COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

ANNUAL FALL TOWN MEETING

Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

Thursday, November 15, 2012

7:00 p.m.

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THE MODERATOR: Okay, would all Town Meeting Members please come in and take your seats. Don’t forget to sign in; attendance will be published in the Falmouth Enterprise.

[Pause.]

THE MODERATOR: Okay, all Town Meeting Members please come forward, take your seats. We’re going to establish a quorum. We’ve got a number of articles left this evening. This room is not available tomorrow night; it’s not available next Monday. So if we don’t wrap up tonight, we won’t be able to come back until at least next Tuesday. So let’s see if we can have good, hearty debate, focus our comments on the issues and take the necessary votes to move forward the warrant.

When we get started this evening, we’ll get started on Article 35.

This evening our Finance Committee chairman has a previous obligation which he could not break, so Mr. Lewis will be standing in to make the motions on behalf of the Finance Committee.
Mr. Hampson also had an obligation, so counting the votes in the third division tonight will be Mr. Johnson.

So, in the first division will be Mrs. Tashiro; in the second division will be Mr. Dufresne; and in the third division will be Mr. Johnson.

Would all Town Meeting Members present please rise for the establishment of a quorum.

[Pause.]

THE MODERATOR: In the first division, Mrs. Tashiro?

MRS. TASHIRO: 44.

THE MODERATOR: 44.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 74.

THE MODERATOR: 74.

In the third division, Mr. Johnson.

MR. JOHNSON: 59.

THE MODERATOR: 59.

By a counted vote of 177, we have a quorum and I call the Annual Meeting back into session.

Please rise for the Pledge of
Allegiance.

[Pledge of Allegiance taken.]

THE MODERATOR: I recognize Mr. Dufresne for our invocation.

MR. DUFRESNE: Please stand.

Oh God, creator of us all, we ask your blessings on this Town Meeting. Let each one of us here this evening recognize our differences and our similarities. Let us listen to each other thoughtfully, and guide us to vote on the issues before us with an open mind.

We ask you to watch over our words and our debates so that the result of our meeting will be beneficial to all. Amen.

THE MODERATOR: You may be seated.

Okay, Article 35. This is petitioner article dealing with the Wind Turbine bylaw. The recommendation of the Board of Selectmen is indefinite postponement. This was held by Ms. Driscoll.

MS. DRISCOLL: Good evening, Kathy Driscoll, precinct 7. The purpose of Article 35, now particularly since –

THE MODERATOR: Well, can we have a
motion first, please.

MS. DRISCOLL: I’m sorry. The motion as printed.

THE MODERATOR: Okay, as printed. Ms. Driscoll.

MS. DRISCOLL: Since the bylaw on Tuesday night was voted down, what I would like to ask you is to vote in favor of having the Planning Board continue with their work, utilizing the revised Wind Turbine bylaw that has been put forward by the state.

Information was provided on Tuesday night related to that bylaw, some of the revisions. And, again, the revisions are based on improvements on technologies, information that’s been presented, for wind turbine siting. And so I ask that you vote for this article to help the Planning Board in the continuation of their development of a wind turbine bylaw.

THE MODERATOR: Okay, discussion on Article 35. Mr. Latimer.

MR. LATIMER: [Inaudible.]

THE MODERATOR: Okay, Ms. Kerfoot, then Mr. Latimer.
MS. KERFOOT: Thank you. Tonight I want to speak on Article 35 as a Falmouth resident, not officially for the Planning Board because we didn’t speak about this nor did we take a vote on Article 35.

But I do speak to you tonight from over three years of experience collecting information on turbines and being involved with the writing of the draft Falmouth Turbine Bylaw.

In regard to Article 35, before you vote, you should be able to answer some questions as you deliberate your vote tonight. First of all, have you read and are you familiar with the format and requirements in the state’s model bylaw? You should know that the claim has been made that we didn’t use this; we did. We used the 2009 version, we used the 2011 version. But what we did do is pick and choose, because it is a model bylaw. So we chose what we thought was appropriate and best for the Town. Unless you’ve read this, you’re voting for something that you don’t understand what you’re voting for. And I heard a lot of complaint about that, previously.
For instance, do you know that this model bylaw allows a 100 kilowatt turbine — considered to be small — anywhere, by right, with only the approval of a licensed building inspector? In this case it would be our Building Commissioner, I would assume. For your reference as to the size, a hundred kilowatt size is that which is at Woods Hole Research on Woods Hole Road.

In our proposed bylaw, there were district limitations as to where turbines could go and separated out by size of the turbines.

Did you know that in this proposed bylaw, the model bylaw given to you — or, put out by the state, the revised version, small turbines, defined as 100 kilowatt or less, can exceed 250 feet or more in height, and that large turbines can exceed 450 feet in height? Both of these increases in height can be allowed because of financial need or gain. That’s written in here.

Also, there is no limit as to how large the turbines can be in this bylaw. They can go up to three megawatts, or more, whatever.
Did you know that the state’s model bylaw gives the state oversight over what is considered acceptable sound? In conjunction with the permitting authority. So, we’re to some degree limited as to what we can do with sound.

And did you know that what you were being asked to approve in many ways would tie the Town’s hands to determine itself what is in its best interests? You are giving away, if you follow this really, really closely, some of the Town’s autonomy to determine what is best for its own interests.

Without officially adopting the model bylaw, which is just that, a model, your Planning Board already used this document and its precedent, as well as, as we told you, many other sources of information from other towns, states, counties, countries, to create the draft bylaw, in our view as to what would be best for the Town of Falmouth.

That determination by your Planning Board also allows you the same freedom of choice, too.

I personally, as an interested and
informed resident, urge you to defeat this article and keep your options open.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Thank you, Richard Latimer, precinct 1, speaking as a Town Meeting Member, not a Planning Board Member – which I am. And I fully adopt everything Pat Kerfoot said.

I think I have a few more things to add in opposition to this proposal that we be tied into a generic model bylaw, which doesn’t necessarily fit this Town, nor fit the issues that we’re facing in this Town.

We had taken our best shot at resolving the wind turbine issue with Article 3, and it has proven to be intractable. I mean, I don’t mind working toward an achievable goal, but dealing with this issue is in reality more difficult than cleaning the Augean stables of Greek mythology. Indicated by the discussion we had on Article 3, our article had sought to balance competing interests. The desire of many responsible citizens to produce green energy in this town on their own properties as against the concerns raised by others who may be abutting such
projects as to various effects on their health and enjoyment of their property.

Now, that is something that is going to require a balanced approach to get to two-thirds majority. We can't do it on a 51 to 49 basis. We have to get two-thirds. But, the vote that we got on Article 3 gives me some pause and doubt that we're ever going to get that kind of two-thirds majority. If it had been 110 in favor and you know 87 opposed, I might say, well, maybe we could make up that difference to get to two-thirds, but it was just the opposite. And the fact is that the people on either side, the pros and the cons, were about equally divided. So, do the math.

So, unless something really changes within the mind-set of this body, we're going to hit April and we're not going to get anything done. And what's going to happen then?

Now, somebody spoke against this article and said, "Oh, let the bylaw lapse." Well, that was a mistake, because there is no bylaw that's going to lapse. There is a moratorium that's going to lapse April 30th; then the old bylaw is
going to kick in, the old bylaw that allowed the
turbines to exist out in West Falmouth now.

And, believe me, there’s people, with an
improving economy there’s people lining up. As
soon as this moratorium lapses, April 1st, or the
first weekday thereafter, the ZBA is going to get
applications, and guess what? Those
applications, they’re going to have to allow them
under the old bylaw because there’s no standards
that would allow them to deny it.

That’s the reality we’re facing.

Now, it’s too late now to reintroduce
Article 3 and I’m not going to do that. But I’m
going to say to everyone keep this in mind
because, when we come back in April with a new
bylaw, it’s not going to be the same as Article
3, but it’s not going to be based on some generic
model, either. It’s going to be tweaked, and
I’ll say it will be tweaked according to the
comments we heard here. We will listen to the
people that spoke at Town Meeting, as we did
listen to the people that appeared at our
hearings. And we will come back with a bylaw and
I want everybody here to be prepared to
compromise on some of their concerns, because
that’s what it’s going to take to get a better
bylaw in place than the one we have now. And if
we don’t do that, then, hey, it’s going to be a
free-for-all. Thank you.

THE MODERATOR: Okay, Ms. Fenwick.

And then Ms. Cool.

MS. FENWICK: Judy Fenwick, precinct 1. I would just like to state that I think this is a
very dangerous precedent to have a petitioner’s
article trying to direct the work of an elected
board in this community. So I would say vote no
on this article.

THE MODERATOR: Ms. Cool. Microphone
to the left.

MS. COOL: Good evening. Thank you, Moderator. Annie Hart Cool, 250 Fire Tower,
living under the current wind turbines. I think
that we all need to put our faith in our Planning
Board to do the right thing here, and I ask you,
I implore you, please defeat this article.

THE MODERATOR: Further discussion on
Article 35? Hearing none, the question will then
come on the main motion as printed. All those
in favor signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It is the opinion of the chair that the no’s have it by a majority.

Article 36. Article 36 was a petitioner’s article. The Board of Selectmen’s recommendation is indefinite postponement. Mr. Finneran.

Ms. Bothner, do you have a – microphone, please.

MS. BOTHNER: Mr. Moderator, Elizabeth Bothner, precinct 2. I am glad that this article was just defeated. I am puzzled, though, that Mr. Latimer has said we cannot reconsider Article 3. Has – it has --

THE MODERATOR: That’s correct. I only allow a reconsideration for substantially new information. And after the hour-plus debate, you had all the information to make that decision.

MS. BOTHNER: I don’t think that we had all the information that –
THE MODERATOR: What substantially new information do you have that was not available to the meeting at the time of the original vote?

MS. BOTHNER: I think that Mrs. Kerfoot, as excellent a job as she did on the first night of Town Meeting, has done an even more exemplary job in pointing out the importance of passing Article 3. And I’m going to ask for reconsideration of Article 3.

THE MODERATOR: The model bylaw has been in effect for over a year, so it’s not that it didn’t exist. The fact that Town Meeting Members didn’t maybe read it before they came or the Planning Board didn’t present it. But I’m going to allow the meeting to decide.

All those in favor of reconsideration signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It’s the opinion of the chair that the no’s have it and we will not reconsider Article 3.

Article 36. Mr. Finneran for a main
MR. FINNERAN: I would like to put a positive motion on the floor.

THE MODERATOR: As printed?

MR. FINNERAN: As printed.

THE MODERATOR: Okay, as printed. Mr. Finneran.

MR. FINNERAN: And in the interests of time, I’d like to dispense with the reading of it. It’s all in your warrant book, but it basically just asks that the people of the town be notified the same time the Town is notified when there’s contamination in the water.

And this is Mass. 310 CMR. It’s, as it says here, it’s intended to promote the public health and general welfare by preventing the pollution and securing of sanitary protection for all such waters used as sources of water supply and ensuring that public water systems in Massachusetts provide the users thereof water that is safe and fit and pure to drink.

And it’s not to avoid causing undue and inappropriate public alarm, as in the Board of Selectmen’s thing. It’s actually there’s nothing
in there about it. Basically this is what it covers and but the basic premise of this question is do you want to make your own health-related decisions or do you want to leave them up to somebody else.

Some at the table, there, don’t believe that it’s possible, or it’s proper. I disagree. I’d like to tell you or to point out that if they found E. coli in a pond or in the ocean, it would be immediately everybody out of the pool. But in this instance, in the case of drinking water, they’re still allowed to serve it to you without even notifying you of the consequences.

And these are some of the things describing E. coli and pollution in the systems. And I didn’t take all of them; they’re just the ones that basically apply to what we’re talking about. And, you know, this is the protocol for E. coli.

Can you go to the next slide. And, again, there are two more. CMR 310 says that the public water supplier shall notify the department and its local board of health as soon as possible, but not more than two hours after
obtaining the knowledge of potential or actual emergency. I simply ask that they expand that to the people who are consuming our water. This has happened to us, now, on two occasions in the last few years and it’s not right.

Next slide, please. Also in 310 CMR is it says notification is any consumer complaint in which the water may have caused physical injury. That’s happened. It happened to my mother on two occasions.

And a pattern of unusual customer complaints about the water quality, such as taste, odor, etcetera. Now, who hasn’t experienced that?

Next slide, please. In Marstons Mills, Cotuit, Osterville, Marstons Mills Water District, they – if they have – they have wells. If they have an E. coli hit, they immediately remove the well from the system, and even though they’re not required by the 310 CMR, they notify the people in town and this is the notification that they send out. It basically tells you that they had a hit in the water and they shut the thing off.
And can I go to the next slide, please.

And they go on to tell you that, in this particular instance -- this happened this past year as you can see -- they didn’t find any further E. coli and they cleaned the system anyway and it was a matter of more than a week, I believe, before they actually put it back on line.

We don’t have the option to do this. We don’t have -- we do have multiple wells, but not enough that can supply the demand that we need. In effect, this town gets what I’m asking for automatically from their Water Department.

Can you go to the next slide, please.

Okay, and now I mean, this, again, just basically explains how they test for, what the microbes are. But everybody knows what happens when you get E. coli, and it’s not pretty. It’s especially a high risk to infants and older people. And I don’t have to point out to people that we have an unusually high older population.

Again, in the Board of Selectmen’s water protocol, they note that they do it so they don’t have -- they don’t want to alarm the public or
cause any undue stress, or whatever. I just
don’t believe that’s possible. The undue stress
is when someone gets E. coli or becomes sick.

I spoke with Andy Cunningham in Wareham.
They have the same thing. They don’t have
surface water supply, they have wells. But when
they have a hit, they do the same thing. They
remove the well immediately and what they do is
he calls it an advisory. They’re not required by
the DEP to do so, but they get on the radio and
they tell the public that they’ve had a hit for
E. coli.

The way that we do this and the way that
the state law provides is actually outdated
because there are faster tests. There’s a test
called coli vert [sp?]; I believe it takes four
hours to detect a hit.

When we get a hit for E. coli, we have
24 period of time before we can test - or you’re
required to test within a 24 period of time.
What this town does is it waits almost a whole 24
hours and, in the interim, they basically
overdose the system with chlorine, in effect
trying to kill the e coli.
When this happened to us in July, I brought it up to the Board of Selectmen on a Monday and they told us numerous times that it was a bad sample. They had no ability to make that judgment. The following week, they actually changed the minutes and said that it may have been a bad sample. I think that simply people should be allowed to know and make their own decision.

When the Selectmen – first, our water plant. They’re supposed to have five operators. We’re down to two. They say that it works best with four. This system is stretched in that one of the operators lives in Brewster, so they are really stretched.

Our previous water commissioner, Mr. Chapman, was never capable of treating the pond properly. He killed fish. It’s –

THE MODERATOR: Let’s keep it on why we should have this notification, please.

MR. FINNERAN: All right. Well, you should have it simply you should have the notification so you can make your own judgment on your health.
When this came up in front of the Board of Selectmen, they were asked why or what should people do that had a weakened immune system. It was suggested by two of the Selectmen that if you have a weakened immune system you shouldn’t just drink the water at all.

I can tell you personally: my mother doesn’t drink the water and she’ll never drink the water again. And I’m simply asking that you allow us to make our own decisions. As I say, it has happened twice in the last two years and people have gotten sick.

That’s pretty simple. I don’t want to waste a lot of your time. It’s not that big of a decision. It’s, like I said, do you want to make your own health decisions or do you want someone else to do it for you?

THE MODERATOR: Any discussion on Article 36? Mr. Dufresne.

MR. DUFRESNE: Adriane Dufresne, precinct 2. Could we hear from someone from the Water Department that could either agree that this would be a good thing for the Town of Falmouth or maybe if we had Mr. Jack, could we
have Mr. Jack speak for us?

THE MODERATOR: Mr. Jack. Mr. Jack, you want to address that?

MR. DUFRESNE: Thank you.

MR. JACK: Thank you, Mr. Moderator.

Raymond Jack, Director of Public Works, precinct 9.

There is a lot that I could say, and we’ve had discussions over the last several years about water quality issues. In April of 2011, we had a presentation on why we should consider a feasibility study for Long Pond.

I gave you a lot of information at that time, and as a matter of fact some of the issues regarding why we should do it with respect to immuno-compromised systems and/or infants or sensitive sub-populations, that that is what we’re supposed to be protecting, that is absolutely true. And that is exactly why we should do something about Long Pond. My hope is that you are going to do that.

With respect to the regulations, however, and public notification, I would have to agree with the understanding of at least a couple
of the Board of Selectmen that those who have such an immuno-compromised system and/or are ill, or have a weakened immune system in any other way: don’t drink the water until and unless the time comes when we build a treatment plant.

And here’s why that’s not being facetious. These notifications, even this notification that’s being recommended to you now, even the notification that will be required by DEP, is always after the fact. Therefore, anyone with an immuno-compromised system is always at risk with an unfiltered surface water source, because bacteria are always there, regardless of the type, it always has the ability to impact people and the notification, even from the laboratory, we take a sample today, we get it back tomorrow.

And when we do a repeat sample, it’ll be the next day before we confirm it. That’s a minimum of 24, if not 48 hours notice.

The shorter forms of tests are for field type tests. The laboratory has specific methods that they are obligated to proceed with, and those are tests that take from 18 to 24 hours in
order to complete. Those are the tests that we have to go by, those are the tests that they have to go by. But understand that for any contaminant in the water system that we analyze for, the result is always going to come back later. You already drank the water.

I’m concerned, I think, about this article primarily because the introduction had said that the DEP regulations are intended to promote the public health and safety, to ensure a safe, reliable and fit drinking water supply. If you believe that, then you would have to believe that their goal is to protect you. They do not require that if an e coli positive shows up in the system that we automatically go to a public notification and cause alarm. And it does cause alarm. They require that we confirm that first.

Now, if you have a location where you take a sample and it comes back positive, microbiologically positive, that does not mean that the water system is contaminated. And specifically, even when we’re talking about e coli, and I know that strikes fear into the heart of many because we associate it with the domestic
cattle version of e coli, that has been known to kill people. E coli in this particular case is just a fecal coliform indicator. It’s an indicator organism and of and by itself is not harmful.

Everyone in this room has e coli in their system right now. That’s a fact. It is part of your biology. Every infant acquires it within 48 hours, because it’s necessary for the digestive tract. Hence that’s where e coli comes from, the fecal matter, or fecal origin.

It is usually not logical that a water system is going to be contaminated that way. Therefore you need to confirm that.

The consequences of a public notification in a case like this are far-ranging. Everyone will be concerned. Hospitals will shut down their operating rooms. They will delay and defer operations. Businesses will not use their water; they will dispose of ice cubes. You will likely expect to be receiving bottled water. That decision alone is a $300,000 decision.

Then, because you would be willingly issuing a public notification on yourself, unlike
Centerville, Osterville, and Marstons Mills water notice that you saw, this article is asking you to go to the extreme, which is immediate and widespread notification. That’s reverse 911. By regulation, it would have to be put in the newspaper within 14 days or on the television or on a radio station, or delivered by hand, or posted in conspicuous places.

The policy that the Board of Selectmen has adopted says that we would follow the regulations and once we have confirmed that there were e coli present in the water system and requiring public notification, we would go the extra measures to provide the reverse 911 notification that everyone here would expect. And you would expect nothing less. It would not suffice to say we’re going to put a notice in the newspaper.

And hence the article here is also saying to say what you can do about it, what the impacts are, what the consequences are. The only way that you can say what the consequences are and what you can do to protect yourself is you’ll be issuing a boil water order notice on
yourself. Nothing else would suffice in a

circumstance like that.

Another issue with Centerville-

Osterville-Marstons Mills Water Department. I’m

not intimately familiar with them. They have a

number of wells. They have no surface water

source. I believe they have 21 wells. Those

wells, and that particular notice are talking

about a raw water or source sample e coli

positive. That’s a different animal; comes

under a different set of the regulations; and a

public notification is not voluntary, it is

mandatory.

So I just wanted to give you that

information that it’s not to say that it’s not

something to be concerned about, but it is to say

that it is entirely possible when you have one or
	
two positives out in the system that they are the

result of a sampling error. Human error does

happen. It could be a non sterile container in

a non sterile environment. Or someone not

washing their hands. There’s a chain of custody

between the time the sample is taken and it goes

to the lab.
So, for the official notifications, I think that that’s what you would expect, because at least that way I could stand here confidently and issue something like that and say, “Yes, there should be a reason to at least be cautious.” That doesn’t necessarily mean that you have to be scared, because e coli in this instance is not the harmful organism that everybody is taking it to be.

So, I’m happy to answer any other questions that anyone may have.


Then Mr. Noonan.

MS. PALMER: Hi, my name is Kathy Palmer, precinct 3. Just simply: how many hits have you had, Mr. Jack, since you’ve been working for the Town that turned out to be false alarms? Just an average per year from the time that you’ve been with the Town, because you’ve been aware all along, I’m sure.

I’m not saying I’m for or against. I’m just curious. Thank you.

MR. JACK: The only ones that I can say with certainty were considered a positive was
during the boil water order of 2010. The reason for that, the repeat samples that were taken did not come up e coli positive. However, by regulation, they did come up total coliform positive.

Regulations require that if you have an e coli positive first, do repeat samples and an upstream, downstream sample, so you’re checking the adjacent properties as well, to ensure that it’s not just an anomaly. So for every bad sample that you get you take three. If any of them came back with even total coliform, then it is considered a violation, and then it requires public notification and DEP notification. That existed in 2010.

We had two e coli hits this summer, and both upstream, downstream and repeat samples on both locations came back zero. So there was no violation and there was no requirement to go to public notification or issue boil water orders in that instance. So that are the only ones that I’m aware of.

MR. FINNERAN: Can I comment on that?

THE MODERATOR: No, Mr. Noonan.
I’ll put you on the list again.

MR. NOONAN: Is it possible – John Noonan, in precinct 6. Is it possible to notify the public that you had a hit that’s in other words two stages, that it’s not a boil water but it’s a notification? And then if you get a second hit confirming, then we have – then you put it out that it’s a boil water order. What that will do is give us the option of not drinking the water, and know that it’s not – you’re not going to serve bottled water to everybody on the initial notification, it’s just a standard that people can make for their own selves.

THE MODERATOR: Mr. Jack.

MR. JACK: It would in fact be a boil water order, and the reason being that one of the items that would have to be included in that notice, according to the article specifically, says that you have to tell people what precautions they can take, and that is the precaution that you must take if that notice was given, would be to boil the water, number one. Number two, for those who would receive
the notice, they would take the normal standard precautions as if it were a boil water order or a mandatory public notification, so hospitals would very likely shut down their operating rooms and businesses would have to do the same.

So the impact is going to be the same. But the bigger picture here is what form of notification are we talking about, that if we issued that? We would have to issue that as a reverse 911 notification.

MR. NOONAN: If you issued it as a 911 notification, and amended this bylaw as it’s written now that said that it was not going to be boil water initiation, that it’s only to alert the public that they can make a judgment on their own, that it’s not a mandatory boil water. I don’t understand why it could not be amended in that way, other than it causes an extra step. But it’s only a reverse 911 call, so it’s not really a large undertaking.

MR. JACK: As far as a boil water order goes, and a microbiological issue, if you will, those are the precautions that you would be required to take and those are the precautions
that we would be required to tell you to take.  
So we couldn’t exclude them, if you will, from  
the notice.

And, what would happen then, I’m sure  
that everybody would say the same thing: why  
didn’t you tell me I should have boiled my water?  
That would be the very first thing: “Oh, it’s  
nice that you told me that we had a coliform  
positive, but why didn’t you tell me that I was  
supposed to boil my water?” So, we would have  
to. It would result in the same notification  
that a formalized boil water order would.

And, if you believe that this would be  
the way to go, by this article, that for a system  
e coliform positive that was not confirmed with  
subsequent sampling, then you would want to file  
that – follow that form of protocol to the  
letter.

THE MODERATOR: Mr. Netto.

MR. NETTO: Joe Netto, precinct 9. I  
have two questions, Mr. Moderator, the first to  
Mr. Jack, the second to the Chairman of the Board  
of Selectmen.

Am I not mistaken, Mr. Jack, but the
Town of Falmouth had to pay a monetary fine imposed upon it from the state because of our failure to notify the citizens of the Town of Falmouth on the boil water incident of two years ago, correct?

MR. JACK: Yes, yes.

MR. NETTO: And wasn’t the reason for that fine because we did not have in place proper notification to the citizens of the Town?

MR. JACK: It is because we failed to notify, not because we didn’t have in place, but we failed to notify.

MR. NETTO: Oh, okay. Would Article - the passage of Article - excuse me - 36 have prevented that fine? Yes or no, that’s all I need, yes or no.

MR. JACK: Yeah, it’s no, it wouldn’t have.

MR. NETTO: Okay.

Now, the second question is to the Chairman of the Board of Selectmen because when I read in the explanation of Article 36, Mr. Murphy, I see that the Board voted indefinite postponement of this article, and the explanation
says, "Independent of the Petitioner’s request, the Board of Selectmen has been working on a protocol for communicating important public information about the municipal water system."

Could you please inform Town Meeting of the protocol that the Board of Selectmen has in place as of tonight.

THE MODERATOR: Mr. Chairman.

CHAIRMAN MURPHY: Thank you very much. The Board, well before the warrant was closed, after the occurrence this past summer, stated that it was going to implement a water protocol notification, and on October the 22nd in fact put together a policy that was supported by the entire Board for a water notification policy.

This Board understands the impacts to the community, meaning health reasons; understands the impacts for our future of this community; we understand the impacts for the economics of this community; and we understand the impacts of the water we drink.

The protocol that we implemented was very similar to that of the state, however we implemented a – after the second hit, or if you
will the confirmation of an actual bacteria of some form, that we would do the reverse 911, we would do signs on the highways both coming into town on both ends of this community.

There is no secret here in this Town Meeting that the water we drink, as a surface water supply, is less than pristine. You will see in the spring and you will have some options that you’re going to have an option of cleaning up our water supply, meaning a water filtration plant, or you’re going to have an option of beginning our waste facilities, our waste treatment. Those are going to be some hard options that this body is going to have to choose.

We don’t have the redundancy in this community like they have in other communities with other wells.

In the middle of the summer, keep in mind, if we shut down our surface water supply, that surface water supply would not provide – the remainder of our water would not provide adequate water to the residents in this community. The Board went through a thoughtful presentation,
thoughtful deliberation, and realized that the steps that we were taking were in fact protecting the public, as well as going the extra mile versus the notification versus the way the state says to notify.

Now, I’m sure that’s not going to please each and every other individual, but I can tell you that, with a surface water supply, the water that you hold up has things that float around in it. Our water is treated. The reason it comes to the purity level is because of the treatment. It’s not purified. It’s not filtered. So, although it’s clean enough to drink, our water still has things in it, because it comes from the surface water supply. It is in fact Long Pond. It is a pond, folks. So we’re going to have to make some hard decisions in the spring.

And our suggestion would be, yes, if you have a deficient immune system, that drinking the water may not be the best alternative for you between now and when we come up with a water filtration system or an advanced treatment facility.

But the Board of Selectmen deliberated
long and hard and discussed this at an open public meeting and we thought that we took prudent steps that protects the public in all forms.

Thank you, Mr. Netto.

MR. NETTO: Thank you.

THE MODERATOR: Okay, Mr. Finneran.

MR. FINNERAN: First off, this petition doesn’t ask for a 911 reverse notification system. There’s actually a typo in here. It says the most immediate and broadcast form of notification. It should be the most immediate broadcast form of notification, which is exactly what they do in Wareham.

Again, this is simply that the people have the option whether to drink the water or not until we know exactly what’s wrong or right with it.

And, again, when you compare the first hit to the second hit, you’re not comparing apples to apples. Because they have that 24 hour period where they overdose the system to try to kill it to get a positive sample. So, by that time, if you’re drinking the water, you could
have been drinking this stuff for as much as
three days, and it’ll make you sick. It made my
mother sick the last time, and it made other
people in this town sick and a lot of people are
aware of that.

In Wareham, they just call it an
advisory and say if you have a compromised immune
system, avoid the water. It’s simple. It’s
errning on the side of caution for some people in
this town who need it more than others. Mostly
being the old and the young. I don’t think it’s
that extreme. Making people sick or having
people get sick when it’s unnecessary, that is
extreme to me.

THE MODERATOR: Okay, Ms. Poole.

MS. POOLE: Diane Poole, precinct 9.

I’d just like to know, there’s times that you
turn on your faucet and perhaps this should go to
Mr. Jack, that you get a very strong chlorine
smell, which is not all the time but
periodically. Now, is that because of a failed
test?

THE MODERATOR: Mr. Jack.

MR. JACK: No, unfortunately that’s
actually normal, these days. That’s one of the issues that you’re going to be contending with very, very soon. The only form of treatment at Long Pond with respect to protection is disinfection with chlorine. And when you put chlorine in contact with organic matter, there are byproducts, that’s one thing. But then the higher the concentration of chlorine that you use, the more you’re going to have the susceptibility for odors.

So, it depends on times of day, times of year, when Long Pond’s running harder, when it’s not, which sources happen to be online, that’s what determines where and when you may have odorous complaints.

But please understand this: that back in the ‘90's when we built Long Pond, in avoiding filtration, because it was actually being mandated at that time, but there was a side door that said, “Well, if you want to avoid it, you can super-disinfect.” So, we don’t disinfect the way a normal water system disinfects. By regulation, because we chose that option, we are required to super disinfect the water, to try to
guarantee a fore log or 99.99 percent removal of giardia and cryptosporidium. The problem there of course is, as we all know, that doesn’t always work, of and by itself.

MS. POOLE: Well, I for one have chosen the option of drinking nothing but spring water, so because I do not want to drink things or chlorine. So, I have made that choice. And it costs some money but hopefully it helps with the health. So, thank you.

THE MODERATOR: Mr. Donahue. And then Ms. Siegel.

MR. DONAHUE: Bob Donahue, precinct 3. This is to Mr. Jack, I’m sorry, I don’t mean to get you jumpin’, Jack.

[Laughter.]

MR. DONAHUE: You gave us a politically correct answer, but let me ask you a different way. How many situations have we had in the last let’s say 15 months that has come to your desk, “We’ve got a problem. We sent the test out”, and fine, the test came back and we were fine, we’re go. We hit it with the chemicals and everything’s good. But how many
times have your staff told you that there’s a potential problem in the last 15 months?

MR. JACK: Let me give you a short—a short explanation, because I can’t count—

MR. DONAHUE: No, no, that’s, sir, that’s the question to you—

THE MODERATOR: Mr. Jack, that’s the question, is how many false positives—

MR. DONAHUE: —is how many times, 10, 20, once a month, twice a week?

MR. JACK: There’s more than I can count.

MR. DONAHUE: More than you—

MR. JACK: More than I can count.

MR. DONAHUE: All right, thank you. That’s—that’s what I kind of thought you were going to say.

MR. JACK: Yes.

MR. DONAHUE: And my point is we have an elderly community here that cannot afford to go out and buy bottled water all the time. Isn’t this really saying let’s err on the side of safety?

I know it’s a pain and I know if you
have to do it almost once or twice a week, people are going to get turned off to it because they’re not even going to pay attention to it, but I think some kind of notification should go out.

And also, if we’re going to build a filtering plant – and I hope we’re going to buy – build the best one that’s on the market – I think that to have the support of the town in the vote, we should let them know what the problem is, that this is – this is a serious problem and it’s going to cost $60 million or a hundred million dollars to fix it. And then we won’t be surprised when we get a no vote. Thank you.

THE MODERATOR: Okay. Ms. Siegel.

MS. SIEGEL: Debra Siegel, precinct 6. Before I comment, Mr. Moderator, I have a request. More and more people are not giving their names and precinct numbers –

THE MODERATOR: I’m sorry.

MS. SIEGEL: – before they speak.

Thank you.

Like Mr. Netto, I like to see us making decisions based on the facts, and sadly most people don’t have a good enough understanding of
how science works to make a judgment, make a
decision based on the facts. And they don’t
understand statistics - and I should say we don’t
understand statistics. If I didn’t have a
resident physicist living with me, I wouldn’t
understand as much as I do.

We hire professionals in this town and
we pay them pretty good money. I think that to
have petitioner’s articles that are emotional and
trying to sway us on an emotional basis, forcing
the professionals in this town to do their jobs
in a way that may not make the most sense, is a
bad precedent to set.

Mr. Jack has tried to explain the
expenses of what it would cost to have these
notifications all the time. He has told us in
past Town Meetings and explained about the same
problem about the fecal coliform and about the
filtration system that he’s been trying to get
for probably as long as I’ve been a Town Meeting
Member.

I urge you to let the professionals do
their jobs. Nobody’s perfect. Mistakes are
made, but that doesn’t mean that this is the way
to solve them. Please vote no on this article.

THE MODERATOR: Okay, Mr. McNamara,

anything new here?

MR. MCNAMARA: Good evening, Matt McNamara, precinct 7.

I think this isn’t necessarily - it doesn’t have to be presented as an emotional issue. I think we have a lot of facts that we can look at. This is not a question before you in terms of whether or not the professionals are doing a good job, it’s simply a question of notifying us and the public.

I’m glad that Mr. Jack mentioned about his presentation in 2011 at the Special Town Meeting, and actually what I have for you, I just have three brief slides, is a portion of the transcript of that meeting. And what we learned from Mr. Jack when there was an article looking for us to spend $800,000 on a study of the filtration plant was that our water supply - this is a fact - is tested for coliform as an indicator of serious waterborne diseases, such as polio, typhoid, hepatitis and others that you see on the slide.
Bob, next slide, please. We’ve also been told that the Town’s goal regarding our drinking water is to protect children who have undeveloped immune systems and seniors who have weakened immune systems. Add to that list pregnant women and those with cancer or undergoing cancer treatments.

Yet at the recent Selectmen’s meeting on the 22nd of October, when the protocol was first discussed, again, it’s been mentioned to – the Selectmen said and it was mentioned again here tonight, “Simply don’t drink the water”.

Well, as somebody in my precinct said to me, “Well, can I opt out of the water system if that’s the case?” I don’t think we can. It’s not just a question that our water is simply our drinking water, but it’s our bathing water; we use it for all sorts of things, and we don’t always boil it.

Bob, the next slide, please. The third part of the transcript, again, just told us that everyone is susceptible to a waterborne disease. In fact, I think Mr. Jack told us that every one of us would get sick. And when we do, our
immune system would be weakened.

All I think this petition is asking for is better notification.

Now, you can send out notification that’s alarming or you can send out notification that’s factual. Centerville-Osterville-Marstons Mills sent out notifications, and you know what’s interesting? No one was alarmed in that community.

People I think are capable of making the decisions for themself. If you want to boil your water, that’s fine. If you want to buy it alternative, that’s fine. But I don’t think what’s proper is based on the Selectmen’s new protocol is that if it’s important enough to notify when you get the first positive test, the DEP, the DPW Director, the Town Manager, our Health Agent and the Chairman of the Board of Selectmen, I think it’s probably just as easy to notify us and it’s probably just as important to notify us as well.

To be somewhat consistent, on the 22nd of October, public meeting, I did offer an analogy, and it did hit the paper, so I’ll mention it...
again. The analogy I used was the brake warning light in your car. If the light comes on, we wouldn’t choose not to tell our kids about it before they drove the car. We’d probably do something about it. That’s all we’re asking.

Again, in April of 2011, we authorized $800,000 to study a treatment – filtration plant. The cost to build that is going to be millions of dollars. The cost of prompt notification of possible water contamination is priceless.

The theme of this Town Meeting over the past two nights has been safety. Whether it was the field at the high school, we talked about spending $35,000 and then again up to $4 million for the safety of our kids.

We talked about the safety at the Surf Drive beach house, and we spent $50,000 last night because there are cracks and there are concerns.

The actual notification here doesn’t cost anything. We’ve got the mechanisms in place. Wouldn’t you rather know than just skate along and wondering what we’re drinking?

Please support this article. It is
factual and it’s not emotional.

THE MODERATOR: Okay, anything new, Ms. Liechtenstein?

FROM THE FLOOR: Question, question.

MS. LIECHTENSTEIN: We suffer from information overload. We get to much; we don’t use it all. Beaches, everything in Boston, every time they test, it goes on the website. You can see every single week what each one of those tests are, if you choose to do it.

Whether, then, a 911 call and on our last time some people didn’t get that 911 call, sometimes people don’t see it in the paper. Every time you test, put it on the website. People with immune system problems or any special concerns can check this. But if it’s going to be something that we’re going to have to hire another person for Mr. Jack and the department to be able to provide all this information -- we’ve got a web system in town. Just simply put it up there and let us see it. That way, you can make up your own mind.

Thank you.

THE MODERATOR: Okay, the question will
come on Article 36, the main motion as printed.
All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: All those in favor,
signify by standing and the tellers will return a count.

[Pause.]

THE MODERATOR: Mrs. Tashiro in the first division?

MRS. TASHIRO: 8.

THE MODERATOR: 8.

Third division, Mr. Johnson.

MR. JOHNSON: 23.

THE MODERATOR: 23.

Second division, Mr. Dufresne.

MR. DUFRESNE: 33.

THE MODERATOR: 33.

All those opposed, signify by standing and the tellers will return a count.

[Pause.]

THE MODERATOR: Third division, Mr. Johnson.
MR. JOHNSON: 29.

THE MODERATOR: 29.

In the first division, Mrs. Tashiro.

MRS. TASHIRO: 34.

THE MODERATOR: 34? 34.

Second division, Mr. Dufresne.

MR. Dufresne: 45.

THE MODERATOR: 45.

By a counted vote of 64 in favor and 108 opposed, the article does not pass.

The next article I have is Article 39.

This was a petitioner’s article by Mr. Patrick.

Mr. Patrick notified me shortly before the meeting he had a board meeting in Westport where he works and he is on his way to Town Meeting as soon as that board meeting is over, and he would like us to pass over 39.

If he’s not here by the time that we’re ready to wrap up the meeting, then he has someone prepared to make a main motion.

So, without objection, we will pass over Article 39.

And we will move on to Article 41. We had dispensed with Article 40 out of order, so
Article 41. This is a petitioner’s article.

Mr. Chairman of the Board of Selectmen

for the main motion.

CHAIRMAN MURPHY: Yes, Mr. Moderator, that the Town adopt Article 41 as printed.

THE MODERATOR: As printed. This is to support the Board of Selectmen and the Consensus Building Institute process for achieving town consensus on the town wind turbine issue.

Ms. Driscoll. Oh, actually Mr. Moriarty held this on my list. I’m sorry. Mr. Moriarty. Ms. Driscoll’s the petitioner.

MR. MORIARTY: Dave Moriarty, precinct 6. Good evening, everyone. I suggest we - I’m in favor of this article, passing this article. The job that the neighbors are doing that live around the turbine and educating the people on the board and everyone in town is just fabulous, you know. You know, they’re just terrific. The knowledge that they have over the last two and a half years that they’ve acquired is just - it’s just fantastic.

So I suggest that we keep going with the wind turbine option group and eventually everyone
out here, everyone listening tonight, every one
up on the stage will understand that the only
solution for the turbines, I’m afraid, is to take
them down. Thank you.

THE MODERATOR: Further discussion on
Article 41? Article 41, the main motion is as
printed. All those in favor signify by saying
aye.

[Aye.]

THE MODERATOR: All those opposed, no.

[None opposed.]

THE MODERATOR: The ayes have it
unanimous.

Article 42. This is a petitioner’s
article. The Board of Selectmen recommendation
is indefinite postponement.

Ms. Siegel held this article.

MS. SIEGEL: Thank you, Mr. Moderator.

I was asked to hold this article for the
petitioner, Barry Funfar, and I would like to
state a new main motion, replacing the current
language.

I move that the Town Meeting vote to
request the Board of Selectmen to turn both
turbines off while the process continues and a
solution to the problem is determined.

I would now like to introduce Diane
Funfar of precinct 6 who will speak to that
motion.

THE MODERATOR: Okay, main motion as
presented on the overhead. Ms. Funfar.

MS. FUNFAR: Thank you. Diane Funfar,
precinct 6.

Article 42 asks the Selectmen to cease
the operation of the Town turbines while the wind
turbine option process continues and the
Selectmen determine a solution to the problem.
Stopping the turbines has nothing to do with
Article 41, which only asks you to support the
wind turbine option process.

Unfortunately, the CBI process, although
started in January, held no meetings until the
WTOP was formed in May, with ongoing meetings.
The WTOP committee will continue their work
whether the turbines are on or off. There is no
conflict in voting yes on both articles.

Presently the turbines are scheduled to
be shut down from 7:00 p.m. to 7:00 a.m., but
there have been many days when they have come on
as early as 5:00 a.m., and other days when they
were still on at 9:45 p.m. This makes it
impossible for those who must leave their home
when the turbines are on to plan their lives.

If the Town cannot live up to this
simple agreement of 12 hours on, 12 hours off,
how can we trust them? It happens repeatedly.

Despite our questions to Town Hall, we never
receive an explanation.

The point is that running them 7:00 a.m.
to 7:00 p.m. with no speed curtailment has
continued to negatively impact the neighbors.

Most people sleep at night, but not all do. The
quality of life during the day is so poor that
many leave their homes to escape the ill effects.

Neighbors have been struggling with the ill
effects of living too close to these improperly
sited wind turbines for over two and a half
years.

The health dangers are serious. They
can be cumulative and have been well documented
by peer reviewed studies. These dangers deprive
us of our basic human rights, namely the right to
life, freedom from torture and the highest attainable health and integrity of the body, as cited by the World Health Organization, the United Nations and the Organization of American States.

Dozens of victims, many repeatedly, have publicly described their suffering to the Town officials and to the Falmouth Board of Health, which has made an emergency plea to the Massachusetts State Department of Health.

Meanwhile, the Massachusetts Department of Environmental Protection has found violations of the state noise regulations with just one turbine running, Wind I.

At every wind speed tested, Wind I alone violated outdated state regulations that do not come close to being protective enough in dealing with the pulsing nature and fluctuating pressures of this complex noise source.

Relief has been delayed far too long. We are only asking you to vote as you did before to turn the turbines off while the process continues and a solution is determined. Please vote yes on Article 42, sending a message to the
Selectmen that it’s time to put citizens’ health, welfare and quality of life above finances by turning the turbines off. Thank you.

THE MODERATOR: Ms. Driscoll.

MS. DRISCOLL: Thank you. Kathy Driscoll, precinct 7. We’ve heard what the neighbors have to say, and we all hear what they’re saying.

I’m a member of the Wind Turbine Options Process Group. I’ve been working on the process, the policy – the packages for several months since May, and the compromise that the Board of Selectmen had with the neighbors coming to the table was to operate the turbines from 7:00 a.m. to 7:00 p.m. Yes, there have been some times at which the turbines have come on before or after; there’s been some inconsistencies. But it hasn’t been intentional. It’s nothing to do with having them on and trying to see if we can get away with something; that’s not what’s been happening.

Some of it has been operational issues. Some of it has been, you know, software, computer-type issues. They are being responded to.
From the information that I’ve received, yes, the Town is responding to make those corrections and correcting them promptly so that they are working within the guidelines of 7:00 a.m. to 7:00 p.m., and that was set back in and around the April/May time frame. So that’s what we’ve been working under.

The Wind Turbine Options Process Group is looking at a whole range of packages, and which are going from, you know, 24/7 operation all the way to taking them down and/or moving them. And everything in between.

We have a few more weeks to go in the process where we have more information, more detailed information about those packages that will be going to the Board of Selectmen and something – a formal report coming out hopefully by January and then a final presentation being presented in April.

I’m going to come back to one more issue, and we’ve been dealing with it for three nights. We’re in our third night, and yes, it is a fiscal component. I am the taxpayer representative on the Wind Turbine Options
Currently, the wind turbine operation is not covering our debt obligations. It is an important factor: that money has to come from somewhere. When Wind I was installed, a Stabilization Fund was developed so that a million dollars went into that account. That million dollars is now depleted until about $200,000. The money that’s coming in, the revenue that is coming in from both wind turbines operating 12 hours a day is not covering the costs of the debt obligation applied to Wind I. And the debt obligation, there’s also operations and maintenance costs, there’s insurance, and then there are other fees that go with that.

We’ve talked about spending $35,000 on plans and designs for a field. Last night we talked 45 minutes about capital infrastructure payments for $1.3 million. That’s coming out of Free Cash. We don’t have some place to come and cover the bills as we do this.

The process that we’re working under right now has been under a compromise. The wind turbine options process is working with all of
the stakeholders at the table: taxpayer representative, climate change representative, town employee representatives and neighbor representatives, and we’re working together, we’re collaborating. It is a very effective process and the information is very detailed to go through. Please give us the time.

The process that we are going through, it will be coming to conclusion very soon. We hope to have something for you. But right now, with the 7:00 a.m. to 7:00 p.m. operation, we at least can pay a big portion of the bill that we have that is there for the wind turbine, for Wind I. Thank you.

THE MODERATOR: Okay. Ms. Cool and then Mr. Suso.

MS. COOL: Thank you, Mr. Moderator and Town Meeting Members. Annie Hart Cool, precinct 6. I appreciate Ms. Driscoll bringing up the tax obligation. I, too, am a taxpayer in this town and I have been for 20 years. I have the misfortune of having a beautiful home on Fire Tower Road, only 1600 feet from Wind I. I had appreciated the 7:00 p.m. to 7:00 a.m. reprieve
from the wind turbines.

However, there has been occasion where
I’ve actually wanted to be home during the day.
And I just want you to think about this: today
was a prime example. I had things I needed to
do at home, but couldn’t, because the wind
turbine was so loud and so difficult that I had
to leave my home.

So picture this, if you will: I work.
I’m a very busy woman in real estate, and there
are days where I drive by my road and find
somewhere else to go rather than to go home.
Because I know it’ll be intolerable.

I, too, pay taxes in this town. I have
for 20 years. How many of you drive past your
home and don’t go into it because you know it’s
intolerable?

When these turbines went up two and a
half years ago, a Town official said to me, “I’m
sorry. You’re collateral damage.” I need you to
hear that we are trying to work with you, work
with the Selectmen. But, you know, two and a
half years. Two and a half years for very
committed community taxpaying neighbors?
Give us a break. Turn them off until the next Town Meeting and let’s revisit it.

Thank you.

THE MODERATOR: Mr. Suso.

MR. SUSO: Thank you, Mr. Moderator.

Julian Suso, Town Manager. We have experienced a temporary problem with the time of day operating system which Vestus, the turbine manufacturer, developed to manage the routing operation of both Wind I and Wind II. This has resulted in a few instances of either Wind I or Wind II, or both, either starting up or shutting down outside of the 7:00 a.m. to 7:00 p.m. operating hours which the Board of Selectmen has specified.

We believe that we have identified the cause of this temporary problem. It appears to relate to the significant power outages which we experienced affecting most of the Town as a result of Hurricane Sandy and then more recently with the temporary outages of the nor’easter which arrived one week later. This was further compounded by a very significant error on Vestus’ part to adjust the start and stop programming for
daylight savings time.

Unfortunately the daylight savings time error resulted in an out of time sequence operating continuing for multiple days prior to correction.

We are working with Vestus and Town staff members in correcting these circumstances. In the meantime, I do want to apologize to those individuals whose expectations of routine start and stop times have been negatively affected.

And, Mr. Moderator, one other comment, if I may. There's been some discussion about noise exceedances via testing by the state Department of Environmental Protection, and I do want to set the record straight. We have had DEP representatives, as I think Town Meeting is aware, in the town, testing turbines on multiple occasions, and that was strictly at the request of the Board of Selectmen asking the state to voluntarily do this sound testing.

Wind II, of course, has only been in operation since April. Wind I considerably longer.

The state has confirmed to us, and this
was also reported, that in regard to the daytime
testing of both Wind I and Wind II, operating at
the same time, not a single instance of
exceedance of the noise standards by the state
was found. None in the daytime. Wind I and
Wind II.

The only exceedance which was ever found
was testing of Wind I alone, and that was between
the hours of 1:00 and 4:00 a.m. in one location
at one residence. That is reported in writing to
us, and anyone who would like to review that, we
have that report information at the Selectmen’s
Office; I’d be happy to make it available to
anyone.

But, again, one instance, one location,
between 1:00 and 4:00 a.m., documented in writing
by the state Department of Environmental
Protection. All the daytime testing of both
Wind I and Wind II evidenced not a single
exceedance, and again that is DEP. The Town did
not conduct those tests.

Thank you, Mr. Moderator.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Richard Latimer, precinct
1. I will say I’m a proponent of green energy
and of wind and solar. I am also strongly
adamant about the need for America and this
community to get off of our addiction to fossil
fuels and petroleum.

Now, I look at the problem we’re having
up on Thomas Lander’s Road as a real issue. It
is certainly an issue of property rights and
property values, land use questions, to be sure.
And there may well be some health-related issues
there. That is not a question of human rights.
In fact, it does a disservice to the notion of
human rights, given the real violations of human
rights that go on all around this world that we
are in this country blessed not to suffer.

That, to me, is hyperbole, which frankly
undermines the case that the opponents of this
wind turbines in West Falmouth are trying to
make. When you get into that kind of hyperbole,
you start to have to wonder, well, how much of
that is hysteria and how much of it is real.

Now, I’m not trying to say that they
don’t have some real problems; I’m sure they do.
But what that gets us into is an emotional
response to what should be simply a rational, cost-benefit analysis for the Town. And we’re looking at turbines that cost us a lot of money to put up and maybe there were some errors made when we put them up and these people have a right to feel aggrieved about it and that’s what this process is trying to address.

But the bottom line is -- and we have to look at the bottom line; that’s our responsibility as the overseers of this Town’s business - the bottom line is that even with reduced hours on these turbines, we’re losing money.

So now we’re faced with a process that’s trying to resolve the issue as to what to do with those turbines up there. And we’ve had three basic approaches outlined. And I want to talk about each one of those briefly, just in terms of the bottom line.

The one that I’m sure the people in West Falmouth, or in Thomas Landers Road would like to see is, oh, just tear them down. What that means is we’ve thrown away millions of dollars. Just throw it away. We got nothing for it. Period.
Does that make sense? To solve what is basically a public health and property value issue? No, it doesn’t.

The other one, which is apparently off the table because of pragmatic concerns, would be to move the turbines. I’d be in favor of that. That would cost millions of dollars and all we’d get is the continued use of the turbines that we own at a higher cost. Okay, that makes more sense than tearing them down if we could do it.

The third one, and it’s one that we’re going to have to face to be responsible about this – and this is something that’s been talked about by this, as I’ve heard from the proposals which talked about buyouts. Absolutely. The people who can’t live there should negotiate with the Town for a buyout. And –

THE MODERATOR: Okay, Mr. Latimer, let’s focus –

MR. LATIMER: – people who don’t –

THE MODERATOR: – on whether or not we want to shut them down now until the process is done.

MR. LATIMER: Well, okay. So, that’s
what we’re facing in the long run while this process goes on.

We should not be losing money in the process. I would say that we vote against this proposal to shut them down. Let the committee do its work. Ultimately come back with us with a proposal that will solve this problem in the most cost-effective way. Thank you.

THE MODERATOR: Mr. Heath.

MR. HEATH: Austin Heath, precinct 8.

I couldn’t disagree more with Mr. Latimer, but I’m not going to go into that.

The real reason I wanted to speak is that the calendar for the process is such that their report will come out in April. That will be after Town Meeting. These people have waited two and a half years.

I would call upon the Board of Selectmen to ensure that this report is done regardless of whether the people have to work nights and it’s out and published by the first of March so people can read it and understand before Town Meeting what’s going to go on and there should be some type of motion made by the Board of Selectmen for
their choice of a solution to this problem on the
next Town Meeting warrant.

There’s no reason that this report can’t
be written and hashed out before April. And it
can only be that they don’t want to handle it in
the next Town Meeting, but sometimes in this
world you have to make a decision whether you
want to make a decision or not. It’s time to
make a decision.

And I think there’s a matter of right
and wrong in here. This was a bad investment
decision. Yeah. Almost all of us have made bad
investment decisions, one way or another. And
anyone who wants to hold me harmless can go buy
some stock I’ve got.

That we ought to do what’s right.

There is a difference in this world, or at least
the way I was brought up, which was a long time
ago, between right and wrong. And it’s not right
to do things for the greater good. I heard
about the greater good when I was about nine
years old. The greater good came from Adolph
Hitler. Mussolini made the trains run on time.
You don’t hurt people for money. Thank you.

[Applause.]

THE MODERATOR: Ms. Elder. Ms. Elder, let’s go.

FROM THE FLOOR: Question.

MS. ELDER: Katharine Elder, precinct 6. I’d like to make a few very brief comments. First that Ms. Driscoll spoke tonight to you as a representative the WTOP Committee, and I don’t believe that that was anything that people on that committee asked her to do, and as a member of that committee myself, I think it was inappropriate for her to be doing that.

I also think it’s inappropriate and too soon for us to be discussing the options that will be recommended by this group. That report will come out, as we heard early on, at Town Meeting. It should come out in January and it will be fully vetted and discussed and looked over carefully by the Board of Selectmen.

We’re not coming up with a solution that will have a consensus behind it. There will be options put forward and the Selectmen are going
to decide what to do.

I want to also comment on what Mr. Suso said. We appreciate having information about the operation of the turbine because it’s been very frustrating for us not to have that communication. When I say that people build their lives and plan their lives around the operation of that turbine, I’m not kidding. It comes on and we are well aware of when it comes on. It wakes people up. And we’re well aware of when it goes off, because it has that much of an effect on our lives.

That’s what this article is asking you to do, is shut it off because it’s been two and a half years and some of the neighbors are so significantly impacted that they are just living a very difficult situation for over two and a half years. It’s taking too long and we’ve tried to be very patient. We’ve been involved in this process and we will see it through to the bitter end, but this article is simply asking to do the right thing, which is to shut them off to give these people some relief until we come up with a final solution, whatever that is going to
We’re trying to be patient and I hope you all could be patient with us, too, until we get there. Thank you very much.

THE MODERATOR: Okay, the gentleman in the back in the center.

MR. PETERSON: I’m Tom Peterson, precinct 1. I live right behind the turbine on Woods Hole Road. I look out my living room window, I see it every day. I have no problem with the wind turbine. I hear it once in a while; it doesn’t bother me.

However, that being said, I know a couple of people that live by these turbines and I believe they have honest, legitimate health problems. Unfortunately I think the Town just made a mistake. We didn’t realize what we were getting into when we bought these things. They’re two and a half times bigger than what was originally proposed.

I think we should, for the sake of the health of our fellow citizens, shut them down. We can’t basically sacrifice the health of our citizens for profit.
I think you should do – just do the right thing and shut ‘em down.

THE MODERATOR: Okay. Mr. Moriarty.

MR. MORIARTY: Good evening, Dave Moriarty–

THE MODERATOR: I’ve got two more on this and then we’re going to vote. One in the back and –

MR. MORIARTY: – precinct 6. I’d just like to say that, you know, what a – what a teachable moment right now, for everyone in this room, everyone in the Town of Falmouth, everyone in the state of Massachusetts and everyone in the United States of America.

You know, it’s time to recalibrate our moral compass in the Town of Falmouth. It’s time to say enough is enough. We love our neighbors, we love our friends, we love our fellow citizens; we wouldn’t want to impose this kind of adverse health effects on anyone in this room, or anybody in the Town of Falmouth.

You know, there’s no need to be upset. There’s no need to have opposing parties anymore, okay? We’re just not going to do that. You
know what we’re going to do? We’re going to say, Listen, we had a good idea. It’s – the idea was perfect. It sounded great inside our heads. But when we put the boots on the ground and the bolts in the foundation, it didn’t add up. It wasn’t the idea in our head that we got.

What we got was antiquated technology that the U.K. has totally banned. Does everybody know that in this room? That the United Kingdom had banned all land based wind turbines?

So, with that said, we don’t have to fight anymore. All we need to do is find a buyer for these machines, make up the difference in the taxes, and let’s move on to newer projects and things that we can all get behind. Thank you very much.

THE MODERATOR: Okay. Is it Mr. Anderson in the back, there?

MR. ANDERSON: Thank you. For over two and a half years, I have been trying to defend my family and my home –

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: They’re asking for
identification, Mr. Anderson.

MR. ANDERSON: I’m sorry.


For over two and a half years I have been trying to defend my family and my home from the physical and psychological abuse from the constant repetitive and tortuous pounding pressure pulses from Wind I.

Two and a half years of seeking help and assistance with these serious issues. And met with denial, disregard, disbelief, deflection, even ridicule.

In the meantime, two town-wide wind turbine moratoriums have passed, an attempt has been made to limit the size of any future wind turbines to 250 kilowatts. Ours, up there, are 1650 kilowatts.

After two and a half years, most of you must agree with Senate President Therese Murray that 1.65 megawatt wind turbines do not belong in neighborhoods. That maybe installing these huge machines was not such a great idea after all.

So now what? If anyone here thinks
that there is any mediation or solution that will alleviate the negative health effects on the turbine neighbors, as well as operate on a schedule that will generate a positive cash flow, you are seriously mistaken. The low frequency pressure pulses that are the cause of the harm cannot be mitigated. They go everywhere. Distance or separation is the only solution.

Webster’s defines community as a society of people having common rights and privileges. We are not asking for anything extra or anything different. We just want to have the same rights as everybody else. These turbines being so close to homes are causing people to get sick. You know, I’m sorry, I’m sorry I get sick from these things.

Day and night, they are forcing people to flee their homes, and in one case has forced a family to completely abandon their home. Yes, completely abandon their home because of the turbine effects.

Any community that sits back and allows this to happen is not a community that I wish to live in. Putting a dollar sign on my life and
my family’s life doesn’t work with me. So, you want to keep these turbines running, make an offer on my house. I’ll get the hell out of here as soon as I can. But they’re not going to work.

So, please, let’s put an end to this tonight. We just want these turbines stopped so we can have the same lifestyle as everybody else. Thank you.

THE MODERATOR: Mr. Murphy.

CHAIRMAN MURPHY: Yes, Mr. Moderator and Town Meeting. The Board of Selectmen is fully committed to the process that we’ve put into place. Committed enough to say that when – when and if the consensus working group comes to a decision, if it doesn’t match up with the process meaning of a Town Meeting, we have committed that we would call a Special Town Meeting to be able to work through this.

Mr. Heath, I believe when they were talking about April, we were talking about bringing an article forward at the April Town Meeting, not a report.

We were hoping to have something from
that group for this Fall Town Meeting. When and
if that comes forward, the Board will act on it,
we’ll deliberate on the options and come up with
a thoughtful recommendation to this group.
Because in fact each and every one of those
options is going to cost us some money and we’re
going to need to work through this as a
community.

In the interim, the Board was committed
to make sure that we addressed the concerns of
the neighbors with sleep deprivation. That’s
why we put a 7:00 a.m. to 7:00 p.m. operational
time. We understood that the folks there said
sleep deprivation was a major issue. We
addressed that.

We’re working through this as quickly as
possible. We will do what it takes to - and you
are going to be part of that process. We will
be bringing something forward to this group,
either at the April Town Meeting or, if they were
to have something for us next week, we would
consider scheduling a Special Town Meeting.

So I want you to know the Board is
committed to coming to a solution. I don’t
think circumventing the process is the way to go.

Thank you very much.

THE MODERATOR: Okay, the question will come on Article 39, the main motion as presented.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: All those in favor signify by standing and the tellers will return a count.

FROM THE FLOOR: Mr. Moderator, you said Article 39.

THE MODERATOR: I’m sorry. I’m looking at where we’re going back – I highlighted it in yellow.

This is Article 42.

FROM THE FLOOR: Can you call for a vote again?

THE MODERATOR: Article 42, all those in favor of the Article 42 motion as presented, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.
THE MODERATOR: The opinion of the chair is that the no’s have it; is there a challenge to the chair?

FROM THE FLOOR: Yes. Yes.

THE MODERATOR: Okay, all those in favor, signify by standing and the tellers will return a count.

Good catch, Ms. Fenwick. I highlighted it in yellow so we wouldn’t forget to go back to it.

[Pause.]

THE MODERATOR: In the first division, Mrs. Tashiro.

MRS. TASHIRO: 14.

THE MODERATOR: 14.

The second division, Mr. Dufresne.


In the third division, Mr. Johnson.

MR. JOHNSON: 28.

THE MODERATOR: 28.

All those opposed, signify by standing

and the tellers will return a count.
[Pause.]

THE MODERATOR: First division, Mrs. Tashiro.

MRS. TASHIRO: 27.

THE MODERATOR: 27.

Third division, Mr. Johnson.

MR. JOHNSON: 26.


Second division, Mr. Dufresne.


By a counted vote of 73 in favor and 101 opposed, the motion doesn’t pass.

We’ll now go back to Article 39; this was the petitioner’s article on the eco-toilet demonstration project. The recommendation of the Board of Selectmen was indefinite postponement.

Mr. Patrick is going to make a positive motion on this article. Mr. Patrick.

MR. PATRICK: Do you have a copy?

THE MODERATOR: I’ve got it, yeah.

MR. PATRICK: I move a positive motion on an amendment to this article.
THE MODERATOR: Okay, so this will actually be the main motion. Mr. Patrick.

MR. PATRICK: Yes, this will be the main motion.

What you have on the wall is a replacement amendment to the article that is in the book. And essentially what we want to do is we want you to approve the concept; we’re going to go back and work on it and come back in the -- probably in the spring, hopefully in the spring with all the details worked out so we can make this work for people.

The concept is to allow people to opt out of connecting to the sewer if they join our program, our demonstration program, and install eco-toilets. Even though you get a $5,000 incentive, it could be a very expensive proposition to install eco-toilets in your home.

Right now if the sewer’s built and runs by I think it’s within 100 feet of your home, you’d have to connect. We want to give people a chance to opt out of connecting to the sewer if they’ve already gone through the expense of putting in an eco toilet.
The Water Quality Management Committee endorses the amended - the amendment, and they're willing to work with me to come up with the details that we hopefully can present in the spring that will make this work.

And, don’t forget, there was a $5,000 incentive if you want to join our demonstration project.

THE MODERATOR: Okay. Mr. Wilber.

MR. WILBER: Jude Wilber, precinct 8. In a town that is struggling with a huge issue as we do now with wastewater management, science must take precedence, and this is clearly outlined in number nine of the Citizen's Checklist, which I refer you to.

In our case, the answer is not at all clear. There is no one assured path towards solving the wastewater problem. I believe everyone agrees on this. Under such circumstances, experimental initiative is required and is in fact the norm of the standard scientific procedure.

The technology referred to in this article has been demonstrated as effective on an
individual basis, but it has not be integrated into the larger wastewater infrastructure. The proposals provide proper experimental parameters, restraints and options.

It seems that the only argument against this is rather weak, overstated and in part deceptively worded, particularly with regard to Mass. General Law 83 and the Codes of Falmouth. If in fact all the volunteers in this project are outside the 100 foot specification, then there are no conflicts with the Falmouth code.

Experimentation is a powerful tool in science. Experimentation is leadership in science. With regard to the matter of the wastewater odyssey of Falmouth which stretches out for the next 50 years before us, Falmouth must provide experimentation and leadership. We are at the forefront of this issue.

We are lucky to be able to consider and approve this fine proposal here tonight. Thank you.

THE MODERATOR: Okay, further discussion on the article?

Mr. Potamis.
MR. POTAMIS: Jerry Potamis, precinct

2. I actually agree with both gentlemen, however

I disagree on the intent of this. I think we owe

great deal of gratitude to Representative Patrick

and to Hilda and many others that brought this to

our attention. Two years ago, it was somewhat

poo-pooed, but they persevered and this Town

Meeting authorized experimentation.

Experimentation. We don’t know if eco

toilets will work. They’re approvable; we don’t

know the amount of nitrogen. That’s not an

emotional appeal by an angry Greek; that’s fact.

[Laughter.]

MR. POTAMIS: We don’t know if these

things don’t work why should someone be able to

leave it in place. I don’t know why. We don’t

know the unintended consequences. Someone may

put in an innovative and alternative septic tank

system that could cost 35 and 40 thousand that

may not meet the TMDL requirements. Why not

give them an exemption?

Someone may put in a toilet, eco-toilet,

for 10,000, we give them 5,000, their out of

pocket expenses are 5,000, but we may give them
an exemption up to $20,000. It doesn’t make sense in this fiscal economy.

This has not been fully discussed with the Water Quality Management Committee. It’s intended to be discussed, and I hope it’s intended to be discussed with the Fin Com and with other bodies that make fiscal decisions.

We don’t know if there’s two or 62 people that want to volunteer within the sewer service district that we’re proposing of Little Pond and portions of Falmouth Heights. Most likely there are four or five.

So, this is entirely premature. I agree, we have to fully discuss this; we have to fully discuss opt out, but we have to discuss it when we have the facts. We have to discuss it after the Water Quality Management Committee has fully discussed it. I think we should discuss it after the Fin Com has analyzed it and after we have looked at the fiscal impacts that – and this is called checkerboarding – has.

Some communities have done it. Provincetown did it. It was a failure. Several years after it was implemented, people wanted to
connect to the sewer. That brings up an other issue we don’t discuss: if people connect, they sell their house and someone else wants to re-connect, we don’t have a policy for recouping some of that money we gave away. That’s a policy decision that we have to look at.

What happens if after we do this, the same person wants to now connect to the sewer? We’ve said, “You get a free ride. Some of your neighbors have spent 10 and 20,000. Now you want to go back the other way for a variety of reasons.”

So that, I think this is well-intentioned. I think I’ve worked with Matt on some suggestions. But I think it’s really premature. We’re asking to send out the wrong information without the facts.

If I was going to put it in, I don’t know what this motion would be. The contract that the people are signing say they may not be relieved from the betterment. This confused the issue and does not help the debate. Thank you.

THE MODERATOR: Mr. Patrick and then Mr. Turkington.
MR. PATRICK: Thank you, Mr. Moderator.

I have to respectfully disagree with Mr. Potamis. We know that composting toilets remove 88 percent of the body’s nitrogen that your body puts out. What we don’t know is how much nitrogen will be left in the gray water, and that’s what the testing will do, it will test how much nitrogen is in the grey water with a home that converts completely to composting toilets.

That’s the information we have to know, all right? And we’re talking about whatever is left after the 88 percent of the nitrogen is collected in a composting toilet. That’s a significant removal of nitrogen.

And what we also need to do is find out how much it costs, on average, to put these things in.

So we need people to participate to do that.

Now, a lot of the questions that Mr. Potamis brought up will be addressed before we come to you with an actual article to implement this.

Mr. Potamis mentioned P-town,
Provincetown, I’m sorry, and he called it a failure. Well, Provincetown never would have installed a sewer system if it wasn’t for checkerboarding, or that section of the law Chapter 83. They had their own bill first.

Chapter 83 of the MGL was actually based on Provincetown’s law. And what it enabled Provincetown to do is to get the votes of people to install the sewer system who had just put in a new Title V system. They just went through that enormous expense and they didn’t want to have another expense. They didn’t want to have to take out their brand new Title V system and then connect it to the sewer and have to pay for that all over again.

So that’s why it worked: it helped Provincetown get over that obstacle.

This is an opportunity for us to take advantage of that language so we can get full participation. We have room for 62 people, for 62 families to particular in this program. We need to get all of those people to participate and we don’t want to have to tell them, “Well, if the sewer goes by your house, in a year you may
have to rip that out."

Thank you, Mr. Moderator.

THE MODERATOR: Mr. Turkington.

MR. TURKINGTON: Eric Turkington, precinct 1, Chairman of the Water Quality Committee and hopefully this will be the last time you get to hear from me tonight, or at this meeting.

The Water Quality Committee initially was presented with the Article 38 as printed, and we found it had a number of flaws that made it undesirable to proceed. Matt and the other proponents of eco toilets came back with a very different proposal, which is the one that’s on the board here tonight.

What it says is that Town Meeting is requesting the Board of Selectmen to request us to pursue this. There are legal issues, there are practical issues, there are economic issues, all the ones that Jerry raised.

You asked us to pursue eco toilets. Like everything else you’ve asked us to pursue, it’s complicated. We are going to pursue it, but all this does is tells us to pursue it.
It doesn’t provide exemptions from sewer
hookups to a large universe of folks. Right
now, the Selectmen have only authorized 15 eco-
toilet applicants to receive the $5,000 and
presumably if we get the 15, we’ll be back for
more. But the outer limit is 62. And the
number that are likely to be in an area that’s
likely to be sewered, as Jerry said, it may be
four or five.

So we’re not talking any serious
economic impact, here. What we are talking is
to provide enough incentive to get enough people
to try this out and to see if it works.

THE MODERATOR: Okay, Ms. Shephard.
Ms. Shephard: [No mic. Inaudible.]
THE MODERATOR: Okay, okay.
Mr. Putnam.

MR. PUTNAM: Good evening, ladies and
gentlemen, Brent Putnam, vice chairman, Board of
Selectmen.

The Board voted indefinite postponement
on this, originally, and I can’t speak for the
whole Board; I’ll speak for myself in this
situation, and I was swayed to vote indefinite
postponement because the original language as
noted here discussed and specified laws that the
Town doesn’t even participate in at this point.
We haven’t even voted to accept those.

This new language gives me reason to
reconsider the idea of indefinite postponement at
this point.

Last night, you may recall we voted and
approved Article 40. Or you did. And that, I
think, was an important step, that it gives us
direction, and it helps us make these
determinations and decisions going forward.

Let’s not cut off the options. I
understand Mr. Potamis’s concerns. However, I
think let’s look at where we started from, folks.
You know, a few years ago we had before us a
proposal that a half a billion dollars. We’ve
come a long way since then to broaden our minds,
try to cut back the expense and try to do more
with less, the most bang for the buck.

This proposal is a very good idea,
because without some incentives we may not get
the necessary numbers of individuals to verify
whether or not these alternative systems are
going to work or not. You have to get people to participate. When the toilet looks different from what they’re looking at now, I can tell you I work in the computer industry, and the hardest problem that we face is not putting the new technology in, it’s getting the person to use the new technology because it’s unfamiliar to them; it’s alien.

We need the incentives to get people to participate. So I would encourage you to support this article. Thank you.

THE MODERATOR: The gentleman in the center. Yes. Microphone.

MR. CALLAHAN: Thank you, Mr. Moderator. Jim Callahan, precinct 5. I just have a question.

We’ve talked about Surf Drive Beach, we’ve talked about Old Silver Beach, are these going into these places? Are we putting our money where our mouth is?

THE MODERATOR: Mr. Patrick.

MR. PATRICK: Mr. Moderator, I think it might be better to get an answer from Mr. Potamis on this. I don’t know if those proposals have
been firmed up. I know we talked about putting eco toilets in those - in those areas, you know, for bathrooms in our beaches, but I’m not sure that worked out.

MR. POTAMIS: I’ll speak for Mr. McConarty, and if it’s well, thank him. If it’s not, blame me. Jerry Potamis, precinct 2.

Yes, they looked at it, in fact Special Town Meeting, Spring Town Meeting voted $150,000 to put eco-toilets in municipal locations. I’m not on the Committee, but I sit through the Committee and I talk to Mr. Hoffer, the Beach Committee, and I occasionally talk - more than occasionally talk to Mr. McConarty.

They have looked and it’s not feasible for a variety of reasons. And it - yes, they’ve looked. So, that’s it.

I would like to respond to Mr. Patrick’s statement about the amount of nitrogen. Compost toilets are approvable in Massachusetts. They’re not approvable for nitrogen removal. The amount of nitrogen in grey water is not known. We don’t know if it’ll meet the TMDL. If it does, I think a lot of people would
probably opt for it. But, until we know for
sure –

But, you know, I can see where people
are going: this may be a harmless motion. You
know, the objection might be, on my part, more
technical than practical. I don’t think it does
any real harm. I think it’s just the precedent
it sets, in: where else are we going to make
exceptions when we don’t have all the
information?

The Committee doesn’t need this mandate.
The Committee already has the mandate, thank you.

THE MODERATOR: Mr. Patrick and then –

MR. PATRICK: Mr. Moderator, just in
response: that’s what we want to find out. And
DEP is paying – Mass. DEP is paying specific
attention to this project because they are ready
to base their decision to allow eco-toilets to
meet the TMDL’s, the Total Maximum Daily Loads
based on the results of these studies, okay?

So that’s why it’s so important.

THE MODERATOR: Okay, Ms. Schneider.

MS. SCHNEIDER: I just – Barb

Schneider, precinct 4.
I just want to say that in the mid-'80's, and there are a number of you in this room that served on the Planning Board and our former Town Manager is sitting here, we were told in our area where I live that we had to have a denitrification system, a gang denitrification system.

Since I’ve been involved in watching what we’re going to do about wastewater, living on Green Pond and holding my breath for something to save it, I have been talking about checkerboarding for a long time. And what would happen with people like us who live on this insisted by the Town gang denitrification system. Would we be exempt? Would our system have one connection? There have not been answers to this.

But I’m just suggesting to you: here I am, standing here telling you that there are 13 of us, 13 homes that will be asking all of you, then: if you think you can exempt eco-toilets, will you also exempt us, and what science do you have to say whether you will or won’t. And before we make a decision, I hope you’ll all
remember there are a lot of possibilities out there and I think we’re premature in making exemptions. Thank you.

THE MODERATOR: Okay. Further discussion?

Okay, the question will then come on the main motion. So this is – it says “amendment”, but this is the main motion. All those in favor of the main motion as presented, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The opinion of the Chair is that the ayes have it by a majority.

[Applause.]

THE MODERATOR: Article 44, this is a Community Preservation Article. Mr. Chairman for the main motion.

CHAIRMAN CLARK: Mr. Moderator, Peter Clark, precinct 1, Chairman of the Community Preservation Committee. I would move Article 44 as recommended.

THE MODERATOR: Article 44 as
recommended. This is to appropriate the sum of $63,000 from the Community Preservation Fund Estimated Receipts for Historic Preservation, bell tower, including masonry and shutters, at the Church of the Messiah.

Who held the article? Mr. Waasdorp?

Nope, you’re all set.

Okay, any discussion on Article 44?

Hearing none, then the question will come on the main motion as recommended. All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed, no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 45, Mr. Chairman.

CHAIRMAN CLARK: Mr. Moderator, I move Article 45 as recommended. I held it for reasons of explanation.

THE MODERATOR: Okay, Article 45.

This is to appropriate the sum of $20,000 from the Community Preservation Fund Undesignated Fund balance for the purpose of Recreation, to create
a Community Recreational Playground at the Cape Cod PAL Center.

Mr. Chairman.

CHAIRMAN CLARK: Thank you.

I want to explain to Town Meeting that in the Community Preservation efforts to protect your Town dollars when we make a recommendation, we require a letter of agreement from any applicant that they will meet certain conditions, and what happened with this article was that we wrote into the initial letter of agreement a deed restriction on the piece of property that would hold this playground.

Our Town Counsel felt that was overly restrictive, an over-reaction to a $20,000 contribution to the playground. And so we reworded that with the language that is in your explanation, which speaks of a right of first refusal. I think that was appropriately questioned at a precinct meeting, because it usually carries the connotation of purchasing back something.

We were not asking PAL to allow us to purchase back something we had purchased for
them. So we have worked with the PAL board to use this language in the Letter of Agreement. It is not in the recommendation, but it says, “In the event of the sale of the property or change of use, the Town has the right to reclaim and relocate the playground and other equipment purchased with the grant before it can be considered available for any other use.”

So I just wanted to explain to you that that’s the language that is now in the letter of agreement that the PAL board has agreed to.

That same language in the Letter of Agreement speaks about the playground being open to the public whenever PAL programs are not in use. That’s the same kind of condition that school playgrounds have, also.

The second reason I wanted to hold this article is simply to say a few words about Recreation and Recreation opportunities, because the law was amended in this last session.

And if we can go to the next slide. You’ve seen this often. And I want simply to let you know that, as of November, 2013, a variety of Recreation proposals will be
acceptable that have not to this point been acceptable.

And I would point to Recreation, coming down the column of verbs: Rehabilitate or Restore used to have the same language that Open Space and Housing did, if the property was already had been acquired with CPA funds. That used to be here. But it is no longer there. And that was part of an amendment that was worked out in the state level.

What it practically means is that existing athletic fields, existing playgrounds, existing facilities that were not purchased by CPA funds in the first place can now be brought to us for rehabilitation or restoration. And that opens up possibilities.

I’ll skip this slide and go to the next, if I can. And just to explain to you that, on January 24th, we will have as part of a CPA – CPC meeting a public discussion of the amendment, what it means, how it applies in specific situations.

Before I go to the next, I want to go back to say: on another matter I want to call
your attention to the fact that November 27th,
relative to the Spring Bars Road Conservation
Area, there will be a discussion of a master plan
that’s being developed.

But may I go forward, then, Bob, please.

Also staying with Recreation, on the 14th there
will be a formal hearing by CPC with a final
review of criteria for projects. Applications
are available; on the 11th there’s an application
workshop. There’s applications for all
purposes, but on Recreation particularly will be
due on June 10th.

So, going forward, I want you all to be
aware we want to do an educational and discussion
process on this new area. The PAL is allowable
because it is an entirely new recreational use,
and whether or not - because it’s a brand new
facility, it was eligible under the old law as
well as the new.

Thank you very much.

THE MODERATOR: Okay. Any discussion
on Article 45? Yes, Mr. Murphy.

CHAIRMAN MURPHY: Yes, Mr. Moderator.

At the precinct 5 and 6 meeting, there was a
representative, or someone that alleged that they
were a representative of the Police Athletic
League, was there and they said they were not
ready to participate at this time until they got
their finances in order.

Is there someone here that can address
that?

CHAIRMAN CLARK: I – I think we have to
clarify that, because I have been contacted
directly by them since we changed this language.
Their original resistance, as I understood it,
was to the deed restriction, not based on
financial conditions. And I’ve been brought a
written document signed by them agreeing to this – to the Letter of Agreement that we have with
them.

CHAIRMAN MURPHY: And what was the
date of that, through you, Mr. Moderator?

THE MODERATOR: Doctor.

CHAIRMAN CLARK: That was delivered to
us since the precinct meetings. It was about
four days ago.

CHAIRMAN MURPHY: Okay, very good,
thank you.
THE MODERATOR: Okay. Further discussion?

Okay, the question will come on the main motion as recommended. All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 49. This is to adopt provisions of the Massachusetts General Law Chapter 59, Section 5, Clause 54, establishing a limit to the tax exemption allowed under said statute to personal property value of $10,000 and under.

We have a new main motion from the Board of Selectmen.

CHAIRMAN MURPHY: Yes, Mr. Moderator.

The Board of Selectmen moves that as printed, with a reduction in the exemption value from $10,000 to $2,000.

THE MODERATOR: Okay, that’s the main motion. Mr. Herbst held this. He’s not here tonight.
Any discussion on Article 49? Ms. Murphy.

MS. MURPHY: Thank you. Carol Murphy, precinct 9. I just have a question. Through you, Mr. Moderator, what is the personal property? What is defined as personal property going from $10,000 down to $2,000?

THE MODERATOR: Do we have Mr. Bailey with us this evening? Mr. Bailey.

MR. BAILEY: Dave Bailey, Director of Assessing. Personal property in this case is primarily the contents of second homes. The $2000 exemption will allow us to not send bills to about 400 property owners whose bills average about $10. The cost of sending the bills, creating the bills, abating them when necessary, it just - it just isn't cost effective.

MS. MURPHY: Thank you.

THE MODERATOR: Further discussion? That was the question you had, okay. Any further discussion?

The question will come on the main motion as recommended. All those in favor signify by saying aye.
[Aye.]

THE MODERATOR:  All those opposed no.

[None opposed.]

THE MODERATOR:  The ayes have it unanimous.

Article 50, this is to appropriate the sum of $34,026 for the purpose of purchasing and installing a radio system and associated equipment for the Fire Department.

Mr. Chairman of the Finance Committee for the main motion.

CHAIRMAN LEWIS:  Mr. Moderator, I move the Town vote to appropriate the sum of $34,026 for the purpose of this article.  And to meet this appropriation, the Town transfer $12,528 from Article 38 of the 2012 April Town Meeting and to raise and appropriate $21,498.

[Pause.]

CHAIRMAN LEWIS:  33, sorry.

THE MODERATOR:  That’s okay, Article 33, yes.  So there’s the main motion.  Any discussion?  Article 50?

Hearing none, the question will then come on the main motion.  All those in favor,
signify by saying aye.

[Aye.]  

THE MODERATOR: All those opposed no.

[None opposed.]  

THE MODERATOR: The ayes have it unanimous.  

Okay, now, Article 51 and 52 deal with appropriations and we learned a lot last night about Town Meeting Member’s expectations, and I want to thank the Town Manager for preparing a presentation that relates to both of these articles about the financial position of the Town, and it gets in more detail of the items within Article 52.  

So, at this point, by a call of the Chair, I’m going to take a main motion on Article 52. We’ll have the full presentation by the Town Manager. And then we’ll vote on Article 52 and then go to Article 51. But this will give us a comprehensive financial picture so that you can make a good decision about these two articles.  

So, at this point the Chair would entertain a motion from the Finance Committee on Article 52.
CHAIRMAN LEWIS: Mr. Moderator, I move Article 52 with the recommendation – as recommended, with the following change: in the bottom where they talk about the DPW account 1401451-5110, I'd like to change the 5110 to 5 – three one's – 51110.

THE MODERATOR: Yes, so DPW Administration Salary and Wages will now read 01451-51110 for $50,000.

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: So the change is actually in the first set of digits. It says 01411. It's now going to say 01451.

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: There's grumbling. Is this confusing to someone? Okay.

So let's go to DPW Administration Salaries and Wages, and the number will be 01451-51110. That's the line item. Okay? That's the main motion.

Mr. Suso.

MR. SUSO: Thank you, Mr. Moderator.

Julian Suso, Town Manager. We have, as you noted, thank you, we do have a PowerPoint on
MR. DONAHUE: [No mic.] Mr. Moderator.

THE MODERATOR: Mr. Donahue.

MR. DONAHUE: [No mic. Inaudible.]

THE MODERATOR: No, we couldn’t get anyone to man the – or staff the break, so we’re not going to have a formal break. So, if folks need to sort of go out, use the restroom.

If I need to use the restroom, then the Town Clerk will take over the meeting.

Mr. Suso.

MR. SUSO: The Town Accountant and our financial team are working to adequately fund in stabilized budgets. The quarterly tax billing process allows the Town more flexibility than what we have had in the past. Falmouth has the opportunity to make second quarter budgetary adjustments at the November Town Meeting which we are before you for your – respectfully for your consideration this evening.

The Board of Selectmen and the Finance Committee and our financial managers recommend the following adjustments. In the category of
Town Meeting Advertising, Fiscal Year 2013,
requesting your consideration of $2,000 for the
additional expense of printing of the warrant.
As you can see, the 2013 budget, you’ve already
set aside $9,000 this past spring; we’re
requesting an additional $2,000 for a total of
$11,000 based on actual spending.

In the category of Legal, of Special
Counsel, there’s a summary of the Town’s actual
spending in that category from FY ‘10 through FY
‘12, actual. As you can see that varies from
just in excess of $100,000 to $156,000. The last
complete year, 131. Of course, FY ‘13, we’ve
earmarked $100,000 which clearly is going to be
insufficient so we ask your consideration of an
additional $25,000, increasing the FY ‘13
appropriation to $125,000.

Natural Resources - Shellfish

Propagation, we talked about this last night in
terms of the Fisheries Technician. I talked
about the shellfish workshop the Selectmen held
recently and what that revealed to us. A policy
request on the part of the Board of Selectmen to
invest shellfish revenues back into the fishery
to restore that very important resource in our community. It would fund the shellfish seed, both oyster and qua-qua- quahog, excuse me. Cages, materials, and electricity.

Annual revenue from licenses sold is in excess of $65,000 annually, as we noted last night, FY '10 through FY '13. You see the modest amounts we’ve reinvested in our shellfish resources. We’re proposing an additional $80,900 for a total FY '13 of $106,000, which will allow us to jumpstart the recovery of our shell fishery in the Town of Falmouth because this is a three to five year proposition. So we do respectfully request your consideration of that.

Also we talked about adjustments within the existing – continuing within the existing FY '13 budget. This is for the purpose of the compensation necessary that we anticipate for the Deputy Public Works Director position. And, as we noted again last night, if you so approve, your existing funds which have been set aside in salary and wages from the Water side would be moved a total of $50,000 to DPW Administration. Both those accounts, of course, are within the
Department of Public Works, and that would fund – provide the adequate additional funding for the Deputy position.

As you will note on the last bullet point, the grade for a range 10A, $78,822.00 to $104,796. Do not know where in that grade the position will be funded, but that is the range which we appreciate your having approved.

Moving forward to Public Works and Gasoline, again you can see the trends there. FY ‘10, ‘11 and ‘12 and the fact that we’ve had to spend considerably more even in the past year than has been set aside already in FY ‘13. We know the fuel costs, all of us see it at the pumps, they continue to escalate. We do not see that as reversing anytime in the near future. Requesting an additional $80,000 to cover that automatic fuel escalator for a total of $295,000, respectfully with your concurrence.

Moving on to Excluded Debt. $415,000 in this article is proposed to be raised for Excluded Debt. This value was not available for reporting to you at the time the budget was prepared. It represents a principal payment due
on the high school debt.

The exempt debt does not compete with other needs. So these are – this is a responsibility that we do have for existing debt and we must step forward and address it, again within our existing budget.

DPW Solid Waste Collection. As you can see, again, FY ’10 through ’12, the amounts that have been required for that. FY ’13 we’ve set aside actually slightly less than we required in ‘12. Again we anticipate fuel adjustment charges there and we’re asking for $80,000 additional to bring the total for FY ’13 to a million, ninety thousand dollars, attempting to be proactive since we have that information at this time.

Moving forward to Medicare Tax. I think everyone here is probably familiar with that. It’s based upon strictly upon amounts of payroll payed out on both the School and the Town side. You see what’s been set aside again in FY ‘10 through ‘12. FY ‘13 we’ve set aside less than we spent in ‘12. Asking for an additional $30,000 to cover the anticipated costs with your
concurrence.

Onto Employee Benefits, the Sick Leave buyback amount. This is an amount that is available annually to retiring employees. It is – the amount is capped annually but it is available in a modest amount to every retiring employee and it’s based on a rough estimate of those who will retire in any given year. Again, no guarantees of the numbers.

We do have a firmer number of those who are retiring. We’ve spoken about some of that here already. It is an employee benefit that is owed upon retirement. Clearly we are going to be short in that amount. The FY ’13 set-aside of $15,000. We’re asking your consideration of that being supplemented for $30,000, which we now anticipate needing.

The funding sources, we’ve identified state aid, the cherry sheet revenue was, thankfully, higher than projected. We do want to remind you that that - we’re still a decrease, however, from what we have enjoyed in prior years. We have also enjoyed some new growth. We estimated $500,000, and that the actual has
been $850,000.

Free Cash, and I want to emphasize that. We’ve talked a lot about Free Cash in this Town Meeting and we appreciate Town Meeting Members allocating a considerable amount of that in warrant Article 32 yesterday.

Also some additional requests, going forward, for our colleagues on the school side, we want to make clear to all of you what those amounts are. For FY 2012, the Certified Free Cash amount is $3,384,446, representative of some very frugal and disciplined management of the Town’s resources on the part of all the Town’s departments, and for that we thank them. We expect that to continue going forward.

As I’ve noted, $1,137,461 of that has been appropriated, in large part on the capital amount that you approved yesterday.

Finally, in conclusion, a couple slides. The overall town is in good fiscal health, we’re happy to report. In FY ’14 the budget policy in capital and spending was adopted by the Board. That represents, as Selectman Murphy mentioned yesterday, all of the Board concurred unanimously
on an operating budget cap of 2.25 percent for Fiscal Year ‘14. That’s a budget I will be bringing to the Board by January 1 for the Town Charter.

It also includes a .25 percent. That’s point two five of one percent set aside toward Capital Stabilization per the Board of Selectmen.

Fiscal goals by 2014, our goals – again, these are goals – would be Stabilization Fund $2.3 million. Reduced reliance on non-recurring revenue. Capital Stabilization Fund goal of $1.3 million. Health Stabilization Fund, we’ve talked about that in the spring; that is $1.4 million. And the OPEB Trust Fund, an amount of $40,000. Clearly, there is still work to be done.

We appreciate very much our partnership with the Finance Committee and the serious work that they do in collaboration with members of the staff, which we hold very highly. We look forward to that continuing into that partnership, moving forward.

Also Fiscal Year ‘14 goals: to build reserves and to stabilize the budgets.
By comparison, FY 2011, our total Stabilization Funds, just over a million dollars: $1,070,686. Our projection - again, this is a projection at this point, but it is our best projection, the work is still in progress - for total Stabilization Funds with the good work of the Finance Committee, Board of Selectmen, and others setting the lead: $5.4 million.

Again, contrast that with just over a million dollars from FY 2011.

Our Free Cash is anticipated to continue to recover, as I’ve already noted. And again, that represents continued discipline, stability and wise management decisions on the part of all those entities so important to the involvement in this partnership.

And I’m happy to answer any questions, Mr. Moderator, that may be forthcoming. Thank you.

THE MODERATOR: Okay, discussion on Article 52. Mr. Johnson.

MR. JOHNSON: Leonard Johnson, precinct 5. Reflecting on the conversation last night that related to transparency and trust, and that
that discussion last night, contrasted to what we
just heard from the Town Manager, suggests to me
that there is indeed a connection between
openness in government and full disclosure as a
vehicle for building trust. So I thank the Town
Manager for heading us in the right direction
both in the broader sense of the picture and in
the smaller detail.

Some of us get involved in the smaller
detail.

I’d also like to commend the Town
Manager for last night stepping up and taking
accountability for what went on. I thought that
was admirable and is again something that builds
trust.

[Applause.]

MR. JOHNSON: And, while I’m on a roll,
I for over a decade have tried to get the
salaries of Town employees published by the Town.
I know it’s been available in the last couple of
years by – in the Cape Cod Times. And so if you
get the new Town Report, you will find, indeed,
in the last few pages beginning at page 205,
there is a listing of the W-2 numbers for the
Town employees. This is, again, a big step in the interests of full disclosure and building trust.

So I’d like to thank the Charter Review Committee who was heavily involved in this process, the Town Manager and the IT Department because these numbers, I’ve discovered from requesting them in the past, are not always easy to come by. Thank you.

THE MODERATOR: I’d also like to mention that we have 200 copies of the printed version of the Town Report and multiple copies of the electronic version. So, those that would like to grab a copy of the Town Report, we urge you if you are able to take the electronic version, it’s cheaper for us to produce. It’s cents on the dollar. What’s that?

FROM THE FLOOR: [No mic. Inaudible.]

THE MODERATOR: And it’s also the entire report is also on the Town website. But for those that need a solid copy, we do have 200 of them; we’re just trying to reduce the printing costs there.

Okay, Ms. Fenwick.
MS. FENWICK: Judy Fenwick, precinct 1.

Could I ask you to go back to the slide that has Excluded Debt? And then I have a question on that slide.

The second bulleted item. This is a mistake commonly made by high school students, but I believe you’ve used the wrong “principle” there.

[Laughter.]

MS. FENWICK: The principle you have referred to is when you have ethics and scruples, but I don’t think we’re paying for those. So, the correct spelling would end in “P-A-L”.

[Applause.]

THE MODERATOR: I think the Town Manager was underscoring the principle of building trust with Town Meeting.

[Laughter.]

THE MODERATOR: Mr. Finneran.

MR. FINNERAN: Yeah, there was an $11,000 figure for printing of the warrants. I wonder, how many of them do we print? You almost answered the question for me. You’re half a psychic. There’s two hundred extra. What was
the total amount?

THE MODERATOR: No, no, that was the Town Report.

MR. FINNERAN: Oh, the Town Report.

Oh, excuse me, thanks.

THE MODERATOR: Any further discussion?

Yes, Mr. Netto.

FROM THE FLOOR: Question.

MR. NETTO: Joe Netto, precinct 9. I, too, would like to comment on the openness and transparency of this presentation. I stood up here 24 hours ago as a critic and Mr. Johnson beat me to it, but to Mr. Suso: thank you very much; do appreciate it.

THE MODERATOR: Okay, Mr. Latimer.

MR. LATIMER: Just a minor question. Probably reflects more of my ignorance, but I didn’t know we had an Old People Eating Beans Trust Fund. And perhaps I’m wrong about that, but what does OPEB mean otherwise?

THE MODERATOR: Other Post Employment Benefits.

MR. LATIMER: Excuse me?

THE MODERATOR: Other Post Employment
Benefits.

MR. LATIMER: Oh, okay, thank you. I didn’t know that. I’m sorry, I thought it was Old People Eating Beans, I don’t know.

[Laughter.]

THE MODERATOR: No.

Any further questions on the Article 52?

FROM THE FLOOR: Question, question.

THE MODERATOR: Ms. Tobey. And then I think we’re ready to vote.

MS. TOBEY: Thank you very much.

Linda Tobey, precinct 4.

Mr. Suso, thank you for your presentation.

I have a question on the page about the shellfish. I noticed that – I think it’s great that we’re investing money in improving our shellfish development. I’m just wondering if the Town will be receiving money from doing this or if it’s just to make our shellfish more, you know, better.

THE MODERATOR: Ms. Lowell – Mr. Lowell was actually on the subcommittee. Mr. Suso, do you want to defer to him or?
MR. SUSO: Yes, Mr. Moderator, may I have -

THE MODERATOR: We’ve got lots of people here.

MR. SUSO: - Mr. Martinson, our DNR chief comment on that? Chuck, if you would?

MR. MARTINSON: Good evening, Town Meeting Members. Chuck Martinson, Acting Director of Natural Resources.

I think the short answer to your question is yes, we do anticipate that license sales will indeed go up when the amount of shellfish that people are able to dig increases in a shorter period of time. There will be certainly more people interested in shell fishing, yes.

MS. TOBEY: Okay, thank you.

THE MODERATOR: Okay. Mr. Lowell, do you want to add anything?

MR. LOWELL: [No mic. Inaudible.]

THE MODERATOR: Okay. Any further discussion? The question will come on the main motion. All those in favor, signify by saying aye.
[Aye.]

THE MODERATOR: All those opposed no.

[None opposed.]

THE MODERATOR: The ayes have it unanimous.

Now we’ll go back to Article 51.

Article 51 is to appropriate a sum of money for the Fiscal Year ’13 School Department Budget.

Mr. Chairman of the Finance Committee for the main motion.

CHAIRMAN LEWIS: Mr. Moderator, I move the Town vote to appropriate the sum of $238,890 from Certified Free Cash for the purposes of Article 51, to be expended under the jurisdiction of the School Committee.

THE MODERATOR: Okay, so the amount is $238,890. Mr. Chairman.

CHAIRMAN LEWIS: Mr. Moderator, if I can read into the record the recommendation, or the explanation from the Finance Committee. The Finance Committee has looked closely at the School Department needs and funds available and feels that at this time the monies are justified for the 213 budget and should be added under
Article 51.

However the Finance Committee votes this as a one time increase to the FY '13 budget only and will look closely at the need for these expenses in the 214 budget. Thank you.


MS. PUTNAM: Rebecca Putnam, precinct 9. Again like last night, we’re being asked to spend $238,890 for what, exactly?

THE MODERATOR: Mr. Chairman.

MS. PUTNAM: Thank you.

THE MODERATOR: Oh, Mr. Dupuis is actually –

MR. DUPUIS: Mark Dupuis, Superintendent of Schools. As you may recall last spring when the School Department was passed, it was reduced by an amount - by this amount. And there was discussion at that point to come back to the Fall Town Meeting for supplemental funding, which is where we are at this point. And we do have a slide that breaks out that $238,000.

$100,000 of it would be used for
unexpected salaries that we were forced to pay. These are due to needs that came up since the budget was developed and since the school year started. That would be one teaching position and two aid positions to meet the needs of various students and to maintain low class size.

The second amount, $70,000, was reduced from last year’s budget and that’s for supplies and material that reflects $20 per student and will be used in all seven schools based on $20 per student.

$25,000 again was reduced from last year’s budget and that will be used for various technology needs and programs in the district, again involving all seven schools.

And the last balance, which I don’t have my glasses, here, but I think it’s $43,890 is for professional development, which is the result of a variety of state and federal mandates which we’re forced to implement and be involved with. And this is very vital if we want to maintain the training that’s needed for all our staff.

So that’s the breakdown of those funds.

THE MODERATOR: Okay, further
discussion? Mr. Donahue. Mr. Murphy and then Mr. Donahue. Yes, we’ll get you a mic.

Mr. Murphy.

CHAIRMAN MURPHY: Through you, Mr. Moderator, to the Finance Committee. Is this money to be added to their budget so their budget base would begin next year with the $238,000? Or would this be a one time supplement for this year’s budget?

THE MODERATOR: I thought he was very clear. He read that into the record. But, Mr. Chairman.

CHAIRMAN LEWIS: Yes, we were very specific. Our explanation does read, the last sentence: However the Finance Committee feels this is a one time increase for the FY ’13 and we’ll look at the budget for 214 when it comes through.

THE MODERATOR: Okay –

CHAIRMAN LEWIS: I’m assuming that the Town will probably give them the one percent they gave them last year and –

CHAIRMAN MURPHY: Mr. Moderator, I’m going to personally vote for this. I’m going to
support this issue. But I do want to say that
it’s – it needs to be put on the table that every
union in this community has taken multiple zeros
over the last several years, and the School
Department has a contract to settle, and that
contract still has not been settled and we need
to keep that in mind as we move forward. Thank
you very much.

THE MODERATOR: Mr. Donahue.

MR. DONAHUE: Thank you, Mr.
Moderator. The unbudgeted salaries, the
teacher and teacher aides, I believe that the
population of the schools is going down, but we
need to hire another teacher. Is there a
specific – is this for special needs children or
something like that, that was unanticipated or?
Thank you.

THE MODERATOR: Mr. Dupuis.

MR. DUPUIS: The two aid positions
were for that situation which was just described
and we’re required to provide services to those
students.

The teacher position was a second grade
section at Teaticket School. And, as many of you
are aware, the School Committee has class size ranges and we were outside that class size range, so that was the reason that was added.

THE MODERATOR: Mr. Shearer.

MR. SHEARER: Dan Shearer, precinct 6. I am going to vote for this because our kids need it, but I want to remind everybody that we had an override in 1978 –


MR. SHEARER: ’98 is it? Okay. For $831,340 for technology supplies and school books. It is being used by the school for salaries. And I think this is wrong. We vote for something; we’re told it’s going to be used for that; it should be used for that.

In the coming years, with the amount of computers in the school system, we’re going to need every penny of that to replace them, repair them and keep them up to date.

I don’t think we can keep using this money for salaries in the school.

But please vote for this this year; we need it. Thank you.

THE MODERATOR: Okay, any further
discussion on Article 51? Mr. Heath.

MR. HEATH: Perhaps you can explain to me, but this looks to me like you just plain didn’t pay attention to the budget that was loaded and the amount authorized, did what you wanted to do, and now you’re back for supplemental.

I’m going to vote it because we – you’ve already spent the money, you’ve already committed it, and we have to pay our debts. But when we vote a budget at Town Meeting after it’s been vetted by the Finance Committee, I think we should expect that Town employees, whether it be School Committee or in the – under the Mr. Suso, that basically they’ve got to live by that because that’s what they committed to.

And it looks, with the exception of the $43,890, which you can’t help, the rest of it looks like you spent what you got turned down, but you spent it anyway.

THE MODERATOR: Mr. Dupuis.

MR. DUPUIS: If I can just respond.

The $70,000, the $25,000 and the $43,000 has not been spent in hopes of getting approval this
THE MODERATOR: Ms. Lowell.

MS. LOWELL: Vicki Lowell, precinct 1.

My memory is that at the – at last Annual Town Meeting the School Committee had requested these additional funds and the Finance Committee had said that they didn’t want to recommend them at that time, but that they would review it in the fall. And that’s what they’ve done, is my understanding, and now they’re recommending that yes, the schools do need this money. So, it’s not as if we didn’t have some warning of these potential costs, and we’ve just done it for all the other departments and when they’ve – we adjusted their budgets. So I think it’s very fair to do it for the schools. Thank you.

[Applause.]

THE MODERATOR: Okay, Mr. Thrasher.

MR. THRASHER: Scott Thrasher, precinct 4. The only thing I can say about this request is many of the other requests that were made on the warrant we had people at our precinct meeting that were there to speak to us and answer our questions. Because we had many questions of the
people that came to our precinct meeting. And I was told when we were reviewing the articles that there would be something at Town Meeting for Article 51. But they didn’t have anything for us at that time.

If they know there’s something forthcoming, it would be worthwhile to not have to debate it in 20 minutes on Town Meeting floor after all of these other departments have gone through Fin Com and everything’s been laid out and we’ve had time to digest it. This is a little short – a little bit of a short notice.

THE MODERATOR: Okay, anything else?

Ms. Augusta.

MS. AUGUSTA: Susan Augusta, School Committee, precinct 9. Just to reiterate what Mrs. Lowell just stated. We brought this to Town Meeting last April, and we were – we notified Town Meeting that once we were told that this was not going to be recommended at the time that we would be bringing it back this fall. This is what we have done.

THE MODERATOR: Okay, the question will come on the main motion: $238,890 from Certified
Free Cash. All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 54, this is to appropriate $50,000 from Certified Free Cash for the purpose of dredging the inlet to Bourne’s Pond. Mr. Chairman of the Finance Committee for a main motion.

CHAIRMAN LEWIS: Mr. Moderator, I move Article 54 as recommended.

THE MODERATOR: As recommended. Mr. Netto held this. You’re going to release —

MR. NETTO: [No mic:] Question was answered.

THE MODERATOR: Yes, question was answered. Any further discussion on Article 54?

Hearing none, then the question will come on the main motion as recommended. All those in favor, signify by saying aye.

[Aye.]
THE MODERATOR: All those opposed no.

[None opposed.]

THE MODERATOR: The ayes have it unanimous.

Article 55. This is to authorize the Board of Selectmen to enter into a contract not to exceed 20 years for energy management services. Mr. Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MURPHY: Yes, Mr. Moderator. I move that the Town vote to authorize the Board of Selectmen to enter into a contract not to exceed 20 years between the Town of Falmouth and the Energy Management Services Contractor in accordance with General Law 250A point 11, upon such terms and conditions the Board deems appropriate.

The Explanation: the new motion removes the terms “raise and appropriate”.

If feasible, the full project will be presented to the 2013 April Town Meeting for its consideration and action as needed. The Board of Selectmen is simply seeking the authority to move forward.
And if I can ask the Town Manager to do a presentation, I believe, on this.

THE MODERATOR: Mr. Suso.

The main motion is to authorize the Board of Selectmen to enter into a contract not to exceed 20 years between the Town and the Energy Management Services contractor in accordance with General Law 25A, Section 11L.

MR. SUSO: Thank you, Mr. Moderator.

If I may, this is a presentation that with a PowerPoint covering both Articles 55 and 56, if I may.

What is performance contracting? Energy savings performance contracting enables building owners to use future energy savings to pay for design and construction costs of energy saving projects. Eliminating the need to dip into Capital budgets. That’s what an ESCO or energy savings contract is all about.

Performance contracting in Massachusetts, successful projects have occurred since 1994, which is of course 18 years to date. New legislation in Massachusetts, Chapter 25A, Section 11L was enacted in 2006. This is a
streamlined process. The ESCO or energy management company—performance contracting company installs, guarantees energy savings. That’s guarantees. And maintains the systems.

To date, 171 Massachusetts cities, towns and regional school districts are currently in the performance contracting pipeline. And that’s from the state of Massachusetts data that we have available.

We’ve talked about the company Trane, which is the selected performance contracting company for the Town of Falmouth. They have project experience in the Commonwealth in the City of Lynn, in the Town of Marshfield, in Medway Public Schools, the Old Colony Regional Vocational School District, the Town of West Springfield and West Springfield Public Schools, the Bristol-Plymouth Regional Vocational High School.

And the Town of Falmouth is working in cooperation, obviously, with the Falmouth Public Schools. We’ve talked about this in the past and also at our precinct meetings in terms of the Town’s overall needs, working with the School
Department as well.

The ESCO selection process, Falmouth solicited ESCO’s utilizing a request for qualifications process. Several firms were interviewed. Trane was identified as the most responsive and responsible. With the support from the Board of Selectmen I have authorized an investment grade audit to be performed by Trane. We’re working out the details of that going forward.

Typically the municipalities achieve energy savings from 15 percent to 25 percent in this process in the Commonwealth. Falmouth currently has an annual utility expense that’s combined Town and School-side together in excess of $2 million a year. The anticipated annual savings if this process would go forward, again only with Town Meeting approval, would be within the range of $300,000 to $500,000 annually.

A detailed audit will define the savings and the overall program details for implementation. The Town would need to approve that project going forward.

Typical projects might include new high
efficiency boiler plants, new windows, heating
and ventilating systems, a building envelope,
including the weatherproofing, energy efficient
lighting upgrades, variable frequency drives for
pumps - that includes water and wastewater, by
the way - state of the art building automation
system, kitchen or cafeteria exhaust hood,
controls and others that are customized and
detailed through the audit, with many more
details to be brought to Town Meeting if we’re
allowed to move forward.

Existing Morse Pond School, there’s one
of the snapshots of the energy system there. The
Lawrence School energy system, some information
there. Existing Teaticket School energy systems,
as well. Just a snapshot of a few illustrative
eamples.

The process steps under Mass. General
Law Chapter 25A, section 11L: step one, issue a
request for qualifications. We’ve noted that’s
been concluded. Select an energy services
provider, step two, has been accomplished.

Conduct a detailed audit of energy
facilities - pardon me, a detailed energy audit
of facilities, that has not yet been brought to a conclusion.

Step four would lie ahead: select the optimal project for local approval. All the other steps still lie ahead.

Number five: seek Board of Selectmen’s approval to advance to Town Meeting. That would be to come in the spring if we have your continued support.

Step six: present projects and seek Town Meeting approval for project borrowing. That lies ahead in the spring.

Seven: upon approval, execute an agreement to proceed, lies ahead.

Also lying ahead: the implementation of the project in step eight.

Step nine: experience measurably improved facilities and guaranteed energy savings under Mass. General Law if we’re allowed to proceed.

The potential benefits to Falmouth.

The bullet points: upgrade the Town and School facilities, reduce energy consumption, guaranteed energy savings as part of our contract with Trane
if we are able to proceed, improved comfort and efficiency in the schools and the Town-side buildings as well.

Measurably improve indoor air quality.

Automate and monitor with a web-based system 24/7 every day of the year.

Ongoing training, maintenance, to personnel to sustain performance guidelines.

Environmental benefits as well, with the avoidance of additional emissions. Obviously fiscal, social and environmental stewardship an important part of our overall goals.

Falmouth’s next steps would be between October and December of 2012 to conduct and conclude that detailed investment grade audit. January of 2013, we would review the progress and define the projects. An owner’s representative review of energy savings and costs. That owner’s representative, by the way, would be part of Warrant Article 56.

In February, 2013, we would develop a project pro forma and schedule. From February to March of the coming year, we would review the project with officials and the board.
In April, 2013, only if we’re allowed to proceed would we present a project to Town Meeting and specifically seek your concurrence on bond authorization. Without it, nothing would move forward.

If funded, we would move forward and construct this project. Again, Town Meeting would have to pull the trigger on that in the spring.

Article 56 we’ve touched on. That would allow an owner’s project representative. We feel that’s an important adjunct to insuring success of this. If you allow us to proceed, a proposed owner’s representative could serve as a third party objective reviewer. We think that would be very important. That would allow us to engage an engineer qualified to review energy efficiency projects with related savings. Again, including windows and roofs, the building envelope, the HVAC system improvements proposed by Trane.

Will the projects proposed by Trane indeed result in a projected savings? Let’s have an independent third party take a look and report back to the Board of Selectmen, Finance
Committee, and Town Meeting.

May serve in a project oversight role as well, as a potentially as a construction project manager if we’re allowed to move forward.

And that concludes the summary of what we are proposing in both Articles 55 and 56.

One final comment, Mr. Moderator, if I may. In talking with my colleague, Superintendent Mark Dupuis, the Town has had experience on the school side working with Honeywell in a performance management contracting process, so we do have some actual experience on the school side with regard to this model and it has been conducted successfully, and with my colleague’s assistance there may be questions on that which I’m sure we could follow up on as well. Thank you.

THE MODERATOR: Okay, Mr. Young.

MR. YOUNG: Bob Young, precinct 5. I want to support this article. The Selectmen’s position and thank you, Mr. Suso, for a wonderful explanation.

I have just a comment, here, and I may want to offer an amendment. What I see in this
first sentence that the Town wants to come in with a contract not to exceed 20 years, all I can think of is the Red Sox and Carl Crawford, $200 million for ten years. Does it have to be 20 years? Could it be not to exceed five years, possibly?


MS. HARPER: It’s proposed as up to 20 years and it needs to relate to the term of borrowing because that’s the period in which Trane is guaranteeing the savings to offset the cost of the borrowing. So it may be 15 years or ten years, depending on what the project is, but it could be up to 20 years and more than likely will be.

THE MODERATOR: Mr. Young.

MR. YOUNG: Follow-up, please. I’d like to make an amendment that it be reduced to not more than ten years. And I offer that amendment now.

THE MODERATOR: Okay, the amendment is to change the not exceeding 20 years to not exceed ten years.

Discussion on the amendment? Yes, Mr.
CHAIRMAN MURPHY: Yes, Mr. Moderator.

The Board has talked about this particular issue and there are many directions you could go in energy savings. I think the Board’s discussions has led us to believe that we will go towards the more traditional areas where we can make savings. Not new technologies where things would not be tried and true.

And some of those technologies, those traditional technologies, as we all have in our homes, are things like windows and roofs. Those things do in fact last multiple numbers of years. This is an opportunity for the Town to help its aging infrastructure and be able to finance it with the savings we would get via energy.

I would suggest that you do not pass this amendment because it will tie our hands moving forward.

Again, tonight is only to authorize us to come back to you in the spring and bring you a list of the items that the Board, collectively with the staff, have come up with as the items that we would like to move forward with.
I can assure you on my part that anything innovative and new technologies that's not tried and true will not be on the list if I have anything to say about it.

So I ask that you don’t put something on there 20 year - under 20 years, because it may tie our hands with some of the payback issues, thank you.

THE MODERATOR: Okay, Ms. O’Connell. Mr. Latimer on the amendment? I’ll put you on the list.

MS. O’CONNELL: Oh, pardon me, Mr. Moderator, it’s not about the amendment.

THE MODERATOR: Okay, any further discussion on the amendment, Mr. Latimer?

MR. LATIMER: No.

THE MODERATOR: No. Any further discussion on the amendment? Hearing none, the question will come on the amendment, whether or not to reduce the years to ten.

All those in favor signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.
THE MODERATOR: It’s the opinion of the chair that the no’s have it by a majority and I’ll go back to my original list. Mr. Latimer. Ms. O’Connell, I’ll add you to the original list.

MR. LATIMER: Richard Latimer, precinct 1. I’ve worked on contracts before and analyzed them. They have parties; in this case it’s the Town of Falmouth and Trane. They have a term of years, okay, 20 years. They have a scope of work; that’s been explained.

But every contract has a price and I haven’t seen anything here as to what the price of this contract would be, that we’re committing ourselves to 20 years. Is it a set fee per year? Or is it a per project –

THE MODERATOR: The main motion took out an appropriation, so they make their money on the long term.

MR. LATIMER: It’s contingent fee, then? Okay, I mean, is that what it is? I mean, what’s it going to cost each year of the 20 years? I mean, it’s just a basic question that –
FROM THE FLOOR: [Inaudible.]

MR. LATIMER: Is it free?


MS. HARPER: It’s certainly not free.

The Trane earns its money each year of the contract as the service – either the service contractor or they also are responsible for installing the project. So they make their money as the installer as well as the service contractor.

All of those decisions have yet to be presented and analyzed and that would be part of what Town Meeting would be reviewing in the spring.

MR. LATIMER: It’s like a contingent fee. Great. I have no problem with that.

THE MODERATOR: Mr. Lowell.

MR. LOWELL: Nick Lowell, precinct 5. A member of the Finance Committee. We’ve briefly touched on this, but not well enough for me to say that I’m not simply speaking for myself, which is what I’m doing.

I have attended the Trane presentation and some of the Energy Committee meetings and I
am supportive of the article here. However, in general, I think that we should take the whole project with a - take it for what it is. It's not free money and it's a great opportunity for us to upgrade many of our capital projects and not have it show up as an override.

And many of these things are things that, you know, we don't spend a lot of time looking at. The boiler rooms, for example.

But, it is a little bit dangerous in that there is a certain amount of risk that isn't obvious to the way that the funding works. We pay for it out of the energy savings. The energy audit will help us to determine how much we're going to save by upgrading certain equipment and then we can decide how many projects we want to do.

Certain projects have a very good payback, typically lighting and controls, such as setbacks, automatic setbacks and preventing those rooms that just get incredibly hot, which we see in a lot of the old buildings.

But, other projects such as roofs and windows often have a much lower payback. And
it’s very tempting to try to lump the really good payback projects in with the not so good payback projects. And then fill up the total amount of projected savings with all of the projects, because I mean we do need new roofs and we need new windows, but they don’t necessarily give us the best payback.

So, when I – I want the Selectmen to go ahead and look into this contract and complete the energy audit, but when we do come time to select the projects, I really encourage you to stick to the highest payback projects, so that we can really show that this works and then we can revisit it and add more projects in later on. We don’t have to do it all at once.

Because I know that by the time we bring it back to the spring Town Meeting, the train’s going to be going fast. It’ll be difficult to cherry pick out, perhaps, some of the projects that might not have a great payback. Thank you.

THE MODERATOR: Okay, Mr. Finneran.

MR. FINNERAN: I think I heard the figure once that we spend about $2 million a year on energy. Does that qualify us for the Cape
Light Compact? And if it does, don’t they do a lot of these services for nothing and next to nothing? And if that was the case, wouldn’t it be smarter to do what they can do for us, first, and then go to these people second?

MS. HARPER: Well, the Cape and Vineyard Electric Coop is not a performance contracting company. They do do a lot of retrofitting and we have participated in many, many of those.

Paul Gentile I know would be delighted to talk about those. But that is not the same model.

And I just want to add that I agree completely with Mr. Lowell’s comments. I’m not entirely convinced yet, but I do believe it makes perfect sense to move forward and analyze whether there are projects.

And, it’s important to know that, without the School, the Town facilities would not be attractive to an ESCO. It’s only the partnership with the School facilities that make it possible for the Town facilities to participate and benefit.
So, you know, we appreciate that cooperation and willingness to work with the Town, and I believe it's worth exploring.

THE MODERATOR: Mr. Patrick.

MR. PATRICK: Matt Patrick, precinct 7. I've known about this stuff for a long time and I have to respectfully disagree with Mr. Lowell.

You want to get all of these projects in and get them paid for with energy savings. To do otherwise is called cherry picking, or cream skimming and you won't get all the savings that's available if you do that. So you try to mix in the long payback energy savings with the short payback energy savings and that's the best thing for the Town, Thank you.

THE MODERATOR: Okay, Ms. O'Connell and then Mr. Dupuis.

MS. O’CONNELL: Yes, Mr. Moderator, I have a question about the Article 55. It says that we're authorizing the Board to enter into a contract and also to appropriate a sum of money. Is there a --

THE MODERATOR: No, no, that was the main motion. The main motion removed the
“appropriate a sum of money” language.

MS. O’CONNELL: Okay, pardon me. Then my other question is: should we go forward with this, is there an amount that would be negotiated in this contract that we would have to spend every year with Trane, sort of a baseline to keep them? Sort of a contractual contingency fee, if you will? Would there be a base amount we would have to spend with them every year?


MS. HARPER: I’m not sure I entirely understand the question.

MS. O’CONNELL: If we had a contract with Trane for 20 years to do one thing or another, to boost our energy savings, what if a year came and we didn’t have anything we really wanted to do? Do we have to pay them something in order to keep doing business with them?

MS. HARPER: The way the project works is all of the projects are identified up front. They are all done Day One. So all of the savings -

MS. O’CONNELL: I see.

MS. HARPER: - are available the first
day. The variability that Mr. Lowell was
talking about is the energy prices and demand,
and it’s important that you control the demand.
We don’t have control over the prices.

So that really is the issue, is that as
the energy prices grow and your savings stay the
same, there really will be more expenses, even
though your energy consumption is either stable
or going down.

MS. O’CONNELL: So the 20 years is
what, to kind of guarantee the work that they
have done in case we need –

MS. HARPER: Correct.

MS. O’CONNELL: - them to come back and
remEDIATE.

MR. HARPER: And it’s the likely term
of a bond that you would enter into for a large
scale construction project.

MS. O’CONNELL: Okay. Thank you very
much.

THE MODERATOR: Okay, Mr. Dupuis, did
you have something? In the back.

MR. DUPUIS: Mark Dupuis, Superintendent of Schools. Just to follow up on
what Mr. Suso said earlier. A number of years ago, probably ten or 12 or 13 years ago, the School Department was involved in a similar arrangement with Honeywell on a much smaller scale, but the concept was the same, and it clearly worked.

And I want to follow up on things that were said earlier. It gives the Town an opportunity to address many of the capital needs that are lingering without a major bond or anything like that.

So, I would certainly support this.

THE MODERATOR: Okay, Ms. Murphy.

MS. MURPHY: Thank you, Mr. Moderator.

Carol Murphy, precinct 9. I’ve just got a question as far as we were told at our precinct meetings that it was a figure of $30,000 for Article 55. So, I’m confused. So now there’s no $30,000 figure involved with Article 55?

THE MODERATOR: Yeah, who went to a precinct meeting and said $30,000? Mr. Suso?

MR. SUSO: Thank you Mr. Moderator.

The figure that the speaker’s referring to, if Town Meeting declined to proceed, we are having
an energy audit conducted as I noted in the 
PowerPoint; the Town would be obligated to pay 
for that energy audit for all our buildings, Town 
and School side; the estimated cost is in the 
$30,000 area.

If we decline to move forward with 
energy performance contracting, we would have 
some obligation in that area, and the Town would 
utilize all that information to more effectively 
manage both our Town and School side buildings, 
but sadly we would be denied the opportunity to 
make all those enhancements and pay for them with 
energy savings.

MS. MURPHY: So Trane would be charging 
us the $30,000; that’s their fee?

MR. SUSO: That’s correct.

MS. MURPHY: And then, Article 56 is a 
$20,000 audit of the audit?

THE MODERATOR: Yeah, that would be for 
the owner’s representative. They did the 
presentation, the PowerPoint.

MS. MURPHY: Yeah, it’s an audit of the 
audit. It’s an audit of the Article 55 audit.

We have to have an overseer? I thought Trane
was very, very, you know.

THE MODERATOR: That was right in the PowerPoint. We’re going to have an –

MS. MURPHY: Yes, I did see it.

THE MODERATOR: – independent third party take it, make sure that the savings are correct, so we don’t get ourselves into trouble.

MRS. MURPHY: Right, so we’re – we’re doubling down. We’re auditing the audit.

THE MODERATOR: Yes.

MRS. MURPHY: Okay.

MR. SUSO: Fundamentally, Mr. Moderator, we are –

MS. MURPHY: Okie-dokie.

MR. SUSO: – it’s a checks and balances to ensure large dollars are spent wisely.

MS. MURPHY: Okay, so the whole thing is $50,000 – well, I mean the figure, if you take the $30,000.

THE MODERATOR: It’s $30,000 if we don’t do this.

MS. MURPHY: I see, thank you.

THE MODERATOR: So if you vote no, it might cost us up to $30,000.
Any further discussion on Article 55?

Mr. Finneran. Then I think we're ready.

MR. FINNERAN: I don't really think that my question was answered by Ms. Harper.

Maybe Mr. Gentile can answer it. Is there anything that the Cape Light Compact can do for us first like they do for homeowners in the area? At no charge.

THE MODERATOR: So Mr. Gentile, if we could have a nice, tight answer to that question.

MR. GENTILE: Mr. Moderator, I'd like to respond to that. Paul Gentile, Energy Coordinator. Cape Light Compact continues to work with us and will continue to work with us during this contract. They're in a different business. They're not in the energy performance contract business; they couldn't afford to be.

Most ESCO companies are large so they can co-support these projects with towns and municipalities. Cape Light Compact is in a different business. They don’t do performance contracting. But we still will continue to work with them, in other areas. Thank you.

Does that answer your question?
MR. FINNERAN: [No mic. Inaudible.]

MR. GENTILE: Yes.

THE MODERATOR: Okay, thank you, Mr. Gentile.

The question will come on the main motion, Article 55. All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 56. Appropriate $20,000 from Certified Free Cash. Mr. Chairman.

CHAIRMAN LEWIS: Mr. Moderator, I move Article 56 as recommended.

THE MODERATOR: As recommended. This is to engage a consultant to review the audit.

Any discussion?

FROM THE FLOOR: Question.

THE MODERATOR: The question will come on the main motion. All those in favor, signify by saying aye.

[Aye.]
THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Mr. Chairman. Article 57.

CHAIRMAN LEWIS: Mr. Moderator, I move that all articles approved at this Town Meeting be funded and the voting for the total is $3,875 –

THE MODERATOR: Folks, there’s an undercurrent here and I can’t hear the numbers myself. And I’m sitting right next to him, so.

Mr. Chairman.

CHAIRMAN LEWIS: Okay. $3,875,713.67.

THE MODERATOR: Okay, the main motion: $3,875,713.67. All those in favor of the main motion, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed, no.

[None opposed.]

THE MODERATOR: The ayes have it unanimous.

At this time, I’d recognize the Chairman of the Board of Selectmen for notification of the
next Annual Town Meeting.

CHAIRMAN MURPHY: Yes, Mr. Moderator,

April Town Meeting would be on April the 8th.

THE MODERATOR: April 8th will be the

next Town Meeting.

Mr. Chairman.

CHAIRMAN LEWIS: Mr. Moderator, I move

that the November 212 Annual Town Meeting be
closed.

THE MODERATOR: Okay, you’ve all heard
the main motion to dissolve the meeting. All
those in favor signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[None opposed.]

THE MODERATOR: The ayes have it; the

meeting is dissolved.

[10:10 p.m. Whereupon, the meeting closed.]
CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing is a true and accurate record of Falmouth Annual Fall Town Meeting, taken by me on November 15, 2012. To the best of my ability the within transcript is a complete, true and accurate record of said Town Meeting.

In witness whereof, I have hereunto set my hand and Notary Seal this 2nd day of January, 2013.

_____________________________
Carol P. Tinkham, Notary Public
My Commission Expires:
April 21, 2017

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