

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
MONDAY, FEBRUARY 10, 2020
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

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

1. Open Session called to Order by Chair Braga at 6 p.m.
2. Pledge of Allegiance
3. Proclamation – 100th Anniversary – League of Women Voters Day – February 14, 2020

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

Sylvia Szulkin, Chair Steering Committee of the League of Women Voters and expressed gratitude to the Board of Selectmen (BOS). They support active participation in the government. Two weeks after League was founded, the last arrests of suffrage were still taking place in MA. Nonpartisan organization, more than 500 chapters across the U.S. and men are also active members of the league. All are welcome.

BUSINESS (PART 1)

1. Interview, Vote and Appoint Committee Members:

NOTE: Applicants will have 2 minutes to introduce themselves, followed by questions by the BOS.

- a. Citizens Advisory Committee – Future Fire Station(s):

The BOS reviewed the mission, it is not a closure of West Falmouth Fire Station, the mission will be looking at how many fire stations we need in Town and where we should be looking.

Chair English Braga reviewed the draft mission of the committee to consist of 9 members, convene meetings, organize meetings, complete meeting minutes, and post agenda. The committee will review background information in the final report by the contractor hired by the Town. Supplemented by input and information provided from FFD Chief Small, Mr. Suso, and other Town staff and citizens. Final recommendation on 1 or more feasible sites for fire station.

The BOS noted there were originally 27 total applicants, 3 have withdrawn. Nine will be appointed.

Dan Mahoney

Lives near Old Silver Beach, he applied as soon as it was advertised and wants to give back to the community and the first responders who saved him years ago when he went off a roof. Important to have well trained firefighters and in the location most applicable to many people as they can. Mr. Mahoney worked in municipal service as supervisor for 32 years.

Alden Cook

Retired firefighter/paramedic and involved with FFD since 1973, he is interested in its operation and wants to ensure all citizens are served equitably with equipment and correct number of people are on staff to operate the equipment.

Patricia Johnson

Lived in Falmouth for 38 years on Wild Harbor Road, active Town Meeting Member for 35 years. Ms. Johnson has served on boards that searched, evaluated open space, and made recommendations to Town Meeting. She also encouraged the bike path extension to North

Falmouth. Good listener, build consensus and support the decision. She has biked almost every road in Falmouth, has a good idea of what it looks like. She has supported the idea of a new fire station in North Falmouth, attended the hearing at West Falmouth Library last fall and BOS recent forum at the FHS. This committee's recommendation will increase response time to her home, she understands the focus of the committee to find suitable location that will benefit all in Hatchville, North, and West Falmouth communities. She has the time to work on the committee.

Marc Finneran

One of the first applicants and he has been interested for a long time. About 12 years ago he saw the study for the Hatchville Fire Station and placement near Ranch Road. In 2013/14, he asked General Steel for pictures of fire stations they had built across the station. He is a proponent of saving money. He lives in Precinct 2 in family home since 1933, property in Teaticket and Maravista, member Falmouth Heights/Maravista Association and would like to be part of this committee.

George Rogers

Resident for 1.5 years in Teaticket, 35 years in fire service as a firefighter/EMT, 5 years as Fire Chief, and on the Homeland Security Council in SE MA. He spoke to Chief Small, who indicated he may need some help. Mr. Rogers from a similar size community, got safer grant for his fire department. Currently Program Manager at National Grid. He will bring his experience as a firefighter and background with a different perspective.

Oliver Egleston

Retired architect and his skills/experience may be of value, 90% of work of an architect is decision making and making choices. This is done by evaluating alternatives against criteria, which is often in conflict. The committee will need to consider alternatives and there may be tension between criteria. He would be happy to serve. He is familiar with schools and institutional buildings including hospitals and universities. He served on the West Falmouth Library Board for 8 years, he has also served on the West Falmouth Village Association and others.

Patricia Favulli

50 year resident of Falmouth, grew up in East Falmouth, now resident of Precinct 8. She is interested in what they will do. The whole Town needs the service of the committee, she knows the parcels available. Reviewed her memberships on committees, familiar with budgets and financing.

Mark Lowenstein

West Falmouth resident, his goal is equitable services to all. His professional background includes being an attorney, high tech executive, and college professor; he brings analytical and business skills to this group. It is important to have good services for all and the FFD is a critical part of that.

Wayne Lingafelter

Reside in E. Falmouth. He is interested because he had 35 year career in commercial real estate and experience with site selection, understands how the committee needs to work with community organizations and consultants, then report the information. He has critical thinking skills necessary and communication is a strength of his; he also brings an independent mindset. He would like to come away with an independent and well-reasoned recommendation.

Charles Olson

43 Hudson St., Falmouth Heights, an EMT and teaches CPR; sensitive to needs for rapid response. He has an open mind and would like to offer his time. He has been on Recreation Committee in the past.

Edward Schmitt

Lives in northwest corner of Hatchville, served on the Conservation Commission for 10 years, CPC, and now on the Coastal Resiliency Action Committee. He believes there is a wealth of very talented people and appreciates the fire fighter experience. New faces are encouraging as well. He is not available until April 2020. He will be actively providing input and ideas.

Michael Heylin

162 Clifford Lane, he is involved in Recreation Committee, helping Senior Center, and the new FHS fields. Holds an engineering degree and a Masters in Business. He has been working with another town trying to build a public safety building. He would like to use his experience to find a location that suits the needs of the community. He makes his voice heard, will make sure the best thing happens for the community. He runs a television station in Raynham and worked with town departments to get designs and worked with the town engineer and architects. He facilitates communications, helps the Town Building Inspector when he needs help with communication.

M. Reginald Soares-withdrew

Joseph Voci

Grew up in Silver Beach, he felt compelled to apply. 20 years ago they had a house fire, first responder was from Mashpee FD. Bourne was the first responder when there was a medical emergency. He is concerned about that area of Town getting services. He is retired after working in the restoration business for 35 years. Has the time to put into it and expertise. He is familiar with all the villages in Town.

Maureen Harlow-Hawkes

Familiar with the entire Town and would like to assist in getting same protection and response time for all.

Todd Taylor

West Falmouth resident, retired firefighter, served Falmouth for 37 years, and would like to continue his service on this committee. Retired for 2.5 years, he is concerned about the community's safety.

Michael Duffany

He has had interested for a long time, was a call firefighter in West Falmouth. His concern is response time and he sat on previous committee. He would appreciate the opportunity.

Frank Brian Keefe

East Falmouth resident, Precinct 4 Town Meeting Member, on the Rules and Procedures Committee, subcommittee on electronic voting response system, and a Boy Scout Pack 39 Scout Leader. He worked in pharmacy contracting, then into pharmacy supply chain, which has similarities to assets available, asset demand, and transit timing. He brings a familiarity with tools they can leverage from business intelligence. There are many different areas of Town that could use help, if this is not done right, then taking things out of sequence.

Matthew Handley

710 Thomas B. Landers Road, brings diversity and practical experience to the issue. He is a tradesperson, his company works on fire apparatus. He wants to make sure the station is sited properly. He understands the proper siting of a station, type of equipment, response time, and the type of roads. He worked in Boston in building trades, was a Construction Supervisor, reviewed his experience in that area. He can help the Town have a proper station and make the most of money. He has volunteered in Guatemala, volunteered his time in recovery operations during volcano eruption.

David Haddad

Town Meeting member since 1997, on the ZBA, the BOS knows how he conducted himself on the ZBA. Retired from Barnstable County Sheriff's Office, fire safety officer, call firefighter/EMT in the 1980's, served as civilian dispatcher, saw all operations of how the fire department works. He lived on Blacksmith Shop Road, owns business of Thomas Landers Road, and now lives off John Parker.

Stephane Cattin

Has lived in Hatchville for about 4 years, background in fire service, just retired from Salem, NH as shift commander/captain/paramedic. He has a good working knowledge of the fire service. One advantage is he can bring a fresh set of eyes into this issue. He attended the FHS meeting, this can be an emotional issue for people, and he can provide more of an analytical and objective

view of the issue. It is important to stay focused on mission, look at data and site feasibility and make the best decision to allocate resources to do the most good. He has been looking for opportunity to serve the community and this caught his eye because his background may benefit the Town.

Sallie Riggs Corgan

Chair English Braga noted she is not present tonight, lives in the Knowles area, multiple membership on committees. Tax payer for 29 years, retired and has much time to contribute upon her return to Town on 3/16/20.

Annie Hart Cool-withdrew

Lawrence "Michael" DeMello

Lives on Hayway Road and has lived in Town all his life, retired firefighter. Brings some construction skills, his concern is safety of the entire community.

Michael Stuart

Provided the BOS with a document.

17 year tax payer, moved here from Weymouth. Many different communities similar to Falmouth. He raised his family in Weymouth. One of his children had seizure at 1 and needed med flight. He was Chair of Fair Housing Commission, Co-chair School Building Committee, and Town Meeting Member. He has real estate and insurance background that would assist with the siting of a new station.

Kurt Raber

Resident for 24 years, volunteered in little league and lacrosse. He is an architect, has overseen construction of 7 fire stations. Familiar with response time computer programming and analysis; he is confident he can help. He has worked on at least 40 municipal projects.

Chair English Braga listed the villages represented by the applicants.

Ms. Moran values direct information and experience about firefighting process, time, and rescue. Helpful to transfer that information in a way that the general public can understand. Also values the ability to move forward with committee agendas for a quick process, new volunteers bring ideas that others have not heard before.

Mr. Jones noted village representation and there are no applicants who represented Woods Hole and Waquoit, but he is okay not waiting for them.

Mr. Brown motion to appoint Todd Taylor. Second Ms. Moran. Vote: Yes-5. No-0.

Ms. Moran motion to appoint Alden Cooke. Second Mr. Jones. Vote: Yes-4. No-1 (Mr. Patterson).

Mr. Jones motion to appoint Maureen Harlow Hawkes. Second Ms. English Braga. Vote: Yes-2. No-3 (Ms. Moran, Mr. Brown, and Mr. Patterson.)

Ms. Moran motion to appoint Patricia Johnson. Second Mr. Brown. Vote: Yes-5. No-0.

Ms. English Braga motion to appoint Dan Mahoney. Second Mr. Jones. Vote: Yes-3. No-0 (Mr. Brown and Mr. Patterson.)

Ms. Moran motion to appoint Michael Duffany. Second Mr. Patterson. Vote: Yes-3. No-2 (Ms. English Braga and Mr. Brown.)

Mr. Jones motion to appoint George Rogers. Second Ms. Moran. Vote: Yes-5. No-0.

Ms. English Braga motion to appoint Mark Finneran. Second Mr. Brown. Vote: Yes-4. No-1 (Mr. Patterson.)

Mr. Jones motion to appoint Stephane Catlin. Second Mr. Patterson. Vote: Yes-4. No-1 (Mr. Patterson).

Mr. Patterson motion to appoint Patricia Favulli. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Suso asked that all successfully appointed provide email address to the Town Manager's office and they will receive communications for suggested first meeting date.

Public Comment:

Walter Bennett reviewed an exhibit he made for Chief Rogers, he drew 3 mile radius from each fire station in Falmouth. The area 4 is large, 6 miles from center point, if that station is closed, there is nothing between Bourne and Main Street if North Falmouth station is on a run. He is concerned about it for those folks who live in that area. He further noted that station could have two pieces of apparatus in it, because when North Falmouth is out and West station is in East Falmouth, this same area is not covered.

Joe Netto, 72 year resident of E. Falmouth, asked the BOS to resolve the issue of the W. Falmouth fire station before Town Meeting. Public safety is being jeopardized and concern to all citizens. It is BOS elected responsibility to set policy under the Charter. He would like to keep the station open. A couple applicants of the committee noted that all the citizens of the Town be protected equally. Falmouth is made up of villages, each village is unique, but no village that should have less services starting July 1. The contract the BOS signed does not close that station, BOS has the responsibility to protect the citizens of N. Falmouth.

Alia Franton, Old Main Rd., W. Falmouth, Precinct 5 Town Meeting Member, representing a group of citizens and concern about Palmer Ave. and Main Street at village green, near the Bank of America. She made proposal to Traffic Advisory Committee, it was then passed to the State. Propose cobblestone or physical median triangle with stop line where Palmer St. drivers need to turn left onto Main Street. Provided a copy of the proposal she made to the Traffic Advisory Committee. She provided a petition with signatures from residents and visitors.

b. Bicycle and Pedestrian Committee:

Neel Aluru

He has been a resident for 11 years, regular user of bike path and sidewalks and would like to serve the Town. He attended meetings 8-9 years ago.

Ms. Moran motion to appoint Martha Pendergast to a term ending 6/30/22. Second Mr. Patterson. Vote: Yes-2. No-3 (Mr. Brown, Mr. Jones, Ms. English Braga.)

Mr. Jones motion to appoint Neel Aluru to a term ending 6/30/22. Second Ms. Moran. Vote: Yes-4. No-1 (Mr. Brown).

c. Commission on Substance Use:

Samantha Bauer

Received no place for hate Falmouth civic engagement award. Inspirations Everywhere.

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

2. Recognition

Mr. Brown noted the passing of Leslie McDonald who was active in Town.

Mr. Brown noted the passing of a young man in tree trimming accident last week and wished his family the best.

3. Announcements – Update on Pending Temporary Closure of John Parker Road

Mr. Suso noted Jim McLaughlin present regarding the closure update.

Jim McLaughlin, Town Engineer, said the closure was applied for a street opening by the contractor. The lower bog section of the river was restored back to natural channel, he reviewed a PowerPoint presentation. They are restoring the middle and upper bogs, also replacing existing 3 24' culverts that run under the road. When project completed, it will be a 24' span across the river. Explained the structure and utilities that will be replaced. Once old culverts removed, a couple of footings on each side will be installed, river bed restored with stone, and a natural river bank above. Precast structure placed above that; 6 total footings as demonstrated on the plan reviewed. Contractor has a road closure plan with detour that will run from Rte. 28 to Oxbow, then to Sandwich Road and where John Parker meets Sandwich Road. They will install electronic signs at each end, both sections will be open to local traffic. Foot traffic will not be able to access the construction site areas. Proposal is to close it from 2/24 -4/15/20 and involves putting in a bypass and then the work is to be done.

Mr. Suso noted coordinating with police, fire, and school transportation department. It was originally suggested to be 90 days, it is much less than that.

Senior Center Grand Opening will be 3 to 5 pm on 3/20/20 and all are invited to attend.

4. Public Comment

Mark Finneran, Solid Waste Advisory Committee, explained that 15-25% trash picked up at curb is food waste, if it can be removed from trash, the Town can save money. Mary Bunker Ryther, Compost with Me, is holding informative sessions Wednesday 7 p.m. at Gus Cauty and Friday at noon to learn how to compost at home.

Terri Jewett asked if anything was done on Fire Dept. She noted question about taxes a few weeks ago, she has been to meetings and listened, seems like the BOS votes and no one goes against. The woman also stated that asbestos was a bad thing and is aware it is being corrected by the Town. Chair English Braga noted the BOS cannot comment.

SUMMARY OF ACTIONS

1. Licenses

- a. Vote to Approve Shellfish Aquaculture License – Matthew Weeks – 4.99 acre area in waters of Nantucket Sound offshore of Washburn Island
Matthew Weeks explained species growing on the site, it was subspecies discovered of clams that were in the waters, and they used to be further south. They grow better in warmer waters and more likely to be successful for the culture. Decreased the size of the sites from 7.5 acres, but when time to pay the nature species fee, they wanted \$1,000 because it was over 5 acres, so he went with smaller acreage.

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

- b. Application for a Change of Hours for an All Alcoholic Common Victualler License – East End Tap, Inc. d/b/a East End Tap, 734 Teaticket Highway, East Falmouth

Paul Pendleton, owner/manager, requesting opening 10 a.m. to accommodate a brunch on Saturday and Sunday.

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

2. Administrative Orders

- a. Vote to Accept FY20 Barnstable County Substance Abuse Prevention Collaborative (SAPC) Grant in the amount of \$2,000.00

This is for tote bags and officer overtime hidden in plain sight events.

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

- b. Vote to authorize Town Counsel to prepare appropriate answers to Interrogatories in the case of Dundulis v. Falmouth Board of Selectmen and further authorize the Town Manager to sign said answers

Ongoing case, need to move forward.

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

- c. Vote authorization to allow the School Superintendent to submit to the Massachusetts School Building Authority a Statement of Interest Form for the Teaticket School

Superintendent Dr. Lori Deurr explained they need replacement for a new roof for the Teaticket School and begin by asking the State if there is any support. They need statements from BOS and School Committee in order to submit. This is no guarantee for financial support from the State, but it is the process they need to follow.

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

7:30 p.m. PUBLIC HEARINGS

1. Application for Transfer of an All Alcoholic Club License, Entertainment License and Pledge of License – Green Pond Yacht Club LLC d/b/a Green Pond Yacht Club, 366 Menauhant Road, East Falmouth

Chair English Braga read the hearing notice.

Kevin Klauer, Attorney Ament and Klauer Law Firm, representing applicant, here with Kevin Harrington Jr., owner of license. Transferring to a separate entity, restaurant leased back to the current owner and wants the license transferred on their own behalf. Owner is the manager of restaurant and owner of property.

Public Comment: none.

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

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

2. Application for a New All Alcoholic Common Victualler License – Moto Pizza Falmouth, LLC d/b/a Moto Pizza, 500 Waquoit Highway, East Falmouth

Chair English Braga read the hearing notice.

Al Dinapoli, attorney representing the applicant. The previous owner did not do the transfer papers in November, so they need to go through this process for a new license. He had abutter's notices and certificate of liability and handed it to Mr. Johnson-Staub.

Mr. Jones was unclear on where the alcohol will be stored and served. Why all liquor rather than beer/wine license? According to the applicant, it was an all alcohol license previously and why they are going with that license. The alcohol will be stored in display area with 2 lockable coolers. There is not a seating area, there is a 4 seat bar where they could serve. Fast casual type restaurant, they would get beverage at the counter. There will be limited, beers, wines, and specialty cocktails that do not require a lot of ingredients. Servers will be employees of age to serve and TIPS certified. They have underage employees, but they do not work in that area. Order drinks at the counter, there is no table service; they bring out food, but not table service.

Mr. Jones is more comfortable with malt license, once approved there is nothing the BOS can do to prevent it from being a full bar. Other locations are take out. This location has 8 tables, a wall bar at the window that seats 6, and a little bar that seats 4. Applicant will be manager of record and understands he is responsible for the service of liquor.

Public comment: none.

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

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

BUSINESS (PART 2)

1. Presentation by Consultant on Fire Station Location Study

Dr. Tim McGrath, CEO McGrath Consulting. Hired by Town for fire station analysis. Provided PowerPoint presentation, Chief Don Markowski was Lead Fire Consultant, Steve Rivero.

4 minutes matter because 60 seconds dispatch process call, 60-80 seconds for fire department to respond, 90% time they should be able to arrive within 4 minutes. 4 minute patient survival rate is 45 percent. Brain damage occurs within 4-6 minutes without patient intervention.

Don Markowski explained the mapping, focused on the maps and how they are created so the committee understands what that maps are actually saying.

Map looking at travel time, using US Department Transportation posted speed limits. Reds are 8 minutes. Then look at call volume map; 22,500 calls for past 3 years after scrubbing of data; each call represents a blue dot. Multiple calls to same location only shows as blue dot. Next they look at it and grid it out to look at a perfect scenario, software analyzes it and shows where the best place would be for the 5 fire stations based on the three years of call volume. One above headquarters in E. Falmouth area; most fire stations are properly placed where they should be. They were supposed to look at north and west Falmouth area, grid now just two locations, optimum spot for station is close to north Falmouth station, in that case it could respond to the 4 minute catchment 47% of the time. In the report there are different illustrations with various response times and locations for fire stations. They wanted to explain how the mapping system works in the report.

Chair English Braga asked about given a Town that looks different between tourist season and off season, is there a way to take that information in when looking at the data. Dr. McGrath explained they took the data and laid it against federal, they tried to find the general above average of the calls. In that case it was 6 minutes laid out for response on a Wednesday at 3p.m. that was not going to suffice. They looked at 7/4 foggy, rainy, crowded, they ask if it happened in the last 3 years, if so it would be included in the heat map. There is a map that shows how long it took to get to the event in the report. There is not a place that breaks down summer response times; only by station.

There was one map done with six stations, Dr. McGrath does not know if that was included in the report. After the BOS reads the report and reviews the reports, the BOS will have sufficient information and, if not, they will send the 6 station map.

Ms. Moran asked if there is a map that shows if you eliminated west Falmouth, would there be other areas in red? There was nothing in the report that eliminated West Falmouth, it focused on consolidation of northwest Falmouth station. Will they be available to the committee to answer those questions, Dr. McGrath will be available within reason to the committee to answer their questions.

Mr. Johnson-Staub asked the 5 station model be pulled up, this is showing the green and red symbols are the ideal locations based on the software analysis of incidents within the last 3 years to get to 70% of the calls in a 4 minute response time.

The software only looks at the overall response time.

Peter Hargraves, Precinct 9, asked when this would be available on Town website? Mr. Suso said it would be online within a week or so.

Mark Finneran asked if the committee comes up with a location, they would make the request through staff and BOS and they would reach out to the consultants. People were thinking combining North and West Falmouth at the end of Thomas Landers road, it is in the report. There is one for that location in the report.

Unnamed person Precinct 6, noted the one in Hatchville does not exist, West Falmouth will be closed, can they do the travel time rate without either West Falmouth station and Hatchville Station? The software will do anything asked to do, just have to input what you are looking for. Also asked if there was any consideration for touching base with Planning Department about strategic future development areas? If you want comprehensive coverage plan, would you need to look at future development projection? That was not part of the scope, so McGrath did not look into that.

Martha Asendorf, Precinct 6 West Falmouth, liked the green yellow, red map and wondered if that could be done for the 5 station proposal and for the potential 4 station proposal? And what it would look like with 5 as proposed.

Joe Netto, East Falmouth, heat map addresses, they have 2 things going on: future and present. If West Falmouth closes, look at the blue dots that surround the West Falmouth Fire Station. Until the new station is located and built. Chair English Braga noted the contract changes and challenges that creates on July 1 and what the town is exploring to address that. So, that idea that no one will be in West Falmouth as of July 1 is not accurate statement. Chief Small, Town staff, and the BOS are looking at ways to address this concern. This has been a challenging 5 station model for a long time given geography and limits of resources.

Mr. Suso noted many questions were raised are answered in the report.

2. Petition Article Presentations for April 2020 Town Meeting (5 Minutes Each):

NOTE: There will be no public discussion of articles; the proper place for such public discussion is Town Meeting floor.

- a. Present Petition Article #15 – Marc Finneran
All are aware of the concern, hopes this article can be withdrawn. This is three separate issues and if not handled in the previous article that is why it is there.
- b. Present Petition Article #31 – Sandra Faiman-Silva
Joanne Treistman, Precinct 2, and Patricia Ostrom, Falmouth Diversity Inclusion Committee, create position of Affirmative Action Outreach Coordinator. A group of citizens want to see this happen, 5 years ago there was a coordinator position, when George Spivey resigned, that position was left vacant. Discouraged there is no one in the community doing the work that they feel is necessary. They looked at other things that need to be done in town, investigating harassment complaints, assistance for the Commission on Disabilities, there are things that needed to be done, but they are volunteers. This would create the position, on second page, while there is a need for additional circumstances her staff is doing a good job under the current circumstances. Making sure there is someone in the community that can address some issues identified; this is a Town where things happen, people know about it, what can we do to be proactive in our community. People are excited about the idea. All should feel comfortable in our community.
- c. Present Petition Article #32 – Sandra Faiman-Silva
Raise and appropriate the funding for the position, probably bachelors or masters level, will need about \$80,000 for salary and benefits, bringing speakers in, etc.

Mr. Suso said that Town Counsel is looking into the class and title for this position, which is expected to be different than the previous title.

- d. Present Petition Article #33 – Christine Kircun

Sale of single use plastic water bottles.

Kristine Kircun, Precinct 6, reviewed single use plastic bottle problem via PowerPoint presentation. Initiated a commercial use single water bottle ban, effective 9/1/2021 with exemption of the ban if emergency affecting the water quality.

- e. Present Petition Article #34 – Ron Klattenburg

Peter Hargraves, Precinct 9, Falmouth Litter Reduction Team, prohibit the sale of alcoholic beverages in single use packaging less than or equal to 100ml. Presented Power point presentation. There is an amendment they will bring to Town Meeting floor related to enforcement, compliance would be that compliance with this bylaw is required to obtain or renew a liquor license in the Town of Falmouth. These are single use class of packaging and about a social problem of safety of our streets. Nips were determined to be 32% of the roadside litter.

f. Present Petition Article #35 – Ronald Zweig

\$45,000 free cash for water quality monitoring. Mr. Zweig, member Water Quality Management Committee and board chair of the Cape Light Compact. This is to finance the continuing program for monitoring if Bourne’s Pond is still needed. This is a placeholder, pending results. This could lead to over 100 million in sewer infrastructure.

g. Present Petition Article #36 – J. Malcolm Donald

Before any reroofing of municipal building, it shall be evaluated for solar collection, if feasible, it will be required. Mr. Donald asking the Town to install solar panels should they be going to reroof a municipal building. It would be up to the Town as to whether to purchase or lease. There is no timeline, it would be before you get a permit, and you would have to have a project in place to put the solar panels in. A definition for what is economically feasible will need to be determined. Mr. Jones prefers this be set by the BOS rather than a bylaw.

h. Present Petition Article #37 – Rosemary Carey

Climate emergency declaration. This is a coordinated Cape wide effort led by several organizations across the Cape with the goal to encourage all 15 towns on the Cape adopt this resolution. It is also part of a global effort to respond to the ecological crisis we are facing. Request the BOS take measures within their scope as may be necessary to facilitate such policy. The world is getting warmer due to human causes. Acknowledgement of the threat, declaration of climate emergency, and adoption of policy to reduce greenhouse grass emissions. Discretion left to Town leaders while gathered by Town Meeting.

3. Policy Discussion on Process for 40B Letters of Comment

The BOS took vote last meeting, concerns from Planning Board the BOS did not consider certain pieces of that request. Mr. Brown asked to have a further conversation of whether the process bears more consideration.

Mr. Suso noted Planning Board members reached out after the BOS acted at last regular meeting to adopt the letter on comments for 511 Brick Kiln Rd project, some were based on misinformation that the BOS acted in advance of the Planning Board meeting. Letter in packet from Tom Bott, Town Planner. Mr. Bott, Mr. Suso, and Mr. Johnson-Staub have met and meet with staff members involved in the development process and seek input/comments on these proposed projects. They only have 30 days to respond, if the BOS wants to have any impact; the 30 days has gone. Enforcement of state statute is limited; local regulations do not regulate 40B development. There is a meeting planned next month with the Planning Board and a good topic to discuss with them potentially coordinating comments from the two elected bodies. Official letter of comment comes from the BOS.

Mr. Johnson-Staub explained the part of the process we are focused on is the BOS opportunity to provide comment to the State Department of Housing and Community Development regarding input/comments on 40B Housing permit. They can be taken into consideration by the developer and DHCD, the wishes of the BOS do not become automatically accepted by those entities.

Mr. Johnson-Staub said it is the same with sewer system, Title V state regulation that can be enforced by the Town; they cannot avoid Title V. Falmouth has an overlay district which calls for enhanced treatment for certain zones, that is not the issue with 511 Brick Kiln, it is Long Pond, not within a zone 2, there is a zone a and b that protect surface waters.

Mr. Brown asked if they had thought it through regarding housing projects? Maybe improve the process, try to get it to the Planning Board, even if just the Chair, for comment. If a staff response, it should be labeled as a staff response, but Mr. Suso and Mr. Johnson-Staub noted it is the one chance to make a comment because only 30 days to respond. Alternative is to try to improve the quality of the response, even

if not legally binding. Give feedback to developer, give him a hook to do a LIP program, as another way to do this project.

Percival Rd, behind the Cape Verdean Club.

Mr. Johnson-Staub noted all BOS comments on point, continuing to learn and get better. Some developers ask for input before project eligibility status/before they spend a lot of money. How to get agreement on what type of density in what places? As we get more precise, we will avoid these disconnects. Planning Board wants to consider an amendment to the Housing Production Plan, such as density. Very few LIP projects come through the door. If they come in early, potentially a friendly 40B local initiative could be considered.

Chair English Braga noted they have been talking about having an in depth conversation about this, how we are guiding development in a way that is good for our community. The way we meet our needs will be through large projects that are LIPS or 40B. It would be interesting to find out what other Towns are doing.

Mr. Brown will research how other Towns do it. Chair English Braga noted it also have do with conversations around zoning.

Ms. Moran suggested outreach to developers and bringing that to the joint Planning Board meeting. Interesting if proposed organizational format should be created and sent to Planning for their input.

Mr. Patterson noted the Cape Cod Commission has done work in this area, but no tools have been given. It will need to be a State level change other than what the state regulations are. We have a single source aquifer and this needs to go to the state.

Mr. Bott said the deadline for the consultants regarding the Davis Straights Zoning is 2/7/20. Until zoning in place in areas better for housing, we do not have a lot to offer. The big change will be zoning in Davis Straights.

4. Consideration of Vote to Supplement Comments on 511 Brick Kiln Road Project

Tom Bott noted that the letter he wrote to Planning Board, since then talked with some in house folks. 511 is not in Zone 2, is within the water resource district. It falls in the water resource district, but not marked zone b, c, and a, working with Mr. Rafferty, re: Locustfield Development, reviewed that diagram. If not in zone a, likely will not have significant impact on the water surface. Water Superintendent said even in 511 density atypical will not have an impact on water quality. Mr. Rafferty noted that this development won't have affect on water quality.

Mr. Brown is concerned about water, it is not the target area for affordable housing, however Mr. Johnson-Staub noted that is and Chair English Braga noted it is doable. The Planning Board will send a letter identifying those concerns. Mr. Brown suggested a letter that they support the Planning Board's letter, hope to work with developers to do cluster zoning with denitrifying septics. Mr. Jones noted MA Housing will not send developer a LIP. More letters may confuse them. Chair Moran feels confident that the Planning Boards' recommendation will be sufficient.

Mr. Johnson-Staub noted that the Planning Board letter says the project should not go forward without sewer, which is not feasible, or some other alternative such as enhanced septic, which is more expensive and can make an affordable project not feasible and unclear it is needed for this site.

Chair English Braga noted Falmouth is unique because of the single source aquifer and other challenges we have. She is comfortable with the letter, they can address concerns looking forward to the next development, working better with developers and where we want to see it.

The BOS is comfortable leaving the Planning letter as it is.

5. Presentation of Draft Mission Statements for Citizens Advisory Committee-Future Fire Station(s) and for Transportation Management Committee

Transportation Management Committee, Mr. Suso will get that to the BOS before the next BOS meeting.

Citizen Advisory Committee: looking at just one or leaving it up to the committee for more than 1. 10 year capital plan shows 1 fire station and primary charge of the consultant. Mr. Suso noted if more issues in play, they may have obstacles in the way of getting a site and build. This BOS would receive pros and cons for alternatives for a site. Ms. Moran reviewed a document that she edited that was used for Route 28 committee.

Do they want to put a guideline to time table. Timeline known, but not in the mission statement. Mr. Suso said it would be great to get the design money by the November Town Meeting. Looking at having article for design funds in November Town Meeting with consensus on a location. Report would be needed in mid summer, community forum, BOS time for review. Give them a recommendation by July 1, have public forum in summer.

Mr. Jones motion approval of mission statement as edited by Ms. Moran and recommendation by July 1, 2020. Second Ms. Moran. Vote: Yes-5. No-0.

6. Minutes of Meetings:

Public Session

October 17, 2019

Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-3. No-0. Abstain-2.

January 27, 2020

**Mr. Patterson motion approval with edits. Second Ms. Moran. Vote: Yes-4. No-0. Abstain-1.
(Chair English Braga.)**

7. Individual Selectmen's Reports

Mr. Jones:

Attended the first meeting of the SSA task force on local issues, they are working on citizen concerns.

Mr. Patterson:

Met with Friends of Nobska Light board as liaison, their fundraising not going as well as they would like and unsure if there will be public access this summer due to site work and occupancy permit. Exterior is complete, keepers house is now weather tight. Site work for handicap accessibility is impacted.

8. Town Manager's Report

Grand opening of the Senior Center will be coming up soon and Mr. Patterson asked for a summary update on punch list items.

Attended last weeks' Finance Committee Meeting.

The next BOS meeting will be on 2/24/20.

On 2/25/20 at 7 p.m. at the Hermann Room in the Main Library there will be a public forum to talk about the Fire Station budget and override and the BOS was invited. The Finance Committee will try to get questions in advance so they can have a productive conversation about questions people have that are shared by the public as well.

Mr. Jones motion to adjourn at 10:13 p.m. Second Ms. Moran. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary