



**TOWN OF FALMOUTH  
SPECIAL TOWN MEETING  
MEMORIAL AUDITORIUM**

**Tuesday, April 5, 2011 AT 7:00 PM**

1	Amend Zoning Bylaw - Article XVIII (18) Sec.240-83.1 Floodplain Zone
2	Amend Zoning Bylaw - Article XVIII (18) Sec.240-81 Floodplain Zone
3	Petition - Amend Zoning Bylaw and Map Section 240-72.1.D (S.Rhodes)
4	Amend Fiscal Year 2011 Operating Budget
5	Fund - Unpaid Bills
6	Fund - Long Pond Filtration Feasibility / Pilot Study
7	Fund - Stabilization Fund (Capital Improvement Plan)
8	Fund - Town/School Financial Systems Upgrade
9	Fund - Fire Rescue Department Overtime Budget
10	Fund - Non Criminal Code Enforcement Expenses
11	Fund - Town Marina Electrical Expenses
12	Fund - Veteran's Ordinary Benefits Budget
13	Fund - Upper Cape Regional School Capital Repairs
14	Fund - Unemployment Budget
15	Fund - Superior Officers' Association Contract
16	Fund - Police Federation Contract
17	Fund - International Association of Firefighters Local 1397 Contract
18	Fund - American Federation of State, County and Municipal Employee Local 1636 (AFSCME) Contract
19	Fund - Laborer's International Union of North America, AFL-CIO Local 1249 Contract
20	Fund - Public Library Association, Massachusetts Laborers' District Council Contract
21	Fund - Technical/Administrative/Management Employee (TAM)
22	Petition - Transfer Odd Fellows Hall Parcel for Community Housing (R.Herbst)
23	Petition - Instruct Board of Selectmen to hire a competent Solid Waste Manager (M.Finneran)
24	Community Preservation Fund - Transfer Housing Development funds to Affordable Housing Fund
25	Community Preservation Fund - Transfer Housing Retention funds to Affordable Housing Fund
26	Community Preservation Fund - Undesignated Fund Balance (Debt Payment on Spring Bars Road Parcel)
27	Community Preservation Fund - Undesignated Fund Balance (Fee Payment on Spring Bars Road Parcel)
28	Community Preservation Fund - Undesignated Fund Balance Transfer (Salary & Wages)
29	Community Preservation Fund - Undesignated Fund Balance Transfer (Health Insurance)
30	Adopt Massachusetts Building Code 780 CMR 120.AA - Stretch Energy Code
31	Request Board of Selectmen to appoint Wastewater Management Committee
32	Funding Article

**ARTICLE 1:** To see if the Town will vote to amend Article XVIII (18) – Floodplain Zone – of the Zoning Bylaw by adding the following section 240-83.1 – **Reference to Existing Regulations:**

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");

Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);

Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);

Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);

Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations. Or do or take any other action on this matter. On request of the Planning Board.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 1.

**ARTICLE 2:** To see if the Town will vote to amend Article XVIII (18) – Floodplain Zone – of the Zoning Bylaw by adding the following section 240-81:

**Floodway Data.** In zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. Or do or take any other action on this matter. On request of the Planning Board.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 2.

**ARTICLE 3:** To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map by changing Section 240-72.1.D to read as follows: "For purposes of this district, there are hereby delineated within the Town certain Water Resource Protection Districts consisting of recharge areas which are shown as Zone II's on a Map entitled "PLAN TO ACCOMPANY A ZONING CHANGE PETITION OF SCOBA RHODES IN FALMOUTH, MA. SCALE 1"=600', DATE 1/13/2011. The purpose and intent of this article is to make the boundaries of the Water Resource Protection Districts be coincident with the boundaries of the State Approved Zone II's. Or do or take any other action on this article.

On petition of Scoba F. Rhodes and Others.

**MOTION:** That the town vote to amend Article XV(15) – Water Resource Protection Districts – of the Zoning Bylaw by deleting the words "dated December 23, 1998" from section 240–72.1D and insert in its place the words "dated March 29, 2011" so as to read in its pertinent part: "This map is at a scale of one inch to 1500 feet and is entitled Water Resource Districts, Town of Falmouth, dated March 29, 2011"

**VOTED:** By a declared two thirds majority, a quorum being present on Tuesday, April 5, 2011 the Town voted to amend Article XV(15) – Water Resource Protection Districts – of the Zoning Bylaw by deleting the words "dated December 23, 1998" from section 240–72.1D and insert in its place the words "dated March 29, 2011" so as to read in its pertinent part: "This map is at a scale of one inch to 1500 feet and is entitled Water Resource Districts, Town of Falmouth, dated March 29, 2011"

**ARTICLE 4:** To see if the Town will vote to adjust the Fiscal Year 2011 operating budget to amend the appropriations voted in Article 13 at the April 2010 Annual Town Meeting. Or do or take any other action in this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted

to appropriate the sum of \$46,108.00 from the Treasurer Salary & Wages Budget, \$15,462.00 from the Facilities Salary & Wages Budget, \$7,297.00 from the Building Salary & Wages Budget, and \$17,402.00 from the Water Salary & Wages Budget, to the Departmental Salary & Wages Budgets listed below for Fiscal Year 2011  
 Operating Budget adjustment total of \$86,269.00.

AMOUNT	TRANSFER FROM		TRANSFER TO	
\$29,609.00	01145-51110	Treasurer (Sal & Wages)	01122-51110	BOS/Town Mgr (Sal & Wages)
462.00	01145-51110	Treasurer (Sal & Wages)	01131-51110	Finance Committee (Sal & Wages)
1,303.00	01145-51110	Treasurer (Sal & Wages)	01135-51110	Town Accountant (Sal & Wages)
2,534.00	01145-51110	Treasurer (Sal & Wages)	01141-51110	Assessing (Sal & Wages)
1,751.00	01145-51110	Treasurer (Sal & Wages)	01146-51110	Town Collector (Sal & Wages)
2,009.00	01145-51110	Treasurer (Sal & Wages)	01150-51110	Legal (Sal & Wages)
1,358.00	01145-51110	Treasurer (Sal & Wages)	01152-51110	Personnel (Sal & Wages)
3,822.00	01145-51110	Treasurer (Sal & Wages)	01155-51110	Information Tech (Sal & Wages)
565.00	01145-51110	Treasurer (Sal & Wages)	01156-51110	GIS (Sal & Wages)
1,135.00	01145-51110	Treasurer (Sal & Wages)	01159-51110	Affirmative Action (Sal & Wages)
1,560.00	01145-51110	Treasurer (Sal & Wages)	01160-51110	Town Clerk (Sal & Wages)
1,240.00	01198-51110	Facilities (Sal & Wages)	01171-51110	Conservation (Sal & Wages)
2,051.00	01198-51110	Facilities (Sal & Wages)	01175-51110	Planning (Sal & Wages)
820.00	01198-51110	Facilities (Sal & Wages)	01176-51110	Zoning (Sal & Wages)
7,426.00	01198-51110	Facilities (Sal & Wages)	01210-51110	Police (Sal & Wages)
2,699.00	01198-51110	Facilities (Sal & Wages)	01294-51110	Natural Resources (Sal & Wages)
1,226.00	01198-51110	Facilities (Sal & Wages)	01295-51110	Harbor (Sal & Wages)
870.00	01241-51110	Building (Sal & Wages)	01543-51110	Veterans Services (Sal & Wages)
2,230.00	01241-51110	Building (Sal & Wages)	01599-51110	Human Services (Sal & Wages)
2,188.00	01241-51110	Building (Sal & Wages)	01611-51110	Library (Sal & Wages)
2,009.00	01241-51110	Building (Sal & Wages)	01631-51110	Recreation (Sal & Wages)
3,886.00	01451-51110	DPW Water (Sal & Wages)	01411-51110	DPW Admin/Eng. (Sal & Wages)
1,275.00	01451-51110	DPW Water (Sal & Wages)	01431-51110	DPW Waste Mgt. (Sal & Wages)
3,933.00	01451-51110	DPW Water (Sal & Wages)	01440-51110	DPW Wastewater (Sal & Wages)
5,324.00	01451-51110	DPW Water (Sal & Wages)	01499-51110	DPW Tree (Sal & Wages)
1,486.00	01451-51110	DPW Water (Sal & Wages)	01510-51110	Health Inspection (Sal & Wages)
1,498.00	01451-51110	DPW Water (Sal & Wages)	01541-51110	Council on Aging (Sal&Wages)

**ARTICLE 5:** To see if the Town will vote to appropriate a sum of money for the purpose of paying unpaid bills from a prior fiscal year, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to appropriate the sum of \$630.47 from Certified Free Cash to be expended under the jurisdiction of the Board of Selectmen for the purposes of paying unpaid bills from a prior fiscal year as follows:

DPW Water Department                      Granite City Electric                      \$630.47

**ARTICLE 6:** To see if the Town will vote to appropriate a sum of money to fund the Long Pond Filtration Feasibility / Pilot Study, including design and permitting, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to raise and appropriate the sum of \$800,000.00 for the purposes of Article 6, including costs incidental and related thereto; provided, however, that no money shall be raised hereunder by assessing taxes in excess of levy limitations unless the Town shall have voted to exclude this amount from the provisions of Proposition 2 ½, so called, under M.G.L. Ch.59, sec. 21C (i ½) as a capital exclusion and only after passing a Town-wide referendum vote on the ballot of the May 2011 annual town election, said sum to be expended under the jurisdiction of the Board of Selectmen.

**ARTICLE 7:** To see if the Town will vote to appropriate a sum of money to the Town's Stabilization Fund for the purpose of funding a Capital Improvement Plan for the Town of Falmouth, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Finance Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 7.

**ARTICLE 8:** To see if the Town will vote to appropriate a sum of money for the purpose of funding a Town/School Financial Systems Upgrade and Installation, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 8.

**ARTICLE 9:** To see if the Town will vote to appropriate a sum of money for the purpose of funding the Fire Department Budget Line Item 01220-51130 (Overtime), and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Acting Fire Chief.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to appropriate a sum of \$150,000.00 from Certified Free Cash to Fire Rescue Budget Line item 01220-51130 (Overtime) for the purposes of Article 9 to be expended under the jurisdiction of the Fire Chief.

**ARTICLE 10:** To see if the Town will vote to appropriate a sum of money for the purpose of funding Non Criminal Code Enforcement expenses, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Acting Fire Chief.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to appropriate a sum of \$1,800.00 from the Building & Fire Code Enforcement Receipts Reserved for the purposes of Article 10 to be expended under the jurisdiction of the Fire Chief.

**ARTICLE 11:** To see if the Town will vote to appropriate a sum of money for electrical upgrades at the Town Marina on Scranton Avenue, and to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Waterways Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 11.

**ARTICLE 12:** To see if the Town will vote to appropriate a sum of money for the purpose of funding the Veteran's Ordinary Benefits Account 01543-57770, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Director of Veterans' Services.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to appropriate a sum of \$20,000.00 from Certified Free Cash to Veterans Ordinary Benefits Budget Line Item (01543-57770), for the purposes of Article 12 to be expended under the jurisdiction of the Director of Veterans' Services.

**ARTICLE 13:** To see if the Town will vote to appropriate a sum of money for the purpose of funding capital repairs to the Upper Cape Regional Vocational School through the MSBA Green Repairs Program, and to determine how the same shall be raised and by whom expended. Or do or take any other action in this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to approve the \$2,000,000 borrowing authorized by vote of the Upper Cape Cod Regional Vocational Technical School District on March 10, 2011, for the purpose of paying costs of replacing windows at the District high school located at 220 Sandwich Road, Bourne, Massachusetts, and for the payment of all costs incidental and related thereto.

**ARTICLE 14:** To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town's obligation for Unemployment Compensation benefits, and to determine how the same shall be raised and by whom expended. Or do or take any other action in this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to transfer \$28,284.00 from Unemployment Budget Line item 01913-57799 (Prior Year Encumbrances) and appropriate \$96,716.00 from Certified Free Cash to Unemployment Budget Line Item 01913-51174 for the purposes of Article 14 to be expended under the jurisdiction of the Personnel Director.

**ARTICLE 15:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the Falmouth Superior Officers' Association, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 15.

**ARTICLE 16:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the Police Federation, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 16..

**ARTICLE 17:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the International Association of Firefighters, Local 1397, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 17.

**ARTICLE 18:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the American Federation of State,

County and Municipal Employee, Local 1636, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 18.

**ARTICLE 19:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the Laborers' International Union of North America, AFL-CIO, Local 1249, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 19.

**ARTICLE 20:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2010, as agreed to by the Town of Falmouth and the Falmouth Public Library Association, Massachusetts Laborers' District Council, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 20.

**ARTICLE 21:** To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding an increase for the Technical, Administrative, Management and permanent employees for the period commencing July 1, 2010, and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 21.

**ARTICLE 22:** To see if the Town will vote to authorize the Board of Selectmen to transfer a parcel of land situated on Chancery Lane, Parcel 47A, Section 08, Parcel 002B, Lot #005, better known as The Odd Fellows Hall, for nominal, non-monetary consideration to a Developer/Manager, subject to an appropriate restriction that the property be redeveloped for Community Housing and upon such further terms and conditions as the Board of Selectmen deems appropriate, or do or take any other action on this matter. On petition of Ralph Herbst and Others.

**VOTED:** By a declared majority vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Article 22 as printed.

**ARTICLE 23:** Whereas; A True accounting of the W.M.F. (Dump) reveals during 2008-9 the only deficit was in competent management. Further, the 2010 management scheme produced a \$200,000 (+) revenue short fall rather than the \$3,000 profit as advertised to the public. Pursuant to this we, the undersigned petition T.M. to instruct Selectmen to remove the W.M.F. and Transfer Station from the perview of the D.P.W. and immediately hire a competent Solid Waste Manager to rescue these valuable Town assets. On petition of Marc Finneran and Others.

**MOTION:** Whereas; A True accounting of the W.M.F. (Dump) reveals that the only deficit was in competent management. Further, the 2010 management scheme produced a \$200,000 (+) revenue short fall rather than the \$3,000 profit as advertised to the public. Pursuant to this we, the undersigned petition T.M. to instruct Selectmen to remove the W.M.F. and Transfer Station from the perview of the D.P.W. and immediately hire a competent Solid Waste Manager(s) to rescue these valuable Town assets.

**VOTED:** By a counted vote of 60 in favor and 131 in opposition, a quorum being present on Tuesday, April 5, 2011 the Town voted not to pass Article 23.

**ARTICLE 24:** To see if the Town will vote to transfer funds previously appropriated under Article 16 of the April 2010 Special Town Meeting for the purpose of the Affordable Housing Development Fund into the Falmouth Affordable Housing Fund, approved by Town Meeting under Article 31 of the November 2010 Annual Town Meeting and established by special act of the General Court. Said funds to be expended in accordance with the "Guidelines for the Affordable Housing Fund". Or act in any way relative thereto as allowed under the Community Preservation Act. On the request of the Community Preservation Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to transfer \$800,000, from the Affordable Housing Development Program Funds into the Falmouth Affordable Housing Fund to be expended in accordance with the "Guidelines for the Falmouth Affordable Housing Fund," subject to the approval of special legislation creating the Falmouth Affordable Housing Fund, as voted by Article 31 of the November 2010 Annual Town Meeting.

**ARTICLE 25:** To see if the Town will vote to transfer funds previously appropriated under Article 17 of the April 2010 Special Town Meeting for the purpose of the Affordable Housing Retention Fund into to the Falmouth Affordable Housing Fund, approved by Town Meeting under Article 31 of the November 2010 Annual Town Meeting and established by special act of the General Court. Said funds to be expended in accordance with the "Guidelines for the Affordable Housing Fund". Or act in any way relative thereto as allowed under the Community Preservation Act on the request of the Community Preservation Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted to transfer of \$233,617 appropriated under Article 27 of the 2006 Annual Town Meeting, Article 37 from the April 2007 Annual Town Meeting, and Article 36 from the April 2008 Annual Town Meeting for the purpose of the Affordable Housing Retention Program into the Falmouth Affordable Housing Fund to be expended in accordance with the "Guidelines for the Falmouth Affordable Housing Fund" subject to the approval of special legislation creating the Falmouth Affordable Housing Fund, as voted by Article 31 of the November 2010 Annual Town Meeting.

**ARTICLE 26:** To see if the Town will vote to appropriate \$500,000 from the Community Preservation Fund Undesignated Fund Balance for the purpose of paying the FY11 short term principal payment in connection with the debt incurred in April 2010 for the Town's acquisition of the Spring Bars Road parcel. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Article 26 as printed.

**ARTICLE 27:** To see if the Town will vote to appropriate \$5,000 from the Community Preservation Fund Undesignated Fund Balance for the purpose of paying fees in connection with the debt incurred in April 2010 for the acquisition of the Spring Bars Road parcel. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Article 27 as printed.

**ARTICLE 28:** To see if the Town will vote to transfer a sum of money from the Planning Office FY-2011 salary and wages line item 01175-51110 to the Community Preservation Fund Undesignated Balance. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 28.

**ARTICLE 29:** To see if the Town will vote to transfer a sum of money from the Fiscal Year 2011 Health Insurance Budget line item 019194-51177 to the Community Preservation Undesignated Fund Balance. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee

**VOTED:** By a counted vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Indefinite Postponement of Article 29.

**ARTICLE 30:** To see if the Town will vote to adopt 780 CMR 120.AA, of the Massachusetts Building Code, the "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, including any amendments or modifications thereto, a copy of which is on file with the Town Clerk, as a by-law of the Town to be incorporated into Chapter 95, Building Construction, of the Code of Falmouth, or do or take any other action on the matter. On request of the Board of Selectmen.

**VOTED:** By a counted vote of 62 in favor and 133 in opposition, a quorum being present on Tuesday, April 5, 2011 the Town voted not to pass Article 30.

**ARTICLE 31:** To see if the Town will request the Board of Selectmen to exercise its authority under Sec. C3-6C of the Falmouth Home Rule Charter and appoint a wastewater management committee, determine the number of members and the length of terms to be served, define the duties of the committee and the scope of its responsibilities, or do or take any other action on the matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted Article 31 as printed.

**ARTICLE 32:** To see if the Town will provide funding for any or all of the purposes voted for in the foregoing articles by transfer from available funds, by borrowing or by any combination of the foregoing. Or do or take any other action on this matter. On request of the Finance Committee and the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Tuesday, April 5, 2011 the Town voted that all articles approved at this Town Meeting be funded as voted for a total of \$2,722,316.47 and that the Board of Selectmen be requested to place a questions on the May 2011 Town Election Ballot as voted in Article 6.