TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes
MONDAY, JANUARY 29, 2024 – 6:30 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

The Select Board may discuss and vote appropriate action on any item listed on this Agenda unless a different disposition is noted. At the discretion of the Chair, agenda items may be taken out of order.

Select Board:
Present: Nancy Robbins Taylor, Chair; Edwin (Scott) Zylinski II, Vice-Chair; Douglas C. Brown; Onjalé Scott Price; Robert P. Mascali
Absent: None
Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager

OPEN SESSION
Call to Order: by Chair Nancy Taylor at 6:30 p.m.

Pledge of Allegiance: Led by Select Board, accompanied by Police Detail

Proclamations: None

Recognitions: Chair Taylor introduced Police Chief Jeff Lourie to present the brief program.

Nominations for Life Savings Award
Officer David Massi and Officer Sean Flaherty were honored with brief narrations of the situations wherein each showed professionalism, compassion, and composure, as well as excellent police work, which resulted in two lives saved.

Introduction of Police Department Social Workers
Chief Lourie then introduced Stephanie Doherty and Molly Marshall, two clinicians who will fill social work positions addressing mental health needs in the community, and who will be part of a Law Enforcement Crisis Intervention Team working across the Cape. Chief Lourie summarized the background and academic/professional credentials of each.

Swearing in of Police Officers
Chief Lourie introduced the new officers who would be sworn in, providing brief background information on each. He said he himself would also be sworn in with this group. The following officers were sworn in by Town Clerk Michael Palmer and pinned by an individual of their choosing: Cooper Chapman; Anthony Fusaro; David McGraw; Rohan Kirlew; Andrew Roy; and Jeff Lourie.

Chair Taylor thanked Chief Lourie for his service in Falmouth since his appointment to the position and urged hm to continue his excellent support for the department and the community going forward.

Announcements
Ms. Scott Price announced that the Woods Hole Black History Month Committee has upcoming events for Black History Month beginning this week, and that more information could be found at woodsholediversity.org.

Public Comment
Molly Moynihan, postdoctoral researcher at MBL and chair of MBL's housing action committee – said the housing crisis continues to be an urgent situation needing to be top priority – said young working people are forced to put together piecemeal solutions for housing needs, which can include living in a car or boat – said the never-ending search for housing sends needed workers away - urged the Board to implement creative solutions for the ongoing housing need, such as those proposed in the housing production plan, to meet the needs of the community.

Dave Buzanoski, president of the Falmouth Heights Maravista Neighborhood Association – said he had two topics related to South Coast Wind – said they are still in a holding pattern regarding extending with the EFSB – said the 45-day report refers to being engaged with the town – said he is unaware of any such engagement – said he received a Christmas card and notice of philanthropic activity, but does not consider that engagement and does not know of any engagement with the town – second, he said he attended a wind summit in Barnstable organized by local groups facing the same issue of cables and where they would be placed – said more enlightening was an off-shore presentation by New England fishermen and a Rhode Island doctor (at this point, Chair Taylor said the two minutes was up) – thanked Mr. Mascali and Mr. Brown for their attendance at the summit – said he would like the video of the summit to be made available to Falmouth citizens.

COMMITTEE INTERVIEWS

Joint Meeting – Falmouth Housing Authority Board of Commissioners and Select Board – Interview, vote and appoint member to the Falmouth Housing Authority Board of Commissioners

a. Lynne Rhodes
b. John Saari

Chair Taylor said this joint meeting could not take place because the candidates were not available to be interviewed.

PUBLIC HEARINGS

Fee Hearing – Discuss and vote proposed fee changes for 2024

Mr. Zylinski read out the hearing notice.

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Public Hearings 1 – Discuss and vote to approve proposed fee changes for 2024* in the Select Board packet, explaining why the fee changes are on tonight's meeting agenda. He recommended a vote to approve as presented.

Chair Taylor clarified that it has been 5 years since the last raise, and that this would put Falmouth on the same level as other towns.

Mr. Mascali asked what the current revenues are from ambulance fees. He also said he would like to know more about the waiver policy that Chief Smith referred to in his letters. Mr. Renshaw was able to ask Mr. Senteio if he had the current revenue figure. Mr. Senteio said that current revenues were 2.7 to 2.8 million, which includes Medicare and other insurers. Mr. Mascali wanted to know how much other than Medicare we are talking about. Mr. Senteio said he would have to look up the precise figure. He also said that the chief decides who is entitled to fee waivers and provided a brief explanation of how that would work. He also said again that this increase would put Falmouth on a level with other Cape towns.

Chair Taylor said that in the past there have not been a lot of ambulance fees waived and that Chief Smith is very approachable and willing to look at that.

Public comment: None

Chair Taylor asked for **a motion to close the hearing. Ms. Scott Price: So moved Second: Mr. Zylinski Vote: Yes – 5 No – 0**

Motion by Mr. Brown: To approve and adopt the 2024 revised Fire and Rescue Department ambulance rates as presented Second: Ms. Scott Price Vote: Yes – 5 No - 0

Application for an Alteration of Premises of its Wine and Malt Beverages Restaurant License – Seafood Sam's Falmouth, Inc. d/b/a Seafood Sam's, located at 356 Palmer Avenue, Falmouth (continued from January 8, 2024)

Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Public Hearings 2 – Application for an Alteration of Premises of its Wine and Malt*

Beverages Restaurant License – Seafood Sam's Falmouth, Inc. d/b/a Seafood Sam's, located at 356 Palmer Avenue, Falmouth in the Select Board packet, explaining the letter of withdrawal of the application in the packet materials and its significance regarding future action for the applicant. He recommended that the Board accept the withdrawal without prejudice.

Motion by Mr. Brown: To accept the withdrawal of the application without prejudice
Second: Mr. Zylinski Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To close the hearing Second: Mr. Zylinski Vote: Yes – 5 No - 0

Chair Taylor said that the Board would await the reapplication.

BUSINESS

Affirm appointment of Communications Director

Mr. Renshaw began by summarizing the impressive qualifications, credentials, and experience of Mr. James Thomas, the new Emergency Communications Director. He highlighted Mr. Thomas's passion for professional development in working with staff to encourage them to become better communications officers. He also asked that the Board consider waiving the residency requirement since Mr. Thomas lives in East Sandwich.

Mr. Thomas spoke briefly, explaining what he currently does and that he is looking forward to his position in Falmouth. He said he did not realize how much Falmouth has already done in this area, and looks forward to setting a standard regionally with the Falmouth Communications Center.

Mr. Renshaw recommended **that the Board affirm the appointment of Mr. James Thomas to be appointed as the Emergency Communications Director and that the Select Board waive the residency requirement.**

Motion by Mr. Zylinski: To mimic the motion made by the Town Manager on both points Second: Ms. Scott Price Vote: Yes – 5 No - 0

Mr. Brown and Chair Taylor thanked Susan Lumping for her continuous work on filling much needed positions for the Town.

Update - Housing Production Plan

Town Planner Jed Cornock and Housing Coordinator Kim Fish presented their update by orally summarizing approximately 12 screens outlining the components of the HPP, how it was compiled, and how it would be used. Information covered topics such as defining the housing production plan, community meetings in November and January, strategies covering finances, subsidies, zoning, and affordable housing, and where affordable housing could be situated in Town. The presentation concluded with a timeline for completion and approval at the necessary levels.

Chair Taylor asked Mr. Cornock and Ms. Fish to think about where or why the Town keeps getting stuck with housing projects. She said the Town needs to move housing projects forward. She said "we can't keep having a top priority (housing) and then not have the projects move forward."

Mr. Mascali commended Mr. Cornock and Ms. Fish for "looking at the 81 and up" and including it in the plan, saying it was a huge need that we need to address. Mr. Brown commented that the Town would need to fund that on its own, which would be a big challenge.

Mr. Zylinski commended the presenters for making the meetings available on the website.

Mr. Brown sought clarification from the presenters on the expiration of the current HPP (Jan. 10, 2024) and if it were still applicable (it can still be used but not for certain regulatory processes).

Ms. Scott Price complimented the public meetings and how effectively good public input had been gathered. She said she looks forward to seeing how it all comes together.

Report – Human Services Committee
Kerin Delaney, co-chair of the committee, orally summarized the components of the report, covering such topics as membership, goals, human services needs in the town, and experience of committee members. Regarding goals and strategic planning, Ms. Delaney focused on the need to promote the meetings and activities of the committee, continue to review funding proposals, forming partnership with other service-oriented entities, and how to better support liaisons to other committees. She concluded by saying what a gem the Human Services Department is for the Town and how proud she is to co-chair the committee that can help further promote its work.

Mr. Brown asked if the Town funds the department at a level that is sustainable. Ms. Delaney said the needs are growing and more funding would help with unmet needs in the Town. Meetings are the first Tuesday of the month at 4:30 via Zoom. Mr. Mascali asked if there were coordination with the veterans' organizations. Ms. Delaney said they have invited other groups with comparable needs, such as the veterans, to partner with them.

Mr. Brown asked Ms. Delaney what she thought about putting the second floor of the poor house almost like it was before with small rooms for people who are experiencing homelessness for a temporary period. Ms. Delaney said she did not feel she could speak to that. Chair Taylor said she had visited the building and said it was a much nicer place for Human Services to be housed.

Discuss and vote to establish a Fresh Water Ponds Advisory Committee
Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 4 – Discuss and vote to establish a Fresh Water Ponds Advisory Committee* in the Select Board packet. He introduced Kim Comart to present information on the proposal.

Mr. Comart read a statement outlining the necessity of addressing the situation facing the 75+ freshwater ponds in Falmouth, primarily degradation caused by nitrogen overload from septic systems and fertilizer runoff. He listed many consequences from this degradation, such as loss of property value and inability to sell homes, unsafe water conditions, and pollution that causes pond closures. The statement advocated strongly for the formation of a committee to address these concerns.

Steve Rafferty, chair of the WQMC and former water superintendent, spoke briefly, underscoring the need for such a committee to address these concerns. He said the WQMC, which focuses on bays and estuaries, and the board of health would work with the newly formed committee as needed.

Motion by Ms. Scott Price: To establish a Fresh Water Ponds Committee comprised of 5 members as presented, and to properly advertise for applications Second: Mr. Brown
Vote: Yes – 5 No - 0

Approve non-union wage adjustments
Mr. Johnson-Staub orally reviewed the item for the Board, referring to the document in the Select Board packet with the Item number and title *Business 5 – Non-Union Wage Adjustments*. Included was a seasonal wage schedule and a non-aligned wage schedule. He explained first the seasonal wage rate increases, followed by the non-aligned rate increases. He said the proposed budget for FY2025 does include the combined rate increases.

Ms. Scott Price clarified that the 15% increase in seasonal wage rates was to align with other Cape communities.

Mr. Mascali asked about the prospect for hiring seasonal employees. Mr. Johnson-Staub said it was really too soon to tell, but the sooner the rates could be approved, the sooner the recruitment can begin.

Motion by Ms. Scott Price: To approve the wage plans as presented Second: Mr. Zylinski
Vote: Yes – 5 No – 0

Vote articles and execute warrant for April 2024 Annual Town Meeting
Mr. Renshaw orally reviewed the item for the Board, referring to the document entitled *Agenda Item Summary Sheet*, Item number and title: *Business 6 – Vote articles and execute warrant for the April 2024 Annual Town Meeting* in the Select Board packet.

Mr. Brown asked if the Board would have an opportunity to discuss specific items at a regular meeting, such as the property transfer fee and the solar array idea with the leasing vs. buying. It was determined that Mr. Brown would like more information on the solar. Mr. Johnson-Staub said they would be happy to delve into it further at upcoming meetings.

Mr. Johnson-Staub made one edit to Article 13. He asked that "FY2024" be inserted into the text before the word "budget" to read as follows: **"Article 13: To see if the Town will vote to transfer a sum of money within the Fiscal Year 2024 budget to make necessary adjustments thereto."**

Motion by Mr. Brown: To vote the articles and execute the warrant for the April 2024 Annual Town Meeting as amended for Article 13 (insert *FY2024* before the word *budget*) Second: Mr. Zylinski

Mr. Mascali said that he would abstain from a vote on Article 23 due to his membership on the EDIC.

Vote: Yes – 5 No – 0 Abstain on Article 23 only: 1 (Mr. Mascali)

Chair Taylor reiterated that there was one abstention on Article 23, with the rest unanimous in favor.

CONSENT AGENDA

1. Licenses
    a. Approve administrative address correction – Silver Lounge, Inc., 412 North Falmouth Highway
    b. Approve application for a One-Day Entertainment License – The Portuguese, 424 East Falmouth Highway, Unit B101, East Falmouth – Saturday 2/10/24
2. Administrative Orders
    a. Approve request to use $5,401.66 of the Road Race Donation originally intended for the new playground behind the Recreation Center to pay for needed parts to complete the installation of the playground at Sandwich Road
    b. Approve Falmouth Fire Rescue Department Application for FY2023 Emergency Management Planning Grant (EMPG)
    c. Approve 2024 Seasonal Population Increase Estimation Form for submittal to the Alcoholic Beverages Control Commission
    d. Approve request from Ament Klauer LLP on behalf of David A., Edward M. and Jeanne M. Pagani, managers of 352 Scranton LLC, and owners of both 227 Clinton Ave. and 352 Scranton Ave., to apply to the Conservation Commission and to the Board of Health relative to work within the road layout of Clinton Ave.
    e. Approve Letter of Support for the Town of Mashpee's Ashumet Pond Aluminum Sulfate Project

Motion by Mr. Zylinski: To approve the Consent Agenda Second: Ms. Scott Price Vote: Yes – 5 No - 0

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Renshaw orally presented his report, referring to the memo entitled Supplementary Report and dated January 29, 2024, in the Select Board packet. The report included the Simpson's Landing bulkhead project, the notice of public review and comment for the Transportation Improvement Program Amendment 1, and upcoming Select Board meetings through March.

SELECT BOARD REPORTS

Mr. Mascali reported on the following:

- Attended the Martin Luther King breakfast at the Seacrest
- Attended the Mass Municipal Association Meeting on Friday

Mr. Brown reported on the following:

- Attendance at the MMA meeting and a meeting with the lieutenant governor
- Attended a meeting related to the wind turbines and raised concerns over significant negative environmental impacts resulting from that project

Mr. Zylinski reported on the following:

- Began duties as representative for Sub-region A (four towns) for the MPO this past week

ADJOURN

Motion by Ms. Scott Price: To adjourn Second: Mr. Zylinski Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary