

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, APRIL 22, 2019
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

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

- a. Call to Order at 7pm by Chair Moran.
- b. Pledge of Allegiance
- c. Proclamations
 - a. Arbor Day – April 30, 2019
Proclamation in the packet read as a motion by Mr. Jones. Second Mr. Chair Moran. Vote: Yes-5. No-0.
 - b. Art Week – April 26 – May 5, 2019
Proclamation in the packet read as a motion by Mr. Brown. Second Chair Moran. Vote: Yes-5. No-0.
- d. Recognition
Ms. Braga thanked FCTV for the work they do for Town Meeting.
- e. Announcements
Notification of one-year moratorium by Board of Health on Glyphosate
Mr. Suso noted the Board of Selectmen has copy of the decision by Board of Health, continues to 3/21/2020 on municipal property only.

Ms. English Braga stated there will be more information coming in the next couple weeks regarding the Board of Health, Human Services, Falmouth Fire Department, Falmouth Police Department, Board of Selectmen, and Falmouth Substance Abuse Commission invite to the State legislatures to come hear from the community and education around sober homes. The goal is for public to have a discussion, make comments, get feedback, and interact with State Representatives and Senator.
- a. Public Comment
Marc Finneran, Precinct 6, Article 29 in Town Meeting, after Town Meeting he realized some of the presentation from the Water Department was in error. They cannot tell how much it costs to run it until all houses are hitched up to the sewer. We are the only Town in the country that deals with it the way they do. Mr. Finneran reminded all that 5/21/19 is Election Day and voter registration is open until 5/1/19.

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application for a One-Day Wine & Malt Liquor License – Coast Fest – Bandshell/ Marina Park – Saturday, 8/3/19
The applicant was present and explained the event. Mr. Suso will confirm that the Special Events Committee has approved.

Ms. English Braga motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.
 - b. Approve Application for a One-Day Wine & Malt Liquor License – Barnstable County Agricultural Society, Harvest Fest – Cape Cod Fairgrounds – Saturday, 9/28 and Sunday, 9/29/19

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

- c. Approve Application for Nine, One-Day All Alcohol Liquor Licenses – Falmouth Theatre Guild – Highfield Theater – Friday, Saturday and Sunday, May 3, 4, 5, 10, 11, 12, 17, 18 and 19, 2019

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

- d. Approve Application for a Motor Vehicle Class II License – Excel Auto Repair and Sales, 94 East Falmouth Highway, East Falmouth

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

2. Administrative Orders

- a. Approve Eversource Petition to Install One New 4” Conduit and Two Hand Holes on Hudson Street, South of Lake Leaman Road for Service to 48 Hudson Street

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

- b. Vote to Support House Bill No. 2881 and Senate Bill No. 452S Seeking a 5-Cent Deposit on Nip Bottles

Allen Robinson told the Board of Selectmen he is supportive of anything to reduce litter in Town. His concern is that the State legislation is seeking to redefine definition of a beverage and include nips that would be subject to the 5 cent return requirement. If this is done, will it preclude the Town from selling nips within the Town?

Chair Moran has been working with Representative Randy Hunt; he will have the State House counsel review. Town Counsel opined that this is something that would drive the Town reaction and may be appropriate to table until they have more information.

Barbara Schneider, Precinct 4 and member Falmouth Litter Reduction Team, has picked up trash and found 90 nip bottles in 2 blocks. Her concern is five cents will not change why people drink a nip and toss it out of the car. What would it cost redemption centers to redesign areas to take in another type of bottle?

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

- c. Vote to Approve Application to Massachusetts Dredging Program for a 2019 Massworks Grant in the amount of \$20,000 to Dredge Green Pond Channel

Harbor Master Greg Fraser noted the application is in the packet. This was successful last year; the county was not able to perform either grant in time, hoping this will be done this year. Can focus on inner channels in September, embayment dredging not usually done unless there is a problem. The situation as far as waivers has changed at the DEP, looks like they will not issue waivers unless dredging has begun and seeking waiver for project already on way. He is working with state legislative delegation to go back to the way it was done before.

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

- d. Vote to Approve License from the Town of Falmouth to Allow Eagle Scout Candidate Sam Mack of Boy Scout Troop 42 to Construct a Trail near the Falmouth Dog Park

Barbara Schneider, said that Mr. Mack’s family is out of Town and unable to be present tonight. Mr. Mack will update the Board of Selectmen to keep the Board of Selectmen informed. This is on recreation land, Mr. Mack went before the Recreation Committee and they voted to support it. He has met with DPW and Parks/Recreation Department, reviewed the plan, and staked it out, the dog park board and recreation department board are watching. If the Town does not charge for using it and it is not Town property, you use it at your own risk.

The Board of Selectmen will defer the question of liability if something happens on the Town owned land to Town Counsel.

Mr. Johnson-Staub will follow up with the Board of Selectmen' question about which the license would be granted to, because Mr. Mack is a minor.

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

- e. Approve Warrant for Annual Town Election on May 21, 2019

The Board of Selectmen noted that Precinct 2 is voting at Senior Center instead of the Recreation Center.

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

- f. Approve Expenditure from Historical Commission Account for Temporary Planning Intern

Ed Haddad, Chair Historical Commission, provided a PowerPoint presentation. Reviewed the project to evaluate significant buildings to evaluate whether they should remain or be removed. These are houses that the Commission has no purview over; the current list has over 650 listings. This is required by the demolition delay bylaw. During the 12 month period of delay, the delay makes someone who is thinking of buying a house to demolish it to think about whether it is really worth waiting the time to demolish. They also have option to request a waiver of the 12 months. It offers a cooling off period and allows the public to see if there is a public group that may want to prevent that building from being demolished. Reviewed the list of significant buildings. This is just for demolition because these are outside the historic district. Reviewed the requirements of the person who would do this including education, computer and research skills, car, estimate 100 hours at \$25/hr, Historical Commission earmark account current has over \$20,000 balance. A college student would be considered.

Mr. Jones motion approval of up to \$4,000. Second Mr. Patterson. Vote: Yes-5. No-0.

- g. Approval of Donation Funds for Senior Center Stone Veneer

Mr. Johnson-Staub noted the Building Committee is working, progressing well, on budget, and on time. The Building Committee talked about stone veneer that was shown on early concept design, they and staff would like the stone veneer.

Mr. Jones motion approval of \$59,000 from the donation account. Second Mr. Brown. Vote: Yes-5. No-0.

- h. Vote to Adopt and Execute Orders of Taking for Winthrop Drive and Capt. Davis Lane

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

3. Special Events

Recurring - Recommended:

- a. Cinco de Mayo Woods Hole – Quicks Hole and Landfall Restaurant - Luscombe Avenue, Woods Hole – Sunday, 5/5/19

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

- b. Woods Hole May Festival – Woods Hole Community Association – Taft Playground and Ballpark, Woods Hole – Saturday, 5/25/19

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

- c. Pedal to Parcels – The 300 Committee – Bike Tour of Conservation Lands in Falmouth – Sunday, 6/2/19

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

- d. Falmouth Art Market – Falmouth Cultural Council – Marina Park (bandshell side) – Thursdays, 6/13 – 8/29/19
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- e. Beach Worship Services – John Wesley United Methodist Church – Surf Drive Beach and Parking Lot – Sundays, 6/30 – 9/1/19 (except 7/14 and 8/18)
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- f. Autumn Escape Bike Trek – American Lung Association – Ride through Falmouth, stop at Surf Drive Beach – Friday, 9/27/19
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- g. British Beer Company Beer & Oyster Festival – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 6/2/19
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

New – Recommended:

- a. Walk for HOPE – Housing Assistance Corp – Village Green Start/Finish, Walk on Sidewalks – Sunday 6/2/19
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- b. Falmouth Kids Day of Play – Falmouth Rotary Club – Mullen-Hall School – Saturday, 6/8/19
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- c. British Beer Company Road Race Beer Garden – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 8/18/19
Ms. English Braga motion approval. Second Mr. Jones. Vote: Yes-5. No-0.
- d. Wings for Falmouth Families Carnival – Wings for Falmouth Families – Marina Park, Tuesday, 8/20/19
Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.
- e. Beach Wedding Ceremony – Insogna – Falmouth Heights Beach – Saturday, 8/3/19
Mr. Patterson motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.
- f. Beach Wedding Ceremony – Curran – Surf Drive Beach – Saturday, 8/10/19
Mr. Patterson motion approval. Second Mr. Brown. Vote: Yes-5. No-0.

PUBLIC HEARINGS

7:30 p.m.

1. 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), Continued from February 25, 2019

Applicant withdrew their application.

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), Continued from February 25, 2019, March 11, 2019

Hearing Notice read by Chair Moran.

Jonathan Polloni, representing the applicants, noted he submitted a packet including 2 full size copies of the proposed project to open attic space, they are seeking to add 2 bedrooms, not 3. Long-time residents of Falmouth, family has expanded and they would like extra space. They followed through the request for variance process and received a letter from the Wastewater Superintendent that stated there was additional capacity in system for these flows and indicated a precedent she was concerned about setting regarding recent sewer line in the LPSSA. Many of those lots are very small, so questions come up when looking at lots of that size that represented obstacles that are not present here. The Board of Health made positive determination that a Title V system could be put on the property. This lot is 10,000 square feet. This

proposal meets the bylaw requirements. Now there are 3 toilets, he will update with low flow faucets and toilets. He is aware of the projected use the Town is looking at in the future and understand the horizon, but believes the concerns had over how much they will add to it are unfounded, it will not be that much flow added.

Mr. Brown noted guidelines include for the public good and Town priorities. The Town has limited discharge ability, so they are trying to prioritize. Focusing on Main Street so they make sure they have enough for that area.

Mr. McGrath explained under Title V a modified house is considered a 4 bedroom house. The Board of Health approved it and it does not matter what the rooms are labeled, Title V says if more than 9 rooms, divide by 2 and round up.

Amy Lowell, Wastewater Superintendent, addressed the Board of Selectmen; she issued a memo in response to the applicant's representative saying there is sufficient capacity for individual house to make this small expansion. At the initial hearing, she felt she needed to respond because of the context. This is an individual application; her understanding was lot size is a little less than 9,000 square feet, which is bigger than many lots in Maravista and Falmouth Heights areas. Primary concern in the memorandum was to outline things to consider regarding precedent in the future: 1. Provision in Title v that allows to count the bedrooms, to Ms. Lowell that may work for Title v but defeats the purpose of the bylaw, which allows expansion up to 4 bedrooms by right. If someone wants to go beyond that, there is a variance requirement, if that was requested on significant basis in LPSSA that would exceed the waste water flow planning numbers in that area. She would not see this part of Title V as applicable under flow neutral bylaw and average flow and how it is lower than Title V numbers. The sewer system has to look to peak flow; Title V systems are designed to accommodate peak flows, same with the sewer system. Peak flows are relevant. This lot is slightly bigger than those in Maravista and the Board of Health made the determination that a Title V system could be sited there to accommodate the flow. She does not think it is appropriate for average flows to be used to review these requests and does not believe halving of bedrooms is appropriate.

According to Mr. Johnson-Staub, the Board of Health reviewed the plan for 7 bedrooms.

Steven Gellis, property owner, told the Board of Selectmen there will be the same number of people there this summer, just more comfortable. The plan had a bathroom added to it as well.

Mr. Johnson-Staub noted low flow toilets are helpful gesture, but it is unknown how the Town could enforce it.

Public comment: none.

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

Mr. Jones stated if a Title V system would support 7 bedrooms, he would support this variance.

The Board of Selectmen discussed using conditions to look at specifics such as long-time homeowners, list of priorities, and need to look at individuals who are taxpayers/homeowners.

Mr. Brown expressed concern about short term rentals, he considered asking those be excluded. He likes the project, even though he was hesitant, he would like to support it.

The Board of Selectmen made the following findings: 1. There is capacity at the Wastewater Treatment Plant. 2. The Board of Health said the Title V supports 7 bedrooms. 3. The applicant will use low flow appliances. 4. This does not create a hardship for the neighbors. 5. The Board of Selectmen is pleased to see the reason for expansion is to accommodate additional family members per testimony of the property owner.

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

8:00 p.m.

3. Wetland Hearing – Thomas Dmytryck – Remove licensed float and install a new pile-supported pier and pile-supported boat lift in Eel Pond, located at 53 Madeline Road, East Falmouth (continued from March 25, 2019 to April 22, 2019 at 7:30 p.m.)

Chair Moran read the hearing notice in the packet.

None present.

Ms. English Braga motion to continue to May 6, 2019 at 7:30 p.m Second Mr. Jones. Vote: Yes-5. No-0.

8:15 p.m.

4. Water Rate Hearing (continued from March 25, 2019 to April 22, 2019 at 7:45 p.m.)

Steve Rafferty, Water Superintendent, noted Board of Selectmen has example motion in the packet. This is to ease in over the next three years.

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

Mr. Jones motion no increase on the sewer rate. Second Ms. English Braga. Vote: Yes-5. No-0.

8:20 p.m.

5. Application for Transfer of a Wine and Malt Liquor License, Common Victualler License, and Automatic Amusement License – New England Authentic Eats, LLC. d/b/a Papa Gino's, 56 Davis Straits, Falmouth

Chair Moran read the hearing notice in the packet.

Christine Coulture, Manager, change beer and wine license. Falmouth Police Department has no issue with this request. Falmouth Fire Department noted no issues with request.

Public Comment: none.

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

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

6. Application for Transfer of Wine and Malt Package Store License – Wild Harbor General Store, Inc. d/b/a Wild Harbor General Store, 200 Old Main Road, North Falmouth

Chair Moran read the hearing notice in the packet.

Caroline Gabriel present, new owner manager of the establishment. Falmouth Police Department have no issue with the transfer.

Public comment: none.

Mr. Jones reminded the applicant that any violation of sale of alcohol to someone under age is her responsibility whether there or not.

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

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

8:30 p.m. BUSINESS

1. Woods Hole Oceanographic Institution (WHOI) Update – Colin Reed and Mark Abbott

Mark Abbot, President of WHOI, provided WHOI's impact in Falmouth, the second largest employer in the area. Reviewed their land use and ships. Reviewed their two campuses and pictures. Important role in area economy, about \$150,000 million and \$47 million spending across 650 MA companies. Reviewed

their impact on the blue economy. Reviewed In Kind partnerships and sponsorships they do that make them a good neighbor. The work ahead includes continue open communication, expand areas of opportunity of mutual interest, long term financial stability and strong local economy while supporting environmental stewardship, affordable housing, and ethnic diversity.

Chair Moran noted they appreciate how WHOI makes Falmouth special, it is an attraction to visitors, provides jobs, and there are many existing partnerships with WHOI employees who are on voluntary boards.

Ms. English Braga noted the Affirmative Action Committee was talking about ethnic diversity and how we make the community welcoming.

Mr. Jones stated that the School Street parking lot is a disaster, all that pavement where there were trees and bushes, it is very disappointing.

Mr. Patterson noted WHOI staff bring much artistic talent to the community.

Mr. Brown noted the success of Science fair at the FHS at which WHOI employees participate.

Mr. Suso noted Seaport Economic Council collaborative work, the Town and WHOI recently received a \$1 million grant in furtherance of the planning on the island dock that is designed to accommodate the anticipated sea level rise.

2. Interview, Vote and Appoint Committee Members:

a. Cable Advisory Committee

Robert Mascali

38 Oxbow Road, Teaticket, interested in this committee, member of Commission of Disabilities, he will resign that position and would like to volunteer for this position. His experience as a practicing attorney in private and public sector would be helpful. He is current president of the Rotary Club of Falmouth.

Diane Jemmott

Jones Rd., retired back to Falmouth after growing up here. She learned about the need of this committee, it is an area she has done some work. She was government relations professional, lobbyist. Worked for a county and ran office of Citizen and Community Affairs, took complaints, worked with the cable operator, outages, awful services, she got engaged in how things could be improved and how the county could help the cable operator be a better service provider and help the public understand. She got involved in recertification process along the lines of what will happen here in Falmouth. Cable function is important, FCTV operates public access television, and there is an important issue that will require thoughtfulness.

Jay Zavala

He offered his thoughts in writing to the Board of Selectmen due to illness. The Board of Selectmen is familiar with Mr. Zavala and his work in this area and beyond.

Ms. English Braga motion to appoint Mr. Mascali to a term ending 6/30/19. Second Mr. Patterson. Vote: Yes-5. No-0.

Ms. English Braga motion to appoint Ms. Jemmott to a term ending 6/30/21. Second Mr. Patterson. Vote: Yes-5. No-0.

Ms. English Braga motion to appoint Mr. Zavala to a term ending 6/30/21. Second Mr. Patterson. Vote: Yes-5. No-0.

b. Energy Committee

Matthew Patrick

Mr. Jones motion to appoint Mr. Patrick to a term ending 6/30/20. Second Mr. Patterson. Vote: Yes-5. No-0.

c. Human Services Committee –

Lawrence Langer, Ph.D.

Dr. Langer has been a psychologist for over 40 years, reviewed his resume. In MA since 1978, property owner here for 20 years. Resident of Falmouth for 3 years. Worked in and part of mental health facilities in PA and MA, including inpatient, outpatient, HIV outpatient program, assistant professor at UMASS Medical School. Helped residents better understand mental health issues and general interviewing techniques. Over the last 14 years he has been consultant to the Disability Determination Services regarding level of disability and whether they can receive funding from the SSA. Recently retired, read summary of the report from the Human Service Committee, aware of the areas that are deemed essential: housing, people leaving the area, mental health services, and substance abuse. Sat in on some meetings of the committee and feels he has a lot to offer.

Mr. Jones motion to appoint Dr. Langer to a term ending 6/30/20. Second Ms. English Braga. Vote: Yes-5. No-0.

- d. Zoning Board of Appeals –
Gerald Potamis

James Morse

545 West Falmouth Highway, Precinct 6, he is an attorney and has been in Falmouth for 6 months. He has been an attorney for 12 years, was a Martha's Vineyard Police Officer for 20 years and acknowledged he made a professional mistake and it caused him his professional career, he was disciplined for violating department rules and regulations. He is familiar with purview of ZBA.

Mr. Patterson motion to appoint Mr. Potamis to a full member term ending 6/30/20. Second Mr. Jones. Vote: Yes-5. No-0.

Mr. Patterson motion to appoint Mr. Morse to an associate member term ending 6/30/21. Second Mr. Brown. Vote: Yes-4. No-1. (Chair Moran)

3. Aquaculture Plan Presentation for Falmouth Estuaries

Chuck Martinsen, Deputy Harbor Master, reviewed plan goals to improve water quality and maintain estuaries so we all benefit. Looking to create a community benefit, and facilitate opportunities for local aqua farmers. Reviewed municipal projects since 2015 including Snug Harbor Reef, Waquoit Bay, Bournes Pond, Little Pond Farm. They are at about 12,000 hours of volunteer time for these projects. Plan drafted in 2017 looking at how much nitrogen has to be removed from the estuaries and how this can be done with aquaculture. Moving forward with pilot project, which can address Eel Pond and 400kg of nitrogen or 63 sewer connections. Take a small project and see if they can make it work, if it works they may be able to apply it in other areas of Town. Aquaculture can be much less expensive than sewerage areas. Areas of the pilot project include three areas of Washburn Island, he reviewed the 3 locations. When working through the pilot, he heard concerns from the committee and they were able to address those issues. Recommendations to the Board of Selectmen will be hope the Town will select sites for increased aquaculture with minimized impact to those using the impact areas. Licenses issued to the Shellfish Constable/Harbor Master, which would be transferred to private growers selected through a competitive process. License to private growers contingent on demonstration of reasonable effort to achieve nitrogen removal target. Aquaculture resource rental fees were reviewed, the Town can offer resources for rent to the growing public for a rental fee that would ultimately be for certain items. Timeline was reviewed via PowerPoint presentation. Hoping the Board of Selectmen awards licenses to private growers by sometime in June/July 2019.

Requesting to update the aquaculture plan by Town consultants and seek Board of Selectmen approval to proceed to adopt policy aquaculture within the estuaries at a future meeting, have future license hearing, and fee hearing.

Work would be done in shellfish and there could be increased benefits from seaweed. They do not want to impact the bottom. Hoping to get eelgrass back, so need to be cautious how they affect that.

Access through the farm area needs to be provided so small boats can access the land, they will move away from island to limit affecting the soft shell clam areas. They will have more community meetings regarding what is going on.

According to Mr. Johnson-Staub one reason this took more time is because there was desire to create a benefit for the community and for recreational/commercial wild harvest shellfish harvesting. That is why this rental fee is important, that they demonstrate the amount of shell fishing available to wild shell fishing.

Chuck noted scalloping. Put out questionnaire to recreation permit holders and gave to the advisory board, they heard people want more scallops, they will double the amount they grow this year and started a scallop seeding program in Falmouth waters and use Little Pond to raise them.

Mr. Jones motion to give the Committee approval to proceed as they see fit. Second Mr. Brown.

Vote: Yes-5. No-0.

4. Falmouth Affordable Housing Fund: Carla Feroni is not able to be here tonight.

- a. Vote Falmouth Affordable Housing Fund Guidelines
Ms. English Braga read the fund guidelines in the packet.
Mr. Jones noted the Trustee is the Board of Selectmen.

Ms. English Braga motion approval of the guidelines and they still apply. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones noted a letter expressing the work Ms. Feroni has been doing as the first Housing Coordinator ever. She needs to be commended. The CPC funds this position according to Mr. Patterson and it should put it in the operating budget, Mr. Suso noted that has been their plan.

- b. Falmouth Affordable Housing Fund Overview
Mr. Johnson-Staub reviewed a 2 page document in the packet, wanted to highlight there are significant projects approved to date and those are the Falmouth Housing Corporation including Little Pond Place and the Board of Selectmen will look at approving the lease next week and break ground in May 2019. Another project at 87 Gifford 10 units, Falmouth Housing Trust 65,000 for single family home, Megansett Crossing 10 apartment units. 2 pending requests and they will hear from one tonight, timeline for Brick Kiln Apartments was received and recommended to CPC, the CPC recommended approval of that project which was described as a 20 affordable rental units at 123 Brick Kiln Rd., recommendation from working group and CPC is \$650,000 and additional \$325,000 subject to future appropriation. Clipper Ship Apartments will add to theirs, it is expedited because the grant deadline is for the end of April.

Mr. Patterson noted the developers will put the infrastructure in for the development, but may not build all units right away. That was rational for the larger amount of money up front. Also need the ongoing operation of the subdivisions and monitoring how well these projects are managed.

Mr. Brown suggested an agenda items for the joint meeting next Monday to address monitoring long term.

- c. Authorize Expenditure of up to \$12,000 for Legal and Financial Assistance Expenses
Mr. Johnson-Staub noted these are complex transactions and in house counsel has requested outside counsel to expedite the production of legal documents and financial review.

Mr. Jones motion the Board of Selectmen acting as the Trustees for the Falmouth Affordable Housing Fund authorize \$3,000 for each project up to \$12,000 total. Second Mr. Patterson. Vote: Yes-5. No-0.

- d. Presentation and Vote Fund Request from Northstar Place LLC for 123 Brick Kiln Rd., East Falmouth
Nick Marioni (phonetically) representing Northstar Place LLC for a development located between Jamie and Sophie Lanes, to include 20 units in 10 duplex buildings. Approved by comprehensive permit in 10/2017 required 5 affordable and 15 market rate units. They met with the working group, led to approval that went to the CPC and now to the Board of Selectmen. Units are on a cul-de-sac road, 2-3 bedroom, extra parking for each unit, underground utilities, and noted this is addressing need of rental housing.

Mr. Brown stated this has been through the Planning Board for. Letter from a citizen was received asking about multiple grant sources so that the Town gets better value for the money the Town puts in. Marioni noted they have conventional financing that works for now, gets it built. The permanent financing for rental projects will be through MA Housing.

Mr. Johnson-Staub noted the Board of Selectmen should have had more info in the packet, shows more of the financial details.

Chair Moran noted consideration of more units being in the Town's best interest. Partnering allows the Town to spread it out more.

Ms. English Braga noted you need to look at what the product is, what need does it serve. Rentals are a deficit in the community. Those are the pieces that are helpful to know.

Recommendation from working group is \$650,000 and additional \$325,000 subject to the additional funds being available.

John Druley, Working Group, \$65,000 is for each additional unit units, so this applicant needs to do 5 units and offered deed restriction on 15 units, so all are affordable with deed restriction. Another application has been received, but it has not been reviewed yet.

Ms. English Braga motion approval by the Board of Selectmen acting as Trustees of the Falmouth Affordable Housing Fund \$650,000 with the additional \$325,000 subject to available funds for this project. Second Mr. Jones. Vote: Yes-5. No-0.

5. Vote to Approve Request for Waiver of Special Event Permit Fee:
 - a. Falmouth Farmer's Market

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

- b. Falmouth Art Market

Ms. English Braga motion approval for permit reduction to \$300. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. John Wesley United Methodist Church Sunday Beach Worship

Ms. English Braga motion to reduce to \$262.50 permit fee. Second Mr. Patterson. Vote: Yes-5. No-0.

6. Approve 2019 Annual/Seasonal License Renewals:

Lodging House License

Elizabeth Hathon, 165 N. Falmouth Highway, N Falmouth
Woods Hole Passage, 186 Woods Hole Road, Falmouth
Inn on the Sound, 313 Grand Avenue, Falmouth

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

Second-Hand Dealer License

Cape Cod Gold & Silver Coin, 424 Main Street, Falmouth
Cash Point, 350 East Falmouth Highway, East Falmouth
Falmouth Service Center d/b/a Hand in Hand Thrift Shop, 141 Sandwich Road, East Falmouth
Falmouth Stamp & Coin, 11 Town Hall Square, Falmouth
Fay's Gallery, 556 Main Street, Falmouth
Hannoush Jewelers, 352 Main Street, Falmouth
Home Again, 93 East Falmouth Highway, East Falmouth
St. Vincent de Paul Thrift Shop, 18A Davisville Road, East Falmouth
Uncle Bill's Country Store, 412 N Falmouth Hwy, North Falmouth
Village Lamp Repair Shoppe, 628 West Falmouth Highway, West Falmouth

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

Bowling Alley License

Ryan Family Amusements, 23 Town Hall Square, Falmouth

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

7. Discussion of Make-up and Structure of a Poor House Working Group

What the options are and what would be a good makeup for the working group.

Mr. Suso reminded the Board of Selectmen that in January he committed to Edward Haddad that he would share with him and seek his review and comment from Historical Commission of activities related to this building. Mr. Suso's intent was to have the Historical Commission act as the working group. Is the Board of Selectmen comfortable with that template continuing? Any other interested parties could participate in the public meetings held by the Historical Commission in that forum.

Chair Moran said they could have the Commission represented on the working group and Ms. English Braga noted that there has been so much from the public about this property, it warrants the working group.

Ed Haddad, Historical Commission, long term complex project due to age, preservation restrictions, and any design plan would be what is the ultimate use. Idea of different parties as part of a working group makes sense.

Susan Shepherd, Precinct 1 and member of Preservation Alliance, in favor of having the building restored and agrees with the approach. Need a builder, local people, and a number of people who were involved in working on the building in the past.

Holly Wilson, Precinct 2, member Human Services Committee, hopes the working group would include presentation from that group. She is in favor of having the building restored but would also like to see it function in a way to benefit the Town and used as it was in the past.

Mr. Suso reminded that Human Services Department has been voted by the Board of Selectmen to be in the main level of the Marks Building and that is underway with an architect.

Mr. Suso needed to know if it will be a Board of Selectmen committee or Town Manager appointed working group.

Ms. English Braga thinks it should be Board of Selectmen appointed committee because of the public interest.

Mr. Jones does not want a Board of Selectmen appointed working group, if it is a working group appointed by the Town Manager, they could have one of the Board of Selectmen appointed to it.

Makeup of the group was discussed: builder, Board of Selectmen, staff, Historical Commission, a couple community members, Human Services, working appointed by town mgr would need to report to the town mgr.

Ms. English Braga motion to create a working group appointed by the Board of Selectmen with no more than 7 members. Second Chair Moran. Vote: Yes-3. No-2 (Mr. Patterson and Mr. Jones)

Ms. English Braga motion that the makeup would be 1 member from the Historic Commission, 1 Finance Committee, 1 CPC, and 4 at large positions for a total of seven. Second Mr. Patterson. Mr. Jones amended removing the CPC and including 5 at large members. Vote: Yes-5. No-0.

Charge of the committee will be a future agenda item.

8. Minutes of Meetings:

a. Public Session

November 19, 2018

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

March 25, 2019

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

April 8, 2019

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

April 9, 2019

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

- b. Review of Executive Session Minutes and Vote to Release
No vote was taken, the Board of Selectmen will consult with Town Counsel.

9. Individual Selectmen's Reports
Mr. Brown:
Attended meeting in New Bedford the MA Development and Marine Operations Manager, initial consultant looked at the state pier, they have more concerns about the bulkhead condition, that wall has failed and all that holds it in place is the failing pier. The North Terminal is permit ready and more likely if any NB freight was to be done.

Mr. Patterson:
Attended Town Meeting

Chair Moran: announced invitation to Eversource announcement 4/24/19 at 11 am parking lot outside MBL Swope Center to mark install of electric vehicle charges at MBL and WHOI. Municipalities and businesses can apply for these through Eversource.

10. Town Manager's Report
Reminded all that the Board of Selectmen gathering with Town boards and commissions will be on Wednesday at the Falmouth Yacht Club and posted as a Board of Selectmen meeting.
The next regular Board of Selectmen meeting will be held on 4/29/19 special business meeting regarding the drug court and joint meeting regarding affordable housing.

Thanked Jeremiah Pearson and DPW for work this last week at Town Hall.

11. Review and/or Discuss Correspondence Received

Ms. English Braga motion to adjourn at 10:50 p.m. Second Chair Moran. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary