

TOWN OF FALMOUTH
BOARD OF SELECTMEN

AGENDA

MONDAY, JANUARY 13, 2020 – 7:00 P.M.

SELECTMEN'S MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

7:00 p.m. OPEN SESSION

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

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Application for Change of Manager of an All Alcoholic Common Victualler License – DJ's Holdings, Inc. d/b/a DJ's Family Sports Pub, 872 Main Street, Falmouth
 - b. Application for Change of DBA and Change of Manager of an All Alcoholic Common Victualler License – Infinite Dynamic, LLC d/b/a Bear in Boots Burger Bar, 285 Main Street, Falmouth
 - c. Application for Change of Manager of an All Alcoholic Common Victualler License – 99 Restaurants of Boston, LLC, 30 Davis Straits, Falmouth
 - d. Approve Application for Six (6) Special One-Day All Alcohol Liquor Licenses – Falmouth Theatre Guild – Highfield Theater, 58 Highfield Drive, on Friday, Saturday, and Sunday, January 17, 18, 19, 24, 25 and 26, 2020
 - e. Approve Application for a Special One-Day All Alcohol Liquor License – Falmouth Theatre Guild – Highfield Theater, 58 Highfield Drive, on Friday, February 14, 2020
2. Administrative Orders
 - a. Approve Eversource Energy Petition to Install two (2) 4" Conduits and Two (2) Handholes on Pond Road, Northeast of South Road
 - b. Approve Eversource Energy Petition to Install two (2) 4" Conduits and on South Road, West of Pond Road
 - c. Vote to Approve Certification of Estimated Summer Resident Population as of July 10, 2020
 - d. Vote Real Property Assurance Regarding John Parker Road Culvert Replacement Project – U.S. Natural Resources Conservation Service
 - e. Vote to Authorize Letter of Support for Rep. Jennifer E Benson's Bill (HB2810), An Act to Promote Green Infrastructure and Reduce Carbon Emissions

7:30 p.m. BUSINESS

1. Status/Update on Water Division Asbestos Concrete Pipe Issue
2. Solid Waste Advisory Committee Recommendations
3. Vote to Adopt FY2021 Budget and Submit it to the Finance Committee
4. Annual Committee Report – Affirmative Action Committee
5. Transportation Management Committee
 - a. Interview: Alison Leschen
 - b. Vote and Appoint Committee Members
6. Approve 2020 Annual License Renewals:
 - Second Hand Auto Dealer
 - a. Excel Auto Repair & Sales, 94 East Falmouth Hwy.

- b. M & N Auto Mall, Inc., 20A Village Common Drive
- c. Falmouth Auto Works, 151 Worcester Court

- 7. Minutes of Meetings: Public Session – October 28, 2019; November 18, 2019; January 6, 2020
- 8. Individual Selectmen's Reports
- 9. Town Manager's Report

Megan English Braga, Chairman
Board of Selectmen



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

00191-RS-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter

of the Acts of (year)

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Phyllis Downey

From: Douglas DeCosta
Sent: Friday, January 10, 2020 3:27 PM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- John Carlin of DJ's Famous Wings

**Background Check- John Carlin of DJ's Famous Wings
Manager of Alcoholic Beverage License**

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

John Carlin of DJ's Famous Wings

The department did not locate anything that may disqualify this municipal license applicant.

Sincerely,

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



-----NOTICE-----

This email is intended for professional and business purposes of the Falmouth Police Department. The contents of this email message and any attachments are confidential and are intended solely for the addressee. If you are not the intended recipient please notify the sender and delete this message.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

00115-RS-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

(i.e. restaurant, package store) (Annual or Seasonal) (i.e. Wines and Malts / All Alcohol)

Granted under Special Legislation? Yes No
 If Yes, Chapter
 of the Acts of (year)

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Diane Davidson

From: Douglas DeCosta
Sent: Saturday, December 21, 2019 9:41 AM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- Ben Guinn of the 99 Restaurant

**Background Check- Ben Guinn of the 99 Restaurant
Manager of Alcoholic Beverage License**

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Ben Guinn of the 99 Restaurant

The department did not locate anything that may disqualify this municipal license applicant.

Sincerely,

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



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The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City / Town

00212-RS-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Type (i.e. restaurant, package store)
Class (Annual or Seasonal)
Category (i.e. Wines and Malts / All Alcohol)

Granted under Special Legislation? Yes No
 If Yes, Chapter
 of the Acts of (year)

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Diane Davidson

From: Douglas DeCosta
Sent: Thursday, November 28, 2019 10:05 AM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- Kathryn Rickard of Bear in Boots Burger Bar

Background Check- Kathryn Rickard of Bear in Boots Burger Bar Manager of Alcoholic Beverage License

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Kathryn Rickard of Bear in Boots Burger Bar

The department did not locate anything that may disqualify this municipal license applicant.

Sincerely,

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



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Diane Davidson

From: Diane Davidson
Sent: Tuesday, January 7, 2020 4:54 PM
To: Brian Reid; Sean Doyle; Tim Smith - Falmouth Fire Rescue Department (timothy.smith@falmouthfirema.gov); Rod Palmer - Inspectional Services (rod.palmer@falmouthma.gov); Scott McGann
Cc: Pamela Marshall; Linda Kinchla
Subject: Change of Manager Applications
Attachments: 99 Restaurant - Change of Manager.pdf; DJ's - Change of Manager.pdf; Bear in Boots - Change of Manager & DBA.pdf

To all,

For your information, we have received three applications for a change of manager at the following establishments:

1. **99 Restaurant**, 30 Davis Straits. From Dan Truesdale to **Ben Guinn**.
2. **DJ's Family Sports Pub**, 872 Main Street. From Dennis Carlin to **John Carlin**.
3. **Bear in Boots Burger Bar**, 285 Main Street. From Michael Rickard to **Kathryn Rickard**.
(Bear in Boots Gastropub has applied for a change of d/b/a to **Bear in Boots Burger Bar**.)

Note to Police Department: We have received positive results of fingerprint background checks from Ben Guinn (99) and Kathryn Rickard (Bear in Boots). John Carlin (DJ's) will be stopping by Central Records this week.

This information is for your records. If you have any comments or recommendations, please send them to me by Friday, January 10, 2020. These applications are scheduled on the Monday, January 13, 2020 Board of Selectmen's meeting.

Thank you,

Diane

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

2020

License Alcoholic Beverages

20-1-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

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

This license is valid from the 17th day of January 2020 until the 19th day of
January 2020, unless earlier suspended, cancelled or revoked.

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

Friday: 6:30 pm - 9:30 pm. Saturday and Sunday: 1:00 pm - 4:00 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 13th day of January 2020

Licensing Board

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

Phyllis Downey

From: Sean Doyle
Sent: Friday, December 20, 2019 6:42 PM
To: Phyllis Downey
Subject: RE: Falmouth Theatre One-Day Liquor Licenses application

Good evening,

The PD has no issues with this request.

From: Phyllis Downey
Sent: Wednesday, December 18, 2019 4:04 PM
To: Patty O'Connell <patricia.oconnell@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>
Subject: Falmouth Theatre One-Day Liquor Licenses application

Good afternoon,

An application for a series of One-Day Liquor Licenses has been made by Falmouth Theatre Guild, to be held at Highfield Hall at 56 Highfield Drive, Falmouth.

Dates applied for are January 17, 18, 19, 24, 25, and 26, 2020.

May we please request recommendations by Wednesday, January 8th? The Board of Selectmen will discuss this application at their next meeting in January 13, 2020.

Thank you,
Phyllis

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

2020

License Alcoholic Beverages

20-3-AA

Fee:

25

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

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

This license is valid from the 14th day of February 2020 until the 14th day of
February 2020, unless earlier suspended, cancelled or revoked.

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

Friday: 6:30 pm - 10:30 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 13th day of January 2020

Licensing Board

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

Phyllis Downey

From: Sean Doyle
Sent: Sunday, January 5, 2020 4:20 PM
To: Phyllis Downey
Cc: Brian Reid
Subject: RE: One-Day LQ License application - Falmouth Theatre Guild

Good afternoon,

As long as all laws and bylaws are adhered to then this department does not have any issues with this application.

Thanks,

Sean Doyle,
Lieutenant

From: Phyllis Downey
Sent: Friday, January 03, 2020 8:34 AM
To: Patty O'Connell <patricia.oconnell@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>
Cc: Linda Kinchla <linda.kinchla@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Melinda Rebelo <melinda.rebelo@falmouthpolicema.gov>
Subject: One-Day LQ License application - Falmouth Theatre Guild

Good morning,

Attached please find an application for a One-day Liquor License by the Falmouth Theatre Guild for February 14, 2020. May we please request your recommendation to the Board of Selectmen by Wednesday, January 8th? The Board will review the application at their next regular meeting on January 13th.

Thank you,
Phyllis

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Phyllis Downey

From: Timothy Smith
Sent: Saturday, January 4, 2020 7:24 AM
To: Phyllis Downey; Patty O'Connell; Peter McConarty; Rod Palmer; Scott McGann; Brian Reid; Sean Doyle
Cc: Linda Kinchla; Pamela Marshall; Melinda Rebelo; Boyd Demello
Subject: RE: One-Day LQ License application - Falmouth Theatre Guild

Phyllis,
Fire Prevention has reviewed the request and report no issues with this application.

Timothy Smith, Deputy Fire Chief
Falmouth Fire Rescue Department
Work: (508) 495-2514
Cell: (508) 274-6410

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Friday, January 3, 2020 8:34 AM
To: Patty O'Connell <patricia.oconnell@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>
Cc: Linda Kinchla <linda.kinchla@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Melinda Rebelo <melinda.rebelo@falmouthpolicema.gov>
Subject: One-Day LQ License application - Falmouth Theatre Guild

Good morning,

Attached please find an application for a One-day Liquor License by the Falmouth Theatre Guild for February 14, 2020. May we please request your recommendation to the Board of Selectmen by Wednesday, January 8th? The Board will review the application at their next regular meeting on January 13th.

Thank you,
Phyllis

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Pond Road



Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: January 10, 2020

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install 240’ of underground conduit and 2 handholes in Pond Road to service a customer with voltage issues

A petition was submitted by Eversource to install 240’ of 2”-4” underground conduit and two (2) handholes in Pond Road to service a customer with voltage issues. The work submitted in this petition is working in conjunction with the work submitted in the petition for South Road. All work must be done in the asphalt per request of the abutters.

The Engineering recommendation is to approve the request as submitted on Plan No. 2337315, W/O #2337315, dated 11/25/19.

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

Thank you,

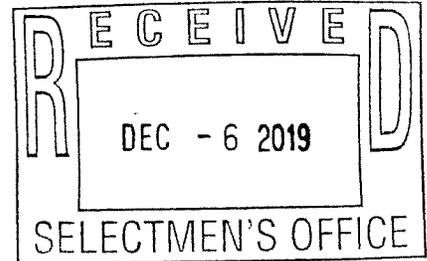
Nicholas Croft
Engineering Technician
DPW Engineering Division



50 Duchaine Blvd
New Bedford, MA 02745

December 2, 2019

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



Select board:

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

These proposed location(s) are required to address voltage issues for customer on Pond Road. This petition will require a notice to abutters and a hearing.

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

Very truly yours,

Donna Rosa
Right-of-Way
Representative

DR: dh
Enclosures

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Falmouth, Massachusetts

NOVEMBER 25, 2019

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

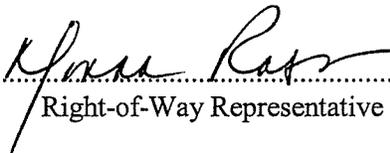
NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) requests permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:-

**POND ROAD, Northeast of South Road
WO# 2337315**

**Two (2) 4" Conduits
Two Handholes 10094/010B & 010C**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed substantially in accordance with the plan filed herewith marked Plan No. **2337315**, Dated **NOVEMBER 25, 2019**.

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

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

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

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

ORDERED:

Notice having been given and a public hearing held, as provided by law, the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company dated the 25 day of NOVEMBER, 2019.

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

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. 2337315, Dated NOVEMBER 25, 2019, filed with said petition. The following are public ways or parts of ways under, along and across which the cables above referred to may be installed under this order:-

**POND ROAD, Northeast of South Road
WO# 2337315**

**Two (2) 4" Conduits
Two Handholes 10094/010B & 010C**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 13th day of January, 2019. 20

Clerk of Selectmen.

Massachusetts _____, 2019.
Received and entered in the records of location orders of the Town of _____
Book _____ Page _____.

Attest:

Town Clerk

(over)

CA-104 EO REV 2-81

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

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

Plan to accompany petition of EVERSOURCE ENERGY to 1.) install 240'± OF 2-4" conduits on South Rd from 10094/010B to 10094/010C.
 2.) install 2 handholes (10094/010B and 10094/010C).
 Reason: Customer located on Pond Rd, is having voltage issues.

PARCEL ID: 47 03 015 037
 11 POND RD
 N/F
 ACKLAND TR CAROL T
 SUBTRUST CAROL T ACKLAND

PARCEL LINE
SOUTH RD
 PARCEL LINE

NAD 1988

PARCEL LINE

EDGE OF PAVEMENT

EDGE OF PAVEMENT

2-4" CONDUITS
 TL=240'±

10094/010C

EDGE OF PAVEMENT

10094/010B

POND RD

PARCEL ID: 47 03 011 012
 16 POND RD
 N/F
 DUNN JANE

PARCEL LINE

PARCEL ID: 47 03 013 015
 46 POND RD
 N/F
 BOUCHE TRUSTEE ANN CAMPION
 A C BOUCHE 2006 REVOC TRUST

PARCEL LINE

PARCEL ID: 47 03 012 013
 26 POND RD
 N/F
 GREGG THOMAS F
 GREGG VIRGINIA C

PARCEL LINE

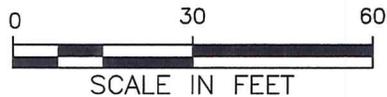
PARCEL LINE

#26

#16

LEGEND

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



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

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

MASS. LAW

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

Plan # 2337315

Ward #

Work Order # 2337315

Surveyed by: N/A

Research by: PG

Plotted by: BP

Proposed Structures: TL

Approved: A DEBENEDICTIS

P#

NSTAR EVERSOURCE
 ELECTRIC
 d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of POND ROAD
 FALMOUTH

Showing PROPOSED CONDUIT LOCATION

Scale 1"=30'

Date 11/25/19

SHEET 1 of 1

...a contactless device for passengers that is quick and easy way for them to board their ferry.

Electronic and mobile tickets will become more popular. The Steamship Authority is the first domestic ferry to use near-field communication technology, called NFC, instead of asking passengers to scan a bar code on a smartphone. This will allow for easier boarding while providing a more seamless experience for passengers.

The tickets launched last week on the high-speed route between Nantucket, Massachusetts and Falmouth, Massachusetts already have generated a lot of interest. Passengers can purchase high-speed tickets via their mobile devices or on that route. They are normally able to re-board by loading them

Apple watch or Android device near a ticket scanner to board the ferry.

Following the conclusion of the high-speed ferry season and a review of lessons learned from the live test, the eFerry tickets will be made available for traditional ferries on both the Nantucket and Martha's Vineyard routes in the first quarter of 2020. The eFerry ticket system also will include the ability to load the five-ride Lifeline Card, the 10-ride Ferry Pass and the 46-ride commuter books to a customer's Apple Wallet or Google Pay.

The Steamship Authority is using the current equipment at the terminals for its eFerry program.

Classified Hours
Monday through Friday
8 AM - 5 PM
508-548-4700 or 1-800-286-7744

EIGHT COUSINS
Your local family Bookshop

2019
Holiday Picks

eightcousins.com/holiday-picks-2019 to see recommendations for kids, teens, & adults.

Street • Falmouth, MA 02540 • 508.548.5548

www.eightcousins.com

ALL POLICE TOWS
Notice is hereby given by M. Sylvester Towing, 45 Simpson Lane, Falmouth, MA 02540 pursuant to the provisions of G.L. chapter 90 sec 22c G.L. C.255, Sec 25,26,39A, that on December 27, 2019 @10:00 AM at M. Sylvester Towing, 45 Simpson Lane, Falmouth, MA 02540, the following vehicles will be sold to satisfy garage-keeper's/mechanic's lien for towing charges, storage, care, and expenses of notice and sale of said vehicle.

VIN# 3FAHPOHG3CR341032
2013 Ford Fusion

December 6,13,20, 2019

**Falmouth Zoning Board of Appeals
Notice of Public Hearing for
January 9, 2020**

Notice is hereby given of the following Public Hearing @ 6:30pm and Open Meeting in the Selectmen's Meeting Room, Town Hall on **Thursday January 9, 2020**

Continuation(s) #072-19 Mullen, 410 Surf Drive, Falmouth: Modification of existing special permit #108-91 pursuant to section(s) 240-3 C., 240-69 E. and 240-159 of the Code of Falmouth to allow an elevated bath house on existing pilings.

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December 13,20, 2019

PUBLIC HEARING NOTICE

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Small Conference Room at 2:00 p.m. on Thursday, January 9, 2020, upon the petition of NSTAR Electric Company d/b/a Eversource Energy to install Two (2) 4" Conduits on South Road, West of Pond Road.

Per Order of the Falmouth Board of Selectmen

December 20, 2019

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
WATERWAYS REGULATION PRO-
GRAM**

**Notice of License Application Pursuant to M.G.L. Chapter 91
Waterways License Application Num-**

Additional information regarding this application may be obtained by contacting the waterways regulation Program at (508)946-2707. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Brendan Mullaney, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347

December 20, 2019

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Per Order of the Falmouth Board of Selectmen

December 20, 2019

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
WATERWAYS REGULATION PRO-
GRAM**

**Notice of License Application Pursuant to M.G.L. Chapter 91
Waterways License Application Number W19-5652
Stephen Weinig**

NOTIFICATION DATE: December 27, 2019
Public notice is hereby given of the waterways application by Stephen Weinig to maintain an existing seasonal pier, ramp and float at Lot C Little Neck Bars Road, in the municipality of Falmouth, in and over the waters of West Falmouth Harbor. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the waterways regulation Program at (508)946-2707. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

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Per Order of the Falmouth Board of Selectmen

December 20, 2019

South Road



Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: January 10, 2020

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install 270' of underground conduit in South Road to service a customer with voltage issues

A petition was submitted by Eversource to install 270' of 2"-4" underground conduit in South Road to service a customer with voltage issues. The work submitted in this petition is working in conjunction with the work submitted in the petition for Pond Road. All work must be done in the asphalt per request of the abutters.

The Engineering recommendation is to approve the request as submitted on Plan No. 2337315, W/O #2337315, dated 11/25/19.

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

Thank you,

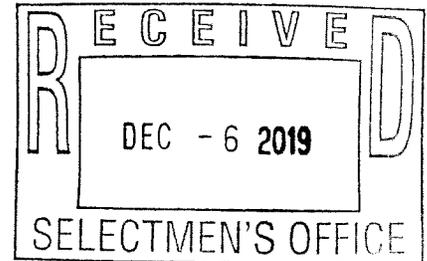
Nicholas Croft
Engineering Technician
DPW Engineering Division



50 Duchaine Blvd
New Bedford, MA 02745

December 2, 2019

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



Select board:

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

This proposed location(s) is required to address voltage issues for customer on Pond Road. This petition will require a notice to abutters and a hearing.

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

Very truly yours,

Donna Rosa
Right-of-Way
Representative

DR:dh
Enclosures

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Falmouth, Massachusetts

NOVEMBER 25, 2019

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

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

**SOUTH ROAD, West of Pond Road
WO# 2337315**

Two (2) 4" Conduits

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed substantially in accordance with the plan filed herewith marked Plan No. **2337315**, Dated **NOVEMBER 25, 2019**.

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

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

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

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

ORDERED:

Notice having been given and a public hearing held, as provided by law, the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company dated the 25 day of NOVEMBER, 2019.

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

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. 2337315, Dated NOVEMBER 25, 2019, filed with said petition. The following are public ways or parts of ways under, along and across which the cables above referred to may be installed under this order:-

**SOUTH ROAD, West of Pond Road
WO# 2337315**

Two (2) 4" Conduits

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 13th day of January, 2019.20

Clerk of Selectmen.

Massachusetts _____, 2019.
Received and entered in the records of location orders of the Town of _____
Book _____ Page _____.

Attest:

Town Clerk

(over)

CA-104 EO REV 2-81

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

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

Plan to accompany petition of EVERSOURCE ENERGY to 1.) install 270'± OF 2-4" conduits on South Rd from 10094/015 to 10094/010B.
Reason: Customer located on Pond Rd, is having voltage issues.

PARCEL ID: 47 03 021 040
44 SOUTH RD
N/F
CAREY TRUSTEE CHARLEEN
CHARLEEN CAREY REVOC TRUST

PARCEL ID: 47 03 022 039
54 SOUTH RD
MCGOVERN MICHAEL J
MCGOVERN JENNIFER A

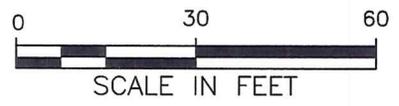
PARCEL ID: 47 03 014 038
66 SOUTH RD
N/F
WHITNEY RICHARD W
WHITNEY KAREN M

PARCEL ID: 47 03 032 017
47 SOUTH RD
N/F
GILMORE TR HAROLD L
GILMORE TR MARY F

PARCEL ID: 47 03 031 016
51 SOUTH RD
N/F
DONOHUE TRUSTEE ELEANOR T
ET DONOHUE 18 REV TR

LEGEND

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



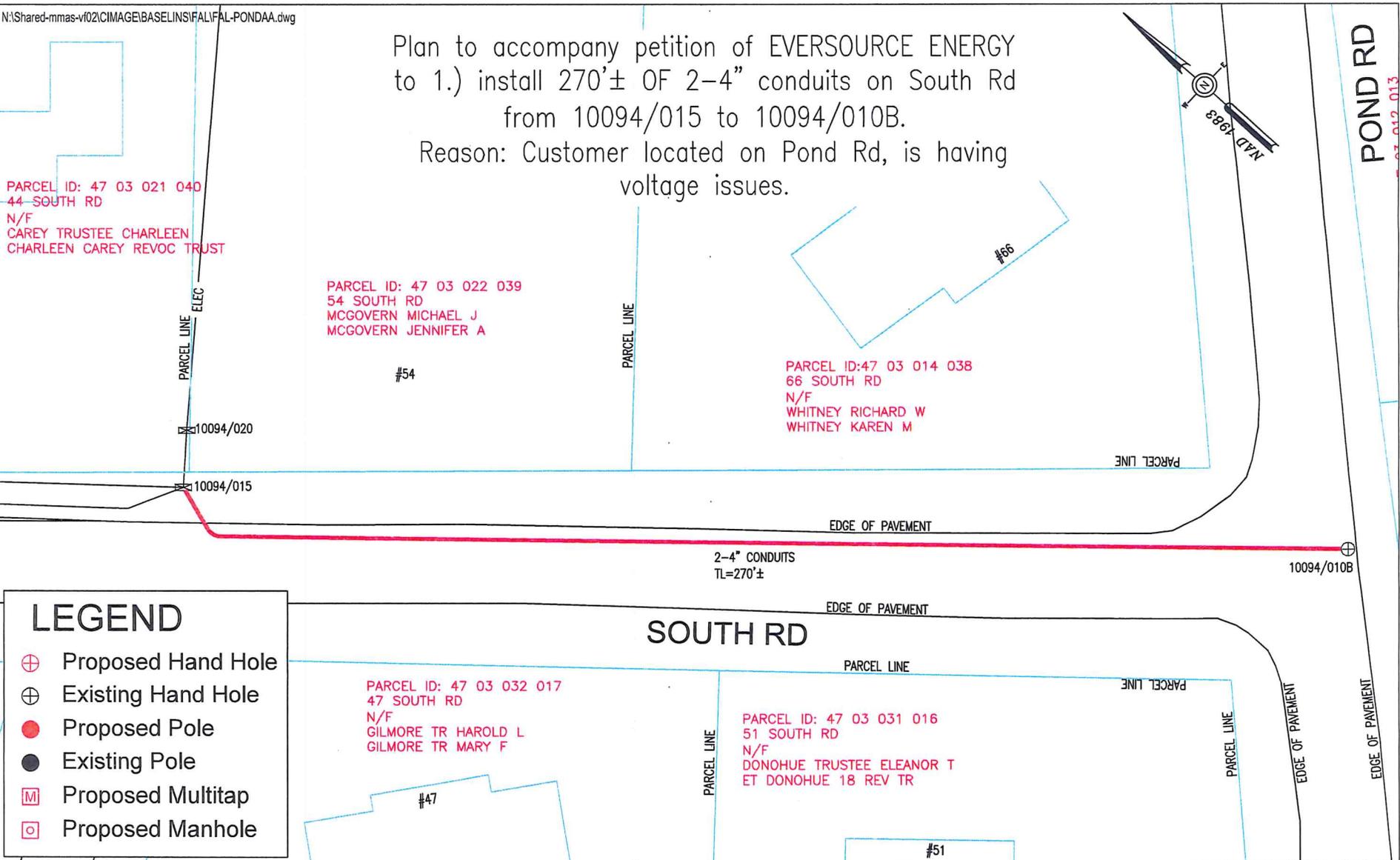
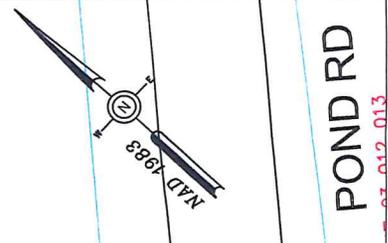
BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY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

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

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

Plan #	2337315	
Ward #		
Work Order #	2337315	
Surveyed by:	N/A	Plan of SOUTH ROAD
Research by:	PG	FALMOUTH
Plotted by:	BP	Showing PROPOSED CONDUIT LOCATION
Proposed Structures:	TL	
Approved:	A DEBENEDICTIS	Scale 1"=30' Date 11/25/19
P#	SHEET	1 of 1

NSTAR EVERSOURCE
ELECTRIC
d/b/a
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125



for passengers that
ick and easy way for
ard their ferry.

ectronic and mobile
become more pop-
de, the Steamship
the first domestic
r to use near-field
n technology, com-
FC, instead of ask-
; to scan a bar code
a smartphone. The
ll allow for easier,
er boarding while
re seamless expe-
engers.

tickets launched
last week on the
h-speed route be-
s and Nantucket,
gers already have
urchase high-speed
via their mobile
gers on that route
onally able to re-
ets by loading them

Apple Watch or Android device
near a ticket scanner to board the
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45 Simpson Lane, Falmouth, MA 02540, the
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of said vehicle.

VIN# 3FAHPOHG3CR341032
2013 Ford Fusion

December 6, 13, 20, 2019

Falmouth Zoning Board of Appeals
Notice of Public Hearing for
January 9, 2020

Notice is hereby given of the following **Public Hearing @ 6:30pm and Open Meeting** in the Selectmen's Meeting Room, Town Hall on **Thursday January 9, 2020**

Continuation(s) #072-19 Mullen, 410 Surf Drive, Falmouth: Modification of existing special permit #106-91 pursuant to section(s) 240-3 C., 240-69 E. and 240-159 of the Code of Falmouth to allow an elevated bath house on existing pilings.

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Per Order of the Falmouth Board of Selectmen

December 20, 2019

DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M.G.L. Chapter 91 Waterways License Application Num-

Additional information regarding this application may be obtained by contacting the waterways regulation Program at (508)946-2707. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Brendan Mullaney, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347

December 20, 2019

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Per Order of the Falmouth Board of Selectmen

December 20, 2019

DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M.G.L. Chapter 91 Waterways License Application Number W19-5652 Stephen Weinig

NOTIFICATION DATE: December 27, 2019

Public notice is hereby given of the waterways application by Stephen Weinig to maintain an existing seasonal pier, ramp and float at Lot C Little Neck Bars Road, in the municipality of Falmouth, in and over the waters of West Falmouth Harbor. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

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Per Order of the Falmouth Board of Selectmen

December 20, 2019



COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL
COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

2020 Seasonal Population Increase Estimation Form

City / Town:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of
City / Town Name

, as of July 10, 2020 will be

Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

Diane Davidson

From: Michael Palmer
Sent: Monday, January 6, 2020 2:56 PM
To: Diane Davidson
Subject: RE: 2020 Estimated Seasonal Population

84378

Regards,

Michael

Michael Palmer, CMC/CMMC
Falmouth Town Clerk
NEW EMAIL ADDRESS
michael.palmer@falmouthma.gov
508-495-7353



From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Monday, January 6, 2020 1:23 PM
To: Michael Palmer <michael.palmer@falmouthma.gov>
Cc: Phyllis Downey <phyllis.downey@falmouthma.gov>
Subject: 2020 Estimated Seasonal Population

Hi Michael,

Thank you for the current permanent population number (28,126). Each year the ABCC asks towns to report the estimated seasonal population increase. Attached is a copy of the form for your reference. Would you mind providing me with the estimated seasonal population for 2020?

Thank you,

Diane

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

ASSURANCES RELATING TO REAL PROPERTY ACQUISITION

-
- A. PURPOSE — This form is to be used by sponsor(s) to provide the assurances to the Natural Resources Conservation Service of the U.S. Department of Agriculture which is required in connection with the installation of project measures which involve Federal financial assistance furnished by the Natural Resources Conservation Service.

-
- B. PROJECT MEASURES COVERED —

Name of project Coonamessett River Restoration Phase 2

Identity of improvement or development Culvert Replacement to restore fish passage

Location John Parker Road, Falmouth

-
- C. REAL PROPERTY ACQUISITION ASSURANCE —

This assurance is applicable if real property interests were acquired for the installation of project measures, and/or if persons, businesses, or farm operations were displaced as a result of such installation; and this assurance was not previously provided for in the watershed, project measure, or other type of plan.

If this assurance was not previously provided, the undersigned sponsor(s) hereby assures they have complied, to the extent practicable under State law, with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. 4601-4655), as implemented in 7 C.F.R. Part 21. Any exceptions taken from the real property acquisition requirements under the authority of 42 U.S.C. 4655 because of State law have been or is hereby furnished to the Natural Resources Conservation Service along with the opinion of the Chief Legal Officer of the State containing a full discussion of the facts and law furnished.

-
- D. ASSURANCE OF ADEQUACY OF REAL PROPERTY RIGHTS —

The undersigned sponsor(s) hereby assures that adequate real property rights and interests, water rights if applicable, permits and licenses required by Federal, State, and local law, ordinance or regulation, and related actions have been taken to obtain the legal right to install, operate, maintain, and inspect the above-described project measures, except for structures or improvements that are to be removed, relocated, modified, or salvaged before and/or during the installation process.

This assurance is given with the knowledge that sponsor(s) are responsible for any excess costs or other consequences in the event the real property rights are found to be inadequate during the installation process.

Furthermore, this assurance is supported by an attorney's opinion attached here to that certifies an examination of the real property instruments and files was made and they were found to provide adequate title, right, permission and authority for the purpose(s) for which the property was acquired.

If any of the real property rights or interests were obtained by condemnation (eminent domain) proceedings, sponsor(s) further assure and agree to prosecute the proceedings to a final conclusion and pay such damages as awarded by the court.

TOWN OF FALMOUTH
(Name of Sponsor)

This action authorized
at an official meeting _____
_____ on _____
By: _____ day of _____, 19_____,
Title: _____ at _____
Date: _____ State of _____
Attest: _____
(Name)

(Title)

_____ (Name of Sponsor)

This action authorized
at an official meeting _____
_____ on _____
By: _____ day of _____, 19_____,
Title: _____ at _____
Date: _____ State of _____
Attest: _____
(Name)

(Title)

*Approved
See original letter dated
3-8-19 attached hereto.
Frank Ruff, Town Counsel
12-31-19*



TOWN OF FALMOUTH
OFFICE OF TOWN COUNSEL
157 LOCUST STREET
FALMOUTH, MASSACHUSETTS 02540-2658
(508) 548-8800 • FAX (508) 540-0881
towncounsel@falmouthmass.us

PATRICIA A. HARRIS
ASSOCIATE TOWN COUNSEL
pharris@falmouthmass.us

FRANK K. DUFFY
TOWN COUNSEL
fduffy@falmouthmass.us

KIMBERLY FISH
TOWN PARALEGAL
kfish@falmouthmass.us

March 8, 2019

Ms. Mia Halter, District Conservationist
National Resources Conservation Services
303 Main Street
West Yarmouth, MA 02673

OPINION TITLE

IN RE:

**TOWN OF FALMOUTH, MA
JOHN PARKER ROAD FISH PASSAGE**

Dear Ms. Halter:

As Town Counsel for the Town of Falmouth, MA, County of Barnstable, I certify an examination of title of real property instruments and files for the above referenced project were made and there is good and adequate title, right and permission and authority for the purposes for which the property was acquired and for the above referenced project.

Very truly yours,


Frank K. Duffy
Town Counsel

FKD/kf

cc: Julian Suso, Town Manager
Jim McLoughlin, Town Engineer
Jennifer McKay, Conservation Administrator

To: Governor Charles Baker, Speaker of the House Robert DeLeo, Senate President Karen Spilka, & Members of the 191st General Court of the Commonwealth of Massachusetts

Subject: Local Officials Supporting Massachusetts Carbon Pricing Legislation

We, the undersigned elected and appointed officials of municipalities from across the Commonwealth, write in support of carbon pollution pricing being implemented in our state. We ask that you pass *An Act to promote green infrastructure and reduce carbon emissions* (H.2810) before the end of the current legislative session (2019-2020).

Massachusetts has a history of leadership on the issues of national importance, from healthcare to public education to marriage equality to clean water. Now we should step up in meaningfully addressing one of the most pressing challenges we face: climate change.

As local officials, we are already facing the impacts of climate change first hand in our communities. Coastal cities and towns have experienced record flooding and damage from more powerful storms – but impacts are not only limited to our sea shore. Inland communities are facing extreme heat, drought, and inland flooding that threatens small businesses, stable municipal budgets, and the health of our most vulnerable citizens.

If we are to counteract these issues, we need comprehensive funding that invests where it matters: fossil fuel use in our buildings (to increase energy efficiencies and access cost savings from heating with renewables), clean transportation (to electrify our bus fleets and increase access to regional mass transit), and climate adaptation (to fund innovative solutions to local climate threats). *An Act to promote green infrastructure and reduce carbon emissions* (H.2810) is a key policy that will allow us to achieve this. It invests up to \$6 billion every 10 years in green infrastructure like local clean transportation, climate adaptation, renewable energy, and electrification for municipal fleets.

Among the local benefits of this legislation are:

- Funding clean transportation options like local electric charging stations and the electrification of municipal vehicles fleets (e.g. school buses).
- Dedicated funding for local clean energy and climate adaptation. This includes microgrids, modern seawall upgrades, and planning that builds upon the state’s existing MVP program.
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At the same time, it has 1) a net beneficial impact on statewide economic growth (predicted to increase Gross State Product by \$600 million), 2) creates over ten thousand local jobs, and 3) is one of the best climate policies when it comes to creating predictability for small businesses.

We respectfully ask that you pass H.2810 in the current legislative session (2019-2020). This is an important step in beginning to make the critical investments in our local communities that protect us from worsening climate change impacts, save money for our municipalities, and increase the wellbeing of all our constituents.

The undersigned,

Megan English Braga, Chairman

Susan L. Moran

Douglas C. Brown, Vice Chairman

Samuel H. Patterson

Douglas H. Jones

FALMOUTH BOARD OF SELECTMEN

Diane Davidson

From: Megan Amsler <megan@reliance.org>
Sent: Wednesday, January 8, 2020 1:08 PM
To: Falmouth Selectmen; d davidson@falmouthma.gov
Subject: Seeking support of Rep Benson's Carbon Pricing bill
Attachments: H2810 flyer_June 4 2019 Final.pdf; Benefits of Benson Bill_June 4 2019 Final.pdf; Municipal Carbon Pricing Letter (2019-20) (1).pdf

Happy 2020 to you all.

I am writing to ask if the Board of Selectmen would be willing to sign a letter supporting Rep. Jen Benson's carbon pricing bill (HB2810), which is up before the Telecommunication, Utilities and Energy committee on January 14th.

A group of supporters of this bill met with Rep. Fernandes in November and he too indicated his support for the bill.

I have attached a draft letter of support along with more information about the bill and what it is proposing.

Please let me know if you have any questions.

And if you are able to send a letter in, here is the info for where to send the letter

Getting signatures

- A copy of the letter is attached.
- Letters with hard copy signatures can be mailed to Tim Cronin, Policy & Partnerships Manager, 31 Saint James Avenue, Boston MA 02116 or scanned and sent to tim.cronin@cabaus.org
- Alternatively, municipal leaders could read the letter and sign on, electronically, at: <https://forms.gle/BUt7qFbc4GvoQQFx9>

Many thanks.

~Megan

--

Megan Amsler
Executive Director
Self-Reliance Corporation
P.O. Box 396
North Falmouth, MA 02556
508-563-6633
www.reliance.org
Physical Address:
1396 Route 28A
Cataumet, MA



Climate Action NOW



Representative Jen Benson's Bill H2810

An Act to Promote Green Infrastructure and Reduce Carbon Emissions

H2810 will:

- Reduce greenhouse gas emissions from transportation and heating
- Move our economy to clean renewable energy
- Protect low- and moderate-income residents
- Provide local governments with funds to invest in green infrastructure
- Create jobs, grow the economy and stimulate innovation
- Improve health, reducing health care costs \$3 billion over 20 years

The United Nations Intergovernmental Panel on Climate Change recently reported that global warming is accelerating faster than expected, and that we have only 12 years in which to avoid irreversible climate change. ***They have urged governments to put a price on carbon pollution.***

The Massachusetts Global Warming Solutions Act of 2008 requires us to reduce emissions 25% below 1990 levels by 2020 and 80% by 2050. We are not on target to meet these mandates with current policies. ***Almost all economists worldwide say that carbon pollution pricing is the most effective way to drive down emissions.***

Carbon pollution pricing:

- Fossil fuel wholesalers pay fees in proportion to the carbon dioxide emissions of their products
- Fees provide incentives that encourage people to shift away from fossil fuels toward local, renewable, clean energy
- It bolsters the effectiveness of other policies by aligning economic incentives, and is a key component of the solutions we need to lessen the climate catastrophe we're already facing.

How would HD 2810 work?

A fee is assessed on fossil fuel wholesalers when the product enters the state.

- \$20/ton of pollution, increasing each year by \$5/ton until it reaches \$40/ton
- Methane leakage prior to the combustion is included in the natural gas fee
- If Massachusetts does not meet carbon emissions reductions targets after the first 5 years, the price will increase \$5/ton for every year targets are not met

70% of the fees are returned to consumers and businesses via rebates to offset any increases in fuel prices.

- Rebates are progressive: low- and moderate-income households get back more in rebates than they are expected to spend on price increases
- Rebates are distributed so they correspond to when fees are paid.
- Funding for home heating assistance will be significantly increased
- Households in rural communities get additional rebates, because of longer commutes and lack of public transit.
- Impacted industries including local governments, agriculture, fisheries and manufacturing will receive higher rebates than other employers
- \$1 Million will be allocated for transition of workers in the fossil fuel industry

30% of the fee will go to a Green Infrastructure Fund, generating millions of dollars to accelerate the transition to a clean economy.

- Communities can apply for the funds with 40% of the funding targeted to low-income cities and towns.
- Investments can include public transportation, energy efficiency in schools, public buildings and housing, and climate resiliency and more



Climate Action Now is a part of the coalition, Campaign for a Clean Energy Future advocating for carbon pollution pricing in Massachusetts. For more info and to find contacts visit:

<http://climateactionnowma.org/carbon-fee/> or masscleanenergyfuture.org

H 2810 – Sponsor: Rep. Jennifer Benson

An Act to Promote Green Infrastructure and Reduce Carbon Emissions

Produces cleaner air	<ul style="list-style-type: none">• Charges fossil fuel companies \$20/ ton of pollution the first year (increases gasoline about 16 cents/gal)• Fee rises \$5/ ton each year, as long as state carbon pollution emissions targets are not achieved• Includes methane leakage in the fee on natural gas• Decreases use of polluting technologies• Makes green energy more competitive
Funds green infrastructure projects	<ul style="list-style-type: none">• 30% of the money collected in fees will go to a Green Infrastructure Fund that will provide money for a wide range of projects that reduce carbon emissions• Projects may include: public transit, electric vehicles, electric vehicle infrastructure; energy efficiency and renewable energy investment in housing, municipal infrastructure, and public-school buildings; loan programs for small business, climate resilience, renewable energy, and efficiency upgrades.• Town, cities and regions are eligible to receive grants
Protects low- and moderate-income residents	<ul style="list-style-type: none">• Rebates will be sent in a timely manner so that people can pay their bills• Residential rebates will <u>not</u> be counted as income when determining eligibility for state assistance• Funding for energy efficiency programs for renters and home heating assistance• At least 40% of the Green Infrastructure Fund must benefit low-income residents and communities• Families in lowest 20% of incomes will receive \$2.87 for every \$1 of fuel cost increase• Families in middle of income range will get larger rebates than those with higher incomes• Higher rebates for rural residents

<p>Strengthens the economy</p>	<ul style="list-style-type: none"> • Creates jobs in a variety of sectors, including clean energy • Rebates spur local economic activity in lower income areas • Provides clear policy for business & reduces planning risks • Supports impacted industries facing out-of-state competition, including local governments, agriculture, fisheries and manufacturing, by giving them higher rebates than other employers • Supports the transition of workers in the fossil fuel industry by allocating \$1 M per year for job training • Spurs innovation and efficiencies in green technology •
<p>Complements other climate bills</p>	<ul style="list-style-type: none"> • Complements the Transportation Climate Initiative (TCI), should that be enacted. Subtracts TCI charge/ton of carbon from the cost/ ton under Benson’s bill • Benson’s bill is a specific policy ready for implementation, and covers the almost 70% of emissions generated by heating and transportation fuels • Exempts electricity generation as it is covered by a regional carbon cap and trade program (RGGI)
<p>Provides health benefits</p>	<ul style="list-style-type: none"> • \$2.9 Billion in health savings over approximately 20 years if this bill is implemented (Harvard Health Study, 2017) • Decreases in allergies and asthma, cancers, heart attacks, heat related illnesses

To: Governor Charles Baker, Speaker of the House Robert DeLeo, Senate President Karen Spilka, & Members of the 191st General Court of the Commonwealth of Massachusetts

Subject: Local Officials Supporting Massachusetts Carbon Pricing Legislation

We, the undersigned elected and appointed officials of municipalities from across the Commonwealth, write in support of carbon pollution pricing being implemented in our state. We ask that you pass *An Act to promote green infrastructure and reduce carbon emissions* (H.2810) before the end of the current legislative session (2019-2020).

Massachusetts has a history of leadership on the issues of national importance, from healthcare to public education to marriage equality to clean water. Now we should step up in meaningfully addressing one of the most pressing challenges we face: climate change.

As local officials, we are already facing the impacts of climate change first hand in our communities. Coastal cities and towns have experienced record flooding and damage from more powerful storms – but impacts are not only limited to our sea shore. Inland communities are facing extreme heat, drought, and inland flooding that threatens small businesses, stable municipal budgets, and the health of our most vulnerable citizens.

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We respectfully ask that you pass H.2810 in the current legislative session (2019-2020). This is an important step in beginning to make the critical investments in our local communities that protect us from worsening climate change impacts, save money for our municipalities, and increase the wellbeing of all our constituents.

The undersigned,

BILL H.2810

191st (Current)

AN ACT TO PROMOTE GREEN INFRASTRUCTURE AND REDUCE CARBON EMISSIONS

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 2810) of Jennifer E. Benson and others relative to the promotion green infrastructure and reduction of carbon emissions.

Bill Information

Presenter:

Jennifer E. Benson

Status:

Referred to Joint Committee on Telecommunications, Utilities and Energy

Displaying 3 actions for Bill H.2810

Date	Branch	Action
1/22/2019	House	Referred to the committee on Telecommunications, Utilities and Energy
1/22/2019	Senate	Senate concurred
1/7/2020	Joint	Hearing scheduled for 01/14/2020 from 01:00 PM-05:00 PM in A-2

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HOUSE No. 2810

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to promote green infrastructure and reduce carbon emissions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Maria Duaiame Robinson</i>	<i>6th Middlesex</i>

<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Michael J. Moran</i>	<i>18th Suffolk</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>

<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Joseph F. Wagner</i>	<i>8th Hampden</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>

<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>
<i>David Biele</i>	<i>4th Suffolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>

HOUSE No. 2810

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 2810) of Jennifer E. Benson and others relative to the promotion green infrastructure and reduction of carbon emissions. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to promote green infrastructure and reduce carbon emissions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of chapter 25A of the Massachusetts General Laws, as appearing
2 in the 2012 Official Edition, is hereby amended by inserting the following definitions:-

3 “Adult,” a resident of the Commonwealth age 18 or above.

4 “Minor,” a resident of the Commonwealth age 17 or below.

5 “Quintile 1,” the 20 percent of households in the Commonwealth with the lowest after-
6 tax incomes.

7 “Quintile 2,” the 20 percent of households in the Commonwealth with the next-to-lowest
8 after-tax incomes; also termed those households with incomes from the 20th to 40th percentile of
9 all households in the Commonwealth.

10 “Quintile 3,” the middle 20 percent of households in the Commonwealth based on after-
11 tax incomes; also termed those households from the 40th to 60th percentile of all households in
12 the Commonwealth.

13 “Quintile 4,” the next to highest 20 percent of households based on after-tax incomes;
14 also termed those households from the 60th to 80th percentile of all households in the
15 Commonwealth.

16 “Quintile 5,” the 20 percent of households with the highest after-tax incomes of all
17 households in the Commonwealth.

18 “DOR Commissioner”, the Commissioner of the Department of Revenue.

19 "Greenhouse gas", carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O),
20 hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆), and any
21 other matter identified by the department of energy resources as a likely contributor to climate
22 change.

23 “Greenhouse gas-emitting priority”, matter that emits or is capable of emitting a
24 greenhouse gas when burned or released to the atmosphere and is identified as a priority under
25 the terms of this act, except that natural gas, petroleum, coal and any solid, liquid or gaseous fuel
26 derived therefrom shall be greenhouse gas-emitting priorities.

27 “Greenhouse gas pollution charges”, the charges imposed on each ton of CO₂e pursuant
28 to this chapter.

29 “Employer”, any person, corporation, partnership, governmental body, or other entity that
30 has employees working in the commonwealth.

31 “Green Infrastructure Fund”, a fund whose revenues are derived from the pollution
32 charges defined in this section, and whose funds are used to finance the development of green
33 infrastructure, according to section 13B.

34 “Greenhouse gas pollution charges fund”, the greenhouse gas pollution charges fund
35 established under section 13C, also called the “pollution charges fund.” of this chapter.

36 “Lifecycle Emissions,” greenhouse gas emissions that are released during phases of a fuel
37 or other product’s life, including those emissions released during extraction, processing,
38 transportation, and disposal.

39 “Motor vehicle fuel”, fuel for the operation of a motor vehicle, provided, that “fuel” and

40 “Motor vehicle” shall have the same meanings as defined in section one of chapter 64A.

41 “Total rebate shares,” the sum of all Commonwealth residents age 18 or older, plus one-
42 half the sum of all Commonwealth residents age 17 or younger.

43 “Resident” shall have the same meaning as defined in section one of chapter 62.

44 “Low-income households” are those with household incomes at or below 60 percent of
45 the statewide median household income or 60 percent of the area median household income as
46 calculated annually by the United States Department of Housing and Urban Development.

47 “Low-income communities” are census tracts with median household incomes at or
48 below 60 percent of the statewide median income.

49 “Rural households” are those residing in a municipality with a population density equal
50 to or less than 500 residents per square mile of land in the municipality.

51 "The EEA Secretary", The Secretary of the Executive Office of Energy and
52 Environmental Affairs

53

54 SECTION 2. Section 6 of chapter 25A of the General Laws, as so appearing, is hereby
55 amended by inserting after the last paragraph the following:-

56 (13) administer the schedules of greenhouse gas pollution charges and the greenhouse gas
57 pollution charges rebate fund, both established pursuant to this chapter. The executive office of
58 energy and environmental affairs shall delegate all collection of greenhouse gas pollution
59 charges, distribution of rebates, and any other appropriate functions to the department of
60 revenue. The department of revenue will carry out all functions delegated to it by the executive
61 office of energy and environmental affairs.

62 SECTION 3. Chapter 25A of the General Laws, as so appearing, is hereby amended by
63 inserting after section 13 the following sections:-

64 25A:13A Greenhouse gas pollution schedule and charges

65 (a) The EEA Secretary shall, using the best information and science reasonably available,
66 consider whether to identify any greenhouse gas-emitting matter, in addition to natural gas,
67 petroleum, coal, and any solid, liquid or gaseous fuel derived therefrom, as a greenhouse gas-
68 emitting priority for the purposes of this chapter; except that emissions from farm animals and
69 crops shall not be designated greenhouse gas-emitting priorities.

70 (b) The EEA Secretary shall determine the schedule of greenhouse gas pollution charges
71 authorized under this chapter by multiplying the CO₂e of each greenhouse gas-producing

72 substance by the charge or charges established herein. For the purpose of calculating said
73 schedule, the EEA Secretary shall determine the average CO2e per unit of each greenhouse gas-
74 producing substance. For substances where the CO2e per unit is not precisely known, because
75 the rate of leakage of the substance into the atmosphere is uncertain or for other reasons, the
76 EEA Secretary shall use the best available information to estimate the average CO2e per unit of
77 the substance used in the Commonwealth.

78 (c) The DOR commissioner, in consultation with the EEA Secretary, shall collect
79 greenhouse gas pollution charges on the distribution or sale of greenhouse gas-emitting
80 priorities. The charge in the first year of operation shall be \$20 per ton of CO2e. Said charges
81 shall increase by \$5 every year until the rate is \$40 per ton of CO2e. Beginning in the sixth year
82 of implementation, the charge shall be annually defined as \$5 multiplied by the total number of
83 years since the fifth calendar year of implementation in which the EEA Secretary has determined
84 that actual emissions have exceeded the annual emissions target for that calendar year, pursuant
85 to Section 25A:13A(d), plus \$40.

86 (d) Beginning in 2025, the EEA Secretary shall determine by no later than September 1st
87 on an annual basis whether actual emissions of greenhouse gases from the preceding calendar
88 year exceeded the annual emissions target for that year. If such a determination is made, the
89 DOR commissioner shall update the greenhouse gas pollution charge on January 1st of the
90 following calendar year. The annual emissions targets are defined as follows:

91 (1) Until 2030, the annual emissions target is equivalent to actual emissions in year one
92 of implementation, minus a uniform rate of reduction in subsequent years such that the annual

93 emissions target in 2030 is equal to the 2030 emissions limit as defined by chapter 21N, the
94 Climate Protection & Green Economy Act.

95 (2) Between 2030 and 2040, the annual emissions target is defined as the 2030 emissions
96 limit as defined by chapter 21N, the Climate Protection & Green Economy Act, minus a uniform
97 rate of reduction in subsequent years such that the annual emissions target in 2040 is equal to the
98 2040 emissions limit as defined in chapter 21N.

99 (3) Between 2040 and 2050, the annual emissions target is defined as the 2040 emissions
100 limit as defined by chapter 21N, the Climate Protection & Green Economy Act, minus a uniform
101 rate of reduction in subsequent years such that the annual emissions target in 2050 is equal to the
102 2050 emissions limit as defined by chapter 21N.

103 (e) The EEA Secretary shall undertake all reasonable efforts to collect charges authorized
104 pursuant to this chapter at the first point of distribution or sale within the commonwealth of a
105 greenhouse gas-producing substance. Before 2025, the EEA Secretary shall amend current
106 regulations, and develop new regulations if necessary, in order to measure and verify actual
107 emissions of greenhouse gases from entities subject to carbon fees, in adherence with the
108 timeframe described in Section 25A:13A(d). The regulations shall do all of the following:

109 (1) Require annual third-party verification of all entities subject to report greenhouse gas
110 emissions.

111 (2) Make all reasonable efforts to promote consistency and streamlined reporting
112 requirements across international, federal, and state greenhouse gas emission reporting programs.

113 (f) In the fourth year of implementation, and every two years thereafter, the EEA
114 Secretary shall report to the house and senate committees on ways and means, the joint
115 committee on telecommunications, utilities and energy, and the house and senate committees on
116 global warming and climate change. Said reports shall consider whether any further adjustments
117 in greenhouse gas pollution charges are recommended to account for inflation, to ensure progress
118 towards reaching emissions limits for 2030, 2040, and 2050 included in or authorized by chapter
119 21N, the Climate Protection & Green Economy Act, or, pursuant to section 13C(f)(2) of this
120 chapter, to mitigate serious harm to economic sectors, economic sub-sectors or individual
121 employers of the commonwealth caused by collection of greenhouse gas pollution charges.

122 (g) Subject to subsection (b) of this section, the EEA Secretary shall determine the
123 amount of carbon dioxide equivalents released in the form of escaped methane due to the
124 extraction, transport, or distribution of natural gas before the point of consumption in the state,
125 and shall add an additional charge to the carbon price for all natural gas based on the rate
126 specified in subsection (c) of this section.

127 (h) Greenhouse gas-emitting priorities may produce GHG emissions prior to and
128 subsequent to their combustion or other use within the Commonwealth, including emissions
129 during extraction, refining, processing, transportation, and disposal. Such emissions may be
130 significant in relation to the emissions from combustion or other use within the Commonwealth.
131 Within three (3) years of this act coming into effect, the EEA Secretary shall issue a report and
132 recommendations to the General Court as to whether such "lifecycle" emissions should have the
133 greenhouse gas pollution charge applied to them.

134 (i) Power plants regulated by the Regional Greenhouse Gas Initiative, as defined in 310
135 CMR 7.70(1)(b), shall be exempt from the greenhouse gas pollution charges.

136 (j) Should the federal government, or a regional consortium of states, establish a carbon
137 fee on the transportation or heating sectors, the DOR shall deduct the sum of payments made to
138 other carbon price programs in the same year; provided, however, that the amount deducted may
139 be no greater than the total amount of the carbon fee assessed by the DOR Commissioner.

140 25A:13B Green Infrastructure Fund

141 (a) There shall be established on the books of the commonwealth a separate fund to be
142 known as the Green Infrastructure Fund (GIF). The DOR commissioner shall deposit 30% of
143 proceeds collected under section 13A into said fund. The Green Infrastructure Fund will support
144 investments in clean energy, clean transportation, and resiliency to the local impacts of climate
145 change. Eligible projects shall include but not be limited to: investments in public transit, electric
146 vehicles, electric vehicle infrastructure, and other modes of clean transportation; expansion of in-
147 state renewable energy systems; energy efficiency and renewable energy investments in housing,
148 municipal infrastructure, and public school buildings; and loan programs for small business
149 climate resiliency, renewable energy, and efficiency upgrades. Funding for household projects
150 shall include resources that enable renter households to access the benefits of energy efficiency
151 and/or renewable energy.

152 (b) Governance

153 (1) A Green Infrastructure Fund Board of Directors shall be created, with its members
154 chosen by the Governor of the Commonwealth. The EEA Secretary shall serve as Chair of the
155 Green Infrastructure Fund Board, with 17 members representing: (i) the Department of

156 Transportation; (ii) the Department of Environmental Protection; (iii) the Department of Energy
157 Resources; (iv) the Department of Housing and Community Development; (v) the Office of the
158 Treasurer; (vi) the Massachusetts Clean Energy Center; (vii) small business; (viii) large
159 commercial/industrial business; (ix) organized labor; (x) state residents; (xi) low-income
160 residents; (xii) municipalities; (xiii) clean energy; (xiv) public transportation; (xv) environmental
161 protection; and (xvi) two separate representatives from regional planning associations
162 representing different regions of the state.

163 (2) The Massachusetts Clean Energy Center (CEC), with the guidance of the Green
164 Infrastructure Fund Board of Directors (GIF Board), shall develop and issue two-year plans for
165 expenditure of the GIF funds. The CEC may assign responsibility for administering portions of
166 the funds and plans to state agencies outside its authority, including but not limited to the
167 Massachusetts Department of Transportation, the Massachusetts Department of Energy
168 Resources, the Massachusetts Department of Environmental Protection, the Massachusetts
169 Department of Education, and the Executive Office of Housing and Economic Development.

170 (3) Municipal governments and regional agencies serving municipalities, including
171 regional transit authorities, are eligible to apply for funding from the GIF, through a grant
172 procedure to be developed by the CEC under the direction of the GIF Board. The CEC must
173 make technical assistance available as part of this grant procedure, using funds specified in
174 Section 13B(b)(4).

175 (4) The Green Infrastructure Fund shall be administered by the CEC using up to 5% of
176 Green Infrastructure Fund proceeds to cover administrative costs, including support from expert

177 consultants, technical assistance to municipal governments and regional agencies, and program
178 outreach.

179 (c) Investment

180 (1) Priority disbursements will be awarded to projects that concur with investment
181 principles established by the GIF Board, in consultation with the public. Among these principles,
182 all funded projects must facilitate, directly or indirectly, reductions of greenhouse gas emissions
183 or provide resilience to the local impacts of climate change.

184 (2) The investment plan shall allocate a minimum of 40 percent of the available moneys
185 in the fund to programs and projects that benefit individual low-income households, regardless of
186 location, and to larger-scale projects located within the boundaries of, and benefiting individuals
187 living in, low-income communities.

188 (3) Any funding guidelines developed for administering agencies pursuant to Section 13B
189 shall include guidelines for how administering agencies should maximize and measure benefits
190 for low-income households and communities, provided further that all construction,
191 reconstruction, alteration, installation, demolition, maintenance or repair paid through the Green
192 Infrastructure Fund shall be subject to Massachusetts General Law Chapter 149 Sections 26 to
193 27F inclusive, Massachusetts General Law Chapter 149 Section 29, and Massachusetts General
194 Law Chapter 30 Section 39M.

195 (d) Annual Reporting

196 (1) The CEC shall submit an annual report to the appropriate committees of the
197 Legislature on the status of projects funded pursuant to this bill and their outcomes.

198 (2) Administering agencies shall report to the CEC, and the CEC shall include in the
199 report, a description of how the administering agencies have fulfilled legislative requirements
200 pursuant to Section 13B(a) and Section 13B(c).

201 25A:13C Greenhouse gas pollution charges fund

202 (a) There shall be established on the books of the commonwealth a separate fund to be
203 known as the greenhouse gas pollution charges fund. The DOR commissioner shall deposit into
204 said fund all proceeds collected under section 13A that remain after distribution of funds to the
205 Green Infrastructure Fund. None of said proceeds shall fund government operations of the
206 commonwealth, other than to pay for reasonable administrative costs as provided under sub-
207 section (b) of this section.

208 (b) The DOR commissioner shall disburse all greenhouse gas pollution charge proceeds
209 as follows. 75 percent of the moneys shall be put into a household fund that is part of the
210 greenhouse gas pollution charges fund. 25 percent of the moneys shall be put into an employers'
211 fund that is part of the greenhouse gas pollution charges fund. The DOR commissioner may
212 retain a reasonable amount of charge proceeds to pay for the costs of administering the activities
213 authorized by this chapter. Proceeds shall be available for the purposes enumerated in this
214 section without appropriation.

215 (c) HOUSEHOLD FUND -- Of the funds transferred to the household fund, 25 percent of
216 the total funds shall be used as follows:

217 (1) Ten (10) percent of the household rebate fund shall be distributed to households in
218 quintile 1, as defined in Section 1 above. This 10 percent shall be divided by the sum of the
219 adults in quintile one plus one-half the minors in quintile one, with the resulting number termed

220 the “quintile 1 initial rebate.” Each household in quintile 1 shall receive a rebate equal to the
221 number of adults in the household times the quintile 1 initial rebate, plus the number of children
222 in the household times one-half the quintile 1 initial rebate.

223 (2) Ten (10) percent of the household rebate fund shall be distributed to the households in
224 quintile 2. This 10 percent shall be divided by the sum of the adults in quintile 2 plus one-half the
225 minors in quintile 2, with the resulting number termed the “quintile 2 initial rebate.” Each
226 household in quintile 2 shall receive a rebate equal to the number of adults in the household
227 times the quintile 2 initial rebate, plus the number of children in the household times one-half the
228 quintile 2 initial rebate.

229 (3) Five (5) percent of the household rebate fund shall be distributed to the households in
230 Quintile 3. This five (5) percent shall be divided by the sum of the adults in quintile 3 plus one-
231 half the minors in quintile 3, with the resulting number termed the “quintile 3 initial rebate.”
232 Each household in quintile 3 shall receive a rebate equal to the number of adults in the household
233 times the quintile 3 initial rebate, plus the number of children in the household times one-half the
234 quintile 3 initial rebate.

235 (d) The remaining 75 percent of the household fund shall be distributed as follows:

236 (1) The DOR commissioner shall direct a portion of the moneys to households in the
237 form of motor fuel rebates, and a separate portion of the moneys to households in the form of
238 home heating rebates. These portions are calculated as a percentage of annual carbon fee revenue
239 derived from the sale of motor fuel and the sale of heating fuels to households, multiplied by
240 total available moneys in the household fund after allocations in Section 13C(c) are carried out.

241 (2) Of the money directed to motor fuel rebates pursuant to Section 13C(d)(1), rural
242 households, as defined in Section 1 above, shall receive a greater rebate per adult than non-rural
243 households. The DOR Commissioner shall direct motor fuel rebates to each household in the
244 commonwealth, such that:

245 (i) Non-rural households receive a flat rebate per adult, and a flat half rebate per minor.

246 (ii) Rural households receive a rebate per adult that is 1.3 times greater than the flat
247 rebate per adult received by non-rural households. Rural households receive a rebate per minor
248 that is 1.3 times greater than the flat half rebate per minor received by non-rural households.

249 (3) Ten (10) percent of the funds calculated in Section 13C(d)(1) that derive from charges
250 collected on the sale of heating fuels to households shall be allocated to the Commonwealth's
251 Low Income Home Energy Assistance Program and transferred to the department of housing and
252 community development for incorporation into that program, provided that DHCD shall have
253 discretion to determine eligibility for these funds.

254 (4) The funds remaining in the household fund after the allocation of funds in Section
255 13C(d)(2) and Section 13C(d)(3) shall be divided by the total rebate shares, as defined in Section
256 1 above, with the resulting number termed the "remaining rebate per adult." Each household,
257 across all quintiles, shall receive a rebate equal to the remaining rebate per adult times the
258 number of adults in the household plus the remaining rebate per adult times one-half number of
259 children in the household.

260 (e) In rebating greenhouse gas pollution charge proceeds, the DOR Commissioner shall
261 coordinate with officials of the executive office of energy and environmental affairs, the
262 executive office of health and human services, the executive office of housing and economic

263 development and other agencies in making all reasonable efforts to identify the names and
264 addresses of all residents, with special attention to the names and addresses of low-income
265 residents, so that they can receive rebates expeditiously.

266 (f) EMPLOYERS FUND -- The DOR Commissioner shall allocate the remaining 25
267 percent of the greenhouse gas pollution charge fund to the employers fund, to be distributed as
268 follows:

269 (1) The DOR commissioner shall allocate \$1 million of the employers fund annually to
270 the Rapid Response Set-Aside fund, solely for the purpose of providing assistance to workers
271 and communities experiencing displacement, loss of tax revenue, or other forms of economic
272 loss due to the shrinkage of fossil fuel industries.

273 (2) The DOR commissioner, in consultation with the EEA Secretary and the
274 commissioner of housing and economic development, shall, with special attention to
275 manufacturing, agriculture, fisheries, and local governments, identify economic sectors or
276 economic sub-sectors at risk of serious negative impacts as a consequence of the charges
277 collected pursuant to this chapter. The commissioner may, as mitigation, calculate the total
278 proceeds collected from said sectors or subsectors and may apportion part or all of said proceeds
279 to the affected sector or sub-sector, provided that the sum of these rebates does not exceed the
280 total available moneys in the employer fund. In order to provide such mitigation, the DOR
281 commissioner shall show that such impacts are likely to occur, due to competition from
282 employers outside the Commonwealth in combination with energy costs constituting a
283 substantial fraction of total operating costs in the economic sector or sub-sector.

284 (2) Should additional moneys remain in the employer fund after distribution pursuant to
285 Section 13C(f)(1) and 13C(f)(2), the DOR commissioner shall rebate the remaining employer
286 funds to all other employers not included in Section 13C(f)(1) or Section 13D(b), including those
287 employers otherwise exempt from taxes under chapter 63 due to their status as not-for-profit
288 organizations or government entities. The DOR Commissioner shall distribute these funds such
289 that each employer receives a flat rate of compensation times the number of full time equivalent
290 employees.

291 (g) The DOR commissioner shall not be subject to penalties or lawsuits for damages if
292 the charges collected under this chapter are not precisely equal to rebates returned under this
293 chapter; provided, that the commissioner shall make all reasonable efforts to return to residents
294 and employers in the aggregate all charges collected under this chapter, except for those funds
295 placed in the fund for green infrastructure.

296 25A:13D Regulations; Miscellaneous

297 (a) The DOR commissioner and EEA Secretary shall promulgate rules and regulations
298 necessary to carry out the provisions of this chapter.

299 (b) If any covered fuel or its derivative is used by a government agency whose primary
300 purpose is to provide public transportation by bus, van, rail, ferry, or other means that reduce the
301 amount of driving by private motor vehicles, the DOR commissioner shall fully compensate or
302 exempt these agencies for their total costs associated with this chapter.

303 (c) The DOR commissioner shall do at least one of the following: (i) Provide rebates to
304 low and moderate income households twice each year in advance of the annual heating season
305 and summer cooling season; (ii) distribute part or all of the annual expected value of household

306 rebates to low and moderate-income households prior to collecting greenhouse gas charges in
307 year one; or (iii) otherwise set schedules and methods for distribution of rebates that ensure low
308 and moderate-income households obtain rebates corresponding to the time schedule in which
309 they can be expected to be paying greenhouse gas pollution charges.

310 (d) The commissioner may issue additional rebates or declare exemptions from charges in
311 instances where charges have been paid but no emissions occur or are anticipated to occur.

312 (e) The EEA Secretary shall study the feasibility of imposing and collecting additional
313 greenhouse gas emission charges on emissions attributable to biomass. The report shall include
314 an analysis of the feasibility and expense of (i) calculating a reasonably accurate current
315 statistical baseline, specific to the Commonwealth, of such emissions, and (ii) under what
316 conditions biomass usage should be exempt from carbon fees. Within nine months of the
317 effective date of this act, the commissioner shall submit the report to the house and senate
318 committees on ways and means, the joint committee on telecommunications, utilities, and
319 energy, and the house and senate committees on global warming and climate change.

320 (f) Within three years of the effective date of this legislation, the EEA Secretary shall
321 prepare a report on options for and the implications of collecting charges for emissions of CO₂e
322 resulting from carbon-generated electricity produced or distributed in the commonwealth. The
323 implications considered shall include, but not be limited to, potential effects on the market for
324 emission allowances created by the regional greenhouse gas initiative.

325 (g) Rebates distributed pursuant to Section 13C shall not be counted in determining
326 eligibility for other state programs with income limitations. To the degree possible, said rebates
327 shall not count towards income limitations for federal programs.

PRESS RELEASE

In late December, as had been previously discussed with the Board of Selectmen, the Water Department pulled water samples and had tests conducted to assess the potential presence of asbestos at locations within the Town of Falmouth. The sites included Long Pond, Crooked Pond, Mares Pond and the finished water source from Long Pond as well as a few, selected fire hydrants within Town. Working with the State Department of Environmental Protection (DEP), we have now been advised that all the samples from the multiple Pond water sources are valid, but that utilizing fire hydrants for such testing is inappropriate and any samples are invalid and cannot be relied upon due to a likely “water scouring” effect on the distribution pipe from the hydrant source itself. Although not a valid sample, a fire hydrant in the Wild Harbor area gave evidence of an exceedance. Per further guidance from DEP, we are now proceeding with taking samples from the water source in each of the Town’s five fire stations as well as a location in Wild Harbor to measure the potential presence of asbestos.

The results from the Pond water source testing, including Long Pond, are all “non-detect,” below the DEP-specified detection level for asbestos. Upon receipt of the follow-up fire station site testing, those results and that from Wild Harbor will also be shared with DEP and released to the public.

At the upcoming Selectmen’s meeting on Monday, January 13, Water Superintendent Steve Rafferty will be providing an update on the matter of asbestos-concrete pipes in Falmouth, storage and disposal related issues.

Julian M. Suso
Falmouth Town Manager
January 9, 2020

Below in red (or grey if black and white) are the Town Manager's proposed responses to the requests received from the SWAC on September 23, 2019.

The Solid Waste Advisory Committee *respectfully requests that the Board of Selectmen consider the following recommendations for solid municipal waste and respond accordingly. Thank you.

1. To move forward with the MA DEP Recycling IQ Kit for implementation in Spring of 2020.
More discussion is needed to determine the Town's readiness to move forward, including staffing and management of the grant. Deadline – December 15, 2019.

Yes, implementation date subject to staffing.

2. To move forward with a drafting of a recycling bylaw already approved of by the BOS with possible readiness for the 2020 Spring Town Meeting.
One meeting was initiated earlier this year with Town personnel. Deadline – January 1, 2020.

Yes, we will attempt to have a bylaw drafted for inclusion on the April 2020 Town Meeting warrant.

3. To move forward in cooperation with the Falmouth School Department to develop a system wide program for "Doing Trash Right" in the schools. The MA DEP has programs, kits, and other resources available to ensure success. Deadline – May 2020.

This request is not in the Board of Selectmen jurisdiction.

4. To improve the Town's communication with its residents and visitors on trash and recycling through direct mailings, display ads in the print media, FCTV and updated information on the Town's website. Deadline – October 2019.

Yes - Direct mailing and website updates; need to assess cost effectiveness of print media ads.

5. To encourage more Town personnel to attend MA DEP Workshops on Zero Waste.
SWAC members who have attended these very informative sessions have met DPW Directors, Town Managers, Finance Directors, Crew Chiefs, Selectmen and waste committee members from other Cape towns and have shared common issues, frustrations and solutions.

May have staff attend subject to schedules and competing priorities.

6. To prepare for the 2022 Contract for Municipal Solid Waste Pick-up (Residential Curbside and Municipal Buildings).

This is an opportunity to look at the long and short haul for waste removal in Falmouth. What will be Falmouth's requests, demands in this new contract – new recycling bins compatible with the haulers' trucks, for example? Begin review and discussions in Spring 2020.

Yes, Town staff will evaluate these issues as part of the negotiation, or bid, of a new residential curbside contract. Some of the policy issues are appropriate for discussion with SWAC and Board of Selectmen. Negotiation of pricing and terms cannot be done in open session.

7. To review the original and subsequent Waste Management Facility plans for their applicability in updating the facility; address current issues and make necessary improvements.

Included are making a priority of streamlining the computer system at the gate and addressing safety and health issues at the office/trailer. Deadline - Dec. 15, 2019; addressing Swap Shop needs and improvements; monitoring contracts with haulers of materials from the WMF. Deadline – Spring 2020.

There are no safety or health issues at the office/trailer. The software used to process fees will ultimately need to be replaced but given the relatively low volume, the dollars and collected and the cost of a new system this is not a high priority.

8. To add to the packet of information given to individuals and organizations when securing permission to use public spaces for events (beach weddings, road races, etc.) a waste and recycling plan. Deadline – March 2020.

Yes

9. To appoint a Solid Waste Manager as voted by Town Meeting. If the Town has reasons for not creating a solid waste division headed by a solid waste manager, then please explain. Are there other options for leadership and execution for the above recommendations? Deadline – January 2020.

Yes, a Part-Time position will be included in the Town Manager's recommended budget for FY2021.

*Linda Davis, Chairman; Chris Polloni, Vice Chairman; Amy Roth, Secretary; Marc Finneran, Ruth Brazier, Alan Robinson and Zachary Ellis, Committee Members.

Diane Davidson

From: Alan Robinson <amrobinson101@gmail.com>
Sent: Thursday, January 9, 2020 4:12 PM
To: Diane Davidson
Cc: Linda Davis; peter.jstaud@falmouthma.gov; Megan English Braga
Subject: Attached table for possible use during 1/13 BOS meeting in agenda item for SWAC recommendations discussion
Attachments: Residential Curbside Recyclables Pilot Quality Survey - Summary Table (1).xlsx

Hi Diane. Please add this email and the attached table to the Board of Selectmen's folders. Also, please queue up the table for possible use during the meeting.

Dear Select Board members.

As you may recall from an earlier email, the SWAC has begun a pilot curbside residential recyclables survey. The pilot survey goal is to establish a factual understanding as to how well we are recycling as a community. We hope to perform 10-12, 30-home neighborhood surveys. To date we have performed six surveys that have included curbside recyclables for 168 residents.

Sixty-four percent of the residents' recyclables surveyed fully met the Town's recycling guidance. If the residents setting out their recyclables in plastic bags had not used those plastic bags, the performance would have been over 80%. Other residents did not meet the mark due to the addition of Styrofoam, plastic sheeting, toys and other objects. But, these contaminants were far from the norm. Consistent with what Chris Macera of Republic Services reported at a recent BOS meeting, Falmouth is doing pretty good with recycling.

What should the Town's goal be for meeting the Town's recycling guidance? I think the SWAC would suggest the goal be everyone recycling correctly - 100% performance..

Having now looked at 167 fellow Falmouth residents' recyclables, my sense is that this goal is within our reach. With a well thought out program of messaging and education, including systematic flagging of bins and barrels not meeting requirements, I think such a goal is achievable.

We will provide updated survey results when we reach the 10-12 survey level.

Alan Robinson
Member, Solid Waste Advisory Committee

MOTION:

Vote to approve the proposed FY2021 budget and to transmit it to the Finance Committee.

Diane Davidson

From: joanne treistman <joannetreistman@yahoo.com>
Sent: Tuesday, January 7, 2020 2:48 PM
To: Diane Davidson
Subject: for Select Board packets
Attachments: Affirmative Action Coordinator Proposal FINAL Dec 31, 2019.pdf; 439213587-Woods-Hole-Diversity-and-Inclusion-Report-and-Recommendations.pdf; 2020 AFFIRMATIVE ACTION SELECT BOARD REPORT.docx

to be included if we are reporting on Monday the 13th from the Affirmative Action/Diversity Committee

Joanne

AFFIRMATIVE ACTION SELECT BOARD REPORT

January 13, 2020

Report June 3

Activities June-December 2019

Listing: July 5th readings of Frederick Douglass for
Cape Verdean day

NAACP annual meeting

Journey to the Light at CCCC with a panel .

Attending Speak outs with information from people
from minority and underrepresented groups,
Alphabet soup-understanding meanings of LBGTQ
letters-

Falmouth racial justice book group,

Summer Woods Hole Racial justice group, Barnstable
Human Rights Breakfast in December.

Monthly Affirmative Action/Diversity committee
meetings. Expanded attendance including Joany Santa
and Joan Woodward from the Superintendents office.
Natalie Kanellopoulos from School Committee, plus
local residents who are interested in the topics

Endorsement of public presentation for a citizen's
petition for a town meeting warrant for an
Affirmative Action Coordinator

Sandy Faiman-Silva discussion and email from
Superintendent Duerr

ARTICLE: To Create the position of Affirmative Action/Diversity Outreach Coordinator, Spring 2020 Town Meeting, by petition of Sandra Faiman-Silva, Precinct 2, FINAL 12/31/2019,

Affirmative Action is an active effort through formal and informal measures to improve the employment, educational opportunities, the rights or progress of disadvantaged persons, members of minority groups, women, sexual and gender minorities, and disabled persons through legal measures and voluntary policies, including laws, training programs, outreach efforts, and other positive steps.

The Town of Falmouth Affirmative Action/Diversity Committee and local citizens believe that there is a lack of systematic outreach to community members in the areas of affirmative action education, consciousness-raising, community outreach, advocacy, handling of hate-based incidents, conflict-resolution, and other areas of affirmative action and diversity education and outreach. This leadership deficit retards progress toward an improved social climate in Falmouth, inhibits cross-group understanding and tolerance, and delays cross-group encounters. It is our firm belief that the Town of Falmouth can improve services to all members of the Falmouth community by establishing a formal structure to address these concerns. These needs can be best served by creating a position: the Falmouth Affirmative Action/Diversity Outreach Coordinator.

The Affirmative Action/Diversity Committee and local citizens ask Town Meeting to create a new full time position, the **Affirmative Action/Diversity Outreach Coordinator**, effective September 1, 2020, who will report to the Town Manager and Board of Selectmen, and work with the Town of Falmouth Affirmative Action Team.

The current Town of Falmouth Affirmative Action Team includes the Falmouth Affirmative Action/Diversity Committee, the Falmouth Public Schools Director of Human Services, and the Town of Falmouth Director of Personnel, who serve under the direction of the Town Manager and Board of Selectmen. The Affirmative Action/Diversity Outreach Coordinator will join the Affirmative Action Team and close a substantial deficit in service to Falmouth by performing crucial outreach activities to our community.

Duties of the **Affirmative Action/Diversity Outreach Coordinator** will include, but are not limited to:

- Coordinate and consult with members of the Affirmative Action Team, including the EEO/AA Compliance officers for the Town of Falmouth and the Falmouth Public Schools, The Falmouth Public Schools Director of Human Services, the Town of Falmouth Director of Personnel, and the Falmouth Affirmative Action/Diversity Committee;
- Serve as Affirmative Action Liaison with local citizens, government branches, civic organizations, and other organizations, including the Falmouth Police Department, Falmouth Public Schools, Falmouth Academy, Town Government departments and Boards, Falmouth employee Unions, Falmouth Chamber of Commerce, Falmouth Real Estate Board, Elder Services, Veterans Services, Disability Commission, Upper Cape Interfaith Alliance, Council of Churches and Faith Communities, the Woods Hole scientific community, the Mashpee Wampanoag Tribe, and other groups and organizations, as appropriate;
- Serve as Affirmative Action/Diversity Liaison with local and regional groups and organizations representing ethnic, racial, religious, gender-based, ability-based, veterans, and other groups, including but not limited to the Cape Verdean Club, Portuguese Association, Falmouth Jewish Congregation, NAACP, PFLAG, NPFH, Cape and Islands Gay and Straight Youth Alliance (CIGSYA), Cape Cod PRIDE, Independence House, Inc., Woods Hole Diversity Advisory Committee, the Mashpee Wampanoag Tribe, Mashpee Affirmative Action/Inclusion Diversity Committee, and other committees and groups that work with or whose members belong to minority, disadvantaged, or impacted groups;

- Attend meetings or serve as liaison to local and regional affirmative action-related organizations, including the Falmouth Affirmative Action/Diversity Committee, Barnstable County Human Rights Commission, Cape Cod Coalition for Safe Communities, Falmouth Housing Trust; and the Woods Hole Diversity Advisory Committee, and others as appropriate;
- Coordinate and/or assist with the development of programs, workshops, educational materials, educational activities, meetings, consultations, and other activities aimed to foster wider understanding of affirmative action and diversity, a culture of respect and tolerance, and the building of cross-group encounters in Falmouth and throughout the region;
- Write grant proposals, develop workshops and training activities, and develop and implement outreach plans to constituencies in Falmouth, the Upper Cape, and regionally, as appropriate;
- Assist with the informal resolution of conflicts outside formal EEO/AA and public employee Union processes, which may include citizen complaints, grievances, hostilities, racist, homophobic, or other acts of intolerance directed at members of the Falmouth community, and other conflicts as appropriate.

In light of what we believe is a substantial need, we ask Town Meeting for an affirmative vote to create an Affirmation Action/Diversity Outreach Coordinator position.

Diversity and Inclusion Report and Recommendations

On Behalf of the Woods Hole Diversity Initiative

Represented by

(in alphabetical order)

Marine Biological Laboratory

National Oceanic and Atmospheric Association

Sea Education Association

United States Geological Survey

Woods Hole Oceanographic Institution

Woods Hole Research Center

March 18, 2018

Robert Livingston, Ph,D

Harvard University

John F. Kennedy School of Government

The consortium of scientific institutes in Woods Hole, Massachusetts contracted me to assist in their efforts to create greater diversity and inclusion in their organizations. On January 26, 2018, I met with Walter Barnhardt (USGS), Peg Brandon (SEA), Susan Gardner (NOAA), Max Holmes (WHRC), George Liles (NOAA), David Mark-Welch (MBL), Rae Nishi (MBL), and Margaret Tivey (WHOI) to discuss institutional mission, core values, desired outcomes, and timeline.

All six institutions (which I will collectively refer to as WH) identified racial/ethnic diversity as their primary objective, with an interest in increasing other forms of diversity as well. They also voiced their perceptions of some of the barriers and difficulties associated with the racial diversification of the current workforce (e.g., homogeneous applicant pools, attractiveness of the Woods Hole community for people of color).

WH expressed a mission to increase: (1) numerical representation of ethnic diversity at the various institutes and in the community, (2) a greater sense of belonging, appreciation, and respect toward members of these underrepresented communities, and (3) increased scientific innovation and output as a result of the input from diverse perspectives. I will refer to these three objectives as diversity, inclusion, and integration, respectively.

My role as consultant is to diagnose, prescribe, and facilitate a five-year rehabilitation plan. In other words, I will work to assess the problems, to create actionable solutions, and to assist with the implementation of long-term strategic plans. As part of the diagnosis phase, I asked for the names of current and former employees or students of color at the institute. The logic of this request is that these individuals would be in the best situation to provide an accurate and informed assessment of the D&I challenges facing WH. I was given approximately a dozen names, and from conversations with these individuals, I was able to obtain another ten names of people who were not on the original list.

I contacted most of these individuals ($N > 15$) and conducted interviews that ranged in duration from 38 minutes to 114 minutes. In total, I was able to collect approximately 20 hours of qualitative data that offered insightful, first-hand accounts of how they arrived in Woods Hole, what it is like to live and work there. Among the respondents, there was a high level of diversity in age (25-65+), tenure at WH (4 weeks to 40+ years), race/ethnicity [White, Black (African American and other ethnicities), Asian/Pacific Islander, and Hispanic (from various ethnicities)], educational level (e.g., HS, BS, MS, PhD) and job type (e.g., researcher, administrator, staff, etc.).

The interviewees were given the chance to offer open-ended commentary about their experience of living or working in Woods Hole. I also asked a number of questions related to: how they became interested in marine science, what they view as both positive and negative aspects of work/life at WH, what they see as some of the biggest problems/challenges around diversity and inclusion, what they would suggest as remedies or solutions, whether they feel welcome at WH (and why or why not), whether they have experienced blatant racism at work or in the community, and why they have chosen to stay (if current) or why they left (if former).

This first section of this report contains a summary of the major findings of my interviews with current and former employees and students of WH. The second section contains a set of strategic recommendations based on: (1) interviews, (2) initial meeting with WH leaders, (3) the Woods Hole Diversity Initiative (WHDI) Roadmap, (4) empirical research and finding on strategic diversity, and (5) the consultant's first-hand experience, expertise, and knowledge of effective D&I interventions.

Findings on the Challenges Facing the Woods Hole Institutions

Some respondents were both delighted that WH is undertaking this endeavor, and hopeful that things will improve in the future. Others were so skeptical of any “earnest” or “serious” intent to effect social change that they initially refused to waste their time indulging what they saw as an empty exercise. Finally, there were those who remained cautiously optimistic, firmly entrenched in the “wait and see” mode. Given the wide variability in conviction, I see this as a rare opportunity for WH to either build trust and engagement among the minority community—or lose credibility and goodwill, perhaps irreparably.

Although there were a couple individuals who expressed satisfaction, contentment, and even gratitude to be at WH, the predominant perspective among the people that I interviewed is that WH is an unhealthy work environment for people of color. I took many pages of notes during the 20 hours of interviews and reduced/synthesized these qualitative data into what appeared to be five emergent clusters:

1. Dearth of Diversity: Individuals, Programming, and Concern
2. Absence of Cultural Competence
3. Lack of Psychological Safety
4. Preponderance of Overt Racism and Aggression/Micro-aggression
5. Presence of Apathy, Skepticism, and Resignation

1. **Dearth of Diversity**—Every single person that I interviewed lamented the lack of demographic diversity at WH (again, “WH” in this report refers to all six DI institutions collectively). One respondent revealed, “I am used to being the only Black person and yet it’s remarkable how different it is [here]”. Another remarked, “I don’t care about sensitivity training...just get more people [of color]!” Several individuals noted the feeling of “eyes being on them” due to how much they stick out when they are at work or in the community. Others discussed how the lack of diversity created complications, such as the lack of dating opportunities, difficulty in finding housing, or unpleasant scrutiny and harassment by the police.

In addition, many individuals spoke at length about the lack of diverse programming as well as narrow participation in the diversity programming that does exist. Respondents claimed that there are only a handful of events that celebrate minority communities, and that Whites typically does not attend these events. One respondent mentioned that s/he was overjoyed when s/he “saw that the higher-ups were attending multi-cultural events.” S/he went on to say, “it’s nice when you show your involvement and participate. Step in and step up. Minorities attend White events. Why can’t you attend ours? It’s nice when people take the time.”

Finally, many people commented on what they saw as a lack of concern around diversity and inclusion. One respondent stated that, “it’s frustrating because the institutions talk a lot about valuing diversity but they are not doing anything. We desperately need a critical mass. People feel isolated and the folks here don’t get it...so they go somewhere else”. This sentiment was echoed by another respondent who said

that “[diversity] is a box that they are checking just because it’s a popular topic.”

Some felt that the lack of concern about diversity is tied to the perception that it undermines the quality of the institute(s). For example, one respondent stated that “academic rigor and institutional status are more important than issues around diversity. They have created a wall that they are very proud of...because it grants the institution status.” Consistent with this idea is the notion that WH doesn’t need to pro-actively seek diversity due to its status. According to one respondent, “Woods Hole believes that they are the best at what they do and that people of color, or anyone for that matter, should be seeking out Woods Hole and not the other way around.” Another respondent described the sentiment as, “We are the best!’ ‘We shouldn’t have to try’. Being ‘colorblind’ is about the most effort they are willing to expend.” S/he went on to say, “[Diversity] is not something that we need to be bothered with...we have enough stress from grants, publications, etc.” The most shocking comment came from a respondent who claimed that a leader at one of the institutes, when asked what s/he planned to do about diversity and inclusion during a public event replied “we are not going to lower our standards.”

In short, people felt that Woods Hole sorely lacked diverse people, multicultural programming, and sufficient concern or remorse about the lack of diversity. Even the people who loved living and working in Woods Hole reported feeling “isolated”. When asked why they had decided to stay, most interviewees cited four reasons: (1) natural beauty of the area, (2) unique research opportunities at WH, (3) friends who live in the area, and (4) defiance (refusing to let the community and its challenges run them off).

2. **Absence of Cultural Competence**—Most interviewees were of the strong opinion that many, if not most, of the researchers and staff at WH simply do not understand the social dynamics and consequences of privilege and disadvantage. Consequently, they are unable to empathize (or even sympathize) with the difficulties and threats that people of color at WH face on a regular basis. A large number of respondents of color explicitly stated that they do not believe that most of the White community is intentionally racist, but rather their racially biased behaviors are the result of ignorance and lack of exposure to other cultures.

One respondent who had spent many years living in Woods Hole stated that, “I don’t think most of the White people around here mean to say some of the ignorant or hurtful things that they say. They just don’t know any better.” Others were less forgiving of cultural incompetence, citing people’s “conscious choice to not leave the bubble that they live in every day.”

Bennett (1993) discusses 6 components of cultural competence that span from ethnocentrism to ethnorelativism. In the early phases of cultural competence development, people experience *denial*, *defense*, or *minimization*, which are all characteristic of an ethnocentric mindset. In later stages of development, people experience *acceptance*, *adaptation*, and *integration*, which are more characteristic of an ethnorelativist mindset and greater cultural competence. Based on the examples provided by interviewees, most of the employees are deeply entrenched in the ethnocentric stages of cultural competence.

For the people of color, this adds insult to injury. Not only are they in an environment with scant ethnic diversity, they also feel that they are “blamed” for transgressions that occur to them (characteristic of the “defense” response). Alternatively they feel that blatant experiences with discrimination are minimized (“Oh, so-and-so didn’t really mean it that way. You’re being too sensitive”) or even patently denied or ignored. This creates a lack of psychological safety.

3. **Lack of Psychological Safety**—Psychological safety is a multi-faceted construct, comprised of four central components (Edmonson, 2004): (1)*Respect*. Do employees feel that their talents are recognized by peers and superiors? Can they express opinions without being ignored, ostracized, or ridiculed? (2)

Support. Does the organization value their happiness and well-being? (3) *Involvement.* Are employees systematically excluded from making valuable contributions to the group? (4) *Protection.* Are there structures, policies, or individuals in place to intervene if/when they are abused or treated unfairly?

Beginning with “respect”, many respondents feel that their talents are not recognized by peers or superiors. There were copious examples of people reporting that their competence, credentials, or work ethic had been questioned in a way that it wouldn’t have been if they were a White male. Others report being invisible altogether and not being heard. As one respondent put it, “they don’t hear it until *they* say it.”

A handful of the respondents reported not being supported by WH. One respondent who is not longer at WH stated that “I don’t want to go back because people just don’t care about me.” When I asked what it would take to reconsider, s/he responded “they would have to double my salary...and I would still only *think* about it.”

With respect to “involvement”, a number of people reported being socially excluded. There were many such stories and it was heartbreaking to listen to them. One respondent told the story of being invited to one institution’s annual Board dinner, only to be snubbed. The invited student group “dressed up” for the event and were told that the buses would come back to pick them up. They waited for nearly an hour. Finally, (two student mentors) happened to stop by the residences and carried them to the event in their cars. According to the respondent, “when we finally arrived you could tell that they were really surprised to see us, and didn’t want us there. It was so passive aggressive and I felt really hurt and humiliated. I think the whole group did. I actually wanted to cry but (the leader of the hosting institution) was really cool. He pulled up chairs for us and asked the speaker to give us a private recap of the presentation that we missed.” Another story came from a student whose advisor invited everyone to his/her mountain home except for this particular student. I could hear the pain and feeling of rejection. “I’m not sure why [s/he] never invited me. I don’t know...I guess they just assumed that I don’t ski or something.” S/he does ski.

There were many concerns around “protection”. In fact, this was one of the biggest sources of concern. The prevailing belief is that, despite all of the hostility that people of color face, there is no grievance option. As one respondent stated, “you either suck it up and deal with it or you leave. If you complain, you’ll get it twice as bad”. Another confessed that “it’s so hard to get in [at WH] that you don’t want to risk not getting in [by complaining]” A different respondent noted that “passive aggressive energy directed at [people of color] makes you feel like you have to cover your bases all the time because you’re constantly under suspicion”. Another respondent reported that people of color are very vulnerable to lies that are spread about them by envious or prejudiced White employees. S/he said, “they constantly told lies to my boss that I wasn’t doing my work. Finally my boss said something to me about it and I said that the person had never asked me to do that task (which they had lied and said that they asked me repeatedly). My boss confronted the person, who finally came clean. They lie on you because you’re an easy target...especially being a Black person with some “power” because they want to take you down. The take-home lesson is for all managers to verify any negative information that is communicated through informal channels, especially when the person they are talking about is a [person of color].”

4. Preponderance of Overt Racism and Aggression/Micro-Aggressions

In addition to the absence of psychological safety, a separate but related problem facing WH is the high prevalence of racism and workplace aggression. This aggression can take at least four forms: (1)

intentional harm, (2) environmental tension, (3) passive aggression, and (4) micro-aggressions. For example, the act of equating diversity with low standards is a classic micro-aggression, or unintentional slight and indignity. It communicates that: (1) there are no qualified Blacks or people of color; quality and diversity are mutually exclusive, and (2) the handful of people of color of Blacks that we have here are not here because of their merit. They are here based on sympathy or reparative social policies.

Other examples of micro-aggression involves a PEP student who witnessed a staff member—a tall, stocky, African American man—drinking a beer while barbecuing. One of the White staff members approached him/her and said “I know why you didn’t say anything to him [about the beer]. I’m sure you were intimidated. And I was thinking ‘no I wasn’t intimidated at all...[John Doe] is the nicest person in the world’.” The message that the individual took away is that s/he would (or should) have been frightened by a big black man. The same individual stated that a different person gushed about me after my talk at WH adding “he’s so well-spoken”. Her quiet response was “He’s a PhD and world-renowned researcher who teaches at Harvard. Why would he *not* be well-spoken?”

There are more direct examples of harmful and passive aggressive behavior that was reported by interviewees. In one example, a respondent was told directly that s/he was “scary” by a White co-worker. On another occasion s/he was told that s/he should smile more. There have also been reports by employees of being mistaken for a homeless person or the assumption being made that they lived at Emerson House (a halfway house). In addition, respondents reported being *repeatedly* harassed or stopped by the police. One respondent was even followed by the police down a two-mile dirt road leading to his/her home that no one drives on except residents of that street.

Another egregious example comes from someone who reported having a newspaper article taped to his/her office door. It was an article about Affirmative Action, with the headline circled in red and an arrow drawn in the direction of the office. The implication was that the person who inhabited the office was an “affirmative action” hire, who presumably did not belong.

One of the most shocking examples came from someone who reported that his/her advisor stated “I’m a [pelagic] nigger. No one wants to give me money to study [open ocean fish]” The focal area of research was changed to protect the respondent, but his/her White advisor referred to himself using the N-word repeatedly despite the fact that s/he asked the advisor not to use that word in his/her presence. The troublesome implication, apart from the offensive choice of language, is the stereotype that Black people have no money or resources—so the assumption is that this word was an appropriate metaphor to describe his/her lack of funding. This individual went to HR, who instead of addressing the culprit, also repeatedly used the word himself/herself. This is also an example of the lack of “protection” discussed in the last section.

5. **Presence of Apathy, Skepticism, and Resignation**—A number of respondents initially expressed a lack of interest in speaking with me because they were thoroughly convinced that WH was not serious about improving D&I. People seemed to experience a sense of hopelessness that things could ever get better.

In addition, there was a sense of resignation. People expressed feeling that nothing they did would ever be enough. For example, one respondent felt that s/he was in a no-win situation: “I’ve been given feedback that I should communicate more. Then a few months later I’m told that I should communicate less...what does that mean anyway? More communication is always better, right? I just felt that nothing was good enough because they simply didn’t want me there. I gave up.”

Others expressed the sense of “walking on eggshells” and constant anxiety. One person did not want to speak with me because of their desire not to “re-live” the trauma that they had experienced in Woods

Hole. Another respondent expressed that “even though it’s a toxic environment with negative psychological consequences, I just have to deal with it. If you complain it makes the situation that much worse. I don’t want people to retaliate against me so I just deal with whatever I have to.”

In summary, among the challenges for WH moving forward is to build a critical mass of diversity, as well as a climate of trust and respect necessary to function as a forward-thinking academic consortium that provides students, researchers, and employees with the tools to learn and grow to their full potential. The following recommendations offer suggestions for how these objectives can be accomplished.

Recommendations

This section is divided into strategic recommendations around: (1) Diversity, (2) Inclusion, and (3) Integration. The bulk of the recommendations at this stage focus on Diversity and Inclusion, as they are inextricably connected. That is, you will not be successful at building or maintaining diversity if the climate is hostile toward people of color. At the same time, there needs to exist some diversity before the concept of inclusion becomes meaningful in an intergroup sense. Integration is the long-term goal of the organization once diversity and inclusion have been established.

Diversity

Strategies for Recruitment

- A. **Widen the Net**—As one person stated, “You *have* to know someone to get in [WH]. If you’re a young person there is no way that you would get in there without knowing someone...especially as a minority.” In fact, many if not most of the people of color at WH can trace their job to a social network tie.

Nevertheless, almost everyone insisted that there *are* good people of color available throughout the nation—one just needs to look for them. One respondent stated that “we tell students to develop networks. Yet doesn’t [WH] feel that it needs to develop its networks too?”

So how can WH widen the net?

1. **Think Broadly about Academic Discipline.** It is true that there is a relative under-representation of African Americans, Asians, and Hispanics studying marine biology (though there are some; see Item 4). However, there are many people of color in the sciences more broadly. For example, engineering programs are replete with cultural and ethnic diversity. There are many professional engineering societies where people of color can be found (see Item 4). Other options are mathematics, biology, chemistry, computer science, or even English departments. As one respondent put it “you don’t have to study fish...there are people who do pure math and computer science who work in Woods Hole. You just have to show them why applying these skills to ocean science would be interesting”

2. **Think Broadly about Academic Institutions.** Many respondents referred to the existence of a certain level of elitism in WH that makes researchers reluctant to look beyond the Ivy League. When asked whether it was to capitalize on the likelihood of quality, many felt that it had as much to do with class and “cultural fit” as academic ability per se. One respondent stated that WH wants to “stay in its own lane...they only recruit from top tier schools—White institutions. There are top students at other schools too. Just ask (the senior scientist) who learned this when he took on a student from (a small college with no research program) who turned out to be better than the student from Oxford.”

I propose *sending* people to recruit from HBCUs (e-mailing a program or job description isn't enough. A flesh and blood presenter would be more effective). Some HBCUs, non-Ivy, and minority serving institutions with Marine Biology and/or Environmental Science programs are: University of Maryland—Eastern Shore, Hampton University, California State University system, Virginia Union University, Norfolk State University, North Carolina A&T, Elizabeth City State University, Florida A&M University, University of Hawaii (all campuses), and Western Washington University (I have a close faculty contact here). For talented students in math and other STEM fields, add Howard University, Tuskegee University, Morehouse College (I personally know the President and can facilitate partnership), and Spelman College.

3. **Think Broadly about Jobs/Roles**—Not all of the jobs in WH require a PhD with an award-winning dissertation on the migration patterns of bluefin tuna. There are many types of positions at WH: writers, receptionists, statisticians, accountants, security officers...even “the people who build the nets in the warehouse.” In an attempt to create a critical mass of people of color in the community, it might be worthwhile to focus diversity efforts on these roles as well as research/academic positions.
4. **Think Outside of the Box**—Be creative and intentional in the search for passionate and qualified people of color with a potential interest in marine science. Develop connections and form partnerships with non-academic organizations that might be excellent sources of potential candidates. Here are some examples:

National Association of Black Scuba Divers (<http://www.nabsdivers.org/>). Has over 2000 members. They provide scholarships to college students studying marine or environmental science.

Blacks Girls who Dive (<https://www.blackgirlsdivefoundation.org/>). Organization to promote aquatic recreation and STEM-based scholarship among African American Women.

Gates Millenium Scholarship (<http://www.gmsp.org/>). This fellowship is specifically designed to increase the representation of high talent African Americans, Native Americans, Hispanic Americans, and Asian Pacific Islanders in disciplines in the sciences, where they are typically underrepresented. They also provide funding for graduate school.

National Association of Black Geoscientists (<http://www.nabg-us.org/>)

MSPHD's Pathways to Science— Ashanti Johnson, Director (<http://www.pathwaystoscience.org/>). Although you need membership in this organization to post jobs, any member (e.g., Ambrose Gerald) can post to the listserv.

SACNAS—Society for Advancing Chicanos and Native Americans in Science (<http://sacnas.org/>)

AISES-American Indian Science and Engineering Society (<http://www.aises.org/>)

ASLO-MP (Minority Participation). Sponsored by Ben Cuker at Hampton University (benjamin.cuker@hamptonu.edu)

National Society of Black Engineers. This society is so large that there is even a separate chapter New England. The link is: (<http://www.nsbe.org/Professionals/Regions/Region1/for-chapter.aspx>)

Finally, you will want to simply advertise more broadly and strategically. One respondent said that his/her job was not advertised on the popular jobsite: <http://jobstar.org/index.php>. However, it was advertised on Craigslist, which seemed unusual to this individual.

5. **Connect with the Local Community**—recruit from the local (Cape Cod, Providence, Boston) Black and Native community. As one respondent put it, “You have people in your backyard that don’t know about the aquarium or what you do”. Adopt a practice of greater community engagement. Connect with and recruit from the Black churches in West Falmouth and Mashpee, especially for the non-specialized positions.
- B. **The Rooney Rule**—As one respondent stated, “they put out the lofty goals but there is no accountability or follow through. So I have a hard time believing that they *really* want diverse candidates...who aren’t all that hard to find.”

The Rooney Rule was established by the NFL in 2003 in response to: (1) the very low representation of Black coaches, and (2) the finding that the few extant Black coaches were more likely to be fired than White coaches, despite a higher winning record. The rule only ensures that minority candidates will be considered and interviewed for each search. It does not mandate actual hiring or quotas.

Variants of the Rooney Rule have been adopted in a variety of organizations and industries. Because it does not stipulate hiring requirements, it is highly resistant to legal challenges around quotas. My recommendation is that WH establish its own version of the Rooney Rule to motivate broader recruitment, as outlined under A.

- C. **Capture the School (rather than the fish)**-- Fish school for a reason; it provides safety and protection. Hire more than one person of color at a time to create a cohort that can provide professional and social support to one another. This effectiveness of this approach is exemplified by the Posse Program (www.possefoundation.org) which has found that the graduation rate of

people of color soars beyond 90% when they are accompanied to college by other kids from their communities.

I recommend that WH adopt the practice of cluster hiring. In addition to providing support to others in the cohort, it produces a “snowball effect” whereby persons of previous cohorts provide support to future cohorts. Like compound interest, it enriches and facilitates the process of diversification over time.

One respondent insisted that “having a house where I could provide a room to a person of color who might have a hard time getting housing elsewhere was very important to [me/us]”

- D. **Go on a Top Three Spree**— At Harvard University, the mean level of aptitude is higher (and the standard deviation lower) than most other non-Ivy universities. However, means and standard deviations only matter when one is interested in an entire population (or is drawing randomly from such pools). If the interest is in a few individuals then it makes little sense to focus exclusively on top universities because there are highly talented people everywhere. There just may not be as many of them at second- or third-tier schools.

Based on this logic, I propose targeting students at underserved institutions who rank in the top X (e.g., 3-5%)% of their class. It might also be sensible to contact ETS to get a list of Black/Latino students who scored in the top decile, quintile, or quartile on the quantitative section of the SAT or GRE. To be sure, there are two issues with standardized tests: (1) whether the test is biased against and has decreased predictive validity for Blacks/Latinos, and (2) whether there are Blacks/Latino *individuals* who score really high on the test, despite the fact that group performance tends to be lower (by the way, there is little difference in the performance of Black/Latino students versus White students at the extreme high tail of the distribution, where Asian students dominate). The answer to both questions is yes. However, if the institution chooses not to take up the argument associated with the first point, it can still increase its diversity by focusing on the second point (i.e., targeted recruitment of high-scoring minorities).

- E. **Build Bridges and Fuel the Pipeline**—In addition to PEP and SEA, WH could build other programs that inspire interest and passion in oceanic science among younger children. For example, some respondents mentioned the possibility of building bridges with the Wampanoag community in Woods Hole.

According to one respondent, “the Wampanoag feel deeply connected to Woods Hole but don’t feel welcomed back in the community except for rare and occasional ceremonies.” Another stated that “there is diversity on Cape Cod...the institutes just don’t connect to it in any way.”

It might also be fruitful to establish partnerships with local high schools in Mashpee and Falmouth to increase both ethnic and socioeconomic diversity within Woods Hole.

Finally, it is important to invest resources in building the pipeline. One great example is KPMG’s observation that there were not many minority accounting candidates. To remedy the situation, they decided to invest in a program to put more minority business professors in the classroom, believing that this would inspire more minority business students. The result is the PhD project (www.phdproject.org), which succeeded in quadrupling the number of minority faculty in business schools across the country from 294 to 1,253 since 1994.

- F. **Bring People to Woods Hole**—give people the opportunity to visit and acclimate to the environment. Many respondents cautioned against simply assuming that a person of color would not want to live in Woods Hole because of the weather or the lack of diversity. Some people of color are comfortable around White people and would be less bothered by the lack of demographic diversity than other people of color. There are other reasons that a person of color might be happy in Woods Hole. Several respondents were from warmer regions but decided to settle in Woods Hole because of the natural beauty and their commitment to marine science.

Strategies for Hiring

- A. **Create Diversity Policy for Contractors**—Massport observed that very few of the contractors on their multi-million dollar development contracts were people of color. Consequently, the organization established a set of criteria and selection guidelines that increased the likelihood of D&I. Specifically, for the \$500M Seaport convention center hotel, project, proposals were evaluated on 4 criteria, each weighted 25%: Finance (i.e., do you have the economic resources?), Infrastructure (i.e., do you have the building team and human resources to complete the project?), Design (i.e., is the proposed hotel both functional and aesthetically attractive?), and Diversity (i.e., how does the project promote diversity and inclusion?).

The fourth criterion was open-ended. That is, contractors were free to define what they meant by “diversity and inclusion”, and it only counted for 25%. However, given that finance and infrastructure were almost assured for corporations competing at the half-billion dollar level of development, the de facto determinants of success would be design and diversity. In fact, the winning proposal, the Omni Hotel, included a ground-breaking proposal for how to increase D&I. More about this case can be found here:

<https://www.bostonglobe.com/business/2017/05/16/boston-can-unwelcoming-place-business-but-here-how-change-that/rq2B5YKyXlvLHlf67Sey0I/story.html>

I propose that WH adopt a similar policy of selection for outside contractors. That is, the institutes should think carefully about what the appropriate criteria for selection should be, and add “diversity and inclusion” to the list. This means that diversity will be “baked-in” to what the institutes value and how they exercise those values (i.e., hiring). They could consider doing the same for employees who are hired directly. Here is one example:

Academic Preparation (Grades, Degree Level, Publications, Quality of University) 25%

Extramural Funding (Track Record of Grant Funding? Total Dollars Received? Potential for Grant Capture) 25%

Topic of Research (Interesting? Cutting-edge? Not currently represented?) 25%

Diversity and Inclusion (Underrepresented minority? *Demonstrated* commitment to D&I of underrepresented minorities, e.g., Teach for America? Demonstrated resilience by overcoming hardship or struggle? The research benefits underrepresented minorities?) 25%

One advantage of baking in these criteria for everyone is that it mitigates the perception that someone is hired *because* of their race or ethnicity. *Every* candidate simply expresses how they represent an integral value of the organization, and they needn’t occupy any specific demographic

to do so. They simply need to demonstrate engagement and commitment to diversity, or a viable plan to foster greater diversity and inclusion.

- B. **Employ Diverse Interview Panels**—much empirical research indicates that diverse panels result in fairer outcomes for minority job candidates (e.g., Prewett-Livingston, Feild, Veres, & Lewis, 1996; Kalev, Dobbin, & Kelly, 2006), and many companies have adopted a *mandatory* policy of diverse interview panels (e.g., Proctor and Gamble, Verizon, Cisco, Accenture).

I propose that WH adopt the policy of employing diverse interview panels. In the event that there are not diverse interviewers available (due to the paucity of diversity), then the panel should have a diverse “monitor” who acts as an unofficial observer. The mere presence of others in the room can provide oversight and increase accountability even if those individuals do not hold official authority.

In addition, WH should employ the practice of *structured interviewing*, in which each candidate is asked identical questions.

- C. **Institute Mandatory Diversity Training for Hiring Panels**—emphasize that all hiring panels undergo diversity training that will emphasize: (1) the importance of considering diversity in hiring practices, (2) the notion that diversity and excellence are mutually exclusive is a myth, and (3) the best practices for effective decision-making.
- D. **Create a Professional Development Program for New Hires**—one can easily attribute disparities to a lack of talent. However, what Maria Klawe’s accomplishments at Harvey Mudd College demonstrate is that having sufficient structural supports in place can make a tremendous difference. One respondent stated that “building computational skills was critical to my success at WH. Everyone should have access to similar training. It makes all the difference in the world.”
- E. **Hire Diverse Veterans**—because the two federal institutions (i.e., NOAA, USGS) have built-in policies that give strong preference to veterans, one effective strategy for building diversity in these institutes would be to target veterans of color. Given the thousands of minority veterans living within a 100-mile radius of Woods Hole, it should not be too difficult to capture a few dozen employees through targeted recruitment.

I recommend that all of the institutes adopt a policy of advertising all new searches with the following organizations: National Association of Black Veterans <https://nabvets.org/> . Hispanic Veterans <http://hispanicveterans.org/> . Native Veteran’s Association <https://nativevets.org/about-us/> and Asian American Veterans Association <http://www.javadc.org/> .

For the non-federal organizations, it is a way to increase ethnic diversity in a manner that might be less objectionable to diversity-resistant middle managers and staff members. As stated by one respondent, “They don’t value diversity. Why does it matter? As long as you hire good people and they are doing good quality work, then why does the skin color matter? *But*, they aren’t asking these same questions about veterans.”

- F. **Exercise Leadership and Moral Authority**—many breakthroughs in diversity did not rely on gaining consensus but rather the courageous decision of one (powerful) individual or a small group of individuals. I am not advocating for oppressive autocracy. I am simply highlighting that

leadership often requires the courage to “do the right thing”, even against the resistance of an unsympathetic majority. This is consistent with Item B.2. of the Woods Hole Diversity Advisory Committee’s Roadmap created in July 2005.

Inclusion

- A. Leaders Explicitly Communicate Values and Norms**--building on Item F, it is important to lead cultural change at WH. One of the first steps in doing so involves clear, consistent, and constant communication of the values from the leadership. I would also suggest creating a new mission statement to reflect the integration of D&I into the values of the entire organization, its mission, and its operations. This is also consistent with Item B.2. of the Woods Hole Diversity Advisory Committee’s Roadmap created in July 2005.
- B. Add New Wall Art**—hanging portraits of notable scientists from a variety of gender and ethnic groups sends a clear message to people that they are entering a space that values inclusion. It is also another subtle yet effective way to implement Item A.
- C. Create ERGs**—many respondents stated that it would be very helpful to have an “affinity group” that could serve as a basis of social support. These groups are very common at most universities and business organizations.

I propose that WH establish (and fund) an ethnic minority ERG (Employee Resource Group). It probably makes sense to start with an inclusive group that invites all people of color across all of the six institutes. With time and greater diversity, it might be feasible to create ERGs that are specific to distinct minority groups at distinct institutes.

Although some of the social events hosted by ERGs may be for people of color to get to know each other, it’s purpose is also to bring multi-cultural awareness to the community at large. Therefore, its public events and activities should be attended and supported by all members of WH, to show support and solidarity. One respondent said that “the directors should introduce the speaker when we have speakers for Black history month to show that it’s something that is endorsed by the institution and not just imposed by the Black history committee.”

- D. Establish Mandatory Diversity Training Program**—this program is something that all current and future employees will be required to attend. The program will focus on building cultural competency (to move employees from more ethnocentric to more ethnorelative mindsets).

It is also possible to track progress using the ICCQ (Robertson, Kulik, & Pepper, 2002) or another measure of cultural competence.

- E. Create an Office of Diversity and Inclusion office**—the proposal here is to hire a Chief Diversity Officer, with staff, to assist with the day-to-day affairs associated with diversity and inclusion across the institutes. This person’s job responsibilities would included the following:
 - 1. Monitor all interview panels (see Item B under strategies for hiring)
 - 2. Provides a source of support and guidance for the community of color
 - 3. Handles complaints, grievances, and Title IX violations and investigations
 - 4. Have a monthly one-hour meeting with directors of all of the institutes
 - 5. Assist with the planning of multi-cultural programming and events (so that it doesn’t always fall on current employees)
 - 6. Make trips around the country to facilitate broader recruitment

7. Build connections and partnerships with “out of the box” organizations
8. Serve as a liaison with the broader Cape Cod community (e.g., Falmouth, Mashpee)

It is important that the institutes think carefully about the person that they hire. Ideally, it should be someone who is: (1) familiar with academic or funding institutions, or WH more specifically, (2) vehemently committed to the mission of diversity and inclusion, and (3) politically savvy, persuasive, and able to effectively deal with diverse and potentially difficult personalities. I would be happy to help with drafting the ad for such a position and serving on the interview panel.

F. Foster Greater Warmth and Work/Life Balance—people in general felt that the environment could be somewhat cold and unfriendly. This was not always due to cultural differences, but rather was often attributed to the “scientific personality” or “New England culture”. However, this lack of warmth affected people of color more severely. One respondent suggested instituting “a policy of kindness. Put *people* before money or prestige.” S/he half-jokingly added, “the head of the departments could even have tea and cookies with the students.” Many interviewees felt that no one cared about them at WH. Small gestures of kindness can go a long way toward reversing that perception.

I propose establishing casual Fridays where people can socialize and perhaps informally discuss science. For example, people could have conversations around recent findings in the literature or on the news. It could also be an opportunity for people to informally discuss projects that they are working on and get feedback from others. Informal gatherings like this will strengthen bonds, build community, and foster greater cooperation, familiarity, and concern.

An added concern is that people are expected to work weekends and holidays, and that there is also a double-standard when it comes to work ethic. White researchers are given the benefit of the doubt whereas people of color are not.

What are the next steps?

A succinct summary of the organizational challenges facing WH are: (1) very low numerical representation of people of color, (2) no concrete strategic plan to address the low numbers by modifying recruitment or hiring practices, (3) no accountability or formal structures to ensure that diversity is a consideration in recruitment and hiring, (4) low inclusivity coupled with widespread aggression against people of color, and (4) no conspicuous institutional procedure for reporting, tracking, or addressing grievances from employees who experience hostility and discrimination at work.

A common trap that some well-intentioned organizations fall into regarding diversity and inclusion is the following: “my organization doesn’t have the time or resources to do *everything* but I really think that diversity is important so I want to do *something*”. This ultimately results in the organization doing basically *nothing*.

To avoid falling into this trap it is really important that the organization think through the concrete steps (and sacrifices) that it is willing to take to achieve this goal of diversity and inclusion. The current recommendations are designed to produce outcomes that are consistent with the stated objectives of WH. In addition to the recommendations outlined above, an effective and sustainable intervention requires

long-term commitment as well as objective indicators of success. The following five steps are critical to ensuring progress:

1. Develop a concrete plan for implementing strategies around recruitment and hiring, and most importantly for creating accountability and personal responsibility for diversity *outcomes* (as well as process).
2. Establish diversity percentage targets, create timeline, and chart progress. One possible campaign is “25 in 5”, or getting the percentage of underrepresented minorities to 9% Hispanic, 8% African American, and 8% Asian/Pacific Islander in 5 years. Although it would more than double the representation of people of color in WH, it falls well below the 40% minority population of the U.S. In that sense, 25% doesn’t seem too radical.
3. Measure current cultural competence and establish improvement or progress over time
4. Determine the content, audience, and delivery dates of diversity training and cultural competence workshops
5. The integration/sustainability piece requires having a full-time staff that is dedicated to creating structures and policies that support and reinforce the D&I agenda.

Town of Falmouth
Transportation Management Committee

The Falmouth Board of Selectmen is seeking four (4) at-large candidates for the Transportation Management Committee.

The Transportation Management Committee is comprised of 7 members of which 4 are at-large members, 1 Planning Board designee, 1 Bikeways Committee designee and 1 Historical Commission designee.

Applications are available in the Office of the Board of Selectmen, 59 Town Hall Square and on the Board of Selectmen's page on the Town website at www.falmouthmass.us.

Applications must be received by 4:30 p.m. on Wednesday, November 27, 2019, in the Office of the Board of Selectmen.

On Request of Chairman
Megan English Braga

Publication Date: Friday, October 25, 2019

Transportation Management Committee (7 members)

4 At-Large positions (with staggered terms: 6/30/20, 6/30/21 and 6/30/22)

5 applicants:

- Edward DeWitt Interviewed on 12/16/19
- John Keenan Interviewed on 12/16/19
- Alison Leschen Interview tonight (1/13/20)
- Ralph Herbst Interviewed on 12/16/19
- Jane Perry Interviewed on 12/16/19

1 Planning Board designee

- Paul Dreyer

1 Bicycle and Pedestrian Committee designee

- Chris McGuire

1 Historical Commission designee

- TBA in February



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: Alison Leschen

Address: 15 Lanterna Ln Village: Fal Center ZIP: 02540

Mailing Address: 15 Lanterna Ln Village: " ZIP: "

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident (date: 2002) / Taxpayer (date:)

Amount of time you are available to give: 2 evenings/month + prep time

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

1. Traffic Management Committee
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 Chair of Pt. 28 ^{Corridor} Advisory Committee. Avid biker for recreation + transportation.

Recent injuries put me in wheelchair (temporarily) + gave me new appreciation for ADA issues.

Town offices held in Falmouth or elsewhere and dates of years served: Coastal

Management Committee (not sure of dates)

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

Communication, facilitation, strategic planning, ability
to turn ideas into action, ability to seek common
ground among diverse opinions.

List three (3) references:

	Name	Title	Phone
1.	Jessica Whritenauer	Exec Dir. 300 Committee	[REDACTED]
2.	Betsy Gladfelter	Con Com	[REDACTED]
3.	Jim Marshall	(Vice-chair of Rt 28 cte)	[REDACTED]

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.

11/4/19
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.

BALLOT

TRANSPORTATION MANAGEMENT COMMITTEE

SELECTMEN'S MEETING – JANUARY 13, 2020 – 7:00 P.M.

4 AT-LARGE MEMBERS REQUIRED:

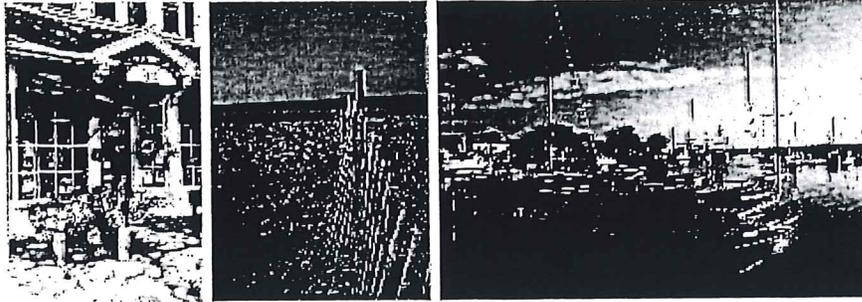
CANDIDATE	Megan English Braga	Douglas C. Brown	Douglas H. Jones	Susan L. Moran	Samuel H. Patterson
1. Edward DeWitt					
2. John Keenan					
3. Ralph Herbst					
4. Jane Perry					
5. Alison Leschen					

STAGGERED THREE-YEAR TERMS: 6/30/20, 6/30/21, 6/30/22

3 COMMITTEE DESIGNEES:

COMMITTEE	REPRESENTATIVE
Planning Board	Paul Dreyer
Bicycle and Pedestrian Committee	Chris McGuire
Historical Commission	(February Historical Commission meeting)

DESIGNEES APPOINTED ANNUALLY.



Town of Falmouth » Departments » Transportation Management Commission » Mission Statement (TMC)

Links

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- » Town Directory
- » Meetings
- » Town Code
- » Almanac
- » Photos
- » FalmouthCam
- » What's New?
- » Site Map

Mission Statement (TMC) - OLD (2003)

Transportation Management ~~Commission~~ Committee (TMC)

MISSION STATEMENT

The Transportation Management ~~Commission~~ Committee (TMC) is authorized by the Board of Selectmen and includes in its mission statement:

- Preparation, promotion, and implementation of the transportation element of the Local Comprehensive Plan; (LCP);
- To identify problems, propose solutions and develop opportunities related to transportation affecting the town of Falmouth that will be referred as recommended actions to the Board of Selectmen and the Town Administrator and to promote implementation of recommended actions a Directed by the Board of Selectmen;
- To coordinate the actions of the various Town Boards, Committees and Departments that are concerned with transportation;
- To keep the Board of Selectmen and the Town Administrator informed on transportation policies of the State and Federal government;
- To foster communication among Falmouth, its three (3) bordering towns (Sandwich, Bourne and Mashpee), and the Islands (Martha's Vineyard and Nantucket) concerning Transportation Elements of the LCP and/or transportation planning;
- Membership in the TMC shall consist of seven (7) voting members drawn from the following agencies of the Town; one(1) appointed by the Planning Board, one(1) appointed by the Historical Commission, one(1) appointed by the Bikeways Committee and four(4) appointed as "At-Large Members" by the Board of Selectmen attempting to achieve a good geographical distribution of members. Furthermore, the Board of Selectmen may appoint any number of non-voting members they deem appropriate to achieve breadth of technical expertise and public representation.

Search

Finally, this MISSION STATEMENT may be amended, altered and/or changed as deemed necessary to future conditions by unanimous vote of the members of the TMC, and with concurrence from the Board of Selectmen.

10/2003 - jjf

Town Hall: 59 Town Hall Square, Falmouth, MA 02540. Ph 508-548-7611
View **Site Statistics** as of 08/21/07 03:00pm.
Web site maintained by **Information Technology** department.
By viewing this web site, you agree to the site's **Terms and Conditions**.
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Page last updated: *Wednesday, October 18, 2006.*



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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Name: Edward J. DeWitt

Address: 116 Pin Oak Way Village: Falmouth ZIP: 02540

Mailing Address: same as above Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 31 yrs (date: 1988) / Taxpayer same (date: _____)

Amount of time you are available to give: retiree

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

1. Transportation Management Commission
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 Falmouth Rep SSA,
Certified professional airport manager, retired Coast Guard
officer, practiced admiralty and aviation law.

Town offices held in Falmouth or elsewhere and dates of years served: Town Meeting Rep
Precinct 1, 1997-2003; Falmouth H.S. Council 1995-1998
Associate Town Counsel (contract) 1995-2008

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

Rounded career in transportation and law - maritime, aviation
pavement management, and environment. Experience in
town government.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Frank Duffy	Town Counsel	[REDACTED]
2.	Tom Cahir	Cape Cod RTA	[REDACTED]
3.	Dan Wolf	Cape Air	[REDACTED]

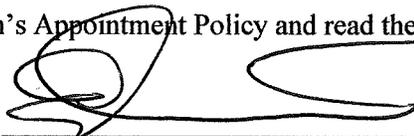
I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

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

DATE

11/4/2019

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.

116 Pin Oak Way
Falmouth, Massachusetts 02540

November 4, 2019

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



RE: VACANCY TRANSPORTATION MANAGEMENT COMMISSION

Dear Selectmen and Selectwomen:

Thank you for refocusing attention on the important task of transportation planning and management for the town. Falmouth has both a unique set of transportation resources and challenges. I would love to participate and ask you to consider me for appointment to the Transportation Management Commission.

All too often the region has fallen into the trap of "we have always done it way." Some of you may recall my testimony last year before the Board questioning the Steamship Authority's total reliance on roll on/roll off technology for moving freight. While I hardly have all the answers, I think you can rely on me to ask appropriate questions and suggest alternative approaches when appropriate.

Thank you for your consideration. A town application and resume are attached for your consideration.

Very truly yours,

Edward J. DeWitt

encl.

Edward J. DeWitt
116 Pin Oak Way
Falmouth, Massachusetts 02540

EDUCATION

Juris Doctorate with Honor (1995), University of Connecticut School of Law
Honors and Awards: Little Brown Award for Excellence in the Study of Evidence

Bachelor of Arts, Northeastern University, Boston, Massachusetts Major in Psychology

EMPLOYMENT EXPERIENCE

OFFICE OF EDWARD J. DEWITT
1995 – 2008 and 2017- 2019

FALMOUTH, MASSACHUSETTS

Private practice attorney focusing on administrative, environmental, land use, maritime and transportation law. *Assistant Town Counsel* (contract ended 2008) for the Town of Falmouth, Massachusetts. Provided legal services to municipal corporation emphasizing regulatory compliance including ADA, special education law, administrative law, procurement, contracting and litigation in the environmental, employment, municipal permitting, and transportation law arenas. Principal drafter of laws, legislation, bylaws, ordinances and regulations. Practiced before all federal and state judicial and administrative law agencies. Reviewed municipal contracts and resolved municipal contract disputes. Oversaw various public/private economic projects including leasing/licensing public real estate by not for profit and for profit corporations. *Hearings Officer Commonwealth of Massachusetts* (contract ended July 1, 2004) - Conducted administrative hearings on behalf of the Commonwealth of Massachusetts. Wrote opinions in the area of labor law and labor compliance including reasonable accommodation review.

ASSOCIATION TO PRESERVE CAPE COD (APCC). DENNIS, MASSACHUSETTS
2011 – April 2017

Executive Director & Chief Legal Officer - Founded in 1968, the Association to Preserve Cape Cod (APCC) is the leading and largest environmental advocacy and educational organization on Cape Cod. Its mission is to advance laws, policies and programs that foster the preservation of the natural resources of the entire Cape Cod peninsula. As executive director I procured and developed the initial campus and permanent home of the organization. The location of the campus required compliance with the Old Kings Highway Historic District regulations. In less than five years, acquired, and developed an accessible campus that embraced and enhanced the historic legacy of the property.

Worked with various agencies and regulatory authorities to build a model of accessible architecture. Campus was also consistent with APCC's goals of preservation of open space, protection of water resources, promotion of managed growth and achievement of an environmental ethic. APCC's leadership has played an integral role in Cape Cod's major environmental achievements over the past four decades by working to establish successful partnerships and collaborations that bring together diverse interests for a common cause. The executive director is the public face of the organization and frequently involved in public speaking and public advocacy. Coordinated the Cape Cod Business Roundtable.

NEW BEDFORD REGIONAL AIRPORT
2008 - 2010

NEW BEDFORD, MASSACHUSETTS

Airport Manager – Chief executive and administrative officer for FAA designated primary commercial service airport (non hub). Ensured compliance with all FAA and TSA rules and regulations. Primary responsibility for economic growth and development of the airport and all of its properties. Oversaw the successful environmental permitting of a large-scale airport development plan that had been stalled for over a decade. Coordinated the institution of the Bridgewater State University aviation program at the airport including the conversion of an abandoned airport structure into accessible classroom and office spaces. Certified (CM) American Association Airport Executives.

UNITED STATES COAST GUARD, COMMISSIONED OFFICER - AVIATOR
Retired 1995

Coast Guard Aviator, Chief of Operations for– Group/Air Station Cape May, New Jersey – Operational leadership for 4 helicopters, 6 Coast Guard Stations, 3 Search and Rescue Detachments, 3 Coast Guard Cutters, and an Aids to Navigation Team serving the needs of a 3-state area. Oversaw maritime pollution response for Delaware Bay and coastal New Jersey and Delaware. *Search and Rescue Aviator* – Instructor Pilot – Aircraft Commander. Brooklyn, NY, San Francisco, CA, Mobile, AL, and Cape Cod. *Special Investigations officer* – Oversaw investigations covering a wide range of issues including drug smuggling, loss of life at sea, reasonable accommodations, sexual misconduct, and maritime accidents. Administrator (healthcare) Coast Guard Academy.

Community Service

Board member Falmouth Historical Society; Pro bono attorney Association to Preserve Cape Cod, Neighborhood Falmouth (an organization that supports elderly remaining in their established homes), Falmouth School Foundation (provides private funding to support school enrichment programs); Board of Governors, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority; Member Falmouth High School, School Council.



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TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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Name: JOHN J. KEENAN, R.A.

Address: 89 RYDER RD. Village: N. FAL. ZIP: 02556

Mailing Address: P.O. BOX 289 Village: N. FAL. ZIP: 02556

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident (date: 25 JUNE, 1975) / Taxpayer (date: SOME)

Amount of time you are available to give: AS MUCH AS REQUIRED

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

- TRANSPORTATION MANAGEMENT COMMISSION
- AT. LARGE MEMBER
-

Seeking: Permanent Position Alternate Position
OWNER, PRESIDENT

Relevant affiliation & work & personal experiences KEENAN + KENNY ARCHITECTS, LTD.
I HAVE BEEN A REGISTERED ARCHITECT LICENSED IN MASSACHUSETTS SINCE 1976. (SEE BELOW)

Town offices held in Falmouth or elsewhere and dates of years served: NONE

DURING THIS TIME I HAVE OPERATED MY OWN CORPORATION WITH A PARTNER SINCE

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

1982. THE FIRM HAS BEEN LOCATED AT 109 MAIN ST., FALMOUTH SINCE 1995.

I HAVE BEEN INVOLVED IN AND PROVIDED PROFESSIONAL SERVICES FOR MANY MUNICIPAL

PROJECTS ON THE CAPE AND ISLANDS



INCLUDING:

- A. ADDITIONS, RENOVATIONS AND NEW BUILDINGS FOR THE TOWN OF PALMOUTH
- ON:
- TOWN HALL
 - REC CTR
 - SCHOOL ADMIN BLD'G
 - ALL SCHOOLS IN PALMOUTH
 - MUSIC PAVILION
- B. PUBLIC AGENCIES / PRIVATE CORPORATIONS:
- MASS MARITIME ACADEMY
 - WOODS HOLE, MARTIN'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY - ALL LOCATIONS
 - PRIME CONSULTANT FOR WYBONNET TERMINAL
 - WHOI & MBL
 - MASS DEPT. OF TRANSPORTATION
 - SAGMORRE ROTARY / FLYOVER AND CHAMBER BLD'G
- C. TOWNS OF BORNSTABLE, BOURNE, EDSTAM, DONNICH, WELLFLEET, OAK BLUFFS, WEST TISBURY, EDGORTOWN, TISBURY

I BELIEVE MY EXPERIENCE ON OVER 100 PROJECTS, WHICH ALL HAVE INVOLVED SOME FORM OF TRAFFIC PLANNING AND MITIGATION, CAN LEND ITSELF TO MY DESIRE TO ASSIST THE TOWN ACHIEVE A BETTER, IMPROVED QUALITY OF LIFE.

↓

Three (3) References: (LETTERS OF REFERENCE ATTACHED)
Name Title Phone

1. DORIS CHRISTIANI, CFO, LAWRENCE HYCH CORP.

2. ROBERT L. WHITENOUR, JR, TOWN ADMINISTRATOR
OAK BLUFFS, MA

3. JACQUELINE BEEBE, CFO
& TOWN ADMINISTRATOR
EASTHAM, MA

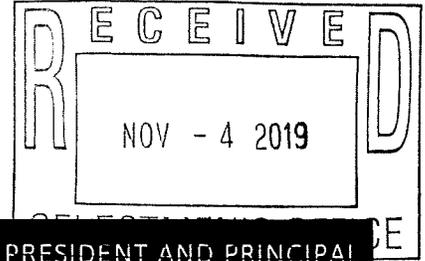
I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

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

28 October, 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.



JOHN J. KEENAN, R.A.

FIRM PRESIDENT AND PRINCIPAL

SUMMARY:

Prior to establishing his own firm in 1982 with Antonia A. Kenny, Mr. Keenan's professional experiences involved work as a Design Architect and Project Architect on a variety of projects with specialization in the public sector and community facilities. As President of Keenan + Kenny Architects, Ltd., Mr. Keenan has participated in the development and completion of over 150 projects of a variety of types, sizes, and costs. His duties include all aspects of the architect's profession and business.

EDUCATION:

The Catholic University of America
Bachelor of Architecture, 1971

PROFESSIONAL REGISTRATION:

Massachusetts No. 4148



John J. Keenan

189 Main Street
Falmouth, MA 02540
508•540•0075 TEL 508•274•4127 CELL
office@kandkarchitects.com www.kandkarchitects.com



KEENAN + KENNY ARCHITECTS, LTD.

FIRM PROFILE

Keenan + Kenny Architects, Ltd. was founded by John J. Keenan and Antonia A. Kenny in 1982 in Cataumet, Massachusetts on Cape Cod. In an effort to be closer to our primary client base, the offices were relocated to Main Street in Falmouth, Massachusetts, where K+K has been a fixture for almost 25 years.

Keenan + Kenny Architects responds to a need for a small, well qualified, architectural firm in the area, and provides high quality, professional and personal services. We are committed to the combined goals of design excellence, environmental sensitivity, and construction efficiency – a combination which has given our firm a stellar reputation for projects of all sizes and complexities. Keenan + Kenny Architects specializes in public sector facilities, with over seventy-five projects completed for many municipalities on Cape Cod, Martha's Vineyard, and agencies of the Commonwealth of Massachusetts. Our staff provides all managerial, design, drafting, construction administration support, and all other aspects required by an active architectural firm. We also manage the multi-disciplined team of engineers, landscape architects, and estimators specifically chosen for their longstanding assistance and experience with Keenan + Kenny and our municipal projects.

As many of our previous clients know, Keenan + Kenny Architects provides exceptional project management, distinguished award-winning design ability, and exacting construction and bid documents. The firm manages all its projects with the continuous personal involvement of its principles; John J. Keenan, Antonia A. Kenny, and Jerry Thiboutot, who are active in all phases of architectural services.



September 16, 2019

To Whom it May Concern,

Keenan + Kenny Architects have been working with Lawrence-Lynch Corp. since 1990 and have completed two additions, several renovations and one new storage building for the Corporation over the last thirty years.

All of the construction has been done while the building remained occupied and K+K have been exceptionally sensitive to the requirements of maintaining our business while phasing construction to accommodate the contractors. They have spent considerable time ensuring that our needs are met and are available for consultation without hesitation.

We have been exceptionally pleased with the recent upgrades to our facility and appreciate the care and detail Keenan + Kenny have shown to bring it to completion. I would highly recommend the firm of Keenan + Kenny Architects to any business or public entity seeking to renovate an existing or construct a new building.

A handwritten signature in cursive script, appearing to read 'Doris Christiani', is written over a horizontal line.

Doris Christiani, CFO

LAWRENCE-LYNCH CORP.



TOWN OF OAK BLUFFS

Post Office Box 1327 • Oak Bluffs, MA 02557
Telephone 508-693-3554 • Fax 508-696-7736

Board of Selectmen

Kathleen A. Burton, *Chairman*
Gail M. Barmakian
Gregory A. Coogan
Brian C. Packish
Michael J. Santoro

May 1, 2018

TO: Whom it May Concern
FROM: Robert L. Whritenour, Jr., Town Administrator
RE: Keenan and Kenney Architects

Robert L. Whritenour, Jr.
Town Administrator

Keenan + Kenny Architects have been working with the Town of Oak Bluffs since 2013 when the Town initially reviewed their capital requirement for a new Fire/EMS Station and a New Town Hall. Keenan + Kenny provided initial space needs programming studies and designs for both, and subsequently, Town Meeting approved the New Fire/EMS Station which was designed and then constructed in 2015, with the Oak Bluffs Fire Department moving in early in 2016.

The O.B. Fire/EMS Station is a working example of practical and technical Fire Fighting/EMS state of the art requirements, with two drive-through Ambulance bays and four drive-through Fire/Rescue bays. The administration wing has a large Training Room, an Emergency Operations Room, a Meeting Room with Kitchen Facilities, Locker and Dorm rooms, and Administrative offices. The Fire Department has been exceptionally pleased with their new facility and appreciate the care and detail Keenan + Kenny have shown to bring it to occupancy.

With the success of the O.B. Fire/EMS Station, Town Meeting and voters at our Annual Town election have now approved the New Town Hall which K+K has designed, and which is currently out to bid. Our community was extremely impressed not only the technical abilities of the firm to present highly technical designs meeting all the Town's needs, but also with their sensitivity in using historically themed architectural cues to best fit the buildings within our historical community in a very pleasing way. They have additionally worked extremely well with a very diverse and demanding group of clients in a professional and collaborative way that created consensus and helped us all move forward as a team. I have been very impressed with their work, and the fine results speak for themselves.

I would highly recommend the firm of Keenan + Kenny Architects to any municipality seeking to construct a new Fire/EMS Station or other municipal building.

Please feel free to contact me at any time if you should wish to discuss the details of these projects.

J. KEENAN
 ATTORNEY
 COMMITTEE APPLICATION
 4 NOV.

PROJECT LIST
Municipal and Private Commercial Projects

PROJECT (* denotes renovation)	YEARS	PROJECT COST
*Town of Eastham Police Station Reroofing & Interior Renovations Eastham, MA	2019	\$550,000.00 (Est.)
Town of Bourne New Bourne Fire Sub-Station Bourne, MA	2019	\$6,000,000.00
Town of Oak Bluffs New Harbormaster Building Oak Bluffs, MA	2019	\$300,000.00
Town of Oak Bluffs New Town Hall Not Constructed Oak Bluffs, MA	2013 – 2019	\$7,400,000.00 (Est.)
Martha's Vineyard Airport Commission New Airport Rescue Fire-Fighting and Snow Removal Equipment Facility Vineyard Haven, MA	2015 – 2017	\$9,400,000.00
*Church of the Messiah, First Church (c.1852) Historic Restoration & Renovation Woods Hole, MA	2015 – 2019	N.A.
Town of Oak Bluffs New Fire/EMS Station Oak Bluffs, MA	2013 – 2015	\$6,450,000.00
Town of West Tisbury New Police Station West Tisbury, MA	2012 – 2014	\$2,200,000.00
*Town of Falmouth Department of Public Works Gus Canty Community Center Reroofing Falmouth, MA	2012	\$100,000.00
*Town of Bourne Public School Administration Building Window Replacement (Historic Building) Bourne, MA	2012	\$90,000.00

<p>*Falmouth Historical Society New Education Center Falmouth Green Historic District 55 Palmer Ave. Falmouth, MA</p>	2012	\$1,200,000.00
<p>*Falmouth Historical Society Conant House Restoration (c.1740) Falmouth Green Historic District 65 Palmer Ave. Falmouth, MA</p>	2011	N.A.
<p>Dartmouth Fire District 2 Russells Mills Station New Addition Dartmouth, MA</p>	2010 - 2012	\$1,200,000.00
<p>*Town of Falmouth Public Schools North & East Falmouth Elementary Schools Exterior Renovations - Reroofing Falmouth, MA</p>	2010 - 2011	\$500,000.00
<p>*West Tisbury School Exterior Renovations Window Replacement & Roofs West Tisbury, Martha's Vineyard, Ma</p>	2010 - 2011	\$1,400,000.00
<p>*Old Indian Meeting House (c.1684) Historic Renovations (Historic Building) Mashpee, MA</p>	2010	\$1,000,000.00
<p>New Music Pavilion Falmouth, MA</p>	2008 – 2009	\$400,000.00
<p>*West Tisbury Town Hall (c.1858) Historic Renovation and Addition AWARDED West Tisbury, Martha's Vineyard, MA</p>	2007 – 2008	\$3,400,000.00
<p>*Barnstable Senior Center Lower Level Renovations Hyannis, MA</p>	2006 - 2008	\$700,000.00
<p>Wellfleet Fire & Rescue Services New Station Wellfleet, MA</p>	2008 – 2009	\$5,500,000.00
<p>Cape Cod Canal Region Chamber of Commerce Visitor Center (In association with AECOM Transportation) Sagamore Rotary/Route 3/Route 6</p>	2002 – 2009	\$1,700,000.00

*Town of Falmouth Public School Administration Building (C.1926) Historic Preservation Improvements Teaticket, MA	2006 – 2010	\$1,100,000.00
Pocasset Golf Club (1916) Renovations to the Clubhouse Pocasset, MA	2005 – 2008	\$2,200,000.00
Woods Hole, Martha’s Vineyard and Nantucket Steamship Authority		\$5,500,000.00 (aggregate)
- Hyannis Terminal New Passenger Shelter	2010	
- Hyannis Terminal New Terminal Building	1992 – 1997	
Jim Roche Community Ice Arena Additions and Renovations West Roxbury, MA	2005 – 2006	\$3,500,000.00
*Town of Barnstable Old Town Hall (C.1921) Historic Renovations Hyannis, MA	2003 – 2005	\$650,000.00
Woods Hole Oceanographic Institute Quisset Campus Woods Hole, MA -McLean Laboratory Addition	2001 – 2005	\$2,580,000.00 (aggregate)
Town of Wellfleet New Senior Center Wellfleet, MA	2001 – 2003	\$1,200,000.00
*Town of Barnstable Town Office Renovations Hyannis, MA	2000 - 2001	\$500,000.00
Falmouth Town Hall Additions – Combined Projects Falmouth, MA	1999 – 2001	\$1,100,000.00
*Commonwealth of Massachusetts Copeland Building Renovation (c.1930) Massachusetts Maritime Academy AWARDED Buzzard’s Bay, MA	1999 – 2002	\$3,450,000.00
Town of Barnstable New Senior Center Hyannis, MA	1997 – 1999	\$1,700,000.00



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: RALPH HERBST

Address: 121 REGIS RD Village: E. FAL ZIP: 02536

Mailing Address: (SAME) Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 30 YR (date: _____) / Taxpayer 30 YR (date: _____)

Amount of time you are available to give: SEVERAL HRS/WK

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

1. TRANSPORTATION COMMISSION
2. _____
3. _____

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences BS MECH. ENG, MBA BUSINESS
RETIRED AIR LINE PILOT, VIET NAM VET, PAST PRESIDENT
OF MY HOA (ASHUMET VALLEY).

Town offices held in Falmouth or elsewhere and dates of years served: _____
14 YRS PLANNING BOARD, 10 YRS CPR

Briefly describe the particular skills you feel you will add to the committee or board: _____
CHAIRMAN OF BOTH P/B & CPR

Three (3) References:

Name	Title	Phone
1. PAUL DRYAN	P/B	?
2. JULIAN SUSEO	TOWN MGR	?
3. BOB WILLY	P/B	?

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.

12/19/2019
DATE


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.

NOTE: UNAVAILABLE FOR INTERVIEW UNTIL DEC 2⁰ (UNREASON)



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION APPLICATION FORM

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Name: Jane F. Perry

Address: 37 Gallop Dr. Village: Hatchville ZIP: 02534

Mailing Address: Same Village: Same ZIP: Same

Telephone: [Redacted] Email: [Redacted]

How long have you been a Resident 28 (date: 1991) / Taxpayer no (date:)

Amount of time you are available to give: retired (anytime)

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

1. Transportation Mgmt Comm.
2. _____
3. _____

Seeking: Permanent Position Alternate Position _____

Relevant affiliation & work & personal experiences I am committed, dedicated,

1) knowledgeable, passionate regarding transportation issues. I have used accessible transportation for 31 yrs.

Town offices held in Falmouth or elsewhere and dates of years served: _____

2) SEE ATTACHED #2

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

3) I have attended many CCRTA board meetings not only as Falmouth's Rep but a strong advocate for riders using the RTA. I have worked with Mass. D.O.T. Region 5 in the process of installing a pedestrian crosswalk
see attached #3

#2

1996-2007 - Falmouth Trans Management Comm. Member

2004-2007 - Vice-Chairman Fal Transportation Mgmt Comm

1998-2016 - Falmouth Town Meeting Member ~~Princt~~
Princt 8

2008-2016 - Falmouth Comm on Disabilities.

2011-2016 - Chairwomen of Fal Comm on Disabilities.

2010-2011 - Vice Chairwomen Comm on Disabilities.

2008-2003 - Falmouth Board of Library Trustees

2007-2008 - Cape Cod Regional Transportation Authority
Disabeled non-voting member

2014-2017 - Falmouth Rep to the Cape Cod Regional
Transportation Advisory Board member.

2011-2017 - Falmouth Council of Aging

1999-2000 - Falmouth Business & Professional
Womans Org. President.

#3 Light in Teaticket, and the installation of both intersections of Davisville Rd. and Rt. 28 and Jones Rd and 28 so that they are compliant with the Americans With Disabilities Act. and The Accessible ~~architectural~~ architectural board (code of mass regulations 521).
In 2012 attended complete Streets Seminar Sponsored by MASS D.O.T. and Falmouth D.P.W., 2000, 2001, 2002, attended transportation workshops sponsored by Cape Cod Comm + CCRTA.
Attended many Metropolitan Planning organization meetings at Cape Cod Commission Conf Rdm.

Three (3) References:

Name	Title	Phone
1. Kathy Taylor	Asst. Dir of C.O.R.D.	[REDACTED]
2. Marie Cantis	FRIEND	[REDACTED]
3. Lisa Abelli	FRIEND	[REDACTED]

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.

Nov 25, 2019
DATE

John B. Perry
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.



Falmouth Planning Board

59 Town Hall Square, Falmouth, MA 02540

Telephone: 508-495-7440 Fax: 508.495.7443 email: planning@falmouthma.gov

November 27, 2019

Julian Suso, Town Manager
Falmouth Town Hall
59 Town Hall Square
Falmouth, Massachusetts 02540

Re: Planning Board Appointment to Transportation Commission

Dear Mr. Suso,

At its meeting of November 26, 2019, the Planning Board by acclamation selected Paul Dreyer to the Transportation Management Commission.

Sincerely,

Thomas Bott
Town Planner



Diane Davidson

From: Scott Lindell <bikeways@falmouthmass.us>
Sent: Tuesday, December 17, 2019 3:27 PM
To: Megan English Braga; Julian Suso Falmouth
Cc: Paul Dreyer; McGuire, Chris
Subject: Bike/ped appointment to TMC

Hi Julian and Megan,

Just want to let you know that our Committee nominated Chris McGuire to represent us on the Traffic Management Commission. Please keep us informed about when that group is likely to convene.

thanks,

Scott

--

Scott Lindell
Falmouth Bicycle and Pedestrian Committee, Chairman
508/289-1113

This E-mail was sent to a legacy falmouthmass.us e-mail address that the town will no longer be utilizing. If you are a ToF employee and the e-mail originated from a subscription list or a service, please update that list or service with your falmouthma.gov address. If you are not a ToF employee, please update your e-mail contact information for any ToF entity. A current directory for ToF employees and departments can be found here:

<http://www.falmouthmass.us/Directory.aspx>

ANNUAL LICENSE RENEWALS FOR 2020

SELECTMEN'S MEETING – JANUARY 13, 2020

CLASS II MOTOR VEHICLE (SECOND-HAND DEALER LICENSE)

Excel Auto Repair & Sales, 94 East Falmouth Highway
M & N Auto Mall, Inc., 20A Village Common Drive
Falmouth Auto Works, 151 Worcester Court

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
MONDAY, OCTOBER 28, 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 (arrival 8:15 p.m.); Doug Jones; Sam Patterson.

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

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. c.30A s.21(a)(3) – To Discuss Strategy with Respect to Collective Bargaining – Falmouth Police Sergeants – NEPBA Local 61 because to not go into executive session could prejudice ongoing negotiations. Mr. Patterson seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll call vote: Chair English Braga, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye. Absent: Ms. Moran, aye.

2. Chair English Braga reconvened the open session at 7:00 p.m.

3. Pledge of Allegiance

4. Recognition

Mr. Brown recognized State Senator DeMacedo, thanked for the work he has done for Falmouth.

Chair English Braga recognized the incident with the Israeli flag and desecration of the flag. There is no place in this Town for acts of hate, the Board of Selectmen (BOS) takes a position; these are serious crimes and have no place in our community.

5. Announcements

The Town and Police Sergeant union reached an agreement for next 3 years on the collective bargaining contract. Maintains competitive wage rates and affordability for the community.

Mr. Brown noted the Coastal Resiliency Action Committee meeting is tomorrow at 5:30 p.m. at the Hermann Room to discuss MVP action grant and presentation regarding flooding assessment.

6. Public Comment

Phillip Guessen, FHS Student, talked about petition at the FHS, informal and no legal standing, supports the municipal plastic bottle ban. The ban of the sale of single use plastics in all public places and prevent the Town from purchasing plastics. They collected 430 signatures from the students in support of the ban.

Michael Heylin, West Falmouth, announced he was made aware of asbestos pipes dumped and stored for a year at the old water station on Palmer Ave., MA, the DEP was here. He would like the Town Manager to address this, the pipes were near the public drinking supply. He would like the BOS to discuss this at the next BOS meeting.

Jack Afarian, Cape Cod Marathon, they have eliminated all single use plastic bottles at their race. Great event this past weekend and thanked all for their support. Trunk River bike path damage affected them, a temporary solution was put in place with assistance from the Conservation Commission and DPW. They had more runners than ever this year, fewer issues than ever, more people to Town than ever. He will complete an economic impact report and is drafting a report to the BOS with more detail about what occurred during the weekend and steps they took to eliminate issues in the past and make the event more successful this year.

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

Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

2. Administrative Orders

- a. Vote to Approve Eel River Aquaculture Licenses

Mr. Johnson-Staub explained 3 license hearings for same day for these three sites, result of competitive selection process. Incorporated the terms of the Statement of Qualifications issued back in July, since last BOS vote, the Town MES Department and the applicants have obtained approvals from Marine Fisheries and Army Corps and are ready for the BOS to affirm the licenses.

Mr. Jones motion to authorize the Town Manager to execute a shellfish license to Daniel Ward. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion to authorize the Town Manager to execute a shellfish license to Matthew Weeks. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion to authorize the Town Manager to execute a shellfish license to Mary Murphy. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

- b. Review/Approve Traffic Related Service Request for Electronic Speed Control Display Signs on Sippewissett Rd., Quissett Ave. and Quissett Harbor Rd.

Mr. Suso noted in packet there is information from the Traffic Advisory Committee. The BOS received one communication from an outside entity with question. Mr. Suso thought the BOS may consider upgrading these signs that need to be replaced.

The BOS discussed the pedestrian sign going forward. The electronic speed sign may need more information.

This will be put on later when they receive more info from the FPD report from Chief Dunne.

- c. Vote to Authorize Police Department Application for State Traffic Enforcement Grant in the amount of \$14,000.00

Mr. Suso affirmed the deadline to file was today, the FPD does it yearly. Standard traffic enforcement explained in the packet.

Mr. Patterson motion approval. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.

- d. Vote to Accept Funding for Annual Emergency Planning Grant to Fire / Emergency Operations in the amount of \$8,500.00

Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-01.

- e. Accept Annual Funding from Mass Cultural Council to Falmouth Cultural Council in the amount of \$6,300.00

Mr. Patterson motion approval. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.

- 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

Mr. Johnson Staub explained that a member of Shellfish Advisory Committee was recently issued a grant for Great Pond and final affirmation of Eel Pond grant. He has received guidance from the State Ethics Commission, and is following the guidance. There is a provision that takes into

consideration a committee like this that by the formation of the committee commercial shell fisherman are required to be on the committee.

Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

- g. Vote to Adopt FY2020 – FY2024 Board of Selectmen Strategic Plan

Draft plan in the packet. Mr. Brown noted a discussion with Mr. Banwarth from IT, advancement of online permitting and he would like to keep this in play because it is important. There was motion of it in the last Strategic Plan. Under Organizational Effectiveness and he would like to see mentioned expedited permitting. Subcategory D and Improve Permitting process, add online and efficiency of the permitting.

Action steps: continue to improve the permitting process with regard to online permitting and parallel processing.

Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

- h. Vote to Authorize Town Manager to Proceed with Potential Bond Refinancing

Mr. Suso referred to a memo in the packet from Jennifer Mullen, Finance Director and Patty O'Connell, Treasurer, regarding refinancing and asked for direction from the BOS for further exploration, if so they will do so and come back in December for approval.

Jennifer Mullen explained there have been a number of bonds for potential refinance, there are various issues including library, FHS, Wind 1, interest rates are lower and looking at saving \$1 million over next 10 years. They could come back in December with the schedule. The interest rates are low and may include other bonds. Looking at this and would like BOS recommendation to pursue it. Only do it if there is savings every year over the 10 years.

Mr. Brown motion to authorize to proceed with potential bond refinancing. Second Mr. Patterson. Vote: Yes-4. No-0. Absent-1.

- i. Appoint Board of Selectmen Sub-Committee on Proposed Municipal Broadband

The EDIC really wants BOS input and to be part of the conversation, so here to appoint the 2 member subcommittee. Sue Moran will be one member.

Mr. Jones motion to appoint Ms. Moran and Mr. Patterson as the sub-committee. Second Mr. Brown. Vote: Yes-5. No-0.

3. Special Events

- a. Vote to Approve Request for Waiver of Special Events Permit Fee – Chris Wetherbee Memorial Toy Run – Sunday, 11/3/19

Tammy Baptist, Palmer Ave., requests waiver of \$200 fee because 99.9% are donated or provided by her family. Beneficiaries are children in shelters across Cape Cod and the less fortunate. No use of municipal resource is planned. The BOS asked about financial statements of where they spent their money. Space is donated, her family does not seek reimbursement of any expenses they pay for. Mr. Patterson asked that next year she provide a list of what was spent/expenses.

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

BUSINESS

Board of Selectmen – Falmouth Housing Authority

1. Interview, Vote and Appoint Member to Falmouth Housing Authority –

Robert Mascali, Oxbow Rd., Falmouth, since part of NY DDS, NY ARC, counsel for ARC and private practice. He is interested in what the Housing Authority does.

Mr. Jones motion to appoint to a term to the next Town election. Second Mr. Patterson. Vote: Yes-5. No-0.

Trish Favulli, Housing Authority Commissioner, due to the vacancy, her board also has to vote with the BOS. All members of the board, Sari Budrow, Linda Howard, Steve Patton, and Trish Favulli verbally accepted the appointment of Robert Mascali to the Falmouth Housing Authority Board of Commissioners to the term ending May 2020.

2. Report – Veterans’ Council Committee

Jim Sawyer, Chair, made the annual report to the BOS, reviewed costs covered by various agencies and organizations. Ahmed Mustafa has stepped down from the committee. Proposal of building on Dillingham Ave., information was compiled into a proposal and forwarded to the BOS to use as a veteran’s service center. Reviewed veterans who benefited from support for personal circumstances. Community partnerships for gift bags were reviewed, 165 bags delivered to veterans along with hosting veteran’s dinner on veteran’s day. Need based program for low income veterans and their families; \$450,000 in financial assistance was allocated for Falmouth veterans only. Service connected benefits for local veterans; there are 1500 veterans collecting retirement from various military branches. Assist in applying for headstones and foot markers for veterans who have passed away.

3. Report – Board of Health

Diana Molloy, RN MSN, Director Quality Assurance, Bayada Chair and Steve Rafferty, Ben Van Moy, Kevin Kroeger, George Heufelder present along with Scott McGann present.

Major activities include needle exchange, rewriting Falmouth’s supplement to the Title 5, Moratorium on Glyphosate use on Town own land, Denitrifying septic system operation enforcement. They wrote a letter of support so the state would provide the AIDS support group with needles for the exchange.

EEE decision to treat and throughout the rest of the 2019 mosquito season.

Begin hearing housing inspection noncompliance. Working with those out of compliance and strong stand when things are not resolved. Mr. McGann explained if tenant calls for housing inspection, if they find things that need to be addressed. If not done, they could do a criminal complaint and takes a lot of time. They bring it to the Board, issue finds, and this has been very effective in getting compliance as soon as possible.

Streamlined septic variance process by voting to allow some variances not affecting abutters to be approved by the Health Agent.

Ben Van Moy has been part of a working group Mr. McGann put together to review the use of pesticides throughout the Town. Members from the Conservation Commission, Agricultural commission, DPW, and Golf courses, are reviewing use of pesticides on Town owned lands and policy moving forward.

Ongoing business agendas include septic related requests for variances, public health initiatives, update on operations and staffing from the health agent. Recommends increasing staff at the Health Department in order to better serve residence. They do 1500+ inspections, 1300 permits licenses, and over 5,000 calls, 3,000 records requests, and over 1500 in person visits.

Recognition of the Health Agent and Team: focus on public service, efficiencies, improved accuracy of detail inspections, collaboration with the Board on how to accomplish tasks related to ensuring compliance and follow through, tackling housing issues. Consistency of frequency of inspections, responsiveness to requests and Board recommendations for follow up, ideas presented to the Board for resolution of issues, leadership in office operations and with State agencies regarding EEE.

Added value to the Falmouth Community include tackling issues we had not addressed, providing leadership for improved customer service; the Board is recommending additional resources. Vaping was a discussion before the Governor’s Band, so at this point they do not have to tackle with such urgency.

4. Report – Human Services Committee

Karin Delaney, Committee Chair, recognized the other members present. Co-chair Ann Beth Ostroff passed away this month and was thanked for her service.

Reviewed committee goals, including supporting the role of the Human Services Department, including identify and prioritize unmet emerging human service needs. Looked at the five unmet needs including homelessness prevention, outmigration of working age adults, substance use, mental health, and other support services. Each organization that received funds from the committee did a mid-year report. Including Housing Assistance Corp \$20,000, which helped 119 adults.

Homeless prevention: Having them in Falmouth has been a huge benefit to Falmouth residents to access the resource locally. There has been good success with the program.

Outmigration of working age adults: Cape Cod Young Professionals received \$14,000, have a community needs survey, “my cape cod story” featured, hosted the shape your cape summit, asking why do people choose to stay on Cape Cod and how can they contribute. Falmouth Service Center received \$6,000 for expanded vocational opportunities to Falmouth residents ages 25-44 to stabilize and move their careers forward.

Well Strong received \$20,000 seed money to get them going. They offer fitness classes, active memberships, peer outreach coordinator, along with recovery meetings and AA meetings. They have been featured in local newspapers for their innovative approach.

Falmouth Public Schools received \$20,000, delivered behavioral health consultation program with McLean Hospital to expand development and delivery of evidence based interventions and programs, training sessions of staff, 59 students referred to case consultations and offered professional development workshops. Funds are having direct impact on students and staff.

Alzheimer’s Family Support Center of Cape Cod received \$9500 work with Falmouth Senior center. Run caregiver groups and training.

They are working to update the needs profile for fiscal year 2021.

They currently have 4 openings on the committee.

5. Status/Update on Beach/Infrastructure Post-Storm

Bruce Mogardo, Beach Superintendent, provided overview of the condition of the beaches and in the packet.

Southside beaches took biggest hit, Menauhant lost 8-10 feet in parking lot, lost a large dune, and it looks bleak. Surf drive lost a lot of sand, lost sand in kiddie pool and around the house. Heights not bad, Bristol accrues that sand.

West side not as big a hit, but looks traumatizing. Old Silver lost 1/3 sand, is covered in sea weed and that will mitigate some loss of sand. The transport is from south to north, all beaches from Woodneck contribute sand to other beaches. They need to plan for Surf drive and Menauhant, which came together quickly last Friday. The Beach Department, Mr. Johnson-Staub, Mr. Suso, Ray Jack, Peter McConarty, MES, and the Conservation Commission problem solved where to find sand, how to get it to the beaches, and how to pay for it.

Mr. Suso explained bullet point from last Friday: Eel Pond dredging, the county dredge is not available, section will be deposited on East Menauhant, another to Washburn Island. Menauhant West, 11/6/19 on the Conservation Commission agenda will be nourishment of this beach to move from Menauhant east, the dune needs 1500 cubic yards of material. The beach could use 5,000 cubic yards, balance of material will come from the pit, some work will be contracted to private contractor and have about \$46,000 budgeted for beach nourishment. Inlet dredging to be done in February 2020, Surf Drive sand needs to be redistributed. May be able to place material in the inner harbor on Surf drive. The-the BOS is aware of significant

damage there, widening order of conditions approved which will allow replacement of pavement, and shoulders have been addressed by DPW. The bridge will be replaced in the spring. Exploring with the Conservation Commission potential extension of the design to provide more dynamic protection to the bike path.

Dredge booster is committed to another community and may not be freed up in time to give Falmouth assistance, dialogue is ongoing.

Mr. Brown noted need a plan for Trunk River and beach nourishment program. Mr. Mogardo would like to raise the height of the dunes to protect the beach, road, and homeowners.

Jen McKay, Conservation Commission administrator, said the Town can put a berm, she is exploring where the comment from the state about not going all the way down on Trunk River. They have a plan to enhance that area from revetment towards Woods Hole where the collapse occurred. Chair English Braga noted significant infrastructure in the area if sewer main was compromised.

Mr. McConarty explained the sewer line depth is about 500 feet south of the bridge, sewer main is down about 5 feet, then 12 feet under bridge, then up to 5 feet after the bridge. They were able to rebuild a portion of that jetty and revetment, the waves ride up the revetment and it takes the energy out of the waves. The bike path looks better in the last week, working with the Conservation Commission and were able to rebuild the shoulders, still have damage to bike path, but have a plan and permit to replace that section and repaving the bike path done this year. Plastic sheeting options are available, they would need to do soil boring to see how much stone is out there at Trunk River. Menahant November time frame, surf drive sand will be pushed back onto the beach, Trunk river before the winter.

Tomorrow the report of the Coastal Resiliency Action Committee will provide a report. Jen McKay noted a Town wide vulnerability assessment public outreach portion of the meeting is at is at 6 p.m. at the Library Hermann Room. They are looking at Surf Drive and tentatively schedule a public outreach meeting in early December

6. Discuss and Vote on the Recommendation of the Naming Subcommittee to Name the Emergency Operations Center "The Paul D. Brodeur Emergency Operations Center"

Mr. Brown noted Chief Small, Deputy Chief Smith, and Fire Prevention Officer DeMello pointed out that Chief Brodeur was Chief during 911, brought to light the need to improve the communication center. Chief Brodeur was the visionary of the communication center and multi-agency coordination center during storms.

Chief Small noted it is the second floor of the public operations building.

Mr. Brown motion to finalize the process of naming the center. Second Ms. Moran. Vote: Yes-5. No-0.

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

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

8. Board of Selectmen Comments/Discussion on Water Quality Management Plan Presentation

Chair English Braga noted they need the final plan ready to go to the State. She liked that it did not cut off any option, left them to be explored. Mr. Brown thinks it is fine as is, he has heard comments from others who wish to move the timeline along and he also would like to rethink the idea of not going to the end of the peninsulas; the land will be inundated and the effluent will go out to the ocean. Mr. Patterson agrees to look long term and recognize if they start down that road, they will be amortizing the costs invested. Mr. Jones does not want to add to it. Ms. Moran thanked the committee for their forethought and expertise.

Chair English Braga asked if there will be an overall look at the issue of options in relationship to climate change challenges? Do some of these options look different when we think about infrastructure vulnerabilities and costs?

Virginia Valiela said the climate change is not addressed, it was not in the committee's mind when they drew it for the Great Pond water shed. This report is a summary of all the Town has done in the last 5 years and where we think we are going in the next 5 years. This report is broad enough, where the next work product, the targeted plan, could include this. Doing Phase 1 and 2, if there were more money than the 60 million allocated, you could do this, but that would need coordination with Town management that you were going to allocate more.

Eric Turkington, Chair, noted no specific amount for both phases. The \$60 million was the most they could spend without increasing taxes. Any other suggestions the BOS may have are needed soon so the consultant can work it into the text.

Chair English Braga asked the BOS that any further comments be made to the WQMC by Friday.

They will be back in November with a draft the BOS can review.

9. Vote to Affirm the Following Committees: Recreation Committee, Waterways Committee, Beach Committee and Human Services Committee

Mr. Suso explained that this is happening in advance of Town Meeting, Town Counsel noted these committees were in place before the Town Charter and would continue. The BOS was provided description of the committees in the packet and are subject of the Charter Committee Recommendation.

They would be re-voting what a previous BOS voted. The goal is to make sure there is no misunderstanding if recommendation of charter review is supported, that there is no confusion, they existed before the charter and will exist if taken out of the charter.

Mr. Johnson Staub noted the BOS affirm the charter language, not changing anything. If the BOS wants to ask the committees to revisit their mission statement, they can have a dialogue with the BOS.

Ms. Moran motion to affirm the committees. Second Mr. Patterson. Vote: Yes-5. No-0.

10. Vote Board/Committee Email Policy

Chart in packet reviewed.

Each committee will have email in name of committee and behind the scenes the emails will be forwarded to named individuals.

Mr. Jones motion approval of option 1 version in the packet. Second Mr. Patterson. Vote: Yes-5. No-0.

11. Discussion of Possible Policy for Withholding Permits

Draft language in the packet regarding delinquent on municipal taxes or fees. Currently, the Town cannot hold permits before 12 months pass. The article before Town Meeting is that the BOS could change that, this reduces the time to 6 months.

Mr. Jones and Ms. Moran feel it should be 6 months be the recommendation and the BOS makes the amendment on the floor to be 6 months.

Ms. Moran wants it put on the agenda before Town Meeting.

12. Discuss Creation of Citizens Advisory Committee for Future Fire Station Locations

This came out of the meeting about Northwest Falmouth Station recently.

The BOS would like it to be BOS appointed ad hoc committee with sunset time.

The length of the discussion is long enough to include the people here during the summer be engaged, make it as available and broad as we can. This will be a larger window of time, feedback in the summer, they can give interim reports on issues. The BOS would like to go to a 9 person committee.

Committee representation may include: liaison to the Finance Committee, but the charter does not allow that at this time. This could include staff from Fire department, Planning, Human Services, Transportation Management Committee, and 9 at large positions. Charge may include: Look at data, hold public meetings, considering what should the staffing level be.

Mr. Jones motion to appoint an adhoc citizen advisory committee for future fire station locations. Second Ms. Moran. Vote: Yes-5. No-0.

Outside consultant from McGrath Association will complete report and be at a BOS meeting in December.

13. Notification to the Board of Extension of Management Lease for Falmouth Country Club with Billy Casper Golf

Mr. Suso explained a provision in the contract that they exclusively enact that extension and they have notified the Town of the extension of the lease for an additional 5 years.

Mr. Brown asked if managing the property at regular rates instead of prevailing rates is possible. Mr. Suso will explore that further, no major projects are anticipated within the next 5 years. Mr. Johnson Staub stated that a 5 year lease is not a long enough time to recapture the money in capital improvements. At the end of this lease, they may contemplate a longer lease and, if so, it may be possible to set up a situation where private lease holder can make improvements without paying prevailing rates, to do so there are 12 steps that must be followed.

Keith Schwegel, Chair Golf Advisory Committee, it will be 20 years that Casper has been managing the property. They were willing to invest in more infrastructure with a long term lease.

14. Board of Selectmen Assignments for Town Meeting Precinct Meeting Coverage

Chair English Braga and Mr. Brown will attend precinct 8 and 9 meetings.

Mr. Patterson and Mr. Brown will attend precinct 4 and 7 meetings on 11/6/19.

Mr. Jones and Mr. Patterson will attend precinct 1 and 2 meetings on 11/7/19.

Chair English Braga and Ms. Moran will attend precinct 5 and 6 meetings.

Mr. Brown will attend precinct 3 meeting.

They will look into whether precinct meetings are exempt from the open meeting law.

The next BOS meeting will be 11/12/19.

15. Minutes of Meetings:

- a. Public Session
October 7, 2019

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

- b. Executive Session
October 7, 2019

Mr. Patterson motion approval and not release. Second Mr. Jones. Vote: Yes-5. No-0.

- c. Review of Executive Session Minutes and Vote to Release

Mr. Jones motion to release the wind turbine executive session meetings listed in the packet. Second Mr. Patterson. Vote: Yes-5. No-0.

Chair English Braga motion to release the minutes in the packet beginning with June 1, 2015. Second Mr. Jones. Vote: Yes-5. No-0.

16. Individual Selectmen's Reports

Mr. Jones:

Requested follow up from the Cape Cod Marathon or FPD Chief, he was surprised to see how many roads were closed for that event, the application did not note any road closure.

Mr. Patterson:

Attended the West Falmouth Village Association Meeting regarding the fire department.
Attended the Friends of Nobska Light Board Meeting, the work continues on the outside.
Tom Bott, Mr. Suso, and Mr. Patterson met with the CCRTA Director, Cape Cod Commission and reviewed the Town concerns about parking and beach traffic and how Falmouth may benefit from shuttle services they may offer.
Attended the Community Preservation Committee meeting, they are looking at 2020 Town Meeting Articles and asking applicants questions.

Mr. Brown:

Snap grant awards, they awarded money for permeable active barrier.
Met about the Mill Pond weeds, tough going because the water was being used in the bog, not enough water to navigate through the weeds because the vegetation is so thick. They will modify plans to raise the water level in the pond prior to harvesting. About 800 lbs. of weeds were removed.

Attended the Marks Building Committee meeting, people are documenting the existing windows.

Attended ground opening for the Coonamesset Greenway.

Ms. Moran:

The Housing Trust Annual Meeting was well attended, housing is a big concern for many.
Attended the Steamship joint meeting by Woods Hole citizens group with island folks there. Looking at issues the community wrestles with. The SSA will continue these conversations.
Attended the Climate Change forum by the League of Women Voters, Charlie McCaffrey presented.

Chair English Braga:

Attended site visit where the School Committee viewed a potential site for the Carousel of Light; slope downside Mullen hall property, group of folks had plans and the architect was there to see what it might look like.

17. Town Manager's Report

Mr. Suso attended the Finance Committee final delivery session on 10/15/19.

Attended the ZBA work session, which was productive and facilitating effective collaboration.

10/18 attended presentation awards in Boston for Hannah Awards for Bravery with Chief Dunne.

10/24 joined walk through of the senior center.

10/24 attended a twice monthly meeting of Marks Building Advisory Committee

18. Review and/or Discuss Correspondence Received-none.

Mr. Jones motion to adjourn at 10:15 p.m. Second Ms. Moran. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

TOWN OF FALMOUTH
BOARD OF SELECTMEN

Meeting Minutes

Open Session

MONDAY, NOVEMBER 18, 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. Open session called to Order by Chair English Braga at 7 p.m.
2. Pledge of Allegiance led by the scouts.
3. Recognition

Chair English Braga let folks know that Ray Jack will retire after 25 years of service. Mr. Suso noted that Mr. Jack has had a long career in multiple jurisdictions, thanked him for the many years of service. Mr. Jones said that the last two projects came in under budget and within the timeframe. Mr. Patterson noted that Mr. Jack has been able to manage complicated projects. Mr. Brown will miss him on the Coastal Resiliency issues. Ms. Moran noted he has mentored many. The Board of Selectmen (BOS) will talk about the transition process in the future.

4. Announcements-none.
5. Public Comment

Mark Finneran, Precinct 6, said two weeks ago the asbestos issue was brought forward, last Thursday an arbitration hearing; person running the water plant was falsified. At the last hearing we were told we had the proper safety equipment, but much of it was just delivered last Thursday. Two minute limit was noted by Chair English Braga and Mr. Finneran left the podium.

Leonard Johnson, Precinct 5, North Falmouth thanked the BOS for presentations and clarifications of several issues at Town Meeting. The annual report was done well, thanked Diane Davidson for her good work. Salary information is included, that is a real plus. Suggested many attend the Woods Hole Group presentation, we need to hear it. He would like to have another public session and urged Town Meeting Members to attend.

Mike Smuder, Precinct 3, Woodland Rd. Need for parking, he looked up Falmouth Traffic Advisory Minutes, he found a motion put forward to put no parking signs in front of St. Barnabas. Unusual we are looking for parking spaces downtown, but want to put them up in this area. He suggested that the sidewalk be taken down to street level, stonework moved, and pick up 6-8 additional parking spaces like there are across the Town Green.

SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application to Amend Underground Storage License for a Change of Ownership Name to AC Massachusetts LLC located at 33 Technology Park Drive, Falmouth

Applicant, Adam Lasts, Corporate Environment Advisors, and on behalf of the applicant. The use of the proper it not changing, just the ownership. The storage is above ground, not underground.

Mr. Jones motion approval. Second Ms. Moran. Vote: Yes-5. No-0.
 - b. Approve Application for a Change of Manager of an All Alcoholic Common Victualler License and Entertainment License for 311 Gifford Street OPCO, LLC d/b/a Coonamessett Inn located at 311 Gifford Street, Falmouth

John Norton, applicant, has not been the manager of this type of license before, lives in East Sandwich, and has 26 years of experience in the restaurant industry. He understands he is responsible and he is TIPS certified, as are his employees.

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

Mr. Jones motion approval of the Entertainment Application. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. Approve Application for Change of DBA of an All Alcoholic Common Victualler License from JNV Ventures, LLC d/b/a Stone L'Oven Pizza Co. to JNV Ventures, LLC d/b/a Simply Divine Pizza Co., 271 Main Street, Falmouth

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

- d. Approve Application for a Change of Officer and a Change of Beneficial Interest of an All Alcoholic Common Victualler License – 99 Restaurants of Boston, LLC or 99 West, LLC d/b/a 99 Restaurant & Pub, 30 Davis Straits, Falmouth

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

- e. Approve Application for a One-Day All Alcohol Liquor License – Falmouth Theatre Guild – Highfield Theater, 58 Highfield Drive – Saturday, 12/14/19

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

- f. Approve Application for One-Day Agricultural Liquor License – Coastal Vineyards – Mahoney's Garden Center Ladies Night Holiday Open House, 958 E, Falmouth Hwy. – Thursday, 11/21/19

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

The license is not to be consumed on premises. The form of license will need to be updated.

- g. Approve Application for One-Day Agricultural Liquor License – Cape Cod Winery – Mahoney's Garden Center Ladies Night Holiday Open House, 958 E. Falmouth Hwy. – Thursday, 11/21/19

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

Form of license will need to be updated.

- h. Approve Request to Extend Seasonal All Alcoholic Common Victualler License until January 2, 2020 – Landfall Restaurant, 9 Luscombe Avenue, Woods Hole

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

DJ noted noise issues in the past regarding Landfall. Chief Dunne did not have the information tonight.

2. Administrative Orders

- a. Vote to Accept Donation from The 300 Committee in the amount of \$295,000 for the Coonamessett Greenway Heritage Trail Project

Dr. Betsy Gladfelter, Conservation Commission, the 300 Committee offering a donation to the Town for this project. There are two components to it; interpretive signs are being manufactured and installed before December, the second half will go in when restoration is complete. They will also have a trail.

David Neilson, this is the next portion of the gateway and trailhead. Made a PowerPoint presentation, want to make accessible to everyone. They will add the overlook and parking lot to John Parker Road. Restoration of area at grade with an accessible path. Presented a model of the bridge structure.

Jessica Whritenour, Executive Director, The 300 Committee Land Trust, recognized the work of the Town in pulling the project together. Private fundraising support opportunity to enhance some of the work, the need for accessible trails is something they are seeking to expand. Private fundraising campaign will support the accessibility in the loop area. This supports the trailhead parking, including handicap spaces. They understand the project is going out to bid soon, important the Town has the funding in place. Board voted to authorize the donation, any balance of funds not required to complete the project would be returned to The 300 Committee for future support of the Greenway.

The BOS thanked The 300 Committee, the model is very appreciated, especially the access for all. Hope to be an attraction for many, how about neighbors.

Dr. Gladfelter noted several public meetings with staff; she talks to a lot of people who walk there regularly. Mr. Brown noted this is a huge improvement from the first model.

Mr. Patterson noted school children will use this as a resource as well. Dr. Gladfelter said that more than 400 children visited last year.

MA Environmental Trust and the Verizon Foundation have contributed funding as well.

Mr. Jones motion to accept the donation of \$295,000 with the understanding that any surplus not needed will be returned. Second Mr. Patterson. Vote: Yes-5. No-0.

- b. Vote to Accept Donation from Falmouth Road Race, Inc. in the amount of \$3,000 to the Beach Department Donation Account

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

- c. Vote to Approve Regulatory Agreement – Brick Kiln Place
Mr. Johnson Staub said for 20 unit rental apartments going up on brick Kiln Rd that the Falmouth Affordable Housing Fund has agreed to and monitoring the income requirements for that project.

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

- d. Approve Preservation Restriction for Woods Hole Public Library, 581 Woods Hole Road

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

- e. Approve Preservation Restriction for River Bend Silo, 682 Sandwich Road

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

- f. Approve Intermunicipal Agreement with Town of Barnstable to Continue Sealer of Weights and Measures Inspections for Oil Trucks Only

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

7:30 p.m. PUBLIC HEARINGS

- 1. Fee Hearing – 2020 Fees

Chair English Braga read the hearing notice.

Proposed list of fees in the packet. The fees present and proposed from the document in the packet were read aloud. The BOS will vote at their next meeting.

Mr. Jones is pleased to see information with Marine and Environmental Services. Mr. Brown appreciates the collector comparing to other Towns.

Mr. Patterson noted the cost of providing services increased and we are in the process of catching up.

Public Comment: none at this time.

Mr. Patterson motion to continue the hearing to 11/25/19. Second Mr. Brown. Vote: Yes-5. No-0.

2. Application for Transfer of an All Alcoholic Common Victualler License – Moto Pizza Falmouth LLC d/b/a Moto Pizza, 500 Waquoit Highway, East Falmouth

Chair English Braga read the hearing notice.

Albert DiNapoli, Tarlow, Breed, Hart & Rogers, representing the corporation and present with the manager of record, Dante Delgrosso.

This has been utilized as a restaurant. They are modernizing and bringing it up to code. They have a business in Sandwich; make it more interesting by having Italian motorcycle theme. They are hoping to have dining and delivery.

Anticipated opening date is unknown at this time, possibly within a month. There will be about 30 seats, not a lot can be done for parking, but there is some in the back. Mr. Delgrosso will be the manager of license and understands he is responsible for all alcohol violations.

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

3. Liquor License Violation Hearing – Falmouth Fine Wines & Spirits, LLC d/b/a John's Liquor Store, 729 Main Street, Falmouth

Chair English Braga read the hearing notice.

All intending to testify stood and took oath prior to testimony.

Chief Dunne reported that on July 12, 2019, the Falmouth Police Department (FPD) conducted minimum age compliance check. Underage person went in with money provided by the FPD, purchased a 6 pack of beer and exited the premises. Sgt. Simoneau returned to the store, advised clerk Michael Kidwell that Mr. Kidwell had just served to an underage person, and issued citation to Mike Ferreira.

No evidence of violations in the last 3 years.

Mike Ferreira has owned the store for 40 years and told the BOS that his employee served a minor; he would like to know if the FPD use the same person each time. He realizes he is responsible; it is the first violation in decades. He provides employees with verbal training and all employees are TIPS certified. He has signage. Since then the guideline is now to card anyone who looks 40-45 years of old or younger. Previously the guideline was 30-35 years or younger. This occurred during a busy shift change. Individual looked like he was 30 years old. He has conducted more training to employees.

Mr. Brown asked if it was a staffing issue, Friday night at 6 p.m. Mr. Ferreira said it was a busy time during a shift change, which can be hectic at first.

Chief Dunne said the use the same 19 year old individual for all compliance checks.

Mr. Jones said an option is to encourage purchase of an ID machine. Mr. Ferreira looked into it last year, he is thinking about it, but most time they are carding youngsters it is a legitimate Identification card. He has thought about an overlap at shift change, 15 minutes early and will implement that next summer.

Public Comment: none.

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

Findings:

1. This owner has had the business for about 40 years.
2. Employees are TIP certified.
3. The owner has taken steps to increase guidelines for when employees will check identifications from 40-45 years of age.
4. The owner will implement a 15 minute overlap during shift change for next summer.
5. There was a violation testified by Chief Dunne and agreed to by the owner.
6. No evidence of other violation by recent past and by owner in decades.

Ms. Moran suggested a sign be posted regarding the new policy of carding those who appear to be 40-45 years of age or younger. This may lower the chances that one falls through the cracks.

According to Chief Dunne, the machine just verifies whether a license is valid.

Possible sanctions:

1. Minimum written warning, maximum up to a 6 day suspension of license and/or fine. Second offense is minimum of 3 day suspension.

Chair English Braga motion approval of a written warning with the stipulation that there is posting of a sign that those who appear younger than 40-45 years of age will be carded and the BOS supports the idea of an overlap during the shift change on busy summer days. Second Mr. Patterson. Vote: Yes-5. No-0.

4. Liquor License Violation Hearing – Intergas Service Center, Inc., 607 Main Street, Falmouth

Chair English Braga read the hearing notice.

All intending to testify stood and took oath prior to testimony.

According to Chief Dunne, on 7/12/19 FPD Sgt. Simoneau and Officer Josh Oliver conducted a minimum age compliance check. The underage individual went into the store with money from FPD, purchased a 6 pack of beer and exited. Sgt. Simoneau took custody of beer and change, Lewis Silver was the clerk and issued temporary violation, the store would receive formal violation notice.

It is unknown if the manager was on premises. There was a violation related to an ABCC conducted compliance check in May 29, 2018 and hearing held in Boston on that issue. The decision in the packet.

Richard Harb, Barnstable attorney, represented Intergas and asked Chief Dunne, if he interviewed the alleged underage individual sent into Intergas to determine his age and if he had seen any certified documents of this person's age. Chief Dunne answered no, Sgt. Simoneau received that.

Attorney Harb reviewed the evidence. Joseph Saade owns three businesses in Falmouth and takes his obligation seriously. If this individual is under age, Mr. Saade is humiliated that this has occurred a second time. This is an administrative board, but has evidentiary standards for everyone. The evidence should be that the individual was in fact under age. There is no evidence as to the actual age of the individual who went into the liquor store. He wonders if the FPD made a mistake and is bringing it to the BOS' attention.

Chair English Braga noted that Sgt. Simoneau has that information. If Attorney Harb prefers, he may come back to another BOS meeting at which time he can be provided with an answer to that question. There is no reason why the FPD would go through all these exercises without following the requirements.

Mr. Jones noted he is bothered that the undercover person is actually underage.

Attorney Harb said individual served alcohol without being asked for identification. He has witnesses that first offense 1.5 years prior, consequence was that Mr. Saade put in safeguards. Continued training of employees on how to conduct a liquor license sale, they were instructed if anyone looks under 40 or if you question that, you are to card the individual. If they want to card everyone, he is in favor of it. Each employee signs a certification when they have gone through the training and provided the document to the BOS. The employee was hired April 2019. Mr. Saade also purchased the license identification computer system, if they do not scan the card it is worthless. The employee did not scan the identification. Since the original incident, Mr. Saade has impromptu visits conducted where Mr. Ferreira and Ms. Barnes go in, purchase alcohol. If the clerk does not ask for their identification, they text Mr. Saade with the results. Mr. Ferreira has been carded, once they get to know him the clerk does not card him. Ms. Barnes has gone in and sometimes carded, sometimes not carded. With new hire, Mr. Saade focuses them to go in a couple times a week for 2-3 weeks during the shift. Mr. Ferreira did that and the employee carded him on those occasions. He did not card on 7/12/19. They have taken measures to prevent it from happening. If the clerk determines they are not going to follow the rules, unless caught they will get away with it. The manager is still responsible, but it goes to mitigate the sanctions. He has gone through a lot of effort to prevent this from happening again. Attorney Harb requests that the BOS consider the following: take under advisement for 2 years with no prejudice. Mark it up for 2 years, if a clean record for 2 years, then the BOS make a determination to dismiss or maybe continue for another year. They would welcome BOS suggestions of other measures Mr. Saade could take beyond those he in place at this time.

Mr. Jones asked what the previous suspension was and was told it was a 2 day suspension.

The employee involved in this violation has been terminated. Since the most recent violation, Mr. Saade implemented more training and counseling of employees, the assistant manager reviews the video almost daily. Implemented that if a customer looks under 40 years of age, they should be carded. The machine cost \$1,000, the employee is to swipe the identification card, look at the picture and the person presenting it.

Ms. Moran noted people test his employees after first violation.

Mr. Jones noted the ABCC will be held for 2 years with no violation, but here it is a violation and asked if the ABCC will they then impose the 2 day suspension. Attorney Harb said he asked if the BOS would take it under advisement, then the 2 day period will not take effect because the BOS has not made a finding. Ms. Moran noted concept until there is an actual decision about the violation, which would be the definition of a violation.

Ms. Moran asked of Mr. Saade's three businesses, how many people employed? Two are employed in Falmouth, one in Pocasset, and other stations he does not have store. This is the only one with alcohol. He has had the license since June 2017.

Public Comment: none.

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

Discussion:

Request from counsel to hold in abeyance, if they choose not to do that, this would become a second offense, may require a 3 day suspension, the first offense was from the ABCC.

There was a violation, Ms. Moran notes the policy does not limit other action under appropriate circumstances, the BOS can make findings today and still do a continuance.

Mr. Patterson clarified the suspension would be for sale of alcoholic beverages, other business could continue.

Attorney Duffy said policy in place that says it allows suspension or takes other appropriate action. He suggests should make findings of fact tonight. The BOS does not have to come to a conclusion tonight or make summary finding. Ms. Moran asked if they could find an underage person was served as opposed to a violation occurred.

Mr. Jones asked why even consider it. A previous person found violation. Here the BOS is considering it is not a violation but it is the second instance in a year. Why even consider this on an organization with a previous violation. They did not do much after the Town violation.

Mr. Brown agrees with Mr. Jones.

Chair English Braga noted they can find a violation and continue the hearing. She agrees with Mr. Jones that no one wants to penalize community businesses. She does not think they are applying the same standard. Significant steps were taken since the ABCC violation, unless policy is to card everyone they will never be able to 100% guarantee it will not occur again.

Chair English Braga is okay with the finding there was a violation, if they continue it out a year, they have no control over what the ABCC does. If the Town continues it, the ABCC does not find out about it.

Mr. Jones asked if the first violation was by the Town, they would have to look at 3 day minimum. Chair English Braga said no room for any other discretion. Ms. Moran would look at it differently, since she has been here, the BOS has not looked at continuance. According to Mr. Jones, the suggestion of a continuance has been mentioned in the past, but rejected.

Mr. Jones said continuance is they are not making a decision and no reason to consider continuance.

Mr. Patterson agrees, this is the cost of doing business. Employee screws up, it becomes an example for future employees.

Mr. Jones noted last time this came up, the Captain Kidd restaurant could not open, they tried to minimize the pain. They can still run their business, they just cannot sell alcohol.

Findings:

1. Underage individual was served.
2. Violation occurred in 2018 triggered by the ABCC finding a violation, following which substantial remedies were attempted and put in place by management including hiring their own undercover purchasers to check that identifications are checked, purchased swiping machine, additional training, and created a contract that employees signed acknowledging the training.
3. After this incident, they added the notification screen and calendar on screen was added in addition to calendars, additional training, and the employee responsible was terminated.

Mr. Jones motion approval of the findings. Second Ms. Moran. Vote: Yes-5. No-0.

Chair English Braga motion approval of a written warning, clear indication by the BOS that this is a second offense, with stipulation that he has put in place the employee contract, covert purchasing, notification, and that Mr. Saade takes this seriously. Second Mr. Patterson. Vote: Yes-5. No-0.

BUSINESS

1. Interview, Vote and Appoint a Member to the Falmouth EDIC:

Ms. Moran noted the EDIC has also interviewed the applicants, did not make a recommendation to the BOS regarding any of the individuals. The term ends 6/30/22.

a) Courtney Bird is interested because he is working with a group of people to have Falmouth develop community broadband network. He is a generalist by trade, Bachelor of Arts degree and Masters in History. He taught in independent schools, including Avon Old Farms outside Hartford, coached several sports, and ran the school's work program. He started a business to do real estate development and build houses. He went to work in construction to learn the business. He eventually went on his own, he did a lot of remodeling and speculation on higher end projects for thirty years. Mr. Bird was the Director of the Cape Cod Marathon, which expanded over the years. He would like to be a part of the EDIC, is able to organize and knows the Town. Issue of affordable housing is a major challenge cape wide. The people who do the jobs cannot afford to live here, not sure how the EDIC can address that. The broadband initiative is a great way to expand what they do.

b) Robert Ripley worked with Mike Galasso on the library. His background is banking, worked with towns including Martha's Vineyard. Challenge of growing employees to get them on island for the banks, challenges include having an employee base there. He was involved in downsizing a bank, he started a software and accounting firm. Goal was to create new jobs. Worked for State Street, creating new jobs in new divisions. Involved in the Finance Committee and was Chair. Recently chair of the Falmouth Public Library Support Group. Mr. Ripley appreciates that Falmouth moves forward in collaborative spirit.

Mr. Jones asked about unemployment situation in Falmouth-is it in critical crisis. Mr. Ripley said it is not critical, looks at salary studies on cape, college grads, and it would be nice to retain college graduates on cape but it does not happen because they go elsewhere. High paying jobs on cape include hospital, banking at senior level, senior town folks, he would like to see us create mid-level management jobs. Part of that is getting industry here on the cape. Have industrial park, be nice to get larger companies on cape. Need for recent college graduates and middle age folks who want to live and work here. Affordable housing, look at how it's defined, new homes starting at \$550,000 in his area. Worcester you can buy for \$275,000-300,000. The solution may be to determine where we can build houses in the \$250,000-300,000 range.

c) Thomas Feronti Director of Planning Construction Mashpee Commons Limited Partnership. Economic development decision daily to see how it impacts, does a lot with local government in Mashpee. Interested in something like this in focusing on key pieces of construction and development. We cannot have economic development without housing, jobs go where there are people. They are building co working space, people looking for short term small office spaces. He would like to see Falmouth become more sustainable and involved. Mashpee Commons has quite a bit of land to develop, shifted gears from the master plan. Core of the commons is high concentration commercial

and also has 77 residential units, 1100 jobs. Three years ago started community engagement process with visioning sessions, asked the community what they thought they should have at Mashpee Commons. How to retain youth, infrastructure, held a week long design charette where they were open 24 hours a day, anyone could go in and see what they were doing. Trying to incorporate housing into their development. Mashpee Commons is not form based code, it is more of an architectural code.

Ms. Moran said when saw the applicant pool was wider than in the statute, she got legal opinion that allows EDIC to expand membership outside the statute because they already have makeup in statute. Have industrial development, finance, and real estate matters represented.

Mr. Patterson motion to appoint Thomas Feronti to a term ending 6/30/22. Second Mr. Jones. Vote: Yes-4. No-1 (Brown).

2. Report – Commission on Substance Use

Beverly Costa Ciavola and Jeff Faulkner, Co Chairs, along with Suzie Hoffman, Liaison to the Town, were present.

Ms. Costa Ciavola, Co-chair, made a PowerPoint presentation on FY 2019. The Commission on Substance Use had presentations from Wellstrong, Recovery Without Walls, Falmouth Board of Health, Barnstable County regulation on Substance Use Council, Sober Housing Managers Meeting, Recovery Café, remaining of the commission, attended BOS forum on treatment facilities and sober living. Provided the following organizations with financial support grants: Together We Can Celebrations After Prom Party \$2000, Herron Project Recovery Scholarship for Falmouth resident \$1800, \$1200 on marketing and prevention materials. Made up bags “My Choice Matters” and handouts.

The Commission will continue to partner with the Prevention Partnership/Gosnold, Aids support Group of CC, Falmouth Schools Vaping Task Force, FPD Hidden in Plain Sight, Barnstable County Substance Use Council and others working to prevent substance use. Community members can help by becoming a commissioner or attending a meeting, there are currently commissioner openings.

Gave three scholarships for sober housing managers to attend an all day workshop on sober home. Recovery art show at the Falmouth Arts Center and an education/resource night for the service and trade industry. They would like to promote these for next year.

Trying to figure out how the commission fits in to the community response to opioid addiction. Need resources for individuals in recovery along with their families.

Mr. Patterson asked if there are any ideas to mitigate the damage and address collateral damage.

According to Ms. Costa Ciavola, we are not near the end of the epidemic, amount of fentanyl, prevention is important, trying to make things safer. This is a brain disease and not a choice. Once addicted, it is hard to break that cycle.

Mr. Brown asked why we have fentanyl. Ms. Costa Ciavola said it was made for cancer, now made off market and not prescribed by the pharmaceutical companies.

Chair English Braga would love to see prevention, meeting unaddressed mental health and trauma. Important to have conversations with kids and connect people to resources.

Focusing more on adults and families, schools and Gosnold are doing more towards youth.

Commission meetings usually the fourth Thursday of each month.

3. Police Department Quarterly Report – Chief Edward Dunne

Chief Dunne reported that the FPD have total funded positions of 63, 9 are vacant. Called for list to hire 8, gave 7 conditional offer letters. Hope to get them into the Cape Cod Police Academy 2/17/20. Hoping that with the new Director that there will be constant academies going. Calling for new list once this list is closed. 9th vacancy, officer wanted to move on to another state. 1 Officer is on sick leave, 2 light duty, 2 line of duty, 1 paid administrative leave, with a total 48 officers working. Summer went well, hired 7 people, kept a few on for the winter. Self initiated calls 3,130, dispatch calls 6,030. Domestic violence in progress 72 calls, past 19, domestic disturbance 195, out of which 49 were actual domestics. Restraining

Orders served 55, violations 10. Three robberies, 1 arson, 9 sexual assaults, 5 commercial breaking and entering, 15 residential breaking and entering. There was an uptick in B&Es, made 2 arrests the other night and recovered a lot of the property from those breaks. There have been 105 larcenies and 30 identification theft/fraud. There were 23 drug charges and 8 firearm. There have been 39 overdoses, 2 of which were fatal. Narcan used by FPD six times. The FPD was involved in 41 section 35s alcohol/drug committals, and conducted 17 home visits; 4 people accepted treatment on the initial visit; 9 sought help for addiction. Mental health; 66 calls for service. The FPD partner with Falmouth Human Services and made 22 home visits with 8 individuals receiving services. FPD sold pink patches and t-shirts for breast cancer awareness, the sale ended in October. Upcoming events include officers growing beards, November allowed no shave November and many have partnered with an association to benefit veterans. Involved in Bucket Brigade for veterans from Yarmouth to Fall River. They have 34 Home Depot buckets, each has jacket, gloves, hats, personal supplies and give to veterans in need. Stuff a cruiser, all toys/money raised goes to the Falmouth Service Center; they will be at Walmart on 11/30 10 a.m., 12/7 11 a.m. , and 12/14 noon Walmart to accept donations. 12/12/19 they will be at the British Beer Company at 5 p.m. for Tip a Cop to benefit the Special Olympics.

Chair English Braga noted that 48 officers is bare bones and she recognizes they are working on staffing unfunded positions, need to return to the subject matter.

Mr. Suso said civil the service system is a major slow down, they struggle yearly with that. Discussions have been had with union about the potential to move away from that system. He hopes in time that will be reconsidered, it would be for future hiring that would be protected through a stand-alone system set up through collective bargaining. Civil service is not sufficiently funded, staffed, and the list becomes stale very quickly.

Chief Dunne noted that many towns in the state are removing themselves from civil service. Non service departments are also eliminating the test and it is becoming an application to hire.

4. Adopt Proposed Comprehensive Wastewater Management Plan

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

Mr. Jones wants to make sure it is clear regarding the postponement of the CWMP for Oyster Pond.

Eric Turkington said that Ray Jack felt strongly that he has 2 major reviews going on for other major projects in his domain. Many came in from Oyster Pond and agreed with him.

5. Vote to Approve Complete Streets Policy

Scott Lindell sent proposed to Mr. Brown and Mr. Suso. Mr. Brown could not pick out the changes.

Scott Lindell told the BOS his concern is that Ray Jack's proposal meets the state's requirements as far as he knows. Three things that were missing that he would like to see: 1. Evaluation process for the policy, annual review of progress made. 2. Have a citizen advisory board with regular review. 3. Bikeways Committee bicycle and pedestrian Committee use the bike plan and reference it. Bike plan was developed in 2015 and approved by the BOS in 2016. Prioritize where bike accommodations should be improved around town with an implementation strategy as well. His recommendations are in the bold in the document he sent to the BOS yesterday.

These are useful for these to be looked at and decide whether any should be added.

According to Mr. Suso, these were developed with the Planning Board, discussed at the Planning Board meeting, and a topic of deliberations. Mr. Suso asked the BOS to consider Complete Streets and make adjustments/changes/amendments to the plan as they choose.

Ms. Moran does not mind taking another week and flushing out the new information with a deadline.

Mr. Jones would like to vote what they have now and can change it as they deem necessary.

Mr. Patterson sees these as action items on how they will implement Complete Streets. He would like to get this in place and then think about how it will be implemented and more effective.

Mr. Brown noted prioritizations and annual review is important. The draft is new.

Ms. Moran motion to continue for approximately 30 days. Second Mr. Brown. Vote: Yes-4. No-1 (Mr. Jones).

Ask planning board to weigh in with their comments.

If the Bikeways Committee wants to reiterate what they voted 3 years ago, they can do that.

Mr. Jones noted they should send this draft to the Bikeways Committee to review the current draft.

6. Approve Creation and Mission Statement of Citizens Advisory Committee for Future Fire Station Location

Mr. Suso said these are bullet points, the BOS talked about a 9 member committee. If the BOS is prepared to go forward, they can advertise and people can apply in December. Interview and appoint in January and they can get started.

Draft mission statement in the packet.

Ms. Moran suggested edits, change beginning and state "...to meet, to review, to collect info, to facilitate a recommendation to selectmen on one or more sights for potential new station(s)." That by definition would include a review of staffing. Members of the committee will need to understand staffing as it relates to the location and services.

Ms. Moran motion approval of creation and mission statement with edits. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones motion to have stakeholder groups represented from as many villages as possible. Second Ms. Moran. Vote: Yes-5. No-0.

7. Discuss the Steamship Authority (SSA) "Long-Range Vineyard Transportation Task Force", and the "Working Group to Identify and Develop Ways to Mitigate Traffic"

Mr. Suso received communication from the SSA Executive Director indicating they are creating a task force and working group, asking each community if they want to have two individuals to each one.

Ms. Moran noted a long discussion about more communication between the SSA and citizens. The Martha's Vineyard representatives suggested a citizens committee. Ms. Moran questioned whether there was a different mission for the Falmouth and Martha's Vineyard communities.

Kate Wilson, Falmouth SSA Representative, said she asked SSA management at their last Board meeting to have a vote on whether to ask the towns to get involved on a regular basis until there is working and effective dialogue. Her understanding is this would be line of communication between Falmouth and the Vineyard primarily, and if New Bedford wants to get involved, they could. It is what works best jointly for the communities. Her understanding is that the SSA would not be in charge; the towns and regional entities get involved so the SSA is not alone trying to make traffic decisions.

Task force membership was discussed and would include 2 individuals, 1 staff from Transportation or Planning. The Working Group would also have 2 individuals, addressing mitigating affect of traffic going through Town.

Mr. Brown wants to be involved in the task force.

Chair English Braga suggested checking with Town Counsel on appointing a BOS member.

The BOS discussed whether to advertise or appoint to the working group.

Mr. Patterson would like to have people who have expertise for the working group.

Ms. Moran noted she would be asking for from the BOS is a process to appoint 2 members.

Chair English Braga motion to get information from Attorney Duffy about the first category and plan to advertise for two weeks, interview, and appoint for the other two spots. Second Ms. Moran. Vote: Yes-5. No-0.

Next board meeting is tomorrow morning, they meet once monthly.

8. Approve 2020 Annual License Renewals:

ALL ALCOHOL RESTAURANT

Bluefins, 295 Main Street
Falmouth Country Club, 630 Carriage Shop Road
Falmouth Jade, Inc., 143-145 East Falmouth Highway
Flying Bridge Restaurant, 220 Scranton Avenue
Falmouth Jade, Inc., 143-145 East Falmouth Highway
Grumpy's Pub, 29 Locust Street
Osteria la Civetta, 133 Main Street
Pickle Jar Kitchen, 170 Main Street
Soprano's by the Sea, 286 Grand Avenue
TGC, 132 Falmouth Woods Road

**Mr. Patterson motion approval. Second Ms. Moran.
Vote: Yes-4. No-0. Absent-1 (Mr. Brown)**

ALL ALCOHOL CLUB

Falmouth Yacht Club, 290 Clinton Avenue
**Mr. Patterson motion approval. Second Ms. Moran.
Vote: Yes-4. No-0. Absent-1 (Mr. Brown)**

ALL ALCOHOL PACKAGE STORE

Falmouth Wine & Spirits, 322 Palmer Avenue
Family Foods, 350 East Falmouth Highway
R.J.'s Variety & Liquors, 174 Sandwich Rd.
West Falmouth Market, 623 West Falmouth Hwy.
**Mr. Patterson motion approval. Second Ms. Moran.
Vote: Yes-4. No-0. Absent-1 (Mr. Brown)**

WINE & MALT RESTAURANT

Crabapples, 553 Palmer Ave.
New Golden Dynasty, 25 Davis Strait
Papa Gino's, 56 Davis Strait
Seafood Sam's, 356 Palmer Avenue
Steve's Pizzeria, 374 Main St.
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

WINE & MALT PACKAGE STORE

Holly Park Variety, 580A Route 28A
Intergas Service Center, Inc., 607 Main Street
Jack in the Beanstalk, 800 Gifford Street Extension
Ocean State Job Lot, 50B Teaticket Highway
Windfall Market, 77 Scranton Avenue
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

WINE, MALT, & CORDIAL INNHOLDER

Palmer House Inn, 81 Palmer Avenue
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

FARMER BREWERY

Bad Martha's Brewery, 876 East Falmouth Hwy.
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

COMMON VICTUALLER

Bad Martha's Brewery, 876 East Falmouth Hwy.
Bluefins, 295 Main Street
Cape Cod Bagel Company, 419 Palmer Avenue
Crabapples, 533 Palmer Ave.
D'Angelo's, 689 Main Street
Falmouth Country Club, 630 Carriage Shop Road
Falmouth Yacht Club, 290 Clinton Avenue

Falmouth Persy's Place, 40 North Main St.
Flying Bridge Restaurant, 220 Scranton Avenue
Falmouth Jade, Inc., 143-145 East Falmouth Highway
Grumpy's Pub, 29 Locust Street
Mary Ellen's Portuguese Bakery, 829 Main St.
McDonald's, 263 Teaticket Highway
Moonakis Café, 460 Waquoit Highway
New Golden Dynasty, 25 Davis Strait
Osteria la Civetta, 133 Main Street
Papa Gino's, 56 Davis Strait
Pickle Jar Kitchen, 170 Main St.
Seafood Sam's, 356 Palmer Avenue
Soprano's by the Sea, 286 Grand Avenue
Steve's Pizzeria, 374 Main St.
TGC, 132 Falmouth Woods Road
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

INNHOLDER

Admiralty Inn, 51 Teaticket Highway
Palmer House Inn, 81 Palmer Avenue
**Ms. Moran motion approval. Second Chair English
Braga. Vote: Yes-5. No-0. Absent-1 (Mr. Brown).**

ENTERTAINMENT

Bad Martha's Brewery, 876 East Falmouth Hwy
Falmouth Yacht Club, 290 Clinton Avenue
Flying Bridge Restaurant, 220 Scranton Avenue
Grumpy's Pub, 29 Locust Street
Soprano's by the Sea, 286 Grand Avenue
**Ms. Moran motion approval. Second Chair English
Braga. Vote: Yes-5. No-0. Absent-1 (Mr. Brown).**

SUNDAY ENTERTAINMENT

Bad Martha's Brewery, 876 East Falmouth Hwy.
Falmouth Yacht Club, 290 Clinton Avenue
Flying Bridge Restaurant, 220 Scranton Avenue
Grumpy's Pub, 29 Locust Street
Soprano's by the Sea, 286 Grand Avenue
**Ms. Moran motion approval. Second Chair English
Braga. Vote: Yes-5. No-0. Absent-1 (Mr. Brown).**

AUTOMATIC AMUSEMENTS

D'Angelo's, 689 Main Street
Grumpy's Pub, 29 Locust Street
Papa Gino's, 56 Davis Strait
**Mr. Jones motion approval. Second Ms. Moran. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

CLASS II USED CARS

Braga Auto Sales, 227R Main Street
Sandi's Auto Sales, 45 Simpson Lane
Savon Hatem, LLC, 561 Thomas Landers Road
**Mr. Jones motion approval. Second Ms. Moran. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).** **VEHICLES FOR
HIRE**
Webber Livery Service, 35 Old Meeting House Rd.
**Ms. Moran motion approval. Second Mr. Jones. Vote:
Yes-5. No-0. Absent-1 (Mr. Brown).**

9. Minutes of Meetings: none

10. Individual Selectmen's Reports

Mr. Brown:

Will be attending the SSA meeting.
Thursday meeting with smart group at Woods Hole Library.

Cape cod Commission transportation meeting.

Mr. Patterson:
Participated in the FHS career day.

Mr. Jones:
Reminded all that the Falmouth Service Center is taking Thanksgiving donations Sunday.

11. Town Manager's Report

Confirm going forward with the transition to town hall digital locking system beginning today, make building open during all public meetings.

The BOS meetings for the remainder of the year will be held on 11/25/19, 12/9/19, and 12/16/19.

Mr. Johnson-Staub attended housing summit, along with 2 members from the ZBA and staff from the ZBA.

12. Review and/or Discuss Correspondence Received

Mr. Jones motion to adjourn at 10:59 p.m. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
MONDAY, JANUARY 6, 2020
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; Frank Duffy, Town Counsel; Irie Mullin, Associate Town Counsel; various Town Department Heads.

OPEN SESSION

1. Call to Order at 7 p.m. by Chair English Braga.
2. Pledge of Allegiance
3. Recognition

Mr. Brown thanked those who initiated the YMCA in Falmouth.

Mr. Brown thanked Jeff Smith for 29 years of service at the FPD and congrats on his retirement.

Mr. Jones recognized Laurie McNee, Library Trustee, and her contributions to the community.

4. Announcements: Set Date for Fire Station Community Forum

There will be a community forum hosted by the Board of Selectmen (BOS) on 1/21/20 at 7 p.m. at FHS around the issue of looking at where a new fire station may be placed, new staffing in place in July 2020, and other issues around this topic. The goal is to hear from folks, share information, and engage a community wide conversation.

Community advisory group had 5 applicants, initially they wanted a 9 member committee, and it will be advertised again this Friday so those who are interested are encouraged to apply.

Ms. Moran motion to deadline of 1/17/2020 for applications. Second Mr. Jones. Vote: Yes-5. No-0.

Ms. Moran noted this is a Falmouth wide issue, all should be involved in placement of fire stations; the BOS wants as much input as possible.

5. Public Comment

Alden Cook, West Falmouth, retired FFD Firefighter/Paramedic. If the fire station in West Falmouth closes, it will never reopen, without which that area is over the accepted time to safety respond. There are no relocation plans for stations 3 and 4. The Town is supposed to plan for proper fire and EMS protection for the community; no plans were brought forth at October meeting, only the statement that the West Falmouth station will close this year. They were told the Fire Fighter's union was at fault, this is not so. Immediate investigation through FEMA should commence, the Town has never applied FEMA grants that may be available and that many other municipalities use this to increase manpower.

Marc Finneran finds the explanation of the comment period unacceptable; stating not to use anyone's name or speak of another unless present. The West Falmouth station is important issue, to think they will deal with an issue where there is not enough coverage by reducing the spots to respond from is not reasonable.

SUMMARY OF ACTIONS

1. Administrative Orders

- a. Vote to authorize letter of support for Buzzards Bay Coalition application to the MA Department of Environmental Protection for a grant to replace 30 conventional moorings in West Falmouth Harbor with conservation moorings designed to reduce impacts on eelgrass

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

BUSINESS

1. Presentation of Proposed Fiscal Year 2021 Budget

Mr. Suso noted the first formal business meeting of the BOS is historically the presentation of proposed annual appropriations budget brought forward by Mr. Suso working with department heads throughout the Town. Thanked and acknowledged all department heads for being present tonight and willingness to answer questions the BOS may have.

The BOS has received a copy of the proposed budget, per normal operations, the BOS will listen to the presentation and vote on the budget at the BOS meeting next week, so it can be transmitted to the Finance Committee.

Jennifer Mullen made a PowerPoint presentation.

Revenues and Expenses were reviewed, including recurring expenses, revenues property taxes, state aid, local receipts, and other available funds. One time revenues fund one time expenses.

Revenue detail, revenue policy, four recurring revenue are the sources that support the operating budget. Property taxes are 74% of the total revenue used to balance the budget. Limits increased due to proposition 2 ½. Estimated local receipts and Departmental revenue reviewed. Estimated receipts increased \$1 million in estimates to include the hotel/motel tax and increase in water revenues to support the debt service for the Water Main Project. It is premature at this time to provide a short term rental tax estimate. We have had other increases to offset additional positions.

Fiscal Year 2021 balanced budget based on projection of \$23.1 million in estimated local receipts. Steady consistent growth trend in the last 5 years. The local receipts for the last 5 years were reviewed, there has been growth the last couple years. Other available funds include parking meter, SSA embarkation fees, golf revenues, and community preservation. Bond premiums have decreased due to the refinancing and debt stabilization.

The debt policy was reviewed, reviewed debt drop off chart, in 2024 there will be a significant drop off; gives an appetite for new projects. The athletic field, senior center, and CWMP projects are included. About \$8.9 million in debt was on the books that could be refinanced, the BOS said yes, wanted to roll all the projected debt into a refinance, issued \$19.5 million in debt on the senior center FHS field, Water Main Project, Wastewater Projects, and saved taxpayers \$200,000 with Falmouth's AAA Bond Rating. Savings of \$1.3 million due to the refinancing. The savings was incorporated into the 2021 budget.

Ms. Mullen explained that the revenue for fiscal year 2020 is the actual tax levy. She likes to see more of a trend before recommending an increase to the tax levy. State revenue funds are down from the past due to MA State Building Authority (MSBA), the school can apply for grants. Before 2005 if applied for a grant, you would borrow money and pay back principal and interest and MSBA would give money after you had already borrowed to pay some interest. Now, they give you the money as your are building the building, so less is borrowed. The refinancing; there were 2 more years on Mullen Hall School, the MSBA agreed to give 2 years in advance, that was part of the refinance resulting in MH being paid in full.

Mr. Jones noted that the BOS increased the fees for some License and permits, so we know there is going to be an increase. Ms. Mullen explained when fees are increased, it is hard to project what income will result, so she likes to see a year so she can see a trend. Embarkation fees are increasing, these fees are put

in another fund and filtered through the state; if use part of the revenue to support the budget, use it for public safety and increase modestly so they can see if they can sustain that revenue.

The debt went down and reimbursement went down, it will be supplemented with debt stabilization.

Ms. Moran asked about the short term rental tax; looking at special projects like broadband and housing, what would be required regarding a policy change so that could happen and are there more funds available in Community Preservation.

Ms. Mullen would like to see what the income is over a year for the short term rental tax and it will be shared with the school dept. Community Preservation and affordable housing, they are discussing an article and would be proposing that \$1.3 million. Community Preservation funds go into the Affordable Housing Fund. There can be a community impact fee, legislation changed last July, and only certain types of units can be taxed at the 3%.

Mr. Patterson asked if they are not spending allocated money, it is converted to free cash the following year. If there are additional revenues, do they get swept into the free cash? Ms. Mullen said that if they are general fund revenue, yes; if another fund revenue, it stays in the fund. Receipt reserved for appropriation; cannot spend unless it is appropriated at Town meeting.

Appropriation Policy reviewed.

Budget increases:

Health insurance increase of 0%. (At most a 2% increase)

Retirement assessment 6.16% increase \$521,006.

School Dept. budget 2.5% increase \$1,226,816.

Upper Cape Vocational Technical School 10% increase \$320,136.

New senior services increase: receptions, laborer, food service worker, and cleaning services.

Two additional police officers effective 1/1/21, beyond the numbers now.

Two additional firefighters effective 1/1/21, beyond the numbers now.

One additional clerical position for the Health Department.

Doug Jones asked how many open positions are funded in public safety. Chief Dunne said the FPD is hiring 7, after which another 4 will be hired. This does not include retirement and transfers.

Chief Small has 1 open position should be filled shortly. 14 recruits hired this year; 5 brand new, making up for losses.

Finance Department: Treasurer and Assessor's office.

Adjusted wage schedule for seasonal employees.

Adjusted wage schedule for AFSCME A.

Additional library hours of operation for the Sundays.

Requesting part time Solid Waste Coordinator.

Funding reserves, funding \$1M allocated to capital stabilization fund, reallocating stabilization fund transfers to OPEB and Works compensation, keeping a healthy reserve.

Mr. Brown asked about wage schedule adjustment for seasonal works, could this be for the regular FPD officers? Ms. Mullen said it cannot because they are in a different union. Increasing base pay for regular police officers is part of the bargaining process according to Mr. Suso and bargaining will probably be under way in the not too distant future.

Other non-voted appropriations include State assessments and allowance for abatements. These can be surprises, so need to be conservative to have flexibility.

Continued increases in public safety issues, debt management, continue implementation, and further exploration of department reorganization and cost saving measures.

Mr. Jones asked where to go from here, if the BOS has issues, if smaller things such as \$20,000 into there, if suggestions are made tonight is it better to have Ms. Mullen reallocate? Ms. Mullen noted they like the chance to recommend the amount. Talk about that in the next week, she will have recommendations in future BOS meeting.

Chair English Braga noted the West Falmouth piece and probably talking about the possibility of an article addressing additional staffing, but does not resolve the July challenges. She would like to hear next week where potentially, if they have an article that votes for 8 more firefighters, where that will come from and how it goes forward. Noted West Falmouth piece, probably talking about possibility of article addressing additional staffing, but does not resolve the July challenges.

Ms. Mullen has been involved in some conversations, this is an operating budget, the West Falmouth discussion is different, if you wanted to hire 8 firefighters, it would be an override because you do not want to cut the budget hundreds of thousands of dollars in another department. Chair English Braga requested to have Ms. Mullen expound on that at next week's meeting. Including the process and how it would impact the Town going forward. Ms. Mullen feels they can talk about it without impacting this budget. Chair English Braga would like to have that information for a future discussion outside of this budget.

Mr. Patterson asked why we are not investing in a position that addresses the environmental degradation impacts. Ms. Mullen and Chair English Braga commented that this a good topic for the BOS strategic planning meeting. If the BOS wants a position dedicated to this challenge, it can be incorporated. They look at the strategic plan when putting the budget together. Mr. Patterson noted we have been counting on volunteers, he feels need a staff to look at paths forward we can take and advise on steps the Town can begin to take.

Ms. Moran said they need to be prepared to respond to questions about safer grants, surplus funds, and various ways it can or cannot be done.

The budget will be placed on the Town website tomorrow.

Mr. Jones asked about the following line items that he wanted an explanation for why it is being done:

Town Meeting increasing advertising by 20% compared to the past. Ms. Mullen said that some recommendations were made because the Charter Review Committee, have requirement of printing Town Meeting Articles and recommendations, there were some times that they were given at no cost, but Charter Review made it a mandatory recommendation so they wanted to pay and make sure it is correctly in the Enterprise.

Election-increase because there is an election this year.

Ms. Mullen said much are step increases, AFSCME adjustment, and settled contract in Conservation and Building Inspector Departments.

Recreation and Beach Departments, increase due to seasonal wages, which has led to retaining seasonal employees.

2. Approve 2020 Annual License Renewals:
 - Common Victualler
 - a. Falmouth Hospital Cafeteria, 100 Ter Heun Drive
 - b. Devour, 352 Main Street

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

3. Minutes of Meetings:
 - a. Executive Session – December 16, 2019

Mr. Jones motion approval of package 1 and not release. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones motion approval of package 2 and not release. Second Mr. Patterson. Vote: Yes-5. No-0.

4. Individual Selectmen's Reports-none.

5. Town Manager's Report-none.

Mr. Jones motion to adjourn at 8:06 p.m. Second Mr. Patterson. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

JM Suso

DATE: January 10, 2020

- At your upcoming meeting on Monday, Selectmen will consider voting to approve the proposed FY2021 Annual Appropriations Budget and transmit same to the Finance Committee to allow them to begin their deliberations.
- On the Board's agenda is a "pending road closure" for which we were contacted regarding the coming culvert replacement on John Parker Road. However, it has now been confirmed that the culvert pipe itself has not yet been delivered and it is a bit premature for such an announcement. We are working with the Town Engineer on this and will schedule a public announcement at an upcoming Selectmen's meeting.
- Water Superintendent Steve Rafferty will be joining us for a status update on the Asbestos/Concrete Pipe Issue. The Board received the press release issued yesterday with recent testing results. Working with the DEP, it was confirmed that no drinking water tested positive for asbestos. Some continuing testing will be conducted.
- I received a late contact from Catherine Bumpus asking for a letter of support for Friends of Nobska's latest application to the State for a funding request for a Massachusetts Cultural Facilities Grant which was due today. This, of course, would be in furtherance of their ongoing renovation activities at the Nobska Light campus. Such support was granted by the Board for a similar grant request back in January 2017. If the Board is agreeable, I will be pleased to transmit a letter of support on behalf of the Board with your concurrence which can follow the filing of the grant.
- Selectmen will be appointing members of the Transportation Management Committee at your meeting on Monday. You will recall that you indicated a willingness to "update" the original mission statement for the volunteer group. Diane has included the "old" mission statement in your Board packet. If agreeable, we would be pleased to draft a revised, updated mission statement for the Board's consideration at a subsequent meeting.
- Speaking of mission statements, we can also prepare a draft mission statement for the Citizens Advisory Committee on Fire Station Location for your coming consideration. You will recall that you extended the deadline for applications to that Committee to Friday, January 17.