

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

**Revised AGENDA**

**MONDAY, OCTOBER 28, 2019 – 6:45 P.M.**

**SELECTMEN'S MEETING ROOM**

**TOWN HALL**

**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

**6:45 p.m. OPEN SESSION**

**6:45 p.m. EXECUTIVE SESSION**

1. M.G.L. c.30A s.21(a)(3) – To Discuss Strategy with Respect to Collective Bargaining – Falmouth Police Sergeants – NEPBA Local 61

**7:00 p.m. OPEN SESSION**

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

**7:15 p.m. SUMMARY OF ACTIONS**

1. Licenses
  - a. Approve Application for Special One-Day All Alcohol Liquor Licenses – Falmouth Theatre Guild – Highfield Theater, 58 Highfield Drive – November 8, 9, 10, 15, 16, 17, 22, 23, and 24, 2019
2. Administrative Orders
  - a. Vote to Approve Eel River Aquaculture Licenses
  - b. Review/Approve Traffic Related Service Request for Electronic Speed Control Display Signs on Sippewissett Rd., Quissett Ave. and Quissett Harbor Rd.
  - c. Vote to Authorize Police Department Application for State Traffic Enforcement Grant in the amount of \$14,000.00
  - d. Vote to Accept Funding for Annual Emergency Planning Grant to Fire / Emergency Operations in the amount of \$8,500.00
  - e. Accept Annual Funding from Mass Cultural Council to Falmouth Cultural Council in the amount of \$6,300.00
  - f. Vote to Approve Two Requests for Exemption under G.L. c. 268A, § 20(d), Disclosure by Special Municipal Employee of Financial Interest, from the Conflict of Interest Law – Peter Chase, Member, Shellfish Advisory Committee
  - g. Vote to Adopt FY2020 – FY2024 Board of Selectmen Strategic Plan
  - h. Vote to Authorize Town Manager to Proceed with Potential Bond Refinancing
  - i. Appoint Board of Selectmen Sub-Committee on Proposed Municipal Broadband
3. Special Events
  - a. Vote to Approve Request for Waiver of Special Events Permit Fee – Chris Wetherbee Memorial Toy Run – Sunday, 11/3/19

**7:30 p.m. BUSINESS**

**Board of Selectmen – Falmouth Housing Authority**

1. Interview, Vote and Appoint Member to Falmouth Housing Authority – Robert Mascali
2. Report – Veterans' Council Committee
3. Report – Board of Health
4. Report – Human Services Committee

5. Status/Update on Beach/Infrastructure Post-Storm
6. Discuss and Vote on the Recommendation of the Naming Subcommittee to Name the Emergency Operations Center “The Paul D. Brodeur Emergency Operations Center”
7. Approve Expenditure from the Fire Department Donation Account in the amount of \$4,100.00 for a Bronze Memorial Plaque and Door Signs for the Naming Ceremony of the Emergency Operations Center
8. Board of Selectmen Comments/Discussion on Water Quality Management Plan Presentation
9. Vote to Affirm the Following Committees: Recreation Committee, Waterways Committee, Beach Committee and Human Services Committee
10. Vote Board/Committee Email Policy
11. Discussion of Possible Policy for Withholding Permits
12. Discuss Creation of Citizens Advisory Committee for Future Fire Station Locations
13. Notification to the Board of Extension of Management Lease for Falmouth Country Club with Billy Casper Golf
14. Board of Selectmen Assignments for Town Meeting Precinct Meeting Coverage
15. Minutes of Meetings:
  - a. Public Session – September 23, 2019; October 7, 2019
  - b. Executive Session – October 7, 2019  
Vote to Release/Not to Release Minutes of Executive Sessions
  - c. Review of Executive Session Minutes and Vote to Release
16. Individual Selectmen’s Reports
17. Town Manager’s Report
18. Review and/or Discuss Correspondence Received

Megan English Braga, Chairman  
Board of Selectmen

The maximum number of one-day liquor licenses per year is 30.

After tonight's approvals, Falmouth Theatre Guild will have been issued 29. This leaves 1 license available for the balance of 2019.

2019

# License Alcoholic Beverages

19-11-AA

Fee:

75

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

## Special License For The Sale Of All Alcoholic Beverages

License to Expose, Keep for Sale, and to Sell  
**All Kinds of Alcoholic Beverages**

To Be Drunk On the Premises

To Falmouth Theatre Guild  
Brian J. Buczkowski, Director-at-Large

Highfield Theater  
58 Highfield Drive, Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth, MA 02540

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A  
SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK  
ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL  
ACT.

This license is valid from the 8th day of November 2019 until the 10th day of  
November 2019, unless earlier suspended, cancelled or revoked.

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

Friday & Saturday: 6:30 pm - 10:00 pm. Sunday: 1:00 pm - 4:30 pm.

Conditions: 1. Certificate of liquor liability insurance required. 2. Servers must be TIPS certified. 3. Apply  
for temporary food permit with Health Department. 4. Rope or fence off area where alcohol will be sold and  
consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their  
official signatures this 28th day of October 2019

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Licensing Board

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

2019

# License Alcoholic Beverages

19-12-AA

Fee: 75

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

## **Special License For The Sale Of All Alcoholic Beverages**

**License to Expose, Keep for Sale, and to Sell  
All Kinds of Alcoholic Beverages**

**To Be Drunk On the Premises**

**To Falmouth Theatre Guild  
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**Highfield Theater  
58 Highfield Drive, Falmouth, MA 02540**

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth, MA 02540

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL ACT.

This license is valid from the 15th day of November 2019 until the 17th day of November 2019, unless earlier suspended, cancelled or revoked.

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

Friday & Saturday: 6:30 pm - 10:00 pm. Sunday: 1:00 pm - 4:30 pm.

Conditions: 1. Certificate of liquor liability insurance required. 2. Servers must be TIPS certified. 3. Apply for temporary food permit with Health Department. 4. Rope or fence off area where alcohol will be sold and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 28th day of October 2019

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Licensing Board

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





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

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**TO:** Julian M. Suso, Town Manager  
**FROM:** Peter Johnson-Staub, Assistant Town Manager  
**SUBJECT:** Selectmen Votes on Eel River Aquaculture Licenses  
**DATE:** October 25, 2019

Attached is a draft license agreement template for the three licenses to be voted by the Selectmen on October 28<sup>th</sup> for Falmouth Shellfish Cooperative, Matthew Weeks, and Ward Aquafarms. The Board already voted approval of these licenses pursuant to the Statement of Qualifications issued July 3, 2019. The required approvals from MA DMF and Army Corps are now in place so they can be affirmed by the Board and licenses issued. The pertinent requirements from the Statement of Qualifications have been incorporated into the license agreement. The agreement has been approved as to form by Town Counsel. To allow for ministerial edits and expedite execution of the agreement, Town Counsel has approved the following motions for the Board consideration:

**MOTIONS:**

"I move to authorize the Town Manager to execute a shellfish license on behalf of the Board of Selectmen to *Daniel Ward, Ward Aquafarms, LLC* with terms and conditions consistent with the Statement of Qualifications issued by the Town Manager on July 3, 2019."

"I move to authorize the Town Manager to execute a shellfish license on behalf of the Board of Selectmen to *Matthew Weeks* with terms and conditions consistent with the Statement of Qualifications issued by the Town Manager on July 3, 2019."

"I move to authorize the Town Manager to execute a shellfish license on behalf of the Board of Selectmen to *Mary Murphy, Falmouth Shellfish Cooperative* with terms and conditions consistent with the Statement of Qualifications issued by the Town Manager on July 3, 2019."

CC:  
//Document1

## DRAFT ONLY

October 24, 2019  
Amended April 14, 2014

Aquaculture License # \_\_\_\_\_

Daniel Ward, PhD  
Ward Aquafarms, LLC  
51 North Falmouth Highway  
North Falmouth, MA 02556

Paul Diodati, Director  
Massachusetts Division of Marine Fisheries  
251 Causeway Street, Suite 400  
Boston, MA 02114

### Shellfish Aquaculture License General Laws Ch. 130, § 57

#### DANIEL WARD

On \_\_\_\_\_, 2019 the Falmouth Board of Selectmen voted to grant Daniel Ward, of East Falmouth, MA a shellfish aquaculture license under the authority of General Laws ch. 130, § 57. An application was filed with the Board of Selectmen on September 22, 2010. In accordance with applicable law a public hearing was noticed for December 6, 2010 at which time a vote was taken and the application approved subject to the terms and conditions set forth herein. An Order of Conditions for this site was issued by the Falmouth Conservation Commission on \_\_\_\_\_, 2019 for the same activity in accordance with the wetlands protection act, G.L. ch. 131, § 40 and the Falmouth Wetlands protection by-law and regulations.

The Board of Selectmen finds that the applicant is sufficiently qualified in terms of knowledge and experience to operate the shellfish aquaculture license in the best interest of the town, its natural resources and its shellfish industry.

In conformity with ch. 130, § 57 the Board of Selectmen hereby grants a shellfish aquaculture license to Daniel Ward of East Falmouth, MA to grow oysters. The gear type to be used is exclusively floating gear as detailed in Exhibit B. No gear may be installed prior to March 1, and all gear must be removed no later than December 31 each year. The location of the license is Eel River East Site B as further detailed in Exhibit A.

The license is further subject to the following terms and conditions.

1. Maintenance may be done only during daylight hours.
2. The applicant shall comply with all Town of Falmouth Shellfish Aquaculture rules and regulations.
3. The applicant is not authorized to violate any zoning by-laws of the Town of Falmouth or violate the private property rights of others.
4. The licensed area shall be clearly marked with floats or buoys.
5. All trash, shells, seaweed and other debris must be disposed of in a suitable place.

## DRAFT ONLY

6. The fee for the license is \$25.00 per acre per year.
7. The term of the license begins with the date of its approval by the Director of the Division of Marine Fisheries and ends December 31, 2023. The license may be renewed for an additional 5 years at the discretion of the Board of Selectmen.
8. As a condition of the license, the Board of Selectmen will require the Licensee to meet the following minimum usage requirements: In 2020, the grower will use a minimum of 25% of the licensed area useable for floating gear (620 bags), at a density of 5,445 bags per acre. In 2021 and subsequent years, the grower will use a minimum of 99% of the licensed area useable for floating gear (2,480 bags in 20,000 square feet). If the AC is able to deploy shellfish in 2019, there will be no minimum usage for that year.
9. In 2020, the AC will be expected to produce a minimum of 4,600 kg of net increase in weight of oysters over the time that the oysters are grown in the Eel River site assigned to them. In 2021 and each subsequent year, the AC will be expected to produce a minimum of 18,600 kg of net increase in weight of oysters over the time that the oysters are grown in the Eel River site assigned to them. Total biomass increase for the field must be equivalent to 40,000 kg per acre of gear deployed, which is an average of 7.5 kg biomass increase per bag. Projects operated by Falmouth Marine and Environmental Services have demonstrated that this can be accomplished with first year oyster stocking density of 700-900 per bag and second year oyster stocking density of 150-250 per bag. Typically  $\frac{1}{4}$  of the area would be used for first year seed, and  $\frac{3}{4}$  of the area would be used for second year oysters.
10. The AC will be required to self-report the weighing in of all oysters placed into the gear and weighing out of all oysters removed from the site, as well as provide a Standard Atlantic Fisheries Information System (SAFIS) report for all landings at the end of the year for that growing area.
11. Gear shall be black to minimize visual impacts. Gear equivalent to what was used by Falmouth Marine and Environmental Services in 2017 and 2018 in Little Pond and Bournes Pond will be required.
12. An acceptable plan must be developed for restoring shellfish if significant numbers of oysters die or are lost before August 1 in any given year, including the time needed for re-deployment. The Contractor should identify potential mid-season suppliers of oysters as part of the replacement plan. If shellfish or gear are lost, the Contractor must submit a brief memorandum documenting the reason for the loss, the timing of loss and reinstallation (including costs to contractor), and a plan to avoid a similar repeated loss in the future.
13. A response to any catastrophic events (e.g., significant shellfish die-off, anticipated weather event, or significant gear destruction) must be coordinated with the Town.
14. Gear must be installed in the spring and removed in late fall, with gear installed no earlier than March 1 and removed no later than December 31, except with permission of the Falmouth Department of Marine and Environmental Services.
15. The Contractor must notify the Town in a timely fashion about any survival or growth concerns, including signs of disease.
16. All incoming and outgoing weights as well as SAFIS landing data must be provided in a timely and clearly communicated manner to Falmouth Marine and Environmental Services for the completion of the Eel River Aquaculture/TMDL Annual Report.

**DRAFT ONLY**

17. Reported data and any relevant information brought to the Town's attention associated with the AC's operation of the site assigned to them will be reviewed and may serve as a basis for making a recommendation to the Selectmen about whether the AC should be allowed to continue operating at the site assigned to them.
18. Licensee shall provide 25 representative shellfish from each size class being grown, to be submitted to Falmouth Marine and Environmental Services for nitrogen analysis. There will be no cost to the grower for the nitrogen analysis.

License Approved by Falmouth Board of Selectmen on \_\_\_\_\_, 2019 consistent with terms outlined in the Statement of Qualifications issued by Town Manager on July 3, 2019.

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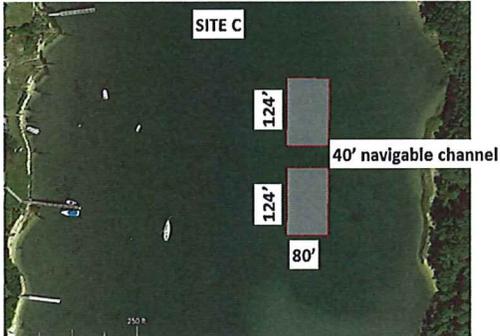
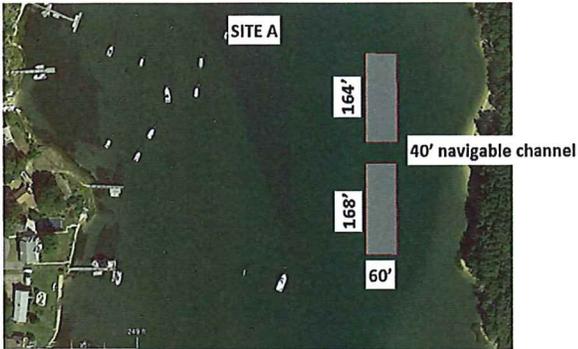
Town Manager  
Julian M. Suso

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Approved as to Form  
Frank Duffy, Town Counsel

# DRAFT ONLY

## Exhibit A



### Eel River East Sites For Nitrogen Removal Pilot

Site A: 0.5 Acre

Site B: 0.5 Acre

Site C: 0.5 Acre

### Nearest Public Landings at Childs River, Seapit Road

Eel Pond Site AN  
41.563342689, -70.535599979  
41.563246206, -70.535419321  
41.562876611, -70.535757522  
41.562971815, -70.535940613  
Eel Pond Site AS  
41.562881824, -70.536023704  
41.562788378, -70.535847906  
41.562405688, -70.536195829  
41.562500852, -70.536376866

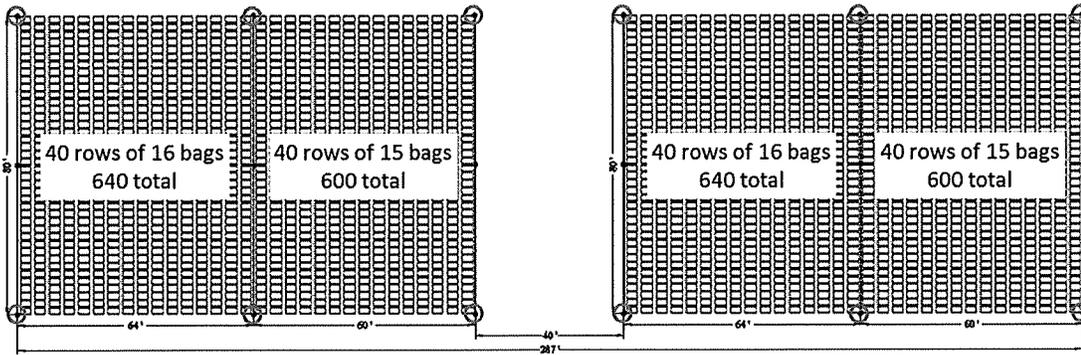
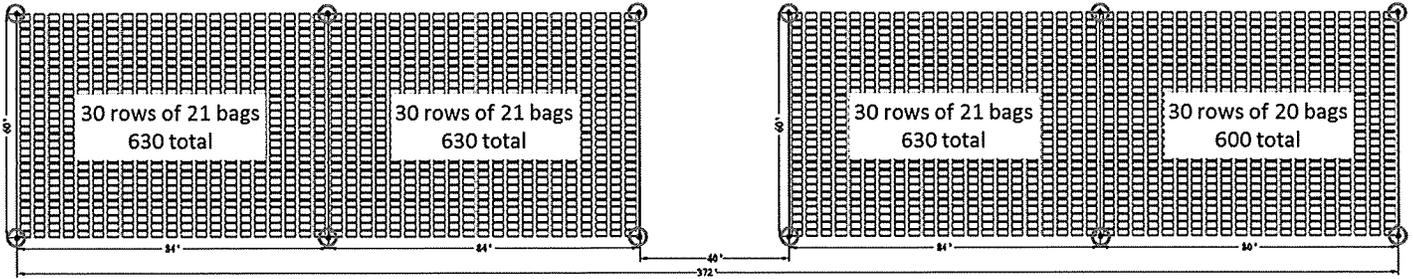
Eel Pond Site BN  
41.561370587, -70.537379686  
41.561285099, -70.537191478  
41.560901249, -70.537498611  
41.560987349, -70.537692726  
Eel Pond Site BS  
41.560892479, -70.53772438  
41.560807588, -70.537584746  
41.560415086, -70.537902122  
41.560497751, -70.538090501

Eel Pond Site CN  
41.557786102, -70.540298107  
41.557669177, -70.540052238  
41.557384379, -70.540290624  
41.557500216, -70.540539108  
Eel Pond Site CS  
41.557404535, -70.540618942  
41.557288517, -70.540369736  
41.556999406, -70.540613561  
41.557114285, -70.540861207



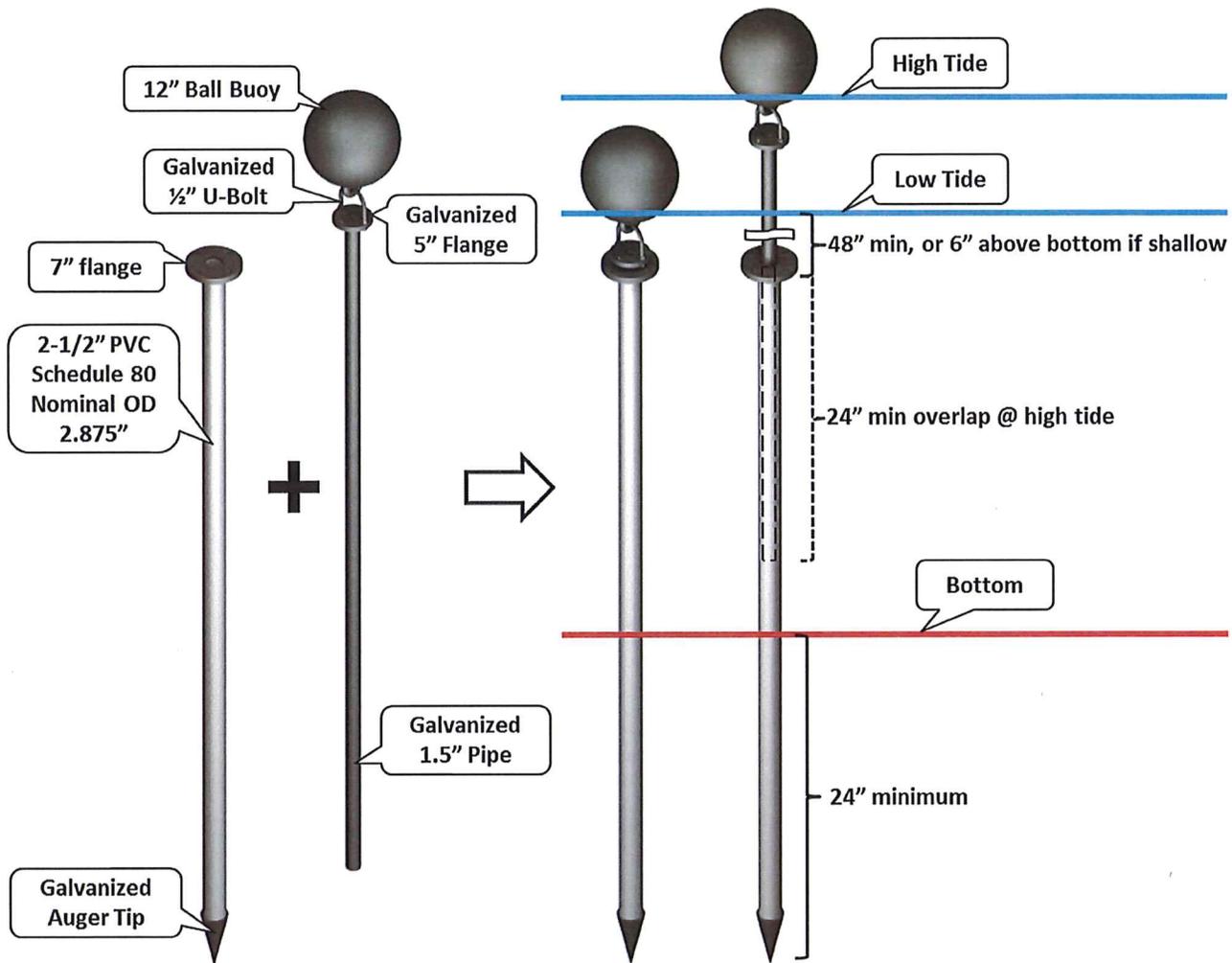
# DRAFT ONLY

Eel River East Site A,B: 2,490 bags, 12 augers, 19,920 sq.ft. gear



Eel River East Site C  
2,480 bags, 12 augers  
19,840 sq.ft. gear

## Telescoping Augers for Eel River East Sites





Town of Falmouth  
 Traffic Advisory Committee  
 59 Town Hall Square  
 Falmouth, MA 02540



[www.falmouthmass.us/tac](http://www.falmouthmass.us/tac)

**Traffic Related Service Request**

Date: October 1, 2019

Location: Sippewissett Road, Quissett Ave and Quissett Harbor Road.

Description: Request to discuss speeding and traffic concerns on Sippewissett Road, Quissett Ave. and Quissett Harbor Rd.

**Committee Recommendation: TAC combined D&E as one request. After discussion with the gentlemen representing the Sippewissett Association and the Quissett Association TAC recommended installation of four electronic speed display signs along the Sippewissett-Quissett Corridor showing the speed limit on Sippewissett as 25MPH and on Quissett as 30MPH. TAC also recommends data collection by the FPD. TAC recommends PEDESTRIAN sign on Quissett Harbor Road and repair and replacement of faded/damaged parking control signs.**

Traffic Advisory Committee Recommended  Not recommended  Date: September 17, 2019

Town Manager Approved *[Signature]* Disapproved:  Date: October 1, 2019

*✓ CONCEPT OF SUGGESTED ELECTRONIC SPEED CONTROL DISPLAY SIGNS SHOULD BE REVIEWED / APPROVED IN ADVANCE BY BOARD OF SELECTMEN. jms*

REMARKS: The Associations agreed to work with Captain Smith of the FPD to enlist the FPD to provide speed patrols along the corridor. The association is willing to privately pay for these services if there are no officers available to perform this duty.

Board of Selectmen Approved  Disapproved:  Date

DPW Director Funded  Unfunded  Date

**ROUTING INSTRUCTIONS:**

When any regulatory sign or pavement marking is installed, a copy of this Service Request must be routed to the Falmouth Police Department, the GIS Department and the Town Clerk's Office for recording of the warrant. The original should be returned to the Traffic Advisory Committee.

**Diane Davidson**

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**From:** asolow@whoi.edu  
**Sent:** Friday, October 25, 2019 12:12 PM  
**To:** Falmouth Selectmen

I strongly urge you not to approve the installation of a speed flasher on Quissett Avenue. First, based on previous experience, there is no evidence that a speed flasher is effective in reducing speeding. Indeed, some drivers take it as a provocation and speed up. Second, it would be an eyesore on what is a beautiful stretch of road. This would be an acceptable cost if a speed flasher would reduce accident risk, but it would not. Third, and most importantly, traffic safety is a matter of public policy that should be addressed by the town, not by private groups or individuals. Safety measures should be taken where they are most needed and not on the basis of wealth or influence. As far as I know, there have been exactly no accidents at or near the location of the proposed speed flasher on Quissett Avenue.

If the people making this proposal really care about traffic safety, they should donate these funds to the town for use where they are more needed.

Respectfully,

Andrew R Solow  
44 Quissett Avenue



**Office of Grants and Research  
FFY 2020 Traffic Enforcement Grant  
Program Application**

**Cover Sheet**

Police Department Information		Fiscal Contact Information	
Police Department: Falmouth		Name: Melinda Rebelo	
Project Title: FFY2020 Traffic Enforcement Grant		Title: COP's Executive Administrative Assistant	
Address: 750 Main St.		Address: 750 Main St.	
City: Falmouth	State: MA	City: Falmouth	State: MA
Zip: 02540	+4:	Zip: 02540	+4:
Telephone: (774) 255-4527		Telephone: (774) 255-4527	
Website: www.falmouthpolice.us		Fax: (508) 457-2566	
DUNS Number: 07-3797219		Email: melinda.rebelo@falmouthpolicema.gov	
Chief of Police or Commissioner		Grant Manager Contact Information	
Name: Edward A. Dunne		Name: Sean Doyle	
Title: Chief of Police		Title: Evening Shift Lieutenant	
Telephone: (774) 255-4527 ext. 4500		Telephone: (774) 255-4527 ext. 4505	
Email: edward.dunne@falmouthpolicema.gov		Email: sean.doyle@falmouthpolicema.gov	
Additional Grant Contact Information		Funding Request	
Name:		Total Funding Requested: \$14,000	
Title:		<i>Please refer to the award schedule to find your department's available funding.</i>	
Telephone:			
Email:			
Authorized Signature		Date	

FFY 2020 Traffic Enforcement Campaign Schedule		
Campaign Focus	Campaign Period	Required Enforcement Hours
Winter Impaired Driving/Drive Sober or Get Pulled Over (DSOGPO)	November 20, 2019 - January 2, 2020 <i>Report Due: January 16, 2020</i>	<i>DSOGPO - Dec. 11, 2019 - Dec. 31, 2019 Minimum 8 OT Hours</i>
Spring Speed Enforcement	March 6, 2020 - March 22, 2020 <i>Report Due: April 6, 2020</i>	
Distracted Driving	April 1, 2020 - April 30, 2020 <i>Report Due: May 15, 2020</i>	
Occupant Protection/Click It or Ticket (CIOT)	May 14, 2020 - May 31, 2020 <i>Report Due: June 11, 2020</i>	<i>CIOT - May 14, 2020 - May 31, 2020 Minimum 8 OT Hours</i>
Summer Speed Enforcement	June 11, 2020 - July 5, 2020 <i>Report Due: July 20, 2020</i>	
Summer Impaired Driving/Drive Sober or Get Pulled Over (DSOGPO)	August 20, 2020 - September 8, 2020 <i>Report Due: September 24, 2020</i>	<i>DSOGPO - Aug. 20, 2020 - Sept. 8, 2020 Minimum 8 OT Hours</i>

## OVERVIEW

- All municipal police departments that meet established requirements are eligible for grant funding.
- Departments will have an allowable budget to conduct overtime enforcement during each of the time periods defined in the above table labeled FFY 2020 Traffic Enforcement Campaign Schedule; any unspent funds from a campaign period cannot be rolled over into any other time period or enforcement activity.
- Grant-funded overtime enforcement activity must occur any day and time within the scheduled dates of the campaign period with primary efforts directed at the specified campaign theme; departments are encouraged to use their own internal data to determine and schedule overtime patrols in their community's hotspots.
- Within three of the campaign periods, the grant requires departments to conduct a minimum of eight (8) enforcement hours in each of the three (3) national HVE mobilizations – DSOGPO (12/11-12/31/19), CIOT (5/14-5/31/20), DSOGPO (8/20-9/8/20) or risk non-reimbursement of enforcement activity.
- Departments are required to conduct a minimum of three documented stops or contacts per officer per hour. If fewer than three without substantial reason, the OGR reserves the right to end program participation for the remainder of the federal fiscal year, through September 15, 2020. Documented stops are defined as any grant-funded patrol officer contact with motorists during overtime enforcement periods that can be supported by written or electronic records maintained at the police department. These records must be maintained in a manner that guarantees their accountability during a review or audit.

- Non-participation or non-compliance with performance measures may result in contract suspension, termination, non-reimbursement of enforcement activity or may also affect eligibility in the subsequent grant year.
- If a department is also participating in the FFY 2020 Sustained Traffic Enforcement Program (STEP) grant, it is permissible to conduct patrols at the same time as this grant. However, the department cannot report the same shift activity against both grants and must use the appropriate (Traffic Enforcement or STEP) grant expenditure reporting form.
- Patrols under this grant must be no less than two hours or greater than eight hours in length and devoted solely to traffic enforcement activities. Departments will be reimbursed for actual hours worked during scheduled overtime patrols.
- Officers funded during this grant shall be dedicated in total to traffic law enforcement, except in the case of a criminal offense committed in the officer's presence, in the case of response to an officer in need of immediate emergency assistance, or in the case of other significant public safety unscheduled emergency situations.
- If an officer makes an arrest or processes a criminal complaint application/ summons during the shift but does not complete the arrest/summons before the shift is scheduled to end, the officer can continue working under the grant to complete that arrest/summons.
- To maximize grant funding, patrols must be one officer per cruiser (with some exceptions-see AGF); however, multiple cruisers may be out at one time.
- Patrols for the national DSOGPO mobilizations should be conducted between 2pm and 7am Thursday through Sunday.
- Departments may assist in MSP Sobriety Checkpoints but must have prior authorization from OGR– see AGF for complete guidelines.
- Full-time officers will be reimbursed at an overtime rate of pay for hours worked during the campaign enforcement periods. Part-time or auxiliary officers may participate and will be reimbursed at their normal hourly rate of pay.
- Departments must have an active, enforced, written safety belt policy for officers to be awarded funds from this program.
- Based on the availability of federal funds, OGR may increase funding and/or the number of high-visibility enforcement efforts based on established criteria and performance measures.
- No department should begin initial enforcement efforts until an OGR **authorizing email is issued**. Costs incurred before a department receives written notification will not be reimbursed; any costs incurred after September 15, 2020 will not be reimbursed.
- Campaign expenditure and activity reports are due approximately two weeks after the campaign period ends but no later than the due date specified in the above-mentioned campaign schedule. See AGF for complete reporting guidelines and instructions; failure to comply with guidelines may result in non-reimbursement of activity.

- This is a cost reimbursement grant program.
- No grant funding can be applied to an indirect cost rate charged by a municipality.
- Indirect administrative costs and fringe benefits are not allowable under the terms of this grant.
- Unspent funds cannot be rolled forward to a future traffic enforcement grant period.



**FALMOUTH FIRE RESCUE DEPARTMENT**  
**ADMINISTRATIVE MEMO**

**To: Julian M. Suso, Town Manager**  
**From: Kim Strohm, Administrative Assistant**  
**Subject: Contract signature -Emergency Management Planning Grant**  
**Date: October 16, 2019**

Attached please find the contract, requiring your signature for the Emergency Management Planning Grant (EMPG). The Town of Falmouth has been successful in receiving this grant for the past nine years. This grant is instrumental to the continued success of our Comprehensive Emergency Management Plan, Hazardous Materials Response Planning, our Emergency Operations Center plans, hazardous materials training, exercises and operations, including tabletop exercises conducted within the Local Emergency Planning Committee (LEPC).

Thank you for your attention to this matter.

# COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

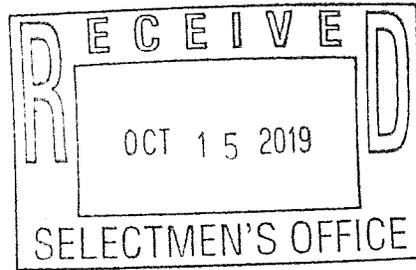


This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at [www.mass.gov/osc](http://www.mass.gov/osc) under [Guidance For Vendors - Forms](#) or [www.mass.gov/osd](http://www.mass.gov/osd) under [OSD Forms](#).

<b>CONTRACTOR LEGAL NAME: (and d/b/a):</b> FALMOUTH, Town of		<b>COMMONWEALTH DEPARTMENT NAME:</b> Massachusetts Emergency Management Agency MMARS Department Code:	
<b>Legal Address: (W-9, W-4,T&amp;C):</b> 59 Town Hall Square, Falmouth, MA 02540-2761		<b>Business Mailing Address:</b> 400 Worcester Road, Framingham, MA 01702-5399	
<b>Contract Manager:</b> Kimberlee A Strohm		<b>Billing Address (if different):</b> same	
<b>E-Mail:</b> <a href="mailto:kstrohm@falmouthfire.us">kstrohm@falmouthfire.us</a>		<b>Contract Manager:</b> Carrie Clifton	
<b>Phone:</b> 508.495.2517	<b>Fax:</b>	<b>E-Mail:</b> <a href="mailto:carrie.clifton@mass.gov">carrie.clifton@mass.gov</a>	
<b>Contractor Vendor Code:</b> VC6000191790		<b>Phone:</b> 508.820.1407	<b>Fax:</b> 508.820.2030
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD ___ (Note: The Address Id Must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> FY20EMPG1900000FALMO	
		<b>RFR/Procurement or Other ID Number:</b> FFY2019EMPG	
<p style="text-align: center;"><input checked="" type="checkbox"/> <b>NEW CONTRACT</b></p> <b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b> <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)		<p style="text-align: center;"><input type="checkbox"/> <b>CONTRACT AMENDMENT</b></p> Enter Current Contract End Date <u>Prior</u> to Amendment: ____, 20 ____. Enter Amendment Amount: \$ _____. (or "no change") <b>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</b> <input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)	
The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;C)</b> has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
<b>COMPENSATION: (Check ONE option):</b> The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or <i>new</i> Total if Contract is being amended). <b>\$8,500.00</b>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days __% PPD; Payment issued within 15 days __% PPD; Payment issued within 20 days __% PPD; Payment issued within 30 days __% PPD. If PPD percentages are left blank, identify reason: __agree to standard 45 day cycle __ statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Funding for this grant is provided via a Federal Fiscal Year 2019 Emergency Management Performance Grant (EMPG) award, CFDA #97.042 and has a required dollar-for-dollar match. By signing below, the sub-recipient will perform activities as stated in their approved 2019 EMPG application and in accordance with the attached DHS Terms and Conditions and MEMA-PMO Special Conditions.			
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <b>no</b> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of ____, 20 ____, a date <b>LATER</b> than the <u>Effective Date</u> below and <b>no</b> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 3. were incurred as of ____, 20 ____, a date <b>PRIOR</b> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>June 30, 2020</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the " <b>Effective Date</b> " of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b>  X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature)		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b>  X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature)	
Print Name: _____ Print Title: _____		Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>	



October 9, 2019



*Power of culture*

Julian M. Suso, Town Manager  
Town of Falmouth  
Town Hall  
59 Town Hall Square  
Falmouth MA 02540-2777

Dear Mr. Suso:

Enclosed is a contract and scope of services for the Town of Falmouth that covers the transfer of FY2020 Local Cultural Council funds from the Mass Cultural Council to your local cultural council account for the Falmouth Cultural Council.

**State Comptroller regulations require State Agencies to have a signed contract and signature authorization form on file for all transfers of funds from state to local accounts unless the agency is statutorily released from this mandate, which the Mass Cultural Council is not.**

The contract includes: a signature page with the amount of the allocation (\$6,300), dates of service (July 1, 2019 to June 30, 2020), and a place to sign. You only need to sign it, include an email address if possible and make any corrections if needed. The second page is the scope of services which defines how the funds are to be expended following Mass Cultural Council regulations. Lastly, the Signature Authorization page is a required form for all contracts with state agencies that clearly identifies the person or persons authorized to sign contracts for a vendor, in this case your municipality.

The contract should be signed with a completed Signature Authorization form and returned to me by November 29, 2019.

I will not be able to transfer the Local Cultural Council allocation until I have a completed contract package from your municipality. If you or any of your staff have any questions, please feel free to contact me at 617/858-2722 or by email at michael.nagle@state.ma.us.

Thank you very much.

Sincerely,

Michael Nagle  
Fiscal Officer

Attachments

# COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at [www.mass.gov/osc](http://www.mass.gov/osc) under Guidance For Vendors - Forms or [www.mass.gov/osd](http://www.mass.gov/osd) under OSD Forms.

<b>CONTRACTOR LEGAL NAME:</b> Town of Falmouth (and d/b/a): Town Hall 59 Town Hall Square <b>Legal Address: (W-9, W-4, T&amp;C):</b> Falmouth MA 02540-2777 <b>Contract Manager:</b> Julian M. Suso, Town Manager <b>E-Mail:</b> <a href="mailto:jsuso@falmouthmass.us">jsuso@falmouthmass.us</a> / <a href="mailto:townmanager@falmouthma.gov">townmanager@falmouthma.gov</a> <b>Phone:</b> 508/495-7320 <b>Fax:</b> 508/457-2573      30Y <b>Contractor Vendor Code:</b> VC6000191790 <b>Vendor Code Address ID (e.g. "AD001"):</b> AD (Note: The Address ID must be set up for EFT payments.)	<b>COMMONWEALTH DEPARTMENT NAME:</b> Massachusetts Cultural Council <b>MMARS Department Code:</b> ART <b>Business Mailing Address:</b> 10 St. James Ave. 3rd Fl., Boston MA 02116 <b>Billing Address (if different):</b> <b>Contract Manager:</b> Michael Nagle <b>E-Mail:</b> <a href="mailto:Michael.Nagle@state.ma.us">Michael.Nagle@state.ma.us</a> <b>Phone:</b> 617/858-2722 <b>Fax:</b> 617/574-7305 <b>MMARS Doc ID(s):</b> <b>RF/Procurement or Other ID Number:</b>
<p style="text-align: center;"><u>NEW CONTRACT</u></p> <b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b> <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> <u>Department Procurement</u> (includes State or Federal grants <u>815 CMR 2.00</u> ) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)	<p style="text-align: center;"><u>CONTRACT AMENDMENT</u></p> Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") <b>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</b> <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)
The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;C)</b> has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services	
<b>COMPENSATION: (Check ONE option):</b> The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or <u>new</u> Total if Contract is being amended). \$ <u>\$6,300</u> .	
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through <u>EFT</u> 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days <u>  </u> % PPD; Payment issued within 15 days <u>  </u> % PPD; Payment issued within 20 days <u>  </u> % PPD; Payment issued within 30 days <u>  </u> % PPD. If PPD percentages are left blank, identify reason: <u>  </u> agree to standard 45 day cycle <u>  </u> statutory/legal or Ready Payments ( <u>G.L.c. 29, § 23A</u> ); <u>  </u> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)	
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) <p style="text-align: center;"><b>Local Cultural Council Allocation for the Falmouth Cultural Council</b></p>	
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 3. were incurred as of <u>July 1, 2019</u> , a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.	
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>June 30, 2020</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.	
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.	
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: <u>Julian M. Suso</u> Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Julian M. Suso</u> Print Title: <u>Town Manager</u>	<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David T. Slatery</u> Print Title: <u>Deputy Director</u>



*Power of culture*

### Scope of Services/Budget

The allocated amount or maximum obligation for the contracted city or town will be deposited in the local account for the local or regional cultural council, provided that the city or town:

- Maintain a revolving account for the local or regional cultural council as required by Massachusetts General Law, Chapter 10, Section 58
- Report on said fund annually by completing the Massachusetts Cultural Council's Local Cultural Council Account Form

The local or regional cultural council will expend the funds following the procedures outlined in Massachusetts Cultural Council guidelines and regulations (962 CMR 2.00 – 3.00)

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(d)**



	<b>SPECIAL MUNICIPAL EMPLOYEE INFORMATION</b>
Name of special municipal employee:	Peter Chase
Put an X beside one statement.	<p>I am a special municipal employee because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input checked="" type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input checked="" type="checkbox"/> I serve in a municipal position for which <b>no compensation</b> is provided, or</p> <p><input type="checkbox"/> I earned <b>compensation for fewer than 800 hours</b> in the preceding 365-day period, or</p> <p><input checked="" type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am <b>permitted to have personal or private employment during normal business hours.</b></p> <p><input type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a <b>"key employee"</b> because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the <b>contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</b></p>
Title/ Position	Member, Shellfish Advisory Committee
Fill in this box if it applies to you.	If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Municipal Agency/ Department:	This is "my Municipal Agency." Town of Falmouth, MA – Shellfish Advisory Committee
Agency Address:	59 Town Hall Square Falmouth, MA 02540
Office phone:	██████████
Office e-mail:	██████████
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a special municipal employee.	December 3, 2018

<p><b>BOX # 1</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an X by your financial interest.</p>	<p><b>ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am an elected special municipal employee.</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p><b>BOX #2</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an X by your financial interest.</p>	<p><b>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A contract between a municipal agency and myself, but not an employment contract.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><b>OR</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input checked="" type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>Name and address of municipal agency that made the contract</p>	<p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p> <p>This is the "contracting agency."</p> <p><b>Town of Falmouth, MA 59 Town Hall Square Falmouth, MA 02540</b></p>
<p>Write an X to confirm this statement.</p>	<p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>

<b>FILL IN THIS BOX OR THE NEXT BOX</b>	<p><b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</b></p> <ul style="list-style-type: none"> <li>- Please explain what the contract is for.</li> </ul> <p>I have been awarded a lease by the Town of Falmouth MA to grow oysters beneath a floating raft attached to a mooring in Great Harbor, Woods Hole within the Town of Falmouth MA.</p>
	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</b></p> <ul style="list-style-type: none"> <li>- Please identify the person or entity that has the contract with the municipal agency.</li> <li>- What is your relationship to the person or entity?</li> <li>- What is the contract for?</li> </ul>
<p>What is your financial interest in the municipal contract?</p>	<ul style="list-style-type: none"> <li>- Please explain the financial interest and include the dollar amount if you know it.</li> </ul> <p>I have a financial interest in the oysters sold off of the lease in Great Harbor, Woods Hole.</p>
<p>Date when you acquired the financial interest</p>	<p>The Town of Falmouth Board of Selectmen approved this lease area on September 9, 2019.</p>
<p>What is the financial interest of your immediate family?</p>	<ul style="list-style-type: none"> <li>- Please explain the financial interest and include the dollar amount if you know it.</li> </ul>
<p>Date when your immediate family acquired the financial interest</p>	
<p>Employee signature:</p>	<p><i>Peter [Signature]</i></p>
<p>Date:</p>	<p>10/18/19</p>

SEE NEXT PAGE FOR APPROVAL  
 BY CITY COUNCIL, BOARD OF ALDERMEN,  
 BOARD OF SELECTMEN, TOWN COUNCIL,  
 OR DISTRICT PRUDENTIAL COMMITTEE

**APPROVAL OF EXEMPTION  
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,  
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body:  Write an X by one selection.	<input type="checkbox"/> City Council <input type="checkbox"/> Board of Aldermen <input type="checkbox"/> Board of Selectmen <input type="checkbox"/> Town Council <input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
<b>APPROVAL OF § 20(d) EXEMPTION</b>	
	<p>We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.</p>
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

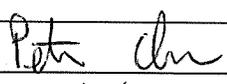
File your completed, signed, approved Disclosure with the city or town clerk.

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(d)**



SPECIAL MUNICIPAL EMPLOYEE INFORMATION	
Name of special municipal employee:	Peter Chase
Put an X beside one statement.	<p>I am a special municipal employee because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input checked="" type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input checked="" type="checkbox"/> I serve in a municipal position for which <b>no compensation</b> is provided, or</p> <p><input type="checkbox"/> I earned <b>compensation for fewer than 800 hours</b> in the preceding 365-day period, or</p> <p><input checked="" type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am <b>permitted to have personal or private employment during normal business hours.</b></p> <p><input type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a <b>"key employee"</b> because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the <b>contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</b></p>
Title/ Position	Member, Shellfish Advisory Committee
Fill in this box if it applies to you.	If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Municipal Agency/ Department:	This is "my Municipal Agency." Town of Falmouth, MA – Shellfish Advisory Committee
Agency Address:	59 Town Hall Square Falmouth, MA 02540
Office phone:	██████████
Office e-mail:	██████████
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a special municipal employee.	December 3, 2018

<p><b>BOX # 1</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an <b>X</b> by your financial interest.</p>	<p><b>ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am an elected special municipal employee.</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p><b>BOX #2</b></p> <p>Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b>.</p> <p>Write an <b>X</b> by your financial interest.</p>	<p><b>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A contract between a municipal agency and myself, but not an employment contract.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><b>OR</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input checked="" type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>Name and address of municipal agency that made the contract</p>	<p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p> <p>This is the "contracting agency."</p> <p><b>Town of Falmouth, MA 59 Town Hall Square Falmouth, MA 02540</b></p>
<p>Write an X to confirm this statement.</p>	<p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>

<b>FILL IN THIS BOX OR THE NEXT BOX</b>	<b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</b> - Please explain what the contract is for.
	<b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</b> - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?  I am a member of the Falmouth Shellfish Cooperative. The Falmouth Shellfish Cooperative has been contracted by the Town of Falmouth to grow oysters on aquaculture lease "Pilot Site A" in the Eel River in East Falmouth, MA.
What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it.  As a member of the Falmouth Shellfish Cooperative I have a financial interest in the sale of oysters from "Pilot Site A".
Date when you acquired the financial interest	The Town of Falmouth Board of Selectmen approved the Falmouth Shellfish Cooperative for this lease area on September 9, 2019.
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it.
Date when your immediate family acquired the financial interest	
Employee signature:	
Date:	10/18/19

**SEE NEXT PAGE FOR APPROVAL  
 BY CITY COUNCIL, BOARD OF ALDERMEN,  
 BOARD OF SELECTMEN, TOWN COUNCIL,  
 OR DISTRICT PRUDENTIAL COMMITTEE**

**APPROVAL OF EXEMPTION  
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,  
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body:  Write an X by one selection.	<input type="checkbox"/> City Council <input type="checkbox"/> Board of Aldermen <input type="checkbox"/> Board of Selectmen <input type="checkbox"/> Town Council <input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
<b>APPROVAL OF § 20(d) EXEMPTION</b>	
	<p>We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.</p>
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

File your completed, signed, approved Disclosure with the city or town clerk.

# Board of Selectmen Strategic Plan



**FY2020 – FY2024**

## Introduction

In accordance with the Town of Falmouth Home Rule Charter, the Falmouth Board of Selectmen hereby presents its five-year strategic plan for the Town of Falmouth. During its annual Strategic Planning retreat on July 1, 2019 the Board reviewed strategic priorities for Fiscal Years 2020-2024. For this planning period, the Board continued its work and focus on strategic goals rather than specific tasks.

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. Our workshop session was held in the new Long Pond Water Treatment Plant.

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.

This year the Board affirmed its commitment to proactively interact with department heads, committees and the public throughout the year. This commitment is reflected in the Board's priority: to enhance community engagement.

The Falmouth Board of Selectmen adopted six Strategic Priority areas for the 2024 planning horizon as follows:

- 1. Improve Organizational Effectiveness**
- 2. Enhance Community Engagement**
- 3. Financial and Economic Stability and Community Development**
- 4. Coastal Resources, Infrastructure and Beaches**
- 5. Resource Conservation and Management**
- 6. Water and Wastewater Management**
- 7. Health and Public Safety**

The members of the Board recognize that the Board's 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 of the services provided by Falmouth’s Departments and Divisions. In fact, these strategic priorities will touch all staff members and citizens as the Board begins to implement 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 2020-2024.

Falmouth Board of Selectmen,  
Megan English-Braga, Chair  
Douglas C. Brown, Vice Chair  
Doug Jones  
Susan Moran  
Samuel Patterson

Adopted: \_\_\_\_\_, 2019



## I. Improve Organizational Effectiveness

The Board of Selectmen 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 Board of Selectmen 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.

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

- A. Support volunteer board and committee members in their work.

#### Action Steps:

- 1) Host meeting with committee chairs to discuss: annual schedule, updated Committee Handbook, and how the Board can support the committees in their work.
- 2) Promote updated Committee Handbook by distributing copies and requiring acknowledgement of receipt.

- B. Improve Communications with Committees;

#### Action Steps:

- 1) Adopt a fixed schedule for the calendar year for committee reports to the Board of Selectmen to provide more advance notice and increase the number of committee reports received each year.
- 2) Continue annual pot luck social for committee members.

- C. Improve Communications with Departmental Staff;

#### Action Steps:

- 1) Receive reports from department heads on topical issues as needed.
- 2) Hold staff appreciation/interaction event.

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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.

## II. Enhance Community Engagement

This goal involves creating a public participation process so the Board of Selectmen 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.

By doing so, we hope to better serve the diverse members of our community.

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

#### A. Improve Communications with Selected Non-Municipal Entities

##### Action Steps:

- 1) Invite Steamship Authority, Cape Cod Healthcare, WHOI, and MBL, to provide update on their plans and community impacts.

#### B. Get More and Better Feedback from the General Public and to Engage New Voices in Town Affairs;

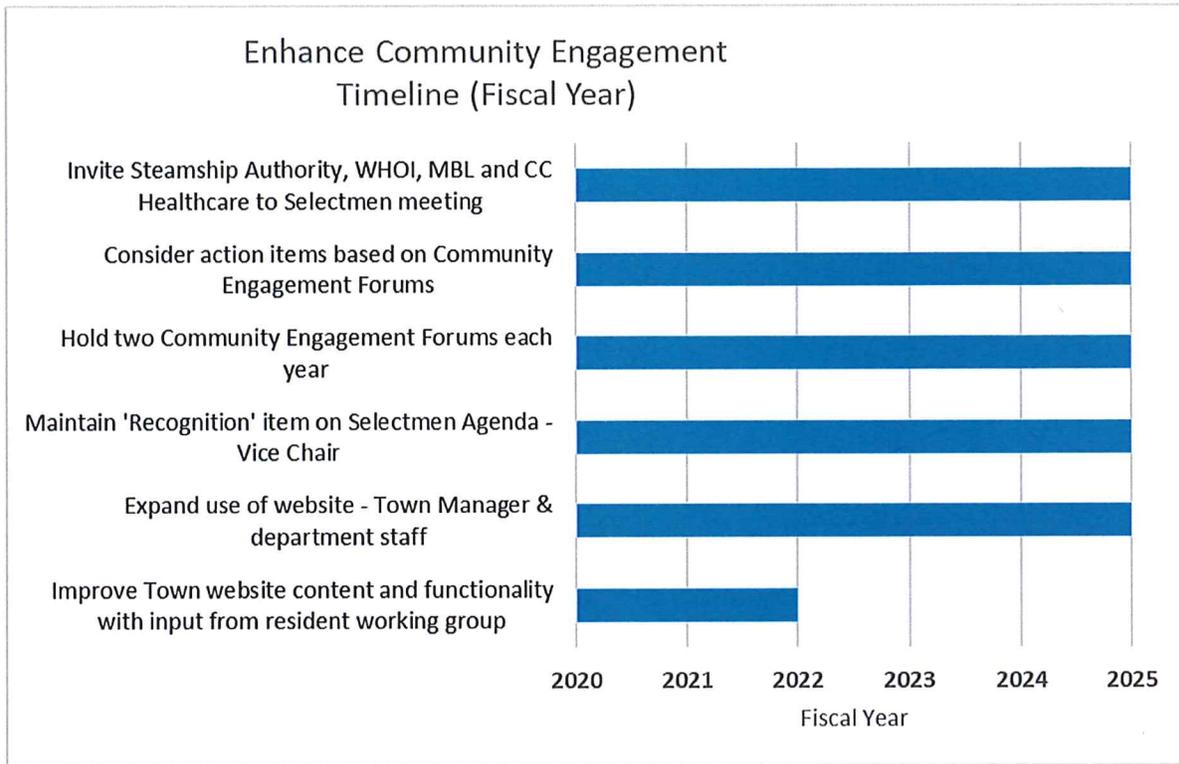
##### Action Steps:

- 1) Hold two 'Community Engagement Forums' each year including one in the summer months when seasonal residents are in town.
- 2) Consider potential action items based on input received at Community Engagement Forums.

#### C. Better Inform the Community of the Town's Services and Activities;

##### Action Steps:

- 1) Maintain a 'Recognition' item as a routine item on future Selectmen agendas to celebrate individuals, staff and groups for noteworthy contributions to the community.
- 2) Expand use of website and 'notify me' function to notify the public of matters of interest.
- 3) Improve website content and functionality with input from resident working group.



### III. Financial and Economic Stability and Community Development

In this five-year planning period the fiscal health of our operations and community remains a strategic priority for the Town of Falmouth. The Board of Selectmen has included Community Development with a focus on community housing needs with our fiscal goals, understanding that a healthy, vibrant and diverse local economy is integral to our fiscal health.

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 upgrade the Town's bond rating to 'Aaa' – the highest available bond rating. This bond rating upgrade will save taxpayers money by reducing borrowing costs and it represents an independent third party validation of the Town's

management practices. The Town's ongoing Capital needs remain the most pressing fiscal concern.

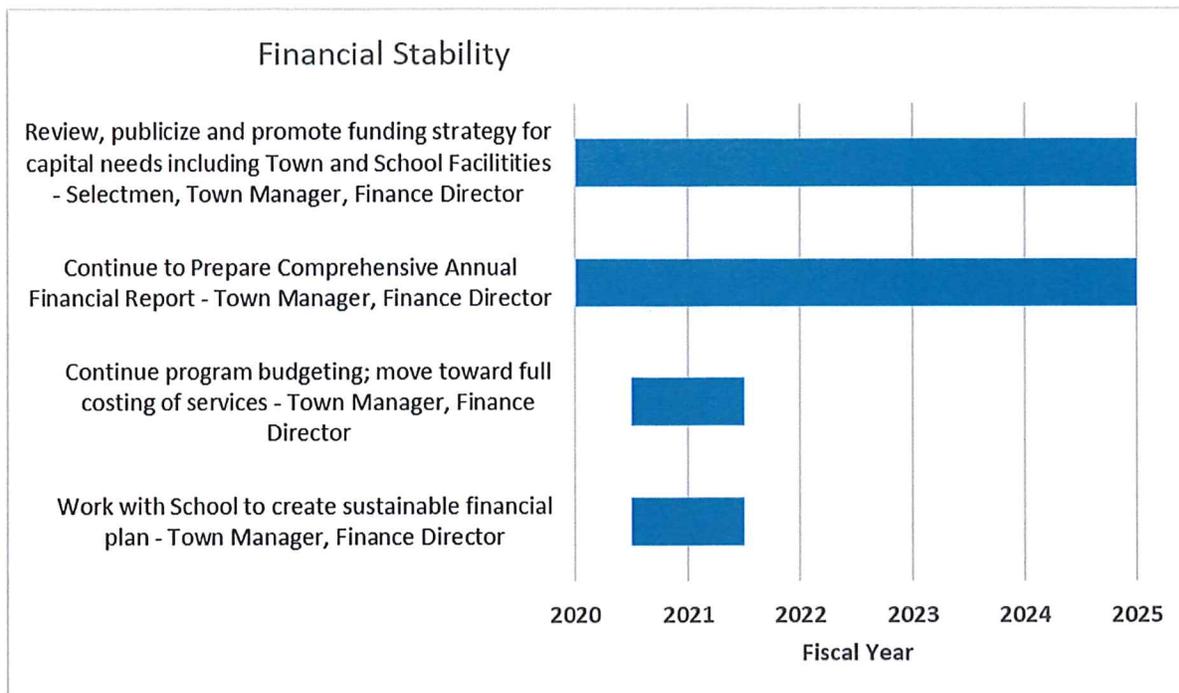
The Town has begun to see the result of budget policies adopted in recent years as well as modest local economic growth resulting from our work in community development and overall positive economic trends. We have achieved our financial goals for all reserve categories with the exception of OPEB and it is important that we maintain these balances. With the great work of policy leaders and Town departments the outlook for the next five years is stable. While the Board expects to continue to see some improvement in capital programs, the operations of the town will have to be flexible, creative and efficient to offer sustainable operations into the future. 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 others.

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

**A. Promote Long-Term Financial Stability of Town Operations**

Action Steps:

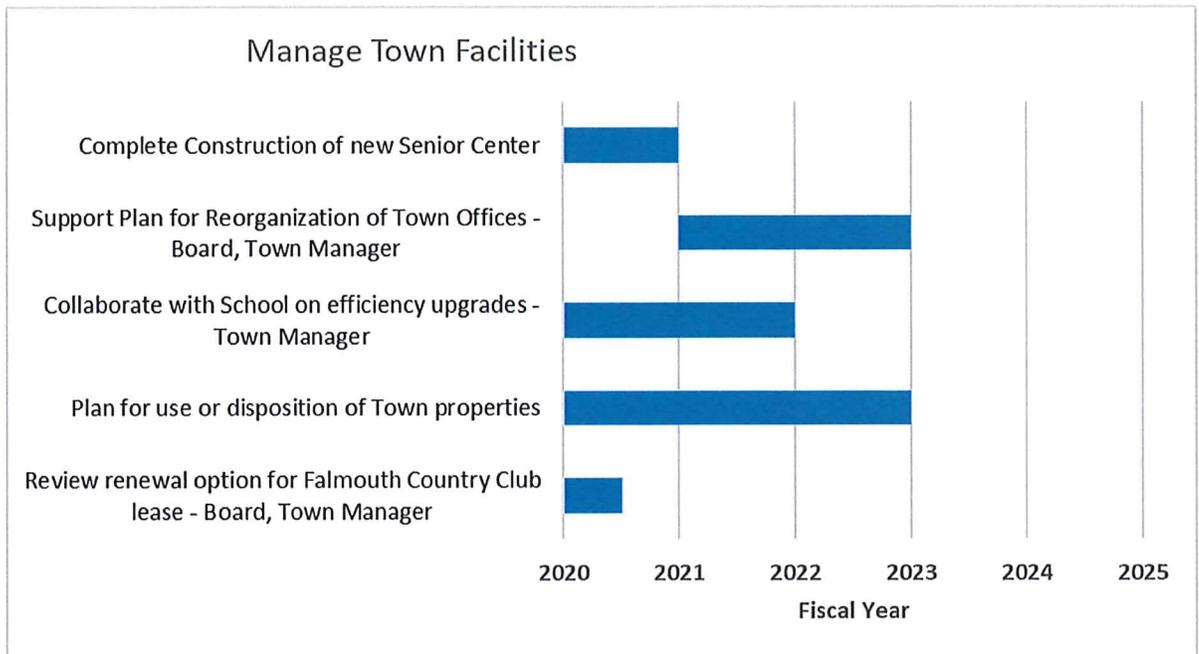
- 1) Review and publicize long-term capital plan and promote funding strategy for capital needs including town and school facilities report.
- 2) Continue to prepare a Comprehensive Annual Financial Report each year.
- 3) Continue program budgeting and move toward full costing of services.
- 4) Work with School Department to create a sustainable financial plan.



## B. Manage Town’s Physical Facilities

### Action Steps:

- 1) Review and support plan for reorganization of Town offices & necessary renovation at Town Hall.
- 2) Continue collaboration with School Department to complete facility and efficiency upgrades.
- 3) Complete construction of new Senior Center
- 4) Plan for use or disposition of Town properties including original senior center at 300 Dillingham Ave, Emerald House, and Andrews Farm Farmhouse.

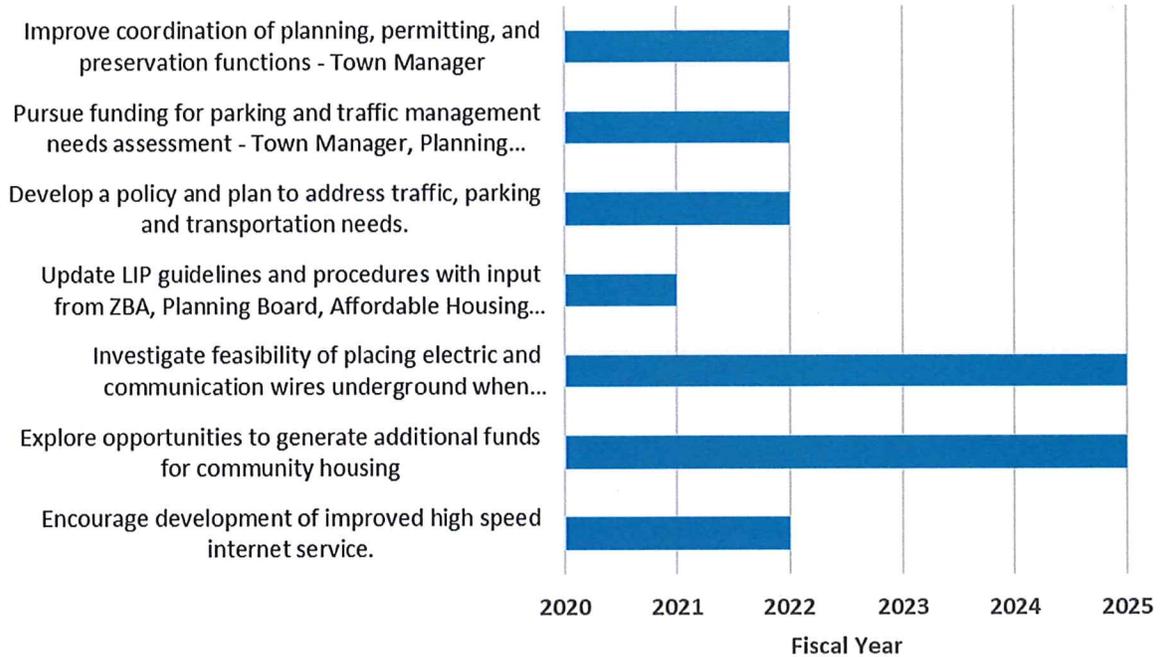


C. Support Business and Community Development to Sustain a Vibrant Local Economy

Action Steps:

- 1) Improve coordination of planning, permitting, and preservation functions.
- 2) Pursue funding for parking and traffic management needs assessment.
- 3) Develop a policy and plan to address traffic, parking and transportation needs.
- 4) Update LIP guidelines and procedures with input from ZBA, Planning Board, Affordable Housing Committee to facilitate development of affordable housing
- 5) Investigate feasibility of placing electric and communication wires underground when roadways are opened for construction (i.e. for paving or installation of water or sewer lines).
- 6) Explore opportunities to generate additional funds for community housing.
- 7) Encourage development of improved high speed internet service.

## Support Business and Community Development



### III. Coastal Resources, Infrastructure and Beaches

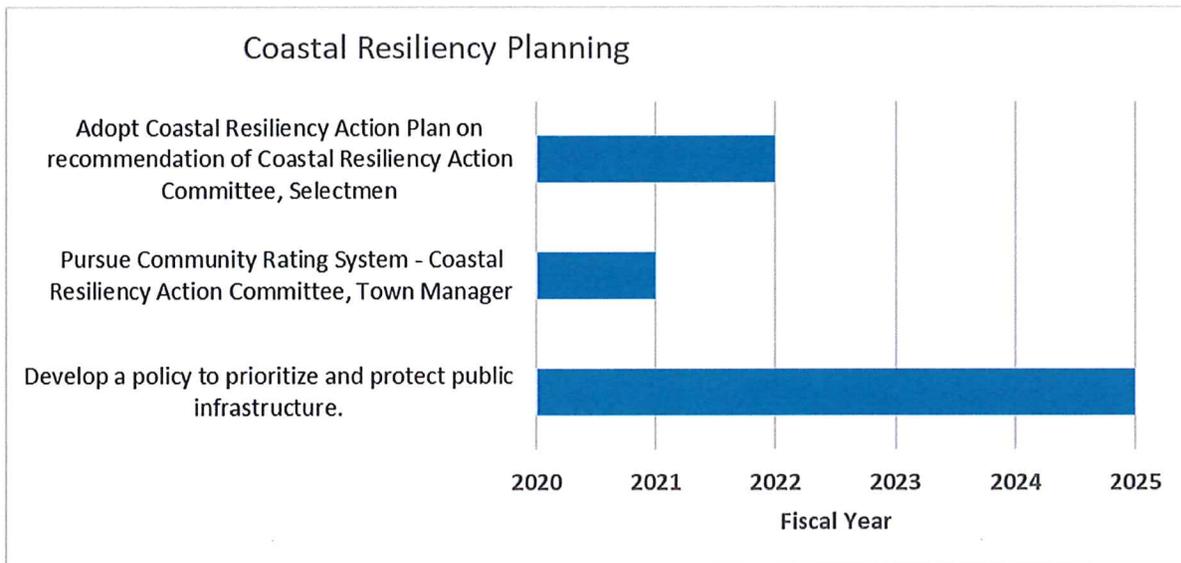
Falmouth’s waterfront amenities and natural and enhanced coastal resources are the cornerstone of our cultural identity and financial foundation. The Board of Selectmen’s decision-making will be guided by the principle that clean and welcoming coastal resources and our marine environment are core values 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 goals within this strategic priority area are to:**

A. Coastal Resiliency Planning

Action Steps:

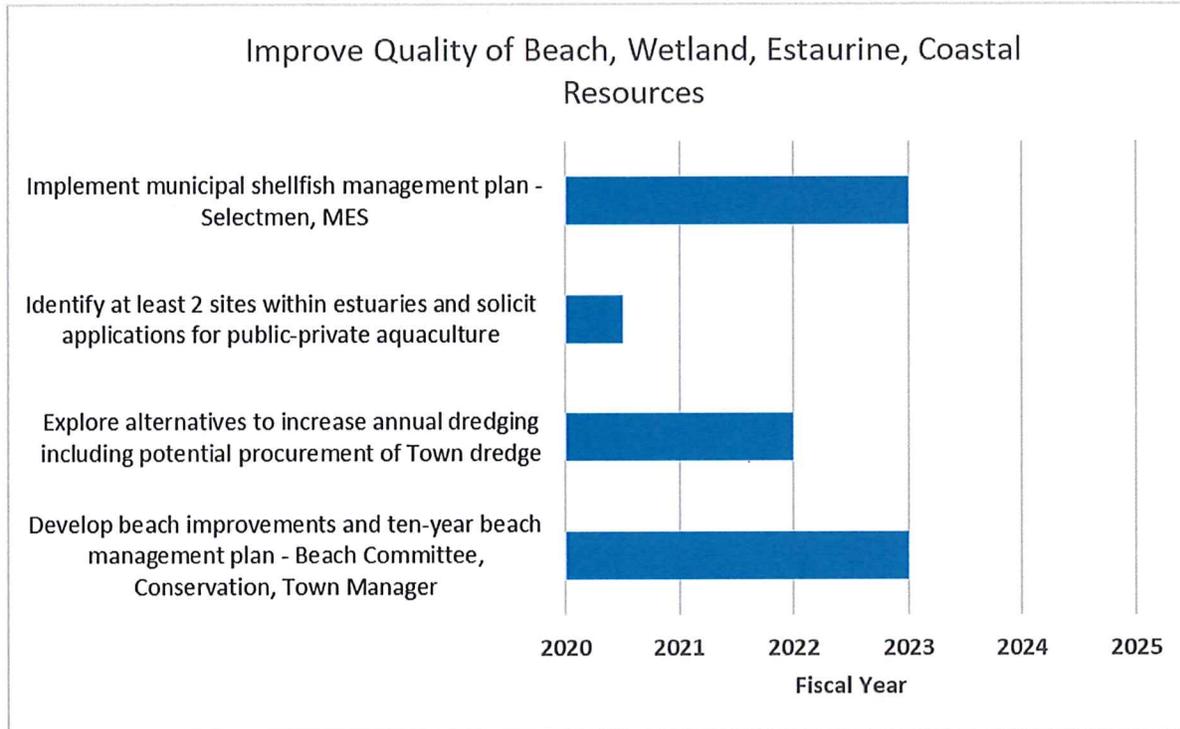
- 1) Adopt Coastal Resiliency Action Plan on recommendation of Coastal Resiliency Action Committee.
- 2) Pursue Community Rating System.
- 3) Develop a policy to prioritize and protect public infrastructure.



## B. Improve the Quality of Beach, Wetland, Estuarine and Other Coastal Resources

### Action Steps:

- 1) Implement municipal shellfish management plan.
- 2) Identify at least 2 sites within estuaries and solicit applications for public-private aquaculture partnership.
- 3) Explore alternatives to increase annual dredging including potential procurement of Town dredge.
- 4) Develop beach improvements and ten-year Beach Management Plan.

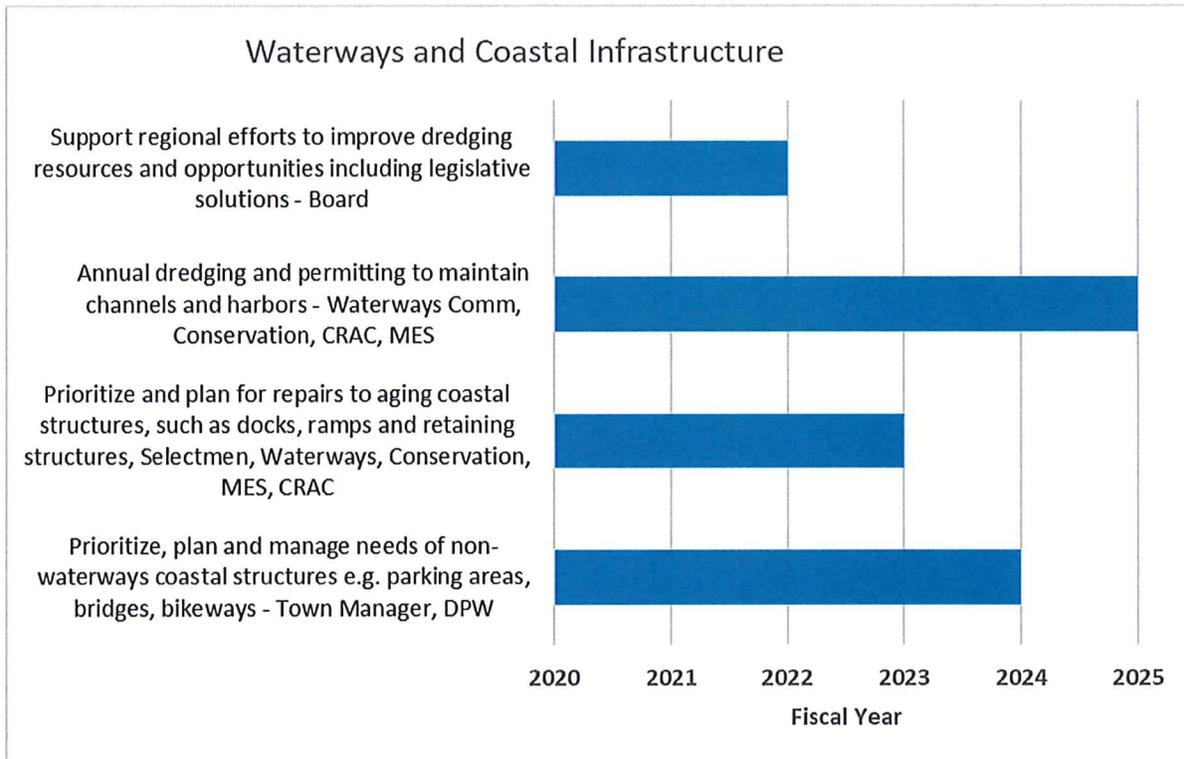


## C. Improve Waterways and Coastal Infrastructure

### Action Steps:

- 1) Support regional efforts to improve dredging resources and opportunities including legislation that reduces time of year restrictions.
- 2) Continue annual dredging and associated permitting to maintain channels and harbors.

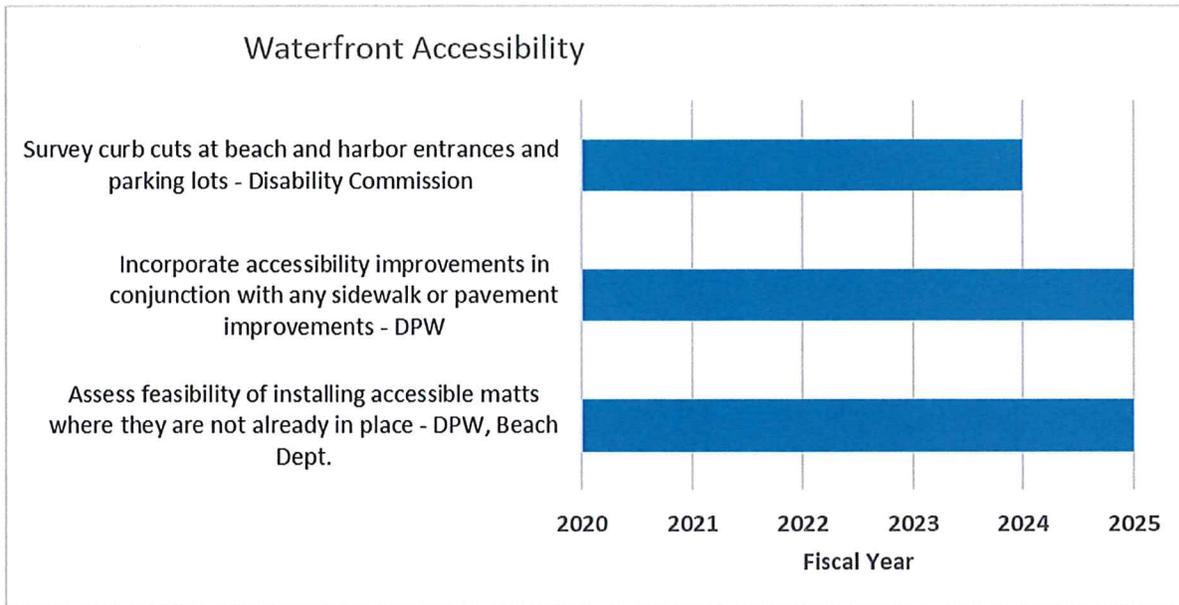
- 3) Prioritize and plan for repairs to aging coastal structures, such as docks, ramps and retaining structures.
- 4) Prioritize, plan and manage needs of non-waterways coastal structures, such as parking areas, bridges, bikeways, Trunk River sewer, etc. and other non-waterways retaining structures.



#### D. Improve Accessibility of Waterfront Areas

Action Steps:

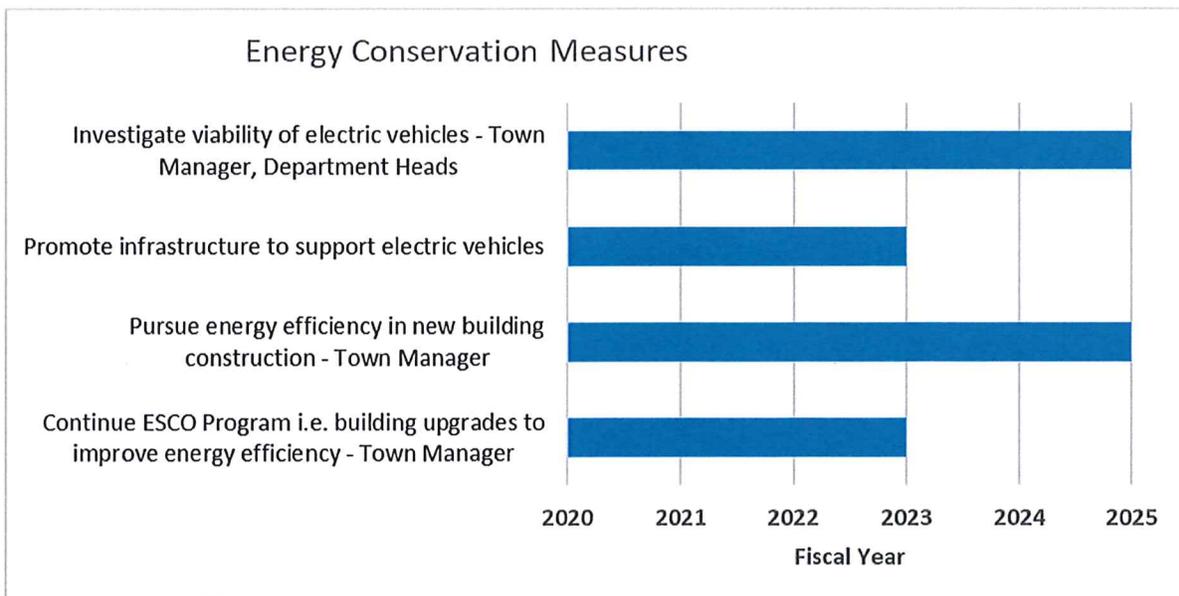
- 1) Survey curb cuts at beach and harbor entrances and parking lots.
- 2) Incorporate accessibility improvements in conjunction with any sidewalk or pavement improvements.
- 3) Assess feasibility of installing accessible mats where they are not already in place.



## IV. Resource Conservation and Management

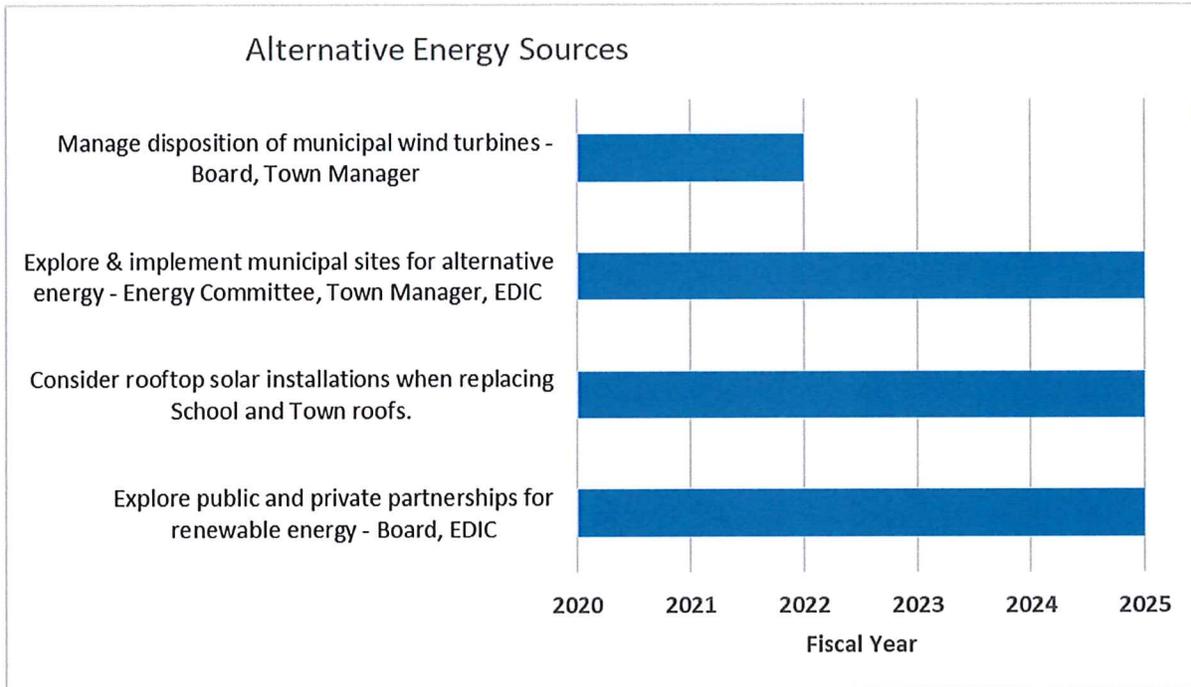
### A. Implement Energy Conservation Measures

- 1) Continue ESCO and related programs – i.e. building upgrades to improve energy efficiency.
- 2) Pursue energy efficiency in new building construction.
- 3) Promote infrastructure to support electric vehicles.
- 4) Investigate viability of electric vehicles when replacing municipal vehicles.



B. Alternative Energy Sources

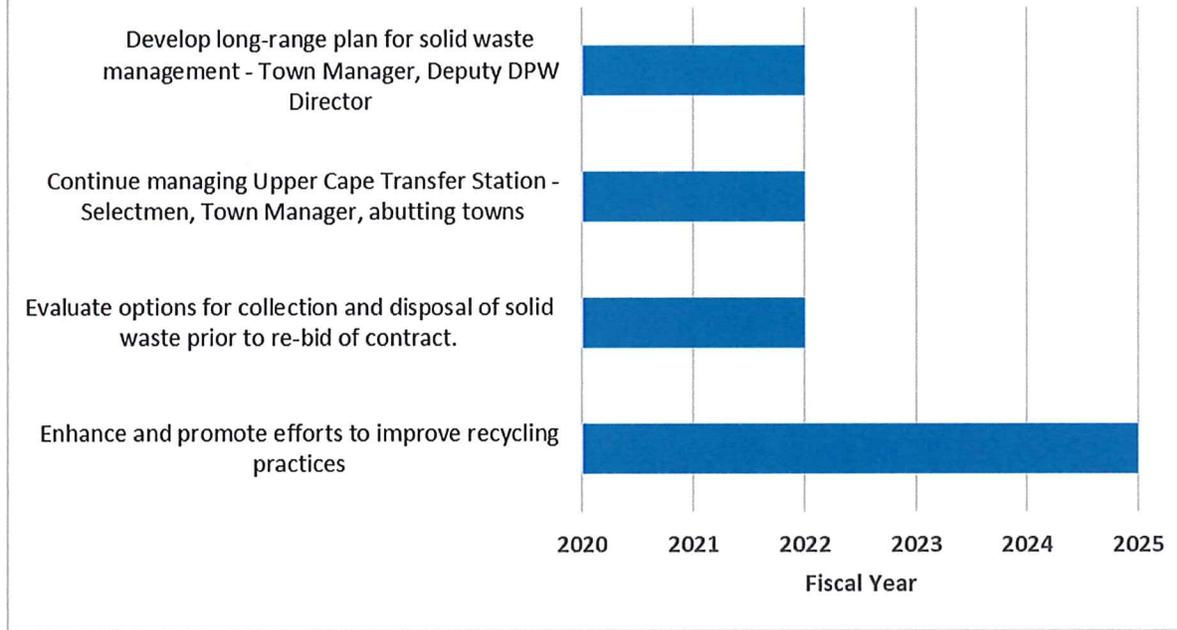
- 1) Manage disposition of municipal wind turbines.
- 2) Explore & implement municipal sites for alternative energy.
- 3) Consider rooftop solar installations when replacing School and Town roofs.
- 4) Explore public and private partnerships for renewable energy.



C. Solid Waste Management

- 1) Develop long-range plan for solid waste management.
- 2) Continue managing Upper Cape Regional Transfer Station.
- 3) Evaluate options for collection and disposal of solid waste prior to re-bid of contract.
- 4) Enhance and promote efforts to improve recycling practices.

## Solid Waste Management



## V. Water and Wastewater 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 the new Water Filtration Plant and the nearly completed Little Pond Sewer Service System. These systems, planned for more than twenty years, will improve coastal and potable water quality and will require necessary increases in staffing and resources to support operations. 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 goals within this strategic priority area are to:**

#### A. Implement the Town of Falmouth's Comprehensive Wastewater Management Plan

##### Action Steps:

- 1) Manage and evaluate the implementation of CWMP and construction of sewer service area.
- 2) Support staffing initiatives to assist property owners in the LPSSA.
- 3) Implement, develop and promote funding plan for CWMP including regular review and update of sewer rates.
- 4) Develop long-range plan for other coastal ponds and waterways utilizing knowledge gained from CWMP.
- 5) Assess and plan for Stormwater Management Plan in compliance with new EPA regulations.
- 6) Monitor and provide input to the Town representative to the CCI Water Protection Fund Management Board.

## Comprehensive Wastewater Management Plan

Manage and evaluate the implementation of CWMP and construction of sewer service area - Town Manager, Water Quality Management Committee

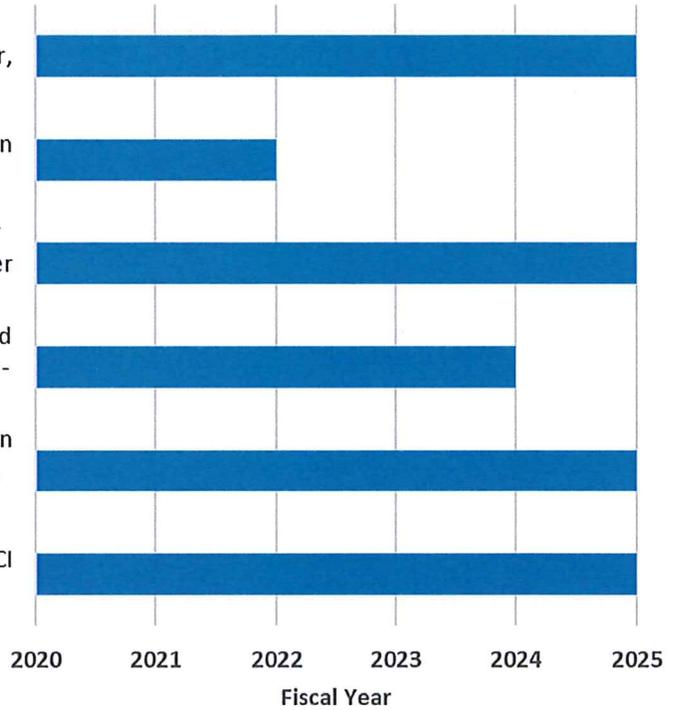
Support staffing initiatives to assist property owners in the LPSSA- Selectmen, Town Manager

Implement, develop and promote funding plan for CWMP including regular review and update of sewer rates - Selectmen

Develop long-range plan for other coastal ponds and waterways utilizing knowledge gained from CWMP - Selectmen, Waterways Comm, Conservation, etc.

Assess and plan for Stormwater Management Plan in compliance with new EPA regulations - Selectmen, Town Manager, DPW

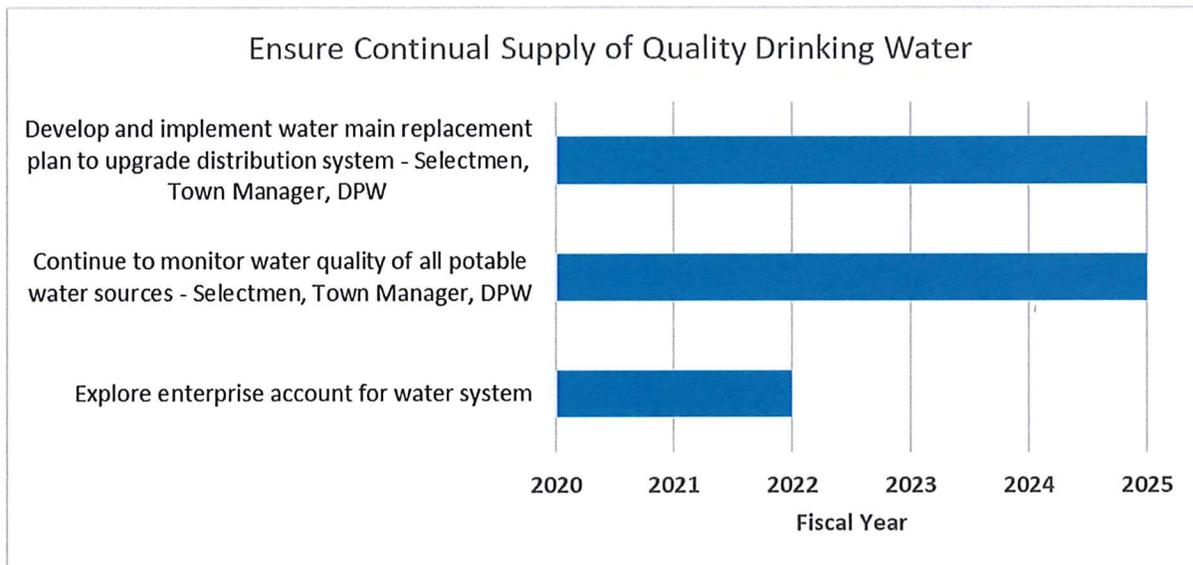
Provide input to the Town representative to the CCI Water Protection Fund Management Board



B. Ensure Continual Supply of Quality Drinking Water

Action Steps:

- 1) Develop and implement water main replacement plan to upgrade distribution system.
- 2) Continue to monitor water quality of all potable water sources.
- 3) Explore enterprise account for water system.

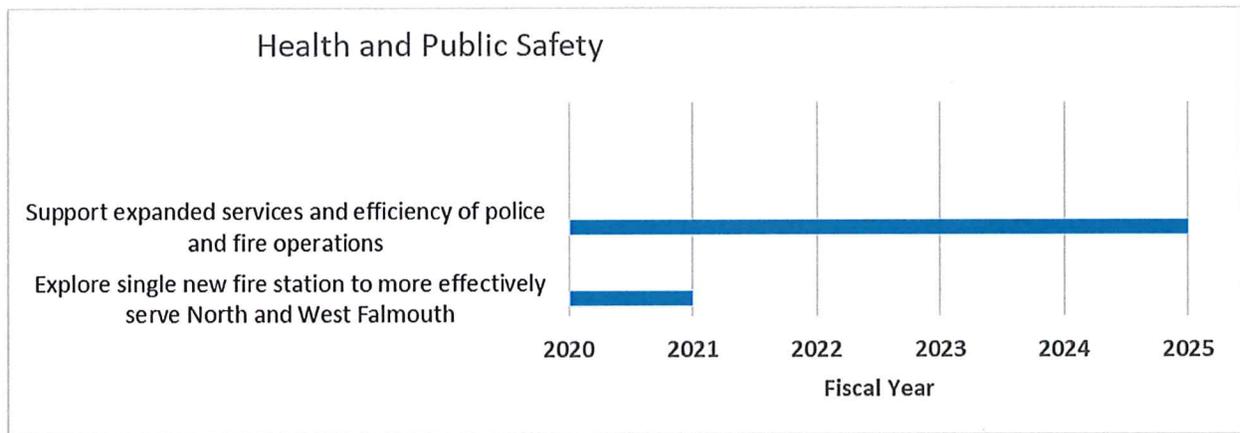


## VI. Health and Public Safety

Public Health and Safety are fundamental governmental functions. In this planning area the Board will develop goals to address town wide issues of concern including, a coordinated response to the Opiate use epidemic in our Town and nation and revising and updating the Falmouth Emergency Management Plan. 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 goals within this strategic priority area are to:

- A. Collaborate among departments to respond to substance use crisis including opiate use.
- B. Monitor and address emerging issues in connection with expansion of sober houses.
- C. Review and update Local Emergency Management Plan.
- D. Continue to enhance public safety services town wide.
- E. Consider land acquisition for new Fire station based on consultant study and public input to evaluate potential locations for station to more effectively serve North Falmouth and West Falmouth.



### Action Steps:

- 1) Explore single new fire station to more effectively serve North and West Falmouth
- 2) Support expanded services and efficiency of police and fire operations



# Town of Falmouth

**JENNIFER MULLEN**  
**DIRECTOR OF FINANCE**

59 Town Hall Square, Falmouth, Massachusetts 02540  
(508) 495-7353 Fax (508) 457-2511

TO: Julian M. Suso, Town Manager

FROM: Jennifer Mullen, Finance Director  
Patty O'Connell, Treasurer/Collector

DATE: October 25, 2019

RE: Refinancing Opportunity

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There may be an opportunity for the Town to refinance a portion of its debt. In a preliminary analysis performed by the Town's Financial Advisor, Hilltop Securities, the Town could save approximately \$1M over the next ten years. The issues being examined have interest rates between 3.6% and 5.0%. According to the current analysis, the Town would receive a net interest rate of 2.20. The following are the two bond issues to be refinanced:

<u>Bond Issue</u>	<u>Purpose</u>	<u>Principal Amount to be Refunded</u>	<u>Estimated Budgetary Savings</u>
7/15/2009	Various	\$2,575,000	\$200,000
3/1/2010	Various	\$9,280,000	\$780,000

Please note that the opportunity for savings could change if the interest rates fluctuate significantly before the time we close in the next eight weeks. In addition, we will only refinance the Town's debt if there is a savings in every year for the remainder of the issues.

If the Board is in agreement with the potential refinancing we would recommend the following vote:

**Voted: That, in order to save interest costs, the Treasurer is authorized to provide for the sale and issuance of bonds under G.L. c. 44, Section 21A, to refund all or any portion of the remaining principal of and redemption premium and interest on the Town's General Obligation Bonds dated July 15, 2009 and March 1, 2010 and that for this purpose the Treasurer is authorized to provide for the preparation and distribution of a Preliminary Official Statement; provided, however, that no bonds shall be issued under this vote unless and until the final interest rates and other terms of the refunding bonds are approved by the Board.**

As the vote indicates the refinancing is subject to final approval when the details of the refunding bonds are determined. We are scheduled to present the analysis on December 9.

Thank you for your consideration.

**Board of Selectmen  
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 Board of Selectmen. 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.

## **BOS 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 Board of Selectmen. 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.



To the Board of Selectmen for the Town Of Falmouth,

I was before you on October 7, 2019, with a request for a special event permit for the 20th Annual Chris Wetherbee Memorial Toy Run. I write you today to request a waiver of the special event permit fee for this ride. This event is put on for the benefit of the children in Falmouth, and the rest of Cape Cod whose families receive assistance from the Housing Assistance Corporation of Cape Cod and the Islands. My family and I have organized this ride for many years. We request donations from area businesses, other riders, or our friends/family for raffle prizes. We have friends and family volunteer to work and promote the event. The Navigator and the Eagles are both donating the spaces for us to use. Administrative expenses, and the like are covered by the family. As a result, I am requesting a waiver of the special permit fee. Thank you for your consideration regarding this event.

Kind Regards,   
Tammy Baptiste  
Coordinator - Chris Wetherbee Memorial Toy Run  
152 Palmer Avenue  
Falmouth, MA 02540  




**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

EVENT NAME Chris Wetherbee Memorial Toy Run

NAME Tammy Baptiste

MAILING ADDRESS 152 Palmer Avenue, Falmouth, MA 02540

EVENT DAY & DATE Sunday, November 3, 2019

RAIN DATE None.

EVENT LOCATION Buzzards Bay to Navigator, Ashumet Rd., Falmouth

EVENT TYPE Fundraiser Motorcycle Ride

SET-UP ARRIVAL TIME \_\_\_\_\_ EVENT HOURS 8:30 a.m. – 12:00 p.m.

NUMBER OF ATTENDEES 100+ # OF VEHICLES 100+

ADDITIONAL DETAILS Motorcycle ride from Eagles Hall in Buzzards Bay to the Navigator at 55 Ashumet Rd., E. Falmouth. Route map attached. Charity toy drive to benefit the children of Cape Cod.

**CONDITIONS:**

1. Organizers to instruct riders at start of ride to keep noise level down.
2. Organizers to check the ride route to ensure that no litter or debris is left behind.

PERMIT FEE \$200.00 FILING FEE \$10.00

DEPOSIT \$300.00 (Refundable at conclusion of event provided that no litter or damage has occurred)

**BOARD OF SELECTMEN:**

[Signature]  
Douglas  
[Signature]

[Signature]  
[Signature]

20th Annual Chris Wetherbee Memorial Toy Run  
Benefiting the Children of Cape Cod &  
20 Years of Honoring Chris Wetherbee



SUNDAY, NOVEMBER 3, 2019

Registration 8:30 to 10:00 A. M.

At Eagles Hall, 30 Cohasset Avenue, Buzzards Bay

Leaving at 11:00 A.M. Sharp

**\*\*Riding to the Navigator\*\*\***

**\*\*\*\*55 Ashumet Rd, East Falmouth\*\*\*\***

**\*\*\*\*\* New End Location and New Ride Route\*\*\*\*\***

Donations \$10 per person or a new unwrapped toy  
(Please no stuffed animals or violent toys)

If unable to make the ride toys can be dropped off at:  
Cape Cod Harley, 750 MacArthur Blvd, Pocasset, or  
615 Main St., Hyannis

To Make a Donation or for more information please contact:  
Tammy Baptiste @ [chriswetherbeetoyrun@gmail.com](mailto:chriswetherbeetoyrun@gmail.com) or  
(508)648-1025; Joe Wetherbee @ [csawce2004@yahoo.com](mailto:csawce2004@yahoo.com) or  
(508)776-4548; or Clarissa Wetherbee @ (774)392-2164

Falmouth Housing Authority

1 vacancy (due to the resignation of Holly Wilson)

- Term until the next annual Town election

1 applicant:

- Robert P. Mascali, Esq.



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

If you are interested in serving the Town of Falmouth in any capacity, please fill out this form and mail it to: The Board of Selectmen, Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA 02540. Information received will be available to all Town Boards and Officials, although the filling out of this form does not assure appointment. If selected for an interview, you may wish to submit a resume or additional information. This form and a listing of all boards and committees can be found on the Falmouth website: www.falmouthmass.us.

Name: ROBERT MASCALI

Address: 38 ORBOW ROAD Village: TEATICKET ZIP: 02536

Mailing Address: SAME Village: \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 3yr (date: 3/16) / Taxpayer 8yr (date: 10/11)

Amount of time you are available to give: 10 hours per month

Town Committee, Board or Commission you are interested in serving on:

1. FALMOUTH HOUSING AUTHORITY
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? no

Relevant affiliation and work and personal experiences As an attorney and trustee with a number of clients/beneficiaries with disabilities, I work closely on affordable housing issues

Town offices held in Falmouth or elsewhere and dates of years served: COMMISSION ON DISABILITIES (2015-2019); CABLE TV ADVISORY COMMITTEE (6/2019 - Present)

Briefly describe the particular skills you feel you will add to the committee or board: \_\_\_\_\_

Familiarity with Section 8, Affordable  
Housing, Public Benefit eligibility,  
ADA issues

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>SAM PATTERSON</u>	<u>Member BOS</u>	<u>[REDACTED]</u>
2.	<u>Bill Hough</u>	<u>Editor The Enterprise</u>	<u>[REDACTED]</u>
3.	<u>MIKE KASPARIAN</u>	<u>-CEO, Falmouth Chamber</u>	<u>[REDACTED]</u>

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Board of Selectmen's Appointment Policy and read the material provided.

8/20/2019  
DATE

[Signature]  
APPLICANT'S SIGNATURE

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.

**Diane Davidson**

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**From:** robert mascali [REDACTED]  
**Sent:** Tuesday, October 08, 2019 4:10 PM  
**To:** Diane Davidson  
**Subject:** Re: Invitation to Interview for Falmouth Housing Authority

I will there  
Thank you

Sent from my iPhone  
Robert P. Mascali, Esq.  
194 Old Main Road  
North Falmouth MA 02556  
[REDACTED]

On Oct 8, 2019, at 3:01 PM, Diane Davidson <[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)> wrote:

Dear Robert,

We have received your application expressing interest in serving as a member of the Falmouth Housing Authority. The Board of Selectmen (together with the Falmouth Housing Authority) invites you to appear for an interview on Monday, October 28, 2019 at 7:00 p.m. in the Selectmen's Meeting Room, Falmouth Town Hall.

Please confirm that this date and time are possible for you.

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  
[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)  
(508) 495-7321*

**Diane Davidson**

---

**From:** Michael Palmer  
**Sent:** Thursday, July 25, 2019 12:02 PM  
**To:** Bobbi Richards; Trisha Favulli; Julian Suso  
**Cc:** Frank Duffy; Diane Davidson  
**Subject:** Housing Authority Vacancy  
**Attachments:** MGL Ch41 Sec. 11.docx

Good Morning,

I have received the resignation of Holly Wilson from the Falmouth Housing Authority effective as of July 20, 2019. The Housing Authority is composed of four elected Commissioners for terms of five years and one Commissioner appointed by the State. The present State Appointed Commissioner is also vacant at this time.

According to M.G.L. Chapter 41, Section 11, the following is required to fill the vacancy:

1. The remaining Housing Authority Commissioners shall give written notice within one month of the vacancies to the Board of Selectmen.
2. The remaining members of the Housing Authority and the Board of Selectmen shall, after one week's notice, fill such vacancies by roll call vote.
3. The Selectmen shall fill such vacancies if the Housing Authority fails to give said notice within the time herein specified.
4. A majority of the votes of the officers entitled to vote shall be necessary.
5. The person appointed shall be a registered voter of the town.
6. The person appointed shall perform the Housing Authority duties until the next annual town election.

Regards,

*Michael*

**Michael Palmer, CMC/CMMC**  
Falmouth Town Clerk  
NEW EMAIL ADDRESS  
[michael.palmer@falmouthma.gov](mailto:michael.palmer@falmouthma.gov)  
508-495-7353

**MGL Ch. 41 Sec.11** Appointment to fill vacancy in town office

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

Falmouth Enterprise 8/9/19



# TOWN COMMITTEE VACANCIES

The Falmouth Board of Selectmen has announced  
the following vacancies on Town committees:

Committee	Term Until
Affordable Housing Committee (1 position)	6/30/22
Bicycle and Pedestrian Committee (1 position)	6/30/22
Board of Assessors (1 position)	6/30/21
Board of Survey (2 positions)	6/30/21
Coastal Pond Management Committee (3 at-large positions)	6/30/22
Commission on Disabilities (2 positions)	6/30/20
Commission on Substance Use (1 position)	6/30/20
Conservation Commission (1 alternate position)	6/30/22
Council on Aging (1 position)	6/30/22
Cultural Council (2 positions)	6/30/22
EDIC (1 position)	6/30/22
Energy Committee (1 position)	6/30/20
Falmouth Housing Authority (1 position)	Next annual Town election
Golf Advisory Committee (1 position)	6/30/22
Historical Commission (1 alternate position)	6/30/21
Human Services Committee (1 position)	6/30/22
Sign Review Committee (4 full positions, 2 alternate positions)	6/30/20, 6/30/21 & 6/30/22
Solid Waste Advisory Committee (1 position)	6/30/22

Applications are available on the Town website [www.falmouthmass.us](http://www.falmouthmass.us), or in the Office of the Board of Selectmen, 59 Town Hall Square, Falmouth. Please submit applications to the Office of the Board of Selectmen by Friday, August 23, 2019.

**Diane Davidson**

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**From:** Trisha Favulli  
**Sent:** Wednesday, October 23, 2019 11:26 AM  
**To:** Diane Davidson  
**Subject:** RE: Invitation to Interview Applicant to the Falmouth Housing Authority

I will attend along with Sari Budrow and Linda Howard.  
I may have one other that will attend but he has not confirmed.

Thank you

**From:** Diane Davidson  
**Sent:** Wednesday, October 23, 2019 10:45 AM  
**To:** Trisha Favulli <trisha.favulli@falmouthma.gov>  
**Subject:** Invitation to Interview Applicant to the Falmouth Housing Authority

Hi Trisha,

Just a note to confirm that the interview of the candidate, Robert Mascali, for the position on the Falmouth Housing Authority is scheduled for Monday, October 28, 2019 at 7:00 p.m. in the Selectmen's meeting room, Town Hall. Robert Mascali has confirmed that he will attend. Please confirm that members of the Falmouth Housing Authority will be in attendance for the interview.

Thank you,

Diane

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Hi Trisha,

Would you please extend an invitation to the members of the Falmouth Housing Authority to attend the Board of Selectmen's meeting on Monday, October 28, 2019 at 7:00 p.m. in the Selectmen's Meeting Room, Town Hall, to interview, vote and appoint a member to the Falmouth Housing Authority.

We have received one application for this vacant position, and a copy is attached.

Please confirm that a majority of the members are available to attend.

Thank you,

Diane

*Diane S. Davidson  
Office Manager/Licensing  
Office of the Town Manager and Selectmen  
Town of Falmouth*

## **Beach Superintendent's Post-Storm Report**

*Regarding the October 17, 2019 Nor'easter*

Many beaches sustained heavy erosion and structural damage. Menauhant West Beach sustained the most damage, while Surf Drive Beach, Bristol Beach, Old Silver Beach and Falmouth Heights all lost large amounts of sand. I believe it is time to prioritize the protection of our beaches, coastal roads, and barrier ponds now, and in the near future, with winter storm season right around the corner.

The following is a beach-by-beach survey with some site-specific recommendations:

**Menauhant West Beach** is near extinction. The narrow part of the parking lot is only 25 ft. from the tide line to the road. This same area measured 39 ft. from the water line to the road in early June 2019. The West dune was swept away, as was much of the parking lot. The old bridge and the old foundation are completely exposed. Dunes to the far west of the beach lost so much sand as to put Foster Rd. in jeopardy.

*Recommendations:*

- Nourish beach from the channel to the west end property line with winrows of sand
- Replace the dune in the parking lot
- Begin funding for the removal of the foundation and old bridge
- Remove all electrical lines from the lot

**Bristol Beach** suffered some damage to the wooden bridge. This beach tends to accrue sand and should take care of itself.

*Recommendations:*

- Clean parking lot and put sand back onto the beach
- Repair the bridge and spread sand blown into the channel

**Falmouth Heights Beach** lost a quarter of its sand. The groins(jetties) helped mitigate further sand loss. Much of the sand was trapped at the rear & east ends against the seawall.

*Recommendations:*

- Spread/pull sand trapped against the wall away from the wall. If not, sand will be lost into the road and onto the grass
- Put snow fencing up as soon as possible to prevent wind-blown sand loss

**Surf Drive Beach** lost 2-2.5 ft. in elevation, particularly around the Kiddie Pool and the Ellen T. Mitchell Bathhouse, as well as the Mill Rd. end of the beach. Seawater did blow under the doors and into the bathhouse.

*Recommendations:*

- Nourish Kiddie Pool area to protect the parking lot
- Nourish around the Ellen T. Mitchell Bathhouse to protect the building
- Nourish west of the channel to protect the road
- Put sand from the road back on the beaches
- Spread sand removed from the plugged channel
- Raise height of the dunes to 8-12 ft. to protect the road

**Old Silver Beach** suffered sand loss along with some fencing. Beach width was reduced by half. Northwest winter storms should bring some sand back before next summer.

*Recommendations:*

- Leave seaweed to protect the beach shoreline
- Clean parking lot and replace sand back onto the beach
- Install snow fencing as quickly as possible

**Chapoquoit Beach** lost some sand. However, most of the sand is against the rear wall. Lifeguard stand was blown into the water and currently resides on the rocks.

*Recommendations:*

- Pull sand away from wooden wall
- Install snow fencing
- Retrieve lifeguard stand and bring to Beaches Maintenance Shed at DPW for repair

**Woodneck Beach** lost a lot of sand. Dune was encroached upon somewhat. Beach elevation was reduced by 18 in., along with reduced beach width.

*Recommendations:*

- Install snow fencing
- Augment the dune

**M.B.L.'s Stony Beach**, which we staff seasonally, is not in the town's jurisdiction.

**Menauhant East, Grew's Pond in Goodwill Park, and Megansett Beach** were not negatively impacted by the storm

In summary, I suggest calling a meeting to develop plans for short-term and long-term solutions to protect beaches, roads and barrier ponds. The town should also immediately work to establish "Beach Profiles" to better track sea level-rise and mark current elevations. If plans already exist, the departments involved ought to consider reviewing them in wake of the bomb cyclone's damage. It is a given that Mother Nature will eventually win out, however, I would like to defend our resources as long as possible. Putting 8 of our 10 public beaches back online will take money and interdepartmental cooperation. I look forward to working as a team to save our beaches.

**Diane Davidson**

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**From:** Julian Suso  
**Sent:** Thursday, October 24, 2019 10:56 AM  
**To:** Jennifer Mullen  
**Cc:** Peter Johnson Staub; Diane Davidson  
**Subject:** RE: Post-Storm Beach Report

Thank you Jennifer. Most helpful information to provide to the BOS as part of the Board's Friday packet. I am copying Diane Davidson for this purpose.

Julian

**From:** Jennifer Mullen <jennifer.mullen@falmouthma.gov>  
**Sent:** Thursday, October 24, 2019 10:42 AM  
**To:** Julian Suso <julian.suso@falmouthma.gov>  
**Cc:** Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>  
**Subject:** Post-Storm Beach Report

Hi Julian,

In response to Bruce's report, the Town has addressed some of these items in the capital plan to be funded at Town Meeting. The Town requested approx. \$1.5M in capital improvement funds for coastal erosion repair to protect the west beach at Menauhant as well as Menauhant Road and the water main within the road. \$935,000 of these funds are dedicated to beach nourishment. Also, \$800k has been allocated for coastal erosion repair along Chaopoquoit Road. The Town recently completed phase 1 of this project.

In addition, the Town requested \$12,000 for beach profile surveys that Bruce mentioned as a need in his report and \$25,000 is allocated every year in the beach budget for beach nourishment.

Thank you.

Jennifer Mullen  
Director of Finance  
Town of Falmouth  
(508) 495-7364

**Town of Falmouth  
Board of Selectmen  
NAMING POLICY FOR PUBLIC FACILITIES AND PLACES  
Adopted, December 6, 2010**

**Policy:**

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

**Guidelines:**

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

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

The Board shall consider naming based upon:

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

**Procedure:**

8/20/18 ✓  
① In order to avoid personal or collective prejudice, favoritism, political pressure and/or temporary popularity, the Board shall take no action on an application to name a public facility or place for a period of at least one (1) year following submission of said application;

9/9/19  
② After the waiting period has elapsed, a subcommittee of two (2) selectmen shall seek the input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named or renamed, and hold a public hearing to seek input from the community;

9/23/19  
③ The recommendation of the subcommittee shall be considered and voted by the full Board of Selectmen in an open regular meeting. Naming the public facility or place shall require a vote of four (4) members of the Board of Selectmen;

10/28/19  
④ Changing the name of a public facility or place already named shall require a vote of four (4) members of the Board of Selectmen AND a two-thirds vote of Town Meeting.

**Eligibility:**

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

**Exceptions:**

Exceptions to this policy shall be made for:

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



## **FALMOUTH FIRE RESCUE DEPARTMENT**

**MICHAEL F. SMALL**  
CHIEF OF DEPARTMENT

**399 MAIN STREET**  
FALMOUTH, MA 02540  
PHONE: 508-495-2500  
FAX: 508-495-2519

**TIMOTHY R. SMITH**  
DEPUTY CHIEF

**SCOTT J. THRASHER**  
DEPUTY CHIEF

August 16, 2018

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

Re: Paul D. Brodeur Emergency Operations Center

Dear Board members:

The Falmouth Fire Rescue Department and the members of the Local Emergency Planning Committee respectfully request your acceptance of this letter as an official application under the Town of Falmouth Naming Policy for Public Facilities and Places. We ask that this letter serve to begin the process of naming our Emergency Operations Center (EOC) in memory of our former Fire Chief Paul D. Brodeur, who died on January 20, 2017.

Chief Brodeur joined the Falmouth Fire Department in 1976, rising through the ranks until he was named Chief in 1996. Throughout his 34 plus years, he dedicating his career to serving and protecting the community of Falmouth and its residents in the areas of firefighting, and emergency medical services and emergency preparedness. During his 14-year tenure as Chief, he was instrumental in bringing about a new addition to the Main Street fire station necessary to meet the growing needs on the Town's fire suppression and medical rescue services. He also played a key role in renaming the department to accommodate and include the rescue function, which he fostered to become a top-rate advanced life support operation.

Chief Brodeur established the town's Local Emergency Planning Committee (LEPC), which was the first on Cape Cod to received Full Certification status from the Department of Homeland Security. He served as Chairman of the LEPC from 2004 until he retired from the Department in 2010. It is through his diligence that the Town has a comprehensive Hazardous Emergency Response Plan. He was also the driving force behind the design, location and operational procedures of our EOC, which serves as the communications center for all town departments during all natural and man-made disasters.

Other Cape communities, the Barnstable County Regional Emergency Planning Committee and the Massachusetts Emergency Management Agency through their many accolades, have recognized Chief Brodeur' s dedication and foresight in the area of emergency preparedness. We would like to memorialize the contributions he has made to the community of Falmouth and hope to receive your support in this endeavor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Small". The signature is fluid and cursive, with a prominent loop at the end.

Michael F. Small  
Fire Chief



## **FALMOUTH FIRE RESCUE DEPARTMENT**

**MICHAEL F. SMALL**  
CHIEF OF DEPARTMENT

399 MAIN STREET  
FALMOUTH, MA 02540  
PHONE: 508-495-2500  
FAX: 508-495-2519

**TIMOTHY R. SMITH**  
DEPUTY CHIEF

**SCOTT J. THRASHER**  
DEPUTY CHIEF

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

Re: Donation Account spending approval

Dear Board members:

The Falmouth Fire Rescue Department respectfully requests your approval to utilize \$4,100.00 from our Donation Account to purchase a bronze Memorial Plaque and door signs for the upcoming naming ceremony of our Emergency Operations Center (EOC).

During our September 27<sup>th</sup> Local Emergency Planning Committee (LEPC) meeting the EOC will be officially named The Paul D. Brodeur Emergency Operations Center, in honor of our former Fire Chief, who formed our Town's LEPC and was instrumental in the design, location and operational procedures of our EOC. Additionally, Chief Brodeur dedicated more than three decades to providing emergency medical services and fire protection to our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michale F. Small". The signature is fluid and cursive, with a large loop at the end.

Michale F. Small  
Fire Chief

# Draft Comprehensive Wastewater Management Plans

## Update For the Little Pond, Great Pond, Bournes Pond, Eel River & Waquoit Bay, West Falmouth Harbor and Oyster Pond Watersheds

Presented to the Board Of Selectmen by the Water Quality Management Committee, Department Of Public Works and GHD

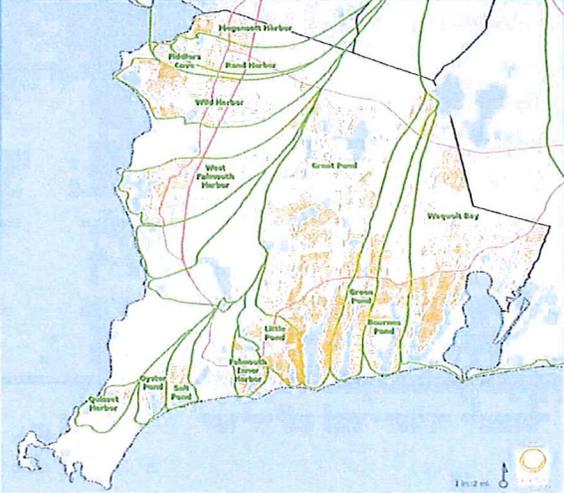
September 16, 2019

1

### Why Do A Comprehensive Wastewater Management Plan?

Falmouth has more coastal estuaries than any other town in Massachusetts.

Fifteen of the Town's estuaries were studied by UMass Dartmouth School of Marine Science and Technology's (SMAST) Massachusetts Estuaries Project (MEP) and were found to be impaired.



2

## Why Just These Estuaries?

In the early 1990's, the Board of Selectmen decided to prioritize the five South Coast estuaries – **Little Pond, Bournes Pond, Great Pond, Green Pond, Waquoit Bay & Eel River.**

Town Meeting added a CWMP for **Oyster Pond** to the priority list in 2011.

Massachusetts Department of Environmental Protection (DEP) required the inclusion of **West Falmouth Harbor** in 2014.



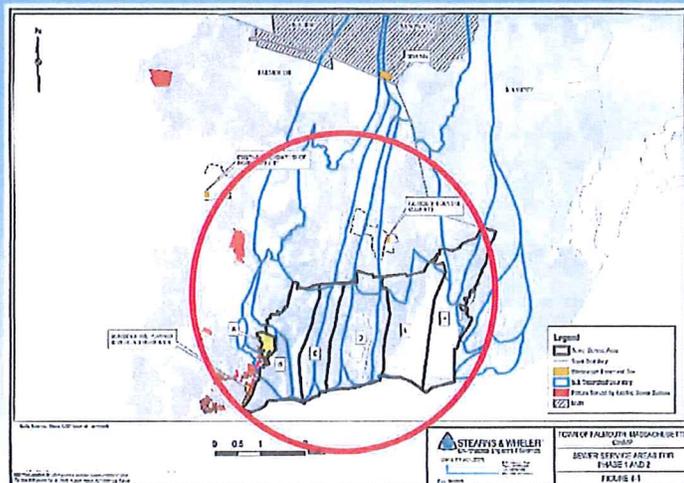
3

## \$600,000,000 Sewering Plan REJECTED by the Town in 2009

The Selectmen appointed a review committee in 2009.

Town Meeting created the Water Quality Management Committee (WQMC) in 2011.

The mandate of the WQMC: study and demonstrate alternatives to sewers and recommend sewerage only where most cost effective.



4

## Why Update the Comprehensive Wastewater Management Plan Now?

In 2014, the Massachusetts Environmental Policy Agency (MEPA) and the MA Department of Environmental Protection (DEP) approved the Town's most recent CWMP, with a requirement that an update (a/k/a 'Notice of Project Change') be filed by the end of 2019 to review:

- progress in the past five years
- goals for the next five years and beyond

5

### In the PAST five years...

#### The Eco-toilet Demonstration Project

Mailings were sent to 20,000 households offering a \$5,000 incentive grant to install an eco-toilet.

170 interested homeowners responded; 50 site visits; 9 installed eco-toilets (2 subsequently replaced them with traditional toilets).

1,350 properties in Little Pond Sewer Service Area were offered a betterment waiver to install an eco-toilet. None did.

Project conclusion: insufficient consumer acceptance.



6

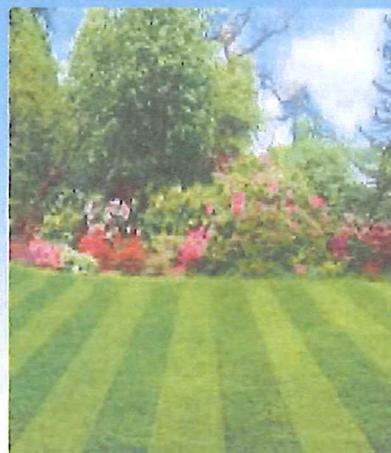
In the PAST five years...

### Nitrogen Reduction From Fertilizer Bylaw Initiative

Falmouth passed the toughest fertilizer control bylaw in Massachusetts in 2013, banning any fertilizer application within 100 feet of an estuary.

Each year a letter from Department of Marine and Environmental Services goes out to all property owners subject to this ban and is posted at all stores where fertilizer is sold.

The Conservation Commission includes these restrictions as a standard part of their Order of Conditions.



7

In the PAST five years...

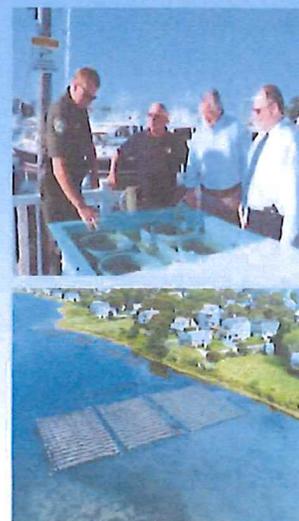
### Nitrogen Reduction Using Shellfish Aquaculture

Propagated over 3 million oysters from seed in Little Pond.

Demonstration projects on aquaculture techniques, growth rates, nitrogen sequestration, and denitrification rates in Bourne Pond and Waquoit Bay.

Established an oyster reef in West Falmouth Harbor.

Draft Aquaculture Plan identified potentially suitable areas for shellfish aquaculture.



8

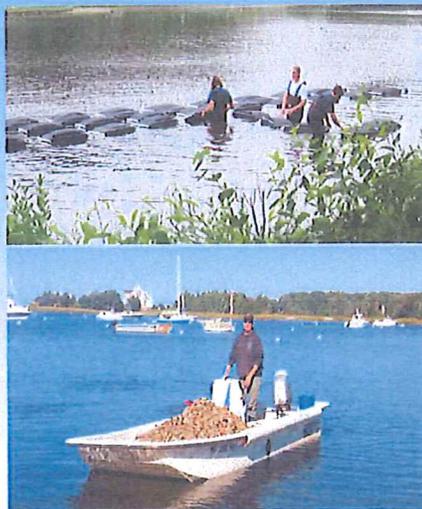
In the PAST five years...

## Eel River Aquaculture Pilot Project Now Underway

Worked with the Shellfish Advisory Committee established by the Selectmen in 2018.

Request for Proposals (RFP) issued for private aquaculture on three half-acre sites on Eel River, contracts awarded.

Minimum nitrogen reduction performance to be required from each grower.



9

In the PAST five years...

## Nitrogen Reduction Through Inlet Widening

MEP estimates that 50% of the needed nitrogen reduction in Bournes Pond can be achieved through increased flushing from inlet widening. This is equivalent to sewerage 400 homes.

Projected nitrogen removal from increased flushing and aquaculture will allow for not sewerage the Menauhant peninsula.

Town Meeting voted project funding in 2014, all permits were received in 2019.

Department of Public Works (DPW) recommends bridge construction in conjunction with Menauhant Road project.



10

**In the PAST five years...**

**Developing Innovative / Alternative Nitrogen Reducing Septic Systems (I/A's)**

Current State-approved systems only reduce nitrogen by approximately 50% (19 mg/L).

Falmouth's goal is to find systems that achieve a 75% reduction of nitrogen (10 mg/L).

Falmouth and Buzzards Bay Coalition joint project in West Falmouth Harbor installed 25 I/A's, now being monitored by the Barnstable County Alternative Test Systems Center.



11

**In the PAST five years...**

**Nitrogen Reduction Through Sewering Little Pond Watershed**

In 2014, Falmouth voted \$40 million to sewer 1,350 Little Pond properties. Project was finished in 2018 on time and on budget.

Annual betterment of \$435 per home; growth control bylaw limits the number of by right bedrooms to four; the Town supplied low pressure grinder pumps to 680 residential properties at no cost to the homeowners.

Groundwater profiling before and after sewerage is being conducted by Marine Biological Laboratory (MBL) and the US Geological Survey (USGS).



12

In the PAST five years...

## Reducing Nitrogen in Oyster Pond Watershed

The Oyster Pond Comprehensive Wastewater Management Plan analyzes comparative costs and benefits of two primary options:

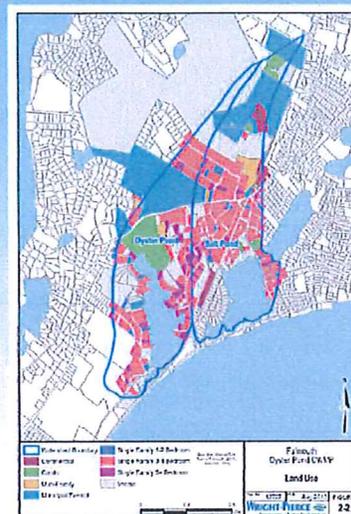
- installing I/A's
- sewerage

Both options are dependent on unknowns.

For I/A's: Will there be I/A systems that achieve the needed 75% nitrogen reduction?

For sewers: Will there be discharge capacity?

**No decision will be made until questions are answered.**



13

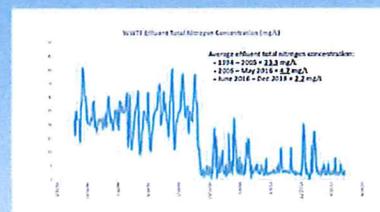
In the PAST five years...

## West Falmouth Harbor to Meet TMDL Without Sewering

Largest nitrogen contributor to West Falmouth Harbor is the Town's wastewater treatment facility. Plant upgrades in 2005 and 2016 reduced average nitrogen from the plant from ~23 mg/L to approaching 3 mg/L.

Oyster reef, shellfish relays, and the Shoreline Septic Remediation Project all contribute to increased nitrogen removal.

Harbor-wide ecosystem recovery will begin once residual plume flushes out. Some increased eelgrass area observed in 2019.



**West Falmouth Harbor will be the first estuary on Cape Cod to meet its Total Maximum Daily Load.**

14

In the PAST five years...

### Water Quality Management Committee Partners and Grants

Falmouth Board of Selectmen  
 Falmouth GIS coordinator  
 MT Environmental Restoration  
 George Heufelder  
 Marine Biological Laboratory  
 US Geological Survey  
 US Department of Agriculture  
 Town of Mashpee  
 Wright-Pierce  
 CDMSmith

Falmouth DPW  
 Falmouth Planning Board  
 Buzzards Bay Coalition  
 GHD  
 Cape Cod Commission  
 US Environmental Protection Agency  
 Woods Hole Research Center  
 The Woods Hole Group  
 Science Wares, Inc.  
 Barnstable County Test Center

Falmouth Shellfish Advisory Committee  
 Falmouth Marine and Environmental Services  
 MA Department of Environmental Protection  
 Woods Hole Oceanographic Institution  
 UMASS School of Marine Science and Technology  
 Cape Cod Water Protection Collaborative  
 Cape Cod Economic Development Commission  
 Citizens for the Protection of Waquoit Bay  
 The Mashpee Environmental Coalition  
 Applied Coastal Research & Engineering Inc

**These partnerships and funding awards have supported such projects as:**

The West Falmouth Harbor septic demonstration project  
 The West Falmouth oyster reef demonstration  
 Quashnet/Moonakis study  
 Little Pond Sewer Service Area

The Little Pond oyster demonstration project  
 Permeable Reactive Barrier (PRB) studies  
 Estuaries baseline monitoring.

**These grants and awards have totaled over \$1,938,000**

15

Water Quality Management Committee,  
 Department of Public Works and GHD  
 recommendations to the Board of  
 Selectmen:

**the next five years**

16

In the NEXT five years...

## Restoring the Next Estuary - Great Pond



MEP target nitrogen removal to achieve TMDL of 26,455 lbs/yr.

The highest nitrogen concentrations and densest development are found in and around the upper reaches of the estuary.

Alternative options to be implemented for nitrogen removal in Great Pond include:

- increased shellfish aquaculture
- install a permeable reactive barrier
- continue cranberry bog restoration



**Conclusion: Sewering is still needed.**

17

In the NEXT five years...

## Proposed Sewering Great Pond – First of Two Phases

Teaticket / Acapesket Sewer Area

**Sub-Area 1 / Phase 1 (shown in pink)**

Primarily residential (811 dwelling units on 602 parcels all in Great Pond watershed) Upper Maravista, Teaticket Path, Perch Pond, Falmouthport

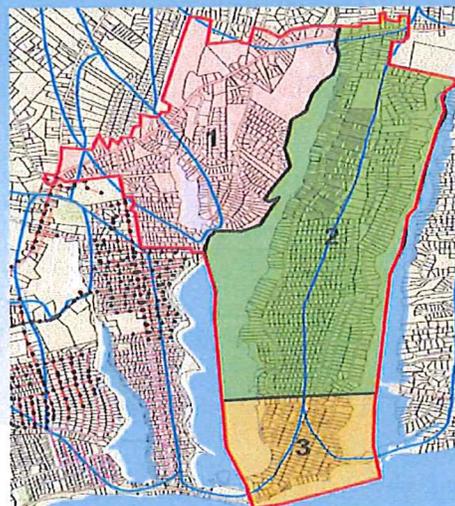
**Sub-Area 2 / Phase 2 (shown in green)**

Primarily residential; Great Harbors, Shorewood Drive (includes 687 parcels in Great Pond Watershed) (includes 502 parcels in Green Pond watershed)

**Sub-Area 3 (shown in yellow)**

**(182 parcels not recommended for sewerage)**

Lower density  
 Portion flushes directly to Vineyard Sound  
 Within 100-year flood zone  
 Concerns about sea level rise



18

**In the NEXT five years...**

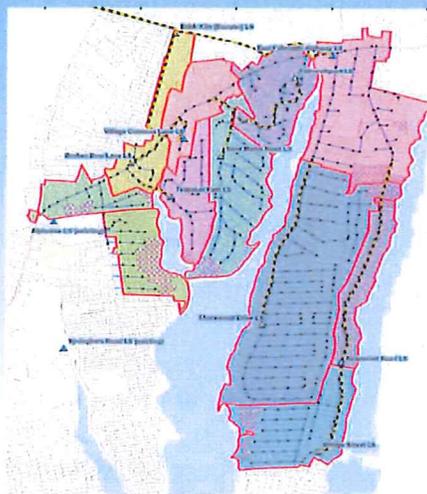
**Needed – To Accommodate Growth in the Existing Sewer Redevelopment Area and Teaticket / Acapesket Sewer Area**

**Existing Sewer Redevelopment Area (ESRA)**

- Examples: banks becoming restaurants, auto detailing shops becoming breweries
- Sewage treatment capacity reaching ~80%
- Projected increased flow: 140,000 gpd

**Teaticket / Acapesket Sewer Area (TASA)**

- 811 new connections in Great Pond Phase 1
- 687 new connections in Great Pond Phase 2
- Sewers along Rt. 28 to Acapesket Rd
- New force main along Brick Kiln Rd to plant
- Projected increased flow: 360,000 gpd



19

**In the NEXT five years...**

**Needed - Wastewater Treatment Plant Upgrades**

To accommodate flow from future sewer areas, a third sequencing batch reactor is necessary.



20

In the NEXT five years...

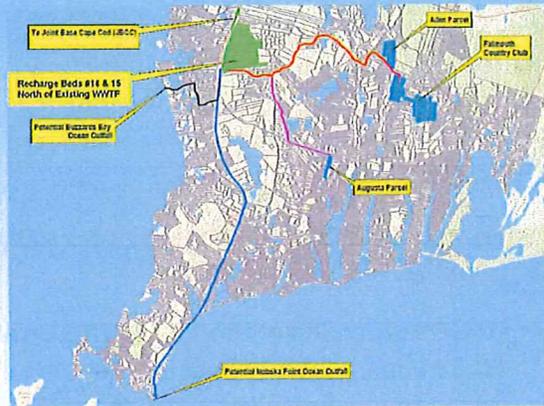
**Needed – New Tertiary Treated Effluent Discharge Site**

Current discharge permit allows for flows of:

- 450,000 gpd maximum at recharge beds 1-13 at the plant
- 260,000 gpd maximum at recharge beds 14 & 15 (formerly referred to as 'Site 7')

Flow from existing sewer areas is reaching permitted flow limits.

WQMC, DPW, GHD, and Wright-Pierce evaluated seven potential discharge sites; currently focusing on three of those options.

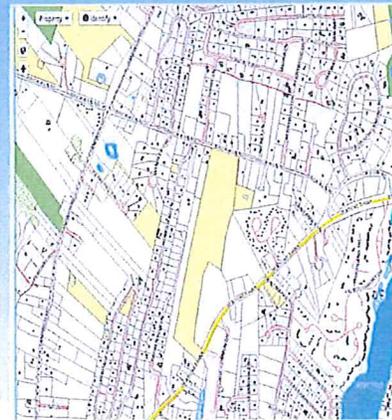


**Final recommendation will depend on cost, capacity, regulators and community acceptance.**

21

**Potential Discharge Site: 'Augusta' Parcel – Not Recommended**

- 20 acres adjacent to Falmouth Lumber acquired in 2003 for open space, water resource protection and/or public recreation.
- Would require a 4-mile-long discharge pipe from the wastewater treatment facility.
- Deed restriction limits source of discharged effluent to Teaticket / Acapesket Sewer Area (TASA) only.
- Site could not take flow from the Existing Sewer Redevelopment Area (ESRA) or any effluent flow from other future projected sewer areas.
- Site can be used for lift station.

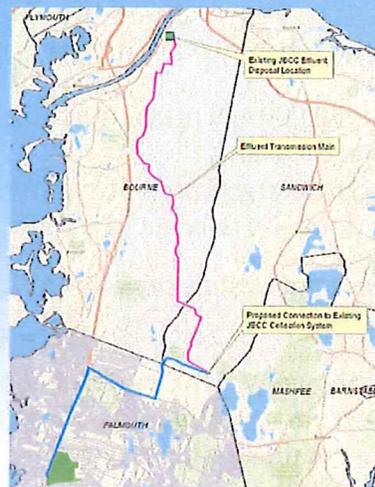


The Augusta Parcel

22

### Potential Discharge Site: Joint Base Cape Cod – Not Recommended Now

- A 7-mile force main with lift station would be required from the Falmouth wastewater treatment facility to Joint Base Cape Cod (JBCC).
- To accommodate projected future flows from Falmouth and other communities an additional 11-mile force main from JBCC treatment facility to JBCC discharge site would be needed.
- Expansion of JBCC discharge site capacity would need to be permitted and constructed.
- Future ownership of the JBCC wastewater facilities and future use/participation of surrounding communities is not expected to be resolved during the planning time frame.



Joint Base Cape Cod

23

### Potential Discharge Site: Falmouth Country Club – Not Recommended

- 5 miles from the wastewater treatment facility.
- Installation and maintenance would disrupt recreational use.
- Underground drip method needs maintenance and periodic replacement.
- Nearby Town-owned site with fewer limitations available.

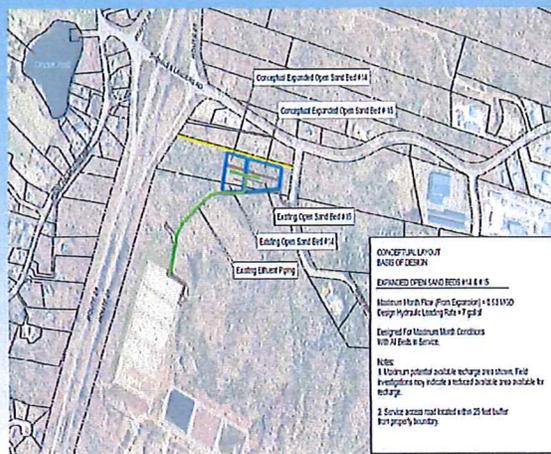


Falmouth Country Club

24

## Potential Discharge Site: Recharge Beds 14 & 15 – Recommended For Further Study

- Existing recharge beds on Town-owned parcel (formerly known as ‘Site 7’) adjacent to the wastewater treatment facility.
- Discharge determined to be outside of the West Falmouth Harbor watershed.
- GHD is currently evaluating possible reconfiguration of beds and infiltration rate.
- Testing to confirm adequate capacity for the Teaticket / Acapesket Sewer Area (TASA) and the Existing Sewer Redevelopment Area (ESRA).
- Cost (2018\$) \$1.9M



Recharge Beds 14 & 15

25

## Potential Discharge Site: ‘Allen’ Parcel – Recommended For Further Study

- Recharge beds would be 4 miles from the wastewater treatment facility at a Town-owned parcel designated for municipal use.
- Adequate area for projected Teaticket / Acapesket Sewer Area (TASA) and the Existing Sewer Redevelopment Area (ESRA) discharge with large buffer zone plus space for future growth.
- Cost (2018\$) \$12.7M



The Allen Parcel

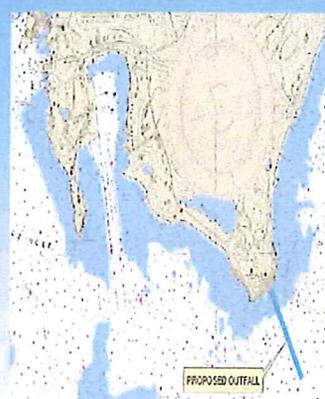
26

## Potential Discharge Sites: Outfalls – Recommended For Further Study



Buzzards Bay Outfall

- Joint initiative by Town of Falmouth and Buzzards Bay Coalition resulted in state law revision to allow for discharge of tertiary treated effluent in Massachusetts coastal waters.
- Positive experience with Boston Harbor outfall demonstrated no negative environmental impacts.
- Buzzards Bay cost (2018\$) - \$70M  
Nobska cost (2018\$) – \$63.8M



Nobska Outfall

27

In the NEXT five years...

### How Can Falmouth Fund These Water Quality Projects?

- The Little Pond and Bournes Pond projects were funded in 2014 by the town incurring new debt only when old debt is paid off. This funding mechanism allows for borrowing for new capital projects without raising the property tax rate.
- The Town’s next ‘window of opportunity’ is FY 2025. Town Meeting action and voter ballot question would need to take place in FY 2024.
- The Town’s capital plan approved by the Board of Selectmen provides \$60M for water quality projects in FY 2024.
- The Town would seek State Revolving Funds (SRF) with 0% loans.
- Revenues from the Cape and Islands Water Protection Fund (‘Airbnb tax’) will be available.

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After 2025...

## Proposed Sewering of Great Pond - Second of Two Phases



Teaticket / Acapesket Sewer Area Phase 2 (shown in green):  
Sewer 1,189 parcels (687 parcels in Great Pond watershed and 502 parcels in the Green Pond watershed).

In combination with aquaculture and restoration efforts in Mill Pond, Phase 2 is projected to remove enough nitrogen from the Green Pond watershed so that little or no sewering of the Davisville peninsula would be needed.



30

After 2025...

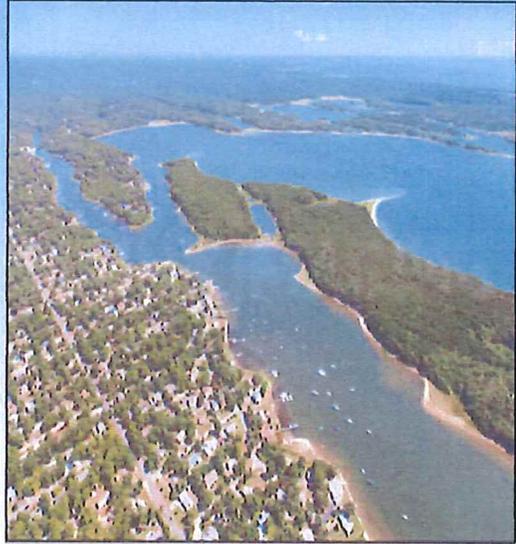
## Waquoit Bay / Eel River Three-Town Watershed

Falmouth has funded its share of a joint study to be conducted with Mashpee and Sandwich, the towns sharing the Waquoit Bay watershed.

Falmouth is expecting to join in an intermunicipal agreement designating each Town's share of the required nitrogen reduction.

48 subwatersheds makes Waquoit Bay the most complicated estuary on Cape Cod.

After 2025, Falmouth can anticipate a recommendation to sewer the Seacoast Shores peninsula, as well as Antler Shores and the Seapit peninsula.



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## Planning for the Next 20 Years

Table ES-1: Estimated Costs and Financing Plans

Item	Action Item	2019	2020	2021	2022	2023	2024	2025	2026
1	Little Pond Sewer Service Area Complete	X							
2	CWMP Update/NPC Submitted	X							
3	Capital Plan \$10M - New SBR, Ballot Vote		X						
4	Engineering Contract for Great Pond - Secretary's Certificate Submitted		X						
5	\$XXM Construction Design, Ballot Vote					X			
6	Final CWMP/FEIR/TWMP; Secretary's Certificate								
7	SRF PEF Application Submittal			X			X		
8	Town Meeting Sets Betterment %				X				
9	Obtain Listing on the SRF Intended Use Plan						X		
10	\$60M Town Vote 30 year Bond for Construction Contingent on 0% or 2% SRF loan; Ballot Vote							X	
11	SRF Full Application Submitted - all required items must be in place							X	
12	State SRF Commitment; Bid Approval								X
13	SRF-Funded Construction Projects; Adaptive Management								X

Program Funding and Timetable 2020-2040

	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Town Construction of \$60M (2025-2030)																
Evaluate Results of Remediation to Date; Plan Next Construction Projects (2025-2030)																
\$40M Town Vote - Spring 2030								X								
Town Construction of \$40M (2030-2035)																
\$100M SRF Town Vote - Spring 2035												X				
Town Construction of SRF \$100M (2035-2040)																

Notes: CWMP=Comprehensive Wastewater Management Plan  
 EIR=Draft Environmental Impact Review  
 TWMP=Targeted Watershed Management Plan  
 SRF=State Revolving Fund  
 PEF=Project Evaluation Form

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## Julian Suso

---

**From:** Peter Johnson Staub  
**Sent:** Tuesday, October 15, 2019 12:10 PM  
**To:** Frank Duffy  
**Cc:** Julian Suso; Megan English Braga  
**Subject:** RE: Article #32 Explanation

Thank you Frank.

**Peter Johnson-Staub**  
**Assistant Town Manager**  
**Town of Falmouth, MA**  
**P: 508-495-7320**

<http://www.falmouthmass.us>

*Kindly Remember that under MA General Laws most email correspondence to, or from, a municipal employee or committee member is deemed a public record.*

---

**From:** Frank Duffy  
**Sent:** Tuesday, October 15, 2019 10:21 AM  
**To:** Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>  
**Cc:** Julian Suso <julian.suso@falmouthma.gov>; Megan English Braga <megan.english-braga@falmouthma.gov>  
**Subject:** RE: Article #32 Explanation

Peter; The four committees were created before the charter was adopted. The charter did not create them. Their inclusion in the charter does not affect their existence and their deletion from the charter does not mean their demise.

The charter in Sec C3-6C 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." I recommend the Board of Selectmen vote to re-create these committees at its meeting later this month. The effect of the vote will be to reassure the committees of their continued existence and the community of their importance.

Mentioning these committees in the charter was problematic. It contradicted the power granted to the Board of Selectmen in Sec. C3-6C because to eliminate, consolidate or change responsibilities of one of these committees would arguably require a charter change, not a simple vote of the board.

---

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.

*Town of Falmouth, MA  
Wednesday, October 23, 2019*

## Chapter C. Falmouth Home Rule Charter

### Article VII. Appointed Town Boards

#### § C7-10. Recreation Committee.

- A. A Recreation Committee of seven (7) members shall be appointed.
- B. The Committee shall be responsible for recommending policies to the Board of Selectmen regarding comprehensive year-round, indoor-outdoor recreation policies and programs. Such policies and programs shall be designed to meet the recreational needs of children, youth, adults and the elderly.

*Town of Falmouth, MA  
Wednesday, October 23, 2019*

## Chapter C. Falmouth Home Rule Charter

### Article VII. Appointed Town Boards

#### § C7-11. Waterways Committee.

A Waterways Committee of seven (7) members shall be appointed. Six (6) members shall be appointed by the Board of Selectmen, one (1) member shall be appointed by the Board of Health. The Harbormaster shall serve as a non-voting ex-officio member.

*Town of Falmouth, MA  
Wednesday, October 23, 2019*

## Chapter C. Falmouth Home Rule Charter

### Article VII. Appointed Town Boards

#### § C7-12. Beach Committee.

- A. A Beach Committee of five (5) members shall be appointed.
- B. The Committee shall be responsible for recommending policies to the Board of Selectmen regarding the use and maintenance of all public town beaches.

*Town of Falmouth, MA  
Wednesday, October 23, 2019*

## Chapter C. Falmouth Home Rule Charter

### Article VII. Appointed Town Boards

#### § C7-13. Human Services Committee.

- A. A Human Services Committee of nine (9) members shall be appointed.
- B. The Committee shall be responsible for recommending policies to the Board of Selectmen relating to human services provided by the town.



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

**TO:** Julian M. Suso, Town Manager  
**FROM:** Peter Johnson-Staub, Assistant Town Manager  
**SUBJECT:** Committee Email policy  
**DATE:** October 24, 2019

As requested by the Board of Selectmen at their meeting on September 23<sup>rd</sup>, we solicited input from the chairs of Town boards and committees (AKA public bodies) regarding the proposed E-Mail Policy for Public Bodies. The responses received will be included in the Selectmen packet for October 28<sup>th</sup>. In addition to soliciting general feedback on the policy, we elicited responses to three choices for handling email received at a committee address. The responses received are summarized below.

<b>Option #1</b> – Designated Committee email recipient submits messages received by committee to members at the next posted meeting.	<b>Option #2</b> – Messages received auto-forwarded to personal email addresses of committee members.	<b>Option #3</b> – Do not provide Town email address for committees. Receive public input via a form on the website.
<b>9</b>	<b>1</b>	<b>4</b>

We could set up a comment form on the website for those committees that prefer not to have a committee email address. On the other hand, there is something to be said for consistency among the committees.

Based on the feedback received from the Board of Selectmen and the committee chairs, we have revised the proposed policy to clarify that the committee address can be managed by staff for those committees that have staff support. The updated policy also allows greater flexibility to the committees as to how they handle email received at the committee address while retaining the protocols required for legal compliance and cyber security.

CC: Board of Selectmen

//Email Policy for Public Bodes - memo 10-24-2019.docx

**DRAFT ONLY FOR DISCUSSION**  
**October 24, 2019**

**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 email received at this committee address to the personal email 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 email to engage in deliberation. Email 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 email addresses of committee members may only be used to schedule meetings and distribute information to be discussed at an open meeting. Email may not be used by committee members to share opinions or deliberate with fellow committee members.
- Email received at the official committee address, can be forwarded to committee members personal email 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 email 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 email correspondence.

- Email 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 email 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 email, messaging systems, and internet communications systems.
- Email 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 email 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 email 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 email.
- 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.

### *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 email 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.

***DRAFT ONLY – October 25, 2019***

**POLICY: Withholding Permits for Non-Payment of Municipal Taxes or Fees**

**Effective Date:** If Article 16 of November 2019 is approved by Town Meeting, the following policy will go into effect immediately upon Attorney General approval.

Pursuant to MA General Law Chapter C. 40 § 57, Towns are authorized to deny issuance of permits and licenses to persons and business entities delinquent on payment of taxes, fees, assessments or other municipal charges. The Town of Falmouth policy shall be to deny issuance of permits and licenses, including renewals and transfers, when a person or business entity is delinquent for more than 6 months.

**Note:** If Article 16 of November 2019 is not approved, present policy will remain in effect. Present policy per Town Code S. 140-3 is that permits and licenses are denied when persons and business entities are delinquent for more than one year.

The minutes of September 23, 2019 are still being prepared.

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**Open Session**  
**MONDAY, OCTOBER 7, 2019**  
**SELECTMEN'S MEETING ROOM**  
**TOWN HALL**  
**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

Present: Megan English Braga, Chairperson; Doug Brown, Vice Chair; Susan Moran; Doug Jones; Sam Patterson.

Others present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Frank Duffy, Town Counsel.

1. **Chair English Braga called the open session to order at 6:45 p.m. and motioned to convene the executive session under 1. M.G.L. Ch. 30A, s. 21(a)(3) –Settlement of police officer personal injury lawsuit because to not go into executive session could prejudice ongoing negotiations. Ms. Moran seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll call vote: Chair English Braga, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Ms. Moran, aye.**
2. **Chair English Braga reconvened the open session at 6:55 p.m.**
3. Pledge of Allegiance
4. Proclamation – Community Media Day in Falmouth – October 20, 2019

**Chair English Braga read the proclamation in the packet as a motion. Second Mr. Jones. Yes-5. No-0.**

Debbie Rogers, CEO FCTV, thanked the Board of Selectmen (BOS) for the proclamation and ongoing support. They are a nonprofit that accepts donations.

Michael Palmer, Board of Directors, great new facility and invited all interested to see them as an asset.

5. Recognition

Mr. Brown recognized community support for Brenda Swain who has done a lot for our Town and wish her well.

6. Announcements

Ms. Moran is Falmouth member to the Assembly of Delegates and a charter change is being considered to eliminate the exec branch of county government. Hearing at their next meeting a week from Wednesday at 4pm. The public may comment via email or call the assembly of delegates or attend the hearing. She handed out a general summary of services the county provides.

Chair English Braga said the Army Corps of Engineers is planning to work on 2 new canal bridges and will open public comment for 30 days. Community members may go to [capecodcanalbridgesstudy.com](http://capecodcanalbridgesstudy.com) with link for comments, this will be put on Town website to be received no later than 11/1/19.

7. Public Comment

Marc Finneran, noted after 10 months the AGO came back with ruling that the BOH violated the open meeting law on 4 occasions. He referenced the committee handbook and noted it says boards and committee members are to take into account what is good for the greater town. He feels the BOH and Town management worked behind the community's back and gave them what the community did not want.

Michael Palvan, St. Marks Rd, commented regarding double poles, which he feels do not get much attention. Now that Eversource has a database, they should be able to generate regular reports with poles in Town with their status, so that the community can be aware of how many and who is holding up the progress. It would be a good idea to have their representative give a report on what progress they made and why. He learned from Eversource employee that there has been a great reduction in the Eversource workforce and this may affect their addressing the double poles.

**7:15 p.m. SUMMARY OF ACTIONS**

1. Licenses

- a. Approve Application for Special One-Day Wine and Malt Liquor License – Patriot Bartending Service – Touch A Truck Fundraiser – Cape Cod Fairgrounds – Sunday, 10/27/19

**Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

2. Administrative Orders

- a. Approve Eversource Energy Petition to Install Two (2) Poles on St. Marks Road, North of Neves Way

Michael Pavan, St. Marks Rd., he is one of two houses served by a tilting pole. A new house is being built, that homeowner and he attended the public hearing and he said the pole is leaning quite a bit more than others. He has no objection to the new poles, now is the appropriate time to attend to the crooked pole.

Mr. Suso will pass this along to Eversource.

**Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

- b. Approve Eversource Energy Petition to Install one (1) 4" Conduit and One (1) Handhole #238/H17 on Teaticket Path, South of Seabrook Drive

**Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- c. Approve Historical Commission Application for CPC Funding in the Amount of \$30,000 for Phase 4 of the Historic Inventory Survey Project

Mr. Suso noted this was an application that would need affirmation by the BOS to update significant historic properties throughout the Town. The Commission provided a letter to the BOS about the project.

**Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- d. Vote to Accept FY2019 Bulletproof Vest Partnership Program Award in the Amount of \$6,318.38

**Mr. Brown motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

- e. Vote to Accept FY2020 NARCAN Grant Award in the amount of \$9,050.00

**Ms. Moran motion approval Second Mr. Jones. Vote: Yes-5. No-0.**

- f. Vote to Approve Expenditure from the Recreation Department Donation Account in the Amount of \$1,212.83 for the Purchase of Pickleball Sets

**Mr. Jones motion approval Second Ms. Moran. Vote: Yes-5. No-0.**

- g. Authorize Application to State Emergency Management Agency (MEMA) for Funding to Modestly Alter the High School Gymnasium for Potential Emergency Shelter Purposes

Mr. Suso explained that the School Superintendent in conversation with others because of the vulnerability study, the Town has become eligible for state and federal MEMA funding, if approved subject to the authorization of the BOS, it would allow adjustments to the gym roof

which has glass panels and is functionally obsolete and would allow it to function as an emergency shelter to supplement the existing shelter in the FHS. 25% match from school department funding and they have carried this in the past for improvement to FHS facilities. Mr. Suso and the Finance Committee recommend favorable consideration.

**Mr. Jones motion to authorize the application. Second Ms. Moran. Vote: Yes-5. No-0.**

- h. Authorization for Request of AFCEE Funding in an Amount Not to Exceed \$4,000 for Supplies /Equipment Related to Mill Pond Initiative

Mr. Suso explained that at last meeting the BOS authorized an application to the Conservation Commission to allow the work to take place on Mill Pond. This is an important initiative brought to the Town's attention a long time ago. This is for funding not to exceed \$4,000 for vegetation mgt.

**Ms. Moran motion to authorize the request. Second Mr. Patterson. Vote: Yes-5. No-0.**

### 3. Special Events

**Recurring - Recommended:**

- a. 20<sup>th</sup> Annual Chris Wetherbee Memorial Toy Run – From Eagles Hall, Buzzards Bay to the Navigator, Ashumet Rd., E. Falmouth – Sunday, November 3, 2019

Motorcycle ride and toy ride to benefit children on Cape Cod.

Tammy Baptiste, Palmer Ave., this has been done for the last 31 years. Route has changed this year, not come through center of Town. Donation box at the Pocasset Harley Davidson Shop and at Shoreway Acres on Shore St., they will pick up donations. Riders will take the donations to the Eagles Hall, truck is in front of the procession. The Housing Assistance Corp will meet them at the Navigator and toys will be handed off to them.

Mr. Jones asked if they could not break the noise bylaw, they will ask participants as they have in past years. The State has their own noise regulations when doing their inspections.

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

### 7:30 p.m. PUBLIC HEARINGS

- 1. Flow Neutral Bylaw – Evaluation of Request for Variance – Ament Klauer LLP on behalf of Teaticket Car Wash LLC – 187 Teaticket Highway, Falmouth (Parcel 39 14 024B 000)

Chair Megan English Braga read the hearing notice.

Kevin Klauer, Ament Klauer LLP, representing applicant and leaseholder of the location. Request variance from the bylaw and described the property. Seeking to construct a new carwash, site plan review approval from Planning and approved by the Board of Appeals. On municipal sewer, requires BOS to approve increased flow of 10%. Anticipate 3650 cars per month, 120 cars per day, 83 gallons for each carwash, 15 gallons discharged to sewer, remaining lost to evaporation. It was 150 gallons per day, it would be 1150 gallons, anticipate about 1800-2200 gallons per day which is about 600 gallons more than allowed. The plan is to capture and recycle water and use of an oil water separator. Demonstrated to BOH that they capable of Title V on this site, sufficient capacity exists at the Treatment facility. This will have an effect on economic development, 2 attendants, result in increase in evaluation to the property and increase taxes. Taking long overused property and improving in a meaningful manner. Requests the BOS approval of the redevelopment of this property.

Chair English Braga noted a waiver policy/guidelines in areas to consider. Received a letter from the BOH indicating there was a positive referral for compliant Title V that could be sited.

Amy Lowell, Wastewater Superintendent, explained the letter she wrote saying there is sufficient capacity in the wastewater system for this use. The requirement for variance is triggered because more than 10%

previous use. Existing service area and flow from LPSSA area as well as all other projects granted variances and 40B projects within the service area. To add this project takes the Town to 80% of the average annual flow limit in our groundwater discharge permit. The permit requires when you hit 80%, need to provide a plan to the State on how they will accommodate the flow in the future. The Town will submit a plan to the State in December and includes proposed additional recharge for the wastewater treatment system. The Town is planning for additional recharge in the future.

As we go along, adding up all approved, there are some things approved that may not happen and she is doing what she can relative to that target.

Ms. Lowell has told the applicant there will be a sewer connection permit required for this site that says you need to meet state and federal requirements, allows the town to monitor on site. With the oil water separator and reclamation system will mitigate any issues with the discharge. The Town is pursuing additional recharge, but this is not guaranteed, currently taking appropriate actions at this time.

Ms. Moran asked Atty. Klauer, there is no affordable housing or mixed use, not municipal, trying to fit in economic development, but only mentioned 2 employees. What is the revenue generated and taxes.

Atty. Klauer said about 6-8 jobs added in the market, the site valuation will change and increase, so it falls in economic development. Will be in business year round. They will have a preference to hire Falmouth residents.

Public Comment: none.

**Mr. Jones motion to close the hearing. Second Ms. Moran. Vote: Yes-5. No-0.**

Chair English Braga noted most appealing to her because it is a derelict property, unused, eyesore, it is an improvement and making that part of Town more attractive.

Findings:

The business will create 6-8 new jobs that will have resident preference, beautify a property currently in disrepair, sufficient capacity on property for Title V, and sufficient capacity in the treatment facility at this point. It has been long vacant property and this project is a revitalization.

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

**7:45 p.m. BUSINESS**

1. Presentation on Marine Biological Laboratory (MBL) activities, strategic initiatives and five-year strategic plan development – Nipam Patel, Director

Dr. Patel explained it is one of the oldest research labs in the U.S., home to 250 full time staff and 1500 visitors to teach, learn, or do research. 16 Nobel Prize Winners have worked/taught at the MBL. Been there since 1888, unique location where warm and cold waters meet and leads to biodiversity. Research includes biodiversity in Marine Organisms, Ecology and Climate Change, Microbesh; key to ocean, planet, and human health, and Seeing the Invisible, imaging. One initiative is to expand the marine organisms to make biological discovery. Enjoy being part of a larger scientific community including WHOI, Woods Hole Research Center, NOAA Fisheries, and Sea Education Center.

In July 2013 the MBL formed an affiliation that enhances both institutions missions of leadership and innovation in scientific research and education. Significant economic impact, budget of \$46 million. They are the place to take courses in certain areas of biology. The community is very important to them, Friday forums, local research, 4<sup>th</sup> of July parade, public tours, science stroll, welcome student groups, public access to stony beach and Waterfront Park, maintain large auditorium and dining facility open to all. Unique opportunity for learning and education. Teach students to be fearless and not be afraid to fail. They also offer undergraduate courses and hope to expand those courses. They received \$100,000 to expand their internship program, they have high school programs to reach out to students from public and charter schools, including Falmouth to take courses this spring.

They would like to expand their connection to the public, they do a lot of fundamental biology that has led to breakthroughs.

It is important to maintain the historical perspective of their buildings, but need to have the cutting edge technology. They have a \$10 million earmark from the State to make improvements on the inside. They need to harden their buildings against the sea, as temperature warms they need ways to keep the buildings cool, also because the equipment heats up a lot.

They maintain long historical records, because of this they have good documentation of what is going on and seeing a northward shift in where the organisms are. There is a downside because with those shifts, usually there are things that disappear.

They presented their 5 year plan to their trustees and University of Chicago, it was well received. Part of their plan is to become a more year round institution.

It is a challenge attracting people in the rest of the year, not the summer. There are things to make them more attractive, weather usually better than Boston's. Challenges are to diversify the workforce, but in a community that is not very diverse, all institutions need to address this together. It is the hiring staff and getting faculty that are more diverse that is the challenge.

2. Steamship Authority Status Report/Update – Robert Davis

Robert Davis made a PowerPoint Presentation with Kate Wilson, Falmouth Representative to the SSA, and others.

Reviewed traffic measures, the vehicle traffic affected by the construction made trucks have to go around other areas, provided pictures of the terminal prior to painting and signage. Described the construction area and how it affected the pick up/drop off and bus staging area.

Trucks pulling up Railroad Rd. should no longer be an issue, they should be aiming towards the rock on SSA property. Mr. Jones noted even one time is unacceptable, he pointed it out to someone working, but they ignored Mr. Jones. Mr. Davis noted they station people out there, he would have to know why that occurred; routine shippers have been made aware of the requirement to remain on their property. Mr. Jones offered to show a picture of what he saw. Between vessel crew, dock workers, and when MSP details on property they can all address it. Chair English Braga noted the frustration is that there is not a go to person that this is their job, deal with that issue so the community is not struggling.

Mr. Jones noted plan for third slip was that this would never happen, he is concerned that during the summer they will be back to where they were. By then 2 slips will have work complete, then the trucks will be able to have sufficient turning radius. Third slip restriction went away, but Mr. Jones noted the third slip was presented to the community that this would not increase usage or traffic, just allowing them to store a boat there. Mr. Davis said that there are times to use that slip, different elevations according to tide and some vessels will use the third slip regularly. Mr. Jones noted this is different than what they said 5 years ago. Mr. Davis said when through the permitting process, they intended to use that slip, restricted on staging on the property, only 2 slips in Vineyard Haven, others that use that area and there are times because they have that third shift to tie up the vessels. Mr. Jones does not trust anything they are told by the SSA. Mr. Davis said they would work on it, it may happen, they will work to educate employees and drivers; will not fine or refuse their use of the boat. Trucks that arrive for 5:30 a.m. ferry, have they followed upon warning the drivers, Mr. Davis had no answer. Ms. English Braga noted simple solutions can be to dedicate personnel to make sure some of these issues are not happening.

Mr. Davis said that with their shifts to have someone there during the entire business day will depend on who is available and will work on addressing the area. It would be a terminal worker's job.

Ms. English Braga noted this special situation requires special attention; Mr. Davis said that sometimes it could be someone else, normally is Monday through Friday the same people.

Mr. Brown noted they will have to train the drivers and get someone to manage it because once drivers know what is expected and are held to it, they will.

Ms. English Braga notes it means a lot to the community and this is a constant source of stress for them.

Ms. Moran noted that the BOS is trying to problem solve for the SSA's management issue here. She did not hear him come up with that solution or agreeing to that solution, which reminds her of some public meetings she has been to when the SSA Board has not listened to the community. It would go a long way if Mr. Davis said that they will have someone in a position to direct traffic on the SSA sight. Mr. Davis said they identified someone needed there and put up the stop signs. Mr. Davis is willing to consider that suggestion.

Kate Wilson, Falmouth Representative to the SSA Board of Governors, said these topics have come up. She has called Bob up and said she had to wait because the traffic off SSA lot as if they had right of way. She said they cannot do that, sometimes management does not hear that until more complaints are received. She will keep reinforcing these things and thinks it wise to have a dedicated position where that issue is watched along with pace of the trucks and traffic exiting the boats from slip 3. Need to pace it off.

Ms. English Braga noted that it is frustrating, there is a theme at every public session there is pushback and not any solutions or commitment to a solution oriented approach. The BOS has tried to embrace more public listening sessions and taking from that and trying to do from that. This creates goodwill and people want to work with you, but it takes initiative by management by trying to manage these.

Mr. Davis noted that some restrictions were due to height of summer, busiest passenger week, and being able to move those pickup/dropoff/bus areas and was not something that could have been addressed operationally at that point. Mr. Jones felt this should have been anticipated. Fencing in the pickup/drop off area was too far into the street, got in the way when they took the turn and could not be moved at that time.

The crosswalk was not put back in until after Labor Day. Mr. Jones commented that should have been done over the summer.

New Bedford freight, waiting for proposal for that service and is on their website.

Terminal Concept Design was reviewed. At this point, they are looking at a 1 story flat roof terminal building and reviewed the diagram of the area. They will move that building as far north as possible. Solar panels on roof, canopies on bus pickup/drop off area, they can generate 52% of the building energy use. Ramps on both sides of the building, plaza is at 10'6", 1 fl 13' with ramps and stairs, reviewed the building interior and what will be contained within. Mechanical and electrical will be raised within the building. The utility building will be expanded for a trash/recycle area, oil storage, equipment storage, consumables, 2 story building and need 2 means of egress to be habitable. Added elevator so the second floor is accessible. The second floor will have an elevator lobby, machine room, elevator, employee locker room/restrooms, mechanicals for the building, linens, break room, multipurpose room, and general storage. Reviewed concepts for the building and compared to previous concepts they had considered. Mr. Davis previewed the concepts with neighbors, they will work with the architects on the design and more fitting with what the community is looking for and the SSA requirements. The one floor building costs \$3 million more due to the requirements of making mechanic building habitable.

Mr. Brown asked whether he felt like they are getting through to the drivers? Mr. Davis said they are still putting together the draft report on the morning trip and presenting to the Board this month. Looking to work with the Town. Need freight early to free up trip coming from the island, need to get a vessel out of the way, to make good use of that service.

3. Republic Services Report/Update – Chris Macera

Chris Macera in contract now until 2022. Overlooked the operation, 5-6 solid waste trucks a day, recycle trucks, remove 900 tons of solid waste out of Town, 300 tons of recycling, and solid waste has taken over Bourne landfill, recycling ends up in an off cape recycling facility. Summertime volume goes up about 30-40%. On average about 900 tons out per month. Call center was centralized, that info is dispatched back to local Falmouth site where trucks are dispatched.

Increased costs: biggest issue is recycling has collapsed, used to get paid for a curb collection, but that is not any longer. The cost is close to \$100 per ton: higher than solid waste cost. Switching back to dual stream is not reasonable, recycling facilities are designed to handle single stream, collecting dual stream costs more money. Today there is no market for glass, there is a cost per ton to get rid of glass. The facilities are single stream, so there is not another option. Food wasted tonnage is unknown, it is a heavy

base, maybe 10-15% based on weight. Could be as high as 25%. There are programs with curbside collection of food waste, the economics does not support it. People can compost and do some stuff in their yard or the Town provides a local site where citizens could drop it off.

Summer time, Ballymeade area, the BOS asked why there was a chronic no pickup or no pickup of recycling. He is aware of that, it has been solved. It surrounded around the area itself, using a smaller vehicle, unsure what happened, it has been addressed. Best thing for that customer would be to call their call center, number is on the Town website, and it will be logged into the system, policy is to get it the next day. The community should plan to have their trash out by 7 a.m. Solid waste annual weight and recycling, there is no cap about how much is collected, Town pays disposal direct to Bourne. Recycling commodities bill the Town at a cap of about \$42 and they lose about \$60 per day on that. The next contract would depend on how much it shifted, would have to impact what they are doing on the ground, the function time and operations would need to be considered. Still have to go down each street and stop at each house, they could look at that. Under current contract, recycling is occurring it just costs more, we save money as a Town for people to recycle because we pay for disposal of our trash. Recycling is capped at a rate lower than solid waste and it is the right thing to do.

Mr. Suso noted that Potential for routinizing recyclables pickup with containers to automate a pickup. Significant capital expense to do that and maybe on a neighborhood basis. Mr. Macera said that is fully automated, do not have to do both at the same time, do it town wide. He has never seen it where they have divided a town and it is the way to go. Manual collection is going away, the new garbage is dumping the barrels with joystick, sifter, efficiencies, big capital investment and should pay for itself over time. They do it a lot. Chris will make information available to Peter McConarty and information on communities where they have done that. Fully automated side if back down or dead end try to get all on the same side, but to have the whole Town to do that would be a big lift to get all to put it on the same side.

Chair English Braga noted this negotiation of this contract is a different world, so having discussion about the options and potential models looking at the whole picture is good to do and have info on like size communities.

Mr. Suso noted it is unusual to have curbside residential pickup, only Bourne and Falmouth do it on the Cape. It is increasingly expensive service. It is also an uncommon service in other areas of the Commonwealth.

Mr. McConarty said that Republic and Solid Waste Management facility check the trash for recycles. Compost collects food waste with compost shed across from the main trailer and they can dump it in there, picked up 4x weekly. No sticker is needed. Compost can be food scraps.

Marc Finneran, Solid Waste Advisory, have you assigned a number to contamination of our recycling and define what it is.

Mr. Macera said Falmouth is better than the state average. What should not go in recycling are plastic bags, no recycling in plastic bags, coat hangers, ropes, food waste, bottles with food in it. Paper bags for recycles are good.

Allen Robinson, Solid Waste Advisory, asked if collections staff noting to residents that recyclables are not meeting the requirements.

Mr. Macera said that the stickers are effective, an educational tool. Should probably do it more than it is done.

The Town will try to do mailing with water bill, any collaboration with Republic would be helpful.

[Recyclingsimplified.com](http://Recyclingsimplified.com) is their website and [Republicservices.com](http://Republicservices.com). They have a free k-12 curriculum on their website and downloadable material to use in the schools.

4. Request for Sign Variance – Off-Premise Signs – Gosnold, Inc. – Rx Take Back Day – Saturday, 10/26/19  
**Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**
5. Vote Article Recommendations for November 2019 Town Meeting

Article 11

**Mr. Brown motion to recommend and add to the warrant and include the explanation as it is. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 12

**Mr. Brown motion to recommend and add to the warrant and include the explanation as it is. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 16

**Mr. Jones motion to recommend as reworded with explanation. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 17

**Mr. Patterson motion to recommend indefinite postponement. Second Mr. Brown. Vote: Yes-4. No-1 (Mr. Jones).**

Mr. Johnson Staub note that with articles 16 on, the explanations were drafted, but not the recommendations. Let them know whether to recommend or not recommend.

Article 18

Grant Walker, 71 Philadelphia St., requesting change in first sentence of the explanation because he is concerned about the words "more stringent". Requesting " this article proposes the adoption of higher energy..."

**Mr. Patterson motion to recommend the article. Second Ms. Moran. Vote: Yes-5. No-0.**

**Mr. Patterson motion to approve the explanation as edited. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 19

**Ms. Moran motion to recommend as printed with the explanation. Second Mr. Brown. Vote: Yes-4. No-1 (Mr. Patterson).**

Article 20

**Mr. Patterson motion to support the article and recommendation. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 21

**Mr. Jones motion indefinite postponement. Second Mr. Patterson. Vote: Yes-4. No-1 (Ms. Moran).**

Article 22

Kristine Krukland : exemption when involved in health and safety, includes purchase of water in single use plastic bottles in prep for emergency. Prohibits sale of plastic containers on town property. Meant to state the town cannot purchase water or beverage in single use containers.

**Ms. Moran motion to move as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 23

**Mr. Jones motion indefinite postponement with explanation that the BOS does not have sufficient information to endorse this article at this time. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 24

**Mr. Jones motion to move as printed. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 25

**Mr. Jones motion to move as printed. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 26

**Mr. Patterson motion to move as printed. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 27

**Mr. Patterson motion to move as printed and explained. Second Mr. Brown. Vote: Yes-5. No-0.**

Article 28

**Ms. Moran motion to move as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 29

**Mr. Jones motion to move as printed. Second Ms. Moran. Vote: Yes-5. No-0.**

Article 30

**Ms. Moran motion to move as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 31

**Mr. Patterson motion to move as printed. Second Mr. Jones. Vote: Yes-5. No-0.**

Article 32

**Ms. Moran motion to move with changes. Second Mr. Patterson. Vote: Yes-5. No-0.**

This will be placed on the 10/28/19 meeting agenda.

Article 33

**Ms. Moran motion to move as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

Article 34

**Ms. Moran motion to move as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

6. Further Discussion of Board of Selectmen Sub-Committee on Proposed Municipal Broadband  
BOS waited for input from EDIC as whether to post agenda for their meetings would be problematic, they received feedback and that is not an issue. They want BOS participation. BOS needs to decide if they want a subcommittee and if so, whom do they want to vote on it.

Ms. Moran is the representative on this, this would be for backup and broaden the perspective. Subcommittee has not had regular hours, some have been call in meetings and some afternoon. It varies. They cannot do conference calls if this is a subcommittee. Maybe tying hands of the committee by putting in a subcommittee; changes what that committee is. Mr. Patterson is happy to be a liaison, he does not know if he can commit to the morning timeslot. Parameters of what constitutes a subcommittee: regular attendance by 2 or more of the BOS who will serve a certain purpose and communicate among each other and then subject to the open meeting law. Distinct from 2 members from the BOS not predetermined that happen to be at meetings. Ms. Moran suggested that tomorrow she bring this up to the EDIC, interviewing 2 potential members and she can get a feel for whether there will be any teleconferences if the BOS wants to put this off for more information. This is moving along, it is not the BOS project, what a sense of where this is going and weigh in concerns of constituents, but don not want to stymie it. Ms. Moran will get more information and then the BOS will address it. Carry to the next agenda.

7. Agenda Suggestions for October 21, 2019 Proposed Joint Meeting with Planning Board

Transportation

Housing

Chair English Braga will work out the agenda with the Planning Board Chair

8. Minutes of Meetings:

- a. Public Session – September 16, 2019

**Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

- b. Review of Executive Session Minutes and Vote to Release  
Listing only by date, no explanation of the minutes. Mr. Suso will bring it back to the BOS on breakout, will have Atty. Duffy weigh in.

9. Individual Selectmen's Reports

Mr. Brown:

Attended Cape Cod Commission coastal planning tool at the Mashpee Library. Helpful, list sewer areas. Limited but gives an idea where the flooding will be.

Attended Water Quality Management Meeting, a question about the oyster project, they do not have money for their article for water quality monitoring for Eel River aquaculture. Mr. Johnson Staub noted no monitoring as part of the pilot program, measurement based on nitrogen coming in and going out.

Mr. Patterson:

Nobska Keeper's house renovation is moving along

The Community Preservation Committee is working on articles and projects

Attended the Police Night out

Finance Committee is working through proposed capital budget

Attended the Falmouth Housing summit last week, impressed with the turnout. Great history of affordability of housing in Falmouth into the 1940's. Presentation by those who need employees, municipal, restaurant, cape wide perspective. Testimonials by individuals whose families had advantage for subsidized affordable housing.

10. Town Manager's Report

Finance Committee is meeting tomorrow night, making good progress.

Participated in interviews for FPD officer vacancies.

Housing Summit

Police Open House

Mr. Johnson Staub:

Senior center moving along nicely. Addressing moving of light stagings.

Staff working group that selected consultant for small fee to put together playground design and equipment selection and will be vetted through others and timeline completion before July.

11. Review and/or Discuss Correspondence Received

**Mr. Jones motion to adjourn at 10:16 p.m. Second Ms. Moran. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves

Recording Secretary

## REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: October 25, 2019



- Selectmen will convene in executive session at 6:30PM on Monday to consider a proposed contract settlement with Police Sergeants.
- The Board will be considering accepting two routine annual State formula grants – one for Emergency Operations and a second to fund Cultural Council activities. I ask that Selectmen affirm the application for a third, routine State formula grant – that for the Police Department in routine traffic enforcement activities.
- Peter and I have completed and transmitted our draft of the Board's five year Strategic Plan, which you developed during your Annual Retreat on July 1, for your consideration.
- Selectmen are asked to authorize a proposed bond refinancing which has the potential to result in savings of approximately \$1 Million in finance charges over the coming ten-year period.
- The Board will consider the possible creation of a Citizens Advisory Committee for Future Fire Station Location(s) which is the outgrowth of the present consultant analysis, funded by Town Meeting, for a potential functional consolidation of the existing North and West Fire Stations. Conceptually, this Committee could function similarly to the recently concluded Rt. 28 Citizens Advisory Committee which operated so successfully in facilitating that important roadway project.
- During your business meeting, I will be updating the Board on the determination of Billy Casper Golf to extend the existing management lease for the Falmouth Country Club. We are very pleased that Billy Casper Golf will be continuing their successful management of this Town asset. Basic management terms and conditions continue unchanged in this five-year extension.
- On Wednesday, October 16, I was pleased to attend and participate in an important Joint Training Session involving the Police Department, Fire Department, Sheriff's Office and some manpower from collaborating Police Departments as well as some students from Massachusetts Maritime. The training session involved a simulation of multiple potential scenarios

involving an armed assailant at the Falmouth Theater Pub. This was an extraordinary exercise in preparedness for scenarios which we all pray will never be needed. We welcomed Superintendent Lori Duerr to observe portions of this training process as well. My compliments to Chief Dunne, Chief Small and all others involved in public safety!

- We received an early season challenge with the wind/rain storm event which arrived overnight on Wednesday, October 16 and continued into Thursday. We will have a further status report and discussion on the effects of this storm at your meeting on Monday.
- I attended the Finance Committee's final deliberative session prior to the November Town Meeting, which was held on Tuesday evening, October 15.
- I was pleased to attend and participate in the ZBA Work session which was held on Saturday morning, October 19 at Town Hall. It was an informative and productive gathering intended to facilitate effective operations of this important deliberative body.
- On Friday, October 18, I joined Chief Ed Dunne in attending the presentation ceremonies at the Statehouse in Boston for the Hanna Memorial Awards for Bravery. Police Officers Ryan Moore and Donald DiMiranda were well-deserving recipients of these prestigious awards.
- On Thursday, October 24, I joined in the latest walk-through of the construction site of the new Senior Center. Progress continues. You may have noted that the parking lot line-striping and landscaping have been in progress recently.
- On Thursday, October 24, I attended the twice-monthly meeting of the Marks Building Advisory Committee.
- As you may have observed, downtown streetlights are now decorated in their Annual Halloween attire, with businesses customizing their nearby lamp poles consistent with the spirit of the season. As per usual, some fascinating creativity is in evidence.
- At 12 noon on Monday, October 28 I am planning to attend the groundbreaking ceremony for Phase 2 of the Coonamessett River Restoration, at the project site.