TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, AUGUST 25, 2025 – 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: Robert P. Mascali, Chair; Douglas C. Brown; Jack Richardson; Colin W. Reed
Absent: Heather M. H. Goldstone, Vice Chair
Others present: Mike Renshaw, Town Manager; Maura O'Keefe, Town Counsel; Peter Johnson-Staub, Assistant Town Manger

1. OPEN SESSION

Call to Order: By Chair Robert P. Mascali at 6:30 p.m.

Pledge of Allegiance: Led by Select Board

Proclamation:

1) Proclamation - Falmouth Genealogical Society Day - September 12, 2025

Mr. Reed read the Proclamation for the Falmouth Genealogical Society Day – September 12, 2025, into the record.

2) Proclamation - National Suicide Prevention Awareness Month - September 2025

Mr. Mascali read the Proclamation for National Suicide Prevention Awareness Month - September 2025, into the record.

Recognition: Mr. Brown recognized the Emerald House Community Garden group.

Announcements: Mr. Mascali announced that tomorrow, August 26th, is Women's Equality Day.

Mr. Brown announced that this weekend is the Bands for Badges Concert.

Mr. Richardson announced that the opening and ribbon cutting for The Patch's land will be held on August 30th from 11am-4pm.

Public Comment:

Brandon Edsel, MA 4 Fair Elections, explained that the group is committed to safeguarding the integrity of the election process, which remains a fundamental cornerstone of the Republic to which each town council pledges allegiance at the outset of every meeting. He expressed concern that for many this pledge has become more of a procedural formality, rather than an earnest affirmation of the collective responsibilities to communities and nation. The sole focus of MA 4 Fair Elections is ensuring that elections within the state are conducted in a lawful, transparent manner. MA 4 Fair Elections will soon be conducting a signature drive to support election validity through practical measures, including voter identification to reduce potential fraud.

2. CONSENT AGENDA

a. Licenses

1) Consider a vote to approve an application from Joe Q Veteran Coffee Break for a Special One-Day Wine and Malt liquor license - Cape Cod Bocce Tournament - Falmouth Academy, 7 Highfield Drive, Falmouth - Saturday, 9/20/25 - 10:00 a.m. - 3:00 p.m.

2) Consider a vote to authorize the Town Manager to execute a Boat Dock License with the Commonwealth of Massachusetts, Slip D-12, 180 Scranton Avenue, Falmouth.

b. Administrative Orders

1) Consider a vote to approve the petition by NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one (1) new JO pole to be labeled #1265/14 and Guy Anchor on Town property at 87 Acapesket Road. The pole location is necessary to provide service to 87 Acapesket Road.

2) Consider a vote to withdraw $500 from the Beach Donations Account (28-632-5655-4830) for the Dr. David Garber "Dare to be Great" Award given to Jack Wagner, Head Guard of Falmouth Heights Beach, during the 2025 annual banquet.

~~3) Consider a vote to approve an extension to the Upper Cape Regional Transfer Station Intermunicipal Agreement (IMA)~~

This item was held for further discussion.

4) Consider a vote to amend the Select Board 2025 meeting calendar

5) Consider a vote to appoint John Dillon as the Cape & Islands Veterans Outreach Center (CIVOC) representative to the Veteran's Council Committee

Motion by Mr. Reed: To approve the Consent Agenda, with the exception of Administrative Item #3. Second: Mr. Brown.
Vote: Yes – 4 No – 0

b. Administrative Orders

3) Consider a vote to approve an extension to the Upper Cape Regional Transfer Station Intermunicipal Agreement (IMA)

Peter McConarty, Director of Public Works, explained that the Upper Cape Regional Transfer Station IMA was entered into by Mashpee, Sandwich, Falmouth, and Bourne in 1988 when the facility was built and the Town of Falmouth has always been the lead town for the operation. In 2022 the town of Bourne withdrew from the collaborative. The current request is to extend the contract, as it ends on June 30, 2026. An RFP/RFQ for the operations of the facility needs to be put out, but that cannot happen until the IMA gets resolved.

Motion by Mr. Brown: To approve the approve an extension to the Upper Cape Regional Transfer Station Intermunicipal Agreement (IMA). Second: Mr. Richardson.
Vote: Yes – 4 No – 0

3. PUBLIC HEARINGS

a. Discuss and consider a vote to approve the application by Green Pond Yacht Club, LLC d/b/a Green Pond Yacht Club located at 366 Menauhant Road, East Falmouth, for a Change of Ownership Interest of its All Alcoholic Beverages Club License. Also, consider a vote to approve the application for a Change of LLC Manager and Change of Manager of the club.

Mr. Brown read and opened the hearing at 6:53pm.

Matthew Terry, Amend Klauer LLP, represented the applicant in requesting a Change in Ownership of the Green Pond Yacht Club.

Mr. Renshaw stated that the application was reviewed by the Police and Health Departments, who had no objections. The Board reminded the applicant that future entertainment requests would need to be approved by the Board for a license.

Cynthia Rose asked if the applicant has any intentions to expand the service or buildings. The applicant noted that he is a tenant of the building and so cannot expand the footprint. He does not intend to expand the Yacht Club service at this time.

Motion by Mr. Richardson: To close the public hearing. Second: Mr. Brown.
Vote: Yes – 4 No – 0

Motion by Mr. Brown: To approve a Change of Ownership Interest of the All Alcoholic Beverages Club License for Green Pond Yacht Club, LLC d/b/a Green Pond Yacht Club. Second: Mr. Richardson.
Vote: Yes – 4 No – 0

Motion by Mr. Richardson: To approve a Change of LLC Manager for Green Pond Yacht Club, LLC d/b/a Green Pond Yacht Club. Second: Mr. Reed.
Vote: Yes – 4 No – 0

Motion by Mr. Richardson: To approve a Change of Manager for Green Pond Yacht Club, LLC d/b/a Green Pond Yacht Club. Second: Mr. Reed.

Vote: Yes – 4 No – 0

4. BUSINESS

a. Present, discuss and consider a vote to accept the FY26 Capital Plan

Mr. Renshaw presented an overview of the FY26 proposed Capital Spending Plan and the 10-Year Capital Improvement Plan. He asked the Board to consider a vote to accept the FY26 proposed capital budget for submittal to the Finance Committee, which will then conduct an in-depth review of each element at the department level. The proposed FY26 Capital Spending Plan is approximately $29M. The FY25 voted Capital Spending Plan was approximately $19.5M. The plan includes proposed capital spending from all funding sources. The largest source of annual capital funding is generally Free Cash and the FY26 capital budget is no exception. It currently proposes to spend approximately $15.9M in Free Cash and the Free Cash certification is expected to be approximately $20M this year. Last year's certified Free Cash was approximately $22.9M. The goal is to reappropriate, when possible, to minimize the use of Free Cash. Last year's capital plan relied on a reappropriation in the amount of approximately $490,000 and the proposal this year is for approximately $1.7M in reappropriation transfers.

The FY26 proposed budget also proposes a temporary short-term borrowing of approximately $4.7M for the Police Station design. There are currently three sites under consideration, and a final determination should be made shortly. The cost of the construction project will impact real estate taxes. The project is currently being considered at a cost of approximately $55M.

The FY26 Capital Spending Plan included approximately $2.4M in department requests that were not recommended for funding and instead are proposed to be deferred. Mr. Renshaw discussed the proposed $10M delta between the FY25 and FY 26 plans. Much of this deals with the water main replacements commitment, the remediations of baseball fields, the replacement of Library building infrastructure, maintenance/construction of sidewalks, a fire engine and ambulance replacement, wastewater outfall permitting, a Morse Pond School feasibility study, and master planning efforts for Trotting Park.

Mr. Renshaw reviewed items within the future 10-Year Plan, including a building facility needs assessment, a Police Station construction estimate, a combining Fire Stations study, an aquaculture for nitrogen reduction project, bulkhead replacements and dredging, Marine Park Phase 2, other MES costs, a Lawrence School renovation, East Falmouth School infrastructure replacements, School A/C and electric needs, Menauhant Road and Grand Avenue work, fleet replacements, Nantucket Sound watersheds, outfall design and construction, System Lift Station improvements, water main project, Water Distribution Storage building replacement, East Falmouth Library, and Surf Drive beach nourishment.

Mr. Renshaw explained that Staff seeks to maintain a balance of maintaining equipment and infrastructure within the limitations of the available funding and the bandwidth and capacity of staff. The proposed amount being put forward is at the upper limit of what the Town can spend while maintaining and building its financial reserves. He requested that the Board consider accepting and submitting the proposed Capital Spending Plan to the Finance Committee with or without amendments.

Motion by Mr. Reed: To accept the FY26 Capital Spending Plan, as presented, and transmit it to the Finance Committee. Second: Mr. Richardson.
Vote: Yes – 4 No – 0

b. Overview of water quality monitoring program for Falmouth bathing beaches

Scott McGann, Health Officer, explained that the Health Department has a Massachusetts bathing beach water quality program. It is the responsibility of the local boards of health to regulate public and semipublic beaches under the regulations and there are 52 sampling sites in Town, both fresh and salt water. The Department tests for bacteria which indicate the presence of fecal coliform for salt water, and E.coli for fresh water. These tests are run on a weekly basis. Private beaches are not tested. One failed test does not constitute a closure but a second failed test in a row would. There has not been a beach closure yet this year. If a beach was closed due to failures, signage would be installed to alert the public. The Town had one case of necrotizing fasciitis. There is nothing for this within the regulations and it is not part of the testing program.

c. Report - Bicycle and Pedestrian Committee

Katherine Jansen, Chair of the Bicycle and Pedestrian Committee, presented on the Committee's activities. She noted that the Committee's upcoming projects include improvements to bicyclist and pedestrian safety in the SSA terminal area and nearby streets. The Bicycle Pedestrian Committee will review its goals in September and will hold a strategic planning session with the DPW in October. The Committee will continue to partner with the community to help improve safety for walkers and bike riders.

d. Update on Trotting Park Baseball Field remediation project

Mr. McConarty gave an update on the Trotting Park Baseball Field remediation project. The site holds three fields in their existing locations, along with the asphalt parking lot in its existing location, and ADA improvements such as amphitheater seating. The plans currently show natural grass ball fields, as Mass DEP has stated that there would be no real benefits to turf fields. A final decision will be made shortly. Some material will need to be moved on the site, including to dig new foundations for the light poles and backstops. The press boxes on Fields 1 and 2 will be replaced. There will be new score boards. The lighting on Field 1 will remain and lighting will be added on Field 2. There is currently an irrigation system for the fields on Town water, and this will remain. Mass DEP will need to review and approve the proposed plans. Final designs should be ready this fall. Additional funding will be sought for the project at Annual Town Meeting. The intention is to go out to bid for the project in early 2026, with construction through 2026. The ball fields should be open by the fall of 2027 for youth baseball.

e. Discussion of recycling and solid waste collection contract

Mr. McConarty explained that the Town is under agreement with Nauset Disposal until June 30, 2027. It would be good for the Town to go out for an RFP or RFQ process this fall. The language for an RFP or RFQ will be considered with Town Counsel. The new contract may consider uniform containers, with the contractor owing the MSW carts. Standardized trash carts would be helpful to both the contractor and residents.

Mr. Reed asked what problem will be solved for with standardized carts. Mr. McConarty stated that standardized carts would make the process easier and safer for contractors. The industry standard is to move toward automated services.

f. Discuss and consider a vote to approve a request from Habitat for Humanity of Cape Cod for a waiver of the application and permit fees for 4 affordable homes at 805 Gifford St. Ext. and 14 affordable homes at 48 Benjamin Nyes Lane

Mr. Johnson-Staub stated that the Town has a well-established precedent of waiving application and permit fees for affordable housing projects. There is specific language in the Board's Fee Waiver Policy that addresses the type of affordable housing projects that qualify for this. The recommendation from staff is to follow the policy and waive the permit and application fees for these 18 affordable units, as requested by Habitat for Humanity

Motion by Mr. Richardson: To approve the waiver of all permit application fees associated with this affordable housing construction. The waiver will not include water services or installation fees. Second: Ms. Brown.
Vote: Yes – 4 No – 0

5. MINUTES

a. Review and vote to approve minutes of meetings: Review and consider a vote to approve minutes of meetings: July 28, 2025 and August 11, 2025

Motion by Mr. Reed: To approve the meeting minutes of July 28, 2025, and August 11, 2025. Second: Mr. Richardson.
Vote: Yes – 4 No – 0

6. TOWN MANAGER'S SUPPLEMENTAL REPORT:

- Mr. Renshaw stated that staff is in the process of finalizing the Strategic Plan performance measurement capital project tracker platform. He should be able to demo this to the Board on September 29th.

7. SELECT BOARD REPORTS

- Mr. Richardson stated the EOHLC Secretary encouraged that the Town work more closely with the Housing Authority regarding potential areas for redevelopment.
- Mr. Brown stated that the Short-term Rental Committee met last week and agreed to keep the base of the short-term rental bylaw in place at this time. The Committee will work to add definitions and clearer language. The Committee will meet again on September 10th.

8. FUTURE AGENDA ITEMS

- Mr. Mascali noted that the Board's agendas be set moving forward in a more thematic approach.
- Mr. Richardson stated that he would like to discuss improving the accessibility of the Town's website.
- Mr. Brown stated that he would like a future agenda item regarding FCTV having access to the fiber network.
- Mr. Mascali suggested a discussion topic regarding a future AI policy.

9. ADJOURN

Motion by Mr. Richardson: To adjourn at 9:17pm. Second: Mr. Brown.
Vote: Yes – 4 No - 0

Respectfully submitted,
Kristan Patenaude, Recording Secretary