

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, MAY 10, 2021 – 6:15 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 May 10, 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

6:15 p.m. OPEN SESSION

6:15 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – Discussion on potential settlement of litigation involving Town wastewater facilities
2. M.G.L. c.30A s.21(a)(3) – To discuss strategy with respect to collective bargaining – Falmouth Firefighters Union Local 1397

7:00 p.m. OPEN SESSION

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

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application for a Fortune Teller's License for Jacqueline Duffy to be located at 268 West Falmouth Highway, West Falmouth

- b. Approve application for a change to a Pledge of Collateral of an All Alcoholic Common Victualler License – Shipwrecked, LLC – 263 Grand Avenue, Falmouth
 - c. Approve application for a Change of Hours (10:00 a.m. Sunday opening) of an All Alcoholic Common Victualler License – Shipwrecked, LLC – 263 Grand Avenue, Falmouth
2. Administrative Orders
- a. Vote to authorize Town Manager to proceed with Bond Anticipation Notes (BAN) and potential refinancing
 - b. Vote to approve extension of Memorandum of Understanding with Cape Cod Baseball League, Inc. for use of Guv Fuller Field
 - c. Vote to authorize submission of application for a Priority River grant application to the Division of Ecological Restoration to develop nature based solutions in partnership with the Town of Mashpee to improve coastal resiliency on Red Brook, and letter of support on the application “Red Brook Restoration Project: Part 1. Red Brook Road Crossing”
 - d. Vote to authorize Town Manager to sign Mill Pond Notice of Intent with the Conservation Commission
 - e. Approve appointment of Ray Jack as Falmouth representative to the JBCC Community Advisory Council
 - f. Approve request to expend funds in the amount of \$410,000 from the Coonamessett Greenway Heritage Trail donation account to complete projects associated with the Coonamessett Greenway Heritage Train (including the Gateway)
 - g. Authorize Project Eligibility Letter regarding 40B Comprehensive Permit Application for Scranton Ave./Main Street intersection. Application proposes construction of 48 affordable units for individuals age 62+.
 - h. Authorize town Marine & Environmental Services application for CZM Coastal Resilience Grant and letter of support
 - i. Authorize letter of support for WHOI application for CZM Coastal Resilience Grant
 - j. Authorize letter opposing the U.S. Coast Guard’s actions to downgrade the operational response capabilities of Station Chatham
 - k. Vote to approve an extension of the term ending date for the Edward Marks Building Advisory Committee
 - l. Approve grant of license to J. Jacob Fricke and Kimberly M. Ulmer to maintain a stone wall for 5 Nobska Road, Woods Hole
3. Special Events
- New-recommended:
- a. Beach wedding ceremony – Griffin/Correll – Chapoquoit Beach – Sunday, 6/13/21
 - b. Beach wedding ceremony – Griffin/McGarrigle – Stony Beach – Tuesday, 9/7/21

7:30 p.m. BUSINESS

- 1. Discussion/update on COVID-19 issues
 - Discussion on Special Events
- 2. Discussion/vote on potential EEE opt-out
- 3. Report – Falmouth Dog Park, Barb Schneider
- 4. Report – Golf Advisory Committee
- 5. Interview, vote and appoint committee members:
 - a. Historical Commission – Tamsen George, Johanna Reed
 - b. Transportation Management Committee – Albert (Ted) Fizzle
- 6. Presentation by EDIC and FalmouthNet on the findings of the EDIC broadband study and next steps
- 7. Vote to appoint representative of FCTV to the negotiating committee for the cable TV license renewal process; and designate members of the cable TV negotiating team as special municipal employees for the purposes of the Conflict of Interest law
- 8. Update and discussion of Fire Department Station and Staffing Matters

9. Discussion on the Old Burial Grounds – Historical Commission
10. Update on proposed Joint Base Cape Cod (JBCC) Machine Gun Range
11. Discuss and vote new date for Select Board Strategic Planning Retreat
12. Approve 2021 Spring Annual License Renewal:
Second-Hand Dealer
Fay's Gallery, 556 Main Street, Falmouth
13. Review and Vote to Approve Minutes of Meetings: Public Session – February 22, 2021
14. Individual Select Board Members' Reports
15. Town Manager's Report

Megan English Braga, Chair
Select Board

OPEN SESSION

SUMMARY OF ACTIONS

#1. LICENSES

- a. Approve application for a Fortune Teller's License for Jacqueline Duffy to be located at 268 West Falmouth Highway, West Falmouth



TOWN OF FALMOUTH

Town Manager & Selectmen Board Office
59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320
M.G.L. 140 §185I

FORTUNE TELLER LICENSE APPLICATION PROCEDURE

1. Submit the following to the Select Board Office
 - ✓ Completed application for Fortune Teller License
 - ✓ CORI request form
 - ✓ Proof of Residency in Falmouth – Town Clerk’s Office
 - ✓ Copy of Lease or Deed for premises to be licensed
 - ✓ Submission of a \$10.00 Filing Fee
 - ✓ Business Structure Documents:
 - a. Copy of Articles of Organization *(if corporation)*
 - b. Copy of LLC Agreement *(if limited liability company)*
 - c. Copy of Partnership Agreement *(if partnership)*
 - d. Copy of Certificate of Doing Business *(if sole proprietorship)*
 - n/a • Copy of special zoning permits, unless located in a commercially zoned area
 - ⊙ Certificate of Inspection - Building Department
2. Schedule and attend a hearing before the Select Board
3. Upon approval of the Common Victualler License provide:
 - ⊙ A Certificate of Doing Business from the Town Clerk’s Office
 - ⊙ License Fee of \$50.00
4. Upon final completion the New License can be picked up or will be mailed

PLEASE NOTE: The License must be displayed on the premises in a conspicuous place where the public has access and may read it. Failure to post or tampering with contents of a license is strictly prohibited.

The license period is the date of issue through December 31st of each year and must be renewed annually

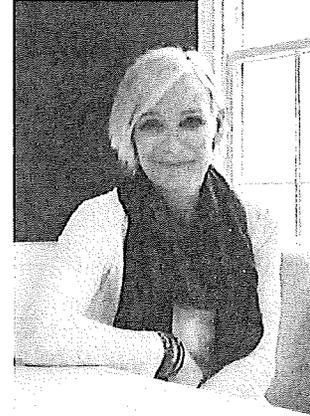


Jackie Duffey
at The Holistic Swan

Jackie Duffey

Ordained, Certified Spiritual Medium, Energy Medicine Practitioner, Reiki Master, Nationally Board Certified Reflexologist and Massage Therapist.

For more than a decade, Jackie Duffey has dedicated herself to helping others reach their personal goals of healing and wellness. Believing that working from the heart with a holistic approach, brings about the highest quality of care. Jackie uses techniques tailored to each individual's needs to help her clients towards achieving maximum flexibility and mobility; increased circulation; relief from soreness, chronic pain and stress; and spiritual health and well-being.



Jackie's journey toward her career in wellness, mediumship and spirituality began when she herniated a disk in her lower back and it was recommended she pursue a holistic approach to her treatment. She was introduced to reflexology, a very popular technique that was highly regarded by the medical profession in her homeland of Great Britain. Highly impressed by her quick recovery, Jackie decided to become a Certified Reflexologist in 2008. From there she obtained further training to become a NCBTMB Board Certified and Licensed Massage Therapist in 2009. With a burgeoning interest in alternative therapies, Jackie went on to attend a two-year program in Energy Medicine facilitated by Lisa Murphy of Fairhaven Healing Arts in 2015 and in 2019 became a Reiki Master Teacher.

Coming to understand over the years that she possessed the special gift of enabling spirit connections, Jackie also sought to help others in their spiritual lives, and thus in 2018 became an ordained priest through the Sanctuary of the Beloved Church in New York. She has also attended various workshops and courses in mediumship and spiritual practices with renowned mediums, Maureen Hancock, Janet Nohovec and John Holland, and in 2019 became a Certified Psychic Medium. Jackie is personally attending an ongoing Master mentorship with celebrated UK medium Tony Stockwell (since April 2020) and she is also in the final year of a three-year program to become a Certified Medium and Healer within



Jackie Duffey
at The Holistic Swan

the Spiritualist Church. Her ability to connect clients with their loved ones and to offer them spiritual counseling allows Jackie to add another dimension to the physical and emotional healing process.

From her early work as the leader of a reflexology program at The American Hospital Association in Washington DC (2009-2011) and as the reflexologist at Swedish Covenant Hospital in Chicago (2012-2014), to her current practice here on Cape Cod, Jackie is driven by a desire to continuously educate herself and give back to the community. She donates her services to charities about which she is passionate, and recently participated in the Pan Mass Challenge and raised funds for Shriners Hospitals for Children in Boston in honor of one of her clients.

Jackie loves being part of the Falmouth community, where she resides with her family, and where nature's beauty reflects the mission of The Holistic Swan: to bring light and peace to each of her clients as they journey toward physical, mental, and spiritual healing. Jackie believes that if she can help just one person each day, she will one day too be a happy spirit!

Phyllis Downey

From: Brian Reid
Sent: Tuesday, May 4, 2021 11:32 AM
To: Phyllis Downey; Sean Doyle; Noreen Stockman; Scott McGann; Brian Loewen
Cc: Ashley DeMello
Subject: RE: Select Board request - New License Application - The Holistic Swan - Fortune Teller

Good morning Phyllis,
I have conducted the requested CORI check. This department has no objection to this application.

Thank you,

Captain Brian L. Reid

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

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

From: Phyllis Downey
Sent: Wednesday, April 28, 2021 4:20 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Brian Loewen <brian.loewen@falmouthpolicema.gov>
Cc: Ashley DeMello <ashley.demello@falmouthma.gov>
Subject: Select Board request - New License Application - The Holistic Swan - Fortune Teller

Good afternoon all,

An application for a Fortune Teller License has been received from Jacqueline Duffy of The Holistic Swan to be located at 628 West Falmouth Highway, West Falmouth. A floor plan is included with the application.

The original CORI application will be sent to the Police Department via interoffice mail today. May we please request your recommendation to the Select Board by Wednesday, May 5th?

The Select Board may review the application at their meeting on May 10th.

Thank you,
Phyllis
508-495-7325

ZBA

Phyllis Downey

From: Noreen Stockman
Sent: Thursday, April 29, 2021 8:19 AM
To: Phyllis Downey
Subject: RE: Select Board request - New License Application - The Holistic Swan - Fortune Teller

No comment for ZBA.

Noreen H. Stockman
Zoning Administrator
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
508-495-7462

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Wednesday, April 28, 2021 4:20 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Brian Loewen <brian.loewen@falmouthpolicema.gov>
Cc: Ashley DeMello <ashley.demello@falmouthma.gov>
Subject: Select Board request - New License Application - The Holistic Swan - Fortune Teller

Good afternoon all,

An application for a Fortune Teller License has been received from Jacqueline Duffy of The Holistic Swan to be located at 628 West Falmouth Highway, West Falmouth. A floor plan is included with the application.

The original CORI application will be sent to the Police Department via interoffice mail today. May we please request your recommendation to the Select Board by Wednesday, May 5th?

The Select Board may review the application at their meeting on May 10th.

Thank you,
Phyllis
508-495-7325

Diane Davidson

From: Laura Peterson <lauralouise11@gmail.com>
Sent: Friday, May 7, 2021 2:07 PM
To: Falmouth Selectboard
Subject: SUPPORT Approve Application/Fortune Teller's License for Jacqueline Duffy (268 West Falmouth Hwy)

Hello!

I am writing in SUPPORT of Approving the Application for a Fortune Teller's License for Jacqueline Duffy at your meeting scheduled for Monday, May10, 2021.

I have been a client of Jackie's for at least three years. I have always found her to be professional, kind, caring and helpful. I have had her do mediumship work with me online and I have always come away from those sessions feeling cared for, energized and optimistic! Her website states:

The mission of The Holistic Swan is to bring light and
peace
to each client as they journey toward physical, mental, and
spiritual healing.

Falmouth is fortunate to have her as a contributing member of our community. Her work provides healing and relief to myself and others! She is one of our town's gems for sure!!!

Thank you for all that you do as a governing board to support the work of our fabulous community!

Sincerely,



Laura L Lorusso Peterson
774-994-1681

#1. LICENSES

- b. Approve application for a Change to a Pledge of Collateral of an All Alcoholic Common Victualler License – Shipwrecked, LLC – 263 Grand Avenue, Falmouth

CHANGING PLEDGE FROM ROCKLAND TRUST TO SOUTH SHORE BANK



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

05988-RS-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter
of the Acts of (year)

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

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

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

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

Licensing Authority Certification

Municipality: Falmouth

ABCC Commission Decision

APPROVED

Ralph Sacramone
Executive Director

Date of Commission Decision: 04/14/2021

License Information:

Applicant Name/DBA:	Shipwrecked LLC / Shipwrecked	License Number (if applicable):	05988-RS-0390
Premises Address:	263 Grand Avenue Falmouth MA 02540	Record Number:	2021-000058-RT-APP
Manager Name:	Robert Loewen		
Class:	Annual	Granted Under Special Legislation?	Yes <input type="radio"/> No <input checked="" type="radio"/>
Category:	All Alcoholic Beverages		
On / Off Premises:	On-Premises Consumption	Is there a pledge on this license?	Yes <input checked="" type="radio"/> No <input type="radio"/>
Type:	Restaurant	Pledged to:	Rockland Trust Company
		Is this license under a management agreement?	Yes <input type="radio"/> No <input checked="" type="radio"/>

Transaction Type:

New/Transfer License: Transfer If Transfer, License Number of License to be Transferred: 00130-RS-0390

Application Contact:

Name: Kevin P. Klauer II Title: Attorney Phone: (508) 540-6555 Email: kevin@amentklauer.com

#1. LICENSES

- c. Approve application for a Change of Hours (10:00 a.m. Sunday opening) of an All Alcoholic Common Victualler License – Shipwrecked, LLC – 263 Grand Avenue, Falmouth



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

05988-RS-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter
of the Acts of (year)

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

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

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

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Robert Loewen
General Manager
Shipwrecked (Currently British Beer Company)
263 Grand Ave
Falmouth, MA 02540



Regarding Liquor License No. 05988-RS-0390
Record No. 2021-000058-RT-APP

April 29th, 2021

Falmouth Select Board
59 Town Hall Square
Falmouth, MA 02540

Dear Select Board,

The long time British Beer Company is in the process of transitioning from the current owners, to a new local owner under the name Shipwrecked. Currently, the British Beer Company liquor license start time for Sundays is 12:00pm (noon).

As we begin the rebranding starting in May 2021, we request that the liquor license Sunday start time being at 10:00am. We would like to offer a Sunday brunch and feel that some patrons might like an alcoholic beverage with their meal.

Thank you for your consideration,
Rob

Robert Loewen

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

05988-RS-0390

LICENSEE NAME:

Shipwrecked, LLC

ADDRESS:

263 Grand Avenue

CITY/TOWN:

Falmouth

STATE

MA

ZIP CODE

02540

TRANSACTION TYPE (Please check all relevant transactions):

Change of Hours

Change of DBA

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

#2. ADMINISTRATIVE ORDERS

a.

Part 1: Vote to approve Bond Anticipation Notes (BAN) as presented in memo of May 7, 2021 from Finance Director



Town of Falmouth

JENNIFER MULLEN
DIRECTOR OF FINANCE

59 Town Hall Square, Falmouth, Massachusetts 02540
(508) 495-7364 Fax (508) 457-2511

TO: Julian M. Suso, Town Manager
Peter Johnson-Staub, Assistant Town Manager

FROM: Jennifer Petit, Finance Director *JMP*
Patty O'Connell, Treasurer/Collector *AMOC*

DATE: May 7, 2021

RE: Bond Anticipation Note Award

The Town of Falmouth issued the following Bond Anticipation Note due August 21, 2021:

Project	Amount
Wastewater Management	\$400,000
Total Issued	\$400,000

On Tuesday, May 4, the Town received two competitive bids. I recommend that the Select Board award the bid to Century Bank with the lowest net interest cost of .59% by adopting the vote that was in the Select Board's packet.

Motion: to approve the Bond Anticipation Note as written in the Select Board's packet.

I will attend the Board of Selectmen's meeting on Monday, May 10 to respectfully request a vote and answer any questions they may have. I am requesting that three of the Board members come into the office on Tuesday to sign the paperwork to complete the sale.

Thank you.

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Falmouth, Massachusetts, certify that at a meeting of the board held May 10, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$400,000 0.59 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated May 27, 2021, and payable August 26, 2021 to Century Bank and Trust Company at par and accrued interest, if any.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 28, 2021, and a final Official Statement dated May 4, 2021, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting

(which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020.

Dated: May 10, 2021

Clerk of the Select Board

92037814v.1

#2 ADMINISTRATIVE ORDERS

a.

Part 2: Vote to approve refinancing as presented in memo of May 7, 2021 as presented by Finance Director



Town of Falmouth

JENNIFER MULLEN
DIRECTOR OF FINANCE

59 Town Hall Square, Falmouth, Massachusetts 02540
(508) 495-7364 Fax (508) 457-2511

TO: Julian M. Suso, Town Manager
Peter Johnson-Staub, Assistant Town Manager

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

JM
POC

DATE: May 7, 2021

RE: Refinancing Opportunity

There may be an opportunity for the Town to refinance a portion of its debt. In a preliminary analysis performed by the Town's Financial Advisor, Hilltop Securities, the Town could save approximately \$1.7M over the next ten years. The issues that are under review have coupon rates ranging from 3.5 – 4.25%. According to the current analysis, the Town would receive a net interest rate of approximately 1%. The following is the bond issue that the Town will refinance:

<u>Bond Issue</u>	<u>Purpose</u>	<u>Principal Amount to be Refunded</u>	<u>Estimated Budgetary Savings</u>
7/14/2011	Various	\$12,095,000	\$1,783,000

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

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

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

As the vote indicates, the refinancing is subject to final approval when the details of the refunding bonds are determined. We are scheduled to present the final results on July 12.

Thank you for your consideration.

b. Vote to approve extension of Memorandum of Understanding with Cape Cod Baseball League, Inc. for use of Guv Fuller Field

MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding (“MOU”) of April 26, 2020 by and between the Town of Falmouth, MA, a municipal corporation duly established with an address of 59 Town Hall Square, Falmouth, MA 02540 (the “Town”) and Cape Cod Baseball League, Inc., a duly organized Massachusetts corporation with a principal office at 14 Elisha’s Pond Drive, Yarmouth Port, MA 02675 (the “League”) and the Falmouth Baseball Club, Inc. a duly organized Massachusetts corporation with a principal office at 790 Main Street, Falmouth, MA 02540 (the “Club”).

This MOU between the Town and the Club establishes a working agreement between the two parties concerning the use of the baseball field, dugouts, press box, bleachers, Ray Paltz Building, facilities adjacent to back gate, batting cage, concessions building, and locker room areas in the Community Center at the Guv Fuller Field (hereafter collectively, the “Baseball Facilities”). The Baseball Facilities encompass an area comprised of approximately 7 acres and is located on a portion of town-owned property located between Dillingham Avenue and Main Street in Falmouth and is shown on Assessor’s Map as 39-21-001-000 (the “Premises”).

The Premises is under the care and control of the Select Board, is comprised of approximately 13.4 acres, and is more particularly described in Certificate of Title No. 653, recorded with the Land Registration Office of the Barnstable Registry of Deeds in Book 3, Page 153. The Premises includes a number of public facilities used for a number of purposes, including the Baseball Facilities; the Gus Cauty Community Center; and the Falmouth Police Department. The “Baseball Facilities Area” is shown on the attached aerial photograph entitled “Fuller Field Photo” (the “Aerial Photo”). A copy of the Aerial Photo is attached as Exhibit A.

Use of the Guv Fuller Field (“Fuller Field”) is enjoyed by a number of public and private groups, including without limit, the Falmouth High School (“FHS”) baseball teams, the Babe Ruth Baseball League, the Cranberry League, the Senior League, AAU baseball teams, Falmouth Recreation Department and the Cape Cod Baseball League. The Town gives priority to use of Fuller Field to the FHS baseball team during the corresponding High School baseball season. Beyond the FHS baseball season, the Falmouth Commodores shall have priority of the baseball field during the summer CCBL season. The Recreation Department shall continue to have access to the field outside of the baseball field fence for the Summer Adventure Program which runs from the morning to 4:00pm on weekdays.

The Club is one of ten collegiate summer baseball teams located on Cape Cod as part of the CCBL. The Club follows the rules of the CCBL and National Collegiate Athletic Association (NCAA) and the level of play enjoyed by the Club is often considered the equivalent of high-A Minor League Baseball.

The Select Board gratefully acknowledges the role the Club has played in providing high-quality baseball entertainment to the citizens of Falmouth since the early 1900’s. The Select Board also gratefully acknowledges that since the Club has been authorized to use the Baseball Facilities, it has contributed to the maintenance and improvements of the Baseball Facilities.

The Club gratefully acknowledges the generosity of the Town in authorizing their use of the Baseball Facilities free of charge since about 1964, and gratefully acknowledges the sacrifices made to accommodate the Club’s program by reducing or eliminating use of the Baseball Facilities on a number of occasions by other deserving groups.

The parties recognize the need to memorialize the rights and responsibilities regarding their, heretofore, informal relationship. The parties agree to the following rights and responsibilities:

- a. The Town authorizes the Club to use the Baseball Facilities during the times listed on the Falmouth Commodores website under 'Schedule'. Said link is provided on Exhibit B (the "Baseball Season").
- b. The Town will pay all water costs required to maintain the baseball field; the Club will pay its proportionate usage of electricity for night lighting.
- c. The Club has been provided a code that allows it to turn on electricity at the Baseball Facilities, including without limit, electricity for field lights, Press Box, dugouts and, when applicable, a concession stand. All electric usage logged on the Club's code is metered. Monthly invoices shall be sent to the Club for such electric usage. The Club shall pay all invoices within 30 days' receipt.
- d. The Town authorizes the Club, their agents, and members of visiting teams to use the locker room areas and restroom facilities at the Community Center. The restrooms shall also be available to Club patrons. A custodian must be present whenever the Community Center is open. The Town shall maintain custodial services at the Community Center Monday through Friday (except holidays) 8:00 a.m. – 9:00 p.m., and Saturday 8:30 a.m. – 5:00 p.m. (the "Public Hours"). The School Department shall provide custodial services for all games held after Public Hours. The Club shall be responsible for the cost of custodial services at the Community Center for all games held after Public Hours.
- e. For all games held after Public Hours, the Town will provide an agent who mans the desk at the Community Center. The Club shall be responsible for payment of said agent manning the desk at all times outside of Public Hours. The fee is \$30.00 per hour or part thereof. The estimated seasonal bill for services is \$1,800 – \$2,000.
- f. The use of the Baseball Facilities area by the Club shall be limited to the Falmouth Commodores baseball games authorized by the Falmouth Commodores Schedule (see Exhibit B), including any subsequent Playoff Games. No fee shall be imposed for such recreational use.
- g. The Club shall have the right to conduct youth baseball clinics for a six-week period during the Baseball Season. The Club shall carry liability insurance to cover this activity.
- h. The Club shall have the right to use the locker room areas located in the Community Center for the duration of CCBL season. The Town shall present the locker room in clean and workable condition at the start of the season. The Club shall clean the locker room on a regular basis during the season and return the locker room in the same condition as it was presented to the Club.
- i. The Town, acting through its Recreation Department and Department of Public Works (DPW), prepares the baseball field for the FHS teams and other Town-sponsored uses, as well as for the Club during the CCBL season, which preparation requires weekly mowing and routine maintenance for the turf and related facilities.

- j. The Town agrees that no other event be scheduled at the Baseball Field that would interfere with a scheduled CCBL baseball game or practice. The Town will be mindful of parking limitations when scheduling activities at adjacent municipal facilities during scheduled baseball games.
- k. The Town will take reasonable measures to prevent other teams or events using the playing surface during the CCBL Baseball Season from altering, damaging, digging up or otherwise marring the area, especially around home plate and pitcher's mound, where expensive material is used daily to maintain condition.
- l. The Town agrees to perform additional maintenance and projects, as funding provides, as needed prior to and during the CCBL Baseball Season as described in Exhibit C. If any of the terms outlined in Exhibit C conflicts with the terms of this MOU, the terms of this MOU shall govern.
- m. The Club agrees to perform additional maintenance work at the Baseball Facilities as needed during the Baseball Season as described in Exhibit D. If any of the terms outlined in Exhibit D conflicts with the terms of this MOU, the terms of this MOU shall govern.
- n. Improvement projects to the baseball facility being planned are described in Exhibit E, which may commence during the term of the MOU. These improvements constitute a gift to the Town, which will be accepted by vote of the Select Board. It is understood that these improvements will become covered under the Town's property insurance policy for any insurable losses or claims.
- o. The Town grants the Club access to the Baseball Facilities and the Premises for the purpose of exercising its rights and performing its obligations hereunder. However, installation of any structure, fixture or appurtenance and the language on any signage shall require the prior written approval of the Town Manager or his/her designee.
- p. The Recreation Department Director shall be the liaison between the Club and the Town.
- q. The Town authorizes the Club to enter into a license agreement with a third party for the purpose of providing concessions during Club games, contingent upon such concessionaire obtaining all necessary state and local permits, including without limit, a food service license from the Falmouth Board of Health, and compliance with all applicable laws. Any such contract with the concessionaire shall state that the Town is not a party to the license; that the Club and the concessionaire agree to indemnify and hold harmless the Town for any liability relating to the concessionaire's activities; and shall require liability insurance naming the Town as an additional insured.
- r. The Club shall not permit any mechanics liens, or similar liens, to remain upon the Premises for labor and materials furnished or claimed to be furnished in connection with work of any character performed or claimed to have been performed at the direction of the Club, and the Club shall cause any such lien to be released of record forthwith without cost to the Town.

- s. During the exercise of the rights hereby granted, the Club shall at all times conduct itself so as not to unreasonably interfere with the operations of the Town, and to observe and obey applicable laws, statutes, bylaws and regulations and permitting or licensing requirements. The Club shall comply with reasonable rules and regulations issued by the Town.
- t. The Club agrees that any contractor engaged to perform work at the Premises on behalf of the Club shall carry liability insurance naming the Town as an additional insured in amounts reasonably satisfactory to the Town and workers compensation insurance as required by law.
- u. The Club, either in its own right or through the league, shall carry liability insurance naming the Town as an additional insured in amounts reasonably satisfactory to the Town and workers compensation insurance as required by law.
- v. The Club and the League agree to indemnify and hold harmless the Town from any liability relating to any activities at the Premises related to this MOU; and
- w. Title to all appurtenances, structures and fixtures installed at the Premises shall vest in the Town.

Term

This MOU shall be effective for an initial term expiring December 31, 2022. The MOU may be renewed by mutual agreement for up to three (3) additional one-year terms. The parties agree to meet prior to the expiration date to review the MOU.

Termination

Either party may terminate this MOU without cause after the end of the 2021 Baseball Season.

Modification and Amendments

Modification and amendments to this MOU shall be in writing and duly executed by the parties hereto to be effective.

No Estate Created

This MOU shall not be construed as creating or vesting in the Club, or any other party, any estate in the Premises or portion thereof, but a limited right of access for the purposes as hereinabove stated.

Executed this ____ day of _____, 2021, in triplicate, each considered an original.

Town of Falmouth, by:

Julian M. Suso, Town Manager

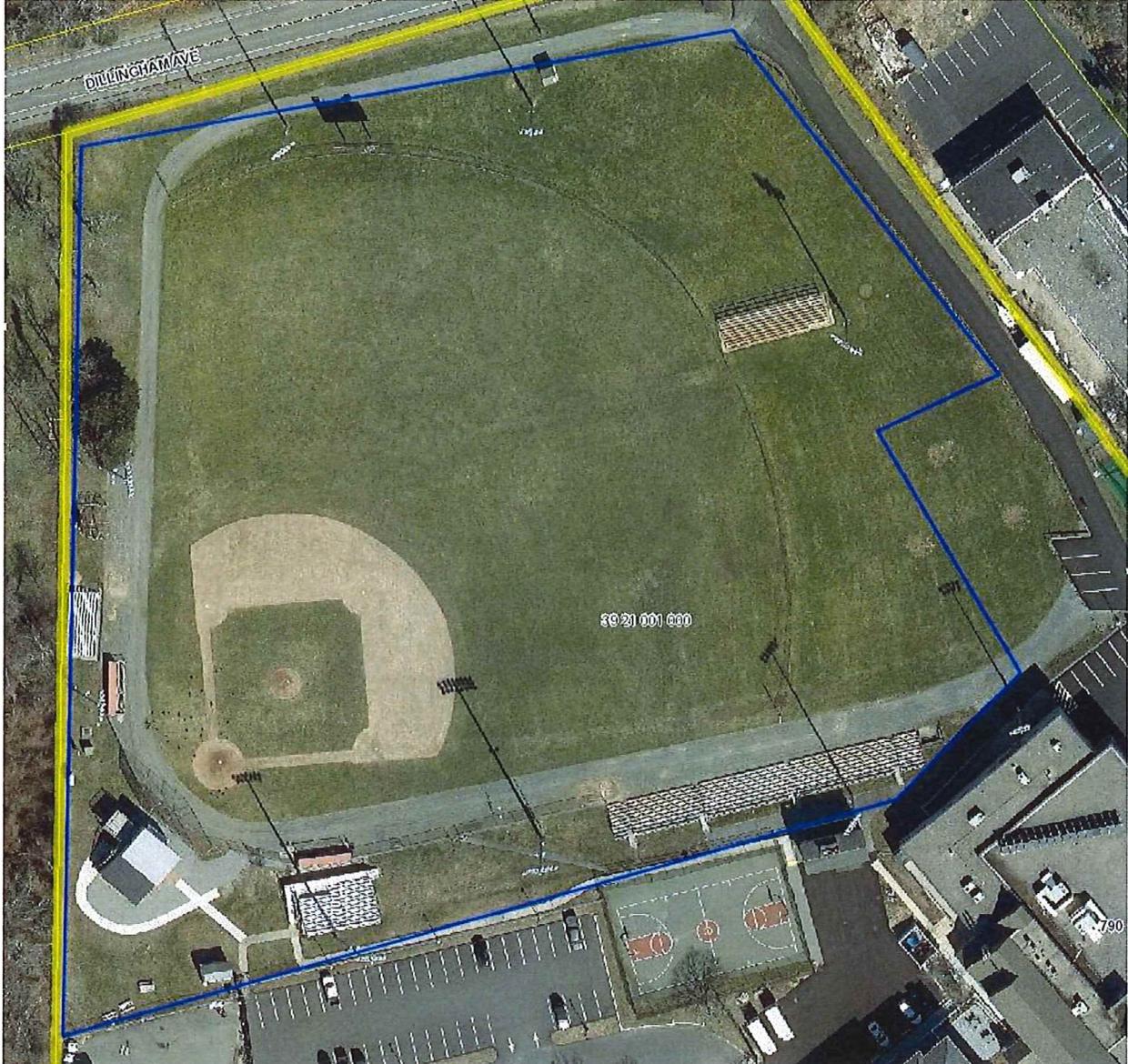
Cape Cod Baseball League, Inc. by:

Chuck Sturtevant, President

Falmouth Baseball Club, Inc. by:

Rob Gillis, Vice President

Aerial Photo Page - Exhibit A



Falmouth Commodores Schedule - Exhibit B

The schedule for the Falmouth Commodores season can be found at the following link:

FalmouthCommodores.com/schedule/

The season runs from approximately June 10 to August 15 each year.

Town Responsibility for Maintenance/Repairs – Exhibit C

1. Subject to available funds, the DPW will erect protective netting or a barrier between the Baseball Facilities and the police impound lot to stop foul balls.
2. The DPW will inspect dugout steps and bench areas prior to start of the baseball season for damage/safety and make necessary repairs.
3. The DPW will inspect football and baseball bleachers for damage/safety prior to the start of the baseball season and advise the School Department of any repairs required to address code requirements or safety concerns, including the home and visitors' dugout stairs.
4. The DPW will inspect the roof of the Press Box Building and Concessions Building for water/storm damage and make the necessary repairs if needed.
5. The DPW will provide seasonal mowing/trimming of all patrons seating areas and home/visitors bleachers, as well as trimming of fencing surrounding the facility.
6. The DPW will prepare/repair field of play prior to the start of the season and will maintain the outfield fence.
7. The DPW will inspect the irrigation system prior to the start of the season and will make the necessary repairs if needed. The sprinklers hitting the scoreboard will be redirected to avoid contact with the scoreboard.
- 8.
9. The ice machine purchased by the Club in the spring of 2018 was installed by the Town in the locker room area of the Community Center to be used by the Recreation Department, Falmouth High School teams and the Falmouth Commodores. As agreed to by the Town, regular maintenance and repairs will be completed as needed to ensure its longevity.
10. The vertical lift, required by the Americans with Disabilities Act (ADA), was installed in June 2018 in the Eric Palmer Building. The lift was funded by a CPA grant approved at the April 2018 Town Meeting and will be maintained by the Town.

Club Responsibility for Maintenance/Repairs – Exhibit D

1. Clean the general field area immediately before, during and immediately after the season.
2. Prepare and maintain the field of play for Club practice and games during the season.
3. Post restroom signs for teams and general public.
4. Install and maintain sound system at the field for game broadcasts.
5. Clean both dugouts.
6. Cover the pitcher's mound and home plate areas.
7. Purchase, maintain, and store all equipment and supplies required for field maintenance during the season.
8. Hang and maintain sponsor banners on outfield fencing, walkway fencing and other Baseball Facilities.
9. Place picnic tables during the season in the grassy area behind the Press Box and in front of Concessions Building.
10. Maintain and store all baseball-related equipment used during the season.
11. The engraved brick patio installed in the spring of 2019 along the southeast side of the Eric Palmer building will be maintained and expanded in the future.
12. Prior to the 2020 Commodore season, the Club will install a system of protective netting for the scoreboard to protect the digital panels and solar panels.

Joint Improvement Projects – Exhibit E

1. Subject to available funds, the Town will oversee installation and maintenance of concrete pathways, handicap pads, and rails necessary to access the lift and the new ADA-compliant visitors' bleachers behind the third base line funded by a CPA grant approved by Town Meeting in April 2018. (Planned Fall 2021)
2. Subject to available funds, the Town will oversee removal of existing dugouts and the replacement with ADA-compliant dugouts funded by a CPA grant approved by Town Meeting in April 2018. (Planned Fall 2021)
3. Subject to available funds, the Town will oversee replacement of the backstop with safety netting and poles, to improve fan safety, funded by a CPA grant approved by Town Meeting in April 2018. This will also include construction of a brick and concrete wall behind the home plate area and additional fencing as proposed in the CPA Grant (Planned Fall 2021)
4. Subject to available funds, the Town will oversee removal of the existing visitors' bleachers behind the third base line and replacement with new ADA-compliant bleachers funded by a CPA grant approved by Town Meeting in April 2018. (Planned Fall 2021)

- c. Vote to authorize submission of application for a Priority River grant application to the Division of Ecological Restoration to develop nature based solutions in partnership with the Town of Mashpee to improve coastal resiliency on Red Brook, and letter of support on the application “Red Brook Restoration Project: Part 1. Red Brook Road Crossing”

Memo

To: Members of the Falmouth Select Board

From: Mark Kasprzyk, Conservation and Marine and Environmental Services Depts;
Betsy Gladfelter, Conservation Commission

Date: 21 April 2021

Re: "Red Brook Restoration Project: Part 1 Red Brook Road Crossing"

We are requesting support for partnering with Town of Mashpee on a Priority River grant Application to the Division of Ecological Restoration to develop nature based solutions to improve coastal resiliency on Red Brook. Mashpee will be the applicant and Falmouth will be a contributing partner.

Red Brook Crossing came to the forefront as a problem for both towns in July 2020 ("*Failing dam devastates Red Brook Pond. Falmouth stems drainage of former cranberry bog, plans more lasting repairs,*" headline in the CC Times 26 July 2020). Unfortunately "more lasting plans" need much further investigation as there is no simple (or inexpensive) fix. The dam is a culvert with a water control structure that has failed. It had impounded water upstream. It lies within a berm, owned by Falmouth and Mashpee (town line is where Red Brook Road passes through the culvert). Red Brook Road is a public safety concern (especially in winter conditions) that needs to be addressed, but it is also an opportunity to improve coastal resiliency through nature based solutions. The project requested in the grant will provide conceptual engineering alternatives and costs that could then be discussed by the two Towns and the public. The solution would need to take into account sea level rise, and could provide lasting benefits including improving public safety and also fish passage and habitat. No direct match is required, however, the Towns would be committing to developing a solution to the problem.

In September of 2020, a small group began to discuss the problem facing the two towns at Red Brook Road as well as to discuss the restoration potential of all of Red Brook. These meetings have been held every month since. The group includes Steve Hurley (MA DFW), Jim Rassman (WBNERR; now with MA DCR), Mark Kasprzyk and Betsy Gladfelter from Falmouth Conservation and Catherine Laurent (DPW) and Drew McManus (Conservation) from Mashpee. A considerable effort was made by Mark and Jim to contact neighbors and neighboring associations to attend the meetings as well.

Recently, the representatives of the two towns have met to discuss potential grant opportunities that will support work on the road and berm, so that everyone involved can understand the pros and cons of the potential options, and so that the entire costs of the solution do not need to be borne by the Towns. The present grant application is the first step to securing state and or federal funds to determine viable alternatives to address the problem and facilitate the dialogue between the towns, the public and other potential funding sources. Once options and costs are identified, the Towns will continue to engage in a public process so that stakeholder concerns can be expressed, and a viable path forward can be chosen.

Red Brook is about a mile long from small ponds at the headwaters to where it empties into Hamlin Pond. The majority of the former brook above Red Brook Road is encompassed by a series of shallow impoundments within abandoned cranberry bogs. Much of the upriver area is protected conservation land. 'Modifying the outlet structure and eliminating the impounded conditions within the former bogs would improve fish passage, restore former coldwater fish habitat, provide wetland restoration opportunities to improve shading and reduce thermal impacts. The site is contained within the Waquoit Bay ACEC. Restoration potential is reduced by the extent of private ownership, lack of public access and the level of development within the watershed,' (WBNERR Waquoit Bay Stream Restoration Report). Abutters include private land owners as well as Land Trusts and the Mashpee National Wildlife Refuge.

Once the issues at Red Brook Road are resolved, there are a number of potential restoration projects upstream. However, these cannot begin to be designed until the situation at Red Brook Road is resolved.

Draft Letter of Support

May 10, 2021

Attn:

Dear ,

The Select Board voted unanimously on 10 May 2021 to endorse the grant application by the Town of Mashpee entitled "Red Brook Restoration Project. Part 1: Red Brook Road Crossing". We are pleased to partner with the Town of Mashpee and fully support Mashpee's application to the Division of Ecological Restoration to begin to address critical public safety and environmental concerns at Red Brook Crossing. The goal is to develop alternative engineering plans (and costs) to determine the best way forward to restore the passage of Red Brook beneath Red Brook Road. The Town will continue to work with Mashpee officials and others to resolve issues at Red Brook Road. This collaborative planning and eventual construction effort will be conducted on land owned by each town, Mashpee to the east of the brook and Falmouth to the west.

Red Brook Road poses a public safety problem that must be resolved, and in doing so provides the opportunity to improve the immediate environment, e.g. to allow for migratory fish passage as well as to prevent the periodic flushing of sediment and potentially polluted waters into productive shellfish beds downstream. In addition, sea level rise will be taken into account in the engineering design.

The entire Red Brook system has great potential to utilize nature based solutions to develop coastal resiliency to climate change, but no upstream projects can be designed until a decision is made on the solution to the Red Brook Road Crossing. Both Towns have experience with improving coastal resiliency through nature based solutions (e.g., both the Coonamessett and Childs River restoration projects). Furthermore, officials from each town have been meeting for the past 10 months with abutters and representatives of MA DFW and WBNERR to move forward with a solution at Red Brook Crossing and to explore other potential restoration possibilities once the decision is made to solve the problem of the failed dam at Red Brook Road.

d. Vote to authorize Town Manager to sign Mill Pond Notice of Intent with the Conservation Commission

Proof of Notice Publication in the Environmental Monitor

Notice of Intent to Initiate an Ecological Restoration Limited Project

From: Science Wares, Inc.

Date: April 27, 2021

Re: Notification of filing a Notice of Intent for the Town of Falmouth for Mill Pond in East Falmouth, MA.

Anticipated date of submission: May 26th, 2021

Proposed Project: The Town of Falmouth will file a Notice of Intent (NOI) for an Ecological Restoration Limited Project to improve the water quality in Mill Pond (East Falmouth) by means of treating and reducing nutrient inputs to the pond in the upstream surface waters. The proposed project includes installing a detention pond and removable, modular permeable reactive barrier upstream from the pond.

Reviewing Conservation Commission:

Falmouth Conservation Commission
59 Town Hall Square
Falmouth, MA 02540

Copies of the NOI may be examined or acquired from the Falmouth Conservation Commission, Monday through Friday between 9AM and 4PM, or by contacting the applicant's representative, Science Wares, Inc., at krathjen@sciencewares.com, or 774-521-5053.

The public hearing schedule and agendas with the date, time, and location of the public hearing can be obtained through the Falmouth Conservation Commission's website at: <https://ma-falmouth.civicplus.com/643/Conservation-Department> by contacting the Falmouth Conservation Commission Office at 508-495-7445.

- e. Approve appointment of Ray Jack as Falmouth representative to the JBCC Community Advisory Council

[SMB meeting minutes.](#)

Environmental Management Commission (EMC)

The EMC meets to discuss the oversight, monitoring, and evaluation of all activities that occur on the northern 15,000 acres of Camp Edwards.

The EMC was established by Massachusetts state law, [Chapter 47 of the Acts of 2002](#), to ensure the protection of the drinking water supply and wildlife habitat on the northern 15,000 acres of Joint Base Cape Cod. Members of the EMC are the commissioners of the Massachusetts Department of Fish and Game, the Massachusetts Department of Environmental Protection, and the Massachusetts Department of Conservation and Recreation. The EMC is supported by two advisory councils: the Science Advisory Council and the Community Advisory Council. The EMC, and both advisory councils, meet quarterly. For more information about the EMC and its advisory boards, contact Len Penaud at 508-946-2871.

[EMC meeting minutes.](#)

Community Advisory Council (CAC)

The CAC meets to discuss the oversight, monitoring, and evaluation of all activities that occur on the northern 15,000 acres of Camp Edwards.

The CAC includes representatives from the towns of Falmouth , Mashpee, Sandwich and Bourne, the US Coast Guard, the Air National Guard, the Army National Guard, the Barnstable County Sheriff's Department, the Cape Cod Commission, the Wampanoag Tribe, the Upper Cape Regional Water Supply Cooperative, and at-large members.

[CAC meeting minutes.](#)

Science Advisory Council (SAC)

The SAC advises the Environmental Management Commission on technical issues related to the oversight of the northern 15,000 acres of Joint Base Cape Cod.

- f. Approve request to expend funds in the amount of \$410,000 from the Coonamessett Greenway Heritage Trail donation account to complete projects associated with the Coonamessett Greenway Heritage Train (including the Gateway)

Memo

Date: 3 May 2021

To: Select Board

From: Elizabeth Gladfelter, Project Coordinator Coonamessett Greenway Heritage Trail (CGHT)

Re: Permission to use the funds in the two donation accountants (totaling \$410,000.00) to complete all the components of the CGHT, as the bills are submitted for payment

The construction of the Gateway to the Greenway is well underway; completion is expected in July. Funding for this project includes Community Preservation Funds (\$614,500; \$563,231.02 of these funds have been expended, and \$51,268.98 remains). In addition, there are two donation accounts (\$395,000 plus \$15,000 = \$410,000) that contain money donated to the Town explicitly for the completion of the CGHT (including the major trailhead at the Gateway) and restoration on the river.

Currently, there are \$427,887.56 of committed costs (remaining contractual = \$417,692.56; and smaller projects totaling \$9,195) that will be due within the next 4 months, and there are several other projects being planned (including invasive removal, additional buffer planting, additional safety fencing, additional work at the Gateway; these will also be completed in the summer). The contracts and the additional projects will utilize the remainder of the funds in the CPC grant and the donation accounts. Bills for the contracts are monthly. For the additional small projects, payments are made as they are completed.

To summarize, this is a request to use all the funds in the donation accounts to pay the remaining bills to complete the CGHT, as they become due in the few months.

- g. Vote to authorize Town Manager to sign Project Eligibility Letter regarding 40B Comprehensive Permit Application for Scranton Ave./Main Street intersection. Application proposes construction of 48 affordable units for individuals age 62+.

DRAFT ONLY

May 11, 2021

Rebecca Frawley Wachtel, Director
MA Department of Housing and Community Development
Low Income Housing Tax Credit Program
100 Cambridge Street, 3rd Floor
Boston, MA 02114
Email: rebecca.frawley@mass.gov

RE: Site Approval and Project Eligibility – Scranton Main Affordable Housing

Dear Rebecca Frawley Wachtel:

The Town has reviewed an application for site approval and project eligibility from the Falmouth Housing Corporation, a private, non-profit, for a 48-unit senior housing rental project for individuals age 62+ located at 763 Main Street and 24 Scranton Avenue in Falmouth, MA. The proposal also includes 2,400sf of retail space along Main Street. Town staff members discussed this project with the developer’s representatives at a meeting of the Town’s development staff on April 21st. Staff recommendations were presented to the Select Board on May 10th.

The proposal consists of 3 studio apartments and 45 1-Bedroom units in one building on 1.8 acres. All units will be deed restricted affordable. The income range for the units is broken down by category as follows (AMI=Area Median Income):

	30% AMI	50% AMI	60% AMI	TOTAL
Studio	1	1	1	3
1-Bedroom	8	8	29	45

The subject property is downtown directly across from the Police Station and Senior Center. It is located less than a mile from a grocery store, pharmacy, library, beach and the Marine Park and is accessible to public transportation. The property is located within the sewer service area. The zoning for this property is Business Redevelopment along Main Street and Business 2 on Scranton Ave. The Business Redevelopment District encourages mixed use which is why the developer included retail space on the first floor. It should be noted that the commercial space likely decreases, rather than increases, the revenue potential of the property.

The Local Comprehensive Plan (LCP) calls for “housing for all” with greater infill residential density where appropriate primarily through redevelopment in some areas and discouraging further development in others. Per the LCP, this location is ideally suited for greater density, and for individuals age 62+ in particular, given available infrastructure and access to transportation and services noted above.

The Town's housing needs, as identified in the 2018 Housing Production Plan (HPP), call for 85% of new affordable units to be rental and 15% to be home-ownership. The Falmouth HPP identifies an unmet need of 469 rental units for individuals over the age of 61 specifically. This proposed housing addresses a particularly acute need for renters at 30% to 60% of Area Median Income. The Town has generated very few units at this lower end of the income scale in recent years. For all of the above reasons, the Town is very pleased to receive this application. The developer, Falmouth Housing Corporation, has a track record of constructing quality rental housing and, perhaps more importantly, managing its properties in a manner that assures they remain an asset to the community over the long term.

The Town looks forward to working with the developer to address two areas of concern. We would like to see an improved design for the building to create a less monolithic appearance that blends better with the surroundings. An improved roof line, stepped down height, terraces, and selection of building materials to break up the uniformity of appearance are examples of how the design might be improved. The Falmouth Housing Corporation building at 704 Main Street is frequently pointed to as a positive example of how a large building can be designed in a way that is visually appealing and fits within the neighborhood context.

There are traffic concerns at the intersection where this housing is proposed which relate to both congestion and safety. The Town has planned to pursue traffic improvements in this area and is prepared to expedite the design and implementation of these improvements to facilitate this important project. It is understood that the number of vehicle trips generated by this housing for individuals age 62+ will be modest due to the age and income of the occupants.

The Town would like to partner with the developer to facilitate pedestrian-friendly linkages from the subject residential property to the recreational areas of the Marine Park and Falmouth Harbor. We encourage the developer to consider energy conservation measures such as rooftop solar.

We look forward to working with the Department of Housing and Community Development and Falmouth Housing Corporation to meet the identified housing needs for the Town of Falmouth within the context of our local planning efforts.

Sincerely,

Julian M. Suso
Town Manager

CC: Linda Clarke, Falmouth Housing Corporation
Planning Board
Select Board

h. Authorize town Marine & Environmental Services application for CZM Coastal Resilience Grant and letter of support



MARINE & ENVIRONMENTAL SERVICES
TOWN OF FALMOUTH
180 SCRANTON AVENUE, FALMOUTH, MA 02540
TEL: (508) 457-2550 • FAX: (508) 457-2525
TOWN MARINA TEL: (508) 457-2551

Overview: CZM Coastal Resilience Grant Application

Location: Menauhant Inlet

Goal:

MES is proposing a grant to fund a comprehensive study of the inlet which will include historical review of changes in this area, existing conditions survey, hydrographic survey of the inlet, recommendations for short- and long-term planning to address problems at the inlet. The study will look at issues such as water flow, erosion, accretion, protected bird habitat restoration, recreation, navigation, Etc. This will include evaluation of shoreline restoration to increase natural storm damage protection, flood and erosion control and community resilience.

Partner:

MES will be partnering with Applied Coastal Research and Engineering, Inc. out of Mashpee. This firm has conducted several of these types of studies including projects in Chatham, Harwich and Barnstable. They were the engineering firm that handled the large Deck Neck/Sampson's Island project in Cotuit which had many of the same issues as the Menauhant Inlet.

Cost:

The total grant request will be \$85,000.00

CZM portion: \$63,750.00

Town 25% share: \$21,250.00

Proposed funding source: 01-295-6033 Art 5 11/18 Permit/Engineering

May 10, 2021

Ms. Patricia Bowie, Coastal Resiliency Specialist
Mass Office of Coastal Zone Management
251 Causeway St, Suite 800
Boston, MA 02441

RE: Marine & Environmental Services Grant Application
FY 22
RFR ENV 22 CZM 01

Dear Ms. Bowie:

On behalf of the Town of Falmouth I write to express support for the town's application for a Coastal Resilience Grant through the Office of Coastal Zone Management.

This grant will fund a study of a very dynamic inlet in town which is associated with many issues such as strong water velocity, erosion, accretion, protected bird habitat, recreation, public safety and navigational issues. The study will include evaluation of shoreline restoration to increase natural storm damage protection, flood and erosion control and community resilience.

The study will identify both short- and long-term action items the town can undertake to address many of the issues at this inlet.

At our regular meeting of the Select Board on May 10, 2021 we voted to support this grant and we encourage Mass CZM's positive review of this MES grant application.

Sincerely,

Megan E. English Braga, Chair

- i. Authorize letter of support for WHOI application for CZM Coastal Resilience Grant

COASTAL RESILIENCE GRANT PROGRAM FY22

RFR # ENV 22 CZM 01

Talking Points and Project Summary

ResilientWoodsHole: Private-Public Investment to Ensure the Future of a Seaside Community and Blue Economy Village

Talking Points

Project Objectives

1. Identify and evaluate vulnerable public and private (but publicly available) facilities and infrastructure that builds on Falmouth MVP assessment and integrates into community priority climate adaptation actions.
2. Document and understand the impacts to Woods Hole village natural resources and the community of research institutions, businesses and residents.
3. Improve through radical engagement Woods Hole, Falmouth and regional institutional, business, community, visitor, government, and school understanding of coastal storm and climate impacts.
4. Build effective partnerships for support of strategies and plans for implementation in Woods Hole Village.
5. Protect and utilize existing infrastructure, facilities and resources in Woods Hole as long as practicable, while at the same time planning for larger-scale changes in the long-term.

Key Project Outcomes

1. The local, regional and state-wide institutional business assets and economic contributions in Woods Hole have a proactive plan for continued operations for the next 80 years.
2. Ocean science, marine technology, scientific discovery, commercial fishery assessments and innovation in Woods Hole can flourish well into the next century with a thoughtful strategy for protecting assets and access.
3. Woods Hole community members and Falmouth local government are supportive of necessary actions of community-wide and site-specific infrastructure adaptations and regulatory accommodations to limit risk of exposure from the impacts of flooding and erosion.

Project Summary

ResilientWoodsHole is a collaboration between the major science institutions and key local stakeholders including the business community, the homeowner community and the Town of Falmouth with a primary focus of ensuring a vibrant and productive village of Woods Hole prospers with the advent of major climate impacts and associated threats and challenges. With Woods Hole Oceanographic Institution (WHOI) as the Lead Applicant for the purposes of this grant opportunity, co-applicants include the Marine Biological Laboratory (MBL), NOAA's Northeast Fisheries Science Center (NEFSC) and the Town of Falmouth. The collaboration builds on previous work managed by WHOI, MBL and NEFSC.. Direct access to the sea is fundamental to each institution's mission and threats from increasing sea levels and more frequent and intense storms are existential. By pooling resources, intellectual horsepower and management skill, the institutions are leading *ResilientWoodsHole* on behalf of their mutual interests and the greater community.

This project will build on and integrate the results of the Town of Falmouth Climate Change Vulnerability Assessment (CCVA) and the [2020 Woods Hole Village CCVA](#) (funded by WHOI, MBL and NOAA). Adaptation strategies and pathways to enhance the resilience of Woods Hole in the face of sea level rise and storm surge will be identified with the goal of developing a balanced plan that will ensure institutional and community viability for the remainder of this century. A key outcome of the *ResilientWoodsHole* Project will be a comprehensive phased strategy, including development of overall design concepts and planning for increasing coastal resiliency. This strategy will directly address alternatives for the institutional, private, and municipal infrastructure, as well as the natural habitat features and waterways.

Local knowledge and site-specific data will be elicited from WHOI/MBL/NOAA, Town of Falmouth, Cape Cod Commission and State staff, and business and neighborhood representatives to better understand the current research facilities, transportation infrastructure, commercial facilities, utilities, residential community and open space in the study area. The goal of this engagement is to understand local preferences, critical functions in Woods Hole Village, current risks, the regulatory environment and the priorities of various stakeholders and their willingness to accommodate change. This feedback will guide the development of adaptation strategies for Woods Hole and an implementation plan for the Town of Falmouth's Coastal Resiliency Advisory Committee's regulatory review recommendations. The study will consider a range of resiliency building actions, from elevating roads and buildings, to integrating open space solutions, to flexible design and, in some cases, phased retreat of particularly vulnerable infrastructure.

Options will be assessed for feasibility and prioritized as potential short-, mid- and long-term strategies. Overall design concepts will be developed, including recommended priorities for action and estimated costs for implementation. Potential plans may consist of phased adaptation solutions as a function of time and observed sea level rise conditions. Any plans to elevate or flood proof infrastructure will exceed the minimum National Flood Insurance Program regulations related to elevation, enclosures, flood proofing, basements, anchoring,

and other requirements. Efforts will be made to include nature-based solutions or green infrastructure techniques where feasible.

Building on the results of the 2020 Woods Hole Village CCVA, and in preparation for the Woods Hole Village Adaptation Pathways work, the following work will be completed:

- High priority vulnerable assets with immediately implementable adaptation options for WHOI, MBL and NOAA will be identified.
- Key vulnerabilities within the project area, shared and overlapping risks, and an estimated timeline with thresholds for particular levels of risk will be identified.
- Additional detailed vulnerability assessments to develop a holistic understanding of vulnerability (roadways, commercial and residential buildings, and lifeline infrastructure (including ferries) will be conducted.
- A village flood-pathways assessment to determine where water will begin to flow inland during a flood event will be conducted.
- Public notice of project continuation will be made to stakeholders.

MA Coastal Resiliency Grant Workplan

(September 2021 – June 2022)

The scope of work proposed to be performed for the CZM Coastal Resilience grant is detailed in the following table:

TASK	NAME	DESCRIPTION
1	Project Leadership	Empanel and stand up a Steering Committee of key stakeholders and Institutional leadership to guide and review project activities and progress.
2	Site Visits	Detailed visits to the community to review and document local issues and vulnerabilities and to better understand the interrelated issues of infrastructure, jurisdiction and past practice.
3	Stakeholder Interviews	Conduct research through interviews to understand local preferences, critical functions in Woods Hole Village, current risks, and willingness to accommodate future changes/shifts.
4	Regulatory Plan and Case Studies	Develop plan for implementing Falmouth’s Coastal Resiliency Advisory Committee’s Regulatory Recommendations for Woods Hole

		needs and document actual case studies of regulatory bottlenecks and/or inconsistencies with resilient solutions.
5	Adaptation Strategies	Construct adaptation strategies by considering a range of resilient building actions that range from traditional methods to open space solutions to managed retreat.
6	Design Concepts	Design concepts that are prioritized for action, and costed for implementation and include nature-based solutions and green techniques.
7	Common Design Elevation Flood Guidelines	Using the MA Coastal Flood Risk Model, calculate DFEs for infrastructure, commercial, residential, and natural resource area projects for Woods Hole Village to support climate resilience and consistent planning.
8	Phased Management Plan	Develop a resulting comprehensive phased management approach including the development of overall designs, concepts, phasing and planning for increasing coastal resiliency.
9	Adaptation Pathways Report	Document the consensus approach in an Adaptation Pathways Report that outlines targeted recommended actions for reducing vulnerabilities to natural hazards in the short- and long-terms.
10	Action Plan	Detail key milestones and threshold points for action in initial detailed design concepts
11	Collateral and Educational Material	Produce associated graphics, public information collateral and methods for dissemination that illustrate key aspects of the overall plan.
12	Public Outreach	Deliver educational public outreach materials and a story map that illustrate vulnerabilities and adaptation recommendations through workshops, websites, school settings, visitor experiences to Village Institutions and ferries, etc.
13	Project Management	Deliver an on-time, on-schedule, within scope and stakeholder invested project. Manage project conception and initiation, planning, execution, performance/monitoring, and project close.

CZM Proposal for Coastal Resilience WHOI, MBL and NEFSC

ResilientWoodsHole is a comprehensive strategy, including development of overall design concepts and planning for increasing coastal resiliency. The strategy will directly address alternatives for the institutional, private, and municipal infrastructure, as well as the natural habitat features and waterways.

PROPOSED EXPENSES:

PROJECT MANAGEMENT	AMOUNT
Rob Munier, WHOI - Overall Project oversight	\$43,357
Leslie-Ann McGee, WHOI - Project Manager	\$61,575
Ian Comerford, WHOI - Financial and Admin Assistance	\$8,935
Total	\$113,867

*Assumptions: R Munier 5% ; LA McGee 15% ; I Comerford 5%

PHASE 3 TASKS	AMOUNT
Develop Phased Approach: Meetings, Site Visits, Interviews	\$21,625
Adaptation Design and Graphics and Implementation Plans	\$42,724
Risk-based Village DFEs and Committee Reviews	\$11,732
Public Engagement: Committee Meetings with a focus on Outreach	\$3,125
Vulnerability and Adaptation Workshops	\$18,253
Develop Outreach Materials and Story Map Enhancement	\$19,821
Reporting: Drafting, Presenting and Finalizing	\$13,834
Total	\$131,114

*Assumptions: Tasks included to be completed by the Woods Hole Group

PHASE 3 TASKS continued	AMOUNT
Communications & Outreach efforts / collateral materials	\$4,250
Associated meeting costs	\$500
Total	\$4,750

*Assumptions: Website domain purchased May 2021 for 10 year period

COMBINED TOTAL of PROPOSED EXPENSES ABOVE	\$249,731
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MATCH REQUIREMENT of 25%	AMOUNT
Rick Galat, WHOI	\$24,989
Paul Speer, MBL	\$18,722
Garth Smelser/Nicole Cabana, NOAA	\$18,722
Total	\$62,433

PROPOSED EXPENSES PLUS MATCH:	\$312,164
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- j. Authorize letter opposing the U.S. Coast Guard's actions to downgrade the operational response capabilities of Station Chatham

Diane Davidson

From: Peter Johnson-Staub
Sent: Wednesday, May 5, 2021 4:39 PM
To: Diane Davidson
Cc: Julian Suso
Subject: FW: Chatham's Call to Action - Town Urges Community Action on Coast Guard Downgrading of Station Chatham
Attachments: Sample letter FINAL rev no watermark.docx

Hi Diane,

Here is the sample letter from Chatham and below is some input from MES Director Gregg Fraser.

Peter

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

www.falmouthma.gov - The Town of Falmouth website has a new look and a new address!

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Gregg Fraser <gregg.fraser@falmouthma.gov>
Sent: Thursday, April 29, 2021 6:17 PM
To: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Cc: Charles Martinsen <chuck.martinsen@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>
Subject: Re: Chatham's Call to Action - Town Urges Community Action on Coast Guard Downgrading of Station Chatham

Hi Peter,

This is a very specific issue that really won't impact our area at all.

I don't see an advantage to jumping in and there may be down sides regarding our overall relationship with Sector SENE

Gregg

Sent from my iPhone

On Apr 29, 2021, at 5:05 PM, Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov> wrote:

Hi Gregg, Chuck,

FYI – let us know if you have any thoughts as to whether Falmouth should sign on to this letter campaign.

Thanks,
Peter

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

www.falmouthma.gov - The Town of Falmouth website has a new look and a new address!

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From: Jill Goldsmith <jgoldsmith@chatham-ma.gov>

Sent: Thursday, April 29, 2021 4:24 PM

To: To: <amorse@provincetown-ma.gov>; andy.clyburn@town.barnstable.ma.us; aschiavi@townofbourne.com; balbert@barnstablecounty.org; charleslsumner33@gmail.com; dgardner@provincetown-ma.gov; dkalinick@brewster-ma.gov; dtangeman@truro-ma.gov; esullivan@town.dennis.ma.us; everde@provincetown-ma.gov; gcannon@townofbourne.com; gduham@townofsandwich.net; gtivnan@nantucket-ma.gov; harry@outermostsystems.com; hharper@townofsandwich.net; jack.yunits@barnstablecounty.org; jbeebe@eastham-ma.gov; jgrande@tisburyma.gov; jkelly@town.oreans.ma.us; jmcgrail@marionma.gov; jpowers@town.harwich.ma.us; Julian Suso <julian.suso@falmouthma.gov>; ksclark@truro-ma.gov; kseatori@capecodcommission.org; lgibson@nantucket-ma.gov; lsurdut@town.oreans.ma.us; maria.broadbent@wellfleet-ma.gov; mark.ells@town.barnstable.ma.us; markjoyce900@gmail.com; mdowney@capelightcompact.org; meldredge@town.harwich.ma.us; pbarnes@yarmouth.ma.us; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; plombardi@brewster-ma.gov; pmacura@town.harwich.ma.us; rapalmer11@gmail.com; rbienvenue@eastham-ma.gov; rccollins@mashpeema.gov; rcljr5@gmail.com; rkday@nantucket-ma.gov; robinleal@aol.com; rwhritenour@comcast.net; suchenicz@verizon.net; tomlynch430@gmail.com; wtaylor@mashpeema.gov; Peake, Sarah (HOU) <sarah.peake@state.ma.us>; McKiernan, Dan (FWE) <dan.mckiernan@mass.gov>; Cynthia Wigren <cynthia@atlanticwhiteshark.org>; Cyr, Julian (SEN) <Julian.Cyr@masenate.gov>; Johnson, Patrick (SEN) <Patrick.Johnson@masenate.gov>; doreen@capecodfishermen.org; Mary Cavanaugh - Chatham Chamber of Commerce (mary@chathaminfo.com) <mary@chathaminfo.com>

Subject: RE: Chatham's Call to Action - Town Urges Community Action on Coast Guard Downgrading of Station Chatham

All – here is the sample letter with no watermark. Thx! Jill

Jill R. Goldsmith, Chatham Town Manager, ICMA-CM
549 Main Street, Chatham MA 02633
508.945.5105 ph | 508.945.3550 fx | 774.212.6066 cell | www.chatham-ma.gov

Please be advised that email messages and attached content sent from and to this email account are public records unless qualified as an exemption under the Massachusetts Public Records Law - <http://www.sec.state.ma.us/pre/preidx.htm>.

Important Information

For up-to-date COVID-19 information, please visit <https://www.chatham-ma.gov/home/pages/covid-19-coronavirus-information> or contact the Town's Emergency Operations Center (EOC) at 508-945-5191 or

chathameoc@chatham-ma.gov. If you have not already signed up for the Town's Alert System, please do so at <https://www.chatham-ma.gov/subscribe>. Thank you!

From: Jill Goldsmith

Sent: Thursday, April 29, 2021 2:41 PM

To: To: <amorse@provincetown-ma.gov>; andy.clyburn@town.barnstable.ma.us; aschiavi@townofbourne.com; balbert@barnstablecounty.org; charleslsumner33@gmail.com; csumner@provincetown-ma.gov; dgardner@provincetown-ma.gov; dkalinick@brewster-ma.gov; dtangeman@truro-ma.gov; esullivan@town.dennis.ma.us; everde@provincetown-ma.gov; gcannon@townofbourne.com; gduham@townofsandwich.net; gtivnan@nantucket-ma.gov; harry@outermostsystems.com; hharper@townofsandwich.net; jack.yunits@barnstablecounty.org; jbeebe@eastham-ma.gov; Jill Goldsmith <jgoldsmith@chatham-ma.gov>; jgrande@tisburyma.gov; jkelly@town.orleans.ma.us; jmcgrail@marionma.gov; jpowers@town.harwich.ma.us; julian.suso@falmouthma.gov; ksclark@truro-ma.gov; kseatori@capecodcommission.org; lgibson@nantucket-ma.gov; lsurdut@town.orleans.ma.us; maria.broadbent@wellfleet-ma.gov; mark.ells@town.barnstable.ma.us; markjoyce900@gmail.com; mdowney@capelightcompact.org; meldredge@town.harwich.ma.us; pbarnes@yarmouth.ma.us; peter.johnson-staub@falmouthma.gov; plombardi@brewster-ma.gov; pmacura@town.harwich.ma.us; rapalmer11@gmail.com; rbienvenue@eastham-ma.gov; rcollins@mashpeema.gov; rcljr5@gmail.com; rlday@nantucket-ma.gov; robinleal@aol.com; rwhritenour@comcast.net; suchenicz@verizon.net; tomlynch430@gmail.com; wtaylor@mashpeema.gov; Peake, Sarah (HOU) <sarah.peake@state.ma.us>; McKiernan, Dan (FWE) <dan.mckiernan@mass.gov>; Cynthia Wigren <cynthia@atlanticwhiteshark.org>; Cyr, Julian (SEN) <Julian.Cyr@masenate.gov>; Johnson, Patrick (SEN) <Patrick.Johnson@masenate.gov>; doreen@capecodfishermen.org; Mary Cavanaugh - Chatham Chamber of Commerce (mary@chathaminfo.com) <mary@chathaminfo.com>

Subject: Chatham's Call to Action - Town Urges Community Action on Coast Guard Downgrading of Station Chatham

Importance: High

All, the Chatham Select Board is seeking support from our Coastal Communities and Community Partners on a letter writing campaign opposing the U.S. Coast Guard's actions to downgrade the operational response capabilities of Station Chatham. Please see the attached Press Release and a sample letter we respectfully request you or your Board to send. Thank you in advance for your assistance. Should you have any questions, please contact me at jgoldsmith@chatham-ma.gov or the phone numbers below. Thank you! Jill

Jill R. Goldsmith, Chatham Town Manager, ICMA-CM
549 Main Street, Chatham MA 02633
508.945.5105 ph | 508.945.3550 fx | 774.212.6066 cell | www.chatham-ma.gov

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Important Information

For up-to-date COVID-19 information, please visit <https://www.chatham-ma.gov/home/pages/covid-19-coronavirus-information> or contact the Town's Emergency Operations Center (EOC) at 508-945-5191 or chathameoc@chatham-ma.gov. If you have not already signed up for the Town's Alert System, please do so at <https://www.chatham-ma.gov/subscribe>. Thank you!

<Sample letter FINAL rev no watermark.docx>

Date

RADM Thomas G. Allan, Jr.
Commander
First Coast Guard District
408 Atlantic Ave
Boston, MA 02110

Via email (thomas.g.allan@uscg.mil) and mail

Dear Admiral Allan,

The [organization] is writing to express support for the Town of Chatham's concern regarding the Coast Guard's decision to downgrade the operational capabilities of Small Boat Station Chatham.

The Coast Guard's decisions to downgrade Station Chatham's status from Surf Station to Heavy Weather Station and replace the surf capable 42-foot Near-shore Lifeboats with 45-foot Response Boat Medium, limited to 8-foot seas, 30 knots of wind and no surf, is extremely troubling given the Station's strategic geographical location and the challenging and treacherous coastal waters along the Outer Cape.

Station Chatham is uniquely positioned to provide needed response to a significant area of responsibility: home to the largest commercial fishing fleet on Cape Cod and thousands of recreational boaters and transients from throughout New England (the number of recreational boaters has increased dramatically due the COVID-19 Pandemic). These conditions should dictate a more robust response capability by the Coast Guard not a diminution of capability.

We urge the Coast Guard take a critical look at the data regarding surf conditions collected in making these decisions and the means in which it was collected as the information shared with Chatham justifying the decision differs greatly from that of those transiting the area. For years the Coast Guard solicited information from vessels transiting the area, but that effort decreased in recent years. Conditions in local inlets (Nauset and Chatham) can change quickly so accurate information is vital.

We strongly request that Station Chatham's Surf Station status and capabilities be restored, allowing the Coast Guard to continue possessing the necessary capabilities it has had throughout its long, valued history on Cape Cod.

Sincerely,

Cc: Chatham Select Board (snealy@chatham-ma.gov)
Congressman Bill Keating/Senators Edward Markey & Elizabeth Warren
State Senator Julian Cyr/State Representative Sarah Peake

k. Vote to approve an extension of the term ending date for the Edward Marks Building Advisory Committee

May 10, 2019, Revised 7/27/20

Edward Marks Building Advisory Committee Charge

The Edward Marks Advisory Committee shall be appointed by the Board of Selectmen in accordance with relevant provisions of the Falmouth Home Rule Charter and Town bylaws. The Committee shall consist of seven (7) members, including one member of the Historical Commission, who shall serve until the Committee is dissolved. In the event that a member resigns prior to the dissolution of the Committee the Board may elect to appoint a new member.

The mission of the Committee is to recommend a preservation plan for the Edward Marks Building, historically known as the Poor House, to restore and preserve the building as a historic resource. In drafting the preservation plan, the Committee will consider:

- Historic preservation of the building exteriors;
- An interior renovation plan that satisfies office needs based on usage/occupancy requirements provided by the Town Manager, complies with the Mass Historic Preservation Restriction, and preserves important historical architectural details.
- Cost of proposed restoration and preservation work;
- The visibility and accessibility of proposed improvements to community members and visitors;
- Use of the first floor as offices for the Falmouth Human Services Department;
- Potential uses of the second floor and attic spaces;
- Community input;
- Potential funding sources in addition to Community Preservation and Falmouth general funds; and,
- Other criteria that the Committee may recommend

The Assistant Town Planner shall serve as the staff liaison to this Committee to provide technical expertise on historic preservation. The Committee members shall be responsible for posting meeting notices through the Town Clerk's Office and taking minutes in compliance with the open meeting law.

The Board respectfully asks the Committee to submit an initial report by December 31, 2019. The Edward Marks Advisory Committee is intended to be a temporary, single-purpose committee to be dissolved on December 31, 2020, extended to May 31, 2021, or sooner if the Board of Selectmen determines the purposes of the Committee have been achieved. The Board of Selectmen may vote to extend the term of the Committee to a date certain if additional time is required to achieve the purposes of the Committee.

- I. Approve grant of license to J. Jacob Fricke and Kimberly M. Ulmer to maintain a stone wall for 5 Nobska Road, Woods Hole

GRANT OF LICENSE

The TOWN OF FALMOUTH, a Municipal Corporation and political subdivision of the Commonwealth of Massachusetts having its usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Massachusetts acting by and through its duly elected Select Board, in consideration of One and 00/100 (\$1.00) Dollar and of the covenants contained herein, does hereby grant to J. Jacob Fricke and Kimberly M. Ulmer having a mailing address of 5 Nobska Road, Woods Hole, MA 02543, the following license to maintain a stone wall to be located within the town layout of Nobska Road. The location is shown on the attached plans prepared Holmes and McGrath, Inc., 205 Worcester Court, Suite A4, Falmouth, MA 02540, titled: "Stone Wall Permit Plan Prepared For J. Jacob Fricke and Kimberly M. Ulmer for #5 Nobska Road, Woods Hole, Falmouth, MA, Dated: April 13, 2021."

This license is granted upon the following expressed conditions:

- a. Said license is revocable by the Select Board at any time when they deem it appropriate to revoke the same in the best interest of the Town of Falmouth and/or public convenience, safety and needs; the Town may revoke this license by sending a notice to the grantee, its successors and assigns at the above-referenced property address and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- b. Upon such revocation, the grantee, its successors and assigns shall, if and when directed by the Select Board, remove said stone wall from within the Town's road layout;
- c. If the grantee, its successors and assigns, fails to remove said stonewall all the expenses of the Town to do same or have the same done or any expenses arising from the failure to comply with this license, including attorney's fees, costs and expenses and contractor fees shall be paid by the grantee, its successors and assigns to the Town upon demand, and if not so paid, shall, upon the recording of a Notice thereof in the Registry of Deeds or Registered Land Division constitute a lien on said property, without limiting any other rights of the grantor;
- d. Until such revocation, this License shall continue to run with the land;
- e. The grantee, its successors and assigns shall be forever obligated to indemnify, defend and hold harmless the Town of Falmouth, its agents, officers, officials and employees for any and all claims, actions, suits, or demands for personal injury or property damage arising out of all activity undertaken by the grantee in reliance upon the grant of this License.

Property Address: 5 Nobska Road, Woods Hole, MA
Title: Book 33705, Page 58

- f. Nothing contained in the License shall authorize the grantee, its successors and assigns to do any work or undertake any activity or to continue any activity not otherwise in full compliance with all applicable laws, rules and regulations;
- g. The terms, conditions, agreements and covenants contained herein shall be binding on the grantee, its successors and assigns.
- h. For title see Book 33705, Page 58. The property address is 5 Nobska Road, Woods Hole, MA.

IN WITNESS WHEREOF, the seal of the Town of Falmouth is affixed hereto and these presents executed and delivered in its name and behalf by its Board of Selectmen, hereto duly authorized this _____ day of _____, 2021.

Town of Falmouth
By its Select Board

Megan English Braga, Chairman

Douglas C. Brown, Vice Chairman

Doug H. Jones

Samuel H. Patterson

Nancy R. Taylor

Commonwealth of Massachusetts
County of Barnstable

On _____, before me, the undersigned notary public personally appeared

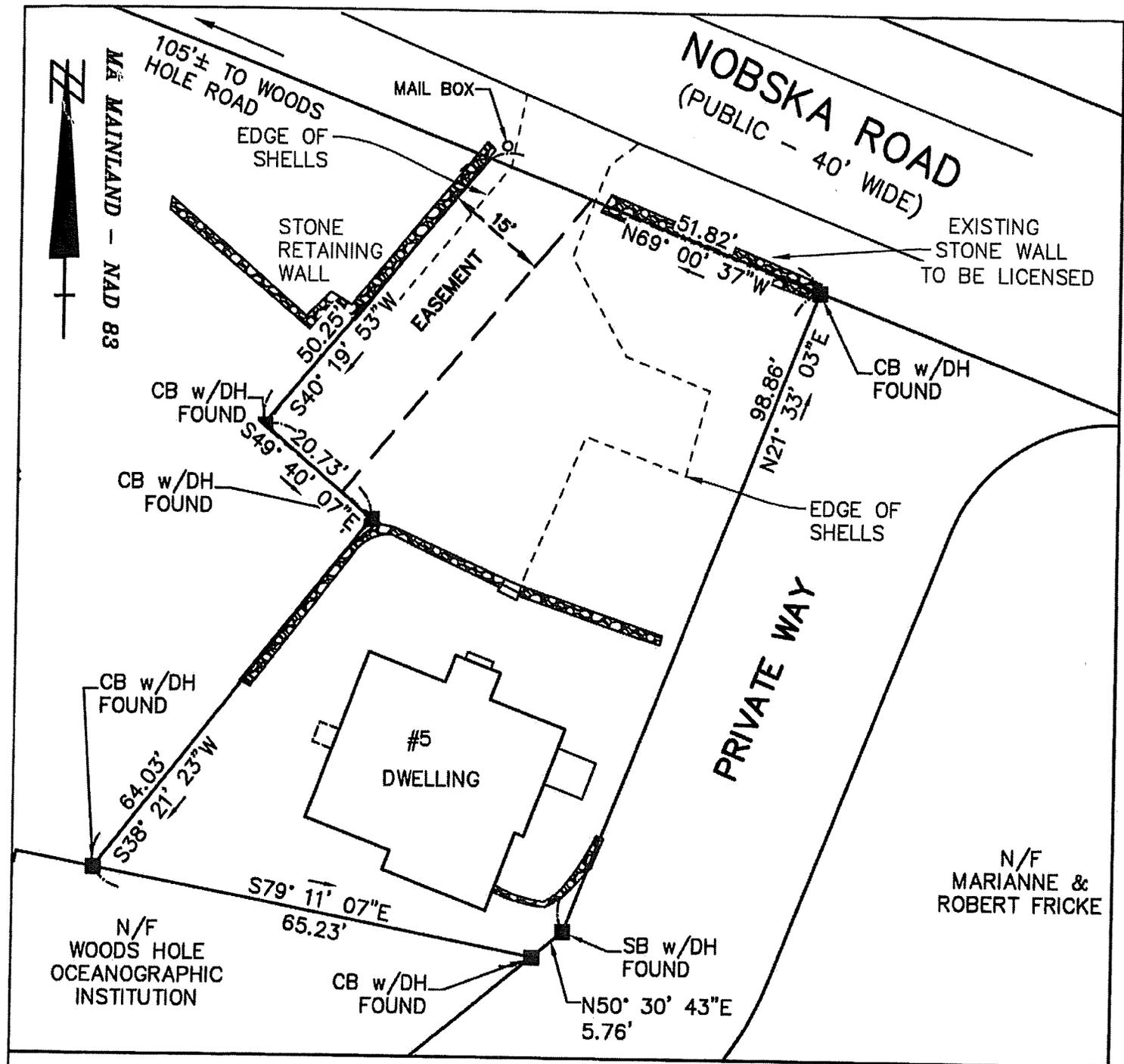
name(s) of signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence of identification which was

to be the person(s) whose name(s) is/are subscribed to the within instrument and who acknowledged to me this instrument is (his)(her) free act and deed.

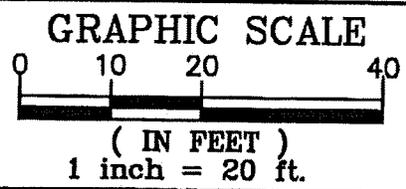
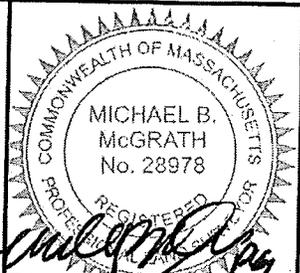
WITNESS my hand and official seal.

Signature of Notary Public



STONE WALL PERMIT PLAN

PREPARE FOR
J. JACOB FRICKE & KIMBERLY M. ULMER
 FOR #5 NOBSKA ROAD, WOODS HOLE, FALMOUTH, MA



SHEET: 1 OF 2 DATE: APRIL 13, 2021



holmes and mcgrath, inc.

civil engineers and land surveyors
 205 worcester court · suite a4 · falmouth, ma · 02540
 508-548-3564 www.holmesandmcgrath.com

DWG. NO.: A3006 JOB NO: 219-000
 DRAWN: JJF SCALE: 1" = 20'

Phyllis Downey

From: Jim McLoughlin
Sent: Wednesday, April 28, 2021 7:48 AM
To: Phyllis Downey; Frank Duffy; Noreen Stockman
Cc: Julian Suso; Rod Palmer; Pamela Marshall; Thomas Bott; Melinda Maranchie; Ashley DeMello; Michaela Shoemaker; Katie Pierias; Julie Parker; Scott Schluter
Subject: RE: Grant of License-5 Nobska Road - maintain stone wall

Hi Phyllis,
We have no objection to the license of the stone wall.
Thanks,
Jim

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, April 27, 2021 2:09 PM
To: Frank Duffy <frank.duffy@falmouthma.gov>; Jim McLoughlin <james.mcloughlin@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Cc: Julian Suso <julian.suso@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Melinda Maranchie <melinda.maranchie@falmouthma.gov>; Ashley DeMello <ashley.demello@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>; Katie Pierias <katie.pierias@falmouthma.gov>; Julie Parker <julie.parker@falmouthma.gov>
Subject: Grant of License-5 Nobska Road - maintain stone wall

Good afternoon,

A Grant of License has been requested by J. Jacob Fricke and Kimberly M. Ulmer for 5 Nobska Road, Woods Hole, to maintain a stone wall structure in its present and existing location. Attached please find the request letter and site plan #A3006.

The owner's attorney has asked that the request be expedited as the License would be the final step to complete a Building Permit already in process. May we please request your recommendation or comments?

Thank you
Phyllis

Law Office of Jonathan M. Polloni, Esq.

Office: 419 Palmer Ave.
Falmouth, MA 02540

Mail: P.O. Box 311
Woods Hole, MA 02543

Jonathan M. Polloni, Esq.

pollonij@gmail.com

(508) 221-0358

April 27, 2021

Town of Falmouth
Town Manager
59 Town Hall Square
Falmouth, MA 02540



RE: license application – 5 Nobska Road, Woods Hole
J. Jacob Fricke & Kimberly M. Ulmer, Owners

EXPEDITED REQUEST

Dear Sir/Madam:

This letter is to request permission to license an existing structure in the public layout of Nobska Road in Woods Hole. The owners, J. Jacob Fricke and Kimberly Ulmer, wish to maintain a stone wall structure in its present and existing location. A copy of the site plan is included for reference to the public layout, and shows the approximate location of the stone wall.

In addition, owners request this application to be expedited. The owners are currently in the process of razing and replacing the existing structure. The building permit is complete but for a sign-off from town engineering department. Engineering will not sign-off until this license is addressed. Licensing the structure is the quickest and most appropriate avenue to finalize the permit approval.

The property located at 5 Nobska Road is a private, residentially zoned parcel of land and has been developed as a single-family residence since approximately 1950. The stone wall falls along the boundary between the lot and the town layout, and is partially within the town layout. The stone wall has been in this location since at least 1950's and probably much earlier. It also has the appearance of many other stone walls in the area, being dry stacked and of a low height. Given the age of the stone wall and its aesthetic, there are good reasons to allow it to remain as it is.

Furthermore, the intrusion on the layout is minimal, as only a small portion of the entire stone wall actually encroaches, and allowing the existing structure to remain in its present location has no adverse effect on the rights of the public.

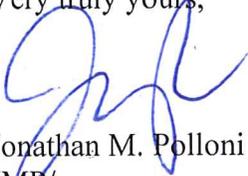
Town Manager

April 27, 2021

Page 2

I trust after your review of the enclosed materials you will approve a license for the portion of the stone wall that lies within the town layout. Please feel free to contact me if any further information is needed.

Very truly yours,



Jonathan M. Polloni

JMP/

enclosures

cc: Client

#3. SPECIAL EVENTS

New-recommended:

- a. Beach wedding ceremony – Griffin/Correll – Chapoquoit Beach –
Sunday, 6/13/21



**TOWN OF FALMOUTH
WEDDING CEREMONY AND PARKING PERMIT**

NAME Tabatha Griffin / John Correll

MAILING ADDRESS 906 Jones Street, Hollidaysburg, PA 16648

CEREMONY DAY & DATE Sunday, June 13, 2021

LOCATION Chapoquoit Beach

SET-UP ARRIVAL TIME 5:45 p.m. **CEREMONY HOURS** 6:00 p.m. – 6:30 p.m.

NUMBER OF GUESTS 28 **NUMBER OF VEHICLES** 2

TIME NEEDED FOR PARKING VEHICLES 5:45 p.m. – 6:30 p.m.

ENTERTAINMENT Using Uber for transportation of guests.

NOTE: *Participants to follow the social distancing, wearing of masks and other safety standards per the Governor's COVID-19 Order in place at the time of the event.*

CONDITIONS:

1. Consumption of alcoholic beverages prohibited on Town beaches and parking areas.
2. Public parking is on a first come first serve basis.

PERMIT FEE \$150.00 **FILING FEE** \$10.00

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

SELECT BOARD:

Diane Davidson

From: Maggie Clayton
Sent: Tuesday, May 4, 2021 4:59 PM
To: Diane Davidson
Subject: Re: Application for Beach Wedding Ceremony

No concerns from Beach Dept. Just a reminder/acknowledgement that unmanned parking lot is first-come, first-served (though Uber vehicles usually drop-off without parking), as 6/13 is pre-season and even if we were staffing, my employees would be off-site as of 4 p.m.

Thanks, Diane.

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

On May 4, 2021, at 3:55 PM, Diane Davidson <diane.davidson@falmouthma.gov> wrote:

To all,

Attached please find an application for a beach wedding ceremony to be held at Chapoquoit Beach on Sunday, June 13, 2021 from 6:00 p.m. to 6:30 p.m. Set up / arrival at 5:45 p.m. Guests will be shuttled by Uber.

Since this request is for a ceremony next month, would you please provide your comments/recommendations by this Friday, May 7, before noon?

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

<WE-2021-Griffin.pdf>

Diane Davidson

From: Brian Reid
Sent: Wednesday, May 5, 2021 10:20 AM
To: Diane Davidson
Cc: Sean Doyle; Edward Dunne
Subject: RE: Application for Beach Wedding Ceremony

Police Department has no objection.

Captain Brian L. Reid

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

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

From: Diane Davidson
Sent: Tuesday, May 4, 2021 4:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Melinda Rebelo <melinda.rebelo@falmouthpolicema.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Since this request is for a ceremony next month, would you please provide your comments/recommendations by this Friday, May 7, before noon?

Thank you,

Diane

Diane S. Davidson

Diane Davidson

From: Boyd Demello
Sent: Tuesday, May 4, 2021 5:45 PM
To: Diane Davidson
Cc: Brian Reid; Bruce Mogardo; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Maggie Clayton; Melinda Rebelo; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: Re: Application for Beach Wedding Ceremony

Fire Rescue is all set

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

On May 4, 2021, at 16:55, Diane Davidson <diane.davidson@falmouthma.gov> wrote:

To all,

Attached please find an application for a beach wedding ceremony to be held at Chapoquoit Beach on Sunday, June 13, 2021 from 6:00 p.m. to 6:30 p.m. Set up / arrival at 5:45 p.m. Guests will be shuttled by Uber.

Since this request is for a ceremony next month, would you please provide your comments/recommendations by this Friday, May 7, before noon?

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*

<WE-2021-Griffin.pdf>

Diane Davidson

From: Joe Olenick
Sent: Tuesday, May 4, 2021 4:57 PM
To: Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Gregg Fraser; Jim Grady; Jeremiah Pearson; Julian Suso; Maggie Clayton; Melinda Rebelo; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Application for Beach Wedding Ceremony

Recreation all set.

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Tuesday, May 04, 2021 4:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Melinda Rebelo <melinda.rebelo@falmouthpolicema.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Application for Beach Wedding Ceremony

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Since this request is for a ceremony next month, would you please provide your comments/recommendations by this Friday, May 7, before noon?

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: Jeremiah Pearson
Sent: Wednesday, May 5, 2021 6:37 AM
To: Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Gregg Fraser; Jim Grady; Joe Olenick; Julian Suso; Maggie Clayton; Melinda Rebelo; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Application for Beach Wedding Ceremony

Parks is good with it!!

Jeremiah

From: Diane Davidson
Sent: Tuesday, May 4, 2021 4:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Melinda Rebelo <melinda.rebelo@falmouthpolicema.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Application for Beach Wedding Ceremony

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Attached please find an application for a beach wedding ceremony to be held at Chapoquoit Beach on Sunday, June 13, 2021 from 6:00 p.m. to 6:30 p.m. Set up / arrival at 5:45 p.m. Guests will be shuttled by Uber.

Since this request is for a ceremony next month, would you please provide your comments/recommendations by this Friday, May 7, before noon?

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*

#3. SPECIAL EVENTS

New-recommended:

- b. Beach wedding ceremony – Griffin/McGarrigle – Stony Beach –
Tuesday, 9/7/21



**TOWN OF FALMOUTH
WEDDING CEREMONY AND PARKING PERMIT**

NAME Erin Griffin / Stephen McGarrigle

MAILING ADDRESS 4713 Old Barnstable Rd., E. Falmouth, MA 02536

CEREMONY DAY & DATE Tuesday, September 7, 2021

LOCATION Stony Beach

SET-UP ARRIVAL TIME 4:00 p.m. **CEREMONY HOURS** 5:00 p.m. – 5:30 p.m.

NUMBER OF GUESTS 10 **NUMBER OF VEHICLES** 5

TIME NEEDED FOR PARKING VEHICLES 4:30 p.m. – 5:30 p.m.

ENTERTAINMENT One person playing bagpipes. Photography.

NOTE: *Participants to follow the social distancing, wearing of masks and other safety standards per the Governor's COVID-19 Order in place at the time of the event.*

CONDITIONS:

1. *Consumption of alcoholic beverages prohibited on Town beaches and parking areas.*
2. *Public parking is on a first come first serve basis.*

PERMIT FEE \$75.00 **FILING FEE** \$10.00

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

SELECT BOARD:

Phyllis Downey

From: Maggie Clayton
Sent: Thursday, April 8, 2021 11:32 AM
To: Jeremiah Pearson
Cc: Phyllis Downey; Boyd Demello; Brian Reid; Diane Davidson; Jim Grady; Joe Olenick; Julian Suso; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: Re: Beach Wedding - Stony Beach 9/7/2021

No concerns from Beach Dept. other than what I already shared.

For reference, that parking lot has up to 32 spaces (1 is designated handicapped).

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

On Apr 8, 2021, at 9:23 AM, Jeremiah Pearson <jeremiah.pearson@falmouthma.gov> wrote:

No issues from Parks!

Jeremiah

From: Phyllis Downey
Sent: Wednesday, April 7, 2021 2:59 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Beach Wedding - Stony Beach 9/7/2021

Good afternoon,

Attached please find an application for a wedding to be located at Stony Beach on the day after Labor Day, Tuesday, September 7, 2021, at 5:00 pm with 10 persons attending. The applicant has been advised that there will not be a Beach Department presence after Labor Day and that MBL provides the toilets. We also suggested putting a carpool plan in place in case the weather is nice and the small parking lot is full.

The applicant has been provided with contact information for Spohr Gardens, the second choice for the ceremony.

Phyllis Downey

From: Brian Reid
Sent: Thursday, April 8, 2021 11:36 AM
To: Phyllis Downey
Cc: Sean Doyle
Subject: RE: Beach Wedding - Stony Beach 9/7/2021

No objection from Police

Captain Brian L. Reid

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

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From: Phyllis Downey
Sent: Wednesday, April 7, 2021 2:59 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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The applicant has been provided with contact information for Spohr Gardens, the second choice for the ceremony.

May we please request your review of this application by April 21st? The Select Board may review the application at its meeting on April 26th. Please contact me if further information is needed.

Thank you,
Phyllis Downey
508-495-7325

Phyllis Downey

From: Boyd Demello
Sent: Thursday, April 8, 2021 7:30 AM
To: Phyllis Downey; Brian Reid; Diane Davidson; Jeremiah Pearson; Jim Grady; Joe Olenick; Julian Suso; Maggie Clayton; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Cc: Boyd Demello
Subject: RE: Beach Wedding - Stony Beach 9/7/2021

No issues from Fire Department.

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

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From: Phyllis Downey
Sent: Wednesday, April 7, 2021 2:59 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Beach Wedding - Stony Beach 9/7/2021

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The applicant has been provided with contact information for Spohr Gardens, the second choice for the ceremony.

May we please request your review of this application by April 21st? The Select Board may review the application at its meeting on April 26th. Please contact me if further information is needed.

Thank you,

REC

Phyllis Downey

From: Joe Olenick
Sent: Thursday, April 8, 2021 8:39 AM
To: Phyllis Downey; Boyd Demello; Brian Reid; Diane Davidson; Jeremiah Pearson; Jim Grady; Julian Suso; Maggie Clayton; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Beach Wedding - Stony Beach 9/7/2021

Rec is ok with this.

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Wednesday, April 07, 2021 2:59 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Beach Wedding - Stony Beach 9/7/2021

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May we please request your review of this application by April 21st? The Select Board may review the application at its meeting on April 26th. Please contact me if further information is needed.

Thank you,
Phyllis Downey
508-495-7325

Phyllis Downey

Parks

From: Jeremiah Pearson
Sent: Thursday, April 8, 2021 9:24 AM
To: Phyllis Downey; Boyd Demello; Brian Reid; Diane Davidson; Jim Grady; Joe Olenick; Julian Suso; Maggie Clayton; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Beach Wedding - Stony Beach 9/7/2021

No issues from Parks!

Jeremiah

From: Phyllis Downey
Sent: Wednesday, April 7, 2021 2:59 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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May we please request your review of this application by April 21st? The Select Board may review the application at its meeting on April 26th. Please contact me if further information is needed.

Thank you,
Phyllis Downey
508-495-7325

BUSINESS

1. Discussion/update on COVID-19 issues

- Discussion on Special Events

BUSINESS

2. Discussion/vote on potential EEE opt-out

Diane Davidson

From: Scott McGann
Sent: Wednesday, May 5, 2021 8:57 AM
To: Julian Suso
Cc: Diane Davidson; Peter Johnson-Staub
Subject: RE: BOH Meeting - EEE

The link is here as well

[Application for Municipality Opt-Out of SRMCB Spraying | Mass.gov](#)

Scott McGann R.S.
Director/ Agent
Falmouth Health Department
59 Town Hall Square
Falmouth, MA 02540
508-495-7485
scott.mcgann@falmouthma.gov

From: Julian Suso <julian.suso@falmouthma.gov>
Sent: Wednesday, May 5, 2021 8:55 AM
To: Scott McGann <scott.mcgann@falmouthma.gov>
Cc: Diane Davidson <diane.davidson@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Subject: RE: BOH Meeting - EEE

Thank you Scott. I am copying Diane Davidson to place your email summary in the Select Board's packet for Friday. Our tentative SB agenda would have this discussion occurring immediately following your regular COVID-19 presentation at Monday's virtual SB meeting. Thanks.

Julian

From: Scott McGann <scott.mcgann@falmouthma.gov>
Sent: Wednesday, May 5, 2021 8:45 AM
To: Julian Suso <julian.suso@falmouthma.gov>
Subject: RE: BOH Meeting - EEE

BoH voted **not** to opt out

SB can choose:

- not to vote and would be status quo
- vote to remain opted-in
- vote to opt out

Opt out means the following:

- the state will not aid the town to perform either ground or aerial spraying. We would still have Cape Cod Mosquito Control (CCMCP) to treat per usual and truck spray if needed as was done in 2019.
- no mechanism to opt back in

- would have to have a plan approved by the state (Executive Office of Energy and Environmental Affairs - EEA) above and beyond current CCMCP procedures for the state to recognize the vote to opt-out.

Spraying have never been done by the state in Barnstable County

Would only occur is the risk was very high to extreme such as human cases were occurring

Per my call with Gabby from CCMCP

- knows of no other town at this point choosing to opt-out
- doesn't know what type of plan the EEA would consider since the CCMCP already does the activities one would do to control mosquito populations

Scott McGann R.S.

Director/ Agent

Falmouth Health Department

59 Town Hall Square

Falmouth, MA 02540

508-495-7485

scott.mcgann@falmouthma.gov

From: Julian Suso <julian.suso@falmouthma.gov>

Sent: Tuesday, May 4, 2021 7:07 PM

To: Scott McGann <scott.mcgann@falmouthma.gov>

Subject: BOH Meeting - EEE

Hello Scott,

Can you update me on the BOH actions from last evening? I want to have a sense of what we should anticipate for the SB meeting on Monday. Thanks.

Julian

Diane Davidson

From: Julian Suso
Sent: Tuesday, April 27, 2021 8:36 PM
To: Falmouth Selectboard
Cc: Scott McGann; Peter Johnson-Staub; Frank Duffy; Diane Davidson
Subject: FW: EEE spraying opt out item for the next Selectboard agenda

Dear Board Members,

I am forwarding an email from Health Agent Scott McGann regarding an option being presented to Towns regarding either acceptance or rejection (opt-in or opt-out) of State-managed insecticide spraying for mosquitos. It appears that there are limited reasonable options here including limited time for deliberations. I will be happy to work with Scott incident to any questions members of the Board may have. As noted, the limited timing requires that this be placed on the Board's next upcoming meeting on Monday, May 10 – following review/action/recommendation by the Board of Health when they meet next on May 3.

As per standard Open Meeting protocol, any questions or comments from members of the Board should be directed to both Scott McGann and me, without copying other members of the Board. Thank you.
Julian

From: Scott McGann <scott.mcgann@falmouthma.gov>
Sent: Tuesday, April 27, 2021 5:20 PM
To: Julian Suso <julian.suso@falmouthma.gov>
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Subject: EEE spraying opt out item for the next Selectboard agenda

Julian, can you please send this time sensitive information to the Selectboard.

Today it came to my attention that the state is requesting that municipalities who want to opt out of any potential state-managed insecticide spraying (aerial or truck) for mosquitos/EEE control in 2021 must do so by May 15th. This must be done by a vote of the Selectboard. The link to this requirement for opting out can be found here: [Application for Municipality Opt-Out of SRMCB Spraying | Mass.gov](#). I have requested that this item be placed on your May 10th agenda. As part of this process, I will be placing this on the Board of Health's May 3rd agenda so that you will have a referral from them.

The Commonwealth has never conducted an aerial adulticide intervention in response to increased risk levels in Barnstable County. A limited area truck spray was conducted by the Cape Cod Mosquito Control Project (CCMCP) in Falmouth in 2019 due to increased risk of EEE transmission. This was done with the support of Falmouth Boards of Health and Selectboard.

The opt-out for municipalities only covers events when risk for arbovirus transmission has risen to the level where MA DPH has declared a Public Health Hazard and a truck or aerial adulticide intervention is recommended. Currently no mechanism has been identified to opt back in in the event of a DPH declared Public Health Hazard in towns that opt-out.

This opt-out is separate from the activities currently being conducted by Cape Cod Mosquito Control Project in our town. CCMCP conducts the activities listed on the opt-out application (education, surveillance, control) in all our member towns. An aerial intervention by the state would only happen at high levels of risk of

transmission of disease to people. CCMCP surveillance data and expertise would be part of any decision-making process undertaken by the SRMCB before a spray.

If the "opt out" is decided, then an alternative mosquito control plan will need to be submitted by the town to the Executive Office of Energy and Environmental Affairs ("EEA"). Only once the plan is approved by the EEA, will the state recognize the Board's decision.

Sorry for the short notice.

Please feel free to contact me at any time if you have questions or concerns.

Thanks, Scott

Scott McGann R.S.
Director/ Agent
Falmouth Health Department
59 Town Hall Square
Falmouth, MA 02540
508-495-7485
scott.mcgann@falmouthma.gov

3. Report – Falmouth Dog Park, Barb Schneider

March 2021

www.falmouthdogpark.com



Board of Trustees

Barbara Schneider
President

Frank Ferrino
Vice President

Barbara Thomas
Treasurer

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Asst. Treasurer

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Jessica Gow

Theresa Martens

Michael Simoneau

P.O. Box 93

East Falmouth, MA

02536

Falmouth Dog

Parks Inc. is a

501(c)3 nonprofit

organization; our tax

ID is 90-0630789.



To the Town of Falmouth Selectboard
From The Falmouth Dog Parks, Inc. Board of Trustees
March 19, 2021

On May 1, 2011, the Town of Falmouth opened one of the first dog parks on Cape Cod and in Southern New England. As part of the recognition of its tenth birthday, the Falmouth Dog Parks, Inc. Board of Trustees would like to give a ten-minute presentation to the Selectboard, highlighting the accomplishments, growth and milestones of this decade and its hopes for the next one. Members would like to present on May 10th, following our May 8th acknowledgement of this birthday at the park itself. We hope you will find this both informative and celebratory. We hope meetings might be in person at that point, but if they are not, we will be prepared for presenting on zoom. Please call Barb Schneider at 508-331-2929 with any questions or concerns.

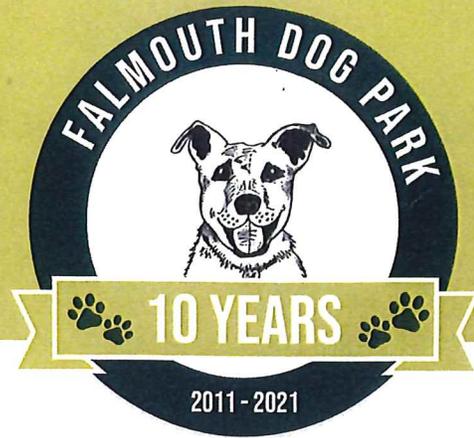
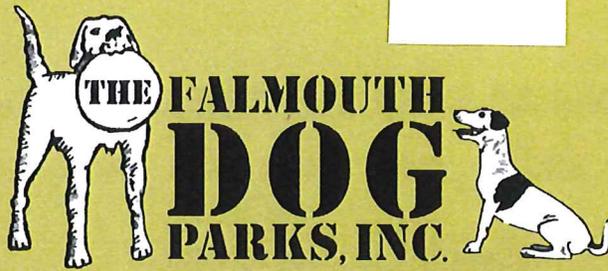
Barbara Schneider

President, Falmouth Dog Parks, Inc.

508-331-2929

newsrm7@aol.com





MAY NEWSLETTER

A LETTER FROM THE PRESIDENT OF FALMOUTH DOG PARKS INC.

This month calls for celebration!. When we opened our gates on May 1, 2011, we hoped the park would help socialize dogs, provide them with exercise when humans really couldn't, and consequently keep more dogs happily in their forever homes. Today we celebrate achieving those goals and so much more.

From Day One, none of this could have happened without all of you and your support and without the 150 businesses you see listed on the back of this newsletter. This park was built before there was a foundation that gave money to design and then build a park. It was built because many gave in-kind donations on any job done during the building process, and many individuals and companies have given incredible amounts of money and free or greatly reduced labor costs every year to help us keep up the property, provide for its safety and make capital improvements along the way.

From Day One, none of this could have happened without the group in the community that had the vision: "Build it and they will come!" And they were willing to work hard to convince the Town and others that this was the right type of park to add to Falmouth's assets and it was one that could sustain itself. That group of people has grown to include many new board members and a dedicated group of stewards who assure that the park will be one of the most well-maintained, clean, healthy dog parks anywhere. They have made the park a true gem.

And from Day One, we could never have imagined that we would fill a void that existed by bringing people together who normally don't see many others or have been rather isolated. With dogs as the common denominator, it feels comfortable to chat with others, to share stories, information, and even ask for help in how to be a first time dog owner. Even people without a dog come to the park trying to be around those dogs and their friendly humans.

So help us celebrate by thanking any of those who make this park work. Thank a steward. Thank a business listed here. Thank a board member. Thank a good dog owner who knows when a dog is having an off day and knows enough to leave. Thank the dog park by volunteering to be a monthly steward or with a donation during our appeal starting in June to recognize that in ten years, we have used those donations wisely. In that decade, we have added solar lighting, a full circle of sidewalk, eight additional benches and four additional shaded seating areas, a shed, a third area for newbies or dogs needing a little time out, new gravel and sand, artwork, a memorial wall and celebratory tiles, Lou's Dog House, a woodland trail, and hundreds of thousands of biodegradable waste bags and mutt mitts.

We were a front runner when we approached the town with the concept. We did our homework and knew what we needed to have happen to be successful. And now we want to say thank you and celebrate. Be sure to help us end our summer-long celebration by joining us for our October Sunset Paws Cruise. Until then, we hope to see you as you "Make Time for Play" at the park.

Happy Tails,
Barb Schneider

These local businesses helped get the Falmouth Dog Park successfully to its 10th birthday. Please say thanks and support them with your business!

- | | | |
|------------------------------------|--------------------------------------|------------------------------------|
| A & A Paving | Falmouth Commission for Disabilities | Ninety-Nine Restaurant |
| A.G. Hamilton Bobcat Services | Falmouth Dairy Queen | No Bull Landscaping |
| All Cape Weed Control | Falmouth Engineering | Northeast Equine Apparel |
| All Pet Medical Center | Falmouth Fiddlers | Nutro Dog Food |
| Almeida and Carlson Insurance | Falmouth Pet Store | Osteria La Civetta |
| Amazon Smile Foundation | Falmouth Police Patrolman's Fed. | Oysters, Too |
| Atlantic Subaru | Falmouth Road Race | The Paint Bar |
| Aubuchon Hardware | Falmouth Stamp & Coin | Papa Jakes |
| Aussie Pet Mobile | Falmouth Together We Can, Inc. | Parkside Market |
| The Beach House | Falmouth Toyota | Petco |
| Beardsley Artworks | Falmouth Track Club | Peter M. Kroll Builder |
| Beard Subaru | Falmouth Visitor | The Picnic Box |
| Ben & Bill's Chocolate Emporium | Falmouth Wine and Spirits | Pies a la Mode |
| The Black Dog | Flying Pig Pottery | Primetime Pizza |
| Board Stiff | Friends of Falmouth Dogs | R.A. Builders |
| Botelho Excavation | Gary Lutz Landscaping | Relax and Renew Spa |
| Brian Switzer Video | Get My Goats | Remax Realty |
| Brick Kiln Farms | Ghelfi's Candies | Roche Brothers |
| Bruno's Burgers, Fries & Shakes | Green Harbor Waterfront Lodging | Rockland Trust |
| Bzzyfingers Handmades | Hamilton Foundation | Ryan Family Amusement Center |
| Cape Cod Aggregates | Hamilton Tree Landscape | Salon 151 |
| Cape Cod Bagel | Howlingbird Studio | The Sea Crest Resort |
| Cape Cod Barkbusters | Hubbard Paint | Seafood Sam's |
| Cape Cod Five | IFAW | Signature Spa |
| Cape Cod Kennel Club | iKitchens | Silver Beach Dog Grooming |
| Cape Cod Pet Resort | Inman Hydroseed | Skida Headwear |
| Cape Cod Veterinary Specialists | Island Queen | A Slice of Italy |
| Cape Cod Winery | Jean A. Wright | Smitty's Homemade Ice Cream |
| Cape K9 Cardio | Jimmy Brown's Café | Snip and Clip |
| Captivating Canines | John Maurer Plumbing | South Cape Grooming |
| Casa Vallarta | John Salerno Trio | Squeteague Sailmakers |
| Cataldo Custom Builder, Inc. | Jude's Herbal Pet Salon | Stage Door Canteen |
| Clover Landscape | Kaleidoscope Toy Store | Steel Capers |
| Color Me Mine | Kate Davis Events/Catering | Stop and Shop |
| Communications Dynamics | La Cucina Sul Mare | Super Lube of Falmouth |
| The Conference Table | Lawrence-Lynch Materials | Susan Moran/W. Falmouth Properties |
| Cuny Landscaping | Liam Maguire's Irish Pub | TD Bank |
| Daily Brew | Louis Romiza Picnic Tables | Teaticket Market |
| Deer Run Veterinary Services | Mad Hatter | The Valle Group |
| Dimestico Tileworks | Maison Villatte | Upper Cape Pet Sitting |
| DJ's Family Sports Bar | Martha's Vineyard Savings Bank | Uptown Dog Cape Cod |
| Divine Pizza | Martinho Electric | Vidal Metalworks |
| DMC Plumbing & Heating | Mashpee Fitness | VIP Petwalkers |
| Eagle Fencing | M. Duffany Builders | Vital Nutrition |
| Eastern Bank Charitable Foundation | Miller Starbucks | VPOPP, Inc. |
| Eight Cousins Book Store | Moonakis Restaurant | Waquoit Congregational Church |
| The Enterprise | Mr. Pooch Dog Grooming | Waquoit Feed and Grain |
| Ermine Lovell Trust | Nantucket Sheds | With Integrity Wealth Management |
| Falmouth Animal Hospital | Nantucket Toy Company | Witter Concrete |
| Falmouth Chamber of Commerce | Nauset Marine | Wood Lumber Company |
| Falmouth Cinema Pub | New Wave Printing & Design | |

A huge thank you to all of the individual donors as well. We appreciate your support; we need your support!

Visit www.falmouthdogpark.com to donate and learn more about our park.

**SCAN THESE
QR CODES TO
DONATE!**



VENMO



PAYPAL

4. Report – Golf Advisory Committee

Falmouth Country Club Golf Advisory Committee

The Golf Advisory Committee shall be established to advise the Select Board and the Town Manager on annual activities and long-term goals of Golf Facilities Operations of Falmouth Country Club. The Committee of seven (7) members will be composed of an active representative of the Select Board, Recreation Committee, The 300 Committee, The Falmouth Chamber of Commerce and three (3) at-large members to be appointed by the Select Board for three-year staggered terms. Members may serve a maximum of two terms.

The goals established for Falmouth Country Club are:

1. To provide an open and accessible recreational amenity to our citizens and visitors;
2. To maintain and improve the property as a long-term physical asset for the Town of Falmouth;
3. To maintain environmentally conscious Best Management Practices;
and
4. To maintain and improve the financial viability of the property.

These goals and the Lease Management Firm's plan to meet these goals are more fully articulated in the lease agreement and related documents.

The Golf Advisory Committee FCC/GAC will assist the Town in developing long-term financial and operation and maintenance goals for Falmouth Country Club and will not be involved in the day-to-day operations of the facility. To oversee the success of the Lease/Golf Facility Operator in meeting the articulated goals of the Town the committee shall:

- Annually hold a public meeting to solicit player and public input to measure customer service
- Review Financial Performance
- Review Annual Operation and Maintenance Plans
- Review and Make Recommendations for Capital Improvements

The Committee shall annually report to the Select Board and make recommendations on improvements that can be made to achieve the Goals of the Town.

Report to Select Board;

The mission of the Golf Advisory Committee is to advise the Select Board and Town Manager on annual activities and long-term goals of the town owned golf operations at Falmouth CC.

The Committee is very pleased with the financial performance and environmental stewardship that Indigo Golf Partners is providing for the town of Falmouth since 2004.

It was a record year in 2020 at the course as golf has enjoyed resurgence due unfortunately to the Covid crisis as outdoor activities increased. New golfers entered the marketplace nationally along with an increase in current players.... Falmouth CC was no exception.

Indigo Golf Partners will give a detailed report on financial numbers and marketing activities to the Board on last year's success at our scheduled May 10th zoom meeting.

We last held a zoom meeting December 3rd2020.

At that last meeting the committee elected me as the new chairman... Chris Inoue as Vice-chair.

In attendance was Outgoing chair Keith Schwegel.. Carey Murphy...Barbara Dixon, Christopher Inoue..Chuck Eastman...Richard Boles and Rob Pacheco. The Committee has since welcomed Brian Arthur.

Part of our mission includes a public meeting where members of the Falmouth community can come and comment on the activities of their golf facility. We look forward to doing that in the early fall...hopefully at the facility itself.

The entire Committee thanks the Board and administration along with staff from the Recreation department for their continued support and input on the success of Falmouth CC.

Respectfully submitted, Carey Murphy...Chairman

GOLF ADVISORY COMMITTEE DRAFT MINUTES
THURSDAY, DECEMBER 3, 2020 – 3:00 P.M.
OLD WATER DEPARTMENT 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 3, 2020 public meeting of the Golf Advisory Committee shall be physically closed to the public to avoid group congregation.

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

1. Real-time public comment can be addressed to the Golf Advisory Committee 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/Golf>*
- ii. Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*

2. Additionally public comments may be sent in advance of the meeting to keith.schwegel@falmouthmass.us 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.

Present:

Keith Schwegel, Chris Inoue, Richard Boles, Chuck Eastman, Carey Murphy, Robert Pacheco

Also Present: Joe Olenick, Peter Johnson-Staub, Falmouth Country Club's Indigo Golf Partners representatives Matthew Burgess, Ryan Phelps, Steve Howard

Keith Schwegel called the meeting to order at 3:00

Chairman's Report

Keith Schwegel noted that the committee last met about a year ago, on October 24, 2019.

Approve Minutes

Keith Schwegel called the minutes of 10/24/19 to the committee's attention. He took a roll call vote for approval of the minutes.

Chris Inoue-aye, Richard Boles-aye, Chuck Eastman-aye, Carey Murphy-aye, Robert Pacheco-aye

Nominate/Elect Officers

Keith Schwegel explained that he had to step down as chair and member of the Golf Committee because of a conflict with the Finance Committee on which he serves. Carey Murphy agreed to serve as chair; Chris Inoue agreed to serve as vice chair.

A roll call vote was taken for approval of Carey Murphy as chair and Chris Inoue as vice chair. Chris Inoue-aye, Richard Boles-aye, Chuck Eastman-aye, Carey Murphy-aye, Robert Pacheco-aye

FY21 Capital Improvements Budget

Keith Schwegel reported that the Finance Committee recommended \$50,000.00 for 4 pieces of equipment for the golf course for fiscal year 2020. The request was for a utility tractor with backhoe and loader and a fairway aerifer. There was no Town Meeting, however, and the hope is that this recommendation will be approved at a Town Meeting in January. In fiscal year 2021 the request is for 2 HoverPro 450s, a Versa Vac, a Transpro 100 and 2Proforce Debris Blowers.

Golf Course Activity Report

Representatives Matthew Burgess, Ryan Phelps and Steve Howard of Indigo Golf Partners, formerly Billy Casper Golf Management, appeared with the report which included the following:

- Rebranding of the company occurred in June to make golf more accessible to a wider range of people. The office, executives and teams remain the same.
- This is the best year for golf since the company started running the Falmouth Country Club in 2005. There will be a significant check for the town this year.
- The motto of Indigo Golf is Golf for Everyone. The community is the first priority and there are numerous leagues, junior leagues and tournaments that are active at the Falmouth Country Club.
- Customer satisfaction is measured and results indicate that customer satisfaction is positive overall. Complaints were often related to Covid-19 restrictions and were beyond control of the company.
- Jessica Whritnour, of The 300 Committee has visited in the past year to discuss conservation restrictions with Ry Mutti. Carey Murphy will follow up with her to see if there are any issues.

Discussion of Golf Course Activity During Pandemic Restrictions

- As a manager, Matt Burgess' job is to stay on top of the governor's restrictions.
- The goal was to cultivate a good, enjoyable and save environment.

Public Comment

- None.

Hearing no further comments, at 3:59, Keith Schwegel said he would close the meeting.

A roll call vote for adjournment was taken.

Chris Inoue-aye, Richard Boles-aye, Chuck Eastman-aye, Carey Murphy-aye, Robert Pacheco-aye

Current Town Committee Vacancies and ads placed in the
Friday, April 30, 2021 Falmouth Enterprise and posted on
Town website

Town of Falmouth
Sandwich Road Fire Station Building Committee

Purpose

The purpose of the Sandwich Road Fire Station Building Committee is to work closely in collaboration with and support of the Owner's Project Manager, the Architect, Town Manager, Fire Chief, and Finance Director in overseeing and facilitating the design and successful construction of this new fire station.

Composition and Term

The Committee will consist of up to seven volunteer members who are "practitioners" with hands-on experience in the actual building procurement and/or construction process to assist in guiding this design and construction. The appointed members will serve through the conclusion of the fire station construction as signified by the issuance of an occupancy permit.

Committee Requirements

The Committee will designate a Chair and Vice-Chair from among its members as well as a Recording Secretary. Per State Statute, this Committee is subject to all Open Meeting Law requirements including the timely posting of meeting agendas and the recording of minutes.

Applications for volunteers will be accepted in the Office of the Town Manager and Select Board until 4:00 p.m. on Monday, May 17, 2021. Applications can be found on the town website at <https://www.falmouthma.gov/647/Town-Committees>.

On request of the Falmouth Select Board.

Publication date: Friday, April 30, 2021

**Town of Falmouth
Town Committee Vacancies**

The Falmouth Select Board has announced the following vacancy on a committee:

Committee	Term Until
Cape Cod Commission (Falmouth Representative)	4/24/2024

The application and the "Roles and Responsibilities of Cape Cod Commission Members" are available on the Town website <https://www.falmouthma.gov/647/Town-Committees>, or in the Office of the Town Manager/Select Board, 59 Town Hall Square, Falmouth. The deadline for applications is Friday, May 14, 2021.

Publication date: Friday, April 30, 2021

**Town of Falmouth
Town Committee Vacancies**

The Falmouth Select Board has announced the following vacancies on a town committee:

Committee	Term Until
Cable Advisory Committee (2 positions)	6/30/2021, 6/30/2023

Applications are available on the Town web site <https://www.falmouthma.gov/647/Town-Committees>, or in the Office of the Town Manager/Select Board, 59 Town Hall Square, Falmouth. The deadline for applications is Friday, May 14, 2021.

Publication date: Friday, April 30, 2021

Town Committee Vacancies

The Falmouth Select Board announces the following vacancies on Town committees:

Committee	Term Until
Board of Survey (2 positions)	6/30/21
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (2 positions) – deadline is Friday, May 14, 2021.	6/30/21, 6/30/23
Cape Cod Commission (1 position) – deadline is Friday, May 14, 2021.	4/24/24
Coastal Pond Management Committee (4 at-large positions)	6/30/22, 6/30/23
Commission on Disabilities (2 positions)	6/30/22, 6/30/23
Community Preservation Committee (1 position)	6/30/23
Conservation Commission (1 alternate position)	6/30/22
Constable (1 position)	6/30/21
Cultural Council (1 position)	6/30/22
Edward Marks Building Advisory Committee (1 position)	5/31/21
Energy Committee (1 position)	6/30/23
Historical Commission (1 Architect - full position, 1 alternate position)	6/30/21
Human Services Committee (1 position)	6/30/21
Sandwich Road Fire Station Building Committee (7 positions)	Until completion
Sign Review Committee (4 full positions, 2 alternate positions)	6/30/21, 6/30/22, 6/30/23
Transportation Management Committee (1 position)	6/30/21

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Select Board.

5. Interview, vote and appoint committee members:

a. Historical Commission:

- i. Tamsen George
- ii. Johanna Reed

b. Transportation Management Committee:

- i. Albert (Ted) Fitzelle

Historical Commission

2 positions:

- 1 Full Position (an Architect) - Term until 6/30/2021
- 1 Alternate Position - Term until 6/30/2021

2 applicants:

- Tamsen George
- Johanna Reed

*Town of Falmouth, MA
Thursday, May 6, 2021*

Chapter 36. Falmouth Historic District

§ 36-4. Commission.

- A. The districts shall be regulated by a Commission consisting of five (5) members to be appointed by the Board of Selectmen. One (1) member shall initially be appointed for one (1) year, two (2) for two (2) years, and two (2) for three (3) years. Each successive appointment shall be for three (3) years.
- B. The Commission shall include, if possible, one (1) member from two (2) nominees solicited from the Falmouth Historical Society, one (1) member from two (2) nominees solicited from the chapter of the American Institute of Architects covering Falmouth; one (1) member from two (2) nominees of the Board of Realtors covering Falmouth; and one (1) property owner from within a district area. If within thirty (30) days after submission of a written request for nominees to any of the organizations herein named, no such nominations have been made, the Board of Selectmen may proceed to make open appointments.
[Amended AFTM 11-6-2017, Art. 9, approved 2-12-2018]
- C. The Board of Selectmen shall appoint up to two (2) alternate members to the Commission. Each alternate member shall have the right to act and vote in the place of a regular member should such regular member be absent from a meeting, or unable to vote. Said alternate members shall initially be appointed for terms of two (2) or three (3) years, and for three-year (3-year) terms thereafter.
- D. Meetings of the Commission shall be held at the call of the Chairman and in such other manner as the Commission shall determine in its rules and regulations.
- E. Three (3) members of the Commission shall constitute a quorum.



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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

Name: TAMSEN E. GEORGE

Address: 57 WOODLAND TRAIL Village: TEATICKET ZIP: 02536

Mailing Address: same Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident X(16) (date: 2005) / Taxpayer X (date: 2005)
SUMMERS - 1948 - 2000

Amount of time you are available to give: EVENINGS - AFTERNOON 5

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

- 1. HISTORICAL COMMISSION
- 2. _____
- 3. _____

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences (TWICE)
PRESIDENT, FALMOUTH MUSEUMS ON THE GREEN, 2010 - 2013; 2015 - 2020

FORMER HISTORICAL COMM. MEMBER -

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

Briefly describe the particular skills you feel you will add to the committee or board: _____
EXPERIENCE IN HISTORIC HOUSE RENOVATION, KNOWLEDGE OF APPLICABLE HISTORICAL PERIODS, STYLES, ARCHITECTURE, LANDSCAPE.
RENOVATED/PARTIAL RESTORATION OF 4 HISTORIC HOUSES.

Three (3) References:

<u>Name</u>	<u>Title</u>	<u>Phone</u>
1. MARK SCHMIDT	EXEC DIR, MUSEUMS.	- [REDACTED]
2. ED HADDAD	CHAIR, HIST. COMM.	- [REDACTED]
3. MEG COSTELLO	ARCHIVIST - MUSEUMS	- [REDACTED]
4. NAT ROSS	FORMER CHAIR - HIST. COMM.	- [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.

3-22-2021
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.

TAMSEN EVANS GEORGE

57 Woodland Trail, East Falmouth, MA 02536

e-mail: [REDACTED]

Home: [REDACTED]

Cell: [REDACTED]

PROFESSIONAL EXPERIENCE

1999 – 2004 EXECUTIVE DIRECTOR

Shirley-Eustis House Association, 33 Shirley St., Roxbury, MA 02119

Administration, programming, property management for historic (1747) house museum. Coordination of site improvement landscape project. Re-construction of 1806 carriage house moved to property. Restoration project with cupola and balastrade. Establishment of orchard and perennial gardens. Introduction of two seasonal concert series and collaborative events with neighboring organizations. Developed web site. Other duties included grant writing, fundraising, publications and curatorial activities.

1995-98 HEAD OF PUBLIC PROGRAMS

Museum of Fine Arts, 465 Huntington Ave., Boston, MA 02116

Development and promotion of adult programs in the Museum including lectures, courses, concerts, performances, gallery talks, and adult group tours. Oversee functions of public programs section, including publications, two information centers, box office, and media services.

1992-95 MANAGER, SCHOOLS AND COMMUNITIES DEPARTMENT

Massachusetts Cultural Council, 10 St. James St., Boston, MA 02115

Management of department for state arts council including administration of direct grant processes awarding more than \$1 million for education programs and statewide indirect grant programs through 335 local cultural councils. Production of arts in education leadership conference and Cultural Resources Directory. Coordination of statewide task force to establish Massachusetts standards in arts education.

1990-92 ADMINISTRATOR OF COMMUNITY PROJECTS

Cambridge Arts Council, 57 Inman St., Cambridge, MA 02139

Responsible for community-oriented projects including production of arts education project with NEA funding, two outdoor craft festivals with over 75 vendors each, Arts Access Guide to cultural facilities for use by persons with disabilities, and the Cambridge Community Chorus, International Fair, River Festival and five multi-cultural forums per year.

1982-90 EXECUTIVE DIRECTOR

Young Audiences of Massachusetts, Inc. One Kendall Sq., Cambridge, MA 02139

Directed the operations of a state chapter of a national non-profit organization in arts education. Managed \$450,000 budget and restricted gift funds. Doubled size of organization and staff. Increased sale of programs from 600 in 1982 to 1,600 in 1989. Generated media materials, brochure, newsletters. Fundraising included direct mail, corporate and foundation proposals and special events.

1981-82 DIRECTOR OF PUBLIC RELATIONS AND PUBLICATIONS
Dana Hall School, 45 Dana Rd., Wellesley, MA 02181

Produced publications and news media as support for recruitment and development efforts. Created and edited two magazines, two newsletters and 8-10 smaller pieces, including selection of authors and articles. Wrote articles and press releases.

1977-81 DONOR RESEARCH/ARCHIVIST
Dana Hall School, 45 Dana Rd., Wellesley, MA 02181

Established a research office for \$8.5 million capital fund drive. Researched and compiled background information, genealogical and foundation connections of alumnae. Organized, restored and preserved school's collection of memorabilia, photographs and clothing. Produced slide show for alumnae functions and 1981 Centennial Memorabilia Show, including planning, acquisition and display of objects, and design of exhibition.

EXHIBITIONS

2010 "Greasy Luck: The Story of Falmouth Whaling"
2009 "Katharine Lee Bates: Rise and Follow Thy Dream"
2003 "Mapping Roxbury: Land and Sea" – exhibit of maps on Roxbury
2002 "Madam Eustis's Tea Party" – women's costume in 1850-60s
2001 "Boston's Developing Shore" – maps showing land mass development
2000 "Sacred to the Memory of G. Washington"- Washington as an icon
1981 "From Bustles to Blue Jeans" –100 years of women's costume (Dana Hall Centennial exhibit)

LECTURES/TALKS (Samples)

"Governor William Shirley" - Town of Shirley 250th Celebration,
"The Housekeeper's Tales" - Gore Place, Waltham
"William Shirley: Lawyer, Governor and Colonial Warrior" - Society of Colonial Wars, Boston.

PROFESSIONAL AFFILIATION/COMMUNITY SERVICE

2010 Chair, Martin House Farm Committee (18th c. farmhouse in Swansea, MA)
2006-12 Board of Directors, Falmouth Historical Society, Falmouth, MA
 President, 2011-13, Secretary 2007-11.
 Massachusetts Leadership Group, Amer. Assoc. State and Local History
 Board of Governors, Historic Winslow House, Marshfield, MA (2006-09)
 Martin House Farm Committee, Swansea, MA, NSCDA, (Co-chair, '08 -12)
2005- Committee, Highfield Theater Restoration Project
2003 Co-Chair: Administration, Facilities & Services Prof. Affinity Group,
 New England Museum Association
2002-04 Board of Directors, Bay State Historical League (Vice President '03)
2001-ongoing Founder/director, Colonial Loyalist Alliance of Massachusetts
2001- 05 Field Reviewer, operating support proposals
 Institute of Museum and Library Services
1997 Member, Review Panel, Event & Residency Program
 Massachusetts Cultural Council
1994-95 Member, Arts Curriculum Frameworks Committee
 Massachusetts Department of Education
1992 Recognition for contributions to the field
 Massachusetts Alliance for Arts Education

1989-91 Vice President, Eastern Region
Consortium of Local Arts Agencies of Massachusetts
1988-93 Membership, Board of Directors (Vice President - 90/91)
Massachusetts Alliance for Arts Education

MEMBERSHIPS

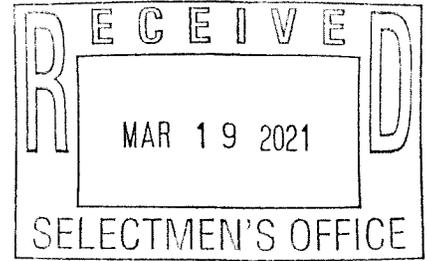
American Association for State and Local History
National Society of Colonial Dames, Massachusetts
New England Historic and Genealogical Society
Society of Mayflower Descendants
Shirley-Eustis House Association
Historic Winslow House, Marshfield
Falmouth Historical Society

EDUCATION

Connecticut College, BA, Art History
Diploma, Dana Hall School

Institute in Non-Profit Administration, Radcliffe College, 1985
Resources for Non-Profits, Associated Grantmakers, 1982
Major Donor Research and Prospect Management, CASE, 1981
Identification and Restoration of Costume, Pine Manor College, 1980

PERSONAL INTEREST: Restoration of 18th century house in Andover, MA



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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

Name: Johanna Reed

Address: 50 Little Island Road Village: West Falmouth ZIP: 02547

Mailing Address: 410 W Falmouth HWY; Box 1032 Village: West Falmouth ZIP: 02574

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 1.5 yrs (date:) / Taxpayer (date:)

Amount of time you are available to give: 6 hours per month

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

1. Historic Commission
2. _____
3. _____

Seeking: Permanent Position Alternate Position

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

Relevant affiliation and work and personal experiences Falmouth has always been a special place to me;

I grew up spending significant time in W Falmouth with my grandfather and parents. Almost two years ago,

I moved back to Massachusetts after 12 years in Texas and now work for Jill Neubauer Architects in Falmouth. I desire

to help shepherd our historic communities and buildings forward to make good design decisions as the town grows and thrives

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

I have not held public office or served on public boards previously.

Briefly describe the particular skills you feel you will add to the committee or board: _____
I served on the board of directors for the Austin Chapter of the American Institute of Architects from 2016
to 2018. During this tenure, I learned the importance of listening to all voices and perspectives before
making thoughtful decisions. As a licensed architect with 10 years of professional experience,
I would be an asset to help the board in evaluating complex architectural projects and providing
the perspective of a practicing architect and designer. I am passionate about preserving old
buildings and communities and also energetic about new construction projects. I believe in
the importance of preservation alongside thoughtful, contextual new construction.

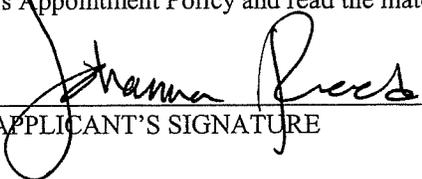
List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Jill Neubauer; Principal of Jill Neubauer Architects;		██████████
2.	Nat Ross; Owner Village Restoration;		██████████
3.	Ingrid Spencer; Executive Director of AIA Austin;		██████████

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.

3.11.2021
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.

Transportation Management Committee

1 position: term until 6/30/2021

1 applicant: Albert (Ted) Fitzelle

Three (3) References:

Name	Title	Phone
1. Jim Akens	WHOI retired electrical engineer	[REDACTED]
2. Brian Elder	carpenter/builder	[REDACTED]
3. Francis Doohan	retired boat captain	[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.

March 30, 2021
DATE

Albert E. F. Felto
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.

6. Presentation by EDIC and FalmouthNet on the findings of the EDIC broadband study and next steps

Feasibility Report for a Community Network

Falmouth, Massachusetts



Falmouth Community Fiber Optic Network Study

This report was commissioned and funded by the Falmouth Economic Development and Industrial Corporation, a 501 c 3 non-profit public corporation established in 1981 by Falmouth Town Meeting in accordance with C. 121 C of the Mass General Laws. The mission of the Falmouth EDIC is to increase business and job opportunities in the Town of Falmouth. The Board of Directors and staff of the Falmouth EDIC are as follows: **Christopher Land** - Chair, **Christopher Simmler** - Vice Chair, **Paul Burke** - Treasurer, **Thomas Feronti**- Clerk, **Michael Galasso**, **Patti Haney**, **Samuel Patterson**, **F. Michael DiGiano** - Executive Director , **Lynne Broderick** – Administrator.

The Falmouth EDIC wishes to acknowledge the following individuals, organizations, institutions and businesses in Falmouth who gave freely of their time, expertise and insights to help complete this first ever study of Falmouth’s broadband infrastructure.

The Falmouth Community Network Committee: Courtney Bird, Art Gaylord, David Eisenberg, Peter Cook, Marilois Snowman and Sam Houghton.

OTHER CONTRIBUTORS

- **Julian Suso**, Town Manager
- **Peter Johnson Staub**, Assistant Town Manager
- **Jennifer Mullen**, Finance Director
- **Michael Palmer**, Town Clerk
- **Greg Banwarth**, Director of Information Technology
- **Rod Palmer**, Building Inspector
- **Peter McConarty**, Director of Public Works
- **Jim McLoughlin**, Town Engineer
- **Scott Schluter**, Staff Engineer
- **Tom Bott**, Town Planner
- **Bob Shea**, GIS Coordinator
- **Patricia O’Connell**, Town Collector
- **Trisha Favulli**, Town Assessor
- **Linda Collins**, Director, Falmouth Public Library
- **Patrick Murphy**, Director of Finance and Operations, Falmouth Public Schools
- **Carol Chittenden**, Falmouth League of Women Voters
- **Michael Kasparian**, Falmouth Chamber of Commerce
- **Ryan Castle**, CEO, Cape and Islands Realtors Association
- **Clark Guinn**, Delaware North / Seacrest Beach Hotel
- **Todd Bidwell**, President, Island Commuter Corporation
- **Aileen Landry**, Manager, Hematology and Oncology Specialists of Cape Cod
- **Bill Hough**, Editor and Publisher, The Falmouth Enterprise
- **Sean Greenwood**, Manager, Windfall Market
- **Bill Zammer**, President, Cape Cod Restaurants
- **Frank Geishecker**, The Black Dog
- **Paul Speer**, COO, Marine Biological Laboratory
- **Scott Koerner**, IT Director, Marine Biological Laboratory
- **Nick Lowell**, President, Lowell Instruments
- **Max Egan**, Accurate Plastics
- **Keith Glavin**, Senior Director Information Services, Woods Hole Oceanographic Institution
- **John Park**, Manager, Networking and Telecommunications, Woods Hole Oceanographic Institution

THE STUDY

- Analysis of Falmouth's broadband infrastructure, services, pricing, and performance.
- Random sample survey of 378 registered voters in Falmouth on broadband usage.
- On-line business questionnaire and in-depth interviews with 15 businesses and institutions.
- 125 speed tests of Falmouth broadband providers.
- Identified broadband service gaps in Falmouth.
- Developed a fiber network design and cost for Falmouth.
- Estimated 20 year revenues and costs for new fiber in Falmouth.
- Looked at different models for implementation and funding.

RESIDENTIAL SURVEY SHOWED STRONG DEMAND

- Survey done before pandemic
- Statistically Valid Survey, 95% Accurate +/-5%
- Many customers surveyed reported inconsistent speeds, frequent outages.
- 91% of residents have home wired broadband today
- 53% of Falmouth residents were unhappy with the value they were receiving.
- 70% support bringing in a new fiber network to Falmouth. 16% need more information.
- 92% of those surveyed said they hoped for more competition.
- 79% hoped for lower pricing and 55% for more reliable service.

CCG estimates that 61% of residents in Falmouth would consider moving to a new broadband network.

BUSINESSES WANT BETTER BROADBAND

- Every business using Verizon or Comcast reported that speeds were adequate or slow and all said they would like faster speeds. Some reported problems uploading large data files.
- Large institutions like WHOI and MBL reported that their employees working from home were struggling with connection problems.
- Practically every business said that they didn't feel like they have any competitive alternatives.

COMCAST NOT AS GOOD AS IT SHOULD BE

- Comcast copper coaxial and hybrid fiber coaxial system serves 83% of Falmouth households.
- Speed tests showed download speeds less than what households are paying for. Comcast was advertising 150 Mbps (now 200 Mbps)
 - 43% of customers showed download speeds under 100 Mbps
 - 23% were under 50 Mbps.
- Comcast upload speeds sluggish (biggest problem during the pandemic)
 - 78% under 15 Mbps
 - 55% under 10 Mbps
 - 14% under 5 Mbps
- Likely cause of network problems:
 - Comcast network configuration has not been modernized since Adelphia constructed it decades ago.
 - Possibly large neighborhood nodes with too many homes sharing broadband.

VERIZON DSL TECHNOLOGY IS OBSOLETE

- Verizon's serves 8% of Falmouth households.
- Verizon using older DSL technology over copper from early 2000s which company has never upgraded.
- Verizon download speeds under 10 Mbps.
- Verizon upload speeds under 1 Mbps
- To put into context: single connection to school or work server needs 2 – 3 Mbps. Single connection to Zoom needs 1 – 2 Mbps.
- Verizon has walked away from copper in the Boston metropolitan area.

BROADBAND GAP IS GROWING

- According to Cisco, amount of broadband used by homes has been growing at steady rate of 21% per year since the 80's.
- At this rate, average households would need 438 Mbps by 2030, 1.1 Gbps by in 2035 and 2.9 Gbps by 2040.
- FCC likely to change definition of broadband this year to 100/20 Mbps. Under that definition, a sizable percentage of homes in Falmouth don't have broadband.
- Usage Exploding. Average home in 2018 used 215 GB per month. In 2019 – 274 GB. End of 2020 – 483 GB.
- In Falmouth, Comcast can only provide 1 Gbps maximum with current technology.
- Comcast likely to upgrade major metro markets before secondary markets like the Cape.

TO ADDRESS GAPS, CCG RECOMMENDS FIBER AS “ FUTURE PROOF ” TECHNOLOGY

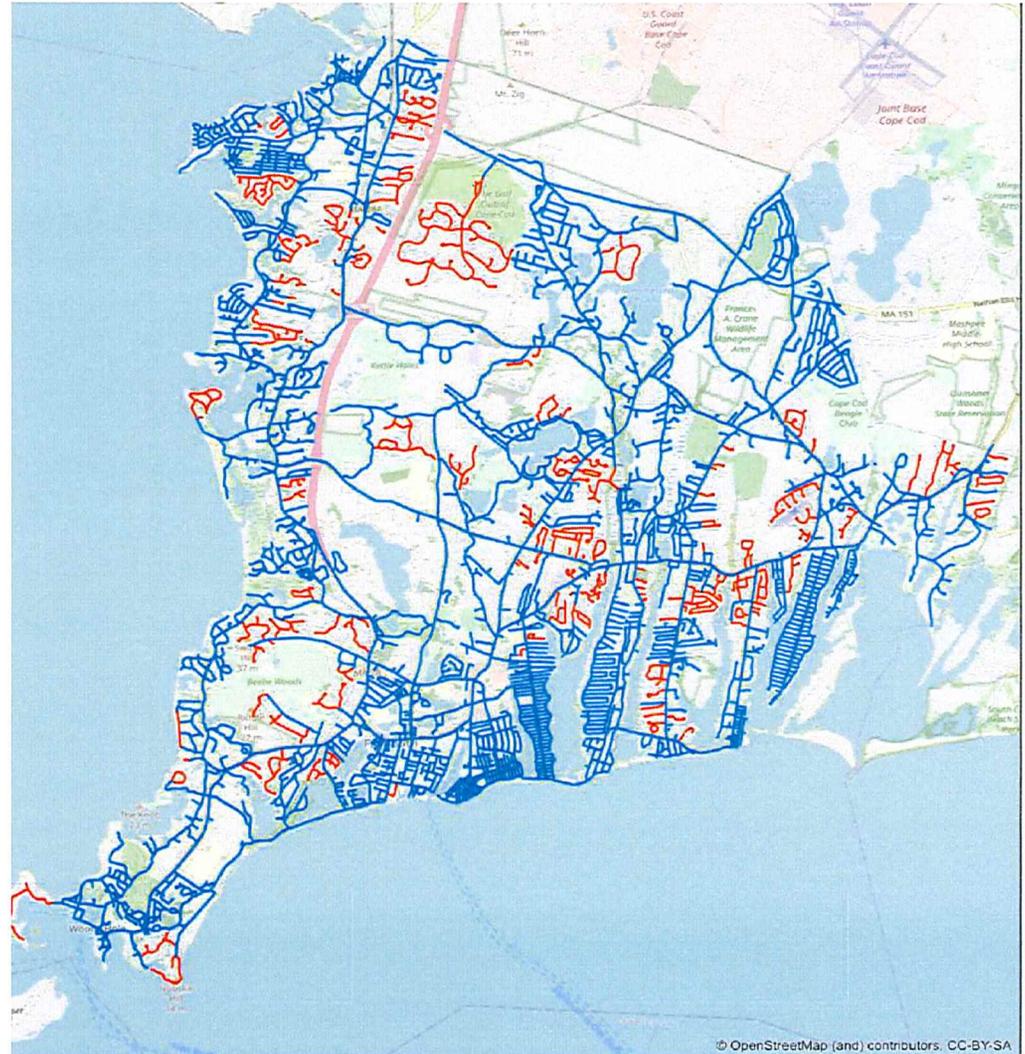
CCG recommended a **fiber network** using Passive Optic Network (PON) technology on fiber to **bring 1 gigabit broadband to every home and business** in Falmouth. In 2021 we are now recommending XGS-PON which delivers speeds up to 10 Gbps download and 2.5 Gbps upload.

Why Fiber?

- Copper coaxial or hybrid fiber copper system like Comcast has inherent limitations in the speeds it can deliver .
- Fiber is a 100-year investment.
- To be fast, wireless technologies still require fiber on every street. Needs good lines-of-sight between transmitter and customers, difficult in hilly or heavily treed terrain found in Falmouth
- Fiber can deliver 10 gigabit download. 40 gigabit likely in a decade.
- Fiber is a mature product so no technology risk, reliable, more storm proof.

WHAT WOULD FALMOUTH FIBER LOOK LIKE?

Full Time Residences	14,232
Seasonal Residences	7,800
Businesses	2,000
Aerial Fiber (blue)	390 miles
Buried Fiber (red)	70 miles
Fiber	\$ 41,260,625
Fiber Drops	\$ 3,722,685
Electronics	\$ 7,735,306
Operational Assets	\$ 1,877,055
Total	\$ 54,595,670
Cost per Passing	\$ 2,272
Cost per Customer	\$ 4,544



WAYS TO BUILD FALMOUTH FIBER: ALL ARE FINANCIALLY FEASIBLE

- Town could become the Internet Service Provider (ISP)
- Town could attract a private ISP to Falmouth
- Public-Private Partnership where Town and ISP invest together
- **All are cash positive over 20 years with 50% customer base**
- **Study projected potential 61% customer base**

	<u>Town as the ISP</u>			
	<u>GO Bond</u>	<u>Revenue Bond</u>	<u>New ISP</u>	<u>Existing ISP</u>
Asset Costs	\$54.64 M	\$54.64 M	\$54.64 M	\$54.60 M
Equity	\$ 0.00 M	\$ 0.00 M	\$ 7.85 M	\$ 7.59 M
Debt	<u>\$62.90 M</u>	<u>\$69.40 M</u>	<u>\$52.35 M</u>	<u>\$50.63 M</u>
Total Financing	\$62.90 M	\$69.40 M	\$60.20 M	\$58.22 M
Cash after 20 Years	\$13.20 M	\$ 5.91 M	\$10.65 M	\$16.31 M

EXAMPLE OF PUBLIC-PRIVATE PARTNERSHIP MODEL

- The town would build, and own the fiber network and the fiber drops, financed with general obligation bonds.
- The ISP partner pays for all electronics and installation costs.
- The ISP partner operates the business. All employees work for the ISP and the town has no fiber employees.
- All revenues go to the ISP.
- The ISP covers all operating expenses.
- The ISP pays a sizable lease to the town. This lease covers town bond debt and could also return a small profit to the town over time.

EXAMPLE PUBLIC-PRIVATE PARTNERSHIP MODEL

	<u>ISP Partner</u>	<u>Falmouth</u>
Customer Revenues	192,738,492	
Cost of Goods Sold	(7,461,975)	
Operating Expenses	(66,135,267)	
Interest Expense	(3,827,740)	(24,547,664)
Income Taxes	(8,214,770)	<u>0</u>
Margin	107,098,741	(24,547,664)
Equity	1,305,000	
Assets	(22,362,989)	(46,647,794)
Loans	8,700,000	52,000,000
Loan Repayment	(8,700,000)	(37,243,935)
Net Change in A/R & A/P	<u>(304,843)</u>	<u>(250,802)</u>
Cash Generated	85,735,905	(56,690,195)
Lease of the Network	(<u>61,352,598</u>)	<u>61,352,598</u>
Cash Return	24,383,310	4,662,403

MOST LIKELY TYPE OF FUNDING.....

The City:

Municipal Bonds (General Obligation or Revenue)

Other Tax Assessments

Grants

ISP Partner (if partnership)

Bank Loans

Equity

NEW FUNDING FOR FIBER NOW EMERGING

- American Rescue Plan - \$300+ million broadband block grant to the State to use for last mile broadband.
- American Rescue Plan \$220b to states, \$130b direct to local government—Subsection D... investment in broadband
- Proposed American Jobs Act \$100 billion for “future proof “ broadband for the whole country – but likely for rural areas.
- Other newly funded smaller grants aimed at targeted initiatives – libraries, schools, public safety, smart grid, etc.

NEXT STEPS FOR FALMOUTH

- EDIC has provided \$50,000 in seed funding to bring better broadband to Falmouth
- EDIC supports proposal by FalmouthNet for Select Board to fund \$200,000 detailed engineering design from Rescue Plan so Falmouth is shovel ready
- Select Board should establish a formal working group to include key town staff, the EDIC, FalmouthNet ,Falmouth business community. Group would:
 - Undertake detailed engineering design
 - Identify Town roles needed to expedite construction of fiber in Town ROWs, other considerations
 - Explore state and federal funding
 - Engage with private ISPs for interest in Falmouth market
 - Identify implementation models for Falmouth
 - Keep Select Board and Town Administration informed.

FalmouthNet moving beyond the Feasibility Study

Update on the efforts of FalmouthNet, Inc.



Gathering information, learning best practices

- Talking to over a dozen network builders, engineering firms and ISPs
- Talking to many existing community networks and national experts
- Learning the details of how best to build and operate community networks and how to apply them in Falmouth
- Investigating private and public funding sources and offering input on pending legislation
- Encouraging OpenCape to define its role developing and operating residential networks in the region



Key lessons learned

- Primary metrics driving builders and investors
 - Potential market size – expansion opportunities beyond Falmouth are important
 - Cost per passing – Falmouth is a little high, partial funding to be more attractive
 - Take rate - To our advantage the CCG study shows us well above average
 - Rate of return – Not as good as denser suburban areas, but better than rural
- Private companies are potentially interested in building, operating and paying for a network
- We are too small an opportunity to interest major investment funds.
- Public/private partnerships with shared costs, operations and revenues are possible but can be tricky to arrange



Time is of the essence

- The interest in community networks is increasing dramatically
 - The COVID pandemic and work/learn at home have demonstrated both the technical shortcomings of current networks and inequities
 - Hundreds of communities are beginning efforts to create better digital futures
 - Consultants, engineers and builders are getting saturated
 - Lead times for materials and fiber optic cable is already > ½ year
- Preparation is critical to apply for state/federal funding
 - Detailed engineering and financial plans will be needed
 - Political support at all levels of government will be key
 - Shovel ready projects will go to the front



Outreach and education

- Multiple meetings with local, state and federal govt. officials
 - Discussions with offices of Sen. Markey and Warren and Rep. Keating
 - Discussions with State Sen. Moran, Rep. Vieira and Fernandes
 - Discussion with Falmouth Select Board Members
- Educational and outreach campaign
 - Multiple Zoom meetings with community groups
 - A new website and growing presence in social media
 - Starting a town-wide informational effort using \$50K raised from donors



Next Steps for FalmouthNet

- Continue to advocate for a Falmouth fiber optic network
 - Engage with Town government
 - Provide the best information possible to the residents of Falmouth
 - Maintain contacts with state and federal legislators
- Work to initiate an engineering design to refine construction details, timelines and costs
 - Estimated cost of \$200K as requested in a letter to the Town
 - Provide technical and administrative support
- Prepare to respond to potential public funding opportunities
- Collaborate with the Town and other interested parties to move the effort forward as quickly as possible
 - Participate in a Town working group
 - Help create a microtrenching policy



FalmouthNet, Inc. Board and Advisors

FalmouthNet is now a registered non-profit company

- Board Members

- Courtney Bird – President and Treasurer – *Retired Teacher, Builder, Cape Cod Marathon Director, and Falmouth Conservation Commission member*
- Marilois Snowman – Vice President - *CEO and Founder of Mediastruction*
- –David Isenberg – Clerk – *Distinguished Member of Technical Staff Bell, AT&T, Labs (retired) and former Senior Advisor to the FCC*
- Art Gaylord – *Co-founder and Chairman Emeritus, OpenCape, retired Information Technology Director WHOI*
- Dan Gessen – *Falmouth High School Grad, Class of 2018. Junior at the University of Massachusetts, Amherst.*
- Peter Zeeb – *President and CEO of Geosyntec Consultants*

- Advisory Committee

- Chris Mitchell - *Director of the Community Broadband Networks Initiative at the Institute for Local Self Reliance. He is a leading national expert on community broadband networks*
- Brough Turner – *Founder of netBlazr Inc. (Boston based residential network)*
- Gene Curry - *Attorney, Chair of the Cape Cod Blue Economy Foundation and of the Infrastructure Committee of the Cape Cod Technology Council*



7. Vote to appoint representative of FCTV to the negotiating committee for the cable TV license renewal process; and designate members of the cable TV negotiating team as special municipal employees for the purposes of the Conflict of Interest law

Diane Davidson

From: Julian Suso
Sent: Tuesday, April 27, 2021 4:05 PM
To: Falmouth Selectboard
Cc: Frank Duffy; Jennifer Mullen; Peter Johnson-Staub; Diane Davidson
Subject: FW: Cable TV

Dear Board Members,

FYI, this guidance from Frank pursuant to last evening's discussion. We will plan to place a formal vote on the upcoming May 10 SB meeting agenda.

Julian

From: Frank Duffy <frank.duffy@falmouthma.gov>
Sent: Tuesday, April 27, 2021 3:05 PM
To: Julian Suso <julian.suso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Cc: Jennifer Mullen <jennifer.mullen@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>
Subject: Cable TV

Julian: Presently no representative of FCTV is participating as a member of the negotiating team in the cable TV license renewal process between the Town and Comcast. Negotiations are the primary responsibility of the Finance Director and special counsel. They will make a recommendation to the Select Board which makes the final decision.

FCTV is not a party to the license but it is a beneficiary of the cable TV license. Comcast pays fees to the Town and a significant portion is passed through to FCTV to subsidize the broadcasting of meetings of public bodies. Debra Rogers is the executive director of FCTV. She is not an appointed member of the Cable Advisory Committee. On the committee's webpage she is identified as the representative of FCTV. She regularly participates in committee meetings, but does not vote. Presently she is not a municipal employee and is not bound by the Conflict of Interest law.

A question has been raised about her participation in the cable TV license renewal process. If she is appointed to be a member of the negotiating team in any capacity, she will become a municipal employee and subject to the Conflict of Interest law. The Select Board should designate members of the cable TV negotiating team as special municipal employees for purposes of the Conflict of Interest law.

The Conflict of Interest law restricts municipal employees from acting in their official capacity in matters in which they have a financial interest, which includes matters affecting a business organization in which they are serving as an officer, director or employee. This would preclude Debra Rogers from participating in the cable TV license renewal process as a member of the negotiating team. There is an exemption which may apply. As an appointed municipal employee, she may participate as a member of the negotiating team in matters affecting FCTV if she makes a full disclosure in writing of all relevant facts to the public official or public body which appoints her and receives a written determination of exemption. The written determination of exemption must be filed with the Town Clerk and be available for public inspection.

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

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

8. Update and discussion of Fire Department Station and Staffing Matters

REVIEW OF CONCEPTS – NUMBER OF FIRE STATIONS

To Select Board Discussion 5-10-2021

There has been some dialogue regarding the concept of constructing, equipping and operating the existing number of Falmouth Fire Stations (5) versus a suggestion that an expansion should occur with location and operation of a sixth fire station. In furtherance of this dialogue, I provide the following background information to the Select Board which to date has guided my overall assessment of this issue.

- To date, I have been guided in my actions by the following:
 - a) The Board's most recent Five-Year Strategic Plan (FY2021-FY2025) adopted on October 19, 2020 which (page 4-G) affirms..."Consider land acquisition for new replacement Fire station based on a five fire station model..."
 - b) Among the five Recommendations of the McGrath Consulting Report, presented to the Board on February 10, 2020 (page 87), is..."The Town of Falmouth should continue to operate with a five fire station response area."
- Following a further deliberation and analysis, the Board may well determine to proceed in a further expanded direction, as opposed to what you have voted and approved to date. As Town Manager, I will certainly be implementing the Board's voted direction on this important matter.

Preliminary Analysis of Options

FIVE FIRE STATIONS

- The Town's current Annual Appropriations Budget for the Fire Department includes funding such that, when fully staffed, we have sufficient firefighter positions to have 19 persons available for two shifts and 18 persons available for the remaining two shifts.
- The new Sandwich Road Fire Station, subject to a voted debt exclusion on the May, 2022 ballot, would be constructed within approximately 24 months following award of contract.
- To continue following the five Station model, it is recommended that authorization be given *now* by the Select Board to allow the Town Manager

to work with the Fire Chief in moving forward in securing an appropriate property for siting of a new, Northwest Fire Station which would represent the ultimate future merger of both the existing North Falmouth Fire Station and the existing West Falmouth Fire Station. The limited, potential available sites for a proposed Northwest Station were suggested by the recently-concluded Citizens Advisory Committee.

- An option to purchase would be pursued and brought to the Select Board for approval and to the Finance Committee and Town Meeting for funding at the earliest reasonable time.
- While construction is underway for the new Sandwich Road Station, funding for the design and construction of the new Northwest Station would be requested of Town Meeting.
- This would act to minimize the “transition time” between the completion and operation of the new Sandwich Road Station and the availability of the proposed new Northwest Station. During this limited transition time, temporary one-time funding would be required once again to staff the West Falmouth Station.
- A debt exclusion for the proposed new Northwest Station could be placed on the May, 2025 municipal ballot. The suggested timing of this would allow financing this new Station construction while still maintaining a consistent tax burden without the need for a tax rate increase by cost-effectively proceeding within the identified debt drop off. Construction process would begin immediately following adoption.

SIX FIRE STATIONS

Should six operating Fire Stations be pursued, what is to be the location of the new, sixth Station? Is such a sixth Station to supplement a proposed new Northwest Station or to substitute for it?

- Will require another permanent, voted override to provide necessary supplemental firefighter staffing of eight or more additional full-time positions including salary and benefits as well as supplemental station operating and maintenance. Approximate cost \$1.2+ Million annually.
- Will require significant capital expenditure to secure the necessary supplemental fire equipment to safely and properly allow the sixth Station to function. Approximate cost \$1.5 - \$3 Million.

- Will require the siting/location determination of such a sixth Station unless the Board determines that the existing West Falmouth Station and Station site is somehow “adequate.” Keep in mind that, as affirmed in the McGrath Analysis, the West Falmouth Station is functionally obsolete, well beyond its useful life and is not properly located to effectively and efficiently serve the documented call loading based upon a review of three-years of actual call data. At present, the West Falmouth Station and the district it serves averages about one call per day.
- If a new, sixth Station location is selected for acquisition – approximate cost to acquire a 1.5 - 2.5 acre site would be \$1 - \$2 Million.
- Will require a supplemental voted debt exclusion to construct a new sixth Station, (in addition to that anticipated to be brought to voters in May, 2022 for the new Sandwich Road Station). Approximate cost \$8 - \$10 Million.
- This six Station scenario will effectively require both a permanent tax increase to fund additional staffing and other Station operating costs and a temporary tax increase, as capital spending of this expanded magnitude cannot be accommodated within the existing debt drop off which has been the Select Board’s financial philosophy over the past ten years.

I welcome an expanded review and discussion with the Board on this mission-critical public safety matter for the Town. Both Chief Tim Smith and I will be joining you for this discussion at your upcoming virtual Board meeting on Monday, May 10. Thank you.

Respectfully Submitted,

Julian M. Suso
Falmouth Town Manager

**FALMOUTH FIRE RESCUE DEPARTMENT
CURRENT STAFFING/HIRING/WEST FALMOUTH/EQUIPMENT UPDATE**

Board of Selectmen Meeting-May 10th 2020

Subj: Update-Falmouth Fire Rescue Department

Current Staffing

- We currently are awaiting the start of Academy for 6 new employees, and pending Academy dates for 6 more after they complete required administrative actions.
- 4 recently graduated Academy students, are engaged in training in an effort to be approved to count towards shift staffing (manpower). Anticipated to be "manpower" by end of May.
- 1 personnel is completing Academy (graduate) as of May 7th 2021. He will then be assigned to a shift in an effort to work towards being counted as shift staffing (manpower). Anticipated to be "manpower" by the end of June.
- 2 firefighters are out on long term Injury leave-no expected return time for each.
- 1 firefighter on Military leave (Nat. Guard) expected return by end of June.
- 1 firefighter on short term Injury leave (month to month). Update on return pending.
- Due to current vacancies (injury leave, approved time off, sick leave, etc.), daily challenge of trying to meet the 14 man staffing level. Frequent hold overs (forced overtime) of personnel needed to ensure we are compliant with contractual agreement. Expect that this will be less of an impact over the next several months as staffing improves with trained personnel.
- At current, we are budgeted for **74** line personnel (Officer's and Firefighters), with 17 personnel not yet being available for shift staffing.

Hiring Timeline

- August of 2020, the Department had 6 vacancies and list requested from State Civil Service. There were 3 vacancies due to retirements and 3 due to resignations on or about this time (of the 3 resignations, 2 were to leaving for another Department and the other was due to personal reasons).
- September 2020, after interviews and background checks, a conditional offer of employment was made to 6 qualified candidates.
 - o Of the 6, one firefighter was already Academy trained and started in November. 4 others started in December and 1 in February 2021 to attend the State Fire Academy.
- December 2020, after another request was made for a list from State Civil Service, we conducted interviews for 9 additional personnel to fill openings (8 override/1 vacancy).
- January 2021, after interviews and background checks a conditional offer of employment was only made to 6 qualified candidates due to an insufficient list and unqualified other individuals.
 - o After the requisite Administrative work, each candidate was provided a Fire Academy date of July 25th 2021.
- March 2021, a request was made to State Civil Service for the "newly created" firefighter list as testing had finally resumed. We conducted interviews for additional personnel to fill the remaining openings (2 remaining override positions, 2 newly created positions as of 1/1/21 and two vacancies due to one resignation and one termination)
- April 2021, after interviews and background checks a conditional offer of employment was made to 6 qualified candidates.
 - o Awaiting requisite Administrative work for candidates to obtain a Fire Academy date which is pending.
- **This completes our hiring cycle for all Department openings as of May 2nd 2021. At this time, no current vacancies remain.**
- We expect all new personnel to be trained and counted as shift staffing by end of calendar year or early (Jan) 2022.

West Falmouth Voluntary Overtime

- July 1st 2020 new staffing plan in place-14 personnel, per shift, to start the day. No less than 2 personnel to respond to emergencies on each apparatus.
 - o West Falmouth Station staffed only when 16 personnel are available through offering of overtime to fill that station. (Regular staffing not yet achieved for staffing to 16).
 - o When able to hire to 15 (only one willing to work overtime voluntarily) that person is assigned to North Falmouth for a total of 3 personnel. Ambulance or Fire Engine response will prompt all 3 to respond.
 - o If current fire engine (E-24) is out of service or required to cover for other similar situation affecting apparatus at other stations, West Falmouth Station is then un-staffed and additional personnel are temporarily re-assigned to North Falmouth.
 - o During regular daily 14 personnel staffing, if the North Falmouth ambulance is committed to the hospital for a transport, then an attempt to hire personnel for this station is attempted via call back.
 - ***Above bullets are part of an agreement between the Town and Union.***
- Staffing and district response data collected monthly for West Falmouth.
- Overtime availability varies month to month, week to week, day to day. Mostly those willing to work base availability on hold overs, night shift vs. day shift, weekdays and weekends.
- Average monthly West Falmouth district responses-**1.2 calls per day** (July 2020 to April 2021)

New and Used Engine update

- Work is underway to review design and specifications to order a new scheduled replacement Engine with Fire Apparatus vendor in the coming weeks.
- Locating a used (spare) engine, to primarily serve the West Falmouth Station, has been a challenge, since these types of vehicles are a premium for many Departments looking for spare equipment like Falmouth and they are purchased quickly when they become available. We are also significantly limited by the size limitation imposed by the undersized West Falmouth Station. Our Apparatus Vendor (Allegiance Fire Apparatus) is actively looking on our behalf and keeping us informed on their search queries.

Respectfully submitted,

Timothy Smith, Chief of Department

Falmouth Fire Rescue Department

9. Discussion on the Old Burial Grounds – Historical Commission

10. Update on proposed Joint Base Cape Cod (JBCC) Machine Gun Range



Andrew Gottlieb
Executive Director

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Taryn Wilson

September 1, 2020

Keith J. Driscoll
MAARNG
2 Randolph Road
Hanscom Air Force Base, MA 01731

RE: Camp Edwards Multi-Purpose Machine Gun Range Environmental Assessment

Dear Mr. Driscoll:

The Association to Preserve Cape Cod (APCC) has reviewed the Environmental Assessment (EA) for the proposed Multi-Purpose Machine Gun (MPMG) Range at Camp Edwards, Joint Base Cape Cod. Based on our review, APCC questions the thoroughness of the EA along with its findings of “no significant impact.” APCC calls for the completion of an Environmental Impact Statement (EIS) for the proposed project to carefully study the impacts this project would create, propose appropriate mitigation and reexamine the potential viability of the rejected project alternatives.

Founded in 1968, APCC is the leading regional nonprofit environmental advocacy and education organization on Cape Cod. Supported by thousands of members from every Cape Cod town, APCC’s mission is to promote policies and programs that foster the preservation of the Cape’s natural resources. APCC focuses its efforts on the protection of groundwater, surface water, and wetland resources, preservation of open space, the promotion of responsible, planned growth and the achievement of an environmental ethic.

Over the years, APCC has been actively engaged in actions to protect and restore the natural resources found on Joint Base Cape Cod. APCC was a leading voice in the 1980s and 1990s calling for cleanup of toxic plumes originating from the base that contaminated groundwater in the four Upper Cape towns. APCC also spearheaded efforts that led to the designation of Camp Edwards—the northern 15,000 acres of the base—as the Upper Cape Water Supply Reserve, which was created for the protection of drinking water resources and wildlife habitat and compatible military training.

According to the EA, the proposed MPMG project would be located at Camp Edwards on the Upper Cape Water Supply Reserve. The project consists of construction and operation of an eight lane MPMG range that would require 199.0 acres of land disturbance, including 170.5 acres of forest area that would be clear cut “to accommodate the range footprint, small arms range operations and control area facilities, utility extensions, access and maintenance road development, and firebreaks to reduce wildfire hazards from tracers and other ignition sources.” The project plan also includes approximately 5,197 acres (over one-third of the 15,000-acre Upper Cape Water Supply Reserve) that would be required for the MPMG range to accommodate the Surface Danger Zones area where projectiles fired on the range would land.

The EA analysis conducted by the MAARNG determined that the known and potential adverse impacts from the project would be “less than significant” on land use and cover, air quality and climate, noise, soils, groundwater, biological resources, infrastructure, and hazardous and toxic materials and wastes. The MAARNG concluded that no EIS would be required and no mitigation was necessary for any potential impacts the project may generate.

APCC finds the MAARNG’s conclusions to be questionable and unacceptable. Clearing 170.5 acres of forested land does have an impact on the area habitat, on loss of carbon sequestration value of the trees and on loss of valuable forest for water recharge for the Upper Cape’s drinking water supply.

Habitat and Land Use Impacts

APCC maintains that there is a regional interest in preserving the unfragmented nature of Camp Edwards and the Upper Cape Water Supply Reserve. The proposed land clearing would be, by far, the largest single land clearing project on Cape Cod in recent memory. The loss of this forest cover on Cape Cod would, in and of itself, be a significant regional environmental impact.

As noted in the EA, Camp Edwards is “the largest intact area of relatively unfragmented forest remaining on Cape Cod and serves as an important refuge for wildlife which require large ranges of interior forest habitat.” The area also supports an important pitch pine-scrub oak barrens community. The Massachusetts Natural Heritage and Endangered Species Program has ranked the pitch pine-scrub oak barrens natural community as “Imperiled in Massachusetts.” According to the project EA, the footprint of the proposed MPMG range that is targeted for clearing consists of high value pine barrens habitat (pitch pine-scrub oak, pitch pine oak forest, immature pitch pine) as well as some disturbed land. The project area is also mapped for Priority and Estimated Habitat for Rare Species, some of which are associated with pitch pine-scrub oak barrens habitat.

Although the project's Single Environmental Impact Report filed for MEPA states that the MAARNG proposes to preserve 310 acres of forest and conduct active management of 551 acres of forest, these forests already exist and do not replace the forest area to be cleared by the project. No additional forested land will be created in place of the 170.5 acres.

Climate Impacts

The carbon sequestration value of the to-be-cleared forest will be a net loss in the total carbon sequestration contribution made by Cape Cod's forested lands. Massachusetts' State Hazard Mitigation and Climate Adaptation Plan (SHMCAP), which was codified in the state's 2018 Environmental Bond, stresses the use of nature-based solutions for climate adaptation and mitigation. It highlights the value of preserving forests for their use as an important source of carbon sequestration, stating that "Massachusetts forests currently absorb more than 15 percent of the carbon generated in Massachusetts every year." APCC strongly supports the state's policy to protect existing forestland as a means to address climate change.

In addition to the carbon sequestration loss of the forest if it is cleared, the anticipated increase in training activity at the base described in the EA will increase travel to the Cape and thus add to vehicle carbon emissions in Barnstable County, further exacerbating the local climate impact from this project.

Environmental Assessment Findings

Considering the above, it is therefore puzzling and rather implausible that the EA concludes the following in the analysis of potential impacts (emphasis is APCC's):

For land use and cover:

- The No Action Alternative (not going forward with the project) would have "long term, potential significant adverse impact on future land use from a reduction in training use of Camp Edwards."
- The Preferred Alternative would have "long-term, less-than-significant adverse impacts on land cover from clearing 170.5 acres and permanent conversion of forested areas to maintained grasslands," and a "long-term, beneficial impact on land use by maximizing training value of Camp Edwards."

For impacts to air quality:

- Long-term, less-than-significant adverse impact on climate change from continued vehicle-generated GHG emissions.
- Long-term, less-than-significant adverse impact on air quality from increased emissions due to training and firing operations.
- Long-term, beneficial impacts on air quality from decreased emissions due to reduced out-of-state travel.

For impacts to groundwater:

- The Preferred Alternative would have "long-term, less-than-significant adverse impacts on groundwater from inadvertent release of contaminants during site maintenance and training operations."

For biological impacts:

- The Preferred Alternative would result in "long-term, less-than-significant adverse impacts on vegetation from the permanent loss of 170.5 acres of forested land," "long-term, less-than-significant adverse impacts on wildlife species from potential habitat loss and training range operations," and "long-term, less-than-significant adverse impacts on special status species from potential habitat loss and training range operations."

Consideration of Other Alternatives

APCC questions whether land clearing of the scale described in the EA within the protected area of the Upper Cape Water Supply Reserve exceeds the threshold of "compatible training" as mandated in the establishment of the reserve. According to the EA, the potential alternative of choosing another MAARNG installation for the location of the training site was dismissed from further analysis. APCC wonders why such an alternative was quickly dismissed from consideration, when another base in Massachusetts may have the capacity for the training site and would result in less impact on environmentally sensitive land and natural resources.

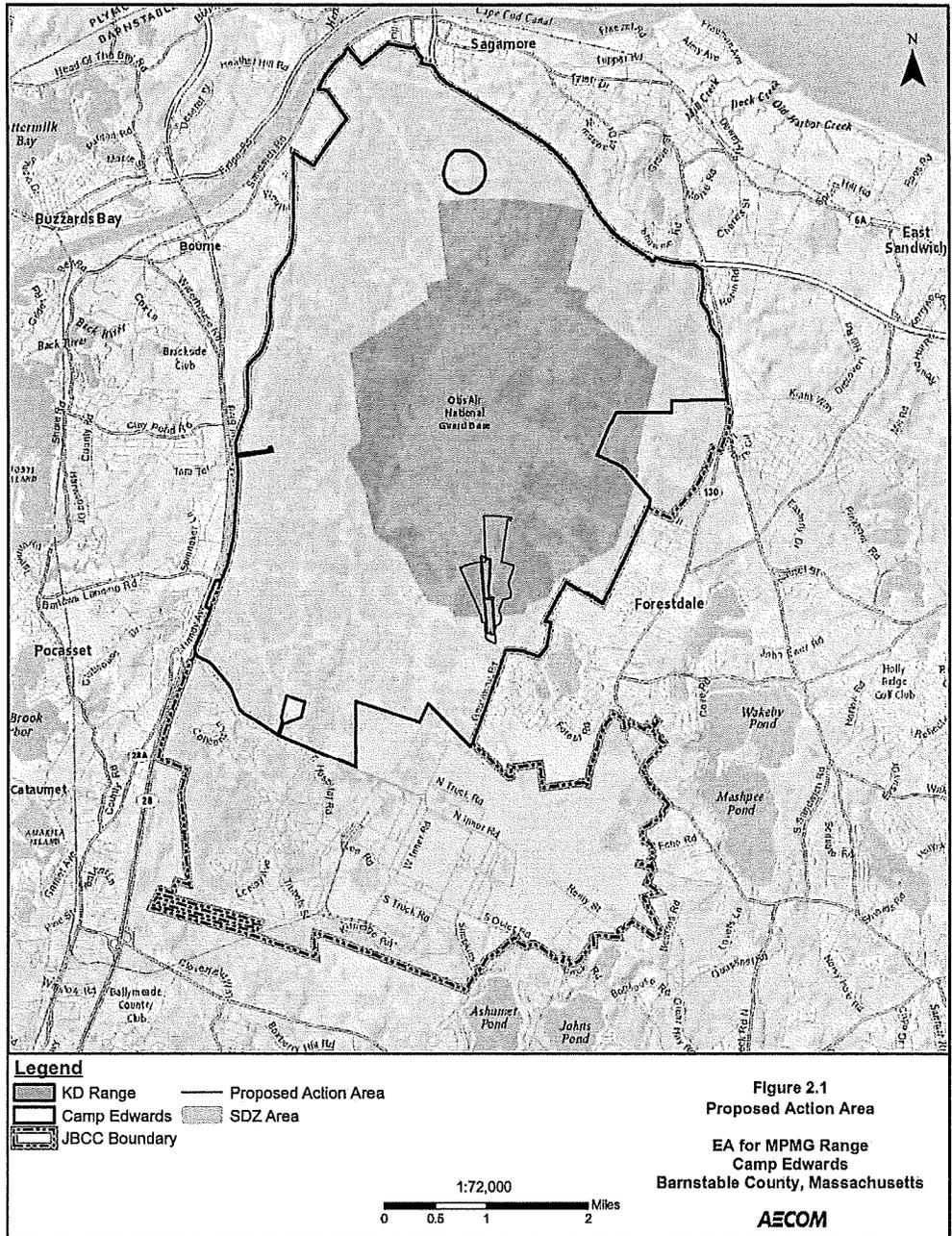
Conclusion

It is clear to APCC that this project proposal needs to be revisited. An in-depth, comprehensive study of the major issue areas associated with the project needs to be conducted through the preparation of an Environmental Impact Statement, which must include a more thorough analysis of the potential adverse impacts the proposed large-scale forest clearcutting in this region of Cape Cod would have on carbon sequestration, rare species habitat, high-value pine barren natural communities and groundwater resources. Any analysis conducted in an EIS must also include a more serious look at appropriate mitigation and viable alternatives. More importantly, a reassessment of the project should examine the larger question of whether this project is an appropriate use for the Upper Cape Water Supply Reserve.

Sincerely,



Andrew Gottlieb
Executive Director



National Guard to Release Finding of No Significant Impact

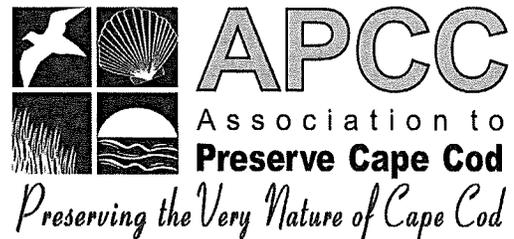
APCC has learned that the Massachusetts National Guard and Federal National Guard Bureau have finalized the Finding of No Significant Impact (FONSI) for the proposed Machine Gun Range expansion at Joint Base Cape Cod. The FONSI is expected to be posted on the News Section of their website (<https://www.massnationalguard.org>) Wednesday morning. Knowing that it is not a commonly visited website, APCC wished to provide notice to the public about the FONSI. Reportedly, the Guard will hold some form of public event at a later time to reveal its decision to the public.

As you know, APCC, and 90 percent of the commenting public, strenuously objects to the FONSI. The decision to proceed is just the latest evidence that the Guard Bureau is not respecting the input of the public. The next step in the process is for the proposal to be considered by the Massachusetts Environmental Management Commission (EMC).

APCC pledges to provide ample notice of EMC hearings and we will provide you with guidance on interacting with, and expressing your concerns to, the EMC. In the meantime we will keep you up to date on this matter as developments warrant.

Our Contact Information

Association to Preserve Cape Cod
482 Main St.
Dennis, MA 02638
(508) 619-3185
<https://apcc.org/>



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11. Discuss and vote new date for Select Board Strategic Planning Retreat

June 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7 <i>Select Board Meeting Historical Comm.</i>	8	9	10	11	12
13	14 <i>Flag Day</i>	15	16	17	18	19
20 <i>Father's Day</i>	21 <i>Select Board Meeting Committee Interviews and Reappointments 6:00 p.m. start CRAC</i>	22	23	24	25	26
27	28 <i>Select Board Retreat -5:00 p.m. start Special Town Meeting 6:00 p.m.</i>	29	30			

July 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4 <i>Independence Day</i>	5 <i>Independence Day Observed</i>	6	7	8	9	10
11	12 Select Board Meeting <i>Bicycle & Ped. Com.</i>	13	14	15	16	17
18	19	20	21	22	23	24
25	26 Select Board Meeting <i>Announce November 2021 Town Meeting Affordable Housing Committee</i>	27	28	29	30	31

August 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9 <i>Select Board Meeting Agricultural Comm.</i>	10	11	12	13	14
15	16 <i>Joint Meeting TBD</i>	17	18	19	20	21
22	23 <i>Select Board Meeting</i>	24	25	26	27	28
29	30	31				

12. Approve 2021 Spring Annual License Renewal:
Second-Hand Dealer
Fay's Gallery, 556 Main Street, Falmouth

13. Review and Vote to approve minutes of meetings:
Public Session – February 22, 2021

TOWN OF FALMOUTH
SELECT BOARD
Open Session
Meeting Minutes
MONDAY, FEBRUARY 22, 2021
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 February 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.*

Present: Megan English Braga, Chair; Doug Brown, Vice Chair; Samuel Patterson; Doug Jones; Nancy Taylor.

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

1. Call to Order by Chair English Braga at 7pm.
2. Pledge of Allegiance
3. Recognition
Mr. Brown noted we live in an expensive place; some can afford but others have real challenges.
4. Announcements
Mr. Patterson noted an opportunity for Falmouth families struggling financially, Falmouth EDIC and developer 2nd phase solar array is offering a rebate program that could save families about \$300 per year, FalmouthEDIC.org website for details.

Community Preservation Committee needs assessment webinar will be held Thursday 3/11/21.

Ms. Taylor noted Energy Committee reviewed the Mayflower Wind Project and has a Falmouth only page to their website mayflowerwind.com\Falmouth for more information.

5. Public Comment-none.

SUMMARY OF ACTIONS

1. Licenses

- a. Change of License Type Lodging House License – Inn on the Square – 40 North Main Street, Falmouth

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

- b. Pledge of Collateral (Wine and Malt Package Store License) – M.A. Friends, Inc. d/b/a Jack in the Beanstalk – 800 Gifford Street Extension, Falmouth

Mr. Jones noted a comment from a State investigator recommending disapproval and asked if this has that been cleared up? Atty. Duffy was not aware of this and has not seen documentation come back in the last couple weeks. The ABCC requested a list of other required documents, Chair English Braga asked Mr. Johnson-Staub to coordinate with Town Counsel to review.

Attorney Mullin said all appears in order.

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

2. Administrative Orders

- a. Approve request for Grant of License for existing stone wall within the public right of way at 200 Moorland Road

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

- b. Vote to lease Emerald House to Cape Cod Cape Verdean Museum and Cultural Society
The Board directed staff to prepare a request for proposals for leasing this building, limited opportunities due to residential zoning, first priority to those entities that may connect to Portuguese heritage or farming. Received one proposal from Cape Cod Cape Verdean Museum and Visitor Center, and is recommended.

Email from Mr. Haddad, anything done to the exterior of the house is subject to the Historical Commission purview. Inside had been changed significantly. A lot of potential activities that can occur, community garden, all inclusive playground, possibly affordable housing in the future, this lease does not affect these other ideas.

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

- c. Authorization to accept RDP recycling grant funds and execute intergovernmental agreement between the Commonwealth of Massachusetts Department of Environmental Protection and the Town of Falmouth

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

- d. Vote to authorize application for 2021 Municipal Cybersecurity Awareness Grant Program funds
Mr. Jones motion to authorize. Second Mr. Patterson. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

- e. Vote to authorize Intergovernmental Agreement and Lease Agreement between Plymouth County and Town of Falmouth for rental of dredge excavator, and authorize the Town Manager to sign the agreements

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

- f. Vote and execute Notice of Lien for demolition of unsafe structure at 630 Waquoit Highway House that was supposed to be demolished, issues with asbestos and ruptured oil tank, remediation done to address those issues, the site is now clean, and demolition has been done, this is for the cost. Do not anticipate being able to collect the full amount on the lien.

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

- g. Vote to approve expenditure of \$500.00 from the Human Services Donation Account for a jointly sponsored program with Gosnold

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

- h. Vote to adopt and execute Confirmatory Order of Taking for William Road

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

- i. Vote to authorize application to Massachusetts Department of Environmental Protection (MassDEP) for an electric vehicle charging station grant

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

7:30 p.m. PUBLIC HEARINGS

1. Wetland/Dock Hearing – Nikolas J., John S., Anthony P. Pentikis/James N. Pentikis Trust UDT for permission to license and maintain two floats comprising a total of 4' x 35' in and over the waters of Eel Pond Canal, located at 5 Canapitsit Drive, East Falmouth, continued from 2/1/21

Chair English Braga read the hearing notice.

Chair English Braga asked for the highlights of the revisions.

Atty. Glenn Wood on behalf of the applicant explained they have a global settlement relating to all four properties and property owner floats. They settled largely with Kachadoorian and his property, had two 20 ft. long floats at his property with negative determination from the Conservation Commission and pending chapter 90 license in front of MA Department of Environmental Protection. They will create a 17 ft. zone to the corner, not allowing use of that zone so part of the settlement with Kachadoorian is the western boats that would be there would be bow in facing towards the west and it/nor anything off the boat can overhang that 17 ft. zone. Will take 5 ft. off floats and leaving 1 ft. at the eastern property line for good measure. Kachadoorian float will leave 2.5 ft. off corner and cannot attach anything to the Pentikis bulkhead. The settlement agreement is detailed and shows how they will process this. This settled four pending pieces of litigation in court, takes away all the pending litigation, allows property owners to go through their perspective permitting as may be required. Proposed additionally findings and special conditions that may be used by the Select Board as they wish.

Mr. Brown noted emails were received this afternoon and whether they should be reviewed to understand the scope of this. Wood said the emails related to the actual settlement and proposed findings/conditions. Wood said that all parties have agreed, the proposed findings and special conditions are new as of today.

Wood said that per settlement, there is no specific limitation between the parties, includes limited to boats owned by the owner of the property, no guest boats.

The Select Board appreciated this settlement taking place.

Public Comment: none.

Findings:

1. The Applicant, Anthony Pentikis ("Pentikis"), is the owner of the property with an address of 5 Canapitist Drive in Falmouth.
2. The rear of the property borders on Eel Pond Canal, a man-made canal that was constructed circa 1971 and is approximately 68 feet wide and 300+ feet long ("Canal").
3. In addition to Pentikis' property, there are ten (10) other properties that have frontage on the Canal.
4. An existing concrete bulkhead extends along the perimeter of the Canal, including along Pentikis' property.
5. The bulkhead on Pentikis' Canal frontage has a Waterways License (Chapter 91).
6. Pentikis seeks permission to maintain floats(s) totaling 4' wide by 35' long parallel to his bulkhead as shown on a plan entitled: "Proposed Float Locations and Berthing Areas," prepared by Cape & Islands Engineering, Inc., dated December 17, 2020.
7. In 2012, Pentikis requested a Determination of Applicability from the Conservation Commission for proposed installation of two 4' by 20' floats parallel to the existing bulkhead. On or about July 12, 2012, the Conservation Commission issued a determination that the proposal did not require the filing of a Notice of Intent under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and the Falmouth Wetlands Protection Bylaw (Chapter 235 of the Falmouth Code).
8. Other property owners have floats in the Canal similar to the float proposed by Pentikis and the Canal is actively used for recreational boating by the other owners on the Canal.
9. The direct abutter to the southwest, S. Michael Kachadoorian ("Kachadoorian"), owner of 50 Muskegat Road, supports the proposed project.
10. The abutter to the south of Kachadoorian, Steven Balas ("Balas"), owner of property at 64 Muskegat Road, with frontage on the end of the Canal, supports the proposed project.
11. The support of Kachadoorian and Balas is significant to the Select Board's review of the proposed floats. Kachadoorian and Balas previously obtained wetlands permits and a Special Permit for a common dock at their shared property line which was proposed to extend perpendicularly into the canal. Pentikis and Mr. and Mrs. Dundulis (owners of 18 Tashmoo Drive) objected to this proposal and asserted that it would interfere with navigational access to their floats. Dundulis appealed the wetlands permits and Dundulis and Pentikis appealed the Special Permit. At the time of the Select Board's review of this proposal for a float, the appeals remain pending.¹ However, the parties recently reported to the Select Board that they have reached agreements that will resolve all their disputes as well as the pending litigation and will provide an arrangement that will enable all four property owners on the end of the Canal to have floats and boats with workable navigational access to their respective floats. The agreements provide, in essence, the following:
 - Dundulis will seek permits and licenses to configure their floats so that they are 17 feet away from the Balas bulkhead.
 - Balas will seek permits and licenses for a 4' by 25' float parallel to his bulkhead.
 - Pentikis will seek permits and licenses to configure his floats so that they are 17 feet away from the Kachadoorian bulkhead.
 - Kachadoorian will seek permits and licenses for a 4' by 25' float parallel to his bulkhead.
 - The parties will support each other's permit and license applications.
 - If the parties are granted permits for floats configured as described above, then Kachadoorian and Balas will abandon their common dock permits and the parties will dismiss all pending litigation.

The Select Board approves the proposed project and grants a Special Permit to maintain the existing concrete bulkhead and to construct and maintain floats 4' by 35' in the waters of the Canal adjacent to the existing bulkhead at 5 Canapitsit Drive, subject to the following conditions:

1. Pentikis may maintain the existing bulkhead and may construct and maintain floats 4' by 35' parallel to the existing bulkhead as shown on a plan entitled "Proposed Float Locations and Berthing Areas," prepared by Cape & Islands Engineering, Inc., dated December 17, 2020.
2. Pentikis shall berth his western most boat(s) on the floats with the bow(s) facing west, towards the westerly end of the Canal.
3. Pentikis shall maintain a minimum distance of 17' between his floats and Kachadoorian's bulkhead to the west (measured from the top of Kachadoorian's bulkhead). Pentikis shall not install any float within this 17-foot area and Pentikis shall not berth any boat within this 17-foot area. Pursuant to a separate Special Permit which is being contemporaneously issued to Kachadoorian, the Select Board has designated the area extending 17' eastward from Kachadoorian's bulkhead to be available exclusively for Kachadoorian to berth boats ("Kachadoorian Berthing Area").
4. No float, boat or other watercraft berthed on Pentikis' floats, or any portion or appendage thereof (e.g., props, engine skegs, etc.) or anything tied to or in such watercraft (e.g., bumpers, fishing poles, outriggers, etc.) shall extend into the Kachadoorian Berthing Area.
5. The Canal shall remain navigable by all.
6. The Select Board notes that this Special Permit will be recorded at the Registry of Deeds and will run with the land. Where this Special Permit refers to the current owners of the properties at the end of the Canal (i.e., Pentikis, Kachadoorian, Balas and Dundulis), it is the intent that such references include the said current owners and their successors-in-interest.

The Select Board finds that the proposed floats will not adversely impact shellfish or other aquatic resources of the Town.

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

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

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

2. Wetland/Dock Hearing – Steven Balas for permission to maintain an existing concrete bulkhead and to construct and maintain a 4' x 25' float adjacent to the bulkhead in and over the waters of Eel Pond Canal, located at 64 Muskegat Road, East Falmouth

Chair English Braga read the hearing notice.

Atty. Brian Wall said both clients are in agreement with it and support the proposal on the table by Mr. Pentikis.

Findings:

1. The Applicant, Steven Balas ("Balas"), is the owner of the property with an address of 64 Muskegat Road in East Falmouth.
2. The rear of the property borders on Eel Pond Canal, a man-made canal that was constructed circa 1971 and is approximately 68 feet wide and 300+ feet long ("Canal").
3. In addition to Balas' property, there are ten (10) other properties that border on the Canal.
4. An existing concrete bulkhead extends along the perimeter of the Canal, including along Balas' property.
5. The bulkhead on Balas' Canal frontage has a Waterways License (Chapter 91).

6. Balas seeks permission to maintain the existing bulkhead and to construct and maintain a 4' by 25' float in the waters of the Canal parallel to the bulkhead as shown on a plan entitled "Site Plan – Proposed Float, for #64 Muskegat Road, Prepared for Steven Balas, in Falmouth, by Falmouth Engineering, Inc., dated July 17, 2020, revised October 19, 2020."
7. Balas applied for and obtained wetlands permits for the float from the Conservation Commission under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and the Falmouth Wetlands Protection Bylaw (Chapter 235 of the Falmouth Code).
8. The Harbormaster submitted comments to the Conservation Commission in a Memorandum dated July 17, 2020 stating that the proposed float presented no concerns with navigational issues or mooring issues.
9. The Director of Natural Resources submitted comments to the Conservation Commission confirming the proposed float presented no concerns with impacts to shellfish.
10. Other property owners have floats in the Canal similar to the float proposed by Balas and the Canal is actively used for recreational boating by the other owners on the Canal.
11. The direct abutter to the north, S. Michael Kachadoorian ("Kachadoorian"), owner of 50 Muskegat Road, supports the proposed project.
12. The direct abutters to the southeast of Balas, Mr. and Mrs. Frank and Patricia Dundulis ("Dundulis"), owners of property as 18 Tashmoo Drive, with frontage on the southerly side of the Canal, support the proposed project.
13. The owner to the property northeast of Kachadoorian, Mr. Anthony Pentikis ("Pentikis"), owner of 5 Canapitsit Drive, with frontage on the north of the Canal, supports the proposed project.
14. The support of Dundulis and Pentikis is significant to the Select Board's review of the proposed float. Balas and Kachadoorian previously obtained wetlands permits and a Special Permit for a common dock at their shared property line which was proposed to extend perpendicularly into the canal. Dundulis and Pentikis objected to this proposal and asserted that it would interfere with navigational access to their floats. Dundulis appealed the wetlands permits and Dundulis and Pentikis appealed the Special Permit. At the time of the Select Board's hearing on Balas' proposal for a float, the appeals remain pending.² However, the parties recently reported to the Select Board that they have reached agreements that will resolve all their disputes as well as the pending litigation and will provide an arrangement that will enable all four property owners on the end of the Canal to have floats and boats with workable navigational access to their respective floats.

The Select Board approves the application and grants a Special Permit to maintain the existing concrete bulkhead and to construct and maintain the proposed 4' by 25' float, subject to the following conditions:

1. Balas may maintain the existing bulkhead and may construct and maintain a 4' by 25' float parallel to his bulkhead as shown on a plan entitled "Site Plan – Proposed Float, for #64 Muskegat Road, Prepared for Steven Balas, in Falmouth, by Falmouth Engineering, Inc., dated July 17, 2020, revised October 19, 2020."
2. Balas shall maintain a minimum distance of 2.5' between his float and his property line to the north (shared with Kachadoorian) and shall not install any float within this 2.5-foot area.
3. The Select Board notes that Dundulis is currently seeking a Special Permit from the Select Board to reconfigure their floats so that they are a minimum distance of 17' from Balas' bulkhead (measured from the top of the bulkhead). The Select Board notes that this distance was agreed upon by and between Balas and Dundulis.
4. The area parallel to Balas' bulkhead and extending 16' eastward into the Canal may be used for berthing boats exclusively by the owner of 64 Muskegat Road (currently Balas) ("Balas Berthing Area").
5. Balas shall not affix, tie, or append anything to the Dundulis bulkhead. Any boat berthed in the Balas Berthing Area shall not come into contact with the Dundulis bulkhead and no part of any boat in Balas Berthing Area shall protrude over the Dundulis bulkhead.
6. No float, boat or other watercraft berthed on Balas' float, or any portion or appendage thereof (e.g., props, engine skegs, etc.) or anything tied to or in such watercraft (e.g., bumpers, fishing poles, outriggers, etc.) shall extend beyond 16 feet eastward of the Balas bulkhead (measured from the top of the bulkhead).
7. The Canal shall remain navigable by all.
8. The Select Board notes that this Special Permit will be recorded at the Registry of Deeds and will run with the land. Where this Special Permit refers to the current owners of the properties at the end of the Canal (i.e., Balas, Kachadoorian, Pentikis, and Dundulis), it is the intent that such references include the said current owners and their successors-in-interest.

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

Mr. Jones motion to approval of the conditions and findings. Second Mr. Patterson. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

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

3. Wetland/Dock Hearing – S. Michael Kachadoorian for permission to maintain an existing concrete bulkhead and to construct and maintain a 4' x 25' float adjacent to the bulkhead in and over the waters of Eel Pond Canal, located at 50 Muskegat Road, East Falmouth

Chair English Braga read the hearing notice.

Findings:

1. The Applicant, S. Michael Kachadoorian (“Kachadoorian”), is the owner of the property with an address of 50 Muskegat Road in East Falmouth.
2. The rear of the property borders on Eel Pond Canal, a man-made canal that was constructed circa 1971 and is approximately 68 feet wide and 300+ feet long (“Canal”).
3. In addition to Kachadoorian’s property, there are ten (10) other properties that have frontage on the Canal.
4. An existing concrete bulkhead extends along the perimeter of the Canal, including along Kachadoorian’s Canal frontage.
5. The bulkhead on Kachadoorian’s Canal frontage has a Waterways License (Chapter 91).
6. Kachadoorian seeks permission to maintain the existing bulkhead and to construct and maintain a 4’ by 25’ float in the waters of the Canal parallel to the bulkhead as shown on a plan entitled “Site Plan – Proposed Float, for #50 Muskegat Road, Prepared for Michael Kachadoorian, in Falmouth, by Falmouth Engineering, Inc., dated July 17, 2020, revised November 30, 2020.”
7. Kachadoorian applied for and obtained wetlands permits for the proposed float from the Conservation Commission under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and the Falmouth Wetlands Protection Bylaw (Chapter 235 of the Falmouth Code).
8. The Harbormaster submitted comments to the Conservation Commission in a Memorandum dated July 17, 2020 stating that the proposed float presents no concerns with navigational issues or mooring issues.
9. The Director of Natural Resources submitted comments to the Conservation Commission confirming the proposed float presents no concerns with impacts to shellfish.
10. Other property owners have floats in the Canal similar to the float proposed by Kachadoorian and the Canal is actively used for recreational boating by the other owners on the Canal.
11. The direct abutter to the south, Mr. Steven Balas (“Balas”), owner of 64 Muskegat Road, supports the proposed project.
12. The abutters to the southeast of Balas, Mr. and Mrs. Frank and Patricia Dundulis (“Dundulis”), owners of property as 18 Tashmoo Drive, with frontage on the southerly side of the Canal, support the proposed project.
13. The direct abutter to the northeast of Kachadoorian, Mr. Anthony Pentikis (“Pentikis”), owner of 5 Canapitsit Drive, with frontage on the north of the Canal, supports the proposed project.

The Select Board approves the application and grants a Special Permit to maintain the existing concrete bulkhead and to construct and maintain the proposed 4’ by 25’ float, subject to the following conditions:

1. Kachadoorian may maintain the existing bulkhead and may construct and maintain a 4’ by 25’ float parallel to his bulkhead as shown on a plan entitled “Site Plan – Proposed Float, for #50 Muskegat Road, Prepared for Michael Kachadoorian, in Falmouth, by Falmouth Engineering, Inc., dated July 17, 2020, revised November 30, 2020.”
2. Kachadoorian shall maintain a minimum distance of 2.5’ between his float and his property line to the south (shared with Balas) and shall not install any float within this 2.5-foot area.
3. Kachadoorian shall maintain a minimum distance of 2.5’ between his float and the bulkhead to the north (owned by Pentikis) and shall not install any float within this 2.5-foot area.
4. The Select Board notes that Pentikis is currently seeking a Special Permit from the Select Board to maintain floats parallel to his bulkhead. The plan submitted by Pentikis proposes floats that are a minimum distance

- of 17' from Kachadoorian's bulkhead (measured from the top of the bulkhead). The Select Board notes that this distance was agreed upon by and between Kachadoorian and Pentikis.
5. The area parallel to Kachadoorian's bulkhead and extending 17' eastward into the Canal may be used for berthing boats exclusively by the owner of 50 Muskegat Road (currently Kachadoorian) ("Kachadoorian Berthing Area").
 6. Kachadoorian shall berth his boat(s) on the float within the Kachadoorian Berthing Area with the bow(s) facing north, towards the Pentikis bulkhead.
 7. Kachadoorian shall not affix, tie, or append anything to the Pentikis bulkhead. Any boat berthed in the Kachadoorian Berthing Area shall not come into contact with the Pentikis bulkhead and no part of any boat in Kachadoorian Berthing Area shall protrude over the Pentikis bulkhead.
 8. No float, boat or other watercraft berthed on Kachadoorian's floats, or any portion or appendage thereof (e.g., props, engine skegs, etc.) or anything tied to or in such watercraft (e.g., bumpers, fishing poles, outriggers, etc.) shall extend beyond 17 feet eastward of the Kachadoorian bulkhead.
 9. Pursuant to a separate Special Permit which is being contemporaneously issued to Pentikis, the Select Board has designated the area where Pentikis is being permitted to maintain floats along his bulkhead to be a minimum distance of 17 feet eastward of Kachadoorian's bulkhead.
 10. The Canal shall remain navigable by all.
 11. The Select Board notes that this Special Permit will be recorded at the Registry of Deeds and will run with the land. Where this Special Permit refers to the current owners of the properties at the end of the Canal (i.e., Kachadoorian, Balas, Pentikis, and Dundulis), it is the intent that such references include the said current owners and their successors-in-interest.

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

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

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

12. Wetland/Dock Hearing – Frank & Patricia Dundulis for permission to relocate the existing licensed floats. There is no construction that will take place. The floats will be detached from the bulkhead, relocated by floating them a few feet to the east and then reattaching them to the bulkhead. There is an existing Waterways License for the bulkhead and floats, No. 6715, located at 18 Tashmoo Drive, East Falmouth, MA, in and over the waters of Eel Pond Canal.

Chair English Braga read the hearing notice.

A. Findings.

1. The Applicants, Frank and Patricia Dundulis ("Dundulis"), are the owners of the property with an address of 18 Tashmoo Drive in East Falmouth.
2. The rear of the property borders on Eel Pond Canal, a man-made canal that was constructed circa 1971 and is approximately 68 feet wide and 300+ feet long ("Canal").
3. In addition to the Dundulis property, there are ten (10) other properties that have frontage on the Canal.
4. An existing concrete bulkhead extends along the perimeter of the Canal, including along Dundulis' property.
5. The bulkhead on the Dundulis' Canal frontage has a Waterways License (Chapter 91).
6. Dundulis seeks permission to maintain a 6' x 16' float and a 6' x 20' float parallel to their bulkhead as shown on a plan entitled: "18 Tashmoo Drive in East Falmouth" prepared by Cape & Islands Engineering, Inc., dated September 1, 2020.
7. Dundulis obtained an Order of Conditions from the Conservation Commission (DEP File No. SE25-4536) authorizing the floats.
8. Other property owners have floats in the Canal similar to the float proposed by Pentikis and the Canal is actively used for recreational boating by the other owners on the Canal.
9. The direct abutter to the northwest, Steven Balas ("Balas"), owner of 64 Muskegat Road, supports the project.
10. The neighbor to the north of Balas, S. Michael Kachadoorian ("Kachadoorian"), owner of 50 Muskegat Road, supports the proposed project.

11. The Select Board finds that the proposed floats will not adversely impact shellfish or other aquatic resources of the Town.
12. The Select Board finds that the private arrangements for configuration of the floats at the end of the Canal agreed upon by Pentikis, Kachadoorian, Balas and Dundulis protect and conserve the aquatic resources of the Town by providing each owner navigational access to and from their respective Canal frontage.

The Select Board approves the proposed project and grants a Special Permit to maintain floats in the waters of the Canal adjacent to the existing bulkhead at 18 Tashmoo Drive, subject to the following conditions:

1. Dundulis may maintain floats 6' x 16' and 6' x 20' parallel to the existing bulkhead as shown on a plan entitled "18 Tashmoo Drive in East Falmouth" prepared by Cape & Islands Engineering, Inc., dated September 1, 2020.
2. The area of the Canal parallel to Dundulis' bulkhead where the floats are located may be used for berthing boats exclusively by the owner of 18 Tashmoo Drive (currently Dundulis) ("Dundulis Berthing Area").
3. Dundulis shall maintain a minimum distance of 17' between their floats and Balas' bulkhead to the west (measured from the top of Balas' bulkhead). Dundulis shall not install any float within this 17-foot area and Dundulis shall not berth any boat within this 17-foot area. Pursuant to a separate Special Permit which is being contemporaneously issued to Balas, the Select Board has designated the area extending 16' eastward from Balas' bulkhead to be available exclusively for Balas to berth boats ("Balas Berthing Area").
4. No float, boat or other watercraft berthed on Dundulis' floats, or any portion or appendage thereof (e.g., props, engine skegs, etc.) or anything tied to or in such watercraft (e.g., bumpers, fishing poles, outriggers, etc.) shall extend beyond the westward end of the floats and/or into the Balas Berthing Area.
5. The Canal shall remain navigable by all.
6. The Select Board notes that this Special Permit will be recorded at the Registry of Deeds and will run with the land. Where this Special Permit refers to the current owners of the properties at the end of the Canal (i.e., Balas, Dundulis, Pentikis, and Kachadoorian), it is the intent that such references include the said current owners and their successors-in-interest.

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

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

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

Public Comments for hearings 1-4: none.

Proposed findings were read into the record by Chair English Braga.

Mr. Brown noted an abutter comment: they will have additional guests, which is allowed across the way. Mr. Dundulis said he occasionally wants a guest to park at his dock as needed. Chair English Braga noted that is allowed, but everyone has to abide by the space requirements, Atty. Wall noted that the problem with guests was there was not enough space, but by designating these areas, Balas and Kachadoorian have space to call their own and other 2 have more area.

Mr. Jones said original license said they could not have other boats there that are not their own. They should not be there overnight and that was the language he was talking about, had to be exclusively the owner of the land for all four.

Atty. Wall noted problem became defining it, if a client were to rent the house for a month and wanted their boat there, then it is auspices of the owner. The way it is structured, it has self-executing method, there will be enough room for everyone and how each uses the room is up to them.

Atty. Wood noted intent is for control to be by the owners but having transient guest there with their boat is acceptable. If the Select Board would like to refine the language but prohibiting any transient or guest use is not what they wanted to propose here.

Chair English Braga noted that she has consistently heard that this was about an encroachment issue, more infuriating when boat not owned by property owner. This has been well crafted/negotiated, addresses four separate requests for permits in a comprehensive way. First need to close the hearing.

Mr. Jones motion to approve findings as read with amendments to make it appropriate for that application.

Further discussion:

Mr. Patterson noted all parties represented by Atty.s that say this is acceptable to them. No enforcement agent around there to make sure it is exactly how it is worded.

Ms. Taylor noted they are supposed to manage the space they have, not about who can use it and who cannot as long as they stay within their space. Not about who can come and go as long as it's in your space and does not encroach in anyone else's space. Space itself cannot be rented out separately.

Individual space cannot be rented out.

Findings and Conditions:

In accordance with what was previously presented and submitted with names changed to fit this particular hearing.

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

13. Application for a New Seasonal All Alcoholic Beverages Common Victualler License – 71 Water Street, Inc. dba The Woods Hole Wharf, 71 Water Street, Woods Hole. Application has also been made for Entertainment and Sunday Entertainment Licenses.

Chair English Braga read the hearing notice.

Manager Lillian Strout was present, Shuckers is not closed, this is a new addition to Woods Hole, 41-70 is gone, this is coming to you. They are in the process of hiring an on-site manager for Shuckers. Expecting to open April 2021. Traditional New England cuisine and pizza.

Mr. Jones noted many letters were received from neighboring businesses supporting this.

Public comment: none.

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

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

BUSINESS

1. Discussion/update on COVID-19 issues
Scott McGann, Health Agent, vaccine roll out has been challenging. Total vaccines were reviewed via State dashboard. Barnstable increased 2800 vaccinated a week, not a high infection area in general. The County receives 995 doses a week, things will change in next few weeks. The State is focusing on pharmacies and mass vaccination sites, they will support the regional effort by Barnstable County: five county based sites ready to go. Can do 10,000 per week. Asked the State to have vaccines spread out along the cape. Reviewed the steps taken to move forward vaccines. Cases have increased slightly, under 2% positivity for two week time frame, which is a good number. VA has scheduled some vaccinations, veterans can reach out to the VA. Mr. Johnson-Staub said any vet over age 55 is eligible to receive the vaccine, which is readily available at the Brockton VA. More information will be on the Falmouth website tomorrow.

Mr. Brown noted the County Commissioners are looking into a mobile unit to go to those who are homebound. Troubling that the pharmacies can get the vaccine, but the local government do not. Scott said the State determined whether to go to the local or pharmacy.

Chair English Braga noted a letter sent from elected representatives across the cape, reiterating to the Governor, you cannot look at raw numbers, have to look at the Cape demographic-and the need for more vaccine.

2. Interview, vote and appoint committee member: Council on Aging – Elizabeth (Betsy) Hike

Mr. Jones motion to appoint Ms. Hike to a term ending 6/30/22. Second Ms. Taylor. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

3. Discussion on Litter – Solid Waste Advisory Committee, Alan Robinson

Mr. Robinson, Chair, made a PowerPoint presentation. Updated on the litter related activities and initiatives, introduce 2021 initiatives. Groups involved include MassDOT, Falmouth DPW, Spring Town wide cleanup, Town Committees, Falmouth Litter Reduction Team, Litter Free Falmouth, and individual community members and organizations.

Island Queen has a litter skimmer attached and removes it from the waterway.

Beach Committee invited members of the Solid Waste Advisory Committee to talk about eliminating beach trash and litter.

Article on Fall 2021 Warrant for a litter bylaw, proposing comprehensive bylaw initiative.

Adopt a beach litter program.

Systematic messaging starting with the beaches.

Mr. Brown looks forward to renewing the trash contract, he would like to see the large recycling containers with covers. Mr. Robinson said current contracts are due 5/31/22, as they run up to that the DPW and Solid Waste Community will consider those kind of trash and recycle barrels.

Mr. Brown notices on stormy days when dumping trash, there is a trail of litter behind the trash trucks. Encouraged neighborhoods to collect the trash.

There are no litter signs on Route 28.

Mr. Brown noted there is a financial incentive to pay as you throw.

Single Use Water Bottle Sales Ban: need to message about this upcoming sales band going into effect 9/1/21.

4. Acting as Trustees of the Falmouth Affordable Housing Fund, Presentation and Vote on application from Falmouth Housing Trust for \$260,000 to construct four affordable, single-family houses on Lewis Neck Road

Karen Bissonnette noted the next step is for the Select Board to vote on the CPC recommendation. Chair English Braga noted a complete record including communication with counsel. The Planning Board only has authority for access determination for one home, not up to them to determine the number of houses. Lot was divided in 2009 or 2011, approval is not the required process.

Mr. Brown noted abutters not formally noticed, no public discussion, looks like a subdivision. He feels it should go in front of the ZBA prior to voting the funding. Neighbor commented today that one house will be close to their front door.

Mr. Suso asked for legal counsel to join, considerable legal input received from Town Counsel office that is important to be aired. Referenced his memo to the Board in the packet. Process goes back a couple years.

Mr. Johnson-Staub explained note on the plan that lot was not buildable and lengthy process resulted in the note being lifted, making the parcel buildable. The Planning Board's role was to simply make a determination on whether the lot is buildable within residential zoning. The Planning Board was under impression it was exclusively for one house, legally the Falmouth Housing Trust was w/in their rights not to address their plans for a 40B with the Planning Board. It later became known to the Planning Board that Falmouth Housing Trust was interested in constructing four houses. The covenant placed on this parcel created some confusion as to whether four houses can be constructed which legal counsel can address. When making a decision to award funding on behalf of the Falmouth Affordable Housing Fund, Select Board is not obligated to fund any project it does not love. It is within the Board's purview to consider whatever it wishes when deciding whether to award funding. It is a dead end road which is narrow and unpaved so the Town Manager recommends that the road be paved and widened as a condition of approval.

Atty. Duffy noted Mr. Brown's comment of no public comment is in a sense correct, all that Planning Board has done has complied with the law, at open meeting, televised, and discussed in public. There will be another opportunity before the ZBA and they will go into more detail.

According to Mr. Jones, the CPC voted to move money to the Housing Trust but it is up to the Select Board to vote it not the CPC. Mr. Patterson said the CPC recommended \$65,000 per unit be awarded for four units for this project.

Mr. Johnson-Staub noted the funds are already in the Falmouth Affordable Housing Fund, but statute requires CPC recommendation prior to award.

Atty. Moynihan said the grant award is subject to the applicant securing permits, that is where the public hearing process takes place, project vetted, and abutters are given opportunity to comment. Grant process is not the process for that forum. It is a discretionary decision on the part of the Select Board, knowing they support the request is an important factor to any affordable housing project because it is part of the budgeting process. Subject to permits being granted on conditions vetted in a public forum with abutters having plenty of opportunity and the Select Board opportunity to comment.

Mr. Brown said when 10% affordable housing in place and have discretion to say yes or no to 40B, is this one that we might not support; it is dense and changes neighborhood.

Ms. Bissonnette said this is less dense than other 40Bs, very expensive to live here, if we want affordable housing, we may have to look at things differently. Four houses on 1.161 acres is not a very dense development.

Chair English Braga noted that Mr. Brown was raising concerns abutters have raised to the Select Board.

Mr. Patterson is on the Falmouth Affordable Housing Working group, the 40B relaxation of our zoning requirements applies, but the ZBA process allows concerns to be raised and some guidelines provided to the developers. This is not brand new, there are older houses in the area with similar lot houses. This is a cul-de-sac of four homes, he does not feel this will change the ambiance of this pocket community.

Chair English Braga read the following:

Kathleen and Bernard McDade: does acreage include their right of way on the property at 51 Lewis Neck, please review the covenant.

Frank Zuccerello is opposed to four houses; he lives on the road. Not four on this lot, one house may be okay.

Atty. Moynihan does not know what they are referring to regarding the right of way; lots on the road have right of way over it, it is a private way. The covenant says the plan that was approved years ago did not say the lot was not buildable; no representation was made that this land could never be built upon. Not buildable until the Planning Board made a determination of appropriate access. When the Housing Trust bought this lot, was not able to buy the property for \$60,000 without knowing it could get at least one

building permit for this lot; never an intention to limit it to one house. The Planning Board felt that was what they were doing, but the Falmouth Housing Trust did not do that, and they consulted with an attorney that said the covenant does not limit to one house. The Falmouth Housing Trust wants to move forward with the project at this site, density of four units per acre is less than other developments that exist in this town. This is a low density for an affordable housing development. The road paving may occur by the time they get to the ZBA, another developer is doing that, the Housing Trust is willing to contribute to that; good to get that paved, but they do not have control over that. Part of the grant application process, this is getting opened up to a public hearing on the merits of the project, it is up to the ZBA to vet and allow the public to voice their concerns, allow the plans to be adjusted as working with others. This is not the forum, opening up a Pandora's box on public comment.

Chair English Braga noted the Select Board will always respond to public concerns, important for Select Board to raise those concerns.

Mr. Suso has recommendation that can be put on screen for Select Board consideration, Falmouth Affordable Housing Fund is not an entitlement, it is ultimately determined by the Select Board and with any conditions they would like to include.

Suggested motion by Mr. Suso was shared via screen and includes a suggested condition.

Ms. Bissonnette said that there is a 20 foot easement in front of the 51 property for utilities.

Mr. Brown said \$65,000 per house is what they fund, not suggesting turning this down, he is troubled with the process and feels it should go to the ZBA first.

Atty. Moynihan noted any grant vote would have to be subject to permits being granted. The Select Board could bring it back to review after permits are granted. These projects are expensive, if wait to apply for the grant than you do not know if you will get it and you are spending the money. The Select Board could condition the grant on the granting of permits by the ZBA. If this process via Affordable Housing Statute allows vetting and public comment, jurisdiction under the statute is grants awarded for promotion of affordable housing, not looking at permit conditions and ins/outs of project because another board is doing that.

Mr. Jones supports this, he trusts that the Falmouth Housing Trust will build houses that will fit in the neighborhood, this is not an unfriendly 40B, the Trust cares about what happens in the community.

The Select Board's guidelines approved, so they are following the process in place.

Mr. Brown said the Planning Board feels they were misled and is coming to the Select Board now with a negative referral from the Planning Board.

Ms. Bissonnette explained that on 4/3/19 the Town Planner got a copy of their plan for four houses, if the Planner got it, she would think he would share it. They have never said they were not going to build more than one house.

Chair English Braga said with affordable housing, everyone says they support it, but not here. There has to be a here at some point. The point in this statute is to promote affordable housing to the extent the Select Board does and send it to the next board that looks in detail at the proposal and has those public meetings. Similar to the Locustfield project. Recommendation that Mr. Suso put forward addresses some initial concerns and hands to the ZBA.

Atty. Moynihan said if you look at wording of the statute, if the Select Board gets involved in the merits of the project, the Select Board will have a real problem, this is not the Select Board role in the process; looking at things MA Housing looks at on its site approval. There is a fine line with getting involved in the details of the project like the ZBA gets involved in. This is not a LIP application where the Select Board is endorsing the project, you are allocating grant money subject to the applicant securing permits and approvals of the project. Not a LIP application because the LIP guidelines are outdated, they have not been redrafted, difficult to come forward with a LIP project when they do not know what the Town wants. So, developers are going to MA Housing, securing site approvals, and know the requirements. Important for

smaller projects to be done as LIP projects, but not practical for developers to spend thousands of dollars designing a project and being told that is not what they want, and the guidelines are being redrafted.

Mr. Johnson-Staub agrees with the slippery slope of the Select Board getting into the details at this stage when applying for a grant. Nowhere in Town Special Act creating this housing fund does it say anyone who applies gets the grant money; it is an endorsement because it feels it is a project that benefits the community. It is messy, the Select Board is elected and need to be accountable in awarding funds to a housing project, but not responsible for details for every project before the Select Board. LIP process is difficult because it raises similar issues.

Chair English Braga noted most of the Select Board has seen the lot.

Mr. Patterson noted concern of access to those homes, hate to see houses built here, then roads torn up in the winter and the homeowners not in a good position to afford it. He would like to see an agreement with the Falmouth Housing Trust to pay some portion of the road being put in place.

Ms. Bissonnette said they had conversation with Mr. Fender and the road is being done, he asked for \$5,000, that is what they are giving him.

Mr. Johnson-Staub said Town Planner indicates there may be challenge of Mr. Fender proceeding with that project due to lot lines and encroachment on Carol Ave. Atty. Moynihan noted putting conditions on permits and grant awards that are beyond the control of the applicant; these types of conditions have been struck by Housing Court. Maybe the answer here is if the Select Board has those concerns, maybe it should come back after the ZBA has reviewed it but puts the Falmouth Housing Trust in difficult position. Suggested to award the grant, subject to the ZBA public hearing process, issuance of comprehensive permit, subject to the Select Board review of the comprehensive permit so it goes back to the Select Board.

Mr. Suso asked counsel whether the Select Board can put itself in position of reviewing a comprehensive permit once issued and challenge issuance of it as condition of moving forward.

Atty. Duffy noted the Select Board does not have authority to review a comprehensive permit/overrule it or change it in any way. If they do not like a provision in the permit, they can hold back money but not require change. There is nothing that says which board goes first in the statute.

Mr. Patterson noted authorizing grant already conditioned, reimbursable grant, only after start building can you ask for the money conditioned by the grant.

Chair English Braga noted two commenters are raising issues about paving and asking for the Select Board to revisit the property. Chair English Braga lived on Irene Ave., family on Carol Ave., and she knows the area well and the rest of the Select Board looked at this area.

Mr. Brown wants the ZBA to see this first. Atty. Moynihan said some do it that way, typically nonprofit developers who understand the process do it this way because the line item in their budget is so critical. Zero profit and 100% affordable for nonprofit, critical to the process. Guidelines are four units per acre, Housing Trust is quasi-public housing developer of the Town, goal to work with neighbors to try to make development that is acceptable for all and balancing the goals. Will get vetted at the ZBA.

Chair English Braga said sometimes we get other projects that are hostile 40B, the Select Board has turned away a proposal, then another goes through that is worse than the original.

Ms. Taylor suggested remembering that a priority of the Select Board is to increase affordable housing in this Town. If awarding the grant is conditioned, she does not see the risk of putting this forward and voting it. There will be public hearings, so the Select Board would be moving it on to the ZBA.

Chair English Braga noted Mr. Brown feels these generate so much public passion, he is wishing more public input prior to going to this point. There may not be a solution.

Mr. Brown does not want the ZBA to feel pressured because the Select Board is making the award. Mr. Jones feels the ZBA is quite comfortable telling the Select Board what will happen.

Mr. Jones motion the Select Board, acting as trustees of the Falmouth Affordable Housing Trust, award \$260,000 to construct four affordable single family houses on Lewis Neck Road contingent on road improvement being done, noting limitations the organization may have regarding the road. Second Mr. Patterson. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

5. Vote authorization to proceed to Planning Board for ANR Plan for 86,000 SF lot as shown at 860 Sandwich Road for future new fifth fire station

Mr. Suso explained contacted entities regarding this proposed lot split, two exhibits were displayed on the screen split lots 860 Sandwich Rd from 14 acre parcel under care/control of the Select Board, predominately athletic fields, parking, there are four acres undeveloped and wooded. Need Select Board approval to allow this to proceed.

Chair English Braga noted Sandy Cuny, Recreation Committee, sent the following questions:

Got input from Recreation Committee, will continue those discussions if the project goes forward. Can it coexist with existing sport complex? Yes. SBLI playground will still be installed this spring? Yes, with follow up discussion about the location and timing. Enough recreation land for turf field to be installed? Chair English Braga said yes, there is room, other considerations to be made which is the complex abuts a cemetery/church/Jewish congregation community building. Future plans would necessitate communications recognizing uses in that area. Mr. Suso noted SOP would be full site plan review with Planning Board w/proposed Fire Station parcel and public process. Additional parking designs incorporated? Full site review will include this, maybe parking issues related to the playground. Would traffic on practice and game days interfering with the response from that station? Chief Smith said call volume dictates how often on the road, cannot predict, but hope they have some type of traffic signal and control any traffic that is heavy at that time. Outdoor accessible bathrooms, Mr. Suso said this could come up in site planning, talking about public safety facility that has to respond at moment's notice, incompatible with pedestrian or private vehicle visiting the site, one would need to be cautious about that; first time he has heard about those, best addressed in different manner.

Mr. Brown commented on motion, this is the new sixth fire station; amend the motion to say six. Julian Suso will drop the word fifth.

Public Comment:

Maurie Harlow Hawkes comment in chat read, thanked for support. Questions: will there be a fire station building committee? Yes, that is anticipated as there usually is. Has Chief found spare engine that will fit in W Falmouth: that is a work in progress. Will W Falmouth Fire station receive modest modification-this item is not before the Select Board this evening. That can be on upcoming meeting, so it is properly placed on the agenda. Mr. Suso will note those items for an upcoming meeting.

Mr. Ron Klattenberg, President Ashumet Valley Property Owners Association, this issue is important to many members. Read a statement into the record, 2/9/21 Board of Directors voted to support the location of the new Hatchville Fire Station. 208 landowners in Ashumet Valley. Response times for emergency vehicles have been 9-10 minutes, above the recommended national standard of 4 minutes. The fire station study confirmed centrally located station in Hatchville will bring response to 4 minutes. Future of the west and north Falmouth stations can be done simultaneously as Hatchville moves forward. They recommend a positive vote.

Mark Finneran, reviewed history and wanted to review no one on the committee saw their mission as closing any fire station. He has looked at modular steel buildings, common practice to use those to build fire stations. There are a lot of properties that would suffice, suggested considering anyone along that route to make an offer to property owners who may have a property fitting for the Town's needs.

Sandy Cuny asked about the incorporation of additional parking and interference on game day. When activity there on game days vehicles are parked all over the place, biggest concern was additional parking. She would like confirmation that the Rec committee could stay involved with design of some of that parking and part of the ongoing discussion.

Mr. Brown does not think another field in the corner is practical, maybe build rest room and snack bar and add parking in back area to go with that, similar to Gifford Street. The Little League field was grandfathered, so need to be careful about that. DB noted maybe a rest room like at Peg Noonan Park.

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

6. Presentation of Petition Articles for April 2021 Town Meeting (5 minutes each)
 - a. Present Petition Article # 29 – The Quissett Association, Inc. – James Durocher
Dana Roden, Director Quissett Association, submitted memorandum of background that went to the Traffic Advisory Committee in 2019 to illustrate the kinds of conditions the adoption of this statute may facilitate. One of the speed limits that can be adopted w/out approval of the MADOT; 20mph used where vulnerable road users are likely to be used such as parks, playgrounds, hospitals, etc. Designated safety zones are not for general applicability but can be used in appropriate circumstances. Asking Town to adopt this statute. 20mph speed limit for such zones are based on studies that cite higher survival rates and opportunities for drivers to take steps to decrease chances of someone being hit.
 - b. Present Petition Article # 30 and 32 – Sandra Faiman-Silva
Ms. Silva and Jerry Lassos, Precinct 7, made a power point presentation. Endorsed by the Affirmative Action and Diversity Committee and Upper Cape Women's Coalition. Stories about Columbus and Columbus Day are not true, and we need to correct this.
 - c. Present Petition Article # 31 – Ronald D. Zweig
Mr. Zweig, precinct 1, shared his screen for presentation regarding See if the Town will vote to advise the Select Board to create a Domestic partnership bylaw in Town. Legal benefits were reviewed, including hospital visitations rights, family healthcare coverage, bereavement leave, sick leave to care for a partner, shared employment benefits from a partner. Reviewed the requirements including over the age of 18 and unmarried, couple shares living expenses. Registration is on a town by town basis and registration at Town Hall. Endorsed by the Upper Cape Women's Coalition and Falmouth Affirmative Action/Diversity Committee.
 - d. Present Petition Article # 32 – Sandra Faiman-Silva
Sandy Faiman-Silva and Jerry Lassos requesting a land acknowledgment be part of every meeting and public gathering to acknowledge the Mashpee Wampanoag Tribe and indigenous people would be done at each meeting or public gathering. Dr. Faiman-Silva noted it acknowledges that they are holding a meeting of the Town of Falmouth, including Town Meeting and Falmouth High School graduation, held on the ancestral homeland of the Mashpee Wampanoag Tribe.
 - e. Present Petition Article # 33 – Patricia Oshman
Tricia Oshman, Tyler Barron Precinct 1, endorsed by the Falmouth Affirmative Action Diversity Committee and Upper Cape Women's Coalition. Requesting to create a task force on workforce sustainability and a \$75,000 family early education and children support voucher program. Falmouth workforce is disappearing, low wage, seasonal jobs lead to a labor force crisis, housing, and childcare affordability crisis. Losing the workforce of ages 18-55.

Articles 21 and 22 are proposed zoning change articles, Planning Board usually takes the lead, can be scheduled for 3/8/21 meeting for short summary and make recommendation to supplement what the Planning Board does.

7. Status update/discussion on disposition of wind turbines
Mr. Suso noted Chris Morog Atty., discussing options and alternatives, suggested motion for the Select Board's consideration.

Atty. Morog said that potential options include special legislation to consider that would make sense for the Town going forward with two wind turbines; but there are potential obstacles and include unknowable timetable, more Town resources, lackluster interest by bidders due to the age of the turbines. Discussion with MA Clean Water Trust, wanted to know what repayment could be for the outstanding loan, then talked

with the AGO Bid Construction Unit to talk about procurement options without special legislation, discussed removal/reuse of the turbines, transformer, and related gear. The AGO found it would be appropriate to do sec 30.39M to procure disposal of the equipment as one transaction and bidder could decide whether to sell or reuse the equipment; can't have requirements on what they will do once removed. The Clean Water Trust is awaiting a further conversation, have a consultant determine the cost to have a contractor take away the turbines, once they have that cost, they can speak with the Trust about how to address the outstanding issue of repayment. Before the bid package is out on the street, hoping to have understanding with the Trust on the end game of the resolution.

Doug Brown said Weston and Sampson estimated, but that was to take it down in a fashion that would make it so it could be reused, that may be a much different and expensive project than for someone who wanted to use them for parts or scrap. Doug Jones noted the consultant is needed to write the RFP to get procurement to get these taken down.

Mr. Jones motioned the board agrees to authorize proceeding with a qualified consultant to assist in the process of a cost estimate or payment to the Town for disposition and removal of the wind turbines under MGLc30s39M and the creation of the necessary bid documents. Second Ms. Taylor. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

Town repayment obligations are not known, Chair English Braga noted if they have to go this route, that the conversations are continually being pushed and get representatives eyes on this and have conversations about what that financial burden really means to the Town and impact on the community.

8. Discussion with Beach Committee on proposal to expand membership
Paul Miskovsky, Chair, have five members on the committee and would like two more members to spread the work out and make it a seven member committee.

Chair English Braga will ask Atty. Duffy and Atty. Mullin if they can do this without the vote.

9. Status update – former Senior Center building at 300 Dillingham Road and request to authorize issuance of Request for Proposal
Mr. Johnson-Staub explained two entities interested in operating a Veteran's Center in the building, idea would be that two entities would partner together to do so but were not able to agree to how that might work. General Law allows the Select Board to issue lease without procurement only to certain chartered veteran agencies, such as the VFW. Joe Q. is the other entity interested in running the center at that location. The Select Board can choose the VFW or issue request for proposals and allow those entities to bid for the lease.

Chair English Braga noted that once concern that at Town Meeting a specific presentation was made about the partnership, that is what the Town Meeting specifically voted and that has made them pause and particular sentiment from Town Meeting, does not look like that will happen. Got vote from Town Meeting that it should be a veteran's center, the Select Board has the authority to set policy goals and limit the universe of respondents to an RFP.

Mr. Jones motion to authorize issuance of an RFP. Second Mr. Patterson. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

10. Status update – proposed Diversity Officer position job description
Mr. Suso noted Town Meeting agreed to fund this new position, support the school and Town, it is funded through free cash. 30 day public comment period was entered into, Affirmative Action Committee reviewed the feedback. School Committee had a second review of the job description and was transmitted to the Select Board. Joint Select Board and School Committee meeting will be held on 3/15/21 to finalize the job description. No specific action is needed at this time. There was a request from Deb Berglin, Affirmative Action Committee, read a comment and provided an email. Ms. Berglin sent a detailed letter to the Select Board, she is disappointed of the lack of the response addressed by the community, disturbed in the language being used including potential disciplinary action, demeaning to any professional applying for this position. She is concerned about the level and type of support the person will receive and good work they are able to accomplish. She would like another look for further revision because she feels we can do much better than this.

11. Summary of Town Manager Evaluation

Chair English Braga received the evaluations, she reviewed, they have not been shared with Mr. Suso yet and provided a summary. The evaluation is for the year 2020, goals were pushed aside due to pandemic response, need a better tool for assessment going forward. Overall, the Select Board noted for those criteria graded Mr. Suso on, he met the expectations or often exceeded. Areas of strength were reviewed, including financial management, his success in recruiting and promoting staff with leadership qualities, responsiveness to the Select Board, knowledge in his field. Areas of improvement, employee performance evaluation system needs to be definitive and in place to measure employee performance. Suggestion to be more open to constructive criticism with the public or fuller in descriptions of issues or plans that come forward, some chronically unresolved issues, take better advantage of grant opportunities, improve communication skills.

Chair English Braga will consolidate and review.

Mr. Jones noted need more specific goals for this year, including better tool for doing the evaluation and more specific measurable goals.

Mr. Suso thanked the Select Board.

12. Review and Vote to Approve Minutes of Meetings:

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

13. Individual Select Board Members' Reports

Mr. Brown reported that the Beach Committee has short list of things to prepare for summer opening and will bring it to the next meeting.

14. Town Manager's Report

Mr. Suso attended Mayflower Wind Virtual Town Hall, Finance Committee Meeting, reminded next meeting is 3/8/21.

15. Adjourn

Mr. Jones motion to adjourn at approximately 11:36 pm. Second Mr. Patterson. Roll Call Vote: Mr. Jones, aye; Mr. Patterson, aye; Ms. Taylor, aye; Mr. Brown, aye; Chair English Braga, aye.

15. Town Manager's Report

REPORT

TO: Falmouth Select Board

FROM: Julian M. Suso

DATE: May 7, 2021



- The Board will convene in executive session at 6:15PM on Monday to hear/discuss two issues: (a) a proposed settlement of litigation; (b) an update on collective bargaining involving the Fire Department.
- During Summary of Actions, Finance Director Jennifer Mullen will join us to discuss/recommend the authorization of Bond Anticipation Notes and a potential Bond refinancing.
- Other proposed Administrative Actions include a number of items, all included with an explanation in your Board packet.
- I am recommending the Board's consideration of appointing recently-retired Public Works Director Ray Jack as the Town's representative to the Joint Base Cape Cod Community Advisory Council. Ray would be succeeding Virginia Valiela, who has served with distinction for many years in that role and (of course) several other extraordinary roles as well.
- You will be considering approving a letter of support for a proposed WHOI grant application for a CZM Coastal Resilience Grant. At the same time, you are being asked to authorize a grant application from the Town's MES Department for \$85,000 in CZM Grant funding (including a \$25,000 local match within the department's existing operating funds) – this for a comprehensive study of the Menauhant Inlet. You have a further explanation of the respective grant requests in your Board packet. Exploring these two requests further, given the significantly disparate nature of each, they are not anticipated to be competing for funding but each stands on its own unique merits and deserve the opportunity to be considered. I so recommend.
- Scott McGann will be joining us for the COVID-19 Update, including comments on Governor Baker's continued expansion of permitted public events as we enter the summer season.
- Scott will also update the Board and participate in a discussion of the pros and cons of the potential "opt-out" opportunity which the State is providing with regard to mosquitos and EEE. This was a subject on the

Board of Health's agenda from this past Monday. The BOH acted to recommend that the Town defer on the opportunity to opt-out.

- During the Fire Department discussion, I will be presenting a Concept Paper on the fundamental issues relating to consideration of a five versus a six fire station model. Chief Tim Smith will be presenting a Summary of Fire Department staffing and related equipment issues. Both of these documents are included as part of your Board packet. We have also been asked to explore the provision of Town-wide data detailing information on the time of receipt of Fire emergency calls and the time of arrival of the first piece of equipment. This data compilation is a work in progress, ideally for presentation to the Board in the coming month.

Bottom line, if the Board is willing to continue proceeding in the outlined direction of five permanent Fire Stations, **I respectfully urge the Board to act Monday evening in granting me the authority to proceed to work with Chief Smith in identifying the optimum NW Fire Station site** from among those multiple sites already flagged by the past Citizens Fire Station Committee (which included multiple individual representatives from West Falmouth). I believe that it is particularly time sensitive for us to proceed with this next most important step if this critical public safety initiative is to be timely completed and ultimately successful to the benefit of the entire Town.

- As the original date of your Annual Strategic Planning Retreat fell on the same date as the now-scheduled Special Town Meeting (June 28), the Board needs to select an alternative date. Diane Davidson has provided the necessary calendar in your Board packet to facilitate this choice.
- On Friday, April 30 I was pleased to attend the Town's Annual Arbor Day event, which involved a significant planting of appropriate street trees along Queen Street and the responsible trimming of multiple oversized, existing street trees. My compliments to Tree Warden Jeremiah Pearson and a number of staff members for their fine organizing work.
- On Monday evening, I attended the Public Hearing held by the Steamship Authority regarding their decision to schedule a 5:30AM freight boat out of Woods Hole to Martha's Vineyard.
- The Board's next business meeting is Monday, May 24.
- Town Hall and Town administrative offices are closed on Monday, May 31 for the Memorial Day Holiday.