

TOWN OF FALMOUTH
SELECT BOARD
REVISED AGENDA
MONDAY, MARCH 22, 2021 – 6:00 P.M.
SELECT BOARD 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 March 22, 2021 public meeting of the Falmouth Select Board 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 Select Board 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.falmouthma.gov/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 selectboard@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/Select Board'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

6:00 p.m. OPEN SESSION

6:00 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – Discuss participation by DPW water division in multi-district municipal litigation re: PFAS (perfluoroalkyl substances)
2. M.G.L. c30A s.21(a)(2) – Discuss Town Manager employment agreement

7:00 p.m. OPEN SESSION

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

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Application for One-Day Sunday Entertainment Licenses – Falmouth Yacht Club, 290 Clinton Avenue – Sundays, 6/27, 7/11, 7/25, 8/8, 8/22 and 9/5/21 from 4:00 p.m. to 6:00 p.m.

2. Administrative Orders
 - a. Vote to accept FY21 First Responder Naloxone Grant funds from the Department of Public Health in the amount of \$6,750.01

7:30 p.m. BUSINESS

1. Discussion/update on COVID-19 issues
2. Discussion of potential separation of April Town Meeting Articles and future Special Town Meeting
3. Consider and announce Special Town Meeting and closing of warrant for articles not considered at the April, 2021 Annual Town Meeting
4. Interview, vote and appoint alternates for Beach Committee positions:
 - a. Barbara Schneider
 - b. Carol Rader
 - c. Larry Liberfarb
 - d. David Glynn
 - e. Nancy Quigg
5. Discussion and proposed policy recommendation regarding requests for sewer connections for properties outside of existing sewer service areas – Amy Lowell, Wastewater Superintendent; Eric Turkington, Water Quality Management Committee
6. Presentation from Amp Energy on potential lease agreements related to Town Meeting Article 21
7. Discussion on designation of the local option portion of the short-term rental tax to the affordable housing fund
8. Consider/approve proposed ballot question for May 2021 municipal ballot
9. Approve 2021 Annual/Seasonal License Renewals:
 - All Alcohol Restaurant License
Falmouth Pier 37 Boathouse, 88 Scranton Avenue, Falmouth
Falmouth Raw Bar, 56 Scranton Avenue, Falmouth
Landfall Restaurant, 9 Luscombe Avenue, Woods Hole
Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole
Shuckers, 91 A Water Street, Woods Hole
 - All Alcohol Club License
Seacoast Shore Association, Inc., 7 Farview Lane, Falmouth
 - Common Victualler License
Eulinda's 634 West Falmouth Highway, West Falmouth
Jim's Clam Shack, 227 Clinton Avenue, Falmouth
The Blended Berry, 56 Davis Straits, Falmouth
The Village Café, 634 West Falmouth Highway, West Falmouth
10. Discussion and vote on Town Manager employment agreement
11. Minutes of Meetings: Public Session – December 21, 2020
12. Individual Select Board Members' Reports
13. Town Manager's Report

Megan English Braga, Chair
Select Board

SUMMARY OF ACTIONS

#1 LICENSES

- a. Application for One-Day Sunday Entertainment Licenses –
Falmouth Yacht Club, 290 Clinton Avenue – Sundays, 6/27, 7/11,
7/25, 8/8, 8/22 and 9/5/21 from 4:00 p.m. to 6:00 p.m.

Number:
21-1-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
Falmouth Yacht Club
Jay Kehoe, Manager
290 Clinton Avenue
Falmouth, MA 02540
is hereby granted this

Sunday Entertainment License

Location of Entertainment: Boatyard of Falmouth Yacht Club, 290 Clinton Avenue, Falmouth, MA 02540.

This license is granted in accordance with the provisions of Chapter 140 of the General Laws as amended by Chapter 299 of the Acts of 1926, and amendments thereto, to conduct the amusements as herein described in connection with his regular business of innholder, common victualler, or owner, manager or controller of a café, restaurant or other eating or drinking establishment.

This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, June 27, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: June 27, 2021 Valid until: June 27, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises

Number:
21-2-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
Falmouth Yacht Club
Jay Kehoe, Manager
290 Clinton Avenue
Falmouth, MA 02540
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Sunday Entertainment License

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This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, July 11, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: July 11, 2021 Valid until: July 11, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises

Number:
21-3-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

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Falmouth Yacht Club
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290 Clinton Avenue
Falmouth, MA 02540
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This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, July 25, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: July 25, 2021 Valid until: July 25, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises

Number:
21-4-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

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Falmouth Yacht Club
Jay Kehoe, Manager
290 Clinton Avenue
Falmouth, MA 02540
is hereby granted this

Sunday Entertainment License

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This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, August 8, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: August 8, 2021 Valid until: August 8, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises

Number:
21-5-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

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Falmouth Yacht Club
Jay Kehoe, Manager
290 Clinton Avenue
Falmouth, MA 02540
is hereby granted this

Sunday Entertainment License

Location of Entertainment: Boatyard of Falmouth Yacht Club, 290 Clinton Avenue, Falmouth, MA 02540.

This license is granted in accordance with the provisions of Chapter 140 of the General Laws as amended by Chapter 299 of the Acts of 1926, and amendments thereto, to conduct the amusements as herein described in connection with his regular business of innholder, common victualler, or owner, manager or controller of a café, restaurant or other eating or drinking establishment.

This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, August 22, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: August 22, 2021

Valid until: August 22, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises

Number:
21-6-Ent-1-Day

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
Falmouth Yacht Club
Jay Kehoe, Manager
290 Clinton Avenue
Falmouth, MA 02540
is hereby granted this

Sunday Entertainment License

Location of Entertainment: Boatyard of Falmouth Yacht Club, 290 Clinton Avenue, Falmouth, MA 02540.

This license is granted in accordance with the provisions of Chapter 140 of the General Laws as amended by Chapter 299 of the Acts of 1926, and amendments thereto, to conduct the amusements as herein described in connection with his regular business of innholder, common victualler, or owner, manager or controller of a café, restaurant or other eating or drinking establishment.

This license is granted as subject to the provisions of the General Laws, chapter one hundred and forty, sections twenty-two to thirty-two inclusive, and amendments thereto and shall not be valid for a location other than as herein described.

Date: Sunday, September 5, 2021. Hours: 4:00 p.m. to 6:30 p.m.

Live acoustic music, with volume limited to not go past the parking lot in front of the Club. Member seating will be set up so there is social distancing spacing.

Valid from: September 5, 2021 Valid until: September 5, 2021

By order of The Falmouth Board of Selectmen

March 22, 2021

This License Must be Posted in a Conspicuous Place upon the Premises



Town of Falmouth
 Office of the Town Manager/Selectmen
 59 Town Hall Square, Falmouth, MA 02540
 508-495-7320

ENTERTAINMENT LICENSE ANNUAL APPLICATION

Massachusetts General Laws, Chapter 140, Section 183A as amended by Chapter 694 of 1981

Required fields are outlined in red.

NAME OF ESTABLISHMENT:

ADDRESS:

TOWN: STATE: ZIP CODE:

NAME OF OWNER/MANAGER:

TELEPHONE #: EMAIL:

HOME ADDRESS:

LOCATION OF ENTERTAINMENT ON PREMISES:

DAYS OF ENTERTAINMENT:

HOURS OF ENTERTAINMENT:

Provide a detailed description of proposed entertainment:

Music will be acoustic, with volume limited to not go past our parking lot. Our goal is to provide a COVID safe environment for our membership to enjoy the outdoors.

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT APPROVED:

SUNDAY ENTERTAINMENT: NO YES (complete a separate Sunday Entertainment application)

1. DANCING By Patrons No Dancing

2. MUSIC Recorded Live Amplified Acoustic

I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any female person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

TAX ATTESTATION: I certify under the penalties of perjury that the information provided in this application is true and that, to my best knowledge, I have filed all state tax returns and paid all state and local taxes as required under law. I understand that Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation:

DATE X

Total Town Fees: \$110

Filing Fee: \$10

License Fee: \$100

Fees payable to Town of Falmouth

THE COMMONWEALTH OF MASSACHUSETTS



State Fee, \$ 50.00

Municipal Fee, \$ 75.00

Town OF Falmouth

LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Falmouth Yacht Club in or on the property at

No. 290 Clinton Ave, Falmouth, Ma (address)

The Licensee or Authorized representative, Jay Kehoe in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
		Regular Hours: Sunday 1:00 PM - Midnight - ONLY - \$50 check to Commonwealth of Massachusetts
		- \$75 check to Town of Falmouth
		**Fee of \$75 payable to Town of Falmouth by Money Order or Certified Bank Check only.

Hon. Megan English Braga Mayor/ Chairman of Board of Selectman, Falmouth (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm – Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm – Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

FYC Sunday One Day Entertainment permit

- Sunday June 27 4-6pm
- Sunday July 11, 4-6 pm
- Sunday July 25, 4:30-6:30pm
- Sunday August 8, 4-6pm
- Sunday August 22, 4-6pm
- Sunday September 5, 4-6pm

Location: Outdoors in our Boat Yard. The band will be set up under our hoist. (see diagram)
Member seating will be set up, so there is Social distancing spacing.

We will encourage members to bring boats and dock in our marina and listen to music, to safely enjoy the music in their own space, socially distant.

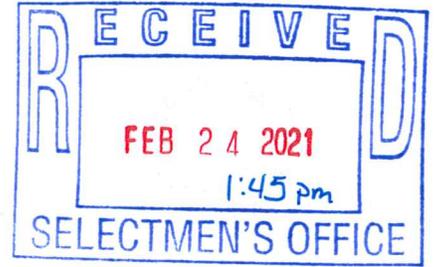
Volume of music will be such so you cannot hear it in our parking lot in front of the Club.



Town of Falmouth

Office of the Town Manager & Select Board
59 Town Hall Square · Falmouth, MA 02540

Application for Special Events



CONTACT INFORMATION

Applicant's Name: Jay Kehoe

Mailing Address: PO Box 715 Falmouth, Ma 02540

Phone: 508 548 3865 Cell Phone: 774 392 4288

E-Mail: kehoe@falmouthyachtclub.com

EVENT DETAILS

Name of Event: Sunday Music series

Type of Event: Acoustic music series on Sunday afternoons from 4-6 pm

Event Day & Date: 6/27, 7/11, 7/25, 8/8, 8/22 and 9/5

Rain Date: no rain date

Event Hours: From: 4:00pm To: 6:30 pm

Setup Date: same day Time: 2:30 pm Breakdown Date: Same day Time: 7:30

Location Requested:

1st Choice: Boatyard of Falmouth Yacht Club

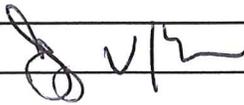
2nd Choice: _____

Number of Attendees: Approximately 50 members Number of Vehicles: _____

Parking Plan: Parking will be in our member lot

- Will event include chairs, barriers, tents? (Yes or No) yes (tent permit application, if necessary)
- Will event include signs? (Yes or No) no (sign permit application, if necessary)
- Will event be a road race? (Yes or No) no (include route map, see reverse side for road race rules and sign)
- Will event include use of Shining Sea Bike Path? (Yes or No) no (see reverse side for bike path rules and sign)
- Will event include food or beverages? (Yes or No) yes (temporary food permit application)
- Will event include alcoholic beverages? (Yes or No) yes (one-day liquor license application)
- Will event include entertainment? (Yes or No) yes What type? Acoustic music

ADDITIONAL INFORMATION: *(Use of restroom facilities, electricity, etc.) (Attach a narrative describing the event.)*

Applicant's Signature:  Date: 2/24/21

- References:
1. _____
 2. _____
 3. _____

SELECT BOARD

Diane Davidson

From: Timothy Smith
Sent: Wednesday, March 3, 2021 1:01 PM
To: Diane Davidson
Cc: Boyd Demello; Craig O'Malley
Subject: FW: Falmouth Yacht Club - Application for Entertainment License

See Boyd's comment regarding this application!

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, March 3, 2021 1:00 PM
To: Timothy Smith <timothy.smith@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>
Cc: Boyd Demello <boyd.demello@falmouthfirema.gov>
Subject: RE: Falmouth Yacht Club - Application for Entertainment License

Chief,
No Issues, They passed the fall 304 inspection

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
[774-836-2436](tel:774-836-2436) - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

From: Timothy Smith
Sent: Wednesday, March 3, 2021 10:47 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>
Subject: FW: Falmouth Yacht Club - Application for Entertainment License

FYI-for review

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, March 3, 2021 9:32 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sdoyle@falmouthpolice.us>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Falmouth Health Department <health@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Subject: Falmouth Yacht Club - Application for Entertainment License

To all,

Attached please find an application from Falmouth Yacht Club, located at 290 Clinton Avenue, for One-Day Entertainment Licenses for use on Sunday afternoons from 4:00 to 6:00 PM on the following dates: 6/27, 7/11, 7/25, 8/8, 8/22 and 9/5. The entertainment will be located outdoors in the boatyard behind the yacht club. The entertainment type is for acoustic music.

Please review and provide your recommendations by Friday, March 12, 2021.

The application is scheduled for review by the Select Board during its meeting on Monday, March 22, 2021.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321*

Diane Davidson

From: Maggie Clayton
Sent: Wednesday, March 3, 2021 6:02 PM
To: Diane Davidson
Subject: RE: Falmouth Yacht Club - Application for Entertainment License

Hi, Diane:

The Beach Dept. has no recommendations for this Entertainment License application.

Best,

Maggie Clayton
Acting Beach Superintendent
Town of Falmouth
(774)392-6900

From: Diane Davidson
Sent: Wednesday, March 03, 2021 9:32 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sdoyle@falmouthpolice.us>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Falmouth Health Department <health@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Subject: Falmouth Yacht Club - Application for Entertainment License

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Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321

Diane Davidson

From: Noreen Stockman
Sent: Wednesday, March 3, 2021 3:43 PM
To: Diane Davidson
Subject: Re: Falmouth Yacht Club - Application for Entertainment License

Hi Diane,

All set with the ZBA.

Thank you,
Noreen

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, March 3, 2021 9:32 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sdoyle@falmouthpolice.us>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Falmouth Health Department <health@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Subject: Falmouth Yacht Club - Application for Entertainment License

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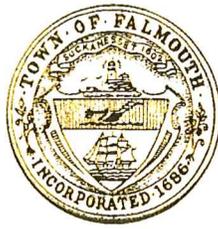
Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321*

#2 ADMINISTRATIVE ORDERS

- a. Vote to accept FY21 First Responder Naloxone Grant funds from the Department of Public Health in the amount of \$6,750.01



Falmouth Police Department
Chief Edward A. Dunne

March 8, 2021

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

Subject: Acceptance of Funding \$6,750.01
Department of Public Health – First Responder Naloxone Grant
Dates of Service: July 1, 2020 through June 30, 2021 (FY 21 Blanket Contract; Round 9–PV 2)

Dear Select Board,

We have been designated to receive federal grant funds in the amount of \$6,750.01 to help fund the Fire and Police Department's with the cost of purchasing Naloxone to help victims who have overdosed on opiates. The Fire Department will be working with the Police Department (Sergeant James Cummings) to coordinate the purchases. Sergeant Cummings will be doing the reimbursement paperwork for both parties.

Enclosed, please find the voucher.

Thank you in advance for your attention to this matter.

Sincerely,

Edward A. Dunne
Chief of Police

EAD/mar

PAYMENT VOUCHER INPUT FORM

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT / ORGANIZATION NAME
Department of Public Health

OFFICE OF THE COMPTROLLER



DOCUMENT ID						
TRANS PV	DEPT DPH	R/ORG 2359	Number RFR #: 190927	PV Date	Acct Prd	BFY
ACTION: (E) E	Sch Pay Date	Off Liab Act	VENDOR'S CERTIFICATION I certify that the goods were shipped or the service rendered as set forth below. <i>[Signature]</i> (Please sign in ink)			
REF DOC ID FRSTRESPONDNARCAN000022-9						

Vendor Name and Address Town of Falmouth 59 Town Hall Square Falmouth, MA 02540

DOCUMENT TOTAL:	STXT	PAYMENT REF NUMBER FRSTRESPONDNARCAN000022-9	VENDOR CODE: VC6000191790	EMP
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REFERENCED ORDER	LINE	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
Contract Number INTF2359P01190927034			To Purchase Narcan and related supplies		\$6,750.01

REFERENCE ORDER														
LN	Trans	Dept	R/Org	Number	LINE	DEPT	APPROP	Sub	Org	S/Org	Obj	S/Obj	Prog	Ty
01	PV	DPH	2359	RFR #: 190927	01	DPH	4512-0204	PP	2359		P01			
PROJ/CL/GRC			Actv	Rptg	Fund	BS Acct	PAYMENT REFERENCE NUMBER FRSTRESPONDNARCAN000022-9			DESCRIPTION: First Responder Naloxone Grant; FY21 - Blanket Contract; Round 9 - PV 2				
MSA #		LN #	DIS	DATES OF SERVICE		QNTY	Line Amount		I/D	P/F				
		01		7/1/2020 to 6/30/2021						P				

TO THE COMPTROLLER OF THE COMMONWEALTH OF MASSACHUSETTS:

I hereby certify under the penalties of perjury that all laws of the Commonwealth governing disbursements of public funds and the regulations thereof have been complied with and observed.

PREPARED BY: _____ TITLE: _____ DATE: _____

ENTERED BY: _____ TITLE: _____ DATE: _____ PAGE _____ OF _____

The undersigned authorized signatory approving this document certifies that this document and any attachments are accurate and complete and comply with all applicable general and special laws and regulations

APPROVED BY: _____ TITLE: _____ DATE: _____ PHONE: _____

Instructions to vendor:
 Sign the shaded area
 Direct inquiries to state organization

BUSINESS

#1. Discussion/update on COVID-19 issues

#2. Discussion of potential separation of April Town Meeting Articles and future Special Town Meeting

April 2021 Annual Town Meeting

'A' = To be Voted April 12; 'J' = Hold for In-Person Meeting in June

		Recomm
1	Choose Town Officers	A Fincom
2	Hear Reports from Committees and Town Officers	J Fincom
3	Fix Salaries of Elected Officials	A Fincom
4	FY2022 Operating Budget	A Fincom
5	Fund - Capital Improvement Stabilization Fund	A Fincom
6	Fund - Other Post Employment Benefits Trust Fund	A Fincom
7	Fund - Wage Settlements	A Fincom
8	FY2021 Budget Transfers	A Fincom
9	FY2021 Budget Appropriations	A Fincom
10	Authorize Revolving Funds	A Fincom
11	Fund - Project Management, Design and Construction - New Fire Station	A Fincom
12	Fund - Police Department Renovation	A Fincom
13	Fund - COVID Related Expenses	A Fincom
14	Fund - Lease for Downtown Parking	A Fincom
15	Fund - Online Permitting Software	A Fincom
16	Fund - Completion of Recodification of the Zoning Bylaw	A Fincom
17	Amend - The Code of Falmouth; Article VII, Ch 65, s. 16, Promulgation of Regulations	J SB
18	Amend - Zoning Bylaw Article XXXIX - Site Plan Review, §240-192 - Applicability	J PB
19	Amend - Zoning Bylaw Article XXXIX - Site Plan Review, §240-198 - Lapse of Decision	J PB
20	Amend - Official Zoning Map, Remove Text Box of Footnotes 1-8; Add Reference to Zoning Overlay Districts	J PB
21	Petition: Amend Zoning Bylaw Article XLVIII Site Plan Review & Operation Standards; Sections 240-254B, 240-254D	J PB
22	Petition: Amend Official Zoning Map to Incl Add'l Parcels in the Large-Scale Ground-Mounted Solar Overlay District	J PB
23	Accept Winthrop Drive (East Side) As Public Way	J SB
24	Purchase or Take by Eminent Domain - Permanent Easement at 241 Scranton Avenue	J Fincom
25	Purchase or Take by Eminent Domain - 20 Village Common Drive Easements	J Fincom
26	Purchase or Take by Eminent Domain - 28 Village Common Drive Easements	J Fincom
27	Purchase or Take by Eminent Domain - St. Marks Road Easements - Abutting	J Fincom
28	Purchase or Take by Eminent Domain - Seabrook Drive - Permanent Easement	J Fincom
29	Petition: Accept General Laws Chapter 90, Section 18B	J SB
30	Petition: Change "Christopher Columbus Day" to "Indigenous Peoples Day"	J SB
31	Petition: Create a Domestic Partnership Bylaw for the Town of Falmouth	J SB
32	Petition: Acknowledgement of Mashpee Wampanoag Tribe at All Public Meetings	J SB
33	Petition: Create Select Board Taskforce on Sustainable Living for Falmouth's Workforce Families and;	J SB
34	CPC: Fund Rehabilitation - Bell Town Tennis Courts	J Fincom
35	CPC: Purchase or Take by Eminent Domain - All or Portion of Conservation Restriction at Millstone Rd	J Fincom
36	CPC: Fund Falmouth Affordable Housing	J Fincom
37	CPC: Fund Administrative Expenses	A Fincom
38	CPC: Fund Budgeted Reserve	J Fincom
39	CPC: Fund Historic Preservation Reserve	J Fincom
40	CPC: Fund Capital Improvements to Guv Fuller Field	J Fincom

#3. Consider and announce Special Town Meeting and closing of warrant for articles not considered at the April, 2021 Annual Town Meeting

#4. Interview, vote and appoint alternates for Beach Committee positions:

- a. Barbara Schneider
- b. Carol Rader
- c. Larry Liberfarb
- d. David Glynn
- e. Nancy Quigg

Beach Committee

2 alternate positions:

- Terms until 6/30/21

5 applicants:

- a. Barbara Schneider
- b. Carol Rader
- c. Larry Liberfarb
- d. David Glynn
- e. Nancy Quigg



TOWN OF FALMOUTH

**BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM**

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Name: Barbara Schneider

Address: 71 Sandcastle Drive Village: East Falmouth ZIP: 02536

Mailing same
Address: _____ Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 20 (date: 6/01) / Taxpayer 29 yrs. (date: 1992)
whatever it takes

Amount of time you are available to give: _____

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

1. Beach Committee
2. _____
3. _____

Seeking: Permanent Position Alternate Position yes, numerous

Have you attended any meetings of the committee for which you are applying? _____

Relevant affiliation and work and personal experiences _____
see attached

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

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

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Peter Clark	former CPC, superintendent	██████████
2.	Todd Bidwell	mgr. Island Queen, Town Meeting	██████████
3.	Michael Palmer	town clerk	██████████

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

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

3/11/21

DATE

Barbara Schneider

APPLICANT'S SIGNATURE

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

Relevant affiliation....I have been diligent about helping to be an overseer of Menauhant Beach since the 1970's, held one of the first weddings on a town beach - Woodneck - in 1996, frequent the beaches in my role as marine mammal rescuer; have been a Water Safety Director of a Sports Club, managing a staff of lifeguards; been a lifeguard myself; taught high school students for 25 years so I have a knowledge of working with that age group; have been part of the CPC and the FACES group and a town meeting member and precinct captain so I know much about committee work and town government and funding. And I run a town park, so I understand about maintaining a property working with town employees and volunteers.

Town offices.... CPC charter member 2005-2013 including chair for 3 years; president of Falmouth Dog Parks, Inc. from its inception until present (10 years); town meeting member and precinct captain 14 years;

Briefly describe.... public relations expert; waterfront directing knowledge; journalist; educator; former waterfront director



*Re-elect
Barb
Schneider
Town Meeting
Precinct 4*

Currently

- Town Meeting Member since '07
- Precinct Captain since '07
- Longtime E. Falmouth resident/homeowner
- President, Falmouth Dog Parks, Inc since its inception in '11
- ^{former} Member, Falmouth Litter Reduction Team
- Volunteer, IFAW Marine Mammal Rescue since 2001

Previously

- Charter Member of Falmouth Community Preservation Committee 7 yrs., vice chair /chair 5 yrs.
- Volunteer, Friends of Falmouth Dogs 12 yrs.
- Board member/officer Green Pond Estates Homeowners Assoc. 12 yrs.
- High School Master Teacher, Dept. Chair, District Public Info Liaison 25 yrs.
- Officer, East Falmouth Village Assoc. 5 yrs.
- Board member of the National Marine Life Center 3 yrs.
- Board member of FACES 5 yrs.
- Feature writer/column writer for Falmouth Enterprise 4 yrs.
- President, Illinois Branch of National School Public Relations Association

Education

- Doctorate, Loyola University, Educational Leadership and Policy Studies
- Masters, Assumption College, English
- BA, U of Wisconsin, Journalism Education



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Name: CAROL RADER

Address: 44 ELVIRA AVE Village: FALMOUTH ZIP: 02540

Mailing Address: 44 ELVIRA AVE. Village: FALMOUTH ZIP: 02540

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 7 yrs (date: 2014) / Taxpayer 7 yrs (date: 2014)

Amount of time you are available to give: I am retired with no fixed obligations so there is no upper limit

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

1. BEACH COMMITTEE
2. _____
3. _____

Seeking: Permanent Position Alternate Position

Have you attended any meetings of the committee for which you are applying? NO BECAUSE OF COVID 19
I have read all available minutes

Relevant affiliation and work and personal experiences _____

I was a high school counselor for seven years before returning to school for a degree in construction management

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

CONCORD MA. HOUSING AUTHORITY 1990-1994

CHATHAM MA. ZONING BOARD OF Appeals

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

As a counselor, I interacted with students in a wide range of situations. I look forward to meeting with summer staff.

Project management background includes evaluating plans, identifying concerns, overseeing progress and ensuring completion.

List three (3) references:

- | <u>Name</u> | <u>Title</u> | <u>Phone</u> |
|-----------------------|---|--------------|
| 1. BILL LITCHFIELD | MODEATOR TOWN OF CHATHAM | [REDACTED] |
| 2. MARY ED SHOLKOVITZ | NEIGHBORS | [REDACTED] |
| 3. BARBARA GIBSON | MEMBER ST. Christopher's CHURCH CHATHAM | [REDACTED] |

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

downloaded from website

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

MARCH 16, 2021
DATE

Carol C. Rader
APPLICANT'S SIGNATURE

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



TOWN OF FALMOUTH

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Name: LARRY LIBERFARB

Address: 25 HIDDEN VILLAGE ROAD Village: FALMOUTH ZIP: 02540

Mailing Address: 1175 CHESTNUT ST. #14 Village: NEWTON ZIP: 02464

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident X (date: 8/17) / Taxpayer X (date: 8/17)

Amount of time you are available to give: AS NEEDED

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

1. BEACH COMMITTEE
2. _____
3. _____

Seeking: Permanent Position Alternate Position

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

Relevant affiliation and work and personal experiences I GO TO THE BEACH EVERY OPPORTUNITY I GET

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

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

**AS A PERSON WHO GOES TO THE BEACH
IN FALMOUTH, I FEEL I CAN OFFER A UNIQUE
PERSPECTIVE ON THE EXPERIENCE, BOTH
POSITIVE AND NEGATIVE**

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	JANE LIBERFARB	WIFE	██████████
2.	GARY WINER	FRIEND	██████████
3.	DOUG FONG	FRIEND	██████████

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

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

3/14/2021

DATE


APPLICANT'S SIGNATURE

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



TOWN OF FALMOUTH

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Name: David J. Glynn

Address: 63 Alcott Rd. Village: E. Falmouth ZIP: 02536

Mailing Address: 63 Alcott Rd Village: E. Falmouth ZIP: 02536

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 12 yrs (date: 2009) / Taxpayer 48 yrs (date: 1973)

Amount of time you are available to give: I will be available as needed

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

1. Beach Committee
2. _____
3. _____

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences Falmouth Lifeguard 1962-1967

Parent of four Falmouth Lifeguards. Assistant Headmaster and Acting Headmaster 25 yrs. West Roxbury H.S. - Boston Public Schools Experience coaching Tennis, track, baseball + Soft ball.

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

Briefly describe the particular skills you feel you will add to the committee or board: Desire to engage in community responsibility, ability to work collaboratively. Keen interest in dealing with pressing issues, i.e. erosion, beach nourishment, trash collection, over crowded parking lots, extended hours

Three (3) References:

Name	Title	Phone
1. Paul C. Glynn	Attorney	[REDACTED]
2. Martha Bellis	Fall Town Meeting Member	[REDACTED]
3. John DeMello	Retired Sheriff, Barnstable County	[REDACTED]

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

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

3/18/2021
DATE

David J. Glynn
APPLICANT'S SIGNATURE

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



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
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Name: Nancy Quigg
Address: 5 Burke Lane Village: N Fal ZIP: 02556

Mailing Address: _____ Village: _____ ZIP: _____

Telephone: [Redacted] Email: [Redacted]

How long have you been a Resident 21 (date: 6/2008) / Taxpayer 22 (date: 1/1997)

Amount of time you are available to give: What ever is necessary

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

- 1. Beach Committee
- 2. _____
- 3. _____

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences Operations Manager @ Fedex, Licensed Drug & Alcohol Counselor

Town offices held in Falmouth or elsewhere and dates of years served:
Substance Abuse Commission - 9 years
Celebrations committee - 6 years
VIPS - 17 yrs

Briefly describe the particular skills you feel you will add to the committee or board:
Extensive experience in customer service, working with people in a respectful way while getting the work done

Three (3) References:

	Name	Title	Phone
1.	Susie Hauptmann	Director Human Services	
2.	Sandy Cury	Recreation Board	
3.	Paul Omiskovsky	Beach Committee	

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

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

3/18/21
DATE

Nancy Quigg
APPLICANT'S SIGNATURE

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

- #5. Discussion and proposed policy recommendation regarding requests for sewer connections for properties outside of existing sewer service areas – Amy Lowell, Wastewater Superintendent; Eric Turkington, Water Quality Management Committee

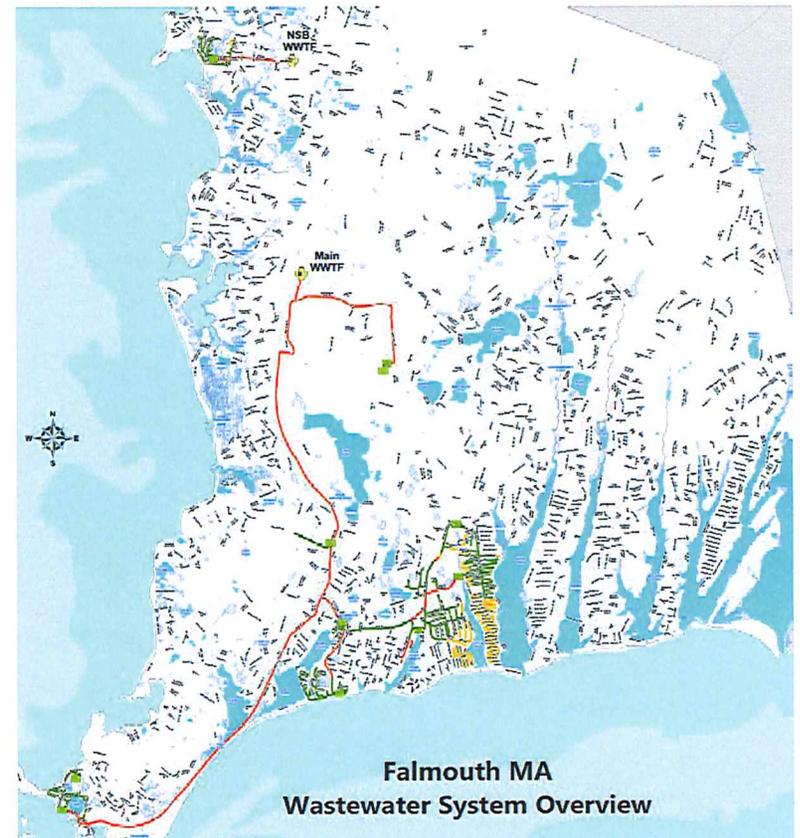
Requests for sewer connections for properties located outside of existing sewer service areas

Proposed policy recommendation to the Select Board
March 22, 2021

Amy Lowell, Wastewater Superintendent

We receive requests and inquiries for sewer connections outside existing sewer service areas

- Near Little Pond Sewer Service Area
- Near Falmouth Center Sewer Service Area
- Near Woods Hole Sewer Service Area
- Near New Silver Beach Sewer Service Area
- Near future planned sewer service areas
- Not near any existing or planned sewer service area



Property owners request connection to the sewer because of:

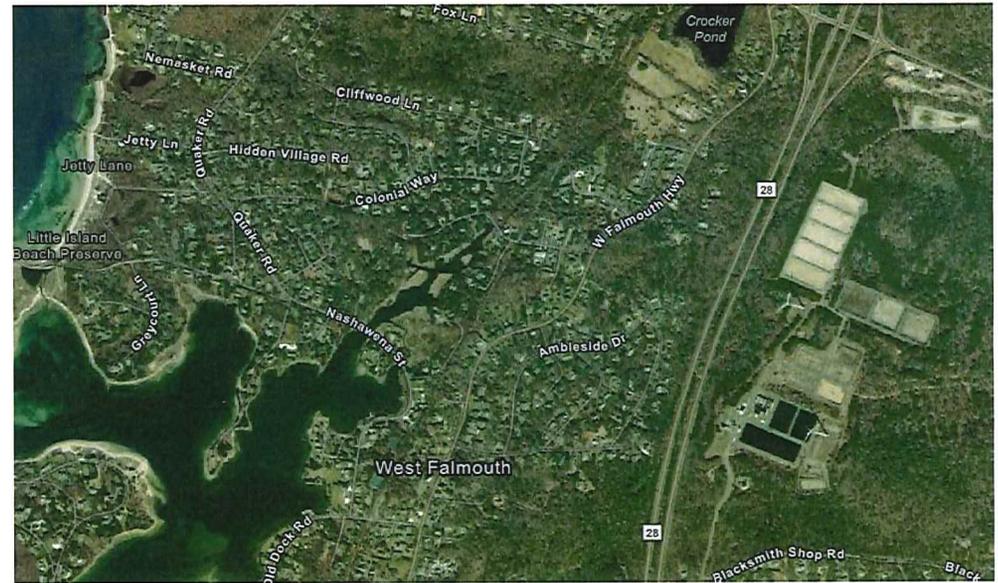
- Small lots
- Shallow depth to groundwater
- Desire to expand house
- Cost to replace failing septic
- Near existing sewer

Requests denied unless:

- The property is located within an approved sewer service area; property abuts a sewer collection pipe.

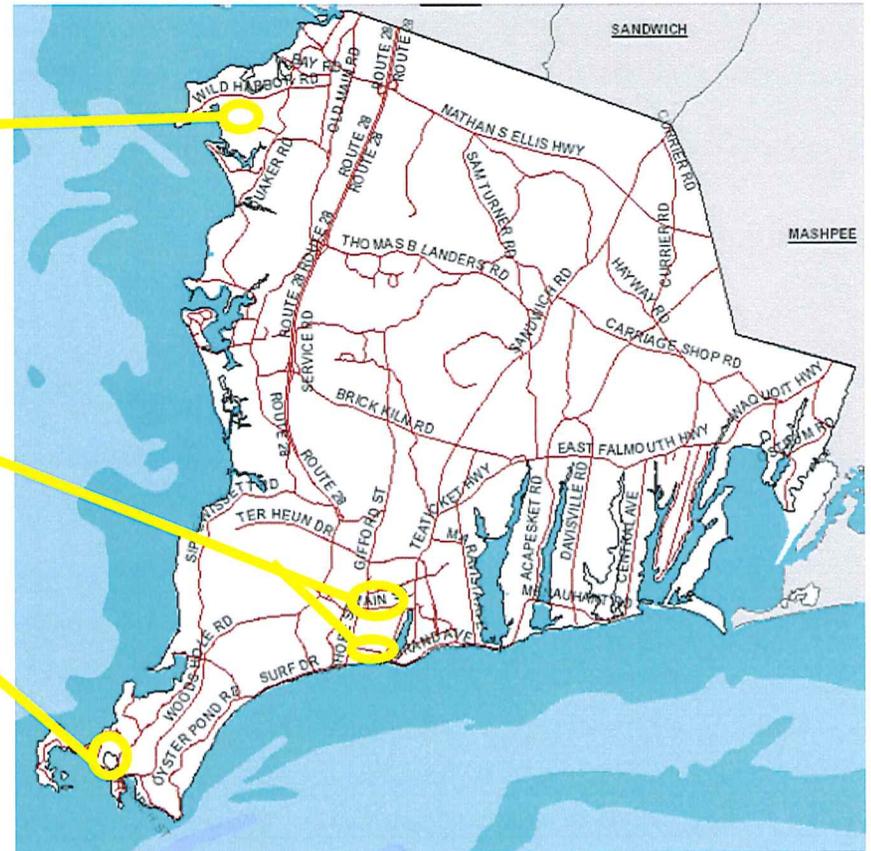
Wastewater System Has Strict Capacity Limitations

- Capacity is primarily limited by the Town's very stringent groundwater discharge permit
- Permit limits are intended to protect water bodies downgradient of the discharge
- Discharge allowed by permit is allocated to existing sewer areas
- Sewer Service Areas and flows were outlined in the Town's Comprehensive Wastewater Management Plan (CWMP), and approved by the state as part of the plan review process



Purposes of sewer projects in the 1980's and 2000's

- New Silver Beach - eliminate public health issues due to septic system overflows
- Falmouth Center - address Shivericks Pond odor and septic outbreak issues
- Woods Hole - eliminate outfall discharge of chlorinated (otherwise untreated) wastewater into Great Harbor



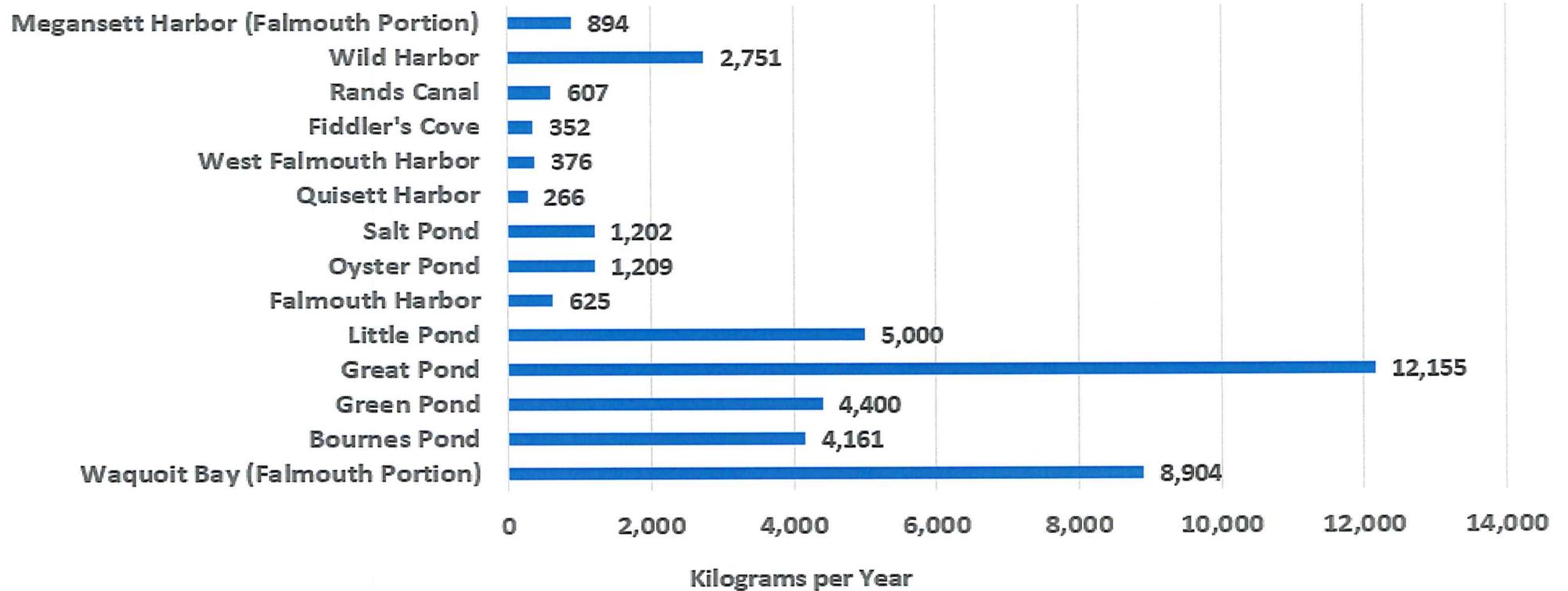
MA Sewer Extension Regulations Have Changed

- In the past, some sewer extensions were permitted upon request, due to septic or other issues.
- Now, the Department of Environmental Protection (DEP) would not support any sewer extension or connection to properties outside of planned sewer service areas. DEP has the authority to intercede if necessary.
- Sewer areas may be revised **ONLY** via a Comprehensive Wastewater Planning Process.

Current focus of sewerage

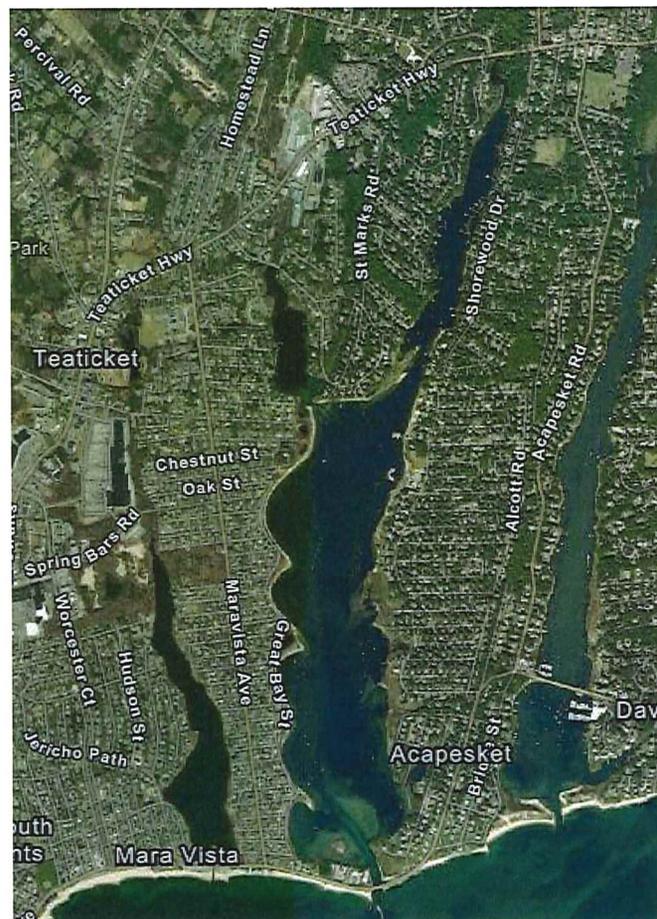
- Improve water quality in impaired coastal ponds
 - Reduce nitrogen load
 - Make progress toward Total Maximum Daily Loads set by state
- Select Board approach: address most impacted estuaries first, using financial “windows of opportunity”

Nitrogen Required to be Removed to Restore Each Estuary (Massachusetts Estuaries Project)



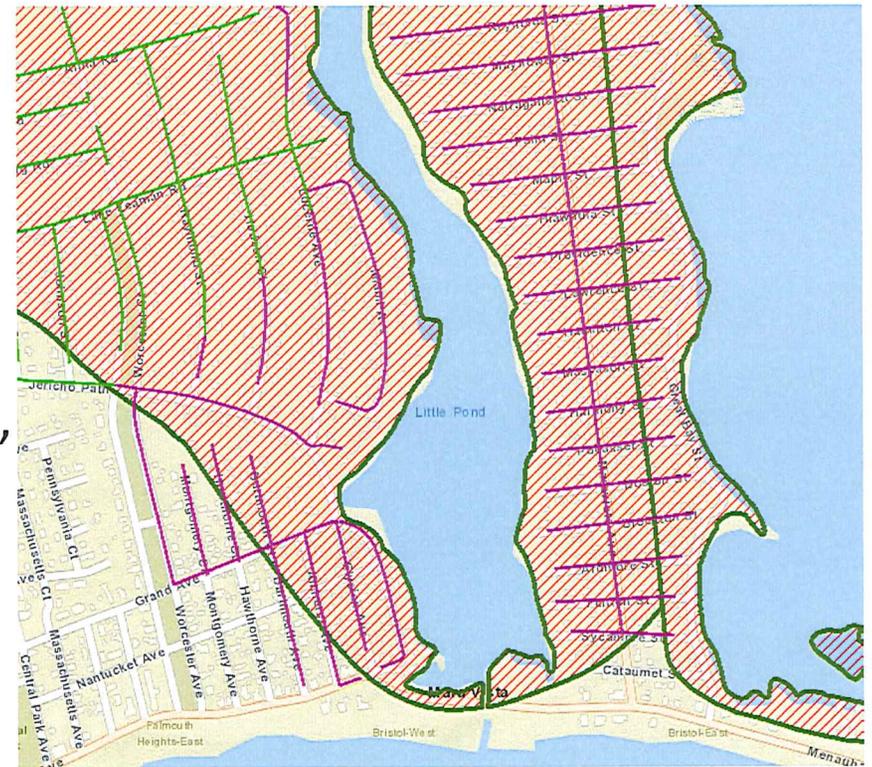
Sewer projects – recently completed and proposed

- Little Pond Sewer Service Area completed in 2017 - \$40M - to improve water quality in Little Pond
- WWTF Improvements - proposed for 2022 vote - \$20M – to accommodate Teaticket/Acapesket Sewer Area and existing area, and meet permit limits
- Teaticket/Acapesket Sewer Area Sub Area 1 - proposed for 2024 vote - \$60M - to improve water quality in Great Pond



Sewer service areas were carefully delineated

- Not arbitrary
- Function of watershed boundary and practicality of sewerage – sewers in roads - had to sewer some areas beyond the boundary to access the ones within the boundary
- Watershed boundary delineated by USGS, used by state in setting TMDL
- Reviewed service area parcel by parcel with state
- Parcels within watershed impact pond water quality, those outside do not.



Process to expand sewer service area - now LENGTHY AND EXPENSIVE

- Contract with consultant to prepare Notice of Project Change (NPC) to the Town's approved Comprehensive Wastewater Management Plan
 - last NPC submitted in 2019 (TASA) was 1,808 pages, total cost \$575K
- NPC approved by Select Board reviewed by state agencies
- Next requirement: Targeted Watershed Management Plan (TWMP)
 - TWMP for Great Pond \$350K
- Then: fund design, construction; DEP revise groundwater discharge permit

Flow Neutral Bylaw

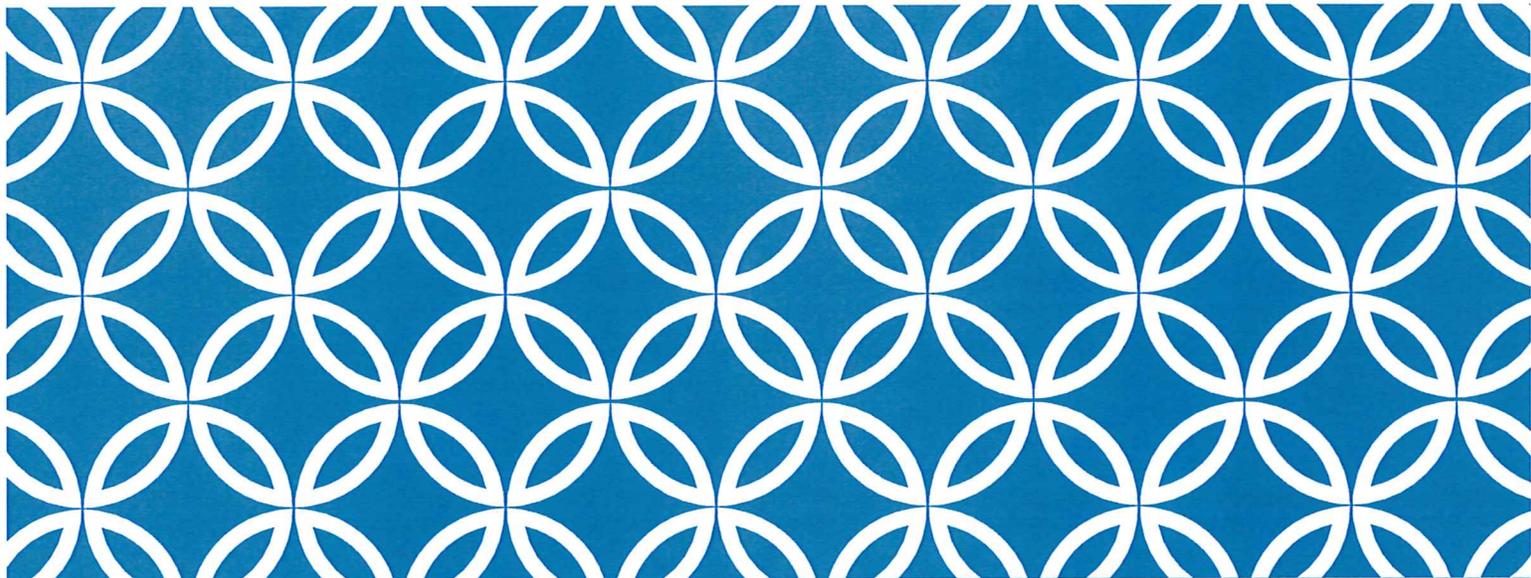
- Applies to development within existing approved sewer areas.
- Involves a change in nature of use or amount of flow, NOT a change in service area.
- Properties outside sewer area CANNOT gain permission to connect via a flow neutral bylaw variance.
- Properties in the publicly funded sewer project areas paid betterments.
- In the plan and permit, flow was allocated for future use allowed by current zoning within sewer area so that permitted flow for area would not be exceeded by permissible growth.

Recommended Select Board Policy

- Only properties that abut a sewer collection line (i.e., properties located within an approved sewer service area) are allowed to connect to the sewer.

#6. Presentation from Amp Energy on potential lease agreements related to Town Meeting Article 21

#7. Discussion on designation of the local option portion of the short-term rental tax to the affordable housing fund



SHORT-TERM RENTAL TAX LOCAL OPTION

**Affordable Housing
Revenue Potential**

ROOM OCCUPANCY TAX OVERVIEW

	Before 2019	Eff. July 1, 2019	Eff. Jan. 1, 2020	Options
State Rooms Tax	5.7%	5.7%	5.7%	None
Local Rooms Tax	4.0%	4%	5%	Up to 6%
Water Improvement Tax	0%	2.75%	2.75%	Opt out after 3/2020
Community Impact Fee	0%	0%	0%	Up to 3% (Short-term Rental only)
TOTAL	9.7%	12.45%	13.45%	

COMMUNITY IMPACT FEE LOCAL OPTION

- ❖ Town may assess up to 3% Community Impact Fee
- ❖ Applies to Short-Term Rentals Only
- ❖ Town may choose to exclude short-term rentals within operator's primary residence

COMMUNITY IMPACT FEE LOCAL OPTION

- ❖ At least 35% of revenue must be earmarked for affordable housing or local infrastructure projects; Town can elect to earmark up to 100%;
- ❖ Adoption of the Community Impact Fee requires Town Meeting Vote;
- ❖ Expenditure of funds requires a Town Meeting appropriation
 - ❖ e.g. Appropriate into Falmouth Affordable Housing Fund or for roadway improvement project

WHAT IS THE REVENUE POTENTIAL?

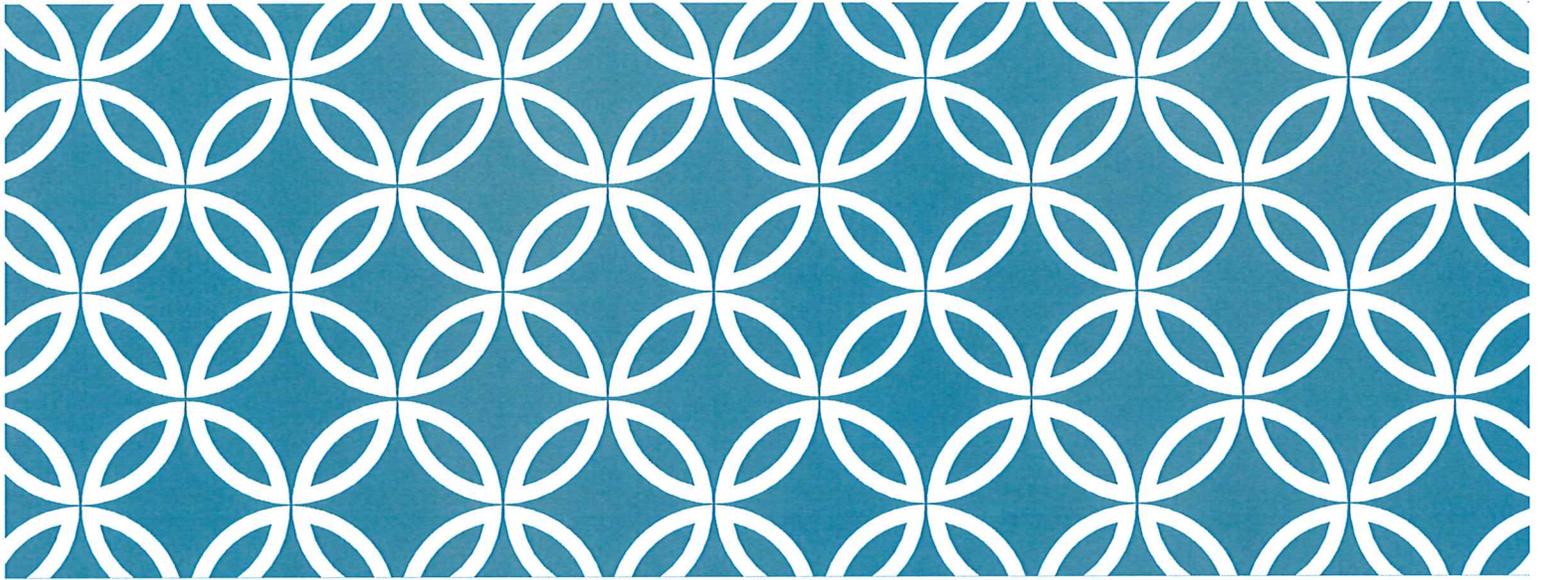
- ❖ We do not have any data on short-term rental tax collections at this time
- ❖ MA Department of Revenue does not distinguish short-term rooms tax collections from traditional hotel/motel rooms tax in quarterly distributions
- ❖ Total Room Occupancy Tax, including hotel/motel and short-term rental for FY2020 increased by \$300,000 from FY2019 to FY2020.
 - ❖ Rooms Tax rate increased from 4% to 5% in the middle of FY2020.
- ❖ Town of Plymouth adopted a 3% Community Impact Fee and reported collections of \$21,211 for FY2020.

WHAT ARE OTHER TOWNS DOING?

❖ Per DOR Website, no other Cape towns have adopted the Community Impact Fee

❖ 16 Municipalities have adopted Community Impact Fee

Amherst	Chelsea	Marion	Plymouth
Arlington	Everett	Medford	Rockport
Boston	Gloucester	Northampton	Swampscott
Cambridge	Leverett	Norwood	Webster



QUESTIONS? |

#8. Consider/approve proposed ballot question for May 2021
municipal ballot

Diane Davidson

From: Julian Suso
Sent: Friday, March 12, 2021 3:07 PM
To: Diane Davidson
Subject: FW: Ballot question Teaticket roof
Attachments: Ballot question Ma 2021 election Teaticket Roof.docx

Diane,
The second background email on the Teaticket School Roof issue.
Julian

From: Jennifer Mullen <jennifer.mullen@falmouthma.gov>
Sent: Thursday, March 11, 2021 3:30 PM
To: Julian Suso <julian.suso@falmouthma.gov>
Cc: Michael Palmer <michael.palmer@falmouthma.gov>; 'Patrick Murphy' <pmurphy@falmouth.k12.ma.us>; Lori Duerr <lduerr@falmouth.k12.ma.us>
Subject: Ballot question Teaticket roof

Julian,

Attached is the ballot question for the Teaticket Roof. A Town Meeting warrant article will be submitted for the November Town Meeting for the debt appropriation. We usually get Town Meeting authorization first but since we had a late Town Meeting and no cost estimate we can appropriate the funds through a debt exclusion in November and be ready to replace the roof in the Summer of 2022.

Please let me know if you have questions. Thanks.

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

Proposed ballot language:

Shall The Town of Falmouth be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued in order to replace the roof for the Teaticket Elementary School.

#9. Approve 2021 Annual/Seasonal License Renewals:

All Alcohol Restaurant License

Falmouth Pier 37 Boathouse, 88 Scranton Avenue, Falmouth

Falmouth Raw Bar, 56 Scranton Avenue, Falmouth

Landfall Restaurant, 9 Luscombe Avenue, Woods Hole

Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole

Shuckers, 91 A Water Street, Woods Hole

All Alcohol Club License

Seacoast Shore Association, Inc., 7 Farview Lane, Falmouth

Common Victualler License

Eulinda's 634 West Falmouth Highway, West Falmouth

Jim's Clam Shack, 227 Clinton Avenue, Falmouth

The Blended Berry, 56 Davis Straits, Falmouth

The Village Café, 634 West Falmouth Highway, West Falmouth

SEASONAL LIQUOR LICENSE and SPRING LICENSE RENEWALS – March 22, 2021

All Alcohol Restaurant License

Falmouth Pier 37 Boathouse, 88 Scranton Avenue, Falmouth

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The Village Café, 634 West Falmouth Highway, West Falmouth

#10. Discussion and vote on Town Manager employment agreement

#11. Review and Vote to approve minutes of meetings: Public Session
– December 21, 2020

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
Open Session
MONDAY, DECEMBER 21, 2020
SELECT BOARD 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 December 21, 2020 public meeting of the Falmouth Select Board 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 Select Board 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 selectboard@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/Select Board'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.*

Present: Megan English Braga, Chair; Doug Brown, Co-Chair; Doug Jones; Sam Patterson; Nancy Taylor.

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

1. **Call to Order by Chair English Braga at 6:30 p.m.** Chair English Braga called the open session to order at 6:00 p.m. and motioned to convene the executive session under Pursuant to M.G.L. c.30A s.21(a)(2): to conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with non-union personnel (town manager contract) because to not go into executive session could prejudice ongoing negotiations. Mr. Jones seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Chair English Braga aye; Doug Brown, aye; Doug Jones, aye; Sam Patterson, aye; Nancy Taylor, aye.
2. Chair English Braga reconvened the open session at approximately 7pm.
3. Reconvened at 7pm.
4. Pledge of Allegiance
5. Recognition
Mr. Brown thanked Ernie Santos at the Waste Management Facility who has retired from Town service.

Mr. Brown thanked the Falmouth Community Network Committee who looked at whether the Town could have a broadband network. Also thanked the EDIC that did that study that shows it may be feasible.

Waquoit Church having memorial for those homeless who have passed away this year.

6. Announcements-none.

7. Public Comment

Ed and Cathi Valeriani, Sandwich Rd and Ashumet Valley, sent thanks for thoughtful work of the siting of the new fire station on Sandwich Road in Hatchville.

8. Vote to affirm appointment of Water Superintendent

Cathal O'Brien, previously worked for the City of Taunton.

Mr. O'Brien reviewed his experience of 20 years in municipal management. He has had supervisory training through New England Water Works and continuing education while serving in the Taunton Water District. He is familiar with automated SCADA system.

Mr. Brown noted challenges of older pipes in the ground that he will have to work on. A well in East Falmouth that recently tested positive for a modern contaminant. Also his commute is a challenge, hopes to have an incentive plan for those who want to move and stop commuting.

Mr. Suso is aware of potential future residency; he asks the SB for consideration of a waiver of residency. Mr. O'Brien currently lives in Taunton and familiar with the commute to Falmouth.

Mr. Patterson motion to affirm and waive the residency requirement. Second Ms. Taylor. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

SUMMARY OF ACTIONS

1. Administrative Orders

a. Approve Eversource petition to install one (1) 6" conduit, two (2) 6" conduits and four (4) 4'x6'x6' manholes on Menauhant Road, East of Acapesket Road. The proposed locations are required for system reliability.

b. Engineering Dept. recommends approval.

Mr. Brown asked Eversource representatives present what the PVC is encased in at the point of crossing the bridge, the bridge crossing will be encased in fiberglass conduit.

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

c. Approve Eversource petition to install one (1) 3" conduit and one (1) Handhole #2/H70 on Wild Harbor Road, West of Main Entry Road. The proposed location is required to accommodate new house at 360 Wild Harbor Road.

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

d. Affirm agreement with outside counsel on wastewater matters with DEP

Mr. Suso noted the Board has email from Frank Duffy, Town Counsel, regarding his recommendation to allow engaging Anderson and Krieger. This proposal has to do with permitting the New Silver Beach Wastewater plant, DEP suggesting consideration for expanded requirements and Buzzards Bay coalition is involved in potential appeal process of the licensure of this plant. A number of issues at risk that merits bringing in special counsel would be appropriate. Treatment capacity of the plant should be decreased while the service area should be increased is being suggested to the disadvantage of Falmouth tax payers. Last time through this process for the main plant, also had assistance by outside counsel. Julian Suso recommends as well.

According to Mr. Suso, the Buzzards Bay Coalition suggesting area be expanded and capacity diminished. This will cost tax payers a lot more money and need to be cautious that this is being looked at by an appropriately trained eye and assist DEP regulators in addressing the issues. The court is not involved now, just in front of the DEP, it could become a legal matter. The Buzzards Bay Coalition includes Falmouth in their communications with DEP.

Mr. Brown would like to see the actual notice from Buzzards Bay Coalition before hiring attorneys.

Mr. Patterson does not feel they will win this based on costs to the taxpayer. Makes sense to have a third party representing the Town and different perspectives.

Chair English Braga asked if Mr. Brown is seeking to table this until the Select Board sees a letter.

Mr. Suso noted this is mission critical to the Town, Buzzards Bay Coalition has a number of attorneys, and the Town is trying to level the playing field. There is some time sensitivity to it because the DEP gives deadlines to respond.

According to Mr. Jones, this is in front of the administrative appeals, administrative judge is currently considering. Chair English Braga is more comfortable having outside counsel involved now, the Select Board retains the decision making power on how far counsel goes to represent us. Mr. Jones noted legal action cannot be taken without the Select Board approval.

Mr. Brown said if time sensitive, he defers to the opinions of the other Select Board members.

Mr. Brown withdrew his request and is willing to move forward.

Mr. Patterson wants a strong, articulate, experienced attorney representing the Town and has been disappointed in the past with representation re: wind turbines.

Mr. Jones motion to affirm agreement with outside counsel. Second Ms. Taylor. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

2. Special Events

- a. Request to temporarily make Parsons Lane one-way – Waquoit Congregational Church – Friday, December 25, 2020 from 10:00 am to 2:00 pm – Christmas meals pick-up

Mr. Jones motion to approve. Second Ms. Taylor. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

PUBLIC HEARINGS

1. Shade Tree Hearing – on application of Peter Killelea for the removal of four (4) Sycamore maple trees abutting 10 Bell Tower Lane, Woods Hole

Chair English Braga read the hearing notice.

Jeremiah Pearson, Tree Warden, showed pictures of the trees, they are completely inundated with English Ivy. Structural issues and rot has been created by the loading effect of the ivy catching wind and snow. This is a concern for residents and people who park their car at the nearby park. Plan is to replace these trees with native plants, shrubs, and pollinators. English Ivy needs to be cut, so it does not get on the tree, particularly on the root flare, leads to issues with decay. If the trees were not already compromised, you could cut the vine, then remove it once it dries. There are chemical treatments, but can damage other things if you use that, so ripping it up is the best option.

Mr. Jones motion to close the hearing. Second Ms. Taylor. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

Mr. Jones motion to remove these four trees. Second Mr. Patterson. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

2. Wetland/Dock Hearing – Wild Harbor Yacht Club for permission to reconstruct the existing boat ramp in the same location as currently exists in and over the waters of Wild Harbor, located at 386 Wild Harbor Road, North Falmouth

Chair English Braga read the hearing notice.

Michael Borselli, Falmouth Engineering, representing the applicant. Mr. Borselli shared his screen and reviewed an aerial photo of the property and described the area. The plan was reviewed. Sailing classes are taught, the boat ramp facilitates the sailing by allowing the small sailboats to be launched. They also launch a couple of Boston Whalers. This is a very flat, gradual slope, it is mainly for hand launched small vessels. Surface pavement in state of disrepair, past its useful life and has become unsafe and difficult to use. Replace in the kind, remove asphalt and replace with reinforced concrete. No wider, no longer. Granite curbing is on the edge, pavement within the curbing removed and then poured concrete. Proposing to temporarily drive sheeting around the outer perimeter of the boat ramp to isolate it from tidewaters and the water would then drain at low tide, sheeting installed, then work done on a less stringent schedule. Fuccillo, contractor, has been consulting with the yacht club. Estimate one-two days at most of work. Concrete will have a slip resistant surface. Conservation Commission has issued an Order of Conditions.

The neighbors have been notified as abutters, no feedback from abutters.

Dan O'Connor has spoken to an abutter, the Goodman family, they support the project.

Mr. Jones motion to close the hearing. Second Mr. Brown. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

Public Comments: none.

Mr. Jones motion to approve. Second Mr. Patterson. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

BUSINESS

1. Interview, vote and appoint committee member: Commission on Disabilities – Caroline Knox

Ms. Knox resident for six years, grad student at UMASS Boston, studying vocational counseling, she would like to get involved to do more in Town. Volunteered at Morse Pond, Library, Wheelchair Curling.

Mr. Jones motion to appoint to a term ending 6/30/23. Second Mr. Patterson. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

2. Discussion/update on COVID-19 issues

Scott McGann, Health Agent, reviewed the weekly case trend in Falmouth, 613 case count as of today. Case counts are much higher than at the beginning of the pandemic, though it was difficult at the beginning to get a test, easier in May. Averaging about 35 cases per week, more of a community spread issue over the last week. We need to think about how we did things early on in the pandemic to bring the numbers down. We are in the yellow. Positivity climbing since early November, now at 3.69%, if 5% or higher, go into the red. Anything over 2% indicates community spread. The county is at 4.4% and the State was at 6%. Countywide 279 over the last three days, highest it has been since the pandemic began. Hospitalizations at 13, 1 in ICU; Cape Cod Hospital being 24 and 1 in ICU and death rate increased. Reviewed cases in neighboring communities. All small outbreaks interfamily. About 150 cases are still active.

The vaccine is here, reviewed Phase One, Phase Two, and Phase Three plans for vaccinations. Unknown how this will happen, local BOH working on first responders. We have to figure out how the Town will administer and track the vaccine. Have the administrative side, operations side, he does not have the detail.

Schools are aggressive in contact tracing; he is in contact with the School Department daily. It is being brought in by other things, such as a dance academy that students go to and then bring it into school. Guidance and amount of work being done for schools to set up for it, has resulted in their success. Children and staff get it, there is less spread in school than outside the school.

We are not at the point to take names and numbers for a list of those seeking vaccinations.

There is no control over which brand vaccine one receives, may start with the Moderna one because it is a little easier to handle than Pfizer.

Even with the vaccine, continue using the mask and social distancing, not enough information. Need to keep modeling the behavior, there is a question of whether you can spread it. If people get the vaccine, they will likely be more relaxed about it.

Jacqueline Dufresne commented: vaccine will prevent you from getting very ill, but you can still pass it on to others.

3. Report – Waterways Committee

Jeff Thomas, Chair Waterways Committee, made a PowerPoint presentation of the 2020 Yearly Report. Met eight of the twelve months, need to focus on short and long term goals regarding navigational dredging. Develop a priority list of needs in Town. Identify list of all Town waterways for dredging possibility, criteria for need assessment, prioritize the areas to focus on goals and planning, document nuisances on how things are done in Town. The documents are done and published. Reviewed satellite view of Falmouth with labeled waterways. There are 32 distinct identified areas that are subject to dredging. How are we going to determine priorities was reviewed. More public presentation in Zoom meetings rather than in person meetings. Ten year comprehensive Permit is due for renewal next year, so didn't include those in the priority list. Majority of problems are in Waquoit Bay, reviewed a satellite view the biggest priority is the center and inlet as well as Washburn Island by Menauhant Yacht Club. West Falmouth Harbor, you can see the sand and there is an issue with the inlet, as Great Pond does as well. Megansett Harbor has issues, but is further down on priority list. Links to documents can be found on the Waterways Web Page under Related Meeting Documents.

DEP requirements for dredging are to protect environmental aspects they are trying to protect, that is why dredging allowed only during certain times. Mr. Jones noted if we have our own dredge, we can make the decision to dredge over the two month dredging season. Mr. Brown thinks that there will be more opportunities with a working dredge and additional crews, request changes by legislatures may be appropriate.

Chris Dunn, Waquoit Bay Yacht Club, stated that a year ago Waquoit Bay was prioritized for 2020. It is clear to address the list of twenty unpermitted waterways, significant resources would be needed. Need to look at leveraging other resources in Town, other engineering, including DPW assisting the Waterways Committee. Joint approach for addressing the issues in Waquoit Bay. Issue remains the channel in Waquoit Bay is about 3-3.5 ft., it was 6 ft. in the 1970's, in the 1930's the Coast Guard identified it as a 6ft. channel. How do we reestablish it to a 6ft. channel needs to be looked at.

Mr. Suso noted that frustrations continue, even after the County doubled their capacity to dredge. They have not looked into the Town having its own dredge.

Mr. Brown said there are twenty areas that need permitting, looking for assistance to dedicate resources to provide the permitting process, people have the right to navigable waterways and Town has some responsibility.

Chair English Braga asked Mr. Suso for this to be addressed in ways the Town could supplement the work going on in terms of moving the permitting process forward. Many of the problem areas are without permits, it is a big lift for neighborhoods, associations, yacht clubs to try to pull this together.

Mr. Thomas said engineering assessment is the first step for permitting. Waquoit Bay cost was about \$100,000 plus for engineering; Cape and Islands Engineering was \$65,000 for a very specific channel. Gregg Fraser received quote from Woods Hole Group for \$150-200,000. Then it was suggested an RFP process be used for consistency in the quotes. Chair English Braga noted this will be put on a future agenda and requested Mr. Suso include the Finance Director in the new year.

Mr. Brown, Office of Jay Ash had a dredging program, rolled it out last year and prioritize commercial ports, maybe there is funding there that could be targeted.

Nancy Taylor lost internet at this time.

4. Report – Water Quality Management Committee

Eric Turkington, Chair, made a PowerPoint presentation. There has been a change of membership; Virginia Valiela stepped down; Steve Rafferty has joined the committee. Successes reviewed, including South Coast Comprehensive Management Plan Update approved in February 2020 by the MA Secretary of Energy and Environmental Affairs. West Falmouth Harbor has met its TMDL, the amount of nitrogen that needed to be removed. Innovative septic systems were installed in the area, other alternatives used, and this is the first on Cape Cod to meet its TMDL, unknown when this will occur and be a major improvement. Little Pond Sewer Area update that almost all properties are hooked up, on time, under budget, and the most affordable betterments anyone on Cape Cod will ever pay and it will remove 80% of the nitrogen needed to be removed from Little Pond. Bournes Pond Inlet Widening, planned for 2021. Nitrogen Reducing Septic Systems in West Falmouth Harbor with the Buzzards Bay Coalition. Permeable Reactive Barrier demonstration project installed near Great Pond. Coonamesset River Restoration project partnered with the Woodwell Climate Research Center and the USDA. Does the River restoration help with nitrogen reduction? We do not know, but will find out. Mill Pond Restoration Project, worked with East Falmouth Village Association to restore the pond. Bournes Pond Aquaculture Demonstration Project, highlighted the importance of site selection and optimizing oyster density for nitrogen removal. Ulva took over, it is a greasy green growth that takes over a water body when conditions are right for ulva. Shellfish did not like it. Oyster Pond Draft Management Plan/CWMP: evaluation of a feasibility of a neighborhood low pressure sewer collection system vs. sewer vs. innovative/alternative septic systems. Found sewerage is much more expensive initially, but lower future expenses. Buzzards Bay Coast Estuaries Scenarios Reviewed, all have low nitrogen removal needed; alternatives can solve the problem in some of them. Dealing with the big problems on the south coast of Falmouth first, then moving to other estuaries with alternatives. Next planned phase of Falmouth sewerage: Teaticket/Acapesket Sewer Service Area, Area 1 Teaticket construction projected for 2026; planning underway. Area 2 for possibly 2030. This benefits Great Pond, much of the water comes from the Coonamesset River, sewerage will not remove the entire problem because nitrogen comes in through the river. Treatment plant upgrades will be needed, expecting to be on 2022 Town Meeting ballot. Low pressure pumps review: studied initial and ongoing costs, issues compared eight towns, most chose the system that Falmouth chose. Discharge sites: for any future sewer projects where will the tertiary treated effluent be discharged? Potential discharge sites include site 7 next to the sewer treatment plant on Thomas Landers Rd., Allen parcel in East Falmouth, ocean outfall, and Augusta parcel in the Teaticket area. Regional progress on the Cape Cod and Islands water protection legislation provides a 25% grant towards the capital cost for the next wastewater infrastructure projects.

Innovative Alternative Septic Systems may be regulated in the future, not every house on Cape Cod will be skewered; we need to have systems people can add onto their septic tank that work and are not overly expensive to install and maintain. We know these work.

Low pressure systems, if low enough cannot put a gravity system in and gravity is two times as much to install, these systems need lift stations, these need to be sited in the area. These are all low lying peninsulas.

Craig Fleming asked. Did EI extend the warranty on low pressure systems? Mr. Suso does not know, Amy Lowell can confirm that if the Mr. Fleming sends an email to Amy or Town Manager's address.

Mr. Brown noted the Augusta parcel is in close proximity to residences, Mr. Turkington explained this water is treated and neutral. If one goes to site 7 now, water is discharged at this site and no complaint received from the neighbor.

5. Update – Complete Streets Prioritization Plan – James McLoughlin, Town Engineer; Cape Cod Commission

Peter McConarty, Jim McLoughlin, Steve Tupper, and Colleen Medeiros Cape Cod Commission. Tier One was policy that was accepted, now Tier 2, prioritization plan.

Steve Tupper, Cape Cod Commission, Transportation Program Manager, Colleen mediators, Transportation Engineer. Complete Street takes into account safe and accessible use for all users, improving biking and pedestrian for people of all ages and abilities. Benefits of complete streets include improved health, crash reduction, vulnerable population, economic, and environmental.

Colleen Medeiros, Transportation Engineer, made a PowerPoint presentation; MA DOT Complete Streets Funding program to meet demands for multi mobilizing. Tier 1: training and complete streets policy development approved December 2019. Now in Tier 2: Prioritization Plan Development, Technical

assistance grant to develop list of priority projects. Tier 3: Project funding for construction, up to \$400,000 in grants available per town via competitive process. Two plans completed Cape wide.

Prioritization Plan: identify future projects with public outreach as part of this. Plan will id project details, readiness, project cot, and benefits. State Highways are not eligible for Mass DOT Complete Streets Funding Program, but can be included in the plan. Plan can be based off the Town's other related planning. Plan will prioritize projects based on a set of evaluation criteria, and should be updated regularly.

Prioritization plan process reviewed, January first public meeting to develop a list of ideas for where these projects will be needed, develop list of projects, and prioritization. In the Spring presentation of the draft list, the Town will submit final prioritization list to MassDOT. Types of Complete Streets Projects include pedestrian, bicycle, transit, and vehicle. These projects can include shot term low cost projects and long term/high cost projects.

Public Outreach, two virtual public hearings, first in January for feedback, then spring for public to weigh in on the prioritization draft. Web based public input tool will be used to compile public comments. Currently live project website. They will update the Select Board in meeting updates. Project Scheduled was reviewed.

First public meeting 1/13/21 at 6pm via Zoom, with public comment tool. Anticipate wrapping this up by June 2021.

Chair English Braga suggested they contact the Bike and Pedestrian Committee and Transportation Management Committee.

Mr. Brown attends Transportation Management Committee Meetings; they have been asking for Complete Streets for years and the next meeting date is 1/14/21.

Mr. Jones encouraged the draft priority list go to those committees before they come to the Select Board.

Prioritization is driven by community priorities, objective criteria, cost effectiveness, equity criteria, and other criteria reviewed in the first public meeting.

6. Presentation and Vote: Green Communities Act Energy Reduction Plan

Mr. Suso explained they have been working diligently towards this initiative, including the building code upgrade. Margaret Song, Cape Cod Compact, asked the Select Board to consider taking action to file this timely to potentially qualify the Town as a Green Community.

Margaret Song, Cape Light Compact, DOER Technical Assistance Grant, presented a PowerPoint presentation.

The Town needs to meet five criteria, this round for grant of \$195,000 and opportunity for future competitive grants, application due by December 31, 2020.

Energy Reduction Plan is a living document, identify baseline year usage, they use 2018, goal is to save 20% and no penalty for not reaching goals. An allowance for 5% to be behavioral. How would you accomplish the goal of 20% reduction, back to 2018 because there have been capital improvements over time that resulted in reduction. Request is to vote to adopt energy reduction plan.

Mr. Johnson-Staub said looking for the Select Board to authorize Chair to send a letter to approve the energy reduction plan.

There are calculators out there to include carbon reduction. This grant may be used for electric vehicle charging. Once designated and the grant funds are received, then the Select Board may decide which projects you want to pursue.

Doug Brown read the motion in the packet. Mr. Brown motion that the Select Board adopt the Energy Reduction Plan as submitted and authorize the Chair to send a letter to the MA Department of Energy Resources to affirm this action Second Mr. Patterson. **Roll Call Vote: Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye. Absent: Ms. Taylor.**

7. Approve 2021 Annual License Renewals:

ALL ALCOHOL RESTAURANT

East End Tap, 734 Teaticket Highway
The Cape Club, 125 Falmouth Woods Road

ALL ALCOHOL CLUB

AMVETS, 336 Palmer Avenue

ALL ALCOHOL PACKAGE STORE

Murphy's Package Store, 410 West Falmouth Highway

COMMON VICTUALLER

Cape Cod Bagel Co. Inc., 419 Palmer Avenue
Dana's Kitchen, 881 Palmer Avenue
Devour, 352 Main Street
East End Tap, 734 Teaticket Highway
Eat Your Heart Out Café & Gourmet Market, 587 Main Street
Falmouth Hospital Cafeteria, 100 Ter Heun Drive
Martha's, 281 Main Street
Peel Pizza, 31 Teaticket Highway
Sweet Rice, 167 Teaticket Highway
The Cape Club, 125 Falmouth Woods Road

INNHOLDER

Inn on the Square, 40 North Main Street

ENTERTAINMENT

East End Tap, 734 Teaticket Highway
The Cape Club, 125 Falmouth Woods Road

SUNDAY ENTERTAINMENT

The Cape Club, 125 Falmouth Woods Road

CLASS II MOTOR VEHICLES

Battles Used Cars & Trucks, 14 Depot Avenue
Cid's Auto Brokers, 91 Carl Landi Circle
Falmouth Auto Center, Inc, 614 East Falmouth Highway
Falmouth Motorcar, Inc., 716 Teaticket Highway
Pier 37, 64 Scranton Avenue

VEHICLES FOR HIRE

NeveRest Limo, 33 Village Common Drive
White Tie Limousine, 292 Teaticket Highway

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

8. Discussion/update on special events applications for 2021

Mr. Suso noted in the packet is summary information, summary of special events anticipated, reminder sample of what they see each year, final page includes dates discussed for calendar year 2021. Suggested application process and asked for the Select Board's concurrence: completed application with a modified event with Covid-19 plan and second for a normal event, submitted with filing fee only. They will notify those interested in special events.

9. Discuss and vote 2021 Select Board meeting calendar, including confirming proposed date(s) for joint meeting with the Planning Board in late January/early February

Draft of the Annual Calendar in the packet.

Mr. Patterson motion to approve. Second Mr. Brown. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

10. Status/update on CDBG-COVID grant to the Town of Falmouth

Mr. Suso noted a summary in the packet regarding the \$320,000 grant, last Wednesday meeting for paperwork and online processing of this including a micro loan program eligibility is narrower than initially thought.

EDIC is willing to assist.

11. Status/update on the issuance of winter season temporary outdoor restaurant service licenses

Mr. Suso stated that eleven different restaurants were issued those permits. The next wave will be for period in April into spring.

Mr. Jones noted some restaurants have outdoor dining as their regular license, if they are already licensed, than no need for them to reapply. Permits issued includes that they work with the Town on snow removal.

12. Individual Select Board members' reports

Mr. Patterson:

EDIC just won a grant to develop concept for the planning of a concept around the bus depot.

Broadband network group, only way to attract overbuilders is to put out a request for information to develop competitive local exchange companies. They may want an endorsement from the Town to support permitting and right of way to get expedient response from staff. Supportive letters from Town

organizations and parties would help to attract people to provide information on what kind of services they can provide.

This can be put on an upcoming agenda for discussion.

Mr. Brown:

Transportation Management Committee is looking for more interaction and direction from the Select Board.

Planning Board Meeting talking about upcoming joint meeting and looking for input from the Select Board on what subjects the Select Board wants to discuss. Chair English Braga said they had sent out possible subjects to Planning, it has gone back and forth. Planning Board will talk about the Davis Straights development.

Assembly of Delegates Meeting, consideration of increased dredging rates because they wanted minimum \$20,000 for even small projects, seemed receptive to putting together several small projects to pay only one minimum. Assembly voted to table the matter until the next meeting.

Mr. Jones:

Meeting with SSA on short term solutions for traffic and noise, continuing to make progress.

13. Town Manager's report

Work continues on delivering a virtual town Meeting on 1/25/21, fiscal budget 2021. Town offices closed 12/25/20 and 1/1/21 for the holidays. By the end of the workday tomorrow there will be a website update in place, new domain. Release issued regarding upcoming upgrades.

Chair English Braga thanked the Select Board for covering a lot of business in this challenging year in a way to encourage public input.

Mr. Jones motion to adjourn at approximately 10:40pm. Second Mr. Brown. Roll Call Vote: Ms. Taylor, aye; Mr. Brown, aye; Mr. Patterson, aye; Mr. Jones, aye; Chair English Braga, aye.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

#13. Town Manager's Report

REPORT

TO: Falmouth Select Board

FROM: Julian M. Suso

DATE: March 19, 2021

JMSuso

- The Board will convene in executive session at 6PM on Monday, March 22 for a discussion on potential participation by the Town in multi-jurisdiction litigation regarding PFAS contamination of groundwater sources which closely impacts Water Division operations. Both Town Counsel, outside counsel and Public Works staff will join us for this short discussion. Following this, we will also review and discuss the proposed successor Employment Agreement for the Town Manager which was prepared in collaboration with the Board's Subcommittee and Town Counsel.
- Scott McGann will join us for the update on COVID-19 issues. As you know, the Governor has just announced a further expansion of vaccination eligibility and a further planned, phased re-opening with limitations. We continue to monitor this closely as we receive inquiries about potential Special Events for later in the calendar year.
- In order to "better accommodate" the daunting number of Warrant Articles set for the April Town Meeting, in consultation with the Town Moderator and Town Counsel we are suggesting that the Board "separate" the most pressing financial articles (1, 3-16 and 37) from the balance – dealing with only these most pressing financial articles at the upcoming virtual meeting on Monday, April 12. It is further suggested that the Board consider announcing a Special Town Meeting to include the balance of the original forty articles – at a date and time to be formally confirmed at your next upcoming meeting on April 5. This Special Town Meeting would be planned as an in-person, socially-distanced gathering likely in the month of June.
- We have received five applicants for the two "alternate" Beach Committee positions that the Board announced at your last meeting. You will be conducting these interviews.
- Now that the Little Pond Sewer project is essentially complete (other than the Bourne's Pond widening), Amy Lowell and Eric Turkington will be joining us for the anticipated review, discussion and recommendation regarding ongoing periodic requests for expanded sewer connections. Be advised that this is a fairly complicated and highly (State) regulated process,

as will be further explained in the presentation. This is NOT the same as the much simpler “variance” process under the Town’s Flow Neutral Bylaw. I do anticipate that one/more persons who have transmitted a request for a sewer area expansion to attend the upcoming virtual meeting. They have been advised that this is a presentation and discussion only. For the compelling reasons included in the Power Point, we are recommending that the Board consider adopting a formal Policy on this: “Only properties that abut a sewer collection line (i.e. properties located within an approved sewer service area) are allowed to connect to the sewer.” You may wish to take this recommendation under advisement for possible adoption at your next meeting on April 5.

- A representative from Amp Energy has been invited to make a brief presentation on “leasing agreements” related to their proposed solar project on the Cape Cod Golf Course property.
- There will be a background summary presentation on the local option portion of the short-term rental tax (for affordable housing) as permitted in the enabling State legislation.
- The Board will consider proposed ballot language for a School Department request for a debt exclusion related to Teaticket School roof improvements for the upcoming May, 2021 municipal ballot.
- Thank you for your consideration of a proposed Town Manager Employment Agreement.
- I attended the latest meeting of the Steamship Authority Task Force on Thursday evening.
- On Thursday and Friday, I have been attending virtual sessions of the Northeast Regional ICMA (municipal management) Conference which has included the usual timely topics on various management-related issues.
- The Board’s next regular meeting is Monday, April 5.
- We are still seeking to set a follow-up date and time for the recently postponed Joint Meeting with the School Committee. The onset of April Town Meeting, including the scheduled virtual precinct meetings, is presenting a challenge to re-schedule this Joint Meeting prior to mid-April.