

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**MONDAY, FEBRUARY 25, 2019**  
**SELECTMEN'S MEETING ROOM**  
**TOWN HALL**

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

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

**OPEN SESSION**

1. Call to Order by Chair Moran at 7p.m.
2. Pledge of Allegiance
3. Proclamation – Woods Hole Model Boat Show Weekend

Mr. Jones read the proclamation in the packet as a motion. Second Chair Moran. Vote: Yes-5. No-0.

4. Recognition

Ms. English Braga recognized Sarah Murphy, freelance journalist, working on writing about individual survivors of the clergy sex abuse scandal and this week in Rome documenting the stories.

5. Announcements

Mr. Brown reminded all the AIDS group of Cape Cod information meeting tomorrow at 10 a.m. at the Jewish Synagogue and on 3/26/19 there will be an evening presentation at the library. The organization is working on locating an alternative site.

Ms. English Braga this Sunday Navigator will have breakfast from 7:30-11:30 a.m.

6. Public Comment-none.

**SUMMARY OF ACTIONS**

1. Licenses
  - a. Approve Application for One-Day Wine and Malt Liquor License – On the Water, LLC – Striper Fest – Marina Park – Saturday, 9/28/19

Chris Megan, On the Water, was present.

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

- b. Approve Application for One Day All Alcoholic Liquor License for Belonging to Each Other at Trade Center Bowl located at 89 Spring Bars Road, Falmouth – Saturday, 3/16/19

The applicant explained they provide temporary housing over winter months provided insurance binder. Mr. Patterson noted he is a member of the advisory board for the organization.

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

- c. Approve Application for a Change of Manager of an All Alcoholic Package Store License – Lisa Liquor Inc. d/b/a Family Foods, located at 350 East Falmouth Highway, East Falmouth

The applicant/manager noted there are no changes in operation. He is the new manager/owner. Mr. Jones noted the applicant is responsible for all violations of the liquor license, even if not there all the time.

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

- d. Approve Application for a Second Hand Dealers License – Home Again, located at 93 East Falmouth Highway, East Falmouth

The applicant explained that the store closed in April and reopening. Mr. Jones noted the license is only for 2 months, the applicant understands she will need to reapply each May.

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

- e. Approve Applications for One Day Wine and Malt Liquor Licenses – Fresh Pond Holy Ghost Society – Portuguese Festivals located at 408 Carriage Shop Road, East Falmouth – Sunday, 6/9/19; Saturday, 6/22/19; Sunday, 6/23/19; and Saturday, 8/17/19

The Falmouth Police Department requests organizers contact the FPD detail sergeant.

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

## 2. Administrative Orders

- a. Vote to approve Falmouth Housing Trust’s LIP LAU application to the Department of Housing and Community Development to include the affordable home built at 72 Deer Pond on the Falmouth Subsidized Housing Inventory

Carla Feroni, Housing Coordinator, the Falmouth Housing Trust is working with the Affordable Housing Fund to build this single family affordable housing opportunity. Regular LIP application, the unit is included in subsidized housing inventory, this is special category called Local Action Unit applied for by the Trust so it will be included in the inventory.

**Mr. Jones read the motion in the packet. Second Mr. Patterson. Vote: Yes-5. No-0.**

- b. Vote to approve request from the Falmouth Housing Corp. for a waiver of building permit, sewer service application and sidewalk application fees for Little Pond Place affordable housing complex

Linda Clark, President of the Falmouth Housing Corporation explained they are seeking waivers for the building permit fee, sewer connection fee, bond for sidewalk, and water tapping fees. These are related to construction, no further waivers are being sought. The project has been in the making since 2015, estimated construction costs have risen. This will provide 100% affordable rental units.

Mr. Johnson-Staub said the Utility fees and bonds are not recommended to be approved.

Attorney Duffy was one of the founders of the Falmouth Housing Corp. Chair Moran asked if the building inspector provided the certificate of occupancy, if he would also be reviewing the access sidewalk. Attorney Duffy noted the Building Inspector’s jurisdiction is the building and land use and could not affirm one way or the other.

Mr. Brown explained the site engineer for applicant/contractor will do their own sign off, and then the Falmouth Engineering Department will review and sign off. Curb cut is issued by the DPW.

Ms. Clark said that when developing other projects, the permit had to be signed off by engineering and could not get occupancy permit without signoff by all departments. Ms. Clark said they will bill for the bond fee and then at the end they will see that on the last invoice as a credit. Money is short at the beginning of the project.

**Ms. English Braga motion approval of the waiver of the building permit, sewer, and sidewalk application fees. Second Mr. Patterson. Vote: Yes-5. No-0.**

Sidewalk bond.

Ms. Clark said the Tapping fees for street water connection; they will pay for the actual taps and are looking for Town to relieve the tapping fee. Mr. Johnson-Staub explained that the Board of Selectmen policy is not to waive fees directly provided by the Town, he spoke with Ray Jack and Steve Rafferty about precedent; they are unaware of the town waiving this fee for previous projects. Mr. Johnson-Staub does not have a cost calculation, could be in the \$1,000s. Ms. English Braga noted that these projects are rare and the Town gets the benefit of all units being affordable; she supports waiving the fees.

Mr. Jones would rather they fund it through the Affordable Housing Fund instead then waiving the fees.

Mr. Patterson noted the parcel was purchased for this purpose, they have invested money already and he does not see it as significant fee to the public. He is in favor of the exception given the circumstances, delays, increased materials costs.

Ms. Feroni said that fees are eligible activity under the fund guidelines, there is \$650,000 balance, she has an application for \$950,000 for 100% affordable rental units, and they will not be able to fund all of them.

**Ms. English Braga motion to continue the discussion on the request to waive the fees. Chair Moran noted it will be put on the next agenda.**

- c. Acting as Trustees of Falmouth Affordable Housing Fund, Vote to authorize Town Manager to amend Land Development Agreement with Falmouth Housing Corp for Little Pond Place affordable housing complex as submitted. And further to authorize previously awarded funds in the form of a loan with terms to be determined in consultation with Falmouth Housing Corporation, and to authorize the Town Manager to execute all documents consistent with this vote.

Mr. Johnson-Staub explained this addresses the clerical change to the agreement and in consultation with Ms. Clark and her partners, restructure the award from a grant with a bond to a loan, it allows them to get the money sooner and is less costly to the developer.

**Mr. Patterson read the motion in the packet. Second Ms. English Braga. Vote: Yes-5. No-0.**

- d. Authorize Town Manager and Town Counsel to respond to Beaty Open Meeting Law complaints received 2/12/19 and 2/14/19

This has to do with Mr. Beaty wanting the address of Town Hall in addition to naming Town Hall.

**Ms. English Braga motion to authorize. Second Mr. Patterson. Vote: Yes-5. No-0.**

- e. Vote to approve Grant of License to Peter and Diane Wirth for them to enter upon and use a portion of the Town's property to construct a retaining wall on their own property at 88 Gardiner Road, Woods Hole Mr. Suso stated that this involves the need to trespass temporarily on Town property to construct the wall. The License Agreement has been drafted by Town Counsel.

Matt Terry, was present representing the licensee and explained that a wall runs on the licensee's side of the property adjacent to the Town way. The wall is at the end of its useful life and they are replacing and making improvements. They will encroach on the Town way to excavate and replace the wall. They will go through the Conservation Commission for the Order of Conditions and then back to the Board of Selectmen. No plan to enlarge the wall.

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

- f. Vote to temporarily relocate voting for the voters of Precinct 2, currently at the Recreation Center, 790 East Main Street, to the Senior Center, 300 Dillingham Avenue

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

3. Special Events

Recurring - Recommended:

- a. Woods Hole Model Boat Show – Woods Hole Historical Collection & Museum – Parking Meters Not in Use along Water St. and Luscombe Ave. Friday, 4/12 after 3:00 p.m. to Sunday, 4/14/19

**Mr. Jones motion approval not to collect the fairs. Second Ms. English Braga. Vote: Yes-5. No-0.**

**PUBLIC HEARINGS**

**7:30 p.m.**

1. Wetland Hearing – Thomas Dmytryck – Remove licensed float and install a new pile supported pier and pile supported boat lift – 53 Madeline Road, East Falmouth

Chair Moran read the hearing notice.

**Mr. Jones motion to continue this matter at the applicant's request. Second Ms. English Braga. Vote: Yes-5. No-0.**

**7:45 p.m.**

2. Flow Neutral Bylaw – Evaluation of Request for Variance – Holmes and McGrath, Inc. – 24 Spencer Baird Road, Woods Hole (Parcel 49A 06 000D 044)

Chair Moran read the hearing notice.

Mike McGrath, President of Holmes and McGrath, said that the flow neutral bylaw assigns a flow to each house. If going to increase the flow, need to prove you could get a conforming Title V system on the lot and you can look at water main use. He provided a packet to the Board of Selectmen including a map and photos of the existing structure, along with a copy of letter they wrote to BOH. Town staff were uncomfortable with the existing structure with 4 rooms, so he also included in the packet an analysis of the water meter reads, including how much water has been used on site. Under Title V, you are supposed to double the highest water readings, under this policy the highest use was 76 gallons per day. Even if you assume it will be increased, they will not reach the 400 gallons per day. A copy of the plan was provided to the BOH showing where the Title V would fit on the lot, just an illustration that they meet the requirement to at least apply for the variance. This house has been there a long time, renovating only the interior, no increase in flow.

There will be 9 rooms, the letter from Mr. Holmes states it is going to have 7 bedrooms. Mr. Jones noted that 4 to 7 bedrooms is a substantial increase and explained the four priorities to require a waiver, including economic development, affordable housing, and mixed use to grant a waiver above what is allowed.

McGrath asked to continue hearing and provide floor plans to the Board of Selectmen. One of the biggest problems, is there are few houses that will use 440 gallons of water per day. With low flow toilets, there is less water discharge. The bylaw assumes every house will have 440 gallons. There is a lot of capacity available at the Wastewater treatment plant. Mr. Jones explained they cannot exceed 80% or the Board of Selectmen will have to take some action.

Ms. English Braga asked what was going on in 2016 that it was so much higher water meter reading. Mr. McGrath does not know the answer.

Mr. McGrath requested a continuance to 3/11/19.

**Mr. Jones motion to continue to 3/11/19 at 7:45 p.m. Second Ms. English Braga. Vote: Yes-5. No-0.**

**7:55 p.m.**

3. Application for Shellfish Aquaculture License – Matthew Weeks – 7.5 acre area in waters of Nantucket Sound offshore of Washburn Island

Chair Moran read the hearing notice.

Matthew Weeks, full time commercial fisherman and growing shellfish in Town. Growing surf clams and looking to expand the operation. He would like the Board of Selectmen to write a letter to Division of Marine Fisheries requesting a resource survey of the area. It is in the sound, in a rocky area with buoys. There are ten other agencies he answers to first and then back to the Board of Selectmen for final approval.

Ms. English Braga noted the Shellfish Advisory Committee reviewed and recommended positively.

Public Comment in favor: none.

Public Comment against: none.

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

**Mr. Jones motion to approve. Second Ms. English Braga. Vote: Yes-5. No-0.**

**8:05 p.m.**

4. Flow Neutral Bylaw – Evaluation of Request for Variance – Falmouth Commodores – Ray Paltz Building, Guv Fuller Field, 744 Main Street, Falmouth (Parcel 39 21 001 000)

Chair Moran read the hearing notice.

The President of Falmouth Commodores explained they are seeking a variance, recommendation in the packet. Plan is to create a new concession stand. This will include bathrooms and fully useable kitchen. Where the existing building is now, the football concession stand and press box. It will be available for the Falmouth High School baseball teams. It will be used March 20 to mid-August.

Sandy Cuny, Member Recreation Committee, noted that there was never a formal vote taken or discussion. The Recreation Committee supports moving the football program and one reason is so they could expand outdoor recreation. They never intended for the Commodores to expand. The building and bleachers should go when the football field goes. They would like to use for municipal recreation land. She is not in favor of the Commodores taking over that building.

Mr. Suso stated that it is a School Department Building.

Mr. Johnson-Staub explained there is added urgency to the request because of the timing of the Senior Center site work and sewer connection, so if this is a direction the Board of Selectmen wants to go, the Commodores could finance the sewer to the building.

Mr. Patterson asked if the municipality could put the sewer in for bathroom facilities to support recreation use. There is no budget for it at this time, given the time, you want to do it now, but it is too early in process for the Town to take this on. Mr. Suso noted School Department agreed to make the building available to a third party.

Comments in favor: none.

Comments against:

Jim Vieira, Chair Council on Aging, they hoped this building would be removed at some time. There is no green space around the building, there would be a vista if that building is removed. The commodores have needs, if they were able to take time and look at entire parcel and include the old Senior Center as part of the campus, than some arrangement could be created. It would be sad to lose the only possible view towards a green space that the Senior Center will have. That particular space is valuable for the senior center and he encourages the Board of Selectmen put a team together to look at the whole thing. They can likely buy some time to figure it out before the sewer line goes in and he asks to do so.

Mr. Brown suggested running past the building with the pipe, make a dead end, and then decide another location later. Mr. Jones noted there is no money in the budget to do that. Mr. Vieira said the line is already to the Senior Center, if the civil engineer looks at it and says the 6 inch line could take the flow, it would only have to be extended to where it would go in the back.

Ms. English Braga noted that Mr. Vieira's suggestion to have the Recreation Committee weigh in is reasonable. The Board of Selectmen can consider if there is something that is built by Commodores with its own bathrooms means less wear and tear on the Recreation Center. Summer baseball is part of recreation in the Town.

The Board of Selectmen would like staff to extend the hearing for at least a month for the Recreation Committee and Senior Center to weigh in. Mr. Johnson-Staub noted that April 22, 2019 is the last regular meeting for community input and site planning.

**Mr. Jones motion to continue the hearing until 4/22/19 at 7:30 p.m. Second Ms. English Braga. Vote: Yes-5. No-0.**

## **BUSINESS**

### **1. Town Manager Update on Staffing in Recreation and Beaches**

Mr. Johnson-Staub reviewed PowerPoint slides, reviewed the history, and emailed notification to the Board of Selectmen that there was a vacancy and they were looking at a way to collaborate and cross train support across the two departments. This is the second time it has been on the Board of Selectmen agenda.

Mr. Johnson-Staub showed the organization chart of the Beach Department, current staffing structure, and proposed staffing structure. The only change is a title change from Assistant Beach Superintendent to Beach Coordinator. There may have been change in availability of the person in that spot. The person in that position now is not available year round. The collaboration is meant to increase efficiency, stability, and cross training for mutual support. The title is Program Director B, previously Assistant Recreation Department Director and primarily recreation duties, job duties stay the same. Succession planning was in mind with this change, they would like to have a year round, benefited person with experience in the Beach Department so there is a support system year round.

Mr. Suso explained that departments of this small size do not usually have Assistant Directors.

Attorney Dufy prepared and submitted a memo, which is in the packet. The Charter provides the Town Manager with the primary responsibility for personnel administration; administering and coordinating all Town Departments. The Board of Selectmen sets goals and policies, but not specific decision regarding personnel. The charter speaks in general language, the Town Manager has authority to reorganize, consolidate, and abolish but any permanent change requires vote of at least 4 Board of Selectmen and funding by Town Meeting. The Board of Selectmen has executive authority of the Town and sets policies to be carried out by Town Manager and employees. The Board of Selectmen does not administer the day to today operations of the Town-it is the Town Manager's responsibility. The Town Manager makes decisions and when he needs approval of the Board of Selectmen he comes to get it. If the Board of Selectmen wants to see a succession plan created, they can recommend to the Town Manager. Town Meeting approval is triggered only when a new permanent position that Town Meeting would need to fund.

Robert Brown, Chair Recreation Committee, said the committee found this out by accident in Spring 2018. The Recreation Committee put it on their agendas, discussed appointment of the Recreation Director and what was going to happen to the Assistant Recreation Director. After Mr. Olenick was hired as the Recreation Department Director, the Recreation Committee asked Mr. Johnson-Staub when an Assistant Recreation Director would be hired, but did not receive an answer. Then learned there would not be one. This was discussed with Mr. Olenick, Mr. Suso, and they voiced their opinion against the plan, wrote letters to the Board of Selectmen, and made presentation at the Town Meeting. The Recreation Committee was surprised that this position would be eliminated.

Robert Brown reviewed the Assistant Director position job description and provided copies to the Board of Selectmen. He has not heard anything about the Recreation Department reaching out to the schools and feels it is important to go to the schools, this is missed if there is no Assistant Recreation Director. The summer camp has about 180 children of various levels of cognitive development. With a AAA bond rating and reserve cash, it is

wrong to save money on the backs and safety of the children. Felt that they did not get anywhere when they met with Mr. Suso in June and complained heavily. The Beach and Recreation Departments serve the most vulnerable people.

Paul Miskovsky, Beach Committee Member, stated this was a bad experiment. They need succession planning for people and staff. Mr. Mogardo learned by working under others and has a very successful beach program; they need a person to shadow Mr. Mogardo.

Public comment:

Mike Heylin, Recreation Committee Member, meeting with Mr. Johnson-Staub and Mr. Suso about this and he reviewed information received from people who contacted him. The Assistant Director can watch and make connections with the children. Mr. Heylin asked if the Town Manager can consolidate any position with approval from the Board of Selectmen and when did the Board of Selectmen approve consolidation of this position. If the Board of Selectmen did not approve it, the Town cannot do this. If the Board of Selectmen did approve it, the voters have a right to know this was going on.

Chair Moran noted under charter rules, that is what the Board of Selectmen is talking about and the Board of Selectmen is reviewing it right now. The Board of Selectmen has not approved the consolidation, Mr. Jones noted it is renaming the position. There has not been a reduction in staff in either department, so he does not see a consolidation. Mr. Suso stated they are collaborating, not consolidating.

Brian Matthews, local parent, said the Recreation Center is a bedrock for his family. Since 2014 he has noticed a transition, kids deserve more than that and we need to invest in the kids. Change in staff hurts their kids. They lost a recent staff person the kids looked up to. Who is the captain steering this boat.

Chair Moran expressed concern about the succession plan, that is missing from each of these presented changes and the Recreation Committee mentioned grant funding and needing someone who could write grant requests to boost the programs. Any interest on the part of the Board of Selectmen to ask the Town Administration for a succession plan because there are still questions.

Mr. Brown noted the only thing voted by the Board of Selectmen was to look into it and explore, he thought management would come back and provide the Board of Selectmen with updates on progress. He was hopeful the Recreation and Beach Committees would be for it and working on it. Both committees are against it and staff positions are being changed, does the Board of Selectmen have the right to interfere. Many unhappy people and he feels they are not heading in the right direction.

Ms. English Braga noted the goal is to look to improve municipal services, streamline, remove duplication, and improve services. The Board of Selectmen role is to hear from the community and proper role is to hear concern from committees that are tasked with doing the job/experts on that topic. These 2 committees have real concerns and constituents and Attorney Brown made great points about the role of the Assistant Director. She does not know how a department head can do all that plus be tasked with new programming. It is not the purview of the Board of Selectmen to run day to day operations, but to set policy and if one of our policies is to have a more fully functional Recreation Department, it is a policy issue that should be sent back to the Town Management, along with the Beach Department succession planning. Need to look back to see if the Assistant Director position should be put back into place.

Mr. Jones asked if they tried to fill the Assistant Recreation Director at the same pay grade, but did not find a qualified person so they went to a Grade 8 position and were able to match that job description. The Board of Selectmen could go to Town Meeting and request an increased budget to fund the position. He questioned at what point would they need both a Director and Assistant Director.

Ms. English Braga said that if the position exists and Town Meeting would like to fund that position, she supports.

According to Mr. Suso, there are no unfilled positions. If they move forward with the additional position, it will require additional year round funding. The Fiscal Year 20 budget is stretched to its limit, given the additional positions in other departments. To add an additional full time position, something may need to go away otherwise they risk a sustainability issue.

Mr. Johnson-Staub noted that there is flexibility in the budget to create a new part time position with extended season to do shadowing, they would have to put a job description and pay rate together.

**Chair Moran motion the Board of Selectmen direct staff to forward that initiative that Mr. Johnson-Staub is talking about for a new administrative position that will work beyond the summer season to learn the administrative and supervisory aspects of the job from the Beach Superintendent. Second Ms. English Braga. Vote: Yes-5. No-0.**

Mr. Brown motion to have staff review how to improve services and expand services and deliverability of services, along with the role the Assistant Director would have. Second Mr. Patterson. Vote: Yes-5. No-0.

## 2. Discussion and Update on Marks Building, Old Senior Center, Emerald House and Andrews Farmhouse

Marks Building:

Mr. Suso presented the Board of Selectmen with summary information and addressed questions raised by the Board of Selectmen. Mr. Suso asked if the Board of Selectmen would provide policy direction for their intentions with the Marks Building. The roof is the most urgent item, it is leaking and they may proceed with the existing contract to replace it with an asphalt roof. Does the Board of Selectmen want to consider another option, such as a cedar roof, which would require canceling the current contract and then another procurement process. A wood roof is considerably more expensive and they would need to consult with MA Historical regarding the wood shingles.

Attorney Duffy explained that a standard contract was used and provides for termination, the Town's liability would include all costs prior to the date of termination. The contract was signed in October 2018, no one has operated on it yet. If they terminate quickly, they can cancel with limited or less liability, maybe some costs incurred.

Barbara Weyand, Falmouth Preservation, noted an eventual vision of the building and historical streetscape preservation. There is no allowance in the current contract for repointing the chimneys. The CPC has allowance for time sensitive requests. Mr. Suso stated that there is modest amount of additional funding to handle the chimneys if they need significant work.

Annie Dean, Town Meeting Member Precinct 1 and Historical Commission member, voted in favor of funds for the roof and moving Human Services there. She will have opportunity to see plans for interior restoration/renovation of the building. She is in favor of historically accurate exterior renovations of the building. She hopes the CPC funding will be available to restore this building.

Mr. Suso said that one option is to secure the integrity of the building by preserving the asphalt roof and it should be done. Restoration is a 5-10 year process and could include a wood roof. Human Services request history reviewed. An architectural study done on the Marks Building including the second floor. Having Human Services move in would not prevent a proper restoration of the building. Corey Pacheco has a degree in preservation and has been consulted with. The Director of Human Services forwarded a letter to the Board of Selectmen supporting the move.

**Mr. Jones motion to have the Town Manager go forward with the asphalt roof. Second Ms. English Braga. Vote: Yes-5. No-0.**

**Mr. Brown motion to proceed on the Human Services move to the Marks Building. Second Mr. Patterson. Vote: Yes-5. No-0.**

The Board of Selectmen noted that restoration account would be a good plan for future.

Susan Shepherd said that all the buildings in Town have been preserved by private citizens and nonprofit groups. Idea of moving Human Services into the Marks Building complicates things and adds structure inside that should not be put in there. She suggested Human Services move into the old Senior Center with Veteran's Services.

Laura Kelley, commented that she grew up in a historical house, had a shaker roof, much heavier roof, it will last a long time.

## 3. Discussion of Renaming and Modifying Charge, Bikeways Committee to Bikeways/Pedestrian Committee



Scott Lindell, want to expand their mission. Many commonalities between the two. The committee has been working with the Town and citizens to educate on share use. Showed the new vest developed and requests can be sent to the committee. Route 28 redesign will likely include more multiuse paths. Bikeway plan is about 3 years old, hope to have a bicycle and pedestrian plan. Functionally it would allow all to come to committee meetings and voice their concern about all thing bikeways, and including pedestrian to create safer streets.

The Board of Selectmen received 2 letters in the packet from Kathleen Haynes, Commission on Disabilities, initially there was support for name change, but at a February meeting the Commission voted and decided not to support the name change because it is a change in name only to benefit the Bikeways Committee.

Cynthia Rose, Trotting Park Road, she found minutes of Bikeways Committee posted inadequate and the Board of Selectmen should look into that. She is not for the name change because she has seen a pattern of pushing the agenda without including people who actually live there. Outreach could be handled better than it has been. This committee is generally attended by 7 people who are driving important urban planning decisions, it is complicated and in their own meetings the new Town Planner spoke to them about the open meeting laws. Communication problem, important because where we are going is so important. Need them to fit the neighborhoods they are in. The primary focus of this committee has been to create alternative transportation and that focus has been hard and strong. She gave her information as direct abutter, she has not been contacted about this topic. Given the size of the Town, that speaks to an agenda serving primarily people in West and North Falmouth. Water stations, lack of signage on Brick Kiln Road, she is calling for a pause. She sent Mr. Suso a letter, The Bikeways Committee needs to be more transparent about their goal.

The Board of Selectmen noted that people from E. Falmouth are on Bikeways Committee or come to Bikeways, the meetings are open, monthly, and input can be given at the meetings.

Chris McGuire, Bikeways Committee, interest in kids getting around town. Bike plan, 3 of top 4 items on the plan are the crosswalks. There is not a pedestrian committee and they are using same space as bicyclists.

**Mr. Brown motion approval of the name change. Second Ms. English Braga. Vote: Yes-5. No-0.**

4. Discussion/Vote to Approve Falmouth Commodores Memorandum of Understanding (MOU)

This action was deferred.

5. Protect Our Cape Cod Aquifer (POCCA) Presentation/Request on Proposed Ban on Landscaping Chemicals

Laura Kelly, President POCCA with request for the Board of Selectmen to volunteer to not use glyphosate products on Town owned land. Would like the Board of Selectmen recommend the BOH write a new Town regulation that the Town will not use these products on Town owned land. It is a public health risk. It cannot be banned because it is illegal to ban because of the preemption law in the state of MA. Studies are in the packet. Eversource approved their operational plan and list rodeo as an herbicide they are going to use. Comment period has begun, requested a letter be sent why they do not want more herbicide use along power lines again. The difference between a policy and a regulation is a lot and it proves to the State Pesticide Board that you really do not want this on your land. She has not been to the Board of Health.

**Mr. Patterson motion to defer the matter to the Board of Health. Second Ms. English Braga. Vote: Yes-5. No-0.**

Jeremiah Pearson, Parks Superintendent, the Parks Department tries to use a no chemical policy, sometimes they need to use Glyphosate for certain species, he has not used it since he has been here but there are things that he can use for certain species. Try to use cultural practices and mechanical. Dutch Elm is treated with fungicide; that is the only one used annually.

Peter McConarty, Deputy Director DPW, applications done are done under commercial and application license, Parks Department staff are registered.

6. Sign Variance Application – Additional Freestanding Sign – Pier 37 – 88 Scranton Ave, Falmouth

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

7. Request for Sign Variance – Off-Premise Promotional Signs – Fresh Pond Holy Ghost Society – Portuguese Festivals located at 408 Carriage Shop Road, East Falmouth – Sunday 6/9/19; Saturday 6/22/19; Sunday 6/23/19; and Saturday 8/17/19

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

8. Vote April 2019 Town Meeting Article Recommendations

**Ms. English Braga motion approval of Article 16 as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**  
**Ms. English Braga motion approval of Article 20 as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

Articles 21-25 held, recommendation will be by the Planning Board.

**Ms. English Braga motion approval of Article 26 as printed. Second Mr. Patterson. Vote: Yes-5 No-0.**

**Ms. English Braga motion approval of Article 27 as printed. Second Mr. Patterson. Vote: Yes-5 No-0.**  
**Ms. English Braga motion approval of Article 28 as printed. Second Mr. Patterson. Vote: Yes-4. No-1 (Mr. Jones).**

**Mr. Patterson motion indefinite postponement of Article 29. Second Mr. Jones. Vote: Yes-5. No-0. .**

**Mr. Brown motion approval of Article 30 as printed. Second Mr. Patterson. Vote: Yes-5. No-0.**

**Ms. English Braga motion indefinite postponement of Article 31. Second Mr. Patterson. Vote: Yes-5. No-0.**

9. Individual Selectman Reports

Ms. English Braga suggested an agenda item to review sewer rates.

10. Town Manager's Report

Mr. Suso noted the Finance Committee meeting is tomorrow night. Route 28 Citizen Advisory Committee meeting and reported update of documents based on their recommendations and planning public meeting 3/10 1pm at Morse Pond School to talk with public further about their package of recommendations and proposals.

11. Review and/or Discuss Correspondence Received

**Ms. English Braga motion to adjourn at 11:09 p.m. Second Mr. Jones. Vote: Yes-5. No-0.**

Respectfully Submitted,  
Jennifer Chaves  
Recording Secretary