

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**

**AGENDA**

**TUESDAY, NOVEMBER 13, 2018 – 6:00 P.M.**

**LAWRENCE SCHOOL**

**ROOM 105**

**6:00 p.m. OPEN SESSION**

**Administrative Orders – Old Business**

1. Vote to Approve \$1,575.00 to be Expended from Article 17 for the Purposes of Analyzing Nitrogen Content in Shellfish Harvested from Seapit River in 2018
2. Vote to Approve Town of Falmouth Final Fingerprint Policy
3. Vote to Appoint Committee Member – EDIC – Patti Haney
4. Vote on Locustfield Affordable Housing Local Initiative Program Application, continued from October 29, 2018
5. Minutes of Meetings: September 24, 2018; October 15, 2018

**Administrative Orders**

1. Vote to Approve Eversource and Verizon Petition to Locate One Pole #947/1.5 on Rose Morin Lane, North of Dillingham Avenue for Service Upgrade at 310 Dillingham Avenue
2. Vote to Approve Eversource Petition to install one new 4” conduit and one handhole 183/H9A on Fells Road, North of Oyster Pond Road to provide new underground service to 45 Fells Road

**Licensing**

1. Vote to Approve One-Day Agricultural Liquor License – Coastal Vineyards – Mahoney’s Garden Center Ladies Night Out, 958 E. Falmouth Hwy., Thursday, November 15, 2018
2. Vote to Approve One-Day Agricultural Liquor License – Cape Cod Winery – Mahoney’s Garden Center Ladies Night Out, 958 E. Falmouth Hwy., Thursday, November 15, 2018

**Business**

1. Discussion on Route 28 Citizen Committee
2. Discuss/Vote Motions and Reports to Town Meeting as Needed
3. Discuss, Consider and Vote Date for April 2019 Town Meeting
4. Other Business As Needed

Susan L. Moran, Chairman  
Board of Selectmen

# WATER QUALITY MANAGEMENT COMMITTEE

Falmouth, Massachusetts

October 25, 2018

TO: Julian Suso, Town Manager and Board of Selectmen  
FROM: Eric Turkington, Chairman, Water Quality Management Committee  
CC: Chuck Martinsen, Shellfish Warden, MES

**RE: SUMMARY OF ACTIONS for Selectmen's meeting on November 5, 2018:  
Approval of \$1575 from Article 17 to measure nitrogen content in Shellfish  
harvested from Seapit River in 2018**

## BACKGROUND:

One of the strategies being developed in Falmouth and elsewhere to address excess nitrogen in estuaries is growing and harvesting shellfish, particularly oysters. For the Town of Mashpee, aquaculture is a high priority in Waquoit Bay. The Town of Falmouth has an opportunity to quantify nitrogen removal at a shellfish grant in Seapit River, a subwatershed in Falmouth's portion of Waquoit Bay.

It is well known that oysters take up nitrogen in their meat and shell. The DEP is expected to give credit for nitrogen removal if the percent of harvest weight that is nitrogen and total weight of oysters removed from an estuary are directly measured. Published data has reported significant variations in nitrogen content as a percent of oyster weight as a function of where and how the oysters are grown, and no data is presently available for oysters grown in Waquoit Bay. Estimates of nitrogen content are acceptable for planning purposes, but the DEP has indicated it is looking for direct measurements for watersheds that will include aquaculture as part of their comprehensive wastewater management plans (CWMPs).

A private grower in Seapit River has significantly increased production over previous grant holders, and has been weighing his harvest. He has offered to let the Shellfish Warden send samples from his harvest to the Boston University Stable Isotope Lab where Falmouth already sends its own samples. This information would provide Falmouth with a meaningful assessment of how much additional nitrogen is being removed from the Seapit River due to increased aquaculture since the Massachusetts Estuaries Project established a total maximum daily load (TMDL) for Waquoit Bay in 2013.

On October 18<sup>th</sup>, the Water Quality Management Committee voted to recommend to the Selectmen approval of \$1575 to analyze the nitrogen content of the commercial harvest from Seapit River this year.

**REQUESTED ACTION:** Approve \$1575 to be expended from Article 17 for the purposes of analyzing nitrogen content in Seapit River shellfish harvested in 2018, to be expended under the jurisdiction of the Dept. of Marine and Environmental Sciences.



Falmouth Police Department  
General Order

Effective Date	Number
DRAFT	SUP-5

Subject

**Fingerprint-Based Background Checks for Municipal Licensing**

**1.0  
Purpose &  
Authority**

- A. In order to protect the health, safety, and welfare of the inhabitants of the Town of Falmouth and as authorized by MGL c. 6, § 172B 1/2, as enacted by Chapter 256 of the Acts of 2010, the Falmouth Town Code Chapter 156 requires a) applicants for certain Town licenses permitting engagement in specific occupational activities within the Town as enumerated in § 156-17 to submit to fingerprinting by the Falmouth Police Department, b) the Police Department to conduct criminal record background checks based on such fingerprints, and c) the Town to consider the results of such background checks in determining whether or not to grant a license.
- B. The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI) as may be applicable to conduct on the behalf of the Town and its Police Department fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize FBI records in connection with such background checks, consistent with the Town Code.

**2.0  
Applicability**

- A. Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Falmouth Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the applicant for the license:
  - 1) Manager of alcoholic beverage license
  - 2) Hawker and peddler
  - 3) Owner or operator of public conveyance
  - 4) Dealer of secondhand articles
  - 5) Ice cream truck vendor
- B. At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's FBI criminal history records.

- 
- 3.0 Schedule of Fingerprint Collection** Licensing applicants may appear at the Falmouth Police Department, located at 750 Main Street, for fingerprint collection Monday through Friday between the following hours 8 am to 5:30 pm.  
No appointment is necessary.
- 
- 4.0 Verification of Identification** Before being fingerprinted, all licensing applicants are required to present government-issued identification. A licensing applicant's fingerprints will not be collected until his or her identity has been verified. The following forms of identification will be accepted:
1. Valid Driver's License
  2. Valid Passport
  3. Valid MA Registry of Motor Vehicles Identification Card
- 
- 5.0 Consent** All licensing applicants must consent to the collection and submission of their fingerprints for the purposes of conducting state and national criminal history screening by completing the "Civil Fingerprinting Consent Form". Consent forms will be retained for at least one year but for no longer than three years.
- 
- 6.0 Fees** Fingerprinting fees include federal, state, and local fees. Before being fingerprinted, all licensing applicants must pay the statutory fingerprint fee of thirty dollars (\$30.00) with a money order or bank check payable to the "Commonwealth of Massachusetts." In addition to a signature, the money order or bank check shall include the name of the applicant hand-printed in block letters.  
In addition, licensing applicants must pay the municipal fingerprint fee of thirty dollars (\$30.00) with a money order or bank check payable to the "Town of Falmouth." In addition to a signature, the money order or bank check shall include the name of the applicant hand-printed in block letters.
- 
- 7.0 Processing** A. The Police Department shall transmit fingerprints it has obtained pursuant to Town Code § 156-17 to the Identification Section of the Massachusetts State Police, DCJIS, and/or the FBI as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants.
-

- B. All licensing applicants' fingerprints will be searched against the Automated Fingerprint Identification System (AFIS) fingerprint database which is maintained by the Massachusetts State Police and the Federal Bureau of Investigation's (FBI) Integrated Automated Fingerprint Identification System (IAFIS) fingerprint database.
- C. The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal records background check and supply the applicant the opportunity to complete or challenge the accuracy of the information contained in it, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 CFR 16.34 pertaining to FBI identification records. The Police Department shall not utilize the fingerprint-based criminal records background check pursuant to the subsection below until it has taken steps detailed in this subsection and otherwise complied with the Town's policy applicable to Town licensing related criminal record background.
- D. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the applicable licensing authority within the Town. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon his or her suitability, or any felony or misdemeanor that involved forces or threat of force, controlled substances or a sex-related offense.
- E. The civil fingerprinting process for municipal licensing applicants is also subject to the "Massachusetts Department of Criminal Justice Information Services Policies and Procedures for Civil Fingerprinting for Municipal Licensing Applicants."

**8.0  
Correcting  
Fingerprint-  
Based State and  
Nation  
Criminal  
History  
Information**

All licensing applicants have the right to challenge the information contained within a fingerprint-based state or national criminal history record response. In order to change, correct, or update criminal history record in question, the licensing applicant must follow the procedures listed below:

*If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her FBI record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D□2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.*

Each applicant will also be provided with a copy of the "FBI Procedure for Changing, Correcting or Updating a Record."

---

**9.0  
Reliance on  
results**

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in Town Code § 156-17. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination. The licensing authority shall not deny a license based on information in a criminal record unless the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

---

**10.0  
Compliance  
with laws,  
regulations, and  
Town policies.**

Implementation of this policy and the conducting of fingerprint-based criminal record background checks shall be in accordance with all applicable laws, regulations, and Town policies, including, but not limited to, the Town's policy applicable to licensing-related criminal record checks which shall include record retention and confidentiality requirements. The Town shall not disseminate the results of fingerprint-based criminal background checks except as may be provided by law, regulation, and Town policy. The Town shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

---

**12.0  
Handling of  
Fingerprint-  
Based State and  
National  
Criminal  
History  
Information**

Fingerprint-based state and national criminal history record information will only be handled and reviewed by authorized personnel in a secure area, out of the view of the public and of all other unauthorized individuals.

---

**11.0  
Storage of  
Fingerprint-  
Based State and  
National**

Fingerprint-based state and national criminal history record information shall not be retained or stored except for the purpose of allowing an applicant the opportunity to challenge the criminal history record. During the challenge stage, the fingerprint-based state and national criminal history record information shall be stored in a secure location and access to the information shall be restricted to authorized personnel.

**Criminal  
History  
Information**

---

Massachusetts Police Accreditation Standards References:

Review date(s):

Promulgated by:

Edward A. Dunne, Chief of Police

**TOWN OR PD LETTERHEAD**  
**CIVIL FINGERPRINTING CONSENT FORM**

I, \_\_\_\_\_, consent to the collection of my fingerprints as part of the application process for the following license: \_\_\_\_\_.

I acknowledge and understand that my fingerprints will be searched against the database maintained by the Federal Bureau of Investigation.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Name (printed)

**Department of Criminal Justice Information Services  
Model Municipal Civil Fingerprinting Policy  
for Municipal Licensing Applicants**

**Applicability**

This policy is applicable to the civil fingerprinting process for the state and national criminal history screening of applicants for the following municipal licenses:

<insert municipal licenses for which fingerprints may be obtained to screen applicants>.

**Authority**

This policy is promulgated in accordance with 28 CFR 20.33(a)(3), Public Law 92-544, M.G.L. c. 6, § 172B ½ , and <insert local bylaw or ordinance authorizing fingerprint-based state and national criminal history screening>.

The civil fingerprinting process for municipal licensing applicants is also subject to the “Massachusetts Department of Criminal Justice Information Services Policies and Procedures for Civil Fingerprinting for Municipal Licensing Applicants.”

**Schedule of Fingerprint Collection**

Licensing applicants may appear at <insert city/town name> Police Department, located at <insert police department address>, for fingerprint collection on the following days <insert days fingerprint collection is available> between the following hours <insert hours available for fingerprint collection>.

[Municipality should indicate here whether appointments are necessary and include instructions for making an appointment.]

**Verification of Identification**

Before being fingerprinted, all licensing applicants are required to present government-issued identification. A licensing applicant’s fingerprints will not be collected until his or her identity has been verified. The following forms of identification will be accepted:

<insert acceptable forms of identification>.

**Databases to be Searched**

All licensing applicants’ fingerprints will be searched against the Automated Fingerprint Identification System (AFIS) fingerprint database which is maintained by the Massachusetts State Police and the Federal Bureau of Investigation’s (FBI) Integrated Automated Fingerprint Identification System (IAFIS) fingerprint database.

**Consent**

All licensing applicants must consent to the collection and submission of their fingerprints for the purposes of conducting state and national criminal history screening by completing the “Civil Fingerprinting Consent Form”. Consent forms will be retained for at least one year but for no longer than three years.

**Payment of Fingerprinting Fees**

Fingerprinting fees include federal, state, and local fees. Before being fingerprinted, all licensing applicants must pay the statutory fingerprint fee of thirty dollars (\$30.00) with a money order or bank check payable to the "Commonwealth of Massachusetts." In addition to a signature, the money order or bank check shall include the name of the applicant hand-printed in block letters.

Licensing applicants may pay the municipal fingerprint fee of <insert municipal fingerprint fee amount> with the following forms of payment:

<insert acceptable forms of payment>.

**Storage of Fingerprint-Based State and National Criminal History Information**

Fingerprint-based state and national criminal history record information shall not be retained or stored except for the purpose of allowing an applicant the opportunity to challenge the criminal history record. During the challenge stage, the fingerprint-based state and national criminal history record information shall be stored in a secure location and access to the information shall be restricted to authorized personnel.

**Handling of Fingerprint-Based State and National Criminal History Information**

Fingerprint-based state and national criminal history record information will only be handled and reviewed by authorized personnel in a secure area, out of the view of the public and of all other unauthorized individuals.

**Destruction of Fingerprint-Based State and National Criminal History Information**

When fingerprint-based state and national criminal history information is no longer needed, it shall be destroyed by the licensing authority by burning, shredding, or other method, rendering the information unreadable.

**Correcting Fingerprint-Based State and Nation Criminal History Information**

All licensing applicants have the right to challenge the information contained within a fingerprint-based state or national criminal history record response. In order to change, correct, or update criminal history record in question, the licensing applicant must follow the procedures listed below:

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her FBI record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Each applicant will also be provided with a copy of the "FBI Procedure for Changing, Correcting or Updating a Record."



# TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

COMMONWEALTH OF MASSACHUSETTS

The Town of Falmouth

Patti Haney  
192 Elm Road  
Falmouth, MA 02540

We, the Selectmen of the Town of Falmouth by virtue of the authority in us vested by the laws of the Commonwealth, do hereby appoint you

**MEMBER – EDIC**

**UNTIL JUNE 30, 2021**

Given at FALMOUTH this 13<sup>th</sup> day of NOVEMBER, 2018

Please present this appointment to the Town Clerk to be sworn into the office of which you have been appointed in order to validate the appointment.

\_\_\_\_\_  
Susan L. Moran

\_\_\_\_\_  
Megan English Braga

\_\_\_\_\_  
Doug Jones

\_\_\_\_\_  
Samuel H. Patterson

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

RECORDED \_\_\_\_\_ 2018

ATTEST \_\_\_\_\_ TOWN CLERK

**PUBLIC HEARING NOTICE**

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Small Conference Room at 2:00 p.m. on Thursday, November 8, 2018 upon the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England Inc. to install one pole (pole #947/1.5) at Rose Morin Lane, Falmouth.

Per Order of the Falmouth Board of Selectmen

*Publication Date: Friday, October 26, 2018, Falmouth Enterprise*



# Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: November 9, 2018

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

**Subject: Eversource – Petition to install 1 new jointly operated utility pole on Rose Morin Ln.**

A petition was submitted by Eversource to install 1 JO-ES pole on Rose Morin Ln. to service #310 Dillingham

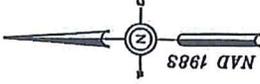
The Engineering recommendation is to approve the request as submitted on Plan No. 2276846, W/O #2276846, dated September 17, 2018.

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

Thank you,

Nicholas Croft  
Engineering Technician  
DPW Engineering Division

Plan to accompany petition of EVERSOURCE ENERGY to install new JO-ES pole #947/1.5 on town property for service upgrade at 310 Dillingham Ave.



39 21 006D 000B  
10 ROSE MORIN LN  
N/F  
VENTURA TRUSTEE PATRICIA M  
MAVERICK REALTY TRUST

39 21 006A 000A  
310 DILLINGHAM AVE  
N/F  
SEE ABUTTERS LIST

### LEGEND

- ⊕ Proposed Hand Hole
- ⊖ Existing Hand Hole
- Proposed Pole
- Existing Pole
- Ⓜ Proposed Multitap
- Ⓜ Proposed Manhole

<p>BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND IS MADE BY OR FOR THE INFORMATION PROVIDER. THE INFORMATION PROVIDER, ITS EMPLOYEES OR AGENTS (COLLECTIVELY THE "INFORMATION PROVIDER") SHALL BE LIABLE FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM OR CAUSED BY THE INFORMATION PROVIDED HEREON OR IN RELIANCE UPON IT TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE INSDR ENTIRELY HARMLESS FROM ANY SUCH LOSS OR DAMAGE.</p> <p>THE INFORMATION MAY NOT REPRESENT A SURVEY. ANY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.</p>	
Plan #	2276846
Ward #	
Work Order #	2276846
Surveyed by:	N/A
Research by:	PG
Plotted by:	LM
Proposed Structures:	GC
Approved:	A DEBENEDICTIS
P#	
Scale	1"=20'
Date	SEPTEMBER 17, 2018
SHEET	1 of 1

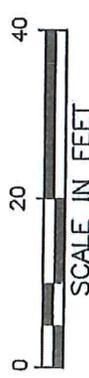
**NSSTAR EVERSOURCE**  
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of DILLINGHAM AVE  
FALMOUTH

Showing PROPOSED POLE LOCATION

MASS. LAW

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



SCALE IN FEET

September 21, 2018

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



Dear Board Members:

Enclosed is a petition for **1** proposed pole location(s) on **Rose Morin Lane, Falmouth, Massachusetts.**

This proposed location(s) is required to accommodate service upgrade. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval.

Very truly yours,

Handwritten signature of Donna Rosa.

Donna Rosa  
Right-of-Way  
Representative  
508-441-5177

DR: dh  
Enclosures

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

**SEPTEMBER 17, 2018**

To the Board of Selectmen of **Falmouth**, Massachusetts

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) and  
VERIZON NEW ENGLAND, INC.

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

**ROSE MORIN LANE, North of Dillingham Avenue  
WO# 2276846**

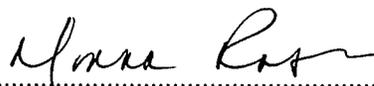
**One (1) Pole  
Pole # 947/1.5**

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires, and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Plan No. **2276846**, Dated **SEPTEMBER 17, 2018**.

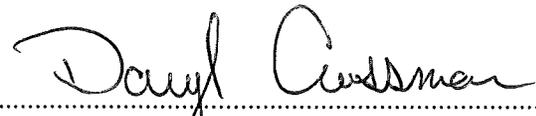
Also for permission to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

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

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

By.....  
Right-of-Way Representative

VERIZON NEW ENGLAND, INC.

By..... 9/26/18  
Manager Rights of Way

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

In Board of Selectman of the Town of **Falmouth**, Massachusetts.

Notice having been given and a public hearing held, as provided by law.

**IT IS HEREBY ORDERED:**

that the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) and  
VERIZON NEW ENGLAND, INC.

be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **17** day of **SEPTEMBER, 2018**.

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

Poles shall be of sound timber and reasonably straight, and shall be set substantially at the points indicated upon the plan marked Plan No. **2276846**, Dated **SEPTEMBER 17, 2018** filed with said petition. There may be attached to said poles by said VERIZON NEW ENGLAND, INC. not to exceed **40** wires and **4** cables and by said NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) necessary wires, cables and fixtures

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

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

**ROSE MORIN LANE, North of Dillingham Avenue**  
**WO# 2276846**

**One (1) Pole**  
**Pole # 947/1.5**

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

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

This form should be used by the Town Clerk to make a certified copy of the Original and mail same to:

Eversource Energy  
50 Duchaine Blvd.  
New Bedford, MA 02745  
Attn: Donna Rosa

\_\_\_\_\_  
Clerk of Selectmen.

(over)

We hereby certify that on \_\_\_\_\_ **2018**, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) and VERIZON NEW ENGLAND, INC.

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

.....  
.....  
.....  
.....  
.....

Selectmen of the Town of **Falmouth**  
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, **2018**, recorded with the records of location orders of said Town Book, \_\_\_\_\_ Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk.

**PUBLIC HEARING NOTICE**

You are hereby notified that a hearing will be held in the Small Conference Room, Falmouth Town Hall at 2:00 p.m. on Thursday, November 8, 2018 upon the petition of NSTAR Electric Company d/b/a Eversource Energy to install one (1) 4" Conduit and one (1) Handhole 183/H9A at 58 Fells Road, Falmouth.

Per Order of the Falmouth Board of Selectmen

*Publication Date: Friday, October 26, 2018, Falmouth Enterprise*



# Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: November 9, 2018

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

**Subject: Eversource – Petition to install 15' of 1-4" underground conduit and 1 handhole on Fells Road**

A petition was submitted by Eversource to install 15' of 1-4" underground conduit and 1 handhole on Fells Road to service #45 Fells Road.

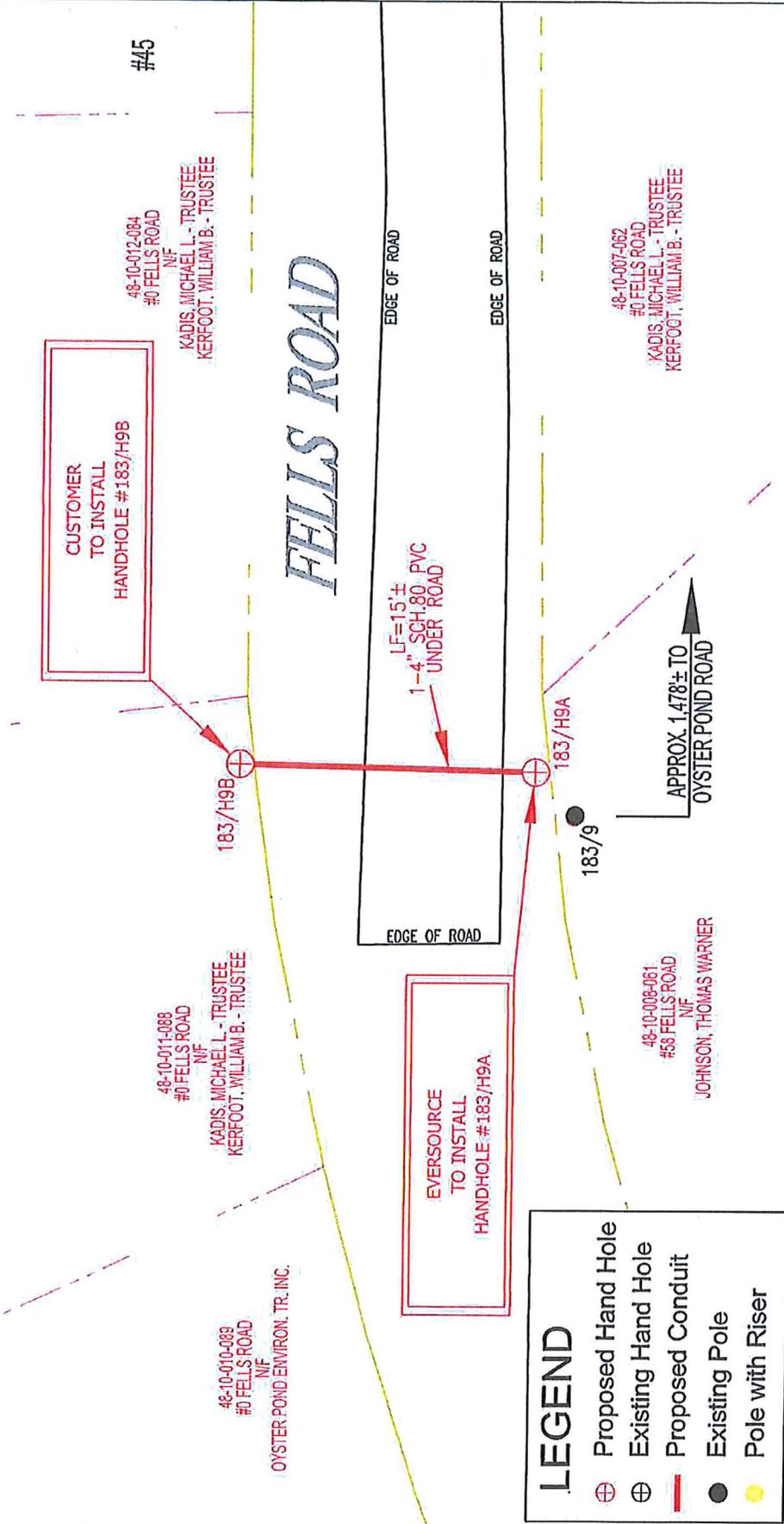
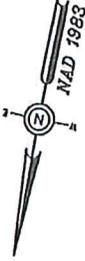
The Engineering recommendation is to approve the request as submitted on Plan No. 2286101, W/O #2286101, dated October 9, 2018.

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

Thank you,

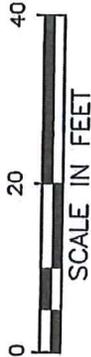
Nicholas Croft  
Engineering Technician  
DPW Engineering Division

Plan to accompany petition of EVERSOURCE ENERGY to install handhole 183/H9A & 15'± of 1-4" conduit on Fells Road to provide new underground service for customer at #45 FELS ROAD.



**LEGEND**

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- Existing Pole
- Pole with Riser



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS MADE WITH RESPECT TO THE INFORMATION, INCLUDING BUT NOT LIMITED TO THE ACCURACY, COMPLETENESS, TIMELINESS, FITNESS FOR PURPOSE, OR MERCHANTABILITY, OF THE INFORMATION. YOU AGREE TO HOLD THE INFORMATION CONTAINED HEREIN IN STRICT CONFIDENCE AND TO NOT DISCLOSE OR REPRODUCE THE INFORMATION IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF EVERSOURCE ENERGY. YOUR USE OF THIS INFORMATION IS LIMITED TO THE INFORMATION PROVIDED HEREON AND YOU AGREE TO HOLD EVERSOURCE ENERGY HARMLESS FROM ANY SUCH LOSS OR INJURY. THE INFORMATION WAS NOT PREPARED BY A SURVEYOR AND IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. EVERSOURCE ENERGY ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO INQUIRE THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

**MASS. LAW**

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

Plan #	2286101
Ward #	-
Work Order #	2286101
Surveyed by:	-
Research by:	PG
Plotted by:	PG
Proposed Structures:	SC
Approved:	A DEBENEDICTIS
Scale	1"=20'
Date	OCTOBER 9, 2018
PH	1 of 1

**NSSTAR EVERSOURCE ENERGY**  
1115 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of  
FELS ROAD  
FALMOUTH  
Showing PROPOSED CONDUIT & HANDOLE LOCATIONS



October 11, 2018

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

Dear Board Members:

Enclosed is a petition for **1** proposed conduit location(s) on **Fells Road, Falmouth, Massachusetts.**

This proposed location(s) is required to accommodate new underground service. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval.

Very truly yours,

A handwritten signature in blue ink that reads "Donna Rosa".

Donna Rosa  
Right-of-Way  
Representative  
508-441-5177

DR: dh  
Enclosures

**PETITION FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Falmouth, Massachusetts

**OCTOBER 9, 2018**

To the Board of Selectmen of **Falmouth**, Massachusetts

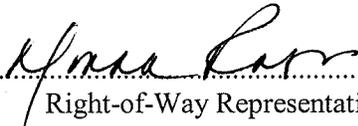
NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) requests permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:-

**FELLS ROAD, North of Oyster Pond Road  
WO# 2286101**

**One (1) 4" Conduit  
One (1) Handhole 183/H9A**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed substantially in accordance with the plan filed herewith marked Plan No. **2286101**, Dated **OCTOBER 9, 2018**.

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

By..........  
Right-of-Way Representative

**FORM OF ORDER FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

IN BOARD OF SELECTMEN FOR THE TOWN OF Falmouth, Massachusetts:

ORDERED:

Notice having been given and a public hearing held, as provided by law, the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company dated the 9 day of OCTOBER, 2018.

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

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. **2286101**, Dated **OCTOBER 9, 2018**, filed with said petition. The following are public ways or parts of ways under, along and across which the cables above referred to may be installed under this order:-

**FELLS ROAD, North of Oyster Pond Road  
WO# 2286101**

**One (1) 4" Conduit  
One (1) Handhole 183/H9A**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Clerk of Selectmen.

\_\_\_\_\_  
Massachusetts \_\_\_\_\_, 2018.  
Received and entered in the records of location orders of the Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

Attest:

\_\_\_\_\_  
Town Clerk

(over)

CA-104 EO REV 2-81

This form should be used by the Town Clerk to make a certified copy of the Original and mail same to:

Eversource Energy  
50 Duchaine Blvd.  
New Bedford, MA 02745  
Attn: Donna Rosa

We hereby certify that on \_\_\_\_\_ 2018, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M., at \_\_\_\_\_ a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) for permission to install and maintain underground cables, conduits, manholes and fixtures and described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate, (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

.....  
.....  
.....  
.....  
.....

Selectmen of the Town of **Falmouth**  
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and recorded with the records of location orders of said Town Book, \_\_\_\_\_ Page \_\_\_\_\_.

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

Attest:

\_\_\_\_\_  
Town Clerk.

# License Alcoholic Beverages

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

## Special License for the Sale of Wine for an Agricultural Event

License to Expose, Keep for Sale, and to Sell  
Wine Beverages

Not To Be Drunk On the Premises

To Coastal Vineyards

Mahoney's Garden Center

958 East Falmouth Highway, East Falmouth, MA 02536

On the following described premises:

Mahoney's Garden Center, 958 E. Falmouth Hwy., E, Falmouth

THE ABOVE NAMED ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE BEVERAGES ONLY.

This license is valid from the 15th day of November 2018 until the 15th day of November 2018, unless earlier suspended, cancelled or revoked.

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

Date: Thursday, November 15, 2018. Hours: 3:00 p.m. - 8:00 p.m. Ladies' Night/Holiday Open House.

CONDITIONS:

1. EACH INDIVIDUAL IS LIMITED TO FIVE (5) HALF-OUNCE (0.5 OZ.) SAMPLES PER DAY. SAMPLES NOT TO LEAVE BOOTH.
2. PROOF OF LIQUOR LIABILITY INSURANCE REQUIRED SHOWING A MINIMUM OF \$500,000 LIQUOR LIABILITY INSURANCE NAMING THE TOWN OF FALMOUTH AS THE INSURED PARTY

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 13th day of November 2018

---



---

Licensing Board

---

**Diane Davidson**

---

**From:** Sean Doyle <sdoyle@falmouthpolice.us>  
**Sent:** Monday, November 05, 2018 8:40 PM  
**To:** 'Phyllis Downey'; 'Brian Reid'  
**Cc:** 'Diane Davidson'  
**Subject:** RE: Mahoney's Holiday Open House - Coastal Vineyards

Good evening,

As long as all laws and by-laws are adhered to then this department does not have an issue with this request.

Lt. Doyle

---

**From:** Phyllis Downey [mailto:phyllis.downey@falmouthmass.us]  
**Sent:** Friday, November 02, 2018 11:42 AM  
**To:** Brian Reid <braid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>  
**Cc:** 'Diane Davidson' <ddavidson@falmouthmass.us>  
**Subject:** Mahoney's Holiday Open House - Coastal Vineyards

Good morning,

Attached please find an application from Coastal Vineyards for Special Agricultural Liquor License to provide wine to sample and sell at the Mahoney's Holiday Open House. Please provide your recommendations by November 8, 2018 for the Selectmen's consideration at a special meeting on November 13<sup>th</sup>.

Thank you very much,

Phyllis

**Phyllis Downey**  
Administrative Assistant  
Office of the Town Manager & Board of Selectmen  
508-495-7320

# License Alcoholic Beverages

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

## Special License for the Sale of Wine for an Agricultural Event License to Expose, Keep for Sale, and to Sell Wine Beverages

### Not To Be Drunk On the Premises

To Cape Cod Winery, Inc.  
Erika Orlandella, Manager

Mahoney's Garden Center  
958 East Falmouth Highway, East Falmouth, MA 02536

On the following described premises:

Mahoney's Garden Center, 958 E. Falmouth Hwy., E. Falmouth

THE ABOVE NAMED ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE BEVERAGES ONLY.

This license is valid from the 15th day of November 2018 until the 15th day of November 2018, unless earlier suspended, cancelled or revoked.

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

Date: Thursday, November 15, 2018. Hours: 3:00 p.m. - 8:00 p.m. Ladies' Night/Holiday Open House

CONDITIONS:

1. EACH INDIVIDUAL IS LIMITED TO FIVE (5) HALF-OUNCE (0.5 OZ.) SAMPLES PER DAY. SAMPLES NOT TO LEAVE BOOTH.
2. PROOF OF LIQUOR LIABILITY INSURANCE REQUIRED SHOWING A MINIMUM OF \$500,000 LIQUOR LIABILITY INSURANCE NAMING THE TOWN OF FALMOUTH AS THE INSURED PARTY

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 13th day of November 2018

---



---



---

Licensing Board

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

**Diane Davidson**

---

**From:** Sean Doyle <sdoyle@falmouthpolice.us>  
**Sent:** Wednesday, November 07, 2018 12:23 AM  
**To:** 'Diane Davidson'; 'Brian Reid'  
**Subject:** RE: Agricultural Liquor License - Cape Cod Winery

No objections to this either, as long as all laws and by-laws are adhered to.

---

**From:** Diane Davidson [mailto:ddavidson@falmouthmass.us]  
**Sent:** Tuesday, November 06, 2018 4:38 PM  
**To:** Brian Reid <b Reid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>  
**Subject:** Agricultural Liquor License - Cape Cod Winery

Capt. Reid,  
Lt. Doyle,

Attached please find an application for agricultural liquor license from Cape Cod Winery to participate in the Ladies Night Out event at Mahoney's Garden Center on Thursday, November 15, 2018 from 3:00 p.m. to 8:00 p.m. for your review and recommendation. May I request your recommendation to the Board of Selectmen by Friday, November 9?

Thank you,

Diane

*Diane S. Davidson  
Office Manager/Licensing  
Office of the Town Manager and Selectmen  
Town of Falmouth  
59 Town Hall Square  
Falmouth, MA 02540  
(508) 495-7321*

## Diane Davidson

---

**From:** Frank Duffy <fduffy@falmouthmass.us>  
**Sent:** Monday, November 05, 2018 3:05 PM  
**To:** 'Susan Moran, Falmouth Selectman'  
**Cc:** 'Julian Suso'; 'Peter Johnson Staub'; Patricia Harris  
**Subject:** RE: Route 28 Agenda for Mon

Su: In C3-6C, the Falmouth Home Rule Charter authorizes the Board of Selectmen “to appoint ad hoc committees and to multi-member bodies and define their duties, set the limits for the scope of their responsibilities and the terms of their existence.” The charter prescribes procedures for appointment in C7-1A including publicizing vacancies and interviews. As a governmental body a selectmen appointed committed must comply with the Open Meeting Law, post notices of meeting and prepare and approve minutes.

Members of such a body are municipal employees for purposes of the Conflict of Interest Law. The Board of Selectmen may designate members special municipal employees for purposes of the Conflict of Interest Law. The law is applied more strictly to regular municipal employees and less restrictively to special municipal employees.

Section 19 of the Conflict of Interest Law prohibits a municipal employee from participating in a particular matter in which they have a private financial interest. This prohibition applies to a person who abuts property within the jurisdiction of the governmental body as decisions of the governmental body may affect property values. Assuming the Board of Selectmen designate members of a governmental body as special municipal employees, the Board of Selectmen may grant permission to a member to participate in a particular matter which affects their own financial interest. Such a determination must be in writing with a copy of the determination filed with the Town Clerk. The determination must be made on an individual basis. There is no explicit authorization or precedent for a blanket determination applicable to multiple members (confirmed by State Ethics Commission).

While not specifically addressed in the Falmouth Home Rule Charter, a public official such as the Town Manager may appoint a group of individuals to advise the public official on a matter within the public official’s duties or responsibilities. Bodies appointed by a public official solely for the purpose of advising the official on a decision that individual could make alone are not public bodies subject to the Open Meeting Law. If a public official has sole responsibility to determine the scope or design of the Rt. 28 project this exemption would apply, but it would not apply if other persons also have this responsibility or share it.

A public official appointed group, committee or body must comply with the Conflict of Interest law. The reason is the law prohibits a municipal employee from participating in a particular matter in which they have a private financial interest as discussed above. A municipal employee includes any office, position, employment or membership in any municipal agency and it does not matter whether the person is paid or unpaid or full time or part time. Private citizens serving on special advisory committees to make recommendations on a specific issue are considered municipal employees.

That said, the State Ethics Commission has referred me to previous opinions where the commission used a multiple factors to determine whether an advisory committee is considered a public agency for purposes of the Conflict of Interest Law. The factors are: 1) the impetus for the creation of the committee (whether statute, bylaw, regulation or otherwise); 2) the degree of formality associated with the committee and its proceedings; 3) whether members perform a function or tasks usually performed by government employees, or whether they are expected to represent outside interests; and 4) the degree of formality of the committee work product, if any. Whether a committee qualifies as a true advisory committee outside of the Conflict of Interest Law is determined by weighing all these factors with no one factor determinative. Such a determination is outside the scope of this message. See EC –COI -93-22. The State Ethics Commission has never applied this test favorably to a municipal committee, only to state committees.

There is no restraint on any person expressing personal views on a particular matter at a meeting of the Board of Selectmen, even on matters in which the person has a personal financial interest.

Private advocacy groups may form independently of governmental authority and voice opinions on a particular matter without constraints of the Conflict of Interest Law. A village association, or other civic association, comes to mind.

The Wind Turbine Options Project is not an appropriate model for exploration of options for the Rt. 28 project. The WTOP was assembled by the Town Managers office and the Board of Selectmen under the initiative and direction of the Consensus Building Institute and conflict of interest issues were never raised or vetted.

---

Frank K. Duffy, Town Counsel  
Town of Falmouth  
157 Locust Street  
Falmouth, MA 02540  
(508) 548-8800 fax (508) 540-0881

**CONFIDENTIALITY NOTICE:** This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. If you are not the intended recipient and have received this communication in error, please contact the sender immediately and delete the original message. Thank you.

---

**From:** Susan Moran, Falmouth Selectman [<mailto:smoran@falmouthmass.us>]  
**Sent:** Saturday, November 03, 2018 10:16 AM  
**To:** Frank Duffy  
**Cc:** Julian Suso; Peter Johnson Staub  
**Subject:** Route 28 Agenda for Mon

Dear Frank:

Please prepare a short comparative memo for me to be used in the Monday meeting on the choices of committee types the Selectmen may consider on a future agenda for this project.

For lack of a better description, the "Selectmen's Committee" v. "Town Manager's Committee" (similar to the wind turbine working group) one main difference being the first having conflict of interest concern that prevent abutters from being on the committee.

I want to announce the subject as a future agenda item.

Thanks, Su

Susan Moran, Chair  
Falmouth Selectman  
[smoran@falmouthmass.us](mailto:smoran@falmouthmass.us)

## Selectmen Recommendations

### **Art. 12 – Net Metering**

- Indefinite Postponement

### **\* Art. 16 – Seasonal Position Classification (New, BOS Vote Required):**

- Recommend as printed with the following change:

“Strike the Minimum rates for the final four positions listed on page 19 of your warrant which are:

- Inspector
- Election Clerk
- Deputy Warden/Deputy Clerk
- Election Warden. “

*Explanation (after the article is on the floor):*

This *can be* approved as printed but if the article is held, we would like to correct a typographical error. These four positions are paid a flat rate. There is no minimum and maximum for these positions.

### **Art. 17 - Amend IT Classification Plan:**

- Recommend as printed

### **Art. 18 – Surviving Spouse Benefit:**

- Recommend

### **\*Art. 19 – Accept Road Taking Winthrop Drive: (New, BOS Vote Required):**

- Indefinitely Postpone

**Art. 20 - Accept MGL Ch. 43 – Part-Time Inspector:**

- Recommend as printed

**Art. 21 – Amend Town Code – Demolition Delay:**

- Recommend as printed

**\* Art. 22 - Electronic voting (*New, BOS Vote Required*):**

- Recommend as printed with the following change:  
Strike the words “by standing vote” from the last line in paragraph numbered 1) on page 21 of your warrant.

**Art. 23 – Phase out Styrofoam:**

- Indefinitely Postpone

**Art. 24 Ranked Choice Voting:**

- Indefinitely Postpone

**Art. 26 – Create Solid Waste Division & Position:**

- Indefinitely Postpone

**Art. 27 – Second Water Meter:**

- Indefinitely Postpone

**Art. 28 – ALICE Training:**

- Indefinitely Postpone

**Art. 29 – Hire 3 New Police Officers**

- Indefinitely Postpone

# Selectmen's Calendar

## April 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8 <i>Town Meeting - TBD</i>	9	10	11	12	13
14	15 <i>Patriot's Day</i>	16	17	18	19 <i>Good Friday</i> <i>Passover begins at sunset</i>	20
21 <i>Easter</i>	22 <i>Selectmen's Meeting</i> <i>Seasonal License Renewals</i>	23	24	25	26	27
28	29 <i>Joint Meeting</i>	30				

# APRIL

2019

SUN	MON	TUE	WED	THU	FRI	SAT
	<b>1</b> 91/274 April Fools' Day	<b>2</b> 92/273	<b>3</b> 93/272	<b>4</b> 94/271	<b>5</b> 95/270	<b>6</b> 96/269
<b>7</b> 97/268	<b>8</b> 98/267	<b>9</b> 99/266	<b>10</b> 100/265	<b>11</b> 101/264	<b>12</b> 102/263	<b>13</b> 103/262
<b>14</b> 104/261 Palm Sunday	<b>15</b> 105/260 <i>Patriots Day</i>	<b>16</b> 106/259	<b>17</b> 107/258	<b>18</b> 108/257	<b>19</b> 109/256 Good Friday Passover begins at sundown Full Moon	<b>20</b> 110/255
<b>21</b> 111/254 Easter	<b>22</b> 112/253 Earth Day Easter Monday (Canada)	<b>23</b> 113/252	<b>24</b> 114/251 Administrative Professionals Day	<b>25</b> 115/250	<b>26</b> 116/249	<b>27</b> 117/248
<b>28</b> 118/247 Eastern Orthodox Easter	<b>29</b> 119/246	<b>30</b> 120/245				

## REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: November 9, 2018

JMSuso

- We will convene at 6pm on Tuesday, November 13 at the Lawrence School, just prior to the beginning of November Town Meeting. You will recall the question which arose when the Board met this past Monday (that there was a “posting” on the Town website (unrelated to BOS posted agenda) which indicated that Selectmen meet at Town Hall – the gentleman was suggesting some confusion as a result. In order to cover all bases, we have listed once again on this Tuesday evening agenda, the “re-voting” by the Board of the five items on which you took action this past Monday. This will ensure that no complications arise; we have advised those who attended that it is not necessary to attend and present again, although they are certainly welcome to attend.
- We do have a few housekeeping items which the 6PM start will allow us to address, including utility/pole conduit locations and two one-day liquor license requests.
- We have a scheduled review/discussion with Selectmen on the matter of a potential citizen committee for (presumably) “Section 3” of the proposed Main Street/Rt. 28 reconstruction project. Frank Duffy will be with us to further address any questions on the challenging “conflict of interest” issue. Timing and logistics of any such process remain to be reviewed.
- Selectmen will be considering actions/voting motions on selected Town Meeting articles. With your Board packet, you are receiving a memorandum summary of such BOS actions. Three items must be considered for potential re-voting: (1) Article 16 (scrivener error); (2) Article 19 (Road Taking – indefinitely postpone due to a remaining public hearing step which will be addressed in advance of April Town Meeting); (3) Article 22 (suggest the striking of the words “by standing vote”).
- Finally, the Board will consider setting the date for the upcoming April 2019 Town Meeting.
- I was pleased to attend multiple TM Precinct Meetings during this past week, including Precincts 4 & 7 on Wednesday and 5 & 6 on Thursday.