**WARRANT FOR THE SPECIAL TOWN MEETING**

**Tuesday, April 6, 2010 AT 7:00 PM**

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**ARTICLE 1:**

To see if the Town will vote authorize the Board of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN or any other appropriate authority, all or a portion of land in Falmouth, Barnstable County, Massachusetts, for purposes of community housing, open space and/or passive public recreation being described as follows:

Land now or formerly of Robert B. Pacheco, approximately 21.13 acres, more or less, and being shown on Assessors Map 39, Section 15, Parcels 46 and 47 and described in deeds recorded in the Barnstable County Registry of Deeds in Book 5471, Page 115, and Book 4041, Page 203, respectively.

And further to appropriate a sum of money for the acquisition of the foregoing land, including costs incidental and related thereto, and to authorize the Board of Selectmen or its designee to accept any gifts of property, real, personal or otherwise, in relation to the foregoing acquisition and to enter into any agreements and to execute all documents it deems advantageous on behalf of the Town, for partial or full reimbursements of the cost of acquisition, and to determine how the same shall be raised, including appropriation from the Community Preservation Fund, under the Community Preservation Act, or by borrowing said sum or any part thereof pursuant to Chapter 44, Section 7(3) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefore.

Said land acquired with Community Preservation Funds shall be bound by permanent deed restrictions meeting the requirements of M.G.L. c. 184 and limiting the use of the land to the purpose for which it was acquired.
VOTED: By a declared two-thirds majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to authorize the Board of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN or any other appropriate authority, all or a portion of land in Falmouth, Barnstable County, Massachusetts, for purposes of community housing, open space and/or public recreation being described as follows:

Land now or formerly of Robert B. Pacheco, approximately 21.13 acres, more or less, and being shown on Assessors Map 39, Section 15, Parcels 46 and 47 and described in deeds recorded in the Barnstable County Registry of Deeds in Book 5471, Page 115, and Book 4041, Page 203, respectively.

And further to appropriate the sum of $3,000,000.00 for the purposes of Article 1, including costs incidental and related thereto, and that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen, is authorized to borrow $1,500,000.00 under the provisions of M.G.L. Ch. 44, §7(3), M.G.L. Ch. 44B, §11, or any other enabling authority, and to issue bonds or notes of the Town therefore, and to appropriate the sum of $1,500,000.00 from the Community Preservation Fund Undesignated Balance; and to authorize the Board of Selectmen to accept any gifts of property, real, personal or otherwise; enter into any agreements; seek funding under M.G.L. Ch. 132A, §11 and execute all documents it deems advantageous on behalf of the town, for partial or full reimbursements of the cost of acquisition; and to authorize expenditure of such funds by the Board of Selectmen or its designee.

Said land acquired with Community Preservation Funds shall be bound by permanent deed restrictions meeting the requirements of M.G.L. c. 184 and limiting the use of the land to the purpose for which it was acquired.

ARTICLE 2: To see if the Town will vote to authorize the Board of Selectmen to transfer or convey to the Twenty Two Acres Realty Trust dated June 19, 2003, David V. Peterson, Jr., Trustee, land owned by the Town of Falmouth located northerly and northwesterly of Thomas B. Landers Road and being a portion of land shown on the Falmouth Assessors Map as Map 16 Section 02 Parcel 002 Lot 000 and shown on a plan of land entitled “Plan Prepared for Twenty Two Acres Realty Trust in West Falmouth, MA, Scale: 1" = 60’, Date: July 16, 2009” prepared by Homes and McGrath, Inc., Civil Engineers and Land Surveyors, 362 Gifford Street, Falmouth, MA 02540” as: (1) Parcel C, comprised of 4.22 acres; and, (2) Parcel A, comprised of 3.47 acres, for a total of 7.69 acres, without payment of monetary consideration to the Town of Falmouth, but in exchange for which the Twenty Two Acres Realty Trust and D.T.B, Inc. shall transfer or convey to the Town of Falmouth, without payment by the Town of Falmouth of monetary consideration, land located northerly and northwesterly of Thomas B. Landers Road being: (1) a portion of land shown on the Falmouth Assessors Map as Map 15 Section 03 Parcel 019 Lot 001 owned by the Twenty Two Acres Realty Trust and shown on said plan as Parcel D, comprised of 7.42 acres, together with an easement appurtenant to said parcel D over other land of the Twenty Two Acres Realty Trust for reasonable driveway access to Parcel D from Thomas B. Landers Road; and, (2) a portion of land shown on the Falmouth Assessors Map as Map 16 02 001A 001 owned by D.T.B., Inc. and shown on said plan as Parcel 1A, comprised of 11,986 square feet (.27 acres), for a total of 7.69 acres. 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 6, 2010 the Town voted Article 2 as printed.

ARTICLE 3: To see if the Town will vote to authorize the Board of Selectmen to issue a Request for Proposals or otherwise convey one (1) parcel of land at 761 Teaticket Highway in East Falmouth, being land shown on the Assessors Map as Map 34 Section 06 Parcel 015 Lot 001K, subject to an appropriate restriction that the land be used for affordable housing and upon such further terms and conditions as the Board of Selectmen deems appropriate. Or do or take any other action in this matter. On request of the Board of Selectmen.

VOTED: By a counted vote of 139 in favor and 56 opposed, a quorum being present on Tuesday, April 6, 2010 the Town voted Article 3 as printed.

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to sell or otherwise convey one (1) parcel of land at 55 Glenwood Avenue in Falmouth, being shown on the Assessors Map as 47A-08-010-000, subject to an appropriate restriction that the land be used for affordable housing and upon such further terms and conditions as the Board of Selectmen deems appropriate. Or do or take any other action in this matter. On request of the Board of Selectmen.
conditions as the Board of Selectmen deems appropriate. Or do or take any other action in this matter. On request of the Board of Selectmen.

**VOTED:** By a declared two-thirds majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted Article 4 as printed.

**ARTICLE 5:** To see if the Town will vote to adjust the Fiscal Year 2010 operating budget to amend the appropriations voted in Article 18 at the April 2009 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 6, 2010 the Town voted to transfer from the following line items:

1) 01122-51110 Selectmen/Town Manager Salary & Wages $2,853
2) 01131-51110 Finance Committee Salary & Wages 447
3) 01135-51110 Town Accountant Salary & Wages 1,258
4) 01141-51110 Assessing Salary & Wages 2,186
5) 01145-51110 Town Treasurer Salary & Wages 1,386
6) 01146-51110 Town Collector Salary & Wages 1,390
7) 01150-51110 Legal Salary & Wages 1,976
8) 01152-51110 Personnel Salary & Wages 1,329
9) 01155-51110 Information Technology Salary & Wages 3,782
10) 01156-51110 GIS Salary & Wages 548
11) 01159-51110 Affirmative Action Salary & Wages 323
12) 01160-51110 Town Clerk Salary & Wages 1,559
13) 01171-51110 Conservation Salary & Wages 1,211
14) 01175-51110 Planning Salary & Wages 2,021
15) 01176-51110 Zoning Salary & Wages 804
16) 01198-51110 Facilities Salary & Wages 3,957
17) 01210-51110 Police Salary & Wages 5,619
18) 01210-51125 Police Part Time Summer Patrol 5,560
19) 01210-51134 Police Addtl Gross-Drug Investigation 18,271
20) 01210-51144 Police Educational Incentive – Quinn Bill 177,829
21) 01210-51191 Police Uniform Allowance 1,000
22) 01210-54418 Police Supply-Community Policing 2,753
23) 01210-54583 Police Supplies-Uniforms 7,000
24) 01210-54587 Police Supplies-Range 513
25) 01210-57710 Police In-State Travel 1,766
26) 01210-57720 Police Out-of-State Travel 3,800
27) 01210-57787 Police Othr Charges-Training 9,335
28) 01220-51110 Fire Salary & Wages 1,518
29) 01220-51140 Fire Differential-Holiday 22,000
30) 01220-51142 Fire Differential-Holiday Dispatch 2,000
31) 01220-52242 Fire Repr/Maint-Vehicles 10,000
32) 01220-54583 Fire Othr Supplies-Clothing 6,000
33) 01241-51110 Building Salary & Wages 3,600
34) 01294-51110 Natural Resources Salary & Wages 2,655
35) 01295-51110 Harbor Salary & Wages 1,268
36) 01295-51120 Harbor Salary & Wages Temp 10,000
37) 01300-51110 School Salary & Wages 100,000
38) 01300-57780 School Otherwise Unclassified 110,036
39) 01300-57799 School Prior Year Encumbrances 39,964
40) 01411-51110 DPW Admin/Engineering Salary & Wages 33,786
41) 01422-51110 DPW Highway Salary & Wages 8,215
42) 01422-52251 DPW Highway Repr/Maint-Town Property 10,000
43) 01431-51110 DPW Waste Management Salary & Wages 1,274
ARTICLE 6: 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 6, 2010 the Town voted to appropriate a sum of $1,751.60 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:

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<tr>
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<th>Amount</th>
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<tbody>
<tr>
<td>Legal</td>
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<tr>
<td>Animal Inns, Inc.</td>
<td>$314.50</td>
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<tr>
<td>Deer Run Veterinary Service</td>
<td>81.00</td>
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<tr>
<td>Treasurer</td>
<td></td>
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<tr>
<td>RBS WorldPay</td>
<td>1,356.10</td>
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ARTICLE 7: To see if the Town will vote to appropriate a sum of money to complete a financial audit of the Treasurer function, 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 Town Manager.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of $5,000.00 from Certified Free Cash for the purposes of Article 7 to be expended under the jurisdiction of the Board of Selectmen

ARTICLE 8: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town Meeting Budget Line Item 01113-51120 (Salary & Wages), 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 Town Clerk.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to transfer a sum of $500.00 from Town Meeting Advertising Budget Line Item 01113-52343 to Town Meeting Salary & Wages Part Time Budget Line Item 01113-51120 for the purposes of Article 8 to be expended under the jurisdiction of the Town Clerk.

ARTICLE 9: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Elections Budget Line Item 01162-51120 (Salary & Wages), 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 Town Clerk.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of $14,000.00 from Certified Free Cash to Elections Salary & Wages Budget Line Item 01162-51120 for the purposes of Article 9 to be expended under the jurisdiction of the Town Clerk.

For a total of $888,196.00 to Accounting Budget Line Item 01135-57785 (Reserve for Fiscal Year 2010 Closing).
ARTICLE 10: To see if the Town will vote to appropriate a sum of money to the Fiscal Year 2010 Falmouth School Department Budget, 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 Falmouth School Committee.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted Indefinite Postponement of Article 10.

ARTICLE 11: To see if the Town will vote to appropriate a sum of money to the Fiscal Year 2010 Cape Cod Regional Library Budget, 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 Library Director.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of $15,733.00 from Certified Free Cash to Cape Cod Regional Library Budget Line Item (01613-51110), for the purposes of Article 11 to be expended under the jurisdiction of the Library Director.

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 6, 2010 the Town voted to appropriate a sum of $25,000.00 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 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 Town Manager.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of $100,000.00 from Certified Free Cash to Unemployment Budget Line Item 01913-51174 for the purposes of Article 13 to be expended under the jurisdiction of the Personnel Director.

ARTICLE 14: To see if the Town will vote to appropriate a sum of money for the purpose of funding the purchase of Election hardware and software, 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 Town Clerk.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum $9,175.00 for the purpose of funding the purchase of Election hardware and software. To be expended under the jurisdiction of the Town Clerk.

ARTICLE 15: To see if the Town will vote to appropriate a sum of money for costs related to the demolition of a structure located at 630 Waquoit Highway 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 Building Commissioner.

VOTED: By a declared majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of $7,400.00 from Certified Free Cash for the purposes of Article 15 to be expended under the jurisdiction of the Building Commissioner.

ARTICLE 16: To see if the Town will vote to consolidate all appropriations made to the Affordable Housing Development Program under Article 46 of the November 2006 Town Meeting, Article 36 of the April 2007 Town Meeting, Article 34 of the April 2008 Town Meeting, and Article 21 of the April 2009 Town Meeting, and notwithstanding the terms of the votes regarding such articles, to authorize the Community Preservation Committee to recommend and distribute the expenditure of such funds, including any future appropriations into the Housing Development Program, subject to a vote of the Board of Selectmen, in accordance with the Affordable Housing Development Program Guidelines, as such guidelines may be amended from time to time by the Community Preservation Committee. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.
VOTED: By a declared majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to transfer the sum of $1,003,016.67 which was previously appropriated under the following articles ($3,016.67 from Article 46 of the November 2006 Town Meeting, $292,300 from Article 36 of the April 2007 Town Meeting, $425,000 from under Article 34 of the April 2008 Town Meeting, and $282,700 from Article 21 of the April 2009 Town Meeting) into one consolidated appropriation for purposes of the Housing Development Program; and to authorize the Community Preservation Committee to recommend and distribute the expenditure of such funds, including any future appropriations into the Housing Development Program, subject to a vote of the Board of Selectmen, in accordance with the Affordable Housing Development Program Guidelines, as such guidelines may be amended from time to time by the Community Preservation Committee.

ARTICLE 17: To see if the Town will vote to transfer Community Preservation Funds previously appropriated for the Affordable Housing Retention Program under Article 47 of the November 2006 Town Meeting and Article 36 of the April 2008 Town Meeting to the Affordable Housing Development Program under the Community Preservation Act category of Community Housing. 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 6, 2010 the Town voted to transfer the sum of $333,000 (of which $203,617 was previously appropriated under Article 47 of the November 2006 Town Meeting and $129,383 appropriated under Article 36 of the April 2008 Annual Town Meeting) to be made available for the purposes of the Affordable Housing Development Program.

ARTICLE 18: To see if the Town will vote to transfer Community Preservation Act Funds previously appropriated under Article 39 of the April 2007 Annual Town Meeting for purposes of the historically appropriate rehabilitation of the Davis House at 3 Water Street in Woods Hole to the Historic Resources Reserve. 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 6, 2010 the Town voted to transfer the remaining sum of $131,809 from the appropriation authorized under Article 39 of the April 2007 Annual Town Meeting and transfer the same to the Historic Resources Reserve.

ARTICLE 19: 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 7, 2009 the Town voted that all articles approved at this town meeting be funded as voted for a total of $5,534,581.27