

TOWN OF FALMOUTH
BOARD OF SELECTMEN

AGENDA

MONDAY, APRIL 27, 2020 – 7:00 P.M.

SELECTMEN'S MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the April 27, 2020 public meeting of the Falmouth Board of Selectmen shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Board of Selectmen utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
 - a. *Zoom Login instructions:*
 - i. *Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthmass.us/BOS>.*
 - ii. *Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*
3. *Additionally public comments may be sent in advance of the meeting to selectmen@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Town Manager/Board of Selectmen's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at townmanager@falmouthma.gov so they may be displayed for remote public access viewing.*

AGENDA

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Update from School Superintendent, Lori Duerr
4. Steamship Authority Update – Rep. Dylan Fernandes; Kate Wilson, Steamship Authority Rep.

JOINT MEETING – BOARD OF SELECTMEN & BOARD OF HEALTH

5. Discussion of COVID-19 Issues on Multiple Affected Areas
Staff Comments:
 - a. Scott McGann, Health Agent
 - b. Edward Dunne, Police Chief
 - c. Michael Small, Fire Chief

8:00 p.m.

6. Proclamations:
 - a. Police Week – May 10-16, 2020
 - b. Children's Mental Health Awareness Week – May 3-9, 2020
7. Recognition
8. Announcements: Eversource Foundation Donation to Falmouth Service Center
9. Public Comment

8:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Application for Change of Manager of an All Alcoholic Club License – Portuguese American Association of Falmouth, Inc., 55 Ashumet Road, Hatchville
 - b. Application for Change of Manager of a Second-Hand Dealer License – St. Vincent DePaul Thrift Shop., 18A Davisville Road, East Falmouth
2. Administrative Orders
 - a. Sign Warrant for Special State Election of Tuesday, May 19, 2020
 - b. Vote to Accept 2019 Edward Byrne Grant Funding in the Amount of \$11,390.00
 - c. Vote to Accept Donation Check in the amount of \$1,000.00 from Linda E. and John L. Williams to the Falmouth Fire Rescue Department Donation Account
 - d. Approve Eversource Petition for the Installation of One (1) FO Pole on Palmer Avenue, South of Ter Heun Drive. The proposed location is required for system reliability.
 - e. Approve Eversource Petition for the Installation of Two (2) 6” conduits on Palmer Avenue, South of Ter Heun Drive. The proposed location is required for system reliability.

8:30 p.m. PUBLIC HEARINGS

1. Wetland Hearing – Nikolas J., John S., Anthony P. Pentikis/James N. Pentikis Trust UDT for permission to license, retain and maintain existing two (2) 4’ x 20’ floats in and over the waters of Eel Pond Canal, located at 5 Canapitsit Drive, East Falmouth. Continued from March 9, 2020.

8:45 p.m. BUSINESS

1. Discussion on Falmouth COVID-19 Fund
2. Status/Update on FY20 and FY21 Financial Issues – Jennifer Mullen, Finance Director
3. Status/Update Report on Multiple Planned and Ongoing Public Works Projects – Peter McConarty, DPW Director
 - a. Road/Bikeway Maintenance and Improvements:
 - Main Street Water Line Replacement; Queens Buyway Reconstruction; Partial Paving of Brick Kiln Road, Jones Road, Ashumet Road, Palmer Avenue; Chapoquoit Beach Proposed Queue Lane; Trunk River Revetment and Bridge Replacement.
 - b. Design Projects:
 - Main Street (phase 1), Davis Straits (phase 2), Teaticket Highway (phase 3) upgrades; Bikeway Extension from North Falmouth to Bourne; Palmer Avenue Crosswalk to Goodwill Park; Route 151 – Sam Turner/Boxberry Hill/Cloverfield Road Intersection; Route 151 – Sandwich Road Intersection Upgrade; Gifford Street/Jones Road Intersection.

4. Status Report/Update on Special Events
5. Annual Reappointment of Inspectors of Animals
6. Approve 2020 Annual/Seasonal License Renewals:

Lodging House License

Captain Tom Lawrence Inn, 75 Locust St.
Inn on the Sound, 313 Grand Ave.
Woods Hole Passage B&B Inn, 186 Woods Hole Rd.
Elizabeth Hathon, 165 North Falmouth Hwy.
Woods Hole Inn, 28 Water St.

Second-Hand Dealer License

Uncle Bill’s Country Store, 412 North Falmouth Hwy.
St. Vincent De Paul’s Thrift Shop, 18A Davisville Rd.
Village Lamp, 628 West Falmouth Hwy.
Hannoush Jewelers, 352 Main St.
Harmony Hut, 105 Spring Bars Rd.
Hand in Hand Thrift Shop, 141 Sandwich Rd.
Cash Point, 350 East Falmouth Hwy.

7. Minutes of Meetings: Public Session – March 23, 2020
8. Individual Selectmen’s Reports
9. Town Manager’s Report

Megan English Braga, Chair
Board of Selectmen



Falmouth Health Department

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540
(508) 495-7485 • health@falmouthma.gov

BOARD OF HEALTH MEETING AGENDA JOINT MEETING WITH THE BOARD OF SELECTMEN

APRIL 27, 2020 at 7:00 p.m.

SELECTMEN'S MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the April 27, 2020 public meeting of the Falmouth Board of Health shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Board of Health utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
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3. *Additionally public comments may be sent in advance of the meeting to health@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Health Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Health Agent at health@falmouthma.gov so they may be displayed for remote public access viewing.*

Times indicated for the agenda topics are approximate

7:00- COVID-19 discussion with the Board of Selectmen

7:15-Discussion and decision regarding face coverings



Falmouth Health Department

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540
(508) 495-7485 • health@falmouthma.gov

Board will deliberate on whether to expand on the current state advisory regarding wearing face masks during the COVID-19 pandemic.

Documents:

- Resident correspondence
- Board of Health Orders from other municipalities such as Sandwich, Bellingham and Brookline
- Current state advisory

7:40- Board of Health vote on the Health Agent's Emergency Order Regarding Personal Care Services dated March 19, 2020 issued on the Board of Health's behalf

Health Agent issued orders prior to Governor Baker's emergency non-essential closure orders from March 24, 2020

Document:

- Health Agent's emergency order
- Gov. Baker's non-essential order

Our Mission

The mission of the Falmouth Board of Health is to protect and promote the health, safety and well-being of residents and visitors of the Town of Falmouth. The primary functions of the Board of Health to achieve our mission are to: prevent and control disease, enforce state and local regulations, promulgate local health regulations, identify and protect from environmental hazards, and advocate for a healthy community.

Posted April 23, 2020



PROCLAMATION for POLICE WEEK

WHEREAS The Congress and President of the United States have designated May 15 as Peace Officer Memorial Day, and the week in which it falls Police Week; and

WHEREAS The members of the law enforcement agency of the Town of Falmouth play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Falmouth; and

WHEREAS It is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS The police department of the Town of Falmouth has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

THEREFORE We, The Board of Selectmen call upon all citizens of the Town of Falmouth and upon all patriotic, civil and educational organizations to observe the week of May 10 – 16, 2020, as Police Week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

FURTHER We call upon all citizens of the Town of Falmouth to observe Friday, May 15, 2020 as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty, especially, our own Officer Samuel F. Pierce who lost his life in the Line of Duty on August 16, 1933. I further, call upon all citizens of the Town of Falmouth to observe a moment of silence on **Friday, May 15, 2020** in their honor.

IN WITNESS WHEREOF, We, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran, Samuel H. Patterson and Douglas C. Brown have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 27th day of April 2020.

Megan English Braga, Chair

Susan L. Moran

Douglas C. Brown, Vice Chair

Samuel H. Patterson

Douglas H. Jones

BOARD OF SELECTMEN



PROCLAMATION

Whereas, the citizens of Falmouth value their health and mental health and that of their families; therefore, they are proud to support observances such as Children's Mental Health Week; and

Whereas, 17% of children and youth (ages 6-17) live with a mental health condition and 50% of all lifetime instances of mental illness begin before age 14; and even some children and youth with the most intense needs and some who are insured may not receive services; and

Whereas, children and youth with mental health needs in elementary, middle and high school are more likely to be bullied, absent, suspended, expelled or fail to graduate; and

Whereas, recognizing the early warning signs of mental health needs and obtaining the necessary support, assistance and treatment gives children and youth better opportunities to lead full and productive lives at home, in schools, and in their communities; and

Whereas, the involvement and partnership of family members in the assessment and treatment of children and youth is essential to positive outcomes; and

Whereas, our nation's future depends on the health and well-being of its families and their children; and

Whereas, Children's Mental Health Week was developed by families of children with emotional, behavioral and mental health needs, to focus on the needs of their children and families; in celebrating this year's theme: "Vision for Health and Happiness" it is fitting to increase public awareness among all Falmouth citizens of this important issue;

NOW, THEREFORE, WE, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran and Samuel H. Patterson, as Selectmen of the Town of Falmouth, by the authority vested in us do **PROCLAIM May 3 - 9, 2020** as

CHILDREN'S MENTAL HEALTH AWARENESS WEEK

IN WITNESS THEREOF, We have hereunto set our hand and caused the great seal of the Town of Falmouth to be affixed this day, Monday, April 27, 2020.

Megan English Braga

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

FALMOUTH BOARD OF SELECTMEN

Diane Davidson

From: Milla Paumo <mpaumo@ppal.net>
Sent: Friday, April 3, 2020 8:18 AM
To: Falmouth Town Manager
Subject: Children's Mental Health Week Proclamation
Attachments: 2020 Proclamation Sample Language.docx

Dear Julian M. Suso,

I am reaching out to you on behalf of PPAL, Parent/Professional Advocacy League. PPAL is a statewide, grassroots family organization that advocates for improved access to mental health services for children, youth and their families. PPAL's goals are to support families, nurture parent leaders and work for systems change. PPAL is the only Massachusetts organization whose work focuses solely on the interests of families whose children have mental health needs. Founded in 1991, PPAL continues to work on behalf of children, youth and families as a critical voice shaping policy and practice.

Every year we are celebrating **Children's Mental Health Week** on the first full week of May (May 3-9 this year) and are requesting local landmarks and cities in MA to be part of raising awareness about children's mental health needs and the importance of working towards more inclusive communities together by breaking the stigma.

We would be honored to have Falmouth participating in this with us for 2020, by signing a proclamation to honor mental health awareness. Government Center, The Post Office Square, Rose Kennedy Greenway and Zakim Bridge in Boston are already onboard with us for this event and will be turning their lights green during this week.

We appreciate all of your collaboration with this important cause. Please feel free to reach out to me with any questions mpaumo@ppal.net.

Best and thank you in advance,

--

Milla Paumo
Project Coordinator
Parent/Professional Advocacy League
The Massachusetts Family Voice for Children's Mental Health

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Milla Paumo
Project Coordinator
Parent/Professional Advocacy League
The Massachusetts Family Voice for Children's Mental Health
Educate Collaborate Advocate
Tel. 617-542-7860, ext 216
Pronouns: She, Her, and Hers

Diane Davidson

From: Goldstein, Ronit <ronit.goldstein@eversource.com>
Sent: Tuesday, April 21, 2020 1:45 PM
To: Megan English Braga
Cc: Edward Dunne; Diane Davidson; Jim McLoughlin; Julian Suso; Kim Strohm; melinda.rebelo@falmouthpolice.ma.gov; Mike Small; Peter Johnson-Staub; Peter McConarty; Samantha Moir; Falmouth Town Manager; Falmouth Selectmen
Subject: RE: Eversource Donation to the Falmouth Service Center

Good afternoon Ms. Braga,

Thank you, a shout out at the BOS meeting would be wonderful!

For a little background.... at the beginning of the year, I had identified the Falmouth Service Center as a potential recipient, and intended to reach out to talk to them about our Annual Community Impact Grant Program. When my group got word of the additional funds being donated specifically for COVID-19, I knew that it was time to reach out. I spoke to Keren last week and the grant was approved quickly.

I have attached the press release regarding the topic (bottom of my email) and have extracted some key points in bold below, if that helps.

To help support their customers and the communities they serve, Eversource is donating more than \$2 million dollars to nonprofit organizations across Massachusetts, Connecticut and New Hampshire.

As part of the more than \$2 million donation, the Eversource Foundation will provide targeted Community Impact Grants, which are smaller contributions to local nonprofit organizations in all three states. Since the emergence of COVID-19, Eversource has taken several other steps to support its customers, including the suspension of customer disconnects for nonpayment.

While this pandemic continues to evolve, Eversource will continue to take all necessary precautions to maintain reliable service for its customers and to ensure the safety and health of its employees and the public under its COVID-19 pandemic plan. For more information on Eversource's preparedness efforts and response to COVID-19, including FAQs for customers, ways to save, and more please visit [Eversource.com](https://www.eversource.com).

Please let me know if you have any questions.

Wishing you well.

Ronit



800 Boylston St.
Boston, Massachusetts 02199

News Release

Eversource Foundation Donates More Than \$2 Million to Support Communities During COVID-19 Pandemic

Nonprofit organizations in Massachusetts, Connecticut and New Hampshire to receive funds for critical social services fighting COVID-19

BOSTON (April 8, 2020) – As part of its efforts to support all of its customers and communities during the COVID-19 pandemic, Eversource (NYSE: ES) today announced that the energy company is donating more than \$2 million through the Eversource Foundation to nonprofit organizations in Massachusetts, Connecticut and New Hampshire. These funds include the energy company’s regular \$1.2 million annual donation to United Way agencies across all three states and an additional \$1 million donation to be dispersed to those agencies and others providing social services such as food pantries and health and human service organizations.

“We’re committed to supporting all of our customers, our neighbors and the communities where we work and live during these difficult and uncertain times,” said Eversource Chairman, President and CEO Jim Judge. “As the COVID-19 pandemic continues to evolve, the critical social services provided by nonprofits across our states is increasingly important, with people facing financial hardship and other challenges. There are many worthy charitable organizations across our region that are working to ensure that everyone has the support they need, and we’re grateful for all of our community partners and the important work they do throughout our region.”

Some of the organizations and the respective COVID relief funds that are receiving funding from the Eversource Foundation include:

- United Way partners across all three states, including United Way of Massachusetts Bay and Merrimack Valley’s “COVID-19 Family Support Fund”
- The Boston Resiliency Fund
- Community Foundation of Western Massachusetts’ “COVID-19 Response Fund for the Pioneer Valley”
- Western Massachusetts Food Bank
- Worcester County Food Bank
- Greater Boston Food Bank
- Family Pantry of Cape Cod

In addition to this commitment, the energy company will also contribute to several food pantries in communities where it solely serves water customers through Aquarion Water Company.

“Whether in times of crisis or not, our community partners at organizations like the United Way are always dedicated to making life better for those in need, supporting critical programs focused on health, education, financial security and more,” said Eversource Foundation President Theresa Hopkins-Staten. “We’re proud to stand with all of our local nonprofit partners who work every day across all three of our states to support our neighbors.”

As part of the more than \$2 million donation, the Eversource Foundation will provide targeted [Community Impact Grants](#), which are smaller contributions to local nonprofit organizations in all three states. Since the emergence of COVID-19, Eversource has taken several other steps to support its customers, including [the suspension of customer disconnects for nonpayment](#).

While this pandemic continues to evolve, [Eversource will continue to take all necessary precautions to maintain reliable service for its customers](#) and to ensure the safety and health of its employees and the public under its COVID-19 pandemic plan. For more information on Eversource’s preparedness efforts and response to COVID-19, including FAQs for customers, ways to save, and more please visit [Eversource.com](#).

Eversource (NYSE: ES), celebrated as a national leader for its corporate citizenship, is the #1 energy company in [Newsweek's](#) list of America's Most Responsible Companies for 2020 and recognized as one of America's Most JUST Companies and the #1 utility by [Forbes](#) and [JUST Capital](#). Eversource transmits and delivers electricity and natural gas and supplies water to 1.8 million customers throughout Massachusetts, including approximately 1.5 million electric customers in 139 communities, nearly 300,000 gas customers in 51 communities, and 19,800 water customers in five communities. Eversource harnesses the commitment of approximately 8,300 employees across three states to build a single, united company around the mission of safely delivering reliable energy and water with superior customer service. The #1 energy efficiency provider in the nation, the company is empowering a clean energy future in the Northeast, with nationally-recognized energy efficiency solutions and successful programs to integrate new clean energy resources like solar, offshore wind, electric vehicles and battery storage, into the electric system. For more information, please visit eversource.com, and follow us on [Twitter](#), [Facebook](#), [Instagram](#), and [LinkedIn](#). For more information on our water services, visit aquarionwater.com.

Ronit Goldstein

Community Relations and Economic Development

Cell: 617-966-8459

247 Station Drive, Plymouth

Westwood, MA 02090



From: Megan English Braga <megan.english-braga@falmouthma.gov>

Sent: Tuesday, April 21, 2020 12:34 PM

To: Goldstein, Ronit <ronit.goldstein@eversource.com>

Cc: Edward Dunne <edward.dunne@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jim McLoughlin <james.mcloughlin@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kim Strohm <kim.strohm@falmouthfirema.gov>; melinda.rebelo@falmouthpolice.ma.gov; Mike Small <michael.small@falmouthfirema.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Falmouth Selectmen <selectmen@falmouthma.gov>

Subject: Re: Eversource Donation to the Falmouth Service Center

EVERSOURCE IT NOTICE – EXTERNAL EMAIL SENDER ** Don't be quick to click! ******

Do not click on links or attachments if sender is unknown or if the email is unexpected from someone you know, and never provide a user ID or password. Report suspicious emails by selecting 'Report Phish' or forwarding to SPAMFEEDBACK@EVERSOURCE.COM for analysis by our cyber security team.

This is wonderful news. Happy to announce it on Monday at our meeting if you have a bit more information.

Sent from my iPhone

On Apr 21, 2020, at 12:29 PM, Goldstein, Ronit <ronit.goldstein@eversource.com> wrote:

Good afternoon,

I am pleased to inform you that the Falmouth Service Center is receiving an Eversource Community Impact Grant. Eversource supports their efforts to address critical community needs during the COVID-19 pandemic.

Eversource Foundation funds are available to non-profit organizations located in the communities we serve in MA. These targeted contributions are donations to local, non-profit organizations that are on the frontlines helping their communities combat this pandemic – ultimately helping those in need in the communities where we live and work.

Stay safe and be well.

Warm regards,

Ronit

Ronit Goldstein

Community Relations and Economic Development

Cell: 617-966-8459

247 Station Drive, Plymouth

Westwood, MA 02090

<image001.jpg>

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The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

00123-CL-0390

City/Town

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



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Portuguese American Assoc. of Falmouth, Inc.	Falmouth	00123-CL-0390

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Megan English Braga	Member of Board of Directors	attymeb@gmail.com	[REDACTED]

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name	Robert P. Kubitschek	Date of Birth	[REDACTED]	SSN	[REDACTED]
Residential Address	12 Brady Drive, Hatchville, MA 02536				
Email	robert.kubitschek@gmail.com	Phone	[REDACTED]		
Please indicate how many hours per week you intend to be on the licensed premises	10-20	Last-Approved License Manager	Joseph Martinho		

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* Yes No *Manager must be U.S. citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.
 Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
2015	ongoing	Office Manager	Tides Motel, Falmouth, MA	Dean Berry
2007	2015	Bar Manager	Captain Kidd, Woods Hole, MA	James Crowley

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date 3/10/2020



TIPS® eTIPS On Premise 3.0

CERTIFIED

Issued: 2/6/2020

Expires: 2/6/2023

ID#: 5297295

Robert P Kubitschek
Portuguese American Association
Navigator
12 Brady Dr
East Falmouth, MA 02536-3928

For service visit us online at www.gettips.com

Diane Davidson

From: Douglas DeCosta
Sent: Monday, December 2, 2019 3:03 PM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- Robert Kubitschek of the Portuguese American Association

**Background Check- Robert Kubitschek of the Portuguese American Association
Manager of Alcoholic Beverage License**

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

Robert Kubitschek of the Portuguese American Association

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

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.

Diane Davidson

From: Brian Reid
Sent: Tuesday, April 21, 2020 11:11 AM
To: Diane Davidson; Sean Doyle; Rod Palmer; Scott McGann
Subject: RE: Application for Change of Manager - Portuguese American Association

We have no objection to the Change of Manager application.

Captain Brian L. Reid

Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
brian.reid@falmouthpolicema.gov

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From: Diane Davidson
Sent: Monday, April 13, 2020 3:31 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>
Subject: Application for Change of Manager - Portuguese American Association

To all,

Attached, for your information, is a copy of an application for change of manager of an all alcoholic club license for the Portuguese American Association, Inc. located at 55 Ashumet Road, Hatchville. The Police Department has processed the fingerprint background check. If you have any comments for the Board of Selectmen, you may forward them to me by Wednesday, April 22, 2020.

Thank you,

Diane

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

Diane Davidson

From: Phyllis Downey
Sent: Wednesday, April 22, 2020 10:16 AM
To: Diane Davidson
Subject: FW: April 27 Selectmen Meeting - New Second Hand Dealer manager - St. Vincent DePaul Thrift

Hi Diane,

The following Change of Manager application for St. Vincent DePaul Thrift Shop's will be attended by the new Manager, Mary E. Markow, by telephone call.

- a. Application for Change of Manager of an Second Hand Dealer License – St. Vincent DePaul Thrift Shop., 18A Davisville Road, East Falmouth

Phyllis Downey

Administrative Assistant
Town Administration
508-495-7325

From: Peter Johnson-Staub
Sent: Tuesday, April 7, 2020 3:20 PM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Megan English Braga <megan.english-braga@falmouthma.gov>
Cc: Diane Davidson <diane.davidson@falmouthma.gov>
Subject: RE: April 27 Selectmen Meeting - New Second Hand Dealer manager - St. Vincent DePaul Thrift

Hi Phyllis,

Yes, we can provide instruction to Mary Markow so she can join the Zoom meeting by telephone. Please forward the request to Falmouth Information Technology HelpDesk ithelp@falmouth.freshdesk.com with April 27 Selectmen Meeting in the subject line.

Thanks,
Peter

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

<http://www.falmouthmass.us>

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

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, April 7, 2020 11:47 AM

To: Julian Suso <julian.suso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Megan English Braga <attymeb@gmail.com>

Cc: Diane Davidson <diane.davidson@falmouthma.gov>

Subject: New Second Hand Dealer manager - St. Vincent DePaul Thrift

Good morning,

Mary E. Markow is the new Director (Manager) of the St. Vincent DePaul Thrift Shop which is renewing its Second Hand Dealer License for 2020 at the Selectmen's meeting on April 27th. For the Change of Manager application, Ms. Markow asks if a telephone interview with the Selectmen might be possible rather than attending the Zoom meeting. She has used Skype but is not comfortable using Zoom due to the disruptions/hacking she has heard about. Please let me know how to advise her.

Thank you,

Phyllis

Phyllis Downey

Administrative Assistant

Town Administration

508-495-7325



TOWN OF FALMOUTH
APPLICATION FOR LICENSE TO SELL, TRADE OR BARTER
JUNK, OLD METALS OR SECOND-HAND ARTICLES
CODE OF FALMOUTH CH. 136

BUSINESS INFORMATION

1. NAME OF BUSINESS ST. VINCENT DE PAUL THRIFT SHOP
2. ADDRESS 18 A DAVIS VILLE RD, EAST FALMOUTH 02536
3. MAILING ADDRESS (if different): _____
4. FEDERAL TAX I.D. NUMBER _____ 501(C)(3)
Social Security number if no FID number SEE ATTACHED
5. TYPE OF GOODS SOLD CLOTHING (ADULT/CHILDREN), HOUSEWARES, GAMES
ART, SMALL FURNITURE, TOYS, BICYCLES, SPORT EQUIPMENT, ETC.

OWNER INFORMATION

1. NAME MARY E. MARKOW, DIRECTOR
2. HOME ADDRESS 43 RIVERS END RD, TEATICKET 02534
3. PHONE NUMBER _____ CELL _____
4. EMAIL: (required) _____

Please Note: Per Chapter 156 of the Code of Falmouth, Owners of Second Hand Dealer Licenses must complete a fingerprint based background check at the Falmouth Police Station within 10 days of submission of this application. A State fee of is \$30 payable by money order or certified/bank check to the Commonwealth of Massachusetts is required at the police station.

The undersigned hereby applies to the Board of Selectmen of the Town of Falmouth for a license as a junk dealer or collector, including old metals and secondhand articles. The undersigned further represents that a) the applicant's place of business conforms to the applicable provisions of the Falmouth Zoning By-law and b) The applicant agrees to comply with all provisions of Chapter 136 of the Code of Falmouth, including keeping of all records of purchases and sales. This application will be submitted to the Chief of Police for review and recommendation and the undersigned authorizes the Chief of Police to inform the Board of Selectmen of the criminal record, if any, of the applicant or its manager or responsible person.

Pursuant to Massachusetts General Law Chapter 62C Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Signed under the pains and penalties of perjury this 12 of MARCH, 2020
Mary E. Markow
OWNER

By order of the Board of Selectmen of the Town of Falmouth:

BOARD OF SELECTMEN

Town of Falmouth Filing fee: ~~\$10.00~~
 License fees: ~~\$55.00~~

**Please complete all fields. Incomplete applications must be returned for completion*

7/25/2019



Saint Vincent de Paul Thrift Shop
18 A Davisville Road
East Falmouth, MA 02536

March 12, 2020

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

RE: Second Hand Dealer License Annual Renewal

The St. Vincent De Paul Thrift Shop is a 501 (c)(3) charitable organization that has been operating in East Falmouth for the past three years under the direction of Mary Ann Waygan who currently holds the Second Hand Dealer License for the Thrift Shop. Mary Ann is moving away next month and will no longer be the Director of the Shop. On March 9th, the Board of Directors of the St. Vincent de Paul Society of St. Anthony's Church Conference voted to appoint me, Mary Markow, the new Director of the St. Vincent de Paul Thrift Shop. I am now applying for the Second Hand Dealer's License to operate the Thrift Shop. I have worked very closely with Mary Ann for the past three years and know all aspects of the Thrift Shop operations.

I was instructed to include in my application, a copy of the renewal form with the current Director's information along with a separate application that lists my personal information. In effect we are asking for a renewal of the license with a name change of the Owner/Director. If you have any questions I can be reached at 508-540-5966.

Thank you for your consideration.

Sincerely,

Mary E. Markow
Secretary, SVdP

Phyllis Downey

From: Douglas DeCosta
Sent: Friday, April 3, 2020 3:05 PM
To: Phyllis Downey
Subject: Background Check- Mary Markow of St. Vincent de Paul Thrift Shop

Background Check- Mary Markow of St. Vincent de Paul Thrift Shop Dealer of Secondhand Articles

April 3, 2020

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

Mary Markow of St. Vincent de Paul Thrift Shop

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.

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SS.

To either of the Constables of the Town of Falmouth

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Special State Elections to vote at

- Precinct 1: Town Hall
- Precinct 2: John DeMello Senior Center
- Precinct 3: Falmouth High School Gymnasium
- Precinct 4: St Anthony's Lodge
- Precinct 5: North Falmouth Congregational Church Hall
- Precinct 6: Falmouth High School Gymnasium
- Precinct 7: Waquoit Congregational Church Hall
- Precinct 8: Navigator Club
- Precinct 9: Jewish Congregation Community Center

on **TUESDAY, THE NINETTH DAY OF MAY, 2020**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Election for the candidates for the following offices:

SENATOR IN GENERAL COURT . . . FOR THE PLYMOUTH AND BARNSTABLE DISTRICT

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this day of April 2020.

MEGAN ENGLISH BRAGA, CHAIRMAN _____

DOUGLAS JONES _____

SAMUEL H. PATTERSON _____

SUSAN L. MORAN _____

DOUGLAS C. BROWN _____

FALMOUTH BOARD OF SELECTMEN

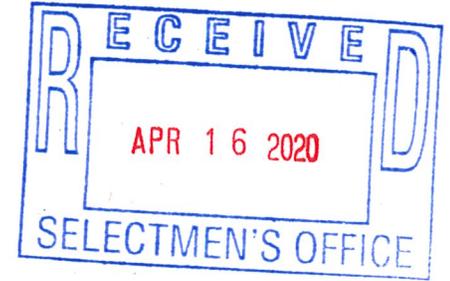
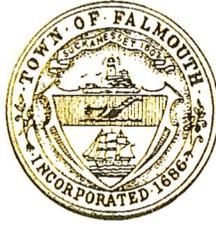
Barnstable, SS.

Falmouth, MA

By the virtue of this warrant, I have this day notified and summoned the inhabitants of the Town Of Falmouth qualified to vote, as said Warrant directs by posting an attested copy thereof in Town Hall and Every Precinct in the town.

Constable, Town of Falmouth

Date



Falmouth Police Department
Chief Edward A. Dunne

April 15, 2020

Meghan English-Braga, Chairman
Falmouth Town Hall
59 Town Hall Square
Falmouth, MA 02540

Subject: Acceptance of Grant Funding \$11,390.00
2019 Edward Byrne Grant (Dept. of Justice)
Budget Period: October 1, 2018 to September 30, 2022
Award Date: August 9, 2019

Dear Board of Selectmen:

We have been designated to receive federal grant funds in the amount of \$11,390.00 to be expended on three complete dashboard cameras.

\$11,390.00: to be expended on the purchase of three (3) complete dashboard cameras. Dashboard cameras are proving to be an important tool in law enforcement. The cameras are instrumental in collecting evidence for court and citizen complaints. They are also valuable in gaining and maintaining community confidence in the police department. We would like to utilize court dispositions and the results from citizen complaints as performance measures. Our objective is to increase conviction rates and to increase community confidence.

Please formally accept this grant at your next scheduled meeting.

Thank you in advance for your attention to this matter.

Sincerely,

Edward A. Dunne
Chief of Police

Enclosure: Notice of Proposed Allocations (Exhibit A)
Memorandum of Understanding (Exhibit B)



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 29

*23,153 - Barnstable
11,390 - Falmouth
16,526 - Yarmouth
\$51,069 -*

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

Town of Barnstable
367 Main Street
Hyannis, MA 02601

4. AWARD NUMBER: 2019-DJ-BX-0123

5. PROJECT PERIOD: FROM 10/01/2018 TO 09/30/2022

BUDGET PERIOD: FROM 10/01/2018 TO 09/30/2022

6. AWARD DATE 09/18/2019

7. ACTION

Initial

2a. GRANTEE IRS/VENDOR NO.

046001079

8. SUPPLEMENT NUMBER

00

2b. GRANTEE DUNS NO.

079530747

9. PREVIOUS AWARD AMOUNT

\$ 0

3. PROJECT TITLE

Town of Barnstable FY 2019 JAG Program

10. AMOUNT OF THIS AWARD

\$ 51,069

11. TOTAL AWARD

\$ 51,069

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY19(BJA - JAG State and JAG Local) Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a).

14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.738 - Edward Byrne Memorial Justice Assistance Grant Program

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Mark S. Eills
Town Manager

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

10/29/19

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		51069

21. UDJGT0441

Memorandum of Understanding (Exhibit B)
 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program:
 Local Solicitation – Disparate Certification - Barnstable

This agreement is made and entered into this 7th day of August 2019, by and between the Town of Barnstable, the Town of Falmouth, Town of Yarmouth and the County of Barnstable.

Whereas the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation from the United States Department of Justice has been made on the basis of a Joint Application Award Amount due to determination as a Disparate Certification, the Town of Barnstable, the Town of Falmouth, the Town of Yarmouth and the County of Barnstable hereby agree that the total funding of \$51,069 be allocated as follows:

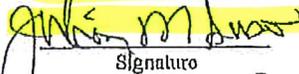
Town of Barnstable	\$23,153
Town of Falmouth	\$11,390
Town of Yarmouth	\$16,526
County of Barnstable	\$ 0
 Total	 \$51,069

The Town of Barnstable will serve as the applicant and the fiscal agent of the grant on behalf of all the aforementioned entities.

Each party to this agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for the furnishing of services by any other party.

Each party to this agreement shall provide the Barnstable Police Department, the applicant and fiscal agent, with timely information as to grant expenditures and progress as may be necessary for the proper administration of this award.

For the Town of Falmouth:


Signature

Julian Suso
Printed Name

Falmouth
Town Manager 8-9-19
Title Date

For the Town of Yarmouth:


Signature

Daniel Knorr
Printed Name

Yarmouth
Town Administrator 8/13/19
Title Date

For the County of Barnstable:


Signature

Jack Yunits
Printed Name

County Admin. 8/13/19
Title Date

For the Town of Barnstable:


Signature

Mark S. Bus
Printed Name

Town Manager 8-9-2019
Title Date

From the Office of Fire Prevention

From: Joan L. Geggatt, Admin. Office Clerk-Fire Prevention

Sent: April 22, 2020

To: Board of Selectmen's Office

Subject: Donations

Attachments: Copy of Donation Check

I would like to respectfully request your approval for a donation check from Linda E. and John L. Williams in the amount of \$1000.00 made payable to Falmouth Fire Rescue Department.

The generous donation enhances the fire and rescue capabilities to all citizens and visitors within our community.

Please place this request on your agenda for approval. If you should have any questions and or require additional information to support this request, please feel free to call 508-495-2531.



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: April 16, 2020

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install 1 utility pole on Palmer Avenue (State Hwy)

A petition was submitted by Eversource to install 1 utility pole (29/40.5) on Palmer Avenue (State Hwy) for system reliability purposes.

The Engineering recommendation is to approve the request as submitted on Plan No. 2380826, W/O #2380826, dated March 12, 2020.

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

Phyllis Downey

From: Frank Duffy
Sent: Monday, March 23, 2020 11:35 AM
To: Phyllis Downey; Irie Mullin
Subject: RE: meeting - Eversource Pole Hearing question

Follow Up Flag: Follow up
Due By: Tuesday, March 24, 2020 3:30 PM
Flag Status: Flagged

I do not think it makes any difference. G.L. c. 166, s. 22 authorizes the BOS to license poles on a "public way" and there is no distinction between a town way and a state highway. The abutting property is owned by the Town of Falmouth.

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

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From: Phyllis Downey
Sent: Monday, March 23, 2020 8:46 AM
To: Frank Duffy; Irie Mullin
Subject: FW: meeting - Eversource Pole Hearing question

Good morning,

Further to the pole hearing inquiry below, Town Engineer, Nick Croft, has advised us that the property on which Eversource has petitioned to install a pole and conduits on Palmer Avenue is owned by the State and that the application should be made to the State. Would you please confirm whether the Town is required to take any steps regarding this matter? The applications and plans are attached for your convenience.

Thank you,
Phyllis
Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Phyllis Downey

From: Nicholas Croft
Sent: Thursday, April 16, 2020 2:56 PM
To: Phyllis Downey
Cc: Rosa, Donna L
Subject: Pole Hearing - Palmer Avenue
Attachments: Palmer Avenue (Conduit).pdf; Palmer Avenue (Pole).pdf

Phyllis,

Attached to this email are the two recommendations from today's zoom meeting.

I'd like say again that Palmer Avenue is a State Highway and I'm unsure whether or not I have the authority to recommend to the selectmen whether work be done on State Property.

Both petitions were recommended for approval though.

Thank you,

Nicholas Croft

Civil Engineering Tech. – Engineering Division

(508) 457-2543 – nicholas.croft@falmouthma.gov

Town of Falmouth Department of Public Works

416 Gifford Street, Falmouth, MA 02540

(508) 457-2543 falengr@falmouthma.gov



50 Duchaine Blvd.
New Bedford, MA 02745

March 13, 2020

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

Select board:

Enclosed is a petition for **1** proposed pole location(s) on **Palmer Avenue, Falmouth**, Massachusetts.

This proposed location(s) is required for system reliability. This petition will require a notice to abutters and a hearing.

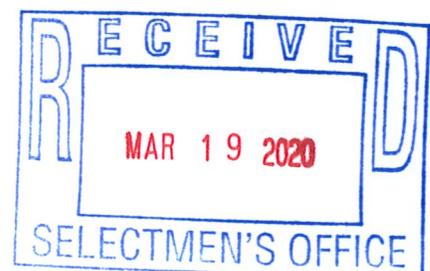
Will you please present this petition before the Board for customary action and approval.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donna Rosa".

Donna Rosa
Right-of-Way
Representative

DR: dh
Enclosures



PETITION FOR POLE LOCATIONS

New Bedford, Massachusetts
MARCH 12, 2020

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

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

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

**PALMER AVENUE, South of Ter Heun Drive
WO# 2380826**

**One (1) FO Pole
POLE #29/40-5**

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires, and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Plan No. **2380826**, Dated **MARCH 12, 2020**.

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

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

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

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

ORDER FOR POLE LOCATIONS

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

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

IT IS HEREBY ORDERED:

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

be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the **12** day of **MARCH 2020**.

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

Poles shall be of sound timber and reasonably straight and shall be set substantially at the points indicated upon the plan marked Plan No. **2380826**, Dated **MARCH 12, 2020** filed with said petition. There may be attached to said poles by said NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) necessary wires, cables and fixtures and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than **16** feet from the ground elsewhere.

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

**PALMER AVENUE, South of Ter Heun Drive
WO# 2380826**

**One (1) FO Pole
POLE #29/40-5**

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

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 27th day of April, 2020.

Clerk of Selectmen.

(over)

We hereby certify that on April 16, 2020, at 2:00 pm o'clock, P. M., a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

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

.....

.....

.....

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.....

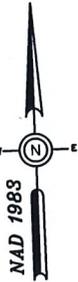
Selectmen of the Town of **Falmouth**
Massachusetts

CERTIFICATE

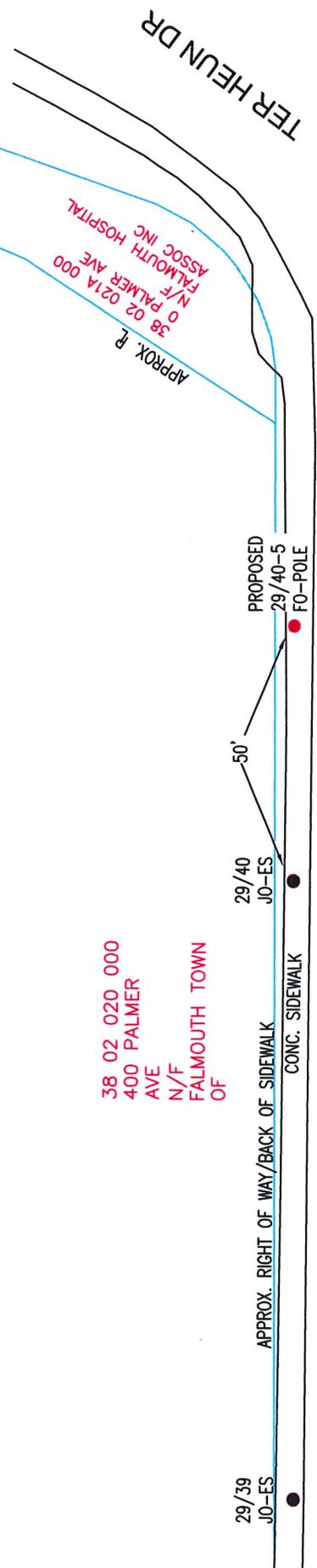
I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the _____ day of _____, **2020**, recorded with the records of location orders of said Town Book, _____ Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk.



Plan to accompany petition of EVERSOURCE ENERGY to install pole 29/40-5 50'± from pole 29/40 for system reliability.



LEGEND

- ⊕ Proposed Hand Hole
- ⊖ Existing Hand Hole
- Proposed Conduit
- - Existing Conduit
- Proposed Pole
- Existing Pole
- Pole with Riser
- ⌈ 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 #	2380826
Ward #	
Work Order #	2380826
Surveyed by:	N/A
Research by:	SC
Plotted by:	JC
Proposed Structures:	TL
Approved:	A DEBENEDICTIS
Scale	1"=30'
Date	MARCH 12, 2020
SHEET	1 of 1

NSTAR EVERSOURCE
ELECTRIC
GID/EA
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of PALMER AVE, FALMOUTH

Showing PROPOSED POLE LOCATION



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, **the April 16, 2020, public meeting upon the petition of NSTAR Electric Company d/b/a Eversource Energy to locate One (1) FO Pole at Palmer Avenue, South of Ter Heun Drive, shall be physically closed to the public to avoid group congregation.**

Alternative public access to this meeting shall be provided in the following manner:

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Per Order of the Falmouth Board of Selectmen

Publication Date: Friday, April 3, 2020 Falmouth Enterprise

0 NORTH FALMOUTH HWY 02 05 004 000
COMMONWEALTH OF MASS LUC: 924
DEPT OF TRANSPORTATION
10 PARK PLZ
EOTC STE 3170
BOSTON. MA 02116-3933

373 PALMER AVE 38 04 035 003C
DIAS TRUSTEE ALBERT S LUC: 109
PALMER AVENUE REALTY TRUST
51 N BOURNES POND RD
E FALMOUTH. MA 02536-7010

0 PALMER AVE 38 02 021A 000
FALMOUTH HOSPITAL ASSOC INC LUC: 955
100 TER HEUN DR
FALMOUTH. MA 02540-2503

400 PALMER AVE 38 02 020 000
FALMOUTH TOWN OF LUC: 930
59 TOWN HALL SQ
FALMOUTH. MA 02540-2761

397 PALMER AVE 38 04 034 000
MARTHAS VINEYARD SAVINGS BANK LUC: 341
PO BOX 1069
EDGARTOWN. MA 02539

376 PALMER AVE 38 02 019 000
NOLAN HILARY F LUC: 101
NOLAN PAULETTE B
PO BOX 583
FALMOUTH. MA 02541-0583

400 PALMER AVE
CERTIFIED



Melanie J. Bush
Asst. Assessor/Treasurer
Town of Falmouth
March 31, 2020

—while delay-
of those schools
y the epidemic—
Falmouth, and
id-February all
again operating.
y days of classes

by the Massachusetts State
Health Commissioner on “how to
keep well” during the epidemic.
Cleanliness, avoiding crowds, and
using a handkerchief when sneez-
ing or coughing were among the
suggestions. “Allow no visitors

which a few drops of the Oil of
Hyomei are poured. Just breathe
this Oil of Hyomei deep into your
nose, throat and lungs and then
every particle of air that enters
your breathing organs will be

a faraway plague. Everyone had
seen what happened in 1918.
(Reprinted from the blog
Untold Tales of Falmouth at mu-
seumsonthegreen.org/archives/
untold-tales-of-falmouth)

Test Withdrawn

fifth bedroom is
it is large enough.
square footage
y law that allows
ive bedrooms and
s 50,000 square
quare feet, 51
rt does not reach
selectmen indi-
ould not support
ed to believe, if/
cent increase, I

would not be supportive of this,”
Selectman Douglas H. Jones
said.
Selectman Douglas C. Brown
agreed, but said the matter could
be reviewed when the town has
additional discharge capacity.
“Once in the future, when we
have sufficient flow, we can make
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on lot size, or maybe if you can
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Per Order of the Falmouth Board of Selectmen
April 3, 2020

Falmouth Zoning Board of Appeals Notice of Public Hearing for April 30, 2020

Notice is hereby given of the following Public
Hearing @ 6:30pm and Open Meeting in the
Selectmen's Meeting Room, Town Hall **See
Agenda for virtual attendance** on Thursday
April 30, 2020

- Continuation(s)
- #096-19 March, 94 Nantucket Ave., Falmouth
 - #008-20 Arthur, 40 Loren Road, North Falmouth
 - #090-19 Reppucci, 24 Prospect Street, Falmouth
 - #005-20 Noonan, 183 Surf Drive, Falmouth

- #006-20 Schubert, Trustee, 23 Ormond Drive, East Falmouth
- #007-20 Messer / Bennett, 190 Goeletta Drive, Hatchville

Application #018-20 Carrie L. and Peter L. Tamm: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-69 E. and 240-3 C. of the Code of Falmouth to construct a screened porch; increasing lot coverage by structures on subject property known as 8 Blacksmith Shop Road, West Falmouth, Ma.

Files are available in the Board of Appeals Office at Town Hall for review by interested parties.

April 3, 10, 2020

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April 3, 2020

Auction Under the Stars
at Auction for Falmouth Academy

h the format of the Auction is different this year, less important, and promises to be just as fun.

Online Silent Auction
ng begins April 4, closes April 30
iew & bid at: bit.ly/FAauction

Mail Reception & Live Auction
June 13 at 6pm
field Drive, Falmouth, MA 02540
e Ticket / \$1,000 Table Sponsor / RSVP by June 1
erve tickets at: bit.ly/FAauction
mail development@falmouthacademy.org
welcome • silent & live auctions • live music
oeuvres • welcome drink • open bar (beer & wine)

Thank you to our lead sponsors
Ferreira & Vazquez, P.C. **The Valle Group**

ds benefit the Fund for Falmouth Academy, which supports
ncial aid, our faculty, community events, and more.
outh Academy is a 501(c)3 non-profit organization.



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: April 16, 2020

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install ±230' of conduit along Palmer Avenue (State Hwy)

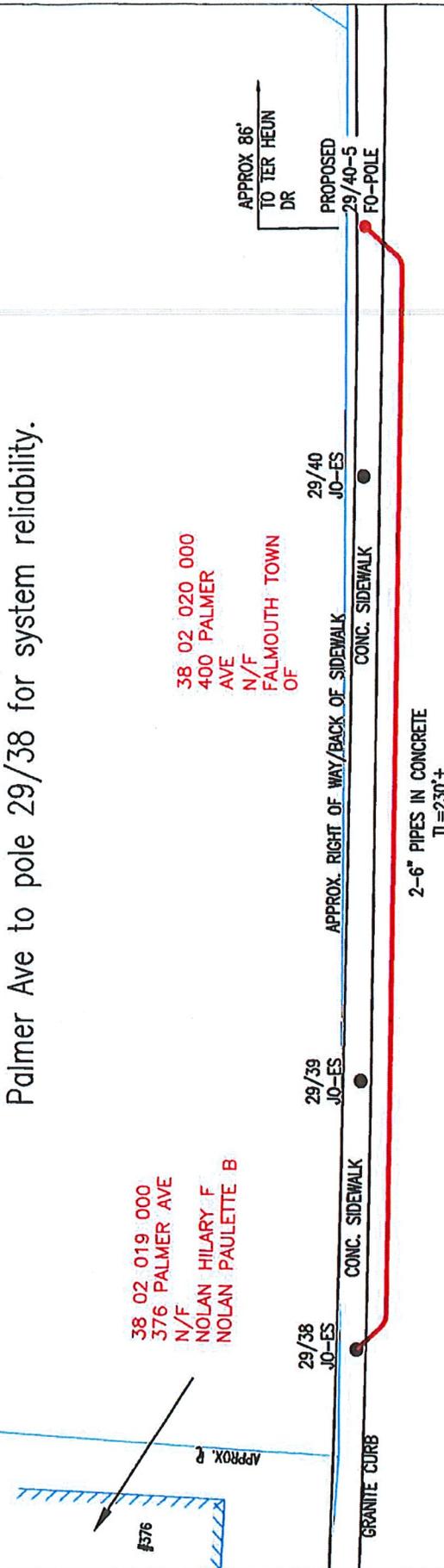
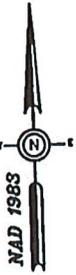
A petition was submitted by Eversource to install ±230' of underground conduit from pole 29/40.5 (new) along Palmer Avenue (State Hwy) to pole 29/38 for system reliability purposes.

The Engineering recommendation is to approve the request as submitted on Plan No. 2380826, W/O #2380826, dated March 12, 2020.

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

Plan to accompany petition of EVERSOURCE ENERGY to install 230' of conduit from pole 29/40-5 along Palmer Ave to pole 29/38 for system reliability.



LEGEND

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- - Existing Conduit
- Proposed Pole
- Existing Pole
- Pole with Riser
- Ⓜ Proposed Multitap
- Ⓜ Proposed Manhole

EVERSOURCE
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of PALMER AVE, FALMOUTH

Showing PROPOSED CONDUIT LOCATION

Scale 1"=30'

Date MARCH 12, 2020

SHEET 1 of 1

Plan # 2380826

Ward #

Work Order # 2380826

Surveyed by: N/A

Research by: SC

Plotted by: JC

Proposed Structures: TL

Approved: A DEBENEDICTIS

P#

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS MADE WITH RESPECT TO THE INFORMATION, WHETHER INSURE ELECTRIC COMPANY, NSTAR GAS COMPANY AND ITS PARCEL, ATTORNEYS, 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.

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

SCALE IN FEET



50 Duchaine Blvd
New Bedford, MA 02745

March 13, 2020

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 **Palmer Avenue, Falmouth, Massachusetts.**

This proposed location(s) is required for system reliability. This petition will require a notice to abutters and a hearing.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Donna Rosa".

Donna Rosa
Right-of-Way
Representative

DR: dh
Enclosures



**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Falmouth, Massachusetts

MARCH 12, 2020

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:-

**PALMER AVENUE, South of Ter Heun Drive
WO# 2380826**

Two (2) 6" 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. **2380826**, Dated **MARCH 12, 2020**.

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 12 day of MARCH, 2020.

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. **2380826**, Dated **MARCH 12, 2020**, 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:-

**PALMER AVENUE, South of Ter Heun Drive
WO# 2380826**

Two (2) 6" 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 27th day of April, 2020.

Clerk of Selectmen.

Massachusetts _____, 2020.

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

Attest:

Town Clerk

(over)

CA-104 EO REV 2-81

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

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

We hereby certify that on April 16, 2020, at 2:00 o'clock, P. M., at Town Hall-Zoom a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) for permission to install and maintain underground cables, conduits, manholes and fixtures and described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate, (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

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

.....
Selectmen of the Town of **Falmouth**
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the _____ day of _____, 2020, and recorded with the records of location orders of said Town Book, _____ Page _____.

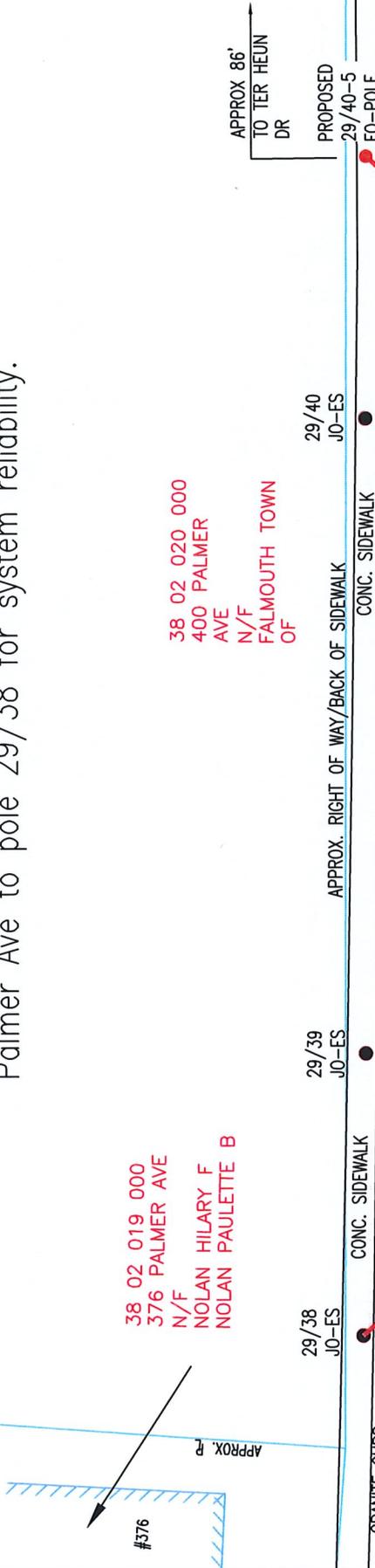
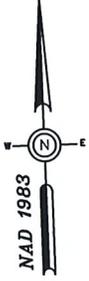
This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk.

Plan to accompany petition of EVERSOURCE ENERGY to install 230' of conduit from pole 29/40-5 along Palmer Ave to pole 29/38 for system reliability.

NAD 1983



38 02 019 000
376 PALMER AVE
N/F
NOLAN HILARY F
NOLAN PAULETTE B

38 02 020 000
400 PALMER AVE
N/F
FALMOUTH TOWN OF

29/38
JO-ES

29/39
JO-ES

29/40
JO-ES

APPROX 86'
TO TER HEUN
DR

PROPOSED
29/40-5
FO-POLE

2-6" PIPES IN CONCRETE
TL=230'±

PALMER AVE

BACK OF SIDEWALK

CONC. SIDEWALK

GRANITE CURB
CONC. SIDEWALK

APPROX. RIGHT OF WAY

38 04 035 003C
373 PALMER AVE
N/F
DIAS TRUSTEE ALBERT S
PALMER AVENUE REALTY
TRUST

38 04 034 000
397 PALMER AVE
N/F
MARTHAS VINEYARD
SAVINGS BANK

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- ⊖ Existing Hand Hole
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SCALE IN FEET

NSTAR EVERSOURCE ELECTRIC 0701/A 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
Plan of PALMER AVE, FALMOUTH	
Plan #	2380826
Ward #	
Work Order #	2380826
Surveyed by:	N/A
Research by:	SC
Plotted by:	JC
Proposed Structures:	TL
Approved:	A DEBENEDICTIS
Scale	1"=30'
Date	MARCH 12, 2020
P#	
Showing PROPOSED CONDUIT LOCATION	

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TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

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397 PALMER AVE 38 04 034 000
MARTHAS VINEYARD SAVINGS BANK LUC: 341
PO BOX 1069
EDGARTOWN, MA 02539

0 PALMER AVE 38 02 018 000
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NOLAN PAULETTE B
376 PALMER AVE
FALMOUTH, MA 02540-2862

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NOLAN HILARY F LUC: 101
NOLAN PAULETTE B
PO BOX 583
FALMOUTH, MA 02541-0583

376 PALMER AVE
CERTIFIED



Melanie J. Bush
Asst. Assessor/Treasurer
Town of Falmouth
March 31, 2020

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(Reprinted from the blog
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Best Withdrawn

fifth bedroom is
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ive bedrooms and
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square feet, 51
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welcome • silent & live auctions • live music
oeuvres • welcome drink • open bar (beer & wine)

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in advance of the meeting to selectmen@falmouthma.gov
at least 5 hours prior to
the beginning of the meeting. Submitted email
comments will be read into the record at the
appropriate points in the meeting.

3. Applicants, their representatives and individu-
als with enforcement matters before the Hearing
may appear remotely and are not required to be
physically present. Applicants, their representa-
tives and individuals with enforcement matters
before the Hearing may contact the Town Man-
ager & Selectmen's Office to arrange an alternative
means of real time participation if unable to use
the Zoom virtual meeting software. Document-
ary exhibits and/or visual presentations should
be submitted in advance of the meeting to the
Town Manager's Office at townmanager@falmouthma.gov
so they may be displayed for
remote public access viewing.

Per Order of the Falmouth Board of Selectmen

April 3, 2020

Falmouth Zoning Board of Appeals Notice of Public Hearing for April 30, 2020

Notice is hereby given of the following Public
Hearing @ 6:30pm and Open Meeting in the
Selectmen's Meeting Room, Town Hall **See
Agenda for virtual attendance** on Thursday
April 30, 2020

Continuation(s)

#096-19 March, 94 Nantucket Ave., Falmouth
#008-20 Arthur, 40 Loren Road, North Falmouth
#090-19 Reppucci, 24 Prospect Street, Falmouth
#005-20 Noonan, 183 Surf Drive, Falmouth

#006-20 Schubert, Trustee, 23 Ormond Drive,
East Falmouth

#007-20 Messer / Bennett, 190 Goeletta Drive,
Hatchville

**Application #018-20 Carrie L. and Peter L.
Tamm:** Applied to the Zoning Board of Appeals
for a special permit pursuant to section(s) 240-
69 E. and 240-3 C. of the Code of Falmouth to
construct a screened porch; increasing lot cov-
erage by structures on subject property known
as 8 Blacksmith Shop Road, West Falmouth, Ma.

Files are available in the Board of Appeals Office
at Town Hall for review by interested parties.

April 3, 10, 2020

In accordance with the Governor's Order Sus-
pending Certain Provisions of the Open Meeting
Law, G. L. c. 30A, § 20, relating to the 2020 novel
Coronavirus outbreak emergency, the April 16,
2020, public meeting upon the petition of
NSTAR Electric Company d/b/a Eversource
Energy to locate One (1) FO Pole at Palmer
Avenue, South of Ter Heun Drive, shall be
physically closed to the public to avoid group
congregation.

Alternative public access to this meeting shall be
provided in the following manner:

1. Real-time public comment can be addressed to
the Town Engineer utilizing the Zoom virtual
meeting software for remote access. This appli-
cation will allow users to view the meeting and
send a comment or question to the meeting via
the Chat function. Submitted text comments will
be read into the record at the appropriate points
in the meeting.

a. Zoom Login instructions:

i. Instructions and the meeting link for this spe-
cific meeting can be found at the following web
address: <http://www.falmouthmass.us/pole>
ii. Please plan on 10-15 minutes of preparation
time to log in though it may be less if you have
previously used Zoom on the device you will use
to access this meeting.

2. Additionally public comments may be sent
in advance of the meeting to selectmen@falmouthma.gov
at least 5 hours prior to
the beginning of the meeting. Submitted email
comments will be read into the record at the
appropriate points in the meeting.

3. Applicants, their representatives and individu-
als with enforcement matters before the Hearing
may appear remotely and are not required to be
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tives and individuals with enforcement matters
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so they may be displayed for
remote public access viewing.

Per Order of the Falmouth Board of Selectmen

April 3, 2020



April 23, 2020

Office of the Town Manager and Selectmen
Town of Falmouth Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

RE: Request to Continue Public Hearing -- 5 Canapitsit Drive, East Falmouth, MA

Dear Chairman and Members of the Board:

This letter is in regard to the above referenced wetland/dock application. On behalf of the Applicant, we request the Board of Selectmen vote to continue the April 27, 2020 Public Hearing for two (2) months, to the next available date to provide additional time to continuing ongoing settlement efforts.

If you agree to continue the hearing, please forward an Agreement for Extension of Statutory Hearing, Decision and Filing Deadline for our execution.

Thank you in advance for your consideration.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Costa', is written over a faint, light blue circular watermark.

Matthew C. Costa, P.L.S., R.S.
President

Cc: Attorney Glenn Wood
Nikolas J., John S. and Anthony P. Pentikis/James N. Pentikis Trust udt



TOWN OF FALMOUTH

BOARD OF SELECTMEN

AGREEMENT FOR EXTENSION OF STATUTORY HEARING, DECISION AND FILING DEADLINE

The Applicant, Nikolas J., John S. and Anthony P. Pentikis/James N. Pentikis Trust UDT, P.O. Box 901, East Falmouth, MA 02536, hereby agrees to an extension for the statutory hearing, decision and filing deadline for 5 Canapitsit Drive, East Falmouth, MA requesting a Permit to Dredge, Fill or Alter Wetlands under Section 240-77 (Wetland Regulations) of the Zoning Bylaws for permission to license, retain and maintain two (2) existing 4' x 20' floats in and over the waters of Eel Pond Canal, which was filed with the Town Clerk on January 27, 2020. The hearing was scheduled to open on March 9, 2020. At the request of the Applicant, the hearing has been continued to April 27, 2020, and further continued to June 15, 2020. The Board's written decision shall be filed with the Falmouth Town Clerk in a timely manner, following the close of the hearing.

The above extension has been agreed to by the Applicant:

Signature of Representative for Applicant

Date

The above extension has been agreed to by the Falmouth Board of Selectmen:

Signature of Board of Selectmen Chairman or Clerk

Date

Filed with the Town Clerk on _____



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

PUBLIC HEARING NOTICE

The Falmouth Board of Selectmen will hold a public hearing under Section 240-77 (Wetland Regulations) of the Zoning Bylaws of the Town of Falmouth on Monday, March 9, 2020 at 7:30 p.m. in the Selectmen's Meeting Room, Falmouth Town Hall, on the application of Nikolas J., John S., Anthony P. Pentikis/James N. Pentikis Trust, UDT for permission to license, retain and maintain two (2) existing 4'x20' floats in and over the waters of Eel Pond Canal. There is an existing Waterways License for the bulkhead, No. 4471, at 5 Canapitsit Drive, East Falmouth MA. Area affected is Eel Pond. Interested parties may review the file on this hearing at the Selectmen's Office.

Per Order of the
Board of Selectmen

Publication dates: Friday, February 14, 2020, and Friday, February 21, 2020. Falmouth Enterprise.



TOWN OF FALMOUTH

BOARD OF SELECTMEN

AGREEMENT FOR EXTENSION OF STATUTORY HEARING, DECISION AND FILING DEADLINE

The Applicant, Nikolas J., John S. and Anthony P. Pentikis/James N. Pentikis Trust UDT, P.O. Box 901, East Falmouth, MA 02536, hereby agrees to an extension for the statutory hearing, decision and filing deadline for 5 Canapitsit Drive, East Falmouth, MA requesting a Permit to Dredge, Fill or Alter Wetlands under Section 240-77 (Wetland Regulations) of the Zoning Bylaws for permission to license, retain and maintain two (2) existing 4' x 20' floats in and over the waters of Eel Pond Canal, which was filed with the Town Clerk on January 27, 2020. The hearing was scheduled to open on March 9, 2020. At the request of the Applicant, the hearing has been continued to April 27, 2020. The Board's written decision shall be filed with the Falmouth Town Clerk in a timely manner, following the close of the hearing.

The above extension has been agreed to by the Applicant:

Olen Wood

Signature of Representative for Applicant

3-5-2020

Date

The above extension has been agreed to by the Falmouth Board of Selectmen:

[Handwritten Signature]

Signature of Board of Selectmen Chairman or Clerk

3-10-2020

Date

Filed with the Town Clerk on _____



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

FINANCIAL STATEMENT

April 24, 2020

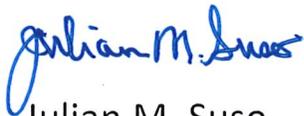
The challenging circumstances related to the COVID-19 pandemic of the past several weeks and for the immediate foreseeable future will have an impact on the Town of Falmouth's revenues. Certainly, "normal" annual revenues from hotel/motel/lodging taxes, meals tax, motor vehicle excise and beach parking fees will be temporarily interrupted. Falmouth's major annual revenue stream from real estate taxes and personal property is likely to remain relatively stable. Water/sewer service charges may be affected. A further informed analysis of financial impacts demands additional time and more detailed review into the coming weeks. There is certainty that our FY 2020 revenues will be lower than expected but will nonetheless meet and slightly exceed our estimates.

The fact that Falmouth has, over the past several years, consistently operated in a prudent and financially responsible manner which included purposely conservative revenue projections and cautious spending trends now will serve the Town well in responding to the short-term financial impacts of this pandemic. This financial strategy has facilitated the Town having adequate, planned financial reserves in place to continue basic municipal operations for the upcoming Fiscal 2021 budget. This will of course require some adjustments in revenue sources which will be brought to the Board of Selectmen and the Finance Committee in advance of the Spring Town Meeting. Two recommendations that we are discussing is reallocating our yearly reserve revenue to the Operating Budget (\$1.5M) and decreasing the health insurance budget.

We recognize that some municipalities, pursuing a different historic approach to budgeting and financial management, are likely

finding themselves in short-term financial difficulties. As noted, it is no accident that this is not the case with the Town of Falmouth, and it is imperative that we utilize the time in the coming 2-3 months to be certain that we best understand and anticipate the coming period of recovery following this pandemic.

We continue to closely monitor all Town financial conditions and circumstances going forward and will keep the Board of Selectmen apprised.



Julian M. Suso
Town Manager



Jennifer Mullen
Director of Finance



Town of Falmouth



Department of Public Works

Peter M. McConarty, P.E., P.L.S.
Director of Public Works

416 Gifford Street
Falmouth, MA 02350
Cape Cod

Telephone: (508) 457-2543
Fax: (508) 548-1537
Email: peter.mcconarty@falmouthma.gov

DATE: April 24, 2020
TO: Julian Suso, Town Manager
FROM: Peter McConarty, Director of Public Works *P.M.M.*
RE: Board of Selectmen Presentation - 2020 Public Works Project List.

In preparation for a Public Works project update to the Board of Selectmen, I have included the below background information regarding our current operating conditions and 2020 Public Works construction project list.

We have been working on our 2020 project planning schedule since early fall of 2019. Due to the Coronavirus pandemic, Public Works has had to revise our capabilities and working operations to reflect Covid-19 Federal and State requirements and guidelines.

Due to these revisions, Public Works had to pull back with our planned work because of the social distancing requirements along with the strict guidelines for worker safety and proper Personal Protection Equipment. Public Works has also experienced some staff reduction due to Covid-19 medical concerns.

To be in compliance with the Covid-19 guidelines, we have implemented the following:

- Employees are being separated as much as possible.
- Only one employee per DPW truck.
- Staff that need to work in close quarters to each other are taking additional precautions.
- Public Works staff have been instructed to clean the Public Works building and vehicles / equipment multiple times a day with a goal of three times / day minimum.
- We are altering or postponing tasks that are non-urgent.

Along with these new implementations, I have instructed Division Heads (until further notice) to concentrate on maintenance tasks and not add any additional projects to the current list shown below unless authorized by me.

The final result is that Public Works is concentrating on the Town's maintenance needs and we are relying on our Contractors to perform more of the project construction tasks that are normally performed by our staff.

Due to our operational revisions, along with additional reliance on our contractors and current period of uncertainty, we are closely monitoring the funding required to complete each project to ensure that the allotted funding is not exceeded. Along with this additional funding oversight, it is imperative that we prioritize our project list to ensure that our fundamental infrastructure needs are met. Under the current conditions, not all of the listed projects can be completed at this time and consideration must be given to delay several of the projects given our limitations in manpower resources and available funding.

It must be emphasized that none of the projects are proposed for cancellation, but several must necessarily be delayed.

Each listed project below contains additional information regarding current status, funding availability and recommendations.

I will be in remote attendance at Monday's meeting and will provide additional background information and answer questions on each of the below listed projects:

▪ **Roadway / Bike Path repair and improvements:**

- Main Street, Route 28 Water Main Replacement Project – Palmer Avenue to Oxbow Road (East).
Project is ongoing and expected to be completed by end of year 2020.
- Queens Buyway Reconstruction – Palmer Avenue to Town Green.
Roadway, drainage and sidewalks were failing and reconstruction was required. Project is underway and anticipated to be completed by May / June 2020.
- Brick Kiln Road Paving – Gifford Street to Sandwich Road.
Roadway was failing and repaving was required. Project is underway and anticipated to be completed by end of April 2020.
- Jones Road Paving – Palmer Avenue to Gifford Street.
Roadway was failing and repaving was required. Project is underway and anticipated to be completed by end of April 2020.
- Ashumet Road Paving – Route 151 to Hoop Pole Road.
Roadway was failing and repaving was required. Project is underway and anticipated to be completed by end of May 2020.
- Palmer Avenue Paving – Woodrise development to Pumping Station Road.
(MassDOT project, coordination with Falmouth Public Works)
Project is funded and scheduled through MassDOT. Project is anticipated to be completed by late spring.
- Trunk River Bridge (Shining Sea Bike Way) Replacement.
Bridge was in complete failure and needed to be replaced. Project is underway and anticipated to be completed by May / June 2020.
- Trunk River Revetment Replacement.
Due to coastal storms, the revetment and erosion work was permitted for construction. Project is underway, however paving limits have been modified to be contained within the project area only. Work is anticipated to be completed by end of June 2020.

▪ **Project Design:**

- Main Street (Phase 1), Davis Straits (Phase 2), Teaticket Highway (Phase 3), Upgrade.
Comments have been received back from MassDOT and design is ongoing. Public Works has ended our services contract with the previous Transportation Consultant and is now contracted with Greenman Pederson, Inc. Transportation Engineers. Additional details will be described during the presentation.
- Route 151 - Sam Turner / Boxberry Hill / Cloverfield Road intersection.
Conceptual Design is ongoing. At some point in the short term future, we would like to have our Transportation Consultant give a Board of Selectmen presentation on several conceptual options for the intersection. This intersection is considered the most dangerous intersection in town with many accidents and a fatality back in 2017. Construction funding has not been allocated for this project.
- Route 151 – Sandwich Road intersection upgrade.
Final Design is almost complete. At some point in the short term future, we would like to have our Transportation Consultant give a Board of Selectmen presentation on the final design of the intersection. Construction funding has not been allocated for this project.

- Gifford Street / Jones Road intersection.
Conceptual Design is ongoing. At some point in the short term future, we would like to have our Transportation Consultant give a Board of Selectmen presentation on several conceptual options for the intersection. This intersection is considered the most congested intersection in town causing major morning / afternoon delays. Construction funding has not been allocated for this project.
- Palmer Avenue crosswalk to Goodwill Park.
Design is ongoing and our Engineering Division is moving forward with final design. Construction funding has not been allocated for this project.

▪ **Projects and Engineering Design Delayed:**

- Chapoquoit Beach Parking Lot Queue Lane.
This project was not part of the Public Works budget. Budget evaluations from last Fall that indicated possible funding needed to be reviewed and revised to reflect our current operating conditions as indicated above. This project will be delayed until funding is appropriated.
- Quissett Harbor Road
Asphalt milling and paving scheduled will be delayed until further notice.
- Deepwood Drive
Asphalt milling and paving scheduled will be delayed until further notice.
- Sandwich Road
Asphalt milling and paving scheduled will be delayed until further notice.
- Old Main Road
Asphalt milling and paving scheduled will be delayed until further notice.
- Bike Path – North Falmouth Extension to Bourne Town Line.
Design funding has been requested through our Chapter 90 program. Due to the large funding allocation that is required for this design, we are looking to delay the design approval in order to maintain available funding during the current and short term future.

Please let me know if more information is needed prior to Monday's meeting.

2020 Special Events

Event	Applicant	Location	Day of Week	Mo	Month	Day
Gosnold Polar Plunge	Elizabeth de la Cour, Gosnold Inc.	Falmouth Heights Beach	Saturday	1	January	4
Seagull Six Road Race - CANCELLED	Falmouth Track Club	Woods Hole	Sunday	3	March	29
Easter Egg Scramble - CANCELLED	Falmouth Village Assoc.	Peg Noonan Park & Library Lawn	Saturday	4	April	11
Trump Rally - CANCELLED	Brian McCormick	Peg Noonan Park	Saturday	4	April	18
Cinco de Mayo Woods Hole - WAITING TO POSTPONE	Beth Colt	Quicks Hole Taqueria & Luscombe Ave.	Saturday	5	May	2
Liam Maguire's Almost 5-Miler - CANCELLED to 5/23/2021	PCB Race Management	Town Hall Square	Sunday	5	May	10
Spring at Spohr - CANCELLED	Bill Kerfoot, Spohr Gardens	Spohr Gardens, Fells Road	Saturday	5	May	16
Stroll & Roll for Compassionate Care ALS - OCTOBER 24	Ron Hoffman, Comp Care ALS	Bourne Farm - Bike Path	Saturday	5	May	16
Farmer's Market - OPEN WITH MDAR BEST PRACTICES	Falmouth Farmer's Market	Marina Park	Thursdays	5	May	28
Wounded Warrior Soldier Ride - CANCELLED	Carole Kenney, Fal Mil Support	Bike Path	Friday	5	May	29
<i>BBC Oyster & Beer Fest - received, not reviewed</i>	<i>British Beer Company</i>	<i>British Beer Company Lot</i>	<i>Saturday</i>	<i>5</i>	<i>May</i>	<i>30</i>
Pedal to Parcels - SEPTEMBER 6	The 300 Committee	Andrews Farm to Conservation Areas	Sunday	5	May	31
Memorial Day Parade and Ceremony - WAITING	Town of Falmouth	Village Green to Memorial Lane	Monday	5	May	25
Woods Hole May Festival - no application submitted	Woods Hole Community Assoc.	Taft Playground & Ballfield	Saturday	5	May	
<i>BBC Oyster & Beer Fest (RAIN DATE) - not reviewed</i>	<i>British Beer Company</i>	<i>British Beer Company Lot</i>	<i>Saturday</i>	<i>6</i>	<i>June</i>	<i>6</i>
June Jog - CANCELLED	Melissa Keefe, EFES PTO	Falmouth Heights Beach - EFES	Sunday	6	June	7
Arts Alive Festival - CANCELLED	ArtsFalmouth, Inc.	Shore St. Ext., Library Lawn	Friday	6	June	12
Arts Alive Festival - "	ArtsFalmouth, Inc.	Shore St. Ext., Library Lawn	Saturday	6	June	13
Arts Alive Festival - "	ArtsFalmouth, Inc.	Shore St. Ext., Library Lawn	Sunday	6	June	14
Classic Car Show - CANCELLED	Falmouth Classic Car Club	Bandshell & Marina Park	Sunday	6	June	14
Juneteenth - waiting reply	Woods Hole Diversity Committee	Peg Noonan Park	Saturday	6	June	20
Education Day 5K - CANCELLED	Lindsay Benson	Falmouth Heights Ball Field	Sunday	6	June	21
Bike Parade - WILL POSTPONE IF NECESSARY	Falmouth Village Assoc.	Main St. (St. Barnabas to Library)	Saturday	6	June	27
Sunday Worship - WAITING RE: JUNE DATE	John Wesley United Methodist Ch	Surf Drive Beach	Sundays	6	June	28
Walk for HOPE - SEPTEMBER 13	Housing Assistance Corp.	Village Green Start/Finish	Sunday	6	June	28
Farmer's Market	Falmouth Farmer's Market	Marina Park	Thursdays	6	June	4, 11, 18, 25
Falmouth Day of Play - no application submitted	Falmouth Rotary Club	Mullen-Hall School	Saturday	6	June	
4th of July Fireworks - COMMITTEE MEETING NEXT WEEK TO DISCUSS. POSSIBLE SEPTEMBER 5 ALT.	Falmouth Fireworks Committee	Falmouth Heights Beach & Field	Friday	7	July	4
Run Jack Run Family Fun Run/Walk - CANCELLED	Samantha Pearsall Mueller	Trotting Park Soccer Fields	Friday	7	July	4
Arts & Crafts Street Fair - SEPTEMBER 20?	Falmouth Village Assoc.	Main Street	Wednesday	7	July	8
Arts & Crafts Street Fair (RAIN DATE)	Falmouth Village Assoc.	Main Street	Thursday	7	July	9
Falmouth Sprint Triathlon - AUGUST 9 or 23?	New England Endurance Events	Surf Drive Beach	Sunday	7	July	12
Harbor Light Illumination Concert Series - waiting reply	Lillian Kazanis	Bandshell & Marina Park	Saturday	7	July	18
Classic Car Show - POSSIBLE CANCELLATION	Falmouth Classic Car Club	Bandshell & Marina Park	Sunday	7	July	19
Rockin' Recovery Concert - WAITING TO DECIDE IN MAY	Recovery Without Walls	Old Silver Beach (resident side)	Wednesday	7	July	29
Rockin' Recovery Concert (RAIN DATE)	Recovery Without Walls	Old Silver Beach (resident side)	Thursday	7	July	30

2020 Special Events

Event	Applicant	Location	Day of Week	Mo	Month	Day
Bayside Drive Neighborhood Cookout - no application	Edward Moritz	Bayside Drive	Saturday	7	July	
Waquoit Summer Bazaar - no application submitted	Waquoit Congregational Church	Parsons Lane	Saturday	7	July	
Waquoit Summer Bazaar	Waquoit Congregational Church	Parsons Lane	Sunday	7	July	
Concerts in the Park	Falmouth Village Assoc.	Peg Noonan Park	Fridays	7	July	10, 17, 24, 31
Art Market - WAITING TO DECIDE IN MAY	Cultural Council	Marina Park	Thursdays	7	July	2, 9, 16, 23, 30
Farmer's Market	Falmouth Farmer's Market	Marina Park	Thursdays	7	July	2, 9, 16, 23, 30
Sunday Worship	John Wesley United Methodist Ch	Surf Drive Beach	Sundays	7	July	5, 19
MBL 4th of July Parade - no application submitted	MBL	School St-Water St-MBL	Friday	7	July	
Paul White Road Race - no application submitted	Scott Muma	North Falmouth Library	Saturday	7	July	
Coast Fest	Luke Vose	Bandshell	Saturday	8	August	1
Butterfly Garden Day	Bill Kerfoot, Spohr Gardens	Spohr Gardens, Fells Road	Saturday	8	August	8
Classic Car Show	Falmouth Classic Car Club	Bandshell & Marina Park	Sunday	8	August	9
Harbor Light Illumination Concert Series	Lillian Kazanis	Bandshell & Marina Park	Saturday	8	August	15
The Falmouth Walk	Tom Walrath	Town Hall Square	Saturday	8	August	15
Falmouth Road Race - POSSIBLE POSTPONE TO NOV. 15	Falmouth Road Race, Inc.	Woods Hole - Falmouth Heights	Sunday	8	August	16
BBC Post Road Race Beer Garden - no application subm.	British Beer Company	British Beer Company Lot	Sunday	8	August	16
Harbor Light Illumination Concert Series	Lillian Kazanis	Bandshell & Marina Park	Saturday	8	August	29
Blues & Views Concert - no application submitted	William Maurer	Bandshell & Marina Park	Wednesday	8	August	
Wings for Falmouth Families - no application submitted	Wings for Falmouth Families	Marina Park	Tuesday	8	August	
Sunday Worship	John Wesley United Methodist Ch	Surf Drive Beach	Sundays	8	August	2, 9, 23, 30
Movies in the Park	Falmouth Village Assoc.	Peg Noonan Park	Wednesdays	8	August	5, 12, 19, 26
Art Market	Cultural Council	Marina Park	Thursdays	8	August	6, 13, 20, 27
Farmer's Market	Falmouth Farmer's Market	Marina Park	Thursdays	8	August	6, 13, 20, 27
Shakespeare at the Bandshell - CANCELLED	Richard Mover	Bandshell		8	August	8, 10, 11, 12, 17, 18, 19, 21, 22, 23
Falmouth Rotary Club Craft Fair	Bill Kerfoot, Rotary Club	Bandshell & Marina Park	Saturday	9	September	5
Falmouth Rotary Club Craft Fair	Bill Kerfoot, Rotary Club	Bandshell & Marina Park	Sunday	9	September	6
Sunday Worship	John Wesley United Methodist Ch	Surf Drive Beach	Sundays	9	September	6
Falmouth Rotary Club Craft Fair (RAIN DATE)	Bill Kerfoot, Rotary Club	Bandshell & Marina Park	Monday	9	September	7
Main Street Mile	Falmouth Track Club	Village Green to Surf Drive	Sunday	9	September	8
Bike Ride for Homes	Habitat for Humanity	Bike Path	Sunday	9	September	13
Autumn Escape Bike Trek	American Lung Association	Stop at Surf Drive Beach	Friday	9	September	25
Striper Fest	On the Water LLC	Bandshell & Marina Park	Saturday	9	September	26
Striper Fest (RAIN DATE)	On the Water LLC	Bandshell & Marina Park	Sunday	9	September	27
Zooma Women's Half Marathon	Sarah Ratzlaff, Matt Auger	Seacrest, N. Falmouth	Sunday	9	September	27
Falmouth 4 Christ - no application submitted	Revival Church for the Nations	Bandshell & Marina Park	Saturday	9	September	

2020 Special Events

Event	Applicant	Location	Day of Week	Mo	Month	Day
Falmouth Dream Cruise - no application submitted	Falmouth Classic Car Club	Shore St. Ext., Library Lawn	Saturday	9	September	
Sea Around Us - no application submitted	Woods Hole Business Association	Waterfront Park/Close Luscombe Ave	Sunday	9	September	
Farmer's Market	Falmouth Farmer's Market	Marina Park	Thursdays	9	September	3, 10, 17, 24
Kirwin-Murray Bike Ride	Matt Patrick		Sunday	10	October	11
Kirwin-Murray Bike Ride (RAIN DATE)	Matt Patrick		Monday	10	October	12
Jazz Stroll	ArtsFalmouth, Inc.	Queen's Buyway, Main St., PNP	Saturday	10	October	17
Cape Cod 1/2 Marathon & 5K - rec'd./pending review	Falmouth Track Club, Jack Afarian	Town Hall Square	Saturday	10	October	24
Cape Cod Marathon & Relay - rec'd./pending review	Falmouth Track Club, Jack Afarian	Town Hall Square	Sunday	10	October	25
Cape Cod Marathon Kids' Fun Run - rec'd./pending rev.	Falmouth Track Club, Jack Afarian	St. Barnabas Church Campus	Sunday	10	October	25
Buzzards Bay Watershed Ride - rec'd./pending review	Buzzards Bay Coalition	Bike Path to MBL, Woods Hole	Sunday	10	October	
Lennonfest - no application submitted	British Beer Company	Falmouth Heights Ball Field	Sunday	10	October	
Farmer's Market	Falmouth Farmer's Market	Marina Park	Thursdays	10	October	1, 8
Falmouth in the Fall Road Race	Carl Gustafson, Cape Cod Moves	Woods Hole - Falmouth Heights	Sunday	11	November	1
Farmer's Market	Falmouth Farmer's Market	Marina Park	Tuesday	11	November	24
Holiday Stroll	Falmouth Village Assoc.	Main Street	Saturday	12	December	5
Christmas Parade - no application submitted	Chamber of Commerce	Dillingham-Davis Straits-Main St	Sunday	12	December	
Jingle Jog & Elf Run - no application submitted	Chamber of Commerce	Main St - Walker St - Shore St - Back	Saturday	12	December	
Main Street Stroll - no application submitted	Chamber of Commerce/Village As	Close Main Street	Saturday	12	December	
Weddings:						
	Franklin	Old Silver Beach	Friday	5	May	8
	Parrelli	Chapoquoit Beach	Saturday	5	May	16
	<i>Frawley - not approved</i>	<i>Falmouth Heights Beach</i>	<i>Saturday</i>	<i>5</i>	<i>May</i>	<i>30</i>
	Curran	Surf Drive Beach	Saturday	7	July	25
	Alfieri	Old Silver Beach	Saturday	9	September	26
Cape Cod Fairground Events: MAY & JUNE EVENTS CANCELLED						
Bands for Badges	Bands for Badges Inc.	Cape Cod Fairgrounds	Saturday	8	August	22
Cape Cod Brew Fest	Matt Gray - Gray Matter Marketing	Cape Cod Fairgrounds	Saturday	9	September	19
Legend:						
Yellow = Application not received yet.						

SELECTMEN'S MEETING – April 27, 2020

BOARD OF SELECTMEN REAPPOINTMENTS

**INSPECTOR OF ANIMALS
1-YEAR TERMS**

<u>NAME</u>	<u>TERM EXPIRES</u>
Philip G. Lang	4/30/21
Daniel J. Donahue	4/30/21
Jessica Gow	4/30/21
Jenna Silva	4/30/21
Scott McGann	4/30/21

SEASONAL LIQUOR LICENSE and SPRING 2020 RENEWALS – April 27, 2020

Lodging House License

Captain Tom Lawrence Inn, 75 Locust Street, Falmouth

Inn on the Sound, 313 Grand Avenue, Falmouth

Woods Hole Passage B&B Inn, 186 Woods Hole Road, Falmouth

Elizabeth Hathon, 165 North Falmouth Highway, North Falmouth

Woods Hole Inn, 28 Water Street, Woods Hole

Second-Hand Dealer License

Uncle Bill's Country Store, 412 North Falmouth Highway, North Falmouth

St. Vincent De Paul's Thrift Shop, 18A Davisville Road, East Falmouth

Village Lamp, 628 West Falmouth Highway, West Falmouth

Hannoush Jewelers, 352 Main Street, Falmouth

Harmony Hut, 105 Spring Bars Road, Falmouth

Hand in Hand Thrift Shop, 141 Sandwich Road, East Falmouth

Cash Point, 350 East Falmouth Highway, East Falmouth

TOWN OF FALMOUTH
BOARD OF SELECTMEN
MONDAY, MARCH 23, 2020
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

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

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the March 23, 2020 public meeting of the Falmouth Board of Selectmen was physically closed to the public to avoid group congregation.

Alternative public access to this meeting was provided via Falmouth Community Television and utilizing Zoom virtual meeting software. Applicants, their representatives, and individuals required to appear before the Board of Selectmen may appear remotely and were not required to be physically present.

1. Call to Order by Chair English Braga at 7 p.m.
2. Pledge of Allegiance
3. Proclamations:
 - a. Falmouth Chamber of Commerce's 2020 Falmouth Citizen of the Year – Brenda Swain
Chair English Braga read the proclamation in the packet as a motion. Second Mr. Brown. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.
 - b. Arbor Day, April 28, 2020
Chair English Braga read the proclamation in the packet as a motion. Second Ms. Moran. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.
 - c. National Public Safety Telecommunicators Week, April 12-18, 2020
Chair English Braga read the proclamation in the packet as a motion. Second Mr. Brown. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.
4. Recognition
Mr. Patterson recognized with gratitude those on the front lines responding to this crisis including: Fire and Rescue Dept. staff, FPD staff, DPW, Town Administration, teachers, School Dept. staff, VIPS, Falmouth Service Center staff and volunteers, senior and assisted living workers, nursing home workers, hospital staff, clinic staff, physicians serving their patients, home health care aides, pharmacy personnel, grocery store staff, delivery drivers, mail, along with State and Federal Government employees. News media, gas, telecommunications, and others in the private sector. Neighbors assisting those who cannot get out of their home.

The Board of Selectmen (BOS) recognized that some people are congregating at the beaches and asked them not to continue congregating in large groups.
5. Announcements

Mr. Suso noted Gov. Baker issued a supplementary emergency order today and listed essential workers.

Scott McGann, Health Agent, reported on information regarding COVID-19. Social distancing is important, we will not know the effect of this for a couple weeks. The hospital is busy but okay, have fair amount of PPE and is seeking more equipment. VNA and Dept. of Public Health working on tracking the caseload. Press releases were posted on the website. If you do not fit on the list, there is a website that will

help assess what is considered essential. Closed schools done after consulting with school physician. Community spread is occurring throughout Town, social distancing has to continue. People need to spread out. Signs will be posted at hotspots throughout the Town. He attends regularly scheduled calls with the State. Dedicated page on the Town website for COVID-19. Instructions to get tested is posted on the website, it is updated daily.

Community spread can be from surfaces that may have had a wet sneeze. Majority is close contact with droplets and may not need to be as big and might breathe it in in the area.

Ms. English Braga received emails regarding 1. Anecdotal information from hospital workers and healthcare providers re: concern of availability of PPE. The hospital is accepting PPE at the Faxon entrance from those working in businesses that have extra PPE. The Town is making sure Town Personnel have the PPE they need. 2. People hear the number of positive cases; those are the official numbers that have been tested. The Town will only share the official numbers.

Mr. Suso noted there is a draft on the signs, they will be posted this week by DPW.

Mr. Patterson noted that we are responsible to others and when we are sick, we must stay home.

Mr. McGann noted that construction workers are considered essential.

Ms. Moran emphasized the need to be six feet apart.

Call the Health Department with any questions.

6. Affirm Appointment of Public Works Director

Mr. Suso recommended Peter McConarty and requests the BOS affirm his appointment.

Mr. Jones motion to affirm the appointment of Peter McConarty as DPW Director. Second Mr. Patterson. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

The Queens Byway project contractor will begin construction in about a week and take about 4-6 weeks.

SUMMARY OF ACTIONS

1. Licenses

- a. Approve Application for a Change of Manager of a Seasonal All Alcoholic Common Victualler License – The Landfall Restaurant, 9 Luscombe Avenue, Woods Hole

Donald Estes current manager and his daughter Kathleen Estes proposed manager. The business has been in the family for many years.

Mr. Jones explained liquor manager will be responsible for any liquor violations on the premises.

Mr. Patterson motion approval. Second Mr. Jones. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

- b. Application for Special One-Day Wine and Malt Liquor License – Barnstable County Agricultural Society – Barnstable County Fair, 1220 Nathan Ellis Highway – 7/20/20 – 7/26/20

Mr. Patterson motion approval. Second Ms. Moran. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

- c. Approve Applications for One-Day Wine and Malt Liquor Licenses – Fresh Pond Holy Ghost Society - Portuguese Festivals to be located at 408 Carriage Shop Road, East Falmouth – Sunday, 5/31/20; Saturday and Sunday, 7/27/20 and 7/28/20; and Saturday, 8/15/20

Mr. Jones motion approval. Second Mr. Patterson. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

- d. Approve Application for a Fortune Teller's License for Special Events – Lance Norris
Mr. Jones motion approval. Second Ms. Moran. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

2. Administrative Orders

- a. Vote to Accept FY20 Wellness Grant from the Cape Cod Municipal Health Group in the amount of \$600.00 to the Personnel Department Grant Account

Mr. Jones motion approval. Second Mr. Brown. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

- b. Vote to Accept Donation from the Falmouth Road Race, Inc. in the amount of \$45,000 for the Fuller Field Playground

Mr. Jones motion approval. Second Mr. Patterson. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

- c. Authorize Project Eligibility Letter regarding 40B Comprehensive Permit Application for Rosewood Place located on Percival Road near Teaticket Road intersection. Application proposes construction of 16 single-family, 3-bedroom houses of which 4 are proposed to be affordable.

Mr. Johnson-Staub explained it is a 40B application, the Town is not funding and can proceed with or without support of the BOS. 5.5 acres, does not align with Town's housing priorities, have a need for smaller units. Letter drafted with input from staff asking MA Housing and Developer to incorporate 1 and 2 bedroom units and change access to the property. The property is within the water protection resource district, in a zone that does not prohibit residential housing, but within the Long Pond Water Protection District.

Tom Bott noted that this is the first step. Described Percival Rd. location. If a subdivision, it would require Percival Rd be connected to Harness Drive. It won't cost lots or units, shifts the lots over. Better access for emergency services. Individual septic systems.

The draft letter is in the packet.

Mr. Patterson motion approval. Second Mr. Jones. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

7:30 p.m. PUBLIC HEARINGS

1. Flow Neutral Bylaw – Evaluation of Request for Variance – Ament Klauer LLP, representing Paul and Anne Rolincik – 51 Worcester Court, Falmouth (Parcel 46 00H 000 019)

Kevin Klauer, Ament & Klauer, representing the applicants. Increasing bedrooms at their residence. The structure is a 4 bedroom house, not a 3 bedroom. This is a 17,000 sq. ft. lot in Little Pond Sewer District and seeking 5 bedrooms. 1. Capacity exists and 2. System can be sited, submitted a 5 bedroom plan that does so. Recommendation referral from Ms. Lowell noted it is a 4 bedroom to 5 bedroom, site large enough to accommodate, each application is viewed uniquely. GIS map has comparison tool, of the 87 homes within 500 ft of this home, 7 homes are larger than this structure. Modest increase for this large and unique lot; could have had a larger system if prior to Little Pond Sewer District. Square footage 17,166 feet. He is not aware of any specific conversation with abutters or neighbors regarding this project application bedroom count.

Mr. Patterson noted limitation on discharge permit and asked Ms. Lowell if they got option to increase discharge from WW Treatment Plant.

Ms. Lowell said the current limit will not be increased until they get additional discharge capacity designed and improved. The Town submitted a plan to the State in December 2019 with plans for the next stage, but there is more to do. She hopes to get additional capacity within the 2024-2025 timeframe.

Mr. Brown noted only 7 other houses in that sewer area, but we should be thinking about the whole town, not just that area.

Ms. Lowell said that within a specific subarea he looked at there were 7 properties about the same size.

Ms. Lowell said that for this property looking at an additional bedroom, which the wastewater plant can accommodate the flow from the 1 additional bedroom. Flow Neutral Bylaw drafted to help the Town live within planning thresholds for this area, designed for a certain flow and there is some flexibility within that number, but the flow basis assumes flow will be limited within the constraints of the bylaw. There are approximately 1200 properties in this service area that could request the same variance for going beyond the 4 bedrooms by right allowance, once you say yes to one it becomes more difficult to say no to others. The bylaw applies to any sewer service area in Town. The bylaw allows for expansion on existing lots up to 4 bedrooms, for existing single family properties it caps the number of bedrooms at 4 unless the lot is 50,000 sq. ft.

Attorney Klauer noted a mechanism by which the BOS may grant a variance. This matter is unique enough that the BOS could grant it without fear of setting a precedent moving forward. It is a discretionary variance.

Ms. English Braga asked if any public comments, asking them to enter into the Zoom chat and share any comments in favor or against this request. The BOS did not receive an email about this issue.

Attorney Klauer asked if the BOS would have a discussion, if leaning towards a negative vote, he would withdraw it.

Mr. Jones motion to close the hearing. Then withdrew the motion.

Mr. Jones and Mr. Patterson that if it is a 25% increase, they won't support it. Mr. Brown leaning towards negative, in future with negative flow, then he may consider it. Ms. Moran will not support it at this time.

Attorney Klauer asked that given the BOS current leaning allow the applicant to withdraw without prejudice.

Mr. Jones motion to allow the withdrawal without prejudice. Second Ms. Moran. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

7:45 p.m. BUSINESS

1. Request for Sign Variance – Off-Premise Promotional Signs – Falmouth Commodores Baseball Clinics – mid-April to July 31, 2020

Mr. Brown motion approval. Second Mr. Patterson. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

2. Report/Update on Palmer Avenue Reconstruction (Queen's Buyway Area – 1,250 feet in distance)

Peter McConarty, Director DPW, Lawrence Lynch Corp. will begin the construction next Monday. Starting at the intersection of Palmer Avenue working down to easterly side of the Town Green to mill the asphalt out and put new asphalt down, install granite curb, add/redo crosswalks, and new light on the blinking light. ADA ramps with tactile strips will be installed from the First Congregational Church to the green. Pull out and reset curbing. Adding drainage, repaving, restriping. In the future on the south side looking to prepare the area for future addition of a sidewalk in the future, likely when they do the Main Street project. The project needs to be done; the roadway is failing. Intend to complete by Memorial Day. Mr. McConarty expects the road to be paved in the fall.

3. Vote to Place Override on May Municipal Election Ballot

Joe Netto provided correspondence on this issue. Chair English Braga read the letter into the record. Mr. Netto urged them not to put this on the ballot given the economic downturn going on in the world at this time. Many stores are closed, employees out of work, and it can be revisited later.

Mr. Suso noted Finance Director Jennifer Mullen is available and will be added into the meeting.

Finance Director Mullen saw Mr. Netto's email, the Town has done a great job with their reserves. Revenues will decline and there will be certain options moving forward. The override tax bills will not be paid until January 1. If the community feels it is too expensive at that time, they could vote no. We have a good reserve and areas we could go. If we use reserves it would be for the short term, not the long term. There are many options right now.

Chair English Braga said this Town has been conservative with budgeting and sometimes people feel it has been too conservative. If the question goes on the ballot, the voters will decide.

Mr. Patterson noted the Town has the option of how to budget in the future, just because an override is approved, they can manage the expenditures of the Town if they see the revenues are not coming in.

Ms. Mullen said the first year the override passes, use that money for the first year and then after they do not.

Mr. Brown noted the FFD Chief did a lot of thought about what he needed to staff the fire department. They made an agreement with the union to operate safely, so he would like to bring it to the voters.

Chair English Braga said the BOS goes to the voters to decide on many important issues; sometimes voters of Town Meeting and sometimes to the election for voters. Fiscal responsibility and public safety are what are being addressed here, appropriate to go to the voters.

Mr. Palmer did a mark up of the questions and shared with Mr. Suso. There is enough room on the ballot for the override, charter review on two pages. He suggested placing this on the ballot soon and vote to place all questions on the ballot so he can start that process. The BOS has authority to place questions on the ballot, Town Meeting votes the appropriation of the money. The Town could pass the override even if the spending of it has not been voted on.

Mr. Jones motion to place the override on the May municipal ballot at this time. Second Ms. Moran. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

Mr. Suso will look to confirm whether charter review questions were voted to be placed on the ballot during a previous BOS meeting.

4. Discuss/Consider Petition for Board of Selectmen to Sponsor a Non-Binding Ballot Question

There is room on the ballot for two-page ballot and include this question. Mr. Palmer requested going with the shorter version of the question.

Since we do not know if the May elections will take place, Mr. Jones would like to send the letter and supports putting this on the ballot.

Ms. Moran motion to put the non-binding ballot question on the ballot. Second Mr. Patterson. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

The issue of sending the letter will be placed on a future BOS meeting agenda.

5. Discussion of Upcoming Town Meeting and Elections

Chair English Braga read the letter from David Vieira, in which he notes the Annual Town Meeting recessed 4/13/20 and continued to the third Monday following the termination of the existing public safety emergency, nature of which is the outbreak of COVID-19.

Mr. Palmer explained that the Senate voted to postpone the Special State Election for the State Senator seat vacated by Vinny DeMacedo; the 3/31/20 election has been changed to 5/19/20, the date of the annual Town election.

Megan English Braga read the Declaration of Recess and Continuance from Town Moderator David Vieira with regard to Town Meeting scheduled for April 13 recessed and continued until the third Monday following the expiration of a gubernatorial declared state of emergency relative to the 2019 novel coronavirus (COVID-19).

All precinct meetings are cancelled because they cannot occur during this time.

Mr. Jones asked about the budget if Town Meeting does not occur until after July 1.

Julian Suso confirmed per the DOR, if the Town Meeting does not occur until after July 1, there are appropriate remedies in place in order to accommodate our needs should this occur.

Mr. Palmer said they are accepting absentee ballot applications for the election. Absentee ballots can be used for three reasons: not in town, religious belief, disability does not allow you to go to the polling place. Prefer ballots be mailed in rather than the box outside Town Hall. If you vote via absentee ballot, it will be counted when the election takes place.

The BOS noted that the US Census is requesting you do it online for those who are present in your household as of 4/1/20.

6. Discussion of Conduct of Future Board of Selectmen Meetings

Zoom has worked well, need to work on more ability for public comment and hopefully that can be done. Could folks tape a comment for submission. The Town will look into improving and provide an easier way for public to comment in future meetings.

Mr. Johnson-Staub is monitoring what other communities are doing, continuing to learn from them.

Mr. Jones said that letters may be sent to the BOS.

Mr. Suso exploring how to use PowerPoint for presentations, they are working on this.

Chair English Braga received message from David Vieira, bill on the Governor's desk that will address responding to the COVID-19 staying home and this will be accommodated via absentee ballot.

Mr. Suso noted the Town asked for regulatory relief from the legislature for boards and commissions with strict deadlines per statutes to act upon proposals coming before them; will provide statutory relief.

7. Approve 2020 Annual/Seasonal License Renewals:

All Alcohol Restaurant License

Falmouth Raw Bar, 56 Scranton Avenue, Falmouth
Landfall Restaurant, 9 Luscombe Avenue, Woods Hole
Pier 37 Boathouse, 88 Scranton Avenue, Falmouth
Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole
Shuckers, 91 A Water Street, Woods Hole
Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

All Alcohol Club License

Seacoast Shores Association, 7 Fairview Lane, East Falmouth
Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

Common Victualler License

The Tea Room, 196 Crystal Springs Avenue, North Falmouth
Smitty's, 326 East Falmouth Highway, East Falmouth
Clam Shack, 227 Clinton Avenue, Falmouth
Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

Lodging House License

Frederick William House, 594 Palmer Avenue, Falmouth
Captain's Manor Inn, 27 W. Main Street, Falmouth
Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

Second Hand Dealer

Fay's Gallery, 566 Main Street, Falmouth

Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

Ryan Family Amusements, 23 Town Hall Square, Falmouth
Trade Center Bowl, 89 Spring Bars Road, Falmouth
Chair English Braga motion approval. Second Mr. Brown.
Roll Call Vote: Brown, aye; Chair English Braga, aye;
Moran aye; Patterson, aye; Jones, aye.

Bowling Alley/Pool Table

8. Minutes of Meetings: Public Session – March 9, 2020
These minutes are still being prepared.
9. Individual Selectmen’s Reports
None.
10. Town Manager’s Report

Mr. Suso working with public safety command staff and Health Agent, other municipal, state, and national resources to address the issues related to COVID-19 pandemic.

Mr. Jones motion to adjourn. Second Mr. Patterson. Chair English Braga motion approval. Second Mr. Brown. Roll Call Vote: Brown, aye; Chair English Braga, aye; Moran aye; Patterson, aye; Jones, aye.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: April 24, 2020

JM Suso

- As you know, the Board will convene in Joint Meeting Session with members of the Board of Health for a virtual Zoom Teleconference Meeting at 7PM on Monday. Following this Joint Meeting to focus on community matters related to the COVID-19 pandemic, and estimated to last perhaps an hour, the Board will have your “usual” assortment of business subjects to address.
- I have asked Health Agent Scott McGann and Chiefs Dunne and Small to join us for this important meeting.
- Among Business items is a status/update on Financial Issues which I believe the Board will find timely. Jennifer Mullen will participate.
- Peter McConarty will join us for an overall status report and update on multiple Public Works projects, many of which have been outlined and discussed over the past year. Bottom line, Peter is strongly suggesting the need to delay the implementation of some of these projects given the realities of COVID-19 and the importance of setting priorities and managing available DPW project funds wisely. I want to underscore that this DOES NOT involve a suggestion to cancel any of these projects. The multitude of circumstances we are encountering simply requires the exercise of discipline and caution to complete the most urgent projects and slightly delay the onset of the others which are planned which is the most financially responsible approach. I have reviewed Peter’s request and I fully support his responsible initiative, recognizing that some entities will resist any potential delay in project timing but it is imperative that we consider acting in the overall best interest of the taxpayer and respecting the current challenging circumstances of all Town employees (in this case Public Works). This is a time like no other.
- Good weekend to all and stay safe.