable law, each appointee is expected to comply with the following code of conduct. Failure to adhere to this code will be considered by the appointing authority when making re-appointment decisions and may be grounds for censure by the member's committee or by the appointing authority.

#### **Your Committee's Organization**

1. Realize that your function is to follow the mission statement of the committee.
2. Become informed of the Open Meeting Law and the Conflict of Interest Law and the Public Records law as it applies to the conduct of committee members.
3. Be well informed concerning the duties and responsibilities of the Committee.
4. Request assistance from Town staff only through the staff person(s) assigned to the committee.
5. Insure that any materials or information provided to a committee member from Town staff should be made available to all committee members.
6. If circumstances change so that meeting attendance on a regular basis becomes difficult, the member will offer his/her resignation to the Board so that someone who can regularly attend meetings can be selected by the Board.

#### **Your Committee as a Team**

7. Realize that you are one of a team and should abide by all decisions of the Committee once they are made.
8. Remember that you represent the entire community at all times.
9. Accept the role of a committee member is a means of unselfish service, not to benefit personally or politically from his or her Committee activities.
10. Avoid making statements or promises of how you will vote on matters that will come before the Committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting of the Committee.
11. Make decisions only after all facts on a question have been presented and discussed.
12. Refrain from communicating the position of the committee to reporters or state officials unless the full Committee has previously agreed on both the position and the language conveying the statement.
13. Treat with respect and courtesy all members of the Committee, applicants, and their representatives despite differences of opinion. Never engage in personal insults, sexual harassment or threats of violence or retaliation.
14. Avoid public criticism of an employee of the Town. Concerns about staff performance should be made to the Town Manager through private conversation.

#### **Regulatory Committees**

15. Be mindful of the cost and consequences of Committee actions on individuals and entities seeking regulatory approval and seek to enforce applicable regulations without imposing costs or delays that are not necessary to accomplish the regulatory objectives of the Committee.

**Additional suggestions to improve committee relationships:**

- When you are talking with members of the community, learn to listen without making promises or implying action will be taken by the committee.
- Advocate at the meeting until a vote is taken, then support the majority view, when possible.
- If in rare instances you feel compelled to express your minority view, be sure to identify it as the minority view.
- Present no public criticism of the overall committee or individual committee members.
- Honor the past. Try to gain a sense of where the committee has been and what it has tried to do before you begin actively advocating a different path.

APPENDIX A-1  
SAMPLE AGENDA

Water Quality Management Committee

Thursday, September 19, 2019 at 2:30pm  
Falmouth Town Hall  
Selectmen's Meeting Room  
59 Town Hall Sq., Falmouth, Ma. 02540

AGENDA

1. Public comment period on draft South Coast CWMP Update
2. Request for \$17,911 from Article 17 funds to support the Eel River Pilot Aquaculture Project – discussion and vote
3. Review of MA Department of Environmental Protection Total Maximum Daily Load reports for Falmouth Inner Harbor, Megansett Harbor and Waquoit Bay
4. Review Water Quality Management Committee draft Annual Town Report for FY '19.
5. Reports of members and staff
6. Vote minutes of prior meeting (08.15.19)
7. Adjourn

APPENDIX A-2  
SAMPLE AGENDA - Executive Session



**Falmouth Public Schools**

March 10, 2020

5:30 PM Executive Session, 6:30 PM Public Meeting

School Committee Agenda

Falmouth High School, School Library

874 Gifford Street, Falmouth MA 02540

**Lori Duerr, Superintendent of Schools**

School Committee Members: Bill Rider, Chair, Kelly Welch, Vice-Chair, Melissa Keefe, Secretary, Terri Medeiros

John Furnari, Andrea Thorrold, Meghan Fleck, Natalie Kanellopoulos and Lisa E. Hart

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**TOPIC**

OPEN Public Meeting

MOVE to go into Executive Session according to Open Meeting Law Chapter 30A Section 21(a) to discuss strategy with respect to collective bargaining with Units A, B, C and D. Having these discussions in open session may be detrimental to the school committee's bargaining. It is expected that the School Committee will resume Open Session.

Return to Open Session

PUBLIC COMMENT

Please limit comments to two minutes per individual to items not on this meeting agenda. There will be no debate or action taken on public comment items. The Committee will take items under advisement or the individual may request an item to be placed on a future agenda.

PRESENTATION Highlight on Education: Falmouth High School

FIRST READ Fuel Efficient Vehicle and Idling Policy (Town of Falmouth)

ACT on Collective Bargaining Contracts for Units A, B, C, & D

ACT on MASS Science & Engineering Fair to MIT May 1, 2020 & May 2, 2020

ACT on Hershey Park Trip April 17-20, 2020

ACT on Transportation Contract with Lucini Transportation

ACT on Support for Article #36 – Rooftop Solar

ACT on Policy Section I

ACT on School Calendar 2021-2022

PRESENT Policy Section J

DISCUSSION on Department of Elementary and Secondary Education - Student Opportunity Act (SOA)

Conduct Routine Business

1. Approve Minute of February 25, 2020
2. Approve Minutes of March 3, 2020
3. Update on Capital Plan by Patrick Murphy
4. Superintendent's Report

Report from the Chair

1. Committee Member Report
2. Request for Follow-up Information

Future Items

Announcements

ADJOURN

**APPENDIX B**  
**TOWN OF FALMOUTH**  
**SELECT BOARD**  
**POLICY ON PUBLIC COMMENT AND PARTICIPATION**

The Select Board values public comment and participation in matters before the board. Meetings of the Select Board are conducted in accordance with G.L. c. 30A, ss. 18 – 25 known as the Open Meeting Law (“the OML”). A **meeting** is generally defined as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” A **deliberation** is defined as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” As a general rule, members of the Select Board are permitted to deliberate and act upon matters identified as an agenda item in the Notice of Meeting posted for the meeting in accordance with the OML. If a matter is not identified as an agenda item in the Notice of Meeting, the board may not deliberate and act upon it unless there are emergency circumstances. For this reason the board has promulgated this policy on public comment and participation at its meetings.

There are two parts to the policy. The first relates to public comment and participation in a matter identified as an agenda item in the Notice of Meeting. The second relates to public comment and participation in a matter which is not identified as an agenda item in the Notice of Meeting.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER**  
**IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING**  
**WITH SELECT BOARD PARTICIPATION**

The OML grants the public the right to attend any meeting of a public body except an executive session. An individual in attendance may not address the public body without the permission of the chair. An individual may not disrupt the meeting of a public body and the audience must remain silent. It is within the discretion of the chair to issue warnings to or order the dismissal of members of the public who disrupt the meeting or fail to heed warnings.

At the beginning of any meeting of the board, the chair shall call the meeting to order and announce any relevant information pertaining to public comment and participation on a matter identified as an agenda item in the Notice of Meeting. Ordinarily public comment and participation will be permitted only when the item is reached for deliberation by the board in accordance with the agenda.

There shall be no time limit on recognized public speakers unless 1) the chair announces the limit beforehand and 2) the limit applies equally to all speakers. No speaker may yield to another speaker without the permission of the chair. All speakers will be expected to focus remarks on the matter identified as an agenda item in the Notice of Meeting and remain “on topic.” There shall be no discrimination based upon the speaker’s viewpoints. The chair may terminate the comments and participation of any speaker who continues to make irrelevant and extraneous remarks after warning by the chair.

Any speaker who reads from a document or displays an exhibit to the board must leave a copy with the board to be filed with the minutes of the meeting.

Any member of the public or any representative of a group may request to address the Select Board if the matter pertains to a matter within the jurisdiction of the board and the matter will likely require participation and action by members of the board. In these circumstances the person or representative of a group must inform the Town Manager who will confer with the chair to determine if and when the matter might be identified as an agenda item on the Notice of Meeting of a future meeting of the board.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER  
NOT IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING  
WITHOUT SELECT BOARD PARTICIPATION**

It is the practice of the Select Board to schedule a “PUBLIC COMMENT” period during regularly scheduled meetings of the board. The purpose of the public comment period is to allow any person or a representative of a group to briefly address the board on routine matters not identified as an agenda item on the Notice of Meeting. During the public comment period, the Select Board will not engage in discussion with the speaker or take any action on the matter.

The public comment period may be used to announce events or other matters which do not require deliberation or action by the board.

The public comment period is a discretionary matter and the board may omit the public comment period from the Notice of Meeting to prioritize available time for other matters. The public comment period is subject to such rules as the board may promulgate from time to time.

**THE PUBLIC COMMENT PERIOD IS SUBJECT TO THE FOLLOWING  
RULES OF PROCEDURE WHICH ARE SUBJECT TO CHANGE  
AT THE DISCRETION OF THE BOARD**

1. Early on the agenda there will be a public comment period for individuals or group representatives to address the Select Board on any issue under the jurisdiction of the board. The Chairperson will determine the duration of the public comment period depending on the number of persons who inform the chair of intent to address the board. The duration of the public comment period will ordinarily not exceed ten (10) minutes.
2. Speakers will be allowed two (2) minutes and the chair may allow a group representative more time to avoid repetitive comments from multiple speakers.
3. Speakers may address the board on any subject within the jurisdiction of the board, which is subject to reasonable determination by the chair. Speakers may not address the board on any subject that is the subject of an agenda item of the meeting. The chair will direct the speaker to wait for the agenda item to be identified and taken up by the board at that time.
4. If it is necessary for the speaker to identify a town employee or other person, the speaker may do so. Comments about job performance and decisions made are permissible, but it is not appropriate to use the public comment period to comment on any person's reputation, character, physical condition or mental health, disciplinary matters or civil or criminal charges. These matters are subject to discussion in executive session as provided in the Open Meeting Law. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
5. Any other subject which is a proper purpose for executive session as provided in the Open Meeting Law is not a proper subject for the public comment session. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
6. The use of obscenities, threats of violence or other speech likely to provoke a violent reaction is prohibited and the chair may issue a warning to or order the dismissal of the speaker.
7. All remarks or statements must be made to the chair and the speaker may not ask questions of any member of the board or the public in attendance.
8. Members of the board are not permitted to respond to any comment made during the public comment period. If any comment requires a response, the chair will direct the Town Manager to respond after the meeting or place the matter on the agenda for a subsequent board meeting for public discussion and action.

**APPENDIX C**  
**Town of Falmouth**  
**Select Board**  
**COMMITTEE APPOINTMENT POLICY**

Adopted September 29, 1993  
Revised 3/15/1999; 4/30/2007; 5/18/2011, and 12/7/2020

The Falmouth Select Board understands that the appointed boards, committees and commissions (hereafter referred to collectively as “committees”) play a vital role in town government. The Board views its role in appointing members to these committees as one of its most important responsibilities. The Board will make every effort to encourage citizen participation on these committees and to foster effective communication among the various committees. These policies and procedures are intended to provide guidelines for these appointments.

**Definitions**

There are several categories of committees (also referred to as ‘governmental bodies’).

**Regulatory** – Municipalities are required to exercise some of their governmental powers through mandated committees. These committees derive their power and authority from the Constitution or laws of the Commonwealth of Massachusetts.

**Committees Authorized by State Law** – Municipalities have the option to create certain committees which, if adopted by the Town, perform functions spelled out in state law.

**Committees Created by the Town** – Municipalities may create committees by Town Meeting vote, by vote of the Select Board or by the Town Manager. The function of these committees is determined by the entity which created them.

**Applicability**

All policies and procedures set forth under the General Law of the Commonwealth of Massachusetts and all provisions of ARTICLE VII, "Appointed Town Boards", of the Falmouth Home Rule Charter shall be applicable. This policy applies to all committees appointed by the Select Board.

**General Policy and Responsibility**

1. As stipulated in Article VII of the Charter, all vacancies for committee appointment shall be publicized in advance of consideration of candidates.
2. Applications for committee appointment are available in the Select Board's office or on the Town website (see ‘Select Board’ – ‘Town Committees’). Committee vacancies are posted on this page of the Town website and, to the extent possible, listed in the Falmouth Enterprise.
3. Appointments to fill completed terms of office shall be considered at a regularly scheduled public meeting of the Select Board in June. Filling vacancies during an uncompleted term due to resignation are filled individually as the need arises.

4. Incumbents are asked to indicate in writing their interest in continuing to serve on their respective committees.
5. To qualify for membership on a committee, a person must be a part-time or full-time resident of the Town of Falmouth.
6. Length of terms shall be for three years, unless otherwise specified. No member of a committee shall serve more than three consecutive three-year terms (for the Zoning Board of Appeals, two five-year terms). After leaving a committee due to term limits, candidates may not return to the same committee until a minimum of one year has lapsed.
7. All applicants shall be interviewed by the Board at a regularly scheduled public meeting.
8. If the only applicant to an advisory committee is an incumbent in good standing seeking reappointment, the Board may waive the requirement for a public interview by a majority vote.
9. The requirement of a public interview for applicants to regulatory committees will not be waived because of the authority granted to these committees by State Law and/or the Town Charter.
10. The Board shall take no public comment during the public interviews, but will solicit public feedback about the fitness of the applicants for appointment.
11. Appointments are made by a vote of no less than three Select Board members, and confirmed in writing. If only three members of the Board are present, the vote must therefore be unanimous.
12. Committees appointed for a specific purpose shall be given a charge and provided with guidelines and dates of completion.
13. Attendance, among other factors, shall be considered by the Board when reappointing incumbents; therefore, each committee shall forward annually to the Select Board the attendance records of all members.

**APPENDIX D**  
**Town of Falmouth**  
**Select Board**  
**LIAISON POLICY**  
**Adopted: September 24, 2012**  
**Revised: 12/7/2020**

**Definitions**

**Governmental Body**-A multi-member board, committee, commission or subcommittee within the Town, however created, elected, appointed or otherwise constituted to serve a public purpose.

**Assignment**-Those governmental bodies, individuals and/or organizations to which Select Board members serve as liaisons.

**Applicability**

This policy applies to the appointment of liaisons by the Select Board to other governmental bodies, individuals and organizations.

**General Policy and Responsibility**

1. The Board will annually review assignments no later than the third Board meeting after Town elections.
2. Liaison duties include:
  - a) to keep informed of the activities of assignments, for example by reviewing minutes or attending meetings;
  - b) provide a contact e-mail address and phone number to the governmental body chair to establish the flow of information;
3. The role of liaisons is not to do the work of, or influence, their assignments. Under no circumstances are liaisons to engage in any deliberation or participate in any vote with their assignments.
4. The Chair or his/her designee will serve as liaison with the Town Manager and Constables, and the other elected governmental bodies, including Town Meeting Moderator, Planning Board, School Committee, Finance Committee, Falmouth Housing Authority, and the Board of Library Trustees.
5. Liaison assignments will be made with all other town governmental bodies including, but not limited to:

Affirmative Action/Diversity and Inclusion  
Affordable Housing  
Agricultural Commission  
Beach Committee  
Bicycle and Pedestrian Committee  
Board of Health  
Cable Advisory Committee  
Coastal Ponds Management Committee  
Community Preservation Committee  
Conservation Commission  
Council on Aging

Energy Committee  
Historical Commission  
Human Services Committee  
Recreation Committee  
Sign Review Committee  
Solid Waste Advisory Committee  
Substance Abuse Commission  
Veterans Council  
Waterways Committee  
Zoning Board of Appeals

6. Liaison assignments will be made according to the preferences of the individual members of the Select Board. Where two or more members of the Select Board request an assignment, seniority shall decide.
7. Members of the Select Board shall, on a regular basis, provide to the full Board a report of their liaison activities and the activities of the governmental bodies to which they are assigned.
8. It shall be the responsibility of the Chair of the Board to carry out this policy.
9. It shall be the responsibility of the Town Manager to support the Chair so that he/she is able to carry out this policy.

**APPENDIX E**  
**Town of Falmouth**  
**E-mail Policy for Public Bodies**  
**(Boards, Committees, and Commissions)**

The Town of Falmouth has adopted this e-mail policy for public bodies (hereafter referred to as “committee”) in accordance with recent state and federal regulations and recommended best practices. Each committee will receive a single e-mail address (example: [CommitteeName@falmouthma.gov](mailto:CommitteeName@falmouthma.gov)) to receive and send communications on behalf of the committee. Each committee will designate one individual who will be authorized to respond on behalf of the committee. This individual may be a staff member for those committees that have staff support, or it may be a member of the committee. Committees may choose to set up automated forward of e-mail received at this committee address to the personal e-mail addresses of committee members. As committee correspondence falls under the jurisdiction of public records and open meeting laws as well as the Town’s e-mail security protocols, we ask that you read in detail the responsibilities for communicating via e-mail (as detailed within this document) and urge you to follow the policies and laws referenced below. The Town of Falmouth I.T. department will assist with your committee’s initial e-mail set-up and are available to answer any questions on use or general guidelines.

**E-Mail and Electronic Communication Policy**

- To comply with the Open Meeting Law, members of Town committees must take care not to utilize e-mail to engage in deliberation. E-mail messages among members of public bodies must be avoided except for matters of a purely housekeeping or administrative nature. Note “deliberation” does not require a dialogue among members, it includes the simple expression of an opinion on a matter within the body’s jurisdiction by one member to a quorum of the body.
  - Given the Open Meeting Law, personal e-mail addresses of committee members may only be used to schedule meetings and distribute information to be discussed at an open meeting. E-mail may not be used by committee members to share opinions or deliberate with fellow committee members.
  - E-mail received at the official committee address, can be forwarded to committee members personal e-mail addresses. It is recommended that this be done via BCC (Blind Carbon Copy). This will help reduce inadvertent deliberation among committee members (and violation of the Open Meeting Law) which occurs when committee members ‘reply-all’ with opinions and reactions to e-mail received by all committee members.
  - If an individual member of a committee wishes to comment on committee matters in the context of planning agendas, the member should include *only* the chair in such e-mail correspondence.
  - E-mail attachments with the following extensions will be blocked: EXE, BAT, COM, PIF, SCR and VBS (these are known extensions to mask viruses and malware). Legitimate files that were blocked can be retrieved by contacting the Falmouth I.T. Department.
  - Users must understand that e-mail correspondence related to the activity of a public body or municipal employee is deemed a public record under the law and is subject to disclosure to the press and to private individuals upon request. As such, users of Town systems do not have an expectation of privacy and are asked to exercise judgment and discretion when using the Town’s e-mail, messaging systems, and internet communications systems.
  - E-mail is captured and stored on a mail archiver appliance; the Town has the right to monitor and read any information stored or transmitted on Town equipment including Committee e-mail and may exercise this right for legitimate business purposes including responding to public records requests and enforcing Town policies.
-

## **Committee ID and Password responsibilities**

Committee Chairs, or their designees responsible for the Committee e-mail address, must be aware that their falmouthma.gov user IDs, passwords, and other personal identification are the means by which user actions are tracked and accountability ascertained. Each user is responsible for safeguarding his or her own user ID and password, and is accountable for all actions performed using that user ID.

- Consistent with sound business practices, a user should never share his/her password for accessing the Committee e-mail.
- After logging into the e-mail system, users should never leave their computer unattended, even for short periods of time.
- Users should make it a best practice to always logout or exit from all sessions when they leave their computer, especially at the end of the day.
- Users should not seek, intercept or obtain the user ID or password information for other users, and should notify the user if they are aware that persons other than the user have obtained the user's password information.

*Adopted: Select Board, October 28, 2019*

### *Public Records Law*

Pursuant to G.L. c. 4, §7, cl. 26th and G.L. c. 66, §3, records that are created or received by any officer or employee of the Town, including records created or maintained by electronic means, are public records, unless the record falls within the exemptions set forth in G.L. c. 4, §7, cl. 26th or are subject to the common law attorney-client privilege. Electronic records include not just electronic documents and e-mail messages, but also records created or posted to websites and social media as well. All public employees are responsible for maintaining records in their custody and should only dispose of such records in accordance with applicable law and regulations of the Public Records Division.

### *Open Meeting Law*

With certain exceptions, all meetings of a public body must be open to the public. A meeting is generally defined as "a deliberation by a public body with respect to any matter within the body's jurisdiction." The Open Meeting Law defines deliberation as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." Distribution of a meeting agenda, scheduling or procedural information, or reports or documents that may be discussed at a meeting is often helpful to public body members when preparing for upcoming meetings. These types of communications generally will not constitute deliberation, provided that, when these materials are distributed, no member of the public body expresses an opinion on matters within the body's jurisdiction. A communication among less than a quorum of the members of a public body will not be a deliberation, unless there are multiple communications among the members of the public body that together constitute communication among a quorum of members. Courts have held that the Open Meeting Law applies when members of a public body communicate in a serial manner in order to evade the application of the law. The expression of an opinion on matters within the body's jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds.

## APPENDIX F

### The Ten Purposes for Executive Session

(with suggested motions to go into Executive Session)

*[from the Open Meeting Law Guide, Commonwealth of Massachusetts, Office of Attorney General, January 2018]*

The Open Meeting Law encourages meetings to be as open and transparent as possible. The exceptions below for executive session to open meetings should only be used when necessary.

The ten purposes for which a public body may vote to hold an executive session are listed below in **bold**, followed first by suggested motions for going into executive session, and second with details for each purpose from the Open Meeting Law Guide.

**1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties.**

**Suggested Motions** - 1A) *Move to go into Executive Session to discuss the reputation, character, physical condition or mental health of an individual, and [not] to reconvene in Open Session.*

1B) *Move to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual, and [not] to reconvene in Open Session.*

This purpose is designed to protect the rights and reputation of individuals. Nevertheless, where a public body is discussing an employee evaluation, considering applicants for a position, or discussing the qualifications of any individual, these discussions should be held in open session to the extent that the discussion deals with issues other than the reputation, character, health, or any complaints or charges against the individual. An executive session called for this purpose triggers certain rights for the individual who is the subject of the discussion. The individual has the right to be present, though he or she may choose not to attend. The individual who is the subject of the discussion may also choose to have the discussion in an open meeting, and that choice takes precedence over the right of the public body to go into executive session.

While the imposition of disciplinary sanctions by a public body on an individual fits within this purpose, this purpose does not apply if, for example, the public body is deciding whether to lay off a large number of employees because of budgetary constraints.

**2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;**

**Suggested Motions** - 2A) *Move to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, and [not] to reconvene in Open Session.*

2B) *Move to go into Executive Session to conduct collective bargaining sessions with [bargaining unit], and [not] to reconvene in Open Session.*

2C) *Move to go into Executive Session to conduct contract negotiations with nonunion personnel [name(s) or position(s)], and [not] to reconvene in Open Session*

Generally, a public body must identify the specific non-union personnel or collective bargaining unit with which it is negotiating before entering into executive session under Purpose 2. A public body may withhold the identity of the non-union personnel or bargaining unit if publicly disclosing that information would compromise the purpose for which the executive session was called. While we generally defer to public bodies' assessment of whether the inclusion of such details would compromise the purpose for an executive session, a public body must be able to demonstrate a reasonable basis for that claim if challenged.

While a public body may agree on terms with individual non-union personnel in executive session, the final vote to execute such agreements must be taken by the public body in open session. In contrast, a public body may approve final terms and execute a collective bargaining agreement in executive session, but should promptly disclose the agreement in open session following its execution.

**Collective Bargaining Sessions:** These include not only the bargaining sessions, but also include grievance hearings that are required by a collective bargaining agreement.

**3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;**

*The Chair should declare that an executive session is necessary to protect the bargaining or litigation position of the body.*

**Suggested Motions** - 3A) *Move to go into Executive Session to discuss strategy with respect to collective bargaining, and [not] to reconvene in Open Session.*

3B) *Move to go into Executive Session to discuss strategy with respect to litigation, and [not] to reconvene in Open Session.*

Generally, a public body must identify the collective bargaining unit with which it is negotiating or the litigation matter it is discussing before entering into executive session under Purpose 3. A public body may withhold the identity of the collective bargaining unit or name of the litigation matter if publicly disclosing that information would compromise the purpose for which the executive session was called. While we generally defer to public bodies' assessment of whether the inclusion of such details would compromise the purpose for an executive session, a public body must be able to demonstrate a reasonable basis for that claim if challenged.

**Collective Bargaining Strategy:** Discussions with respect to collective bargaining strategy include discussion of proposals for wage and benefit packages or working conditions for union employees. The public body, if challenged, has the burden of proving that an open meeting might have a detrimental effect on its bargaining position. The showing that must be made is that an open discussion may have a detrimental effect on the collective bargaining process; the body is not required to demonstrate a definite harm that would have arisen. At the time the executive session is proposed and voted on, the chair must state on the record that having the discussion in an open session may be detrimental to the public body's bargaining or litigating position.

**Litigation Strategy:** Discussions concerning strategy with respect to ongoing litigation obviously fit within this purpose but only if an open meeting may have a detrimental effect on the litigating position of the public body. Discussions relating to potential litigation are not covered by this exemption unless that litigation is clearly and imminently threatened or otherwise demonstrably likely. That a person is represented by counsel and supports a position adverse to the public body's does not by itself mean that litigation is imminently threatened or likely. Nor does the fact that a newspaper reports a party has threatened to sue necessarily mean imminent litigation.

**Note:** For the reasons discussed above, a public body's discussions with its counsel do not automatically fall under this or any other purpose for holding an executive session.

**4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;**

*4A) Suggested Motion- Move to go into Executive Session to discuss the deployment of security personnel or devices, and [not]to reconvene in Open Session*

**5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;**

*5A) Suggested Motion- Move to go into Executive Session to investigate charges of criminal misconduct or to discuss the filing of criminal complaints, and [not] to reconvene in Open Session.*

This purpose permits an executive session to investigate charges of criminal misconduct and to consider the filing of criminal complaints. Thus, it primarily involves discussions that would precede the formal criminal process in court. Purpose 1 is related, in that it permits an executive session to discuss certain complaints or charges, which may include criminal complaints or charges, but only those that have

already been brought. However, Purpose 1 confers certain rights of participation on the individual involved, as well as the right for the individual to insist that the discussion occur in open session. Purpose 5 does not require that the same rights be given to the person who is the subject of a criminal complaint. To the limited extent that there is overlap between Purposes 1 and 5, a public body has discretion to choose which purpose to invoke when going into executive session.

**6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;**

*The Chair should declare that an executive session is necessary.*

*6A) Suggested Motion- Move to go into Executive Session to consider the purchase, exchange, lease or value of real property, and [not] to reconvene in Open Session*

This purpose permits an executive session to investigate charges of criminal misconduct and to consider the filing of criminal complaints. Thus, it primarily involves discussions that would precede the formal criminal process in court. Purpose 1 is related, in that it permits an executive session to discuss certain complaints or charges, which may include criminal complaints or charges, but only those that have already been brought. However, Purpose 1 confers certain rights of participation on the individual involved, as well as the right for the individual to insist that the discussion occur in open session. Purpose 5 does not require that the same rights be given to the person who is the subject of a criminal complaint. To the limited extent that there is overlap between Purposes 1 and 5, a public body has discretion to choose which purpose to invoke when going into executive session. 6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Generally, a public body must identify the specific piece of property it plans to discuss before entering into executive session under Purpose 6. A public body may withhold the identity of the property if publicly disclosing that information would compromise the purpose for which the executive session was called. While we generally defer to public bodies' assessment of whether the inclusion of such details would compromise the purpose for an executive session, a public body must be able to demonstrate a reasonable basis for that claim if challenged.

Under this purpose, as with the collective bargaining and litigation purpose, an executive session may be held only where an open meeting may have a detrimental impact on the body's negotiating position with a third party. At the time that the executive session is proposed and voted on, the chair must state on the record that having the discussion in an open session may be detrimental to the public body's negotiating position.

**7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;**

*7A) Suggested Motion- Move to go into Executive Session to comply with the provisions of [specify the law or grant-in-aid requirement applicable], and [not] to reconvene in Open Session*

There may be provisions in state statutes or federal grants that require or specifically allow a public body to consider a particular issue in a closed session. Before entering executive session under this purpose, the public body must cite the specific law or federal grant-in-aid requirement that necessitates confidentiality. A public body may withhold that information only if publicly disclosing it would compromise the purpose for which the executive session was called. While we generally defer to public bodies' assessment of whether the inclusion of such details would compromise the purpose for an executive session, a public body must be able to demonstrate a reasonable basis for that claim if challenged.

**8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;**

*The Chair should declare that an executive session is necessary.*

*8A) Suggested Motion- Move to go into Executive Session to consider [and interview] applicants for employment, and [not] to reconvene in Open Session.*

This purpose permits a hiring subcommittee of a public body or a preliminary screening committee to conduct the initial screening process in executive session. This purpose does not apply to any stage in the hiring process after the screening committee or subcommittee votes to recommend candidates to its parent body. It may, however, include a review of résumés and multiple rounds of interviews by the screening committee aimed at narrowing the group of applicants down to finalists. At the time that the executive session is proposed and voted on, the chair must state on the record that having the discussion in an open session will be detrimental to the public body's ability to attract qualified applicants for the position. If the public body opts to convene a preliminary screening committee, the committee must contain less than a quorum of the members of the parent public body. The committee may also contain members who are not members of the parent public body.

Note that a public body is not required to create a preliminary screening committee to consider or interview applicants. However, if the body chooses to conduct the review of applicants itself, it may not do so in executive session.

**9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:**

- (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
- (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.

*9A) Suggested Motion- Move to go into Executive Session to meet or confer with a mediator and [not] to reconvene in Open Session.*

**10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided:**

- in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164;
- in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164; or
- in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164;
- when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

*10A) Suggested Motion- Move to go into Executive Session to discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier and [not] to reconvene in Open Session.*

## APPENDIX G

### MASSACHUSETTS STATE ETHICS COMMISSION FREQUENTLY ASKED QUESTIONS

<https://www.mass.gov/service-details/state-ethics-commission-frequently-asked-questions>

Frequently asked questions about who is covered by the conflict of interest law, how to get advice, how to file complaints and information for people who are the subject of a complaint.

#### I. TO WHOM DO THE RESTRICTIONS UNDER THE CONFLICT OF INTEREST LAW RESTRICTIONS APPLY?

##### 1. What is a conflict of interest?

Generally, a conflict of interest refers to a matter in which a public employee's private interests conflict or appear to conflict with his public duties or responsibilities.

##### 2. Who is a public employee?

A public employee generally is any elected or appointed state, county or municipal employee, whether serving full-time or part-time, and whether paid or unpaid. The conflict of interest law defines a public employee as any person performing services for or holding an office, position, employment or membership in a state, county or municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis.

Elected members of a town meeting and members of a charter commission established under Article LXXXIV of the Amendments to the Constitution **are not** public employees according to the conflict of interest law.

##### 3. Are consultants or vendors hired by state, county or municipal agencies public employees subject to the conflict of interest law?

Yes, in certain circumstances. The Ethics Commission will consider several factors in determining whether any company employees who are providing services to a governmental agency under the company's contract should be considered public employees subject to the conflict of interest law.

#### II. GETTING ADVICE

##### 1. Where can I get advice if I believe something I might do is subject to restrictions or prohibitions imposed by the conflict of interest law?

The Commission's Legal Division provides free, confidential advice to anyone subject to the conflict of interest law. Advice also may be sought from your town counsel, city solicitor or agency counsel. To obtain advice from the Commission, call (617) 371-9500 or (888) 485-4766, or [submit a request for advice online](#).

##### 2. When should I seek advice from the Commission's Legal Division?

You should seek advice as soon as you become aware of a potential conflict of interest that might occur in the future.

You cannot seek advice about the conduct of someone other than yourself unless you are the individual's authorized representative, such as his or her attorney.

The Legal Division generally will not provide advice about hypothetical situations or speculative circumstances and will not provide advice if the conduct has already occurred. The review of past conduct situations falls under the jurisdiction of the Commission's Enforcement Division.

##### 3. When will my request for advice be answered?

In most cases, telephone requests for advice are handled the day the call is received by the "Attorney of the Day." Occasionally, the attorney may need additional time or additional information before advice can be given.

##### Additional Resources for II. Getting advice

[Open file for How to get conflict of interest law advice](#)

#### III. FILING A COMPLAINT WHEN YOU THINK SOMEONE HAS VIOLATED THE CONFLICT OF INTEREST OR FINANCIAL DISCLOSURE LAW

##### 1. If I believe someone has violated the conflict of interest law, how do I file a complaint? Is there a form?

Complaints to the Commission are handled by the Enforcement Division.

You can file a complaint:

- by telephone, by speaking to an Intake Investigator at (617) 371-9500 or (888) 485-4766;
- by letter, sent by mail to State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108;
- by letter, sent by fax, to (617) 723-5851;
- by using the [online complaint form](#); or
- by visiting the Commission offices, located in the McCormack State Office Building at One Ashburton Place, Room 619, in Boston.

## **2. May I file a complaint anonymously?**

Yes, while the Commission is required to keep confidential the identity of complainants, the Commission does accept anonymous complaints. However, if you identify yourself in any way, you cannot then ask to remain anonymous.

## **3. What happens once I make a complaint?**

The Enforcement Division reviews the complaint to determine whether it warrants additional investigation. Complaints about conduct that is outside the Commission's jurisdiction or beyond the Commission's statute of limitations are closed with no further action.

In most cases, complaints that fall within the Commission's jurisdiction and are timely received will receive limited investigation to corroborate facts or to obtain additional facts to assist the Enforcement Division in determining whether a complaint should be: closed with no action if the facts cannot be corroborated; closed with a confidential letter to the subject of the complaint warning about the potential conflict of interest law violation if the alleged violation is relatively minor; or assigned to an investigative team as a screening if the complaint suggests a relatively serious violation of the conflict of interest law. With the Commission's approval, a complaint may be opened for formal investigation as a Preliminary Inquiry, and at this stage, the Enforcement Division may issue Summonses to compel testimony or the production of documents.

## **4. Following a Preliminary Inquiry, what are the possible resolutions of a complaint?**

The resolution varies with every case. If the Commission determines that there is "reasonable cause to believe" that the conflict of interest law has been violated, then the case can be resolved: with a confidential education letter to the subject; with a public education letter to the subject in which the Commission finds reasonable cause to believe the subject has violated the law, and the subject consents to the publication of the letter; with a public disposition agreement in which the subject admits to violating the conflict of interest law and pays a civil penalty; or with the Enforcement Division issuing an order to show cause, which initiates a public adjudicatory hearing. If the Commission finds that there is "no reasonable cause to believe" that the conflict of interest law has been violated, the case is closed and remains confidential.

## **5. How long does the process take?**

It varies with every case. Depending on the complexity of the facts or alleged violations, complaints can be resolved anywhere from several weeks to several years.

### **Additional Resources for III. Filing a complaint when you think someone has violated the conflict of interest or financial disclosure law**

[Open file for How to file a complaint with the Ethics Commission](#)

## **IV. WHAT IF I AM THE SUBJECT OF AN ETHICS COMPLAINT?**

### **1. If a complaint is filed against me, can I get a copy of it?**

No, by law, the Commission's investigation and any related documents are confidential and are not public records.

### **2. If a complaint is filed against me, can I learn who filed the complaint?**

No, the Commission's statute and regulations require that complainant identities be kept confidential.

### **Additional Resources for IV. What if I am the Subject of an Ethics Complaint?**

[Open file for Enforcement Procedures](#)

[Open file for Ethics Commission Investigations](#)

[Open file for Penalties for violating the conflict of interest and financial disclosure laws](#)

## APPENDIX H

### ROBERT'S RULES OF ORDER – Simplified

(<https://assembly.cornell.edu/>)

#### Guiding Principles:

- Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.
- Everyone has the right to know what is going on at all times. Only urgent matters may interrupt a speaker.
- Only one thing (motion) can be discussed at a time.

A **motion** is the topic under discussion (e.g., "I move that we add a coffee break to this meeting"). After being recognized by the president/chair of the board, any member can introduce a motion when no other motion is on the table. A motion requires a second to be considered. If there is no second, the matter is not considered. Each motion must be disposed of (passed, defeated, tabled, referred to committee, or postponed indefinitely).

#### How to do things:

You want to bring up a new idea before the group.

**After recognition by the president/chair of the board, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.**

You want to change some of the wording in a motion under discussion. After recognition by the president/chair of the board, **move to amend by**

- **adding words,**
- **striking words or**
- **striking and inserting words.**

You like the idea of a motion being discussed, but you need to reword it beyond simple word changes. **Move to substitute your motion for the original motion. If it is seconded, discussion will continue on both motions and eventually the body will vote on which motion they prefer.**

You want more study and/or investigation given to the idea being discussed.

**Move to refer to a committee. Try to be specific as to the charge to the committee.**

You want more time personally to study the proposal being discussed.

**Move to postpone to a definite time or date.**

You are tired of the current discussion.

**Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3<sup>rds</sup> vote.**

You have heard enough discussion.

**Move to close the debate. Also referred to as calling the question. This cuts off discussion and brings the assembly to a vote on the pending question only. Requires a 2/3<sup>rds</sup> vote.**

You want to postpone a motion until some later time.

**Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is dead. To kill a motion at the time it is tabled requires a 2/3<sup>rds</sup> vote. A majority is required to table a motion without killing it.**

You believe the discussion has drifted away from the agenda and want to bring it back.

**"Call for orders of the day "**

You want to take a short break.  
**Move to recess for a set period of time.**

You want to end the meeting.  
**Move to adjourn.**

You are unsure the president/chair of the board announced the results of a vote correctly.  
**Without being recognized, call for a "division of the house." A roll call vote will then be taken.**

You are confused about a procedure being used and want clarification.  
**Without recognition, call for "Point of Information" or "Point of Parliamentary Inquiry." The president/chair of the board will ask you to state your question and will attempt to clarify the situation.**

You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.  
**Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.**

You want to change an action voted on at an earlier meeting.  
**Move to rescind. If previous written notice is given, a simple majority is required. If no notice is given, a 2/3<sup>rds</sup> vote is required.**

**Unanimous Consent:**

If a matter is considered relatively minor or opposition is not expected, a call for unanimous consent may be requested. If the request is made by others, the president/chair of the board will repeat the request and then pause for objections. If none are heard, the motion passes.

- You may INTERRUPT a speaker for these reasons only:
  - to get information about business -point of information to get information about rules- parliamentary inquiry
  - if you can't hear, safety reasons, comfort, etc. -question of privilege
  - if you see a breach of the rules -point of order
  - if you disagree with the president/chair of the board's ruling-appeal
  - if you disagree with a call for Unanimous Consent -object

Quick Reference					
	Must Be Seconded	Open for Discussion	Can be Amended	Vote Count Required to Pass	May Be Reconsidered or Rescinded
Main Motion	☐	☐	☐	Majority	☐
Amend Motion	☐	☐		Majority	☐
Kill a Motion	☐			Majority	☐
Limit Debate	☐		☐	2/3 <sup>rds</sup>	☐
Close Discussion	☐			2/3 <sup>rds</sup>	☐
Recess	☐		☐	Majority	
Adjourn (End meeting)	☐			Majority	
Refer to Committee	☐	☐	☐	Majority	☐
Postpone to a later time	☐	☐	☐	Majority	☐
Table	☐			Majority	
Postpone Indefinitely	☐	☐	☐	Majority	☐

## Appendix I Committee Meeting Schedule - Sample

COMMITTEE		DAY	ROOM	TIME	LOCATION
<b>WEEKLY MEETINGS</b>					
Planning Board		TUE	Select Board's Meeting Room	6:30 PM	Town Hall
Finance Committee			TBD		
Parking Hearings Officer		WED	Small Conference Room	11:00 AM	Town Hall
Planning Subcommittees		WED	CPC Conference Room 2 <sup>nd</sup> Floor	3:00 PM	Town Hall
*Conservation Commission		WED	Select Board's Meeting Room	7:00 PM	Town Hall
*Zoning Board of Appeals		THRS	Select Board's Meeting Room	6:30 PM	Town Hall <b>(As Posted)</b>
<b>SEMI-MONTHLY MEETINGS</b>					
*Select Board		MON	Select Board's Meeting Room	7:00 PM	Town Hall <b>(As Posted)</b>
*Board of Health		MON	Civil Defense Room	7:30 PM	Town Hall
*Charter Review Committee	2 <sup>nd</sup> & 4 <sup>th</sup>	MON			
*School Committee (usually meets)	2 <sup>nd</sup> & 4 <sup>th</sup>	TUE	School Administration Building	6:30 PM	340 Teaticket Hwy
*Sign Review Committee	2 <sup>nd</sup> & 4 <sup>th</sup>	WED	Select Board's Meeting Room	5:00 PM	Town Hall
*Community Preservation Comm.	2 <sup>nd</sup> & 4 <sup>th</sup>	THRS	Civil Defense Room	6 or 7 PM	340 Teaticket Hwy
*Water Quality Management	1 <sup>st</sup> & 3 <sup>rd</sup>	THRS	Select Board's Meeting Room	3:30 – 6 PM	Town Hall <b>(As Posted)</b>
<b>MONTHLY MEETINGS</b>					
*Coastal Pond Mgmt. Committee	1 <sup>st</sup>	MON	Marine & Environmental Services	7:00 PM	Harbor Master's Office
*Energy Committee	2 <sup>nd</sup>	MON	Small Conference Room	9:00 AM	Town Hall <b>(As Posted)</b>
*Affirmative Action Committee	2 <sup>nd</sup>	MON	Small Conference Room	5:00 PM	Town Hall
*Cable Advisory Committee	3 <sup>rd</sup>	MON	Small Conference Room	5:15 PM	Town Hall
*Traffic Advisory Committee	3 <sup>rd</sup>	MON	Select Board's Meeting Room	9:00 AM	Town Hall
*Historical Commission	1 <sup>st</sup>	TUE	Civil Defense Room	6:30 PM	Town Hall
*Solid Waste Advisory Committee	1 <sup>st</sup>	TUE	Small Conference Room	7:30 PM	Town Hall
*EDIC	2 <sup>nd</sup>	TUE	Select Board's Meeting Room	8:30 AM	Town Hall
*Falmouth Housing Trust	2 <sup>nd</sup>	TUE	Falmouth Housing Trust Office	6:30 PM	65C Town Hall Sq.
*Library Trustees	2 <sup>nd</sup>	TUE	Main Library	6:45 PM	300 Main Street
*Commission on Disabilities	3 <sup>rd</sup>	TUE	Recreation Center/Gus Cnty	5:00 PM	790 Main Street
Falmouth Housing Authority	3 <sup>rd</sup>	TUE	Falmouth Housing Authority	4:00 PM	115 Scranton Ave.
*Agricultural Commission	3 <sup>rd</sup>	TUE	Small Conference Room	5:30 PM	Town Hall
*Bicycle & Pedestrian Committee	1 <sup>st</sup>	WED	Old Water Department	7:00 PM	Town Hall <b>(As Posted)</b>
*Waterways Committee	1 <sup>st</sup>	WED	Harbor Master's Office	7:00 PM	180 Scranton Ave.
*Veterans' Council	2 <sup>nd</sup>	WED	Civil Defense Room	4:00 PM	Town Hall
*Recreation Committee	2 <sup>nd</sup>	WED	Gus Cnty Community Center	7:00 PM	790 Main Street
Assessors, Board of & Dept	3 <sup>rd</sup>	WED	Small Conference Room	8:30 AM	Town Hall
*Human Services Committee	3 <sup>rd</sup>	WED	Select Board's Meeting Room	3:00 PM	Town Hall
*Beach Committee	3 <sup>rd</sup>	WED	Harbor Master's Office	7:00 PM	180 Scranton Ave.
Shellfish Advisory Committee	2 <sup>nd</sup>	WED	Gus Cnty Community Center	6:00 PM	790 Main Street
*No Place for Hate Committee	1 <sup>st</sup>	THRS	School Administration Building	5:30 PM	340 Teaticket Hwy.
*Affordable Housing Committee	3 <sup>rd</sup>	THRS	Old Water Department	3:30 PM	Town Hall <b>(As Posted)</b>
*Substance Use Commission	4 <sup>th</sup>	THRS	Gus Cnty Community Center	5:30 PM	790 Main Street
*Council on Aging	4 <sup>th</sup>	THRS	Falmouth Senior Center	4:00 PM	780 Main Street
*Disabled American Veterans	4 <sup>th</sup>	THRS	Old Water Department	4:00 PM	Town Hall

**\*Posted in The Falmouth Enterprise**  
(days, location, and times subject to change)



**2019 - Falmouth population**  
**30,993 year-round** (US Census est. 07/01/2019); **~90,000 summer**

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- 1986 - Falmouth's Tricentennial: 1686-1986:  
Falmouth population 26,000 year-round,  
~66,000 summer
- 1979 - Historical Commission established
- 1965 - New Town Hall built
- 1963 - Hospital opened
- 1961 - Conservation Commission formed
- 1961 - Department of Public Works formed
- 1957 - Historic Districts Commission formed
- 1943 - Municipal garbage collection started
- 1941 - Town water chlorinated
- 1936 - Representative Town Meeting replaces Open Meeting
- 1926 - First Zoning Law
- 1923 - Planning Board established
- 1919 - Nobska Lighthouse electrified
- 1904 - Falmouth Historical Society formed
- 1903 - First Harbor Master appointed
- 1902 - Town acquired Water Company
- 1901 - Memorial Library built
- 1897 - Town's first fire engine acquired
- 1892 - Falmouth Free Public Library established
- 1876 - Nobska Lighthouse rebuilt
- 1871 - The bounds of Falmouth were accurately fixed
- 1845 - Falmouth had 42 saltworks
- 1829 - Nobska Lighthouse built
- 1809 - Town Meeting appointed a School Committee
- 1737 - School master appointed for whole Town
- 1701 - First Selectmen elected (also as Assessors) at Town Meeting
- 1700 - First Town Clerk named
- 1694 - First recorded use of name "Falmouth"
- 1686 - June 4, Charter of Incorporation as a Town granted to Suckanesset
- 1602 - Bartholomew Gosnold landed on Falmouth's shore

**From: *The Book of Falmouth*, 1986, ISBN 0-9616647-0-3**

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## TOWN OF FALMOUTH

59 TOWN HALL SQUARE  
FALMOUTH, MA 02540

[www.falmouthma.gov](http://www.falmouthma.gov) ♦ Phone: 508-548-7611

Massachusetts Municipal Association Handbook for Massachusetts  
Selectmen - *264 pages, available in electronic format from Town  
Manager's Office*