

TOWN OF FALMOUTH
SELECT BOARD
OPEN MEETING MINUTES
MONDAY, DECEMBER 4, 2023 – 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: Nancy Robbins Taylor, Chair; Robert P. Mascali; Edwin (Scott) Zylinski II; Onjalé Scott Price; Douglas C. Brown

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager

6:30 p.m. - OPEN SESSION

Call to Order: By Chair Taylor at 6:30 p.m.

Pledge of Allegiance: Led by Select Board

Recognition: Ms. Taylor recognized Scott Zylinski who was recently elected to the Cape Cod Metropolitan Planning Organization.

Ms. Scott Price recognized Chief Tim Smith, Deputy Fire Chief Scott Thrasher, and firefighter Patrick Friel, who allowed her to ride in the firetruck during the parade.

Mr. Mascali recognized Paul Glass and Charles D. Evans who received the 2023 AARP Andrus Award for Community Service. He also recognized the DPW for its response to the Russell Road water main indecent last week.

Announcements: Mr. Brown announced that the East Falmouth Village Association will be hosting its tree lighting and holiday event on Saturday from 1pm-4pm.

Mr. Zylinski announced that he reached out to Town Counsel regarding alternative language for the dissolution of surplus firearms which may satisfy the argument amicably.

Chair Taylor announced that there will be an MBL forum on December 8th at 7:30pm.

Public Comment:

Alan Robinson, 2 Ponds Road and member of Litter Free Falmouth announced that this Saturday and Sunday are Litter Free Falmouth's 4th annual late fall townwide litter cleanup. Anyone in the community can participate.

Nan Logan, Precinct 1, stated that she submitted an e-mail regarding the disposition of the shotguns being replaced. She noted that a number of the guns should be destroyed as this follows the clear initiatives of Article 13.

Barbara Schneider, cofounder of the Osprey Project, stated that the group met with an Eversource representative regarding some remaining dilemmas in terms of transformers and an agreement may have been reached.

Hannah Vanderscheuren, Glenwood Ave., expressed the need for year-round affordable housing in Falmouth. She was pleased to read about some Town support for the idea of deed restrictions to increase the housing inventory of year-round affordable rentals and the concept that deed restrictions could address the need for affordable housing.

Richard Duby, Precinct 6, stated that the cost of the new Police Department shotguns approved by Town Meeting last year was \$30,736. The total estimates and invoices received puts the cost closer to \$31,908.07 leaving a shortfall of \$1,172.07. He stated that he is certain the Town will find a method to cover this amount. This is a common but unethical practice. The budget should reflect actual planned expenses supported by factual evidence and should not be based on a wish list. He asked why the estimates for the shotguns were not gathered prior to submitting an article to Town Meeting.

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
 - a. Steamship Authority Board of Governors – Peter Jeffrey

Motion by Ms. Scott Price: To reappoint Peter Jeffrey to the Steamship Authority Board of Governors with a term to expire December 31, 2026.

Second: Mr. Zylinski. Vote: Yes – 5 No – 0

- b. Solid Waste Advisory Committee – Richard Merrick

Motion by Ms. Scott Price: To appoint Richard Merrick to the Solid Waste Advisory Committee with a term to expire June 30, 2024.

Second: Mr. Zylinski. Vote: Yes – 5 No – 0

PUBLIC HEARINGS

1. Fee Hearing – Discuss and vote proposed fee changes for 2024

Mr. Zylinski read and reopened the hearing.

Mr. Renshaw reviewed the proposed fees for 2024. If adopted by the Board, the new fee schedule will be effective on January 1, 2024.

Barbara Schneider stated that the Beach Committee voted unanimously not to support the \$100 resident voter sticker fee. A benefit of being a local resident and paying taxes should be to receive a reduced fee. The Committee's request is that this item be eliminated. She expressed

concern regarding the proposed swap shop sticker fee as the goal should be to get rid of items responsibly. She also expressed concern regarding the mattress and box spring fee as she has seen little along the roadsides and believes it would help to charge people nothing to properly dispose of these items.

Maggie Clayton, Beach Superintendent, stated that \$100 was proposed as a median between the taxpayer benefit and a non-resident, seasonal renter. She will return to the Board with the sticker eligibility rules, if needed.

Marc Finneran, Grand Ave., stated that, regarding the sewer privilege fee, he paid approximately \$16,000 to hitch up to the sewer. Someone three houses away from him could do the same thing for approximately \$4,400. This does not seem fair.

Amy Lowell, Wastewater Superintendent, explained that there are very few properties that this would apply to. This new fee fills in a gap for properties that already about the sewer system but are not yet connected, so a betterment was not assessed. The major application of this fee is for redevelopment to increases in flow.

It was noted that the intention with the \$10 fee to utilize the swap shop to include a waiver process for those in need.

Peter McConarty, Director of Public Works, stated that people who are going to throw a mattress on the side of the road will likely do so regardless of the cost to dispose of it properly. The Department is looking to recover its costs for disposal of these items.

Motion by Mr. Zylinski: To close the hearing.

Second: Ms. Scott Price. Vote: Yes – 5 No – 0

Motion by Mr. Zylinski: To approve the fee schedule, as proposed.

Second: Ms. Scott Price. Vote: Yes – 5 No – 0

BUSINESS

1. Authorize grant application for a feasibility assessment of beach and dune nourishment along Surf Drive

Mr. Renshaw stated that Surf Drive has been identified as one area most vulnerable to the impacts of sea level rise and storm damage. Beach and dune nourishment along Surf Drive was a recommendation in the 2020 Coastal Resiliency Planning. The goal of beach and dune nourishment projects are to add resiliency to Surf Drive. The proposed study would evaluate conceptual alternatives for beach and dune nourishment and would include cost estimates, final design, permitting, and construction. Public outreach and preapplication meetings with the regulatory agencies would also be included in this proposal. Results of the feasibility study would then be used by the Town to make better informed decisions on whether to proceed with beach nourishment. The grant requires a 25% match, likely in the range of \$20,000-\$37,500. If this grant application is successful, the capital request for this match would be submitted for the November 2024 Town Meeting.

Motion by Ms. Scott Price: To authorize the submission of this grant application, as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

2. Update on Notices of Intent to apply for watershed permits

Ms. Lowell updated the Board on the Notices of Intent to apply for watershed permits. New Title 5 and watershed permit regulations became effective in July 2023. In August 2023 the Board voted to, by January 7, 2024, file Notices of Intent to apply for watershed permits for all Falmouth watersheds designed by the State as nitrogen sensitive areas. Total maximum daily load limits have been set by the state for 14 of Falmouth's coastal ponds; watersheds to these ponds are therefore designated nitrogen sensitive areas. Watershed permit applications must be filed and permits issued for these watersheds by July 2030.

3. Fire Rescue Department Staffing Plan Presentation

Chief Smith presented on the Department's proposed Staffing Plan.

Mr. Zylinski expressed frustration and disappointment with the treatment and management of the West Falmouth Station. Mr. Renshaw stated that on October 16th, the Select Board unanimously voted to amend the strategic priority with regards to the West Falmouth Station. He asked that the Board hold his feet to the fire to solve this issue while working with Chief Smith and his staff.

Chief Smith suggested that the Department continue to follow current policy of evaluating mid-shift staffing shortages and make informed decisions to reassign personnel until the Department is able to return to a 16 person minimum. The Department should seek to negotiate an increase in minimum staffing as soon as possible to reduce impacts on the West Falmouth Station staffing. The Department should look to provide incentives for personnel who are impacted by current staffing challenges. Additional staffing through the budget is needed for safe staffing levels at each station in order to improve public safety Town-wide.

Chair Taylor advocating for using the existing staff differently in order to cover some of the concerns.

4. Vote to request funding from the Community Preservation Committee for the Falmouth Affordable Housing Fund

Mr. Renshaw explained that the Community Preservation Committee is required to transfer a minimum of 10% of CPC funds into the Falmouth Affordable Housing Fund this year. This request is for an amount more than the 10% minimum required. Based upon CPC records, 10% equates to approximately \$404,600. While there is currently a substantial uncommitted balance in the Falmouth Affordable Housing Fund, the Housing Coordinator has identified several projects which have the potential to deplete this balance relatively quickly. The Board is asked to vote to approve and recommend that the Town Manager send a request to the CPC to consider

allocating \$1.5M in funding to the Affordable Housing Fund at the April 2024 Annual Town Meeting.

Motion by Ms. Scott Price: To approve and recommend that the Town Manager send a request to the CPC to consider allocating \$1.5M in funding to the Falmouth Affordable Housing Trust Fund at the April 2024 Annual Town Meeting.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

5. Discuss real estate transfer fee

Dave Garrison, Affordable Housing Committee, stated that several years ago the Committee put forward a number of policy proposals. A transfer fee was considered by the Committee but not advanced at that time. The lack of affordable housing at a wide range of incomes presents a major challenge to the long term viability of Falmouth. Significant progress must be made to add more affordable units both for sale and for rent. A major aspect of this challenge is for the Town to set aside sufficient funds dedicated to subsidizing a steady stream of projects, big and small. The Committee's recommendation is that there is considerable demand from localities across the Commonwealth for the authority to implement a transfer fee on residential real estate transactions, with the resulting revenue going towards affordable housing. Other Cape towns have sent home rule petitions to the State legislature. The Committee recommends that the Board develop a warrant article for the April Town Meeting to send the necessary petition to the State level review. The transfer fee would apply only to residential real estate sales and only to the amount of the sale that exceeds \$1M. 2% the revenue from the fee would be dedicated, by law, to the Town's affordable housing fund. It is estimated that a 2% fee on the excess of residential sales above \$1M would have brought in approximately \$1.8M on 121 transactions, had the fee been in place in 2022.

Mr. Mascali asked how the funds would be distributed. Mr. Garrison stated that the Town has an existing process for this which should remain.

The Board directed the Town Manager to move forward with drafting a home rule petition for review.

6. Report – Community Preservation Committee

Maureen Thomas, Community Preservation Committee, gave the annual report.

7. Discuss and vote on the approval of a Letter of Support concerning the proposed connection of the Shining Sea Bikeway to the Cape Cod Canal Path

Mr. Renshaw explained that the proposed Bourne rail trail project, upon completion, would utilize an existing section of the Falmouth secondary rail to close an approximate 6.5 mile gap between the Cape Cod Canal path and the Shining Sea Bikeway. In 2019, the Board voted to approve a letter supporting the rail with trail and is being asked to consider a second letter at this time. On January 28, 2019, the Board voted to adopt an official position with regards to the Bourne proposed project and that position was to support the funding and design of this project adjacent

to the existing rail line, or rail with trail, in order to preserve the operational integrity of the existing rail system. Earlier this year, it was explained to him that Bourne's decision to pivot from the rail with trail, to rail to trail design was related to higher construction costs and longer timeline for completion. The secondary rail line currently serves the Upper Cape Regional Transfer Station which is a vital part of the Upper Cape Municipal Solid Waste and Construction Demolition Transportation Network. The regional transfer station system receives approximately 6-8 roll off container trucks per hour or 50-60 per day. Mass DOT has long recognized the value of utilizing rail transport of solid waste as a means of reducing the number of trucks on roadways and bridges. The Cape Cod Commission has identified use of alternative methods to trucking to transport waste and recycling materials from Barnstable County, including rail and ship. In December 2021, a report entitled Solid Waste Management on Cape Cod & the Islands: Understanding Options for Solid Waste Processing Disposal and Recycling identified waste transportation by rail as an optimal long term solution. It was recommended to develop both the Falmouth regional transfer station and the Yarmouth transfer station to ensure critical redundancy going forward. If the Bourne rail to trail model proceeds, it would effectively make the Upper Cape regional transfer station non-viable, as it relies upon the two tracks. At its November 20, 2023, meeting, the Mashpee Select Board approved a letter of support for a rail with trail design. He recommended that the Board approve the attached letter of support for rail with trail.

Mr. Mascali noted that there is federal funding available for the project if it is a rail to trail project. This would help to subsidize the cost of the rail with trail. Also, the utilization of the rail in the event of a disaster should be considered.

Mr. Brown stated that he does not want to remove the important infrastructure. He suggested an electric trolley that could be used on the tracks.

Mr. Zylinski stated that it seems a poor idea to give up the infrastructure in the case of potential future catastrophe events.

Ms. Scott Price asked if the rail to trail project would not allow trains from the regional transfer station. Mr. Renshaw agreed. The rail to trail option is less costly and has a faster timeframe to completion. ARPA funds seem to be committed and available for the project, but there are strict timelines for this allocation to be utilized, and he is concerned that the project may run into some long-term legal issues.

Mr. Cavossa explained that the transfer station is something that his company operates for the Cape communities as a subcontractor. There is no viable landfill to reach by truck from this community or any other community on the upper Cape if the Bourne landfill closes. The Cape Cod Commission study recognized that the Upper Cape regional transfer station and the Yarmouth transfer station with rail should be the solution for the future for the Cape. He stated that, if this closes, the municipal solid waste for the community, businesses, and residents will not go to the Bourne landfill. Mr. Mascali noted that it could go to the Yarmouth landfill. Mr. Cavossa stated that this would be unrealistic.

Leonard Johnson, North Falmouth, spoke on behalf of the Bicycle & Pedestrian Committee. Bourne is considering a rail with trail approach, meaning building a path alongside the rails, or a rail to trail option which entails moving the rails and following the center line. Building the path following rails, the rail with trail, method is, in effect, a vote to kill the project to extend the bike path. The rail with trail option is estimated to cost \$80M as opposed to the \$20M the center line approach could cost. There is an available federal grant of \$20M to build the extension but only if the path is built up the center line. Building the trail alongside the rails is much more complicated and more expensive. Land takings would be involved to widen the bed in order to accommodate the path and 11 bridges along the route would need to be completely rebuilt. Finally, the rail bed itself would have to be widened to pass through the marsh in Pocasset and the EPA would never allow the marsh to be disturbed. It is understandable why the rail to trail option has been adopted by Bourne. The process of bringing this issue before the Board tonight is flawed. The wording of the agenda item itself is misleading because the letter to support the rail with trail option is a vote to kill the project. There has been no broad public discussion of this issue, and the choice has widespread implications for both Falmouth and Bourne. This decision should be thoroughly vetted, and everyone should be allowed to express their opinion. He requested that the Board hold an open forum at some point in the future and that the Board not send a letter supporting rail with trail at this time.

Bob Leary stated that the letter raises all the issues regarding solid waste disposal and how detrimental losing rail capability for solid waste disposal would be. As a 14 year member of the Falmouth Planning Board and one of the three co-authors of the Local Comprehensive Plan (LCP) he stated that he believes the rail line should remain intact. The LCP Committee looked at the F2 line as a lifeline to the Cape should a natural or man-made disaster strike Cape Cod. The ability to transport large amounts of materials and equipment by rail to a staging area on Joint Base Cape Cod would be crucial to a disaster response and rebuilding efforts. The military also has a stake in the survival of the F2 line. Joint Base Cape Cod uses the F2 line to haul trash and debris off the Cape as well. As for transportation for large scale troop and equipment movement, removing the line would deny the base vital capabilities for national defense. The letter leaves no room for doubt that removing the F2 line for the sole purpose of a bikeway is short sighted, environmentally unsound, and economically fooled. He supported the Board's endorsement of the letter.

Marc Finneran, Grand Ave., stated that he believes the Town has made some serious mistakes mismanaging the transfer station in the past. In making those mistakes, the Town has enhanced the business at the Bourne landfill. As they make plenty of money off Falmouth, their vote to move to a rail to trail project was a bit selfish on their part because they serve to make more money at their transfer station if the rail is closed. This seems to be an ulterior motive. Removing this rail line will compound many of the serious mistakes the Town has made in the past.

Scott Lindell, 15 Lantern Lane, stated that there needs to be a more comprehensive and thoughtful discussion around this topic. It appears this rail line is critical for potential natural disasters, but it is also low lying over a marsh and would likely be washed out during a storm event. The Town needs to consider a more stable and long lasting solution for moving trash across the bridge in the age of climate change. This should be a regional discussion as to how to make the line more resilient.

Ken Chetlin, resident of Bourne and President of the Friends of the Bourne Rail Trail, explained that his group met with Mr. Renshaw on this topic as he was new to the town of Falmouth, and they wanted to make sure that he was aware of the project and the position the Bourne Board of Selectmen had unanimously. The intention was never to cut Falmouth out of the process. His group has worked closely with the bike committees in Falmouth. If the Board makes this decision and sends this letter, it is making a statement from the town of Falmouth that they do not want this bike project to move forward. There is no way a rail with trail project will ever happen. If the Board follows the recommendation of the Town Manager without further process, it will be making the decision on behalf of the Town and its residents that they do not support the extension of the Shining Sea Bikeway.

Mr. McConarty stated that Falmouth's Board already took a vote in 2019 and, soon after, the Falmouth DPW moved forward with a design from County Road to the Bourne town line. Everyone knows that Falmouth has been working on a rail with trail design. The Town has received CPC grants and Chapter 90 funds for the design and also a split grant from Mass Trails with the town of Bourne for completing test holes and other exploratory digging. Bourne already knew that. Falmouth plans to continue to move forward with that plan. It is unclear why the Board is considering taking a vote again as this was already decided upon by the town of Falmouth. If this letter is not supported and sent, this would be a setback for DPW as it would have to go back to redesign the project. He asked how long this project will continue to be delayed on Falmouth's end because of Bourne's decision.

Mr. Chetlin agreed that Falmouth has been working diligently on Phase 4 of this project. There are four phases in the original concept of rail with trail. Phase 4 is 8/10 of a mile in Falmouth and the rest in Bourne. Bourne moved forward with Phase 1, as Falmouth did Phase 4, as these were the easiest phases to do as they did not involve as much widening of the right of way. \$810,000 was spent for VHB to design these two phases and during that time it was determined that it would be prohibitively expensive to build rail with trail and that Phases 2 and 3 could never be completed. Bourne then pivoted to rail to trail which is now endorsed by everyone in the town of Bourne. Much of the work already done in Phases 1 & 4, including the Falmouth section, will be perfectly applicable to build on the center line. That work is not all wasted.

Mr. Finneran stated that Bourne does not have the right to dictate what Falmouth does. These tracks being removed would benefit Bourne's transfer station. They already pocket money every day from the town of Falmouth at their transfer station.

Victoria Lowell, Town Meeting Member, agreed with a public forum on this item and suggested that the towns should try to work together collaboratively.

Mr. Leary stated that this comes down to a want versus a need. Many people want a bike trail, but it is not something that is needed. It is not as vital compared to the viability of the rail line that services the Town now and into the future.

Nathaniel Clark, County Road, stated that if the Board supports keeping the track, the project will cost \$80M which would be solely taxpayer money versus the current plan for \$20M for

which a grant is in hand. That funding will be pulled back once a decision is made to not take up the track. As a bicyclist, he feels that the Board is making a decision to do away with all of the work that has already been done.

Mr. Cavossa stated that the threats regarding that the trail will never be built if the tracks are not ripped up are absolutely ridiculous. There are plenty of viable routes to bring this bike path to connect to the Canal and the Upper Cape Regional School. This is about a small group of people, some of whom about the rail, that want to rip up the. For \$20M a bike path could be built from Bourne to Falmouth right now via an easement on the east side of Route 28.

Leonard Collins, 50 Minot St., stated that the Town has a very robust recycling program which could be improved, and this should be further considered in terms of what to do with the Town's trash. There should also be discussions regarding resiliency and global impact. He suggested tabling this item in hopes of having further discussion on many of these topics with other experts.

Alison Leschen, Lantern Lane, stated that she is confused by this process. The public found out two days ago that this would be a ten minute topic on the agenda, but this has turned into a public meeting. Many were not able to prepare things to say or compile the experts needed on such short notice. It would be a disservice to the Town to make a decision right now on something that would affect the Town for generations. Falmouth is a tourist town and there are approximately 300,000 people who use the bike path every year for any number of reasons, including commuting, recreation etc. To dismiss this is disingenuous. This process is not doing justice to the issue.

Chair Taylor asked if there was a public forum process in 2019 when the previous Select Board wrote the letter. Mr. Johnson-Staub stated that there was not.

Mr. Brown stated that a decision was made in 2019 which was in the best interest of the Town, not just those who ride bicycles. It would be short sighted to tear up infrastructure that is serving the Town now and will into the future. He will not be changing his mind on the topic simply because a geologist tells him that there are areas that the proposal is not feasible in. The trolley idea should be explored.

Mr. Mascali stated that the ultimate decision on this trail is not being made by the Board. He does not support the letter at this time, as he would like further discussion and investigation to occur.

Mr. Zylinski stated that no one has spoken about the added tourism from the bike path which creates trash that the Town then has to get rid of, which residents pay for. Both sides are trying to rush through this process because there is funding which needs to be spent in a certain timeframe. Trash disposal is an essential service that the Town is responsible to provide for its residents, and he feels strongly about providing this essential service to people. There are other places to ride a bike. People need to be realistic about the whole picture.

Paul Sylvia, President of the Friends of the Falmouth Bikeway, stated that a lot of new information has popped up, but some Board members have stated that they have already made up their minds and will not be swayed. This is unfair to the people who are supporting pulling up the tracks. There are enumerable reasons for having a bike path, not just for sightseeing and recreation. The Bikeway generates business for the businesses in Town. It is rushed to make a decision at this time. He noted that the Cape Cod Commission has Vision 88, which is an 88 mile path from Provincetown to Woods Hole and one of the major blocking points to it is the 6 1/2 mile stretch from North Falmouth to Bourne. This is a priority of the Cape Cod Commission.

Jim Bourdon, Siders Pond Road, stated that trash is very important and he also uses the rail trail 3-4 times a week. It seems that all of the facts have not yet been presented. He has not heard anything about the economic value if the rail trail was extended. He asked that the Board take more time to consider the potential costs and impacts of the project.

Mr. Brown stated that the Board has not heard anything to make it change its current position. He believes the Board should send the existing letter right now, knowing that it could change its position in the future.

Ms. Scott Price stated that she does not see the harm in having further discussion if there is no urgency to sending the letter at this time. This evening is not an appropriate venue for the Board to hear all of the opinions at play.

Mr. Leary stated that he has seen signs saying, "Save the Shining Sea Bikeway extension," but it is impossible to save something that does not exist, and he finds this to be disingenuous.

Motion by Ms. Scott Price: To hold the letter at this time, in order to host a public discussion before sending it.

Second: Mr. Mascali. Vote: Yes – 2 No – 3

Motion by Mr. Zylinski: To authorize the Town Manager to send the letter as presented.

Second: Mr. Brown. Vote: Yes – 3 No – 2

8. Announce April 2024 Town Meeting schedule

The Board reviewed the proposed April 2024 Town Meeting schedule.

Motion by Ms. Scott Price: To adopt and approve the April 2024 Town Meeting schedule as presented.

Second: Mr. Zylinski. Vote: Yes – 5 No – 0

9. Approve annual license renewals for 2024

**ALL ALCOHOL RESTAURANT with
COMMON VICTUALLER**

Añejo Mexican Bistro, 188 Main Street
Bucatino Restaurant & Wine Bar, 7 Nathan Ellis Hw
Casa Vallarta, 70 Davis Straits

Epic Oyster, 70 County Road
Falmouth Country Club, 630 Carriage Shop Road
Moto Pizza, 500 Waquoit Highway
Osteria la Civetta, 133 Main Street
Paul Harney Golf Enterprises, Inc., 74 Club Valley D

Pickle Jar Kitchen, 170 Main Street
Provisions, 7 Water Street
Quarterdeck Restaurant, 164 Main Street
Sacconneset Golf Club, 132 Falmouth Woods Road
Simply Divine, 261 Main Street, Unit A
Taco Blanco, 870 Main Street, Unit E
The Black Dog Heights Café, 465 Grand Avenue
The Golden Swan, 323 Main Street
Water Street Kitchen, 56 Water Street

ALL ALCOHOL PACKAGE STORE

Falmouth Food Mart & Liquor, 414 East Falmouth Highway
Family Foods, 350 East Falmouth Highway
Kenyon Market & Liquors, LLC dba Kenyon's Market
Murfslix Inc. d/b/a Murphy's Package Store, 410 West Falmouth Highway
Old Barn Package Store, 20 Luscombe Avenue
RJ's Variety & Liquors, 174 Sandwich Road
West Falmouth Market, 623 West Falmouth Highway

WINE, MALT & CORDIAL RESTAURANT with COMMON VICTUALER

Doggz & Hoggz, 781 Main Street

WINE & MALT RESTAURANT with COMMON VICTUALER

Pizza I & Subs II, 769 East Falmouth Highway
Seafood Sam's, 356 Palmer Avenue

WINE & MALT PACKAGE STORE

Jack in the Beanstalk, 800 Gifford Street Ext.
OSJL Spirits, LLC d/b/a Ocean State Job Lot, 50 Teaticket Highway
Windfall Market, 77 Scranton Avenue

BREWERY – WINERY

Cape Cod Winery, 4 Oxbow Road

COMMON VICTUALER

Burger King, 111 Teaticket Highway
Dana's Kitchen, 881 Palmer Avenue
Persy's Place, 40 North Main Street
Prime Time House of Pizza, 286 Old Main Road
Supreme Pizza, 147 Teaticket Highway

INNHOLDER

Shoreway Acres, 59 Shore Street

ENTERTAINMENT

Bucatino Restaurant & Wine Bar, 7 Nathan Ellis Highway
Cape Cod Winery, 4 Oxbow Road
Moto Pizza, 500 Waquoit Highway
Pickle Jar Kitchen, 170 Main Street
Provisions, 7 Water Street
Quarterdeck Restaurant, 164 Main Street
Sacconneset Golf Club, 132 Falmouth Woods Road
Simply Divine, 261 Main Street, Unit A
The Black Dog Heights Café, 465 Grand Avenue

SUNDAY ENTERTAINMENT

Bucatino Restaurant & Wine Bar, 7 Nathan Ellis Highway
Cape Cod Winery, 4 Oxbow Road
Provisions, 7 Water Street
Sacconneset Golf Club, 132 Falmouth Woods Road

AUTOMATIC AMUSEMENT DEVICE

Pizza I & Subs II, 769 East Falmouth Highway

Motion by Ms. Scott Price: To approve the ALL ALCOHOL RESTAURANT with COMMON VICTUALER license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the ALL ALCOHOL PACKAGE STORE license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the WINE, MALT & CORDIAL RESTAURANT with COMMON VICTUALER license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the WINE & MALT RESTAURANT with COMMON VICTUALER license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the WINE & MALT PACKAGE STORE license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the BREWERY – WINERY license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the COMMON VICTUALLER license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the INNHOLDER license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the ENTERTAINMENT license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the SUNDAY ENTERTAINMENT license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

Motion by Ms. Scott Price: To approve the AUTOMATIC AMUSEMENT DEVICE license renewals as presented.

Second: Mr. Zylinski.

Vote: Yes – 5 No – 0

CONSENT AGENDA

1. Licenses

- a. Approve application for a Change of DBA - Woho, LLC d/b/a Provisions located at 87 Water Street, Unit 2

2. Administrative Orders

- a. Approve petition from NSTAR Electric Company d/b/a Eversource Energy for permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as said Company may deem necessary, in, under, along and across the public way or ways: Stephens Lane, Jones Road, Ter Heun Drive, Depot Avenue, Cemetery Lane, Mill Road, and Surf Drive. This work is necessary to provide electric service for the Falmouth to Martha's Vineyard Cable Reliability Project.
- b. Accept donation to the in the amount of \$500.00 from the Roger & Kathy Marino Foundation to the Falmouth Fire Rescue Department

Motion by Mr. Zylinski: To approve the Consent Agenda.

Second: Ms. Scott Price.

Vote: Yes – 5 No – 0

MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - a. Public Session – November 20, 2023

Motion by Mr. Zylinski: To approve the meeting minutes of November 20, 2023.

Second: Ms. Scott Price. Vote: Yes – 5 No – 0

TOWN MANAGER’S SUPPLEMENTAL REPORT

- Mr. Renshaw thanked the Chamber of Commerce, DPW, and staff for its work on recent events.

SELECT BOARD REPORTS

- Mr. Brown stated that he attended a meeting with the urine diversion working group to determine the potential scope of the project and identify potential funding mechanisms.
- Mr. Zylinski thanked those involved in the Christmas Parade event.

ADJOURN

Motion by Ms. Scott Price: To adjourn at 10:18pm.

Second: Mr. Zylinski Vote: Yes – 5 No – 0

Respectfully submitted,
Kristan Patenaude, Recording Secretary