

FALMOUTH EDIC
DECEMBER 10, 2007
SELECTMEN'S MEETING ROOM – 4:45PM

PRESENT: MARY PAT FLYNN, CHAIRMAN
STEPHEN SPITZ, VICE CHAIRMAN
GLENN KELLY
SAMUEL LORUSSO
CAREY MURPHY
WILLIAM VENDT
ABSENT: CHRISTINE ROSS

Town Counsel Frank Duffy – Open Meeting Law and Conflict of Interest Law

Frank gave an overview of these two laws as they relate to the EDIC board. He wanted members to be aware enough that if a situation came before them they would know enough to check it out before proceeding further. His office is available to deal with these issues.

A brief synopsis of the Open Meeting Law:

- Requires all public business be conducted in public.
- If you go into Executive Session you must first have a posted regular meeting and convene such a meeting. All votes in Executive Session must be by role call vote and the minutes must reflect each individual's vote.
- Reasons to go into Executive Session that might apply to the EDIC are:
 1. to discuss character representation, physical condition or mental health as opposed to the professional competence of an individual provided that individual has been invited to attend the Executive Session,
 2. to discuss strategy for collective bargaining, prospective litigation, etc. The litigation must be actually pending or immanent.
 3. to discuss the purchase, exchange, lease or value of real estate,
 4. interviews, but finalists need to be in Public Session.
- Minutes must be taken.
- Must have a quorum.
- Site visits to gather information are allowed.
- E-mails are public record.

Conflict of Interest Law:

- Although EDIC members do not receive a paycheck from the town and are not on the health insurance they are municipal employees of the Town of Falmouth. Therefore, they may go to Town Counsel directly for a written opinion before any action is taken on a conflict of interest situation.
- Do not take any bribes, maximum gift acceptable is \$49.99.
- You are not allowed to use your position to obtain un-warranted privileges for yourself or anyone else.
- As municipal employees do not enter into any contract with the Town of Falmouth without checking with Town Counsel.
- Cannot disclose any confidential information received as an EDIC member.

Patrick Butler – Update (given by Chairman Flynn)

- Proposed Wind Tower: At our last meeting Sam Lorusso and Steve Spitz offered to be a sub-committee to review this request. Since Sam is an abutter to Dan Webb's property it is appropriate for him to step down and recuse himself and another member should be assigned to work with Steve on a recommendation. Glenn Kelly offered.
- Hardship Exemption for the Re-subdivision of the Edgerton Drive Property: Met today with the Commission who agreed to reduce the normal application fee of \$5,400 to \$2,500. John Harding suggested the fee should be waved entirely. We are just moving a lot line and it may not be worth asking for the Exemption if traffic mitigation, etc. is going to be required.
- Dr. Myles Walsh Property: Closing will be January 3, 2008.
- RTDC – all board positions are filled.

STG Consultants – Update by Sharon Gay

- Sharon will send another copy of the Traffic Study we completed last year to the CCC.
- Gathering final information for the EDIC web design to go on-line.

Bills – Motion by Stephen Spitz and second by William Vendt to approve the expenditure of \$235 for Secretarial Services for Linda Wells. Unanimous vote.

John Harding – Update

- The Teledyne/Benthos Corporation will be approaching the CCC in the next quarter to apply for a Determination of Regional Impact Waiver (DRI) to add 15,000 sq. ft. to the plant.
- Had a 2nd meeting with the prospective buyers for Lot 5.

Old Business

- Choose Date in January 2008 to Honor Harlyn Halvorson and Bill McKeon: Thursday seems to be a good night for everyone. The date chosen was January 17th with the 24th as a 2nd date. More information to follow.

Approve Minutes of November 19, 2007 – Glenn Kelly made a motion to approve the minutes of November 19, 2007 as printed, seconded by Stephen Spitz. Unanimous vote.

Correspondence

- A letter from Todd Drummey representing the neighbors on Blacksmith Shop Road – they are against the proposed wind tower in Tech Park – it's large size, noise (vibration) potential, loss in real estate value, etc. Steve commented other towns have established criteria for windmills that can be accepted but he did not know if Falmouth has such criteria. Carey Murphy assured him we do. Steve and Glenn will have a report for our next meeting.

Set Next Meeting Date

Our next regular meeting will be **Monday, January 14, 2008 at 4:45pm in the Selectmen's Meeting Room.**

Adjournment

Glenn Kelly made a motion to adjourn at 6:10pm, seconded by Stephen Spitz.
Unanimous vote.

Respectfully submitted,

Linda J. Wells
Recording Secretary