<u>TOWN OF FALMOUTH</u>
<u>SELECT BOARD</u>
Open Session Minutes
MONDAY, OCTOBER 25, 2021 – 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.

Present: Douglas C. Brown, Chair; Sam Patterson; Nancy Robbins Taylor; Onjalé Scott Price (remote)
Absent: Megan English Braga
Others present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager

6:30 p.m. - OPEN SESSION

<u>EXECUTIVE SESSION:</u>

M.G.L. c.30A s.21(a)(3) – Collective bargaining – Vote to affirm ratification of union contract renewals for DPW and AFSCME Unit B

Motion by Mr. Brown: To enter into Executive Session per M.G.L. c.30A s.21(a)(3) – Collective bargaining – Vote to affirm ratification of union contract renewals for DPW and AFSCME Unit B. To not enter into Executive Session would put the Town in an untenable position due to negotiations of contract. Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; Yes – 4 No – 0

Megan English Braga joined the meeting.

<u>Call to Order:</u> By Chair Brown at 6:30 p.m.

<u>Pledge of Allegiance</u>: Led by Select Board

There was a moment of silence to honor Bruce Mogardo. He worked for the Town for 58 years and will be missed.

<u>Proclamations</u>
a. Eagle Scout Proclamation – Samuel Thrasher

Ms. English Braga read the proclamation into the record.

Motion by Ms. English Braga: That we: Douglas C. Brown, Sam Patterson, Nancy Robbins Taylor, Onjalé Scott Price, and Megan English Braga of the Select Board of the Town of

Falmouth do hereby proclaim Samuel Thrasher as Eagle Scout in witness whereof we have hereunto set our hand and caused the great seal of the Town of Falmouth to be affixed on this 25th day of October 2021.
Second: Mr. Patterson.
Vote: Yes – 5 No – 0

b. Eagle Scout Proclamation – Dalton Watring

Mr. Patterson read the proclamation into the record.

Motion by Mr. Patterson: That we: Douglas C. Brown, Sam Patterson, Nancy Robbins Taylor, Onjalé Scott Price, and Megan English Braga of the Select Board of the Town of Falmouth do hereby proclaim Dalton Watring as Eagle Scout in witness whereof we have hereunto set our hand and caused the great seal of the Town of Falmouth to be affixed on this 25th day of October 2021.
Second: Ms. English Braga.
Vote: Yes – 5 No – 0

c. Native American Heritage Month

Ms. Scott Price read the proclamation into the record.

Motion by Ms. Scott Price: That we: Douglas C. Brown, Sam Patterson, Nancy Robbins Taylor, Onjalé Scott Price, and Megan English Braga of the Select Board of the Town of Falmouth do hereby proclaim November as Native American Heritage Month and calls upon all residents to observe this month with appropriate programs, ceremonies, and activities.
Second: Ms. Robbins Taylor.
Vote: Yes – 5 No – 0

Recognition: Ms. English Braga recognized Bruce Mogardo for his level of service to the community. She also thanked the management and staff for their work in making Mr. Mogardo's experience the best it could be.

Mr. Patterson recognized Betsy Gladfelter for her efforts on the Coonamessett Restoration project.

Announcements: Mr. Brown noted that tomorrow night the Planning Board will discuss the recodification of the Zoning Bylaw. A presentation that was supposed to be made tonight by the Solid Waste Advisory Committee has been deferred to a future meeting.

Mr. Johnson-Staub stated that the Board met earlier in Executive Session and approved union contract renewals for the Department of Public Works and the AFSCME Unit B.

Public Comment: None at this time.

SUMMARY OF ACTIONS

1. Licenses
    a. Approve Application for a Special One-Day Wine and Malt Liquor License – Shipwrecked, 263 Grand Avenue – Sunday, 11/14/21

Mr. Brown stated that concerns were received from a neighbor regarding music noise at the venue. The approved license asked that noise be contained to the property line and not amplified. Mr. Suso stated that he sent an email to the venue's manger, bringing this to their attention.

Jennifer Murphy, Assistant Manager of Shipwrecked, stated that the concern expressed will be taken into account.

Motion by Ms. English Braga: To approve the application for a Special One-Day Wine and Malt Liquor License for Shipwrecked on 11/14/21.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

2. Administrative Orders
    a. Approve Grant of License to Adelle F. McDermott, Trustee of the Adelle F. McDermott Revocable Trust to place, erect and maintain a fence to be located within the layout of a public way known as 30 Harrington Street

Motion by Ms. English Braga: To approve a Grant of License to Adelle F. McDermott, Trustee of the Adelle F. McDermott Revocable Trust to place, erect, and maintain a fence to be located within the layout of a public way known as 30 Harrington Street.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

    b. Naming request to consider naming the new senior center, the John V. Magnani Senior Center, and that the old senior center building named after John DeMello retain his name

Ms. Taylor recused herself from this item.

The Board acknowledged considering naming of the new senior center, the John V. Magnani Senior Center, and that the old senior center building named after John DeMello retain his name.

Ms. Taylor retook her seat.

    c. Vote to accept the 2020 Re-Precincting Plan for the Town of Falmouth as presented by the Town Clerk

Michael Palmer, Town Clerk, stated that all of the precincts are proposed to remain the same.

Motion by Mr. Patterson: To accept the 2020 Re-Precincting Plan for the Town of Falmouth as presented by the Town Clerk.
Second: Ms. English Braga.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

d. Retroactive authorization to apply for a State Community Compact IT Grant to assist in funding the proposed Fire Station Alerting System

Motion by Ms. English Braga: To approve retroactive authorization to apply for a State Community Compact IT Grant to assist in funding the proposed Fire Station Alerting System.
Second: Ms. Taylor.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

e. Vote to approve a Water Main Extension Agreement and a Wastewater Main Extension Agreement for the Kendall Lane Ch. 40B project off Worcester Court

Motion by Ms. English Braga: To approve a Water Main Extension Agreement and a Wastewater Main Extension Agreement for the Kendall Lane Ch. 40B project off Worcester Court.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

3. Special Events

Recurring - Recommended:

a. Jingle Jog 5K – Falmouth Chamber of Commerce – Start/Finish Main Street – Saturday, 12/4/21; 2:00 p.m. to 4:00 p.m.

Motion by Ms. English Braga: To approve the Jingle Jog 5K – Falmouth Chamber of Commerce – Start/Finish Main Street – Saturday, 12/4/21; 2:00 p.m. to 4:00 p.m.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

b. Falmouth Village Stroll – Falmouth Chamber of Commerce – Closure of Main Street between Post Office and Shore St. Ext. from 1:00 p.m. to 10:00 p.m. – Saturday, 12/4/21

Motion by Ms. English Braga: To approve the Falmouth Village Stroll – Falmouth Chamber of Commerce – Closure of Main Street between Post Office and Shore St. Ext. from 1:00 p.m. to 10:00 p.m. – Saturday, 12/4/21.
Second: Mr. Patterson.

Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

c. 58th Annual Christmas Parade – Falmouth Chamber of Commerce – Main Street (from Dillingham Ave. to Village Green) – Sunday, 12/5/21, 12:00 noon (rain date Sunday, 12/12/21)

Motion by Mr. Patterson: To approve the 58th Annual Christmas Parade – Falmouth Chamber of Commerce – Main Street (from Dillingham Ave. to Village Green) – Sunday, 12/5/21, 12:00 noon (rain date Sunday, 12/12/21).
Second: Ms. Taylor.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

New – Recommended:

a. Women Run Cape Cod 5K – Falmouth Running Club – Start/Finish Town Hall Square – Sunday, May 8, 2022, 7:00 a.m. – 10:00 a.m.

Motion by Ms. Taylor: To approve the Women Run Cape Cod 5K – Falmouth Running Club – Start/Finish Town Hall Square – Sunday, May 8, 2022, 7:00 a.m. – 10:00 a.m.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Ms. Taylor stated that she would like to look at streamlining future agendas in order to use meetings more effectively.

PUBLIC HEARINGS:

1. Shade Tree Hearing – on application by the Falmouth Parks Department for the removal of two (2) Norway Maple trees at 187 Central Avenue, East Falmouth

Ms. English Braga read the public hearing notice.

Jeremiah Pearson, Tree Warden, explained that these two trees are proposed to be removed to make an entrance into the new development on this site. These two trees are invasive and in poor health. The developer has been asked to plant two replacement trees.

Ms. English Braga noted that the public hearing stated that these two trees are located on Main Street. As such, this public hearing will need to be re-noticed with the proper address.

2. Shade Tree Hearing – on application by the Falmouth Parks Department for the removal of two (2) White Oak trees and one (1) Black Oak tree at 89 Maravista Avenue, Falmouth

Ms. English Braga read the public hearing notice.

Jeremiah Pearson, Tree Warden, stated that these three oak trees cause a safety issue due to lack of line of sight to the property owner. If these three trees are removed, the owner has agreed to donate three trees to Teaticket School or Worcester Court.

There was no public comment at this time.

Motion by Ms. English Braga: To close the hearing.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Motion by Ms. English Braga: To approve the removal of two (2) White Oak trees and one (1) Black Oak tree at 89 Maravista Avenue, Falmouth.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

3. Vote to Adopt new mooring regulations relating to house floats and house boats

Ms. Taylor read the public hearing notice.

Gregg Fraser, Harbor Master, explained that there is a policy that only allows house floats in Great Harbor and Eel Pond. This summer, a new house float was constructed and the owner proposed to place it on a mooring outside of these zones which caused problems with property owners in the area. The recommendation is to change the current policy into regulations, as this allows for stronger enforcement by the Town. There are 19 of these in the current mooring plan, along with three aquaculture floats. There are currently 45 moorings identified within the zone, but most are used for regular boat moorings. The number of these items has been steady for decades. This seems to be a regulatory consideration, not a zoning issue.

Mr. Brown suggested tabling this item to a future meeting to allow additional time for public comment. He asked for public comment at this time.

Jonathan Goldman, 12 Sidney Street, stated that this is a very concerning item that renders use of the Harbor in an acrimonious way. The need for overregulation runs counter to the history and culture of house floats and boats.

Richard Pierce, Woods Hole, stated that he previously came out in opposition of all houseboats, in spirit of the 1980 bylaw that prohibits houseboats from all Town-owned marinas. This is an inappropriate use of the recreational mooring fields. There is a 20 year waiting list for people who want to use this resource for pleasure boating. There are a lot of issues around houseboats and some details need to be regulated.

Jeff Thomas, Chair of the Waterways Committee, stated that the Committee has not yet taken any action, as it does not own the regulations.

Frank Duffy, Town Counsel, stated that this is primarily an issue of regulation within the purview of the Harbor Master and the Waterways Committee. Falmouth does not zone out beyond the shore.

Cricket Warner stated that she is a house float owner, and she believes the regulations seem reasonable, though there are a couple of items that likely require some clarification.

David Bruce, School Street Woods Hole, stated that he could not be happier with the conditions regarding the house floats. This is part of what makes Woods Hole unique. Every float should have a holding tank and that regulation should stand. Insurance is difficult for a wooden structure and that should be considered before making it a regulation.

Motion by Ms. English Braga: To continue the hearing to November 8, 2021, at 7:30pm.
Second: Ms. Taylor.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

4. Application for a Pool Table License – AMVETS Post 70, 336 Palmer Avenue, Falmouth

Ms. Taylor read the public hearing notice.

Jeff Broeder, commander and manager of AMVETS, explained that this is a request for a single pool table as a means of recreation for the post.

There was no public comment at this time.

Motion by Ms. English Braga: To close the hearing.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Motion by Ms. Taylor: To approve the application for a Pool Table License – AMVETS Post 70, 336 Palmer Avenue, Falmouth.
Second: Ms. Scott Price.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

5. Wetlands/Dock Hearing – Teague I. Campbell – Reconstruct pier, ramp and float on the same general footprint as the existing dock in and over the waters of Rand's Canal, located at 147 Bay Road Extension

Ms. English Braga read the public hearing notice.

Jeff Ryther, BSS Design, explained that Mr. Campbell owns the property at 147 Bay Road. There is an existing licensed 4' wide dock that leads to a small float. The intention is to rebuild part of the dock and the additional 9' is needed for appropriate depth.

Mr. Brown asked for public comment.

Keith Tortorella, 126 Bay Road, stated that the applicant's boat is currently 31' with a 10' beam. The applicant is asking to extend this dock 9'. Mr. Tortorella asked what will happen if the applicant obtains a larger boat. The waterway continues to fill with silt and narrow. This proposal could create an obstacle to navigating the waterway. He suggested moving the platform to the northeasterly portion of the applicant's property or not extending the 9'.

Brett Barton, 145 Chester Street, stated that there have been challenges over the years in maintaining the waterway for everyone. The proposed dock will be an upgrade to the area but having it 9' further out into the channel will make it difficult to navigate the area.

Ms. English Braga noted that the Board could make a condition regarding the size of the boat to be moored at this dock.

Mr. Brown asked about the existing depth of the float. Mr. Ryther stated that this is 1.3'-2.2'. There will be 5' of depth if the extension is approved.

Mr. Barton stated that the area has become heavily filled with silt to the point that most of the docks in the area are sitting on the sand for some part of the day. He asked the Board to consider what the checkpoint will look like in coming years.

Mr. Brown stated that there may be some benefit to moving the dock in a northeasterly direction. Mr. Ryther stated that this would likely lead to crossing additional resource areas. He stated that he would speak to his client regarding alternative options for the proposal.

Motion by Ms. English Braga: To continue the hearing to November 8, 2021, at 7:30PM.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

6. Application for Renewal of Shellfish Aquaculture License #A11-05 issued to Daniel Ward of Ward Aquafarms, LLC, 51 North Falmouth Highway, for a 2.6-acre site in the waters of Megansett Harbor outside of the mouth of Rands Canal

Ms. English Braga read the public hearing notice.

Daniel Ward, 51 North Falmouth Highway, stated that he originally received this license ten years ago and would like to renew it. This was expanded to ten acres, two years after the first license. The project itself has not changed.

Motion by Ms. English Braga: To close the hearing.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Motion by Ms. English Braga: To approve the license as presented.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

7. Application for an Alteration of the Licensed Premises of an All Alcoholic Common Victualler License – Pickle Jar Ltd. d/b/a Pickle Jar Kitchen at 170 Main Street, Falmouth

Motion by Mr. Patterson: To continue the hearing to November 8, 2021, at 7:30PM, at request of the applicant.
Second: Ms. English Braga.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

BUSINESS

1. Discussion/update on COVID-19 issues

Mr. McGann gave an update on COVID-19 issues. There were no questions at this time.

2. Discussion/vote on special cable council's recommendation for "friendly" preliminary denial of renewal of cable license

William Solomon, special cable council, explained that the matter in question is a "friendly" preliminary denial. The Federal Cable Act provides two processes; one is a formal process where the cable company requested renewal and the town responds with an ascertainment process, and the second is an informal track where, after determining the needs of the Town, the parties sit down and negotiate. 99.99% of all cable licenses are agreed upon through the second negotiation process. As the cable company wanted to protect its interest, it and the Town followed the formal process, but this has become unnecessary as it is clear an agreement will be reached. There is an agreement on the fundamental terms of the cable license and so the request is a vote by the Board for a "friendly" preliminary denial. This is done to protect the interest of Comcast, protect the interests of the Town, and protect the interests of the public. Both parties will then finish the informal negotiation to the agreement.

Motion by Ms. English Braga: Whereas, the Town of Falmouth town is desirous of completing the cable television license renewal process and finalizing the cable license renewal agreement with Comcast Cable Communications Management LLC, pursuant to the informal licensing process set out in Section 626-H of the Cable Act; Whereas, Comcast and the Town have engaged in a good faith cable license negotiation process and reached agreement on the fundamental terms of the renewal license agreement; and Whereas the Select Board as the cable television license issuing authority deems it prudent to protect the interests of the parties with respect to the formal license renewal process; Now, therefore, because the renewal license has not yet been finalized and issued by this Board, and in order to protect the interests of the Town and Comcast as both parties work to finalize the

renewal license, the Board, pursuant to Section 626.C.1 of the Cable Act hereby votes to issue this "friendly" preliminary assessment of denial to provide additional time to complete the license renewal process and issue the renewal license. In order to provide the best opportunity with the parties to expeditiously reach an agreement regarding a cable television renewal license, the Town Special Counsel for this cable license renewal will file a request or motion with the Department of Telecommunications and Cable of the Commonwealth of Massachusetts to extend the time for the Town to file a written statement detailing the reasons for its preliminary denial pursuant to 207 CMR 3.063. This will provide additional time for the parties to finalize the renewal license without the need to devote time and attention to matters other than the completion thereof.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

3. Follow-up discussion on North/West Fire Station

Fire Chief Smith reviewed a staffing plan for the North/West Fire Station. This would accommodate the same model being used currently at the East Falmouth Fire Station. The budge considerations for FY23 are just beginning and may include additional staffing to meet the staffing model.

Mr. Brown asked about response times. Fire Chief Smith stated that it is difficult to maintain a specific response time, due to the size of the Town. The Department is trying to staff adequately to allow for secondary responses in some areas of Town when needed.

Mr. Patterson stated that it is important to consider backup for the Department in case there are multiple calls around Town at once.

Ms. Scott Price noted that the McGrath report seems to state that an acceptable response time is four minutes. Fire Chief Smith stated that the 4-6 minute response time often mentioned comes from the American Heart Association standards. Response times often increase around Town due to there being multiple calls at one time.

Mr. Brown asked for public comment at this time.

Marsha Murphy, Charles Lane, asked that the Board not eliminate the West Falmouth Fire Station.

Jim Gray, 25 Brantwood Drive and representing the West Falmouth Village Association, stated that the West Falmouth Fire Station is very important to the area. The issue is very complex, and he thanked the Board for shining light on the issues.

Steve Coan, 597 West Falmouth Hwy, explained that the area lost something when the West Falmouth Station became staffed on a voluntary basis. The voluntary overtime system has failed.

Ms. Taylor noted that it is the responsibility of the Board to determine if a Station closes or not.

There was discussion regarding staffing for the stations in Town. Fire Chief Smith stated that, currently, staffing the West Falmouth Station is through overtime volunteer hours. Anything beyond that must be considered by the Union and Town Administration. He stated that he staffs the buildings through the contract language to the 16 person level using voluntary overtime. Mr. Suso stated that, per Labor Counsel, as long as the Chief has adequate staffing overall, the Chief can assign the firefighters at the beginning of each shift as he determines appropriate. This is not a contract issue that needs to be negotiated. Fire Chief Smith stated that he is working towards this on a regular basis. Mr. Suso stated that this does not need to be negotiated. Ms. Taylor asked if this is based on bodies or contract language. Mr. Brown asked what it will take to get to the 16 person level. Fire Chief Smith stated that the personnel hired are within the training phase at this time. Once this is completed, the personnel will be added to the shift complement to raise the level. Mr. Brown asked if a policy would eventually be set regarding setting a shift number. Fire Chief Smith stated that this could be considered as part of a staffing plan in the future.

Mr. Brown asked if more firefighters may have to be hired for next year. Mr. Suso stated that the FY22 budget has already been approved, and the hiring is governed by it. In April/May of 2022 there should be 18 firefighters for two shifts and 19 firefighters for two shifts. The need for mandatory overtime should be bargained with the Union. The additional staffing should be sufficient to start each day with 16 firefighters.

Todd Taylor, West Falmouth, stated that he believes the staffing is a negotiable item and the only way the West Falmouth Station will open regularly is to change the number from 14 to 16.

Mr. Suso stated that to get from the 2022 staffing to the amount needed three fiscal years after will require six additional firefighters.

Maurie Harlow-Hawkes stated that she would like this item to be discussed in a different forum, as there are a number of people wishing to speak. She asked about the internal committee the Chief is working with regarding the north/west/Hatchville station. Fire Chief Smith stated that the internal committee is staff personnel providing information, consideration, and needs for the upcoming project.

Ms. Harlow-Hawkes stated that it appears the Chief has 14 staff to work with at the start of shift, per the Union contract. The 16 number is not available until two personnel volunteer.

Marc Finneran stated that he has continued to ask what will be built and has received no answers. The Hatchville Station will apparently be staffed with four firefighters. 52% of the calls come from Main Street and there are six firefighters at that Station. He suggested that the majority of the relief that the Hatchville Station will provide will be to the North Falmouth Station. The Hatchville Station will likely not service more than 8% of the Town's calls, and it appears it will be too large and overly staffed.

Malcolm Donald stated that 16 firefighters will be required for West Falmouth to be staffed, and this Station will continue to take a hit whenever this is not the case.

Mr. Coan stated that he is confused regarding staffing. There is a contractual arrangement that there will be a minimum of 14 personnel at the beginning of every shift. Until the contract language changes, the Chief is limited in how many people he can assign beyond the 14. It will be a positive step to be fully staffed, but this does not consider those who may be vacant any given day.

Mr. Johnson-Staub stated that the Town is budgeted for more positions at the start of shift than are received each day. If the Town is budgeted for 19 and get 16 to show up, no one has to be forced to work, but if only 15 show up then someone must be forced to work overtime in order to get the 16. Mr. Brown noted that the Town does not currently have the ability, per the contract, to force that 16th person.

Mike Mueller, President of the Firefighters Union, stated that 14 firefighters can be held over at the start of every shift. When there are more personnel available, the Union will be willing to consider additional staffing. 56 people were stuck for shifts last month alone. There need to be additional personnel to count toward shift staffing before the number can move toward 16. A renegotiation can occur.

4. Report – Solid Waste Advisory Committee

This item was postponed to a later date.

5. Report – Shellfish Advisory Committee

Pete Chase, Chair of the Shellfish Advisory Committee, gave a brief report and update.

6. Presentation – Eversource Improving Supply and Reliability to Falmouth and Martha's Vineyard – Ronit Goldstein

Ronit Goldstein, Community Relations Manager, gave a presentation for Eversource.

7. Acting as Trustees of the Falmouth Affordable Housing Fund, Discussion and Vote on amended application from Megansett Crossing, LLC to increase funding award by an additional $205,500 for a total of $855,500 for 10 units of affordable rental housing at 676, 688 and 702 North Falmouth Highway and to apply for reimbursement from the Cape Cod Commission affordable housing mitigation account

Michael Galasso, managing member of Megansett Crossing, LLC, stated that the request is for solar for the roof of the affordable housing project. In the future, all projects will be required to be Net Zero, and this request is a move towards that for the project. Even with this request, the project will be at $80,500 which is under the Town’s $100,000 maximum funding allowance. He suggested a condition of approval that three bids be sought for the solar project.

Mr. Johnson-Staub stated that a recommendation from the Community Preservation Committee spoke against using Falmouth Affordable Housing Funds for this project. The Town Manager conferred with the Cape Cod Commission, and it was determined that this project would likely not be the best use for Affordable Housing Mitigation Funds. However, if the Town requests the funds for this purpose, it would be allowed. The Falmouth Affordable Housing Fund would make the most sense to use for this item in order to front the funding for the grant.

Mr. Brown expressed concern that the CPC and Affordable Housing Fund voted against this item on principle. The Town Manager is now also recommending against it on principle. Mr. Patterson stated that it is practical to recommend against this, as the funding could instead be used toward additional affordable units. Ms. Taylor agreed with the suggestion to use the funding toward additional units.

Motion by Ms. Taylor: That the Select Board acting as the Trustees of the Falmouth Affordable Housing Fund vote to deny the application of Megansett Crossing, LLC, for $205,500 for the installation of rooftop solar panels and further that the Town will not seek funds from the Cape Cod Commission Affordable Housing Mitigation Account for this purpose, and to authorize the Town Manager to sign a letter to execute this vote.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – nay; English Braga – nay; Yes – 3 No – 2

8. Vote Charge for Sustainable Living for Working Families Taskforce (Article 18 of 06/28/2021 Annual Town Meeting)

Motion by Ms. English Braga: To approve the charge as presented.
Second: Ms. Taylor.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

9. Review and Vote to Approve Minutes of Meetings
    a. Public Session – July 26, 2021; September 13, 2021

Motion by Ms. English Braga: To approve the meeting minutes of July 26, 2021, as amended.
Second: Mr. Patterson.
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Motion by Ms. English Braga: To approve the meeting minutes of September 13, 2021, as amended.
Second: Ms. Taylor.
Roll Call Vote: Brown – abstain; Patterson – abstain; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 3 No – 0 Abstain - 2

10. Individual Select Board Members' Reports

- The County is evaluating the process for allocating a portion of the ARPA funds, some of which will be apportioned to towns that apply.

- EDIC held a ribbon cutting for Phase II of the solar array at the landfill.
- EDIC also held public forums to review what the public would like to see for the bus station property redevelopment.

11. Town Manager's Report

None at this time.

ADJOURN
Motion by Ms. English Braga: To adjourn at 11:46pm. Second: Mr. Patterson
Roll Call Vote: Brown – aye; Patterson – aye; Taylor – aye; Scott Price – aye; English Braga – aye; Yes – 5 No – 0

Respectfully submitted,
Kristan Patenaude, Recording Secretary