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COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

SPECIAL TOWN MEETING

- and -

ANNUAL TOWN MEETING

**Lawrence School
Lakeview Avenue
Falmouth, Massachusetts**

MODERATOR: David T. Vieira

**Tuesday, April 4, 2006
7:00 p.m.**

**Carol P. Tinkham
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ANNUAL TOWN MEETING

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PROCEEDINGS

THE MODERATOR: All Town Meeting

Members present, please come forward. Check in and take your seats.

All Town Meeting Members present, please come forward and don't forget to check in. Attendance is going to be published in the Falmouth Enterprise.

I want to thank FCTV-13 for our live broadcast of Town Meeting.

Only Town Meeting members should be sitting in front of the roped-off area, rows M and N. If you're a Town Meeting Member and you are not sitting in front of the roped-off area, your votes will not be counted this evening.

Again this evening we will have the CART interpreter service provided by Teri Gibson. Carol Tinkham will provide the transcription for our meeting. And our tellers this evening, in the first division will be Ms. Tashiro; in the second division, Mr. Dufresne; and in the third division, Mr. Hampson.

Okay, we need to establish a quorum. Would all Town Meeting Member present please rise for the establishment of a quorum.

[Pause.]

THE MODERATOR: In the first division.

MRS. TASHIRO: 54.

THE MODERATOR: 54 in the first

division.

In the second division?

MR. DUFRESNE: 93.

THE MODERATOR: 93.

In the third division.

MR. HAMPSON: 54.

THE MODERATOR: 54.

By a counted vote of 201 we have a quorum and I call the Special Town Meeting in session -- to order.

At this time, would you please rise for the presentation of the colors by Girl Scout Brownie Troop 793.

[Applause.]

THE MODERATOR: Please follow with the pledge of allegiance.

[Pledge of Allegiance taken.]

THE MODERATOR: At this time we will have an invocation by Selectman Ahmed Mustafa.

MR. MUSTAFA: Heavenly Father, may our meeting this evening be not only an exercise of care and concern for our community and its residents, but also an example of how a community can agree and disagree and still be a community. We ask you to watch over and protect our families, our community, our nation and our world. May your gift of peace become a reality for all. Amen.

THE MODERATOR: Pause for a moment of silence.

Colors post. Let's have a big round of applause for Girl Scout Brownie Troop 793.

[Applause.]

THE MODERATOR: Starting them off early nowadays.

At this time I would like to read the

Officers Return of the Warrant. By virtue of this warrant I have this day notified and summonsed the inhabitants of the Town of Falmouth qualified to vote on Town affairs as said warrant directs by posting an attested copy thereof in Town Hall and in every precinct in the Town. Signed Constable Melinda Rebello.

At this time I'd like to have the

Chairman of the Board of Selectmen motion to dispense with the reading of the warrant.

CHAIRMAN MURPHY: Mr. Moderator, I move that we dispense with the reading of the warrant.

THE MODERATOR: You've all heard 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. Mr. Clerk, I ask that the warrant become an official part of the record.

At this time the Chair would entertain a motion for non-Town Meeting Members to sit up front with their respective boards and committees.

FROM THE FLOOR: So moved.

THE MODERATOR: So moved. 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.

At this time, the Chair would entertain

a motion for all town employees who are not residents of the town to speak on any article before the Special Town Meeting.

FROM THE FLOOR: Moved.

THE MODERATOR: So moved. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

At this time, I'll recognize the Planning Board for notification of public hearing. There are no public hearings because there's no Planning Board articles on this warrant.

So tonight we're going to start the Special. We're not going to use a blanket. Probably shouldn't have used one last night.

[Laughter.]

THE MODERATOR: But we'll start with

Article 1. If the recommendation is indefinite postponement, I'll have the board make that recommendation. If anyone wants to put a positive motion on the floor, that will be the main motion. Otherwise we'll just get right into voting the indefinite postponement as the main motion.

Article 1. Madam Chairman of the Finance Committee.

CHAIRMAN LEMOINE: Mr. Moderator, I move that indefinite postponement of Article 1.

THE MODERATOR: Okay, Article 1, the main motion is indefinite postponement. Any discussion? Hearing none, 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. I declare it a two-thirds.

Article 2. Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I recommend indefinite postponement of Article 2.

THE MODERATOR: Okay, the recommendation is indefinite postponement and the main motion will be indefinite postponement, but we do have a presentation by Amy Lowell, our Wastewater Superintendent to give us an update on the issue behind this article and Article 3 as well.

Ms. Lowell.

MS. LOWELL: Good evening. Amy Lowell, Wastewater Superintendent. I wanted to give an update this evening on New Silver Beach. Though I'm going to recommend indefinite postponement on Articles 2 and 3, I wanted to take some time to give a brief update.

I wanted to start with a map, here. The area in brown is the New Silver Beach sewer service area. It's about 220 properties. It's not the entire New Silver Beach neighborhood. Off to the west of that is Wild Harbor. The red line shown on that map is the set of pipes that would collect wastewater from that neighborhood. The green line is the pipe that would convey wastewater from the lift station in the New Silver Beach neighborhood to the treatment plant about a mile away on the William -- on a site at the end of William Road.

After treatment at that plant, the wastewater would be discharged at infiltration trenches beneath a new soccer field behind the North Falmouth elementary school.

As I said, I am going to recommend indefinite postponement of these two articles and that they be voted

instead at the November 2006 Town Meeting. We cannot proceed with this project right now and cannot get a loan until the current round of appeals, the administrative appeals, is resolved. The Town has prevailed in the first two of these appeals and we expect a decision on the third of these appeals before the November 2006 Town Meeting.

As you remember, as you -- many of you remember, I am sure, the November 2003 bid prices for the construction were much higher than we expected. Unfortunately, construction industry costs have continued to rise since 2003. If we open bids in January, 2007, after the November 2006 Town Meeting, I estimate that the total project cost would now be \$9.8 million. We will get a professional cost estimate before the November 2006 Town Meeting, but this 9.8 is a rough estimate based on an escalation of the bid prices that we received in 2003.

If the project cost is about \$9.8 million, and the total previous appropriations were \$4.767 million, we will need an additional appropriation of about \$5 million at the November 2006, upcoming Town Meeting. This project cost increase will of course increase the cost of the betterment for this project. At 9.8 million and about 220 properties and 100 percent betterment, the betterment cost would be approximately \$44,500 per property.

A hundred percent betterment, I wanted to speak a little bit about tonight, that's Article 3, 100 percent betterment is not consistent with how we have funded other utility projects. Water projects and wastewater projects in the past, at least the piping system portion of that, of these utility projects has been split, where 70 percent of the project is paid for through a betterment and 30 percent is picked up by the town as a whole. 100 percent betterment, in my opinion, is also not appropriate or fair. Wastewater infrastructure benefits the entire town in terms of water quality, public health and property values.

The cost of wastewater infrastructure

town-wide will be very substantial and are most fairly shared by the town as a whole. I therefore propose that New Silver Beach costs be reapportioned at the Fall Town Meeting: 70 percent betterment and 30 percent debt exclusion. This would reduce the betterment cost to about \$31,000 per property, still a substantial betterment but a significant reduction. And the Town would cover about 2.94 million or 30 percent through a debt exclusion. As I said, this would be voted at -- in November along with the additional appropriation.

A supporting vote for this would be required at a general election, because paying for 30 percent of the project through a debt exclusion requires a Proposition two and a half exemption.

Despite the challenges and the costs of this project, it is still a better option than any of the alternatives. I would love to talk more about this tonight but I know you have a lot on your agenda so I'm going to leave it at that for now. We can talk more about it at the Fall Town Meeting. However, due to the concern over the increased costs, we will be having a couple of follow-up meetings. I'll be meeting with the Selectmen and the Board of Health coming up here, and we will also be conferring with the New Silver Beach property owners this summer.

If the project continues to be delayed, is delayed further than what I have outlined here, the costs will of course continue to increase. Because of the ongoing wastewater problems in the New Silver Beach neighborhood and because the costs continue to increase the longer we wait, it is essential that we proceed with the current project as soon as possible.

That's the update I want to give tonight.

THE MODERATOR: Thank you, Ms. Lowell.

[Applause.]

THE MODERATOR: Any discussion on Article 2? Mr. Moreland. Shawn, I only have one mic carrier tonight, so can you cover this for a little while and see if our second mic carrier shows up a little late?

The switch is on the bottom. Push up on the bottom.

MR. MORELAND: Okay. There it is. Through you, maybe town counsel can answer this. The people that are appealing this and holding it up, once this is all over and they lose their appeal, can we sue them for to pay the difference for this because of what they held up?

THE MODERATOR: Mr. Duffy.

MR. DUFFY: Well, that's a decision we can't make until all the appeals are over but we have agreed to look at it.

MR. MORELAND: Thank you.

THE MODERATOR: Any further discussion on Article 2, or questions?

Okay, Hearing none, the question will come on the main motion of indefinite postponement. 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 3. Madame Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move indefinite postponement of Article 3.

THE MODERATOR: Okay, Article 3, indefinite postponement. 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 4. Mr. Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MURPHY: Mr. Moderator, I move Article 4 as printed.

THE MODERATOR: As recommended, right?
As recommended. There are some changes to what's printed just in the article -

CHAIRMAN MURPHY: As recommended.

THE MODERATOR: -- 191-10, 191-11 and 191-12 are listed in the recommendations.

Okay, we have the main motion as recommended. Any discussion?

Hearing none, 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 5, Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 5 as recommended.

THE MODERATOR: As recommended. This is to transfer the sum of \$15,000 from Certified Free Cash for the purpose of funding hospital, medical and related expenses incurred by employees of

the Fire and Police departments. Any discussion on the main motion?

Hearing none, 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.

Article 6. Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move
Article 6 as recommended with one typo change. The third line from the
bottom, line number 01411, should not read "Water - Salaries and Wages".
It should say "DPW Highway - Salaries and Wages". The number is correct
for the budget line, it just should say DPW Highway instead of Water.
Otherwise as recommended.

THE MODERATOR: Okay, as recommended.

This is for funding group health insurance for Town and School employees
and retirees. Any discussion on Article 6?

Hearing none, 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.

Article 7. Madame Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move
that the Town vote to transfer the sum of \$41,000 from the overall town
insurance budget line item 01193-57740 for the purposes of Article 7, to be
expended under the jurisdiction of the Town Administrator.

THE MODERATOR: Okay. The main motion

is now 41,000 instead of 80,000. \$41,000 for town insurance. Any discussion on Article 7?

Hearing none, 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.

Article 8. Madam Chairman.

CHAIRMAN LEMOINE: I move that the town vote to transfer \$18,000 from Certified Free Cash to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of Article 8 as printed in the warrant booklet.

THE MODERATOR: Okay, the main motion is transfer \$18,000 from Certified Free Cash for the contract for Falmouth Superior Officers Association.

Madame Chairman.

CHAIRMAN LEMOINE: Town Meeting Members, I would just like to let you know that this contract has been settled since the book went to the printer. The \$18,000 represents the increase for Fiscal Year 2005. We had actually budgeted 2006 and held it, and 2007 is of course the budget we are in the midst of in the Annual Town Meeting. This is the retroactive pay, the differential, for 2005.

THE MODERATOR: Okay. Further discussion on Article 8?

Hearing none, the question is will come on the main motion, the transfer of \$18,000 from Certified Free Cash. 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 9. Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator,
I move Article 9 as recommended.

THE MODERATOR: As recommended. This is
to transfer the sum of \$20,000 from Certified Free Cash for the purpose of
debt insurance costs for projects that have been previously approved by
Town Meeting.

Any discussion on Article 9?

Hearing none, 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 10. Madame Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move
that the Town vote to transfer from the Community Preservation Fund \$15,000
to line item 01754-59917, CPA Fund Principal, and \$4,382 to line item
01754-59918, CPA Fund Interest, for the purposes of Article 10, to be
expended under the jurisdiction of the Town Treasurer, as voted at a
meeting of the Community Preservation Committee on March 23, 2006.

THE MODERATOR: Okay. You've all heard
the main motion, which is what's printed as recommended. We're just
adding that clause as voted by the Community Preservation Committee at a
meeting of March 23rd. Any discussion on Article 10?

Mr. Lewis. It's coming down on your right, Gardner.

MR. LEWIS: Gardner Lewis, Precinct 5.

Just curious. Since the Committee hasn't spent any money at Town Meeting and we haven't voted any money, why is it in the town warrant?

THE MODERATOR: Mr. Boyer.

MR. BOYER: Mr. Moderator, Peter Boyer,

Precinct 5. This expenditure is drawn from a considerable residual amount from Land Bank funds. So that there is funds available within the Community Preservation Fund for servicing costs under the Land Bank program. This is really a housekeeping item from those Land Bank funds.

THE MODERATOR: Okay, any further discussion on Article 10?

Hearing none, 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.

Article 11, Madame Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 11 as recommended.

THE MODERATOR: Article 11 as recommended. This is to appropriate the sum of \$171,000 from the School Foundation Reserve Award Fund to the Falmouth School Department Budget Line Item 01300-57780 for the Fiscal Year ending June 30th, 2006.

Any discussion on Article 11?

Hearing none, 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 12. Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move
Article 12 as recommended.

THE MODERATOR: Okay, Article 12 as
recommended. This is to borrow a sum of \$300,000 for structural repairs at
the Long Pond Pumping Station, to be appropriated as follows: \$100,000
from account 33462-58000, (Article 25, 04/03 Water Mains, project
completed). And further, that the Town Treasurer, with the approval of the
Board of Selectmen, is authorized to borrow \$200,000 under the provisions
of General Law, Chapter 44, Section 7(3A), or any other enabling
legislation. This requires a two-thirds vote.

Any discussion on Article 12? Mr.
Shearer.

MR. SHEARER: This building - oh,
Dan Shearer, Precinct 6. This building is an area that nobody sees. Very
few people go down there. We have No Trespassing signs and so forth. And I
don't know what it's going to be used for if we spend a million and a half
dollars or more. It certainly, as far as I am concerned, is not worth it
unless we have a real use for it. If we don't have the use for it, it's
just a structure. And I know we have one department in it. I don't think
it's fully used. It's a warehouse, junked up. It's filled with off-cast
town materials like a warehouse. And I don't see why we've got this
amount of money.

THE MODERATOR: I should remind all
Town Meeting Members to please turn off or put on vibrate your cell phones
and pagers.

Any response or any discussion, further discussion on Article 12? Mr. Rowan.

MR. ROWAN: Ted Rowan, Precinct 6.

It's a beautiful building. Isn't it the pumping station? And isn't the Department of Natural Resources also there?

And so it does - it might look like a beautiful warehouse from the outside, but it seems to have use.

THE MODERATOR: Mr. Dufresne. And then Mr. Whritenour.

MR. DUFRESNE: Adrian Dufresne, Precinct 2. I'd have to totally disagree with our gentleman friend from West Falmouth. This building is on the National Register of Historic Buildings and due for a total restoration. The Finance Committee subcommittee took a tour of that building and appealed to this body for the funds to raise this building to the standard that it was originally. I hope you would support this even though I do believe that CPA funds should be doing this project. We cannot wait. The building is an active pump station. I believe the electrical system was just repaired and the DNR is currently housed there but right now they're at Peterson Farm, they're waiting to get an occupancy permit. I would hope you would support this article.

THE MODERATOR: Okay. Further discussion of Article 12?

MR. BOWERS: My name is Jamie Bowers. I'm the chair of the Historical Commission. Apparently Ray Jack isn't here tonight, so --

THE MODERATOR: No, he's back there.

MR. BOWERS: Oh, is he? Okay. Well, I'm going to speak anyway because Ray has worked closely with us on this building. It is a National Register building. It's the oldest facility of its kind in the nation that's still in use. The pumps are not 100 years

old but the building is. It is very much in use; there are several rooms full of equipment that will make you go deaf if you go in there. And this project, which Mr. Jack has managed, I think very, very closely and very well, has two aspects. There is the functional and structural aspect of keeping the building going functionally, and there is also a historic preservation aspect to it.

The historic preservation activities have not been funded by the town and I think will be eligible for Community Preservation Fund money. And so this is just for the structural and mechanical work that needs to be done.

THE MODERATOR: Okay. Further discussion on Article 12?

Hearing none, 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: It is the opinion of the Chair that there's a two-thirds majority.

Article 13, Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 13 as recommended.

THE MODERATOR: Article 13 as recommended. This is to vote to appropriate \$154,500 for the purposes of repairing the roof at the Gus Canty Community Center. Further that the Town Treasurer with the approval of the Board of Selectmen is authorized to borrow the \$154,500 under the provisions of the General Law Chapter 44, Section 7(3A).

Discussion on Article 13?

Hearing none, 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: I declare a two-thirds majority.

Article 14. Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 14 as recommended.

THE MODERATOR: As recommended. This is to release the sum of \$30,000 from Fiscal Year 2001 overlay to replenish the Fiscal Year 2005 overlay account. Any discussion on Article 14?

Hearing none, 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.

Article 15. We have a recommendation

here by the Finance Committee. And then we'll have the main motion by the board that should have appropriately been given this for recommendation. Madam Chairman, your recommendation is?

CHAIRMAN LEMOINE: Mr. Moderator, I move indefinite postponement of Article 15.

THE MODERATOR: Okay. The recommendation of the Finance Committee is indefinite postponement.

This article is a petition of a piece of legislation to the state legislature on behalf of the town. It doesn't directly deal with a financial issue, therefore the main motion will come from the Board of Selectmen. Mr. Chairman.

CHAIRMAN MURPHY: Mr. Moderator, I move the Town Meeting vote to authorize Article 15 as printed. And there's an explanation. This article will allow the town to continue to develop a range of financial options to utilize wind resources at the wastewater treatment facility. Town Meeting authorization will be necessary for projects requiring town funding.

THE MODERATOR: Okay. Discussion on Article 15? This is to propose that the legislature enact authorizing the Town of Falmouth to install, finance and operate wind energy facilities. Hearing none, 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.

Article 16, Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move that all articles approved at this Special Town Meeting be funded as voted, for a total of \$1,322,450.

THE MODERATOR: Okay, the main motion is to pay for everything we is just voted on, for \$1,322,450.

Any discussion? Hearing none, 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.

At this time, the Chair would entertain

a motion to adjourn the Special Town Meeting.

FROM THE FLOOR: So moved.

THE MODERATOR: So moved. All those
in favor of adjourning, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it
unanimous and I adjourn the Special Town Meeting.

At this time, would all Town Meeting
Members present please rise for the establishment of a quorum to re-enter
the Annual Town Meeting.

[Pause.]

THE MODERATOR: Division one, Mrs.

Tashiro?

MRS. TASHIRO: 58.

THE MODERATOR: 58.

Division 2, Mr. Dufresne.

MR. DUFRESNE: 89.

THE MODERATOR: 89.

Division 3, Mr. Hampson.

MR. HAMPSON: 56.

THE MODERATOR: 56.

By a counted vote of 203, I call the
Annual Town Meeting back in session.

Okay. Let's do a little recap. Last
night, second half of the night we began the municipal budget. We had a
budget presentation, a number of speakers and a motion of a sense of the
body as to whether or not to include in the revenue options a debt
exclusion. By a majority, the motion failed to remove the paragraph on the

debt exclusion, and I am left with 1, 2, 3, 4, 5 folks on my previous speakers list. And we have not started the line item discussion of the budget yet.

So that brings us at this point to any further questions on the overall budget presentations that were presented last night before we start going department by department through the budget. Up to my left.

Why don't we try this? Shawn, can you maybe try to sit down in one of the front rows here, and if we could leave one of the mics on the stand for the public that wants to come down from the back, it might be a little bit easier to kind of see who's coming.

MR. QUINTILIANI: Joe Quintiliani, Precinct 9. I would like to be able to speak to the meeting here tonight. I'm not a town voting member.

THE MODERATOR: You're a resident, so you have the right to speak.

MR. QUINTILIANI: Just wanted to make sure. A couple questions I would like to address through the Town Moderator for those who can answer. I watched these proceedings last night and not once did a department head complete and give us their doomsday list that everybody's talking about. They stated that the debt exclusions would not pass and we would lose the two firefighters, two police officers and one computer technician for the library. We would lose something -- how do we lose something that we don't have? We voted on their positions but we don't have any money for them at the present time.

I feel that this Town Administrator and our Selectmen and the Finance Committee are robbing Peter to pay Paul. The main reason is they're taking the water tank out of a debt and putting it into a new debt that we're making. So, my question is why is the debt exclusion included in the budget and not a separate item?

Was it to make to feel the voters for

not voting on the public safety? Was using the water tower item that is there and already paying -- being paid for by the taxes and is working and providing water for firefighting at this present time?

The other boards I have not heard speak is the DPW and other departments in the Town of Falmouth. What are their needs, what are their wants, what will they lose?

This taxpayer's a little confused on how you include a debt exclusion to a budget this year. What about next year?

Has the Town Administrator said - what's he going to do? Hopefully not wave a magic wand and it does produce some money? What if the money is not there? How are we going to pay these new salaries that we're hiring this year? And then next year we are looking at hiring new Police and Fire Department personnel.

Our own town Finance Committee and Administrator says, "I'll be back." This is sounding like The Terminator movie. I agree we need police and firefighters. I would vote for an override for this reason and I would give them all to them at once. Let's hire all the police and fire at once. Why stagger it?

But it seems like our elected officials and appointed department heads are playing a shell game and piggybacking all items. I feel this is in the midst of Enron tactics.

The last question I have: if the Town Administrator gets the new title Town Manager, does this include a pay raise and, if so, has this money been set aside in our bare bones budget?

Not once last night, or in anything that's coming out has shown me as a taxpayer or others that I have talked to that this seems to be playing a shell game, someone's pulling the wool over someone's eye or they're drawing a curtain. We are not getting all the facts.

Unfortunately, we cannot go to the Town

Hall and read this budget line by line. It takes hours. Somebody has to work, and I do and a lot of other people do. This is information that's not coming out ahead of time and I feel the way this is being presented, and it was presented last night, is wrong, totally wrong. And we vote for these people, we appoint these people and it doesn't seem that they are getting the point that we want to hear. Why is this included? Why was it done this way?

I think you are hiding the facts and as far as I am concerned, we don't need a debt exclusion.

David said last night that he'd be willing to keep everybody here until we have a balanced budget. Well, from what I can find out, if we don't vote for -- or, if you people don't vote for anything or we don't vote for it in May, all the debt exclusions are going to be paid for. We're not going to move the water tank to a place when we're not going to have any money. We are not going to hire the fire and police. We're not going to give the School Department what they need, and so they can hire a couple teachers that make sure the curriculum's all being taught in the same school. Why?

We don't need the debt exclusion. We already have a budget. Let's not vote for anything; we already got the budget. And David don't have to keep everybody here and people can go on vacation next Saturday.

I think the process was done wrong. I think you are hiding the facts. And, as a taxpayer, and I hope my precinct people will not vote for this. And if they do, well, then, it's up to the citizens not to vote for it. Thank you.

THE MODERATOR: Madam Chairman.

CHAIRMAN LEMOINE: I just want to assure Town Meeting Members that this was the Finance Committee's best alternative to how to present the debt exclusion and make you aware of the fact that it

was being proposed. We received the warrant after it had been voted on by the Selectmen. This is not an attempt at a shell game and it is certainly not an attempt to hide anything from any Town Meeting Member or town taxpayer, at least on the Finance Committee's part. We did everything we could to put every ounce of information we had in front of you for this meeting, and I really want to assure everyone of that.

The only place that I could fit in the debt exclusion language because there wasn't an article on the warrant was within the recommendation for the budget. It's not the way we would have preferred to do it either, but it's the way it needed to get done to make sure you knew about it.

THE MODERATOR: Okay, Mr. Putnam you're on my list from last night and Mr. Ayres if you still want the floor from last night. Mr. Putnam.

MR. PUTNAM: Brent Putnam, Precinct 9. I can't support this debt exclusion in part because Mr. Quintiliani is one of the people that I am -- I was voted to represent, but also because when we look at the town budget, when we look at any budget, the object, of course to make the budget balance, is to maximize our revenues and minimize our expenses.

Mr. Rhodes made an interesting point last night, and forgive me for bringing up a sore subject but, you know, we voted last fall \$49,000 for the bog issue. That is one of our firefighters, folks. That is one of our police officers. When we look at maximizing the revenue and minimizing the expenses, we have a cranberry bog that has been abandoned. Income that could be generated, income that is lost for the last two years.

We also have expenses associated with that. A bog manager. I don't know how many of you have read the logs -

FROM THE FLOOR: Oh, come on.

THE MODERATOR: Let's talk about general

questions, general overview of the budget.

MR. PUTNAM: I am trying to focus on the budget.

THE MODERATOR: I know, but let's not sway too much into the issue that is not before this meeting.

MR. PUTNAM: The point that I am trying to make is that we are not maximizing our revenues. We are not minimizing our expenses. And until we do that, it's something -- we cannot justify to the people of this town raising their taxes, no matter how we go about it, whether it's a Prop two and a half override, whether it's a debt exclusion that over the course of time the cost may go down. We just can't do that. Thank you.

THE MODERATOR: Mr. Ayres, do you still want the floor from last night?

MR. AYRES: Yes.

THE MODERATOR: Okay. And then Dr. Clark if you still want the floor from last night.

MR. AYRES: Dean Ayres, Precinct 7. Quickly. Last night, Mr. Moderator, you said to Mr. Netto when he suggested removing the second paragraph and putting it under a separate vote, you said to him, "We cannot leave here tonight without a balanced budget." Is that correct?

THE MODERATOR: That's correct.

MR. AYRES: And in my limited understanding of this, it would seem to me that the budget isn't going to be balanced even if we do pass this. It's not going to be balanced until the town votes in a positive manner.

THE MODERATOR: It actually won't be balanced until we close the books of Fiscal Year 2007 and pay all the bills after we collect your taxes. But for the purpose of our budgeting process,

when this body votes it, we show that we have a balanced budget. It becomes unbalanced if the revenue projections which we have to go to ballot are voted against at the town ballot. Then, what we have on paper shows that it will not balance and we come back.

Now, even after coming back and making 629,008 cuts, something could still come up. The state could decide to not send us any money next year and then we are again out of balance and we come back here. So, at any point in time, the decisions that we make in this body have to show that we are on paper balancing our budget. We may have to come back after a ballot vote. We may have to come back after a decision made by the state legislature. Or, if you all decide not to pay your tax bills, we're going to have to come back.

MR. AYRES: So, it's my understanding then that if we were able to pull this out, and vote on it, and we voted it down, this couldn't -- then I don't understand why we as a body now or last night had to go through the entire budget and whittle it down. If we pulled it out and voted it down, couldn't it be sent back to the Finance Committee and have them whittle it down and then we have a Special Town Meeting to come here and vote Aye or Nay on -

THE MODERATOR: But this is a policy decision. As Town Moderator I will not adjourn an Annual Town Meeting until we have a balanced budget. And I will convene any future Town Meeting that the Board of Selectmen calls to rebalance a budget. So, no, I will not adjourn this meeting until the budget balances.

MR. AYRES: Thank you.

THE MODERATOR: Dr. Clark.

DR. CLARK: Mr. Moderator. Peter Clark, Precinct 1. I am up here without a coat and tie and without a PowerPoint presentation.

[Laughter and applause.]

DR. CLARK: The theme of my message is "damned if you do and damned if you don't". And I want to talk a little bit about three core values that I think we are all struggling with here. It's not just a budget issue. We have Cape Cod thrift, and although some people campaign to be Mr. Thrifty, all of us, I think, care about not wasting money, about getting the most we can for our dollar. We have concern for strong services, for safe facilities, for open space, for quality of life. And they're in our Comprehensive Plan, they're in what we've said, they're in our decisions over the last few years, and we all also care about the people who are at risk, if you will, financially, from the decisions we make. We don't want to lose people who are living here. And we're all struggling with those things. That's what makes it, I think, much more difficult than just a budget decision. There is no easy solution to balance those core values.

Over the last three years, it's gotten worse because we have wrung out every spare penny in the budget through belt tightening and more belt tightening and more belt tightening. There just is nothing there left to cut. My perspective from being a superintendent, but I also see it in other ways, too.

The cost of services are going up because our population is going up, our inflation is going up, and our buildings, folks, are old. We built a lot of buildings in the '60s and '70s. They are wearing out. They need attention. We can't let them go. And, I think most importantly, frankly, the federal and state authorities act like tax reduction heroes, and what they are really doing is pushing the burden back on the real estate property taxes to support what we are not getting from the state, and to some extent, in education at least, from the federal government, also.

So that really heightens all the tensions around the real estate property values.

I want to take you back just to 2003-4,

after that \$2 million cut. And we talked about an override then - we, the schools, at least -- and we all agreed we'd tighten our budget. Tighten the belts, do without, but we'll do something next year. In 2004-5, we did sit in a joint fiscal planning committee. The outcome of that was that the Selectmen decided to try to tide things over based on increased fees, and they got plenty of criticism for that. And then I stepped up here and the schools took it on the chin big time trying to push an override. And clearly, we've learned from that. This past year the joint efforts, the coordinated efforts, the communication you have heard about last night.

So what we have in front of us looks different, it isn't like our old budgets. I would say to Mr. Netto that eight years ago, whenever the override was passed, there was not a separate article. It was built into the budget just the way this is built into the budget. The debt exclusions for buildings have been separate articles but I don't believe that override budget was a separate article. And so it does look different. But we need to really work hard not to damn the hard work that has been done this year just because it looks different from the old ways we did things which have not helped us a lot over the last three years.

So I urge you to vote for this budget enthusiastically because I think it's the best way to try to balance those core values and meet the budget pressures that we have.

I also finally, in closing, would like to ask the Selectmen and the Finance Committee and the town to hit head on at how we help those vulnerable people: the young people trying to start a life here, the older people trying to finish peacefully a life here that we don't want to drive out of this place. There are ways to ease seniors' tax burdens and we as a creative town ought to be able to find ways to make sure that our needs for services and buildings don't collide fatally with the needs of the people in the town. I urge you to vote for this. Thank

you.

[Applause.]

THE MODERATOR: Okay, Mr. Shearer, do you still want the floor from last night? Let's go. Mr. Shearer. We're still working off last night's list.

MR. SHEARER: Dan Shearer, Precinct 6.

I am getting a little bit tired of the board up in front of us blaming the state and saying we lost the \$2 million. But we have had -- that was years ago. And it's still continuing. We knew it. We have known it right along that we are not going to get the state money. We might as well buy a lottery ticket and buy our next new vehicle with that, expecting to win the lottery and that will pay for it. It's not going to happen. We have got to make a budget that we can live with.

Last year, at this meeting, we were told we had a rock solid, bottom of the line budget. Ten minutes ago or so, we just voted \$553,568 out of that budget. We found that mistake someplace. All that money out of last year's budget to spend again for this year.

Let's balance the budget tonight by saying we want to reduce every town department's budget here by subtracting point 07 percent, under 1 percent of their budget. We won't need this debt exclusion. It's not going to cost that much to any one department. If it does, we can come back here in the fall and readjust it at that point for people that didn't use all of their money. I would like to make that as a motion.

THE MODERATOR: Okay, when we get into the line item budgets we can make those amendments department by department.

MR. SHEARER: It's easier to do it one for the whole thing. Thank you.

THE MODERATOR: Mr. Latimer. All right,

anything new on the overall budget so that we can actually get into the line items and make those cuts that some folks are proposing.

I've got the three of you on my list.

Go ahead, Mr. Latimer. Oh, no, Mr. Latimer's next, sorry, and then the three of you.

MR. LATIMER: Richard Latimer, Precinct

2. I am somewhat mystified by this continued discussion. I thought perhaps the sense of the body motion last night resolved these questions.

THE MODERATOR: I thought it did, too.

MR. LATIMER: If it did not, then

perhaps someone needs to make a specific motion again regarding the debt exclusion and move the question so we can vote that up or down real quick and get on with the real business that we have before us tonight instead of spending another two or three hours discussing this general issue which we discussed to a fair thee well last night.

THE MODERATOR: Okay. Anything new? The woman on my left, then Mr. Krajewski. Is it new? If you could stand so we could see the mic.

MS. SULLIVAN: Hi, Ellen Sullivan,

Precinct 5. First time speaker. I actually have to go with Mr. Rhodes, who pointed out last night that, you know, we spend our money and now we got to pay the price. And the debt exclusion is the best way to go. I mean, it increases the fact that we can borrow and it gives us a little more leverage within the general town budget. And it's the way that allows us to plan for the future and not take away from the town. So I am just saying that I think we should really vote for this. That's all.

THE MODERATOR: Okay, Mr. Krajewski, something new? And then Mr. Dick.

MR. Krajewski: Chuck Krajewski,

Precinct 3. I happened to stop by the Tax Assessor's Office yesterday

morning to see if this was available. I was concerned in the amount of money which we call new growth valuation in any given year. And Mr. Baylor was very cooperative. He gave me the whole sheet and the total for the date on this particular sheet is 9-01-2005. 157 million dollars. Netting out to tax levy growth \$919,000. Now that's pretty close to a million dollars in round numbers. Is the Finance Committee ever apprised of the new growth? And also I would like to know the amount that is raised through the two and a half Prop which is automatic, are they apprised of that and what is it?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: The first question, yes, we keep very close track of the new growth, and the new growth revenues are a part of the budget that is in front of you, and it is estimated at right around that million dollar mark for Fiscal year 2007 for the new growth. And the two and a half percent increase that is estimated for Fiscal Year 2007 is \$1,446,694.

MR. KRAJEWSKI: Thank you very much. And I have another question. Now, this is hypothetical, I understand, and probably short of a miracle would this ever happen unless Governor Romney in his diligence running for president gave us more than what we expect and estimated. What would happen -- what effect would that have on the budget, if any?

MR. WHRITENOUR: We have a plan in place that, again, keep in mind that the debt exclusion piece provides only an additional \$629,000 in new revenue. And what our program is that hopefully will stabilize the finances beyond 2007, which will be balanced with the additional \$629,000, we are extremely hopeful that -- and we've received word our legislative delegation has been successful working at the state to uncap the state lottery receipts. Also, over the next year, the Education Reform piece is going to be taken up again, and together with some additional state aid that is hopefully going to be modest, maybe to get us

slightly below the levels that we were in 2003, together with this additional flexibility under the Prop two and a half cap. If both of those things happen, we will be able to stabilize the town's finances with modest budget increases to keep things moving in the two to three year time frame without having any additional overrides. And that's exactly what we are trying to do, is we are trying to use the debt exclusion to create enough flexibility to hopefully combine with some slight economic growth in the Ed Reform piece to stabilize the town's finances over the next two to three years, with the prudent cuts that we've made in the budget.

We have done, I think, a pretty good job limiting things. And right now we've trimmed it back to that last piece, that 600,000 and I think that that is really what is at stake, is to try to replace at least that small portion of the funds that we had lost back in 2004. So that we can stabilize the finances by making cuts, but not damaging the services that we have now.

THE MODERATOR: Anything else, Mr. Krajewski?

MR. KRAJEWSKI: I wanted to further that thought, Mr. Moderator, through you to the Town Administrator, if we do get more than what we expect, would that possibly eliminate the debt exclusion that we incur at this Town Meeting?

MR. WHRITENOUR: As a hypothetical situation, if, you know, someone dropped off a check for \$629,000, you know, we'd be okay --

THE MODERATOR: I hope everyone's listening out there in TV Land.

[Laughter.]

MR. WHRITENOUR: -- for fiscal year 2007.

And we would still be back in 2008 with the potential problem. And I want to underscore: what we are trying to do, is first of all we cannot count on

the education reform piece to be available for fiscal year 2007. We certainly won't know those funds won't be, you know, ready until June or July even if there's any money in there. But we're factoring in some increased state revenues to work in conjunction with this exclusion to keep us above water for the next two to three year period. What we're not trying to do is just get us into the fall. We are trying to get the budget balanced but in a way that we are able to move forward in a little more healthy style.

MR. KRAJEWSKI: Thank you.

THE MODERATOR: Mr. Dick, Henry Dick.

MR. DICK: Henry Dick, Precinct 8.

Years ago, I was talking to my uncle who was town manager of Villanova, Pennsylvania, explaining to him how I could simply solve the problems of the world, to which he replied, "Henry, for every complex problem there is a simple solution which is wrong."

Our Finance Committee has really struggled, that is obvious. They didn't have a unified vote. They worked hard. If they could have done more with this budget I believe they would have, and for that reason I am going to support this and I think all the rest of us should, too. Thank you very much.

[Applause.]

THE MODERATOR: Mr. Rowan, anything new? And then I'm going to get into this line item.

MR. ROWAN: I too support the budget and I want to thank Finance Committee for all the work that they have done. I think a problem that I perceive from speaking with people, is that it's not about water towers. It's about exactly the explanation that we were just given. And I think that's the message that needs to go forward, not that we need \$600,000 for water towers. We need \$600,000 to stabilize the budget into the future for this town.

We've grown, we'll continue to grow.

We need more services, not just the services, but more services, and that's what's going to happen. Thank you.

THE MODERATOR: Okay. Let's do the line items. The first department is the Town Meeting. Ms. McElroy, something new?

MS. MCELROY: Yes.

THE MODERATOR: It better be -

FROM THE FLOOR: Oh, come on.

THE MODERATOR: -- because these folks are getting as anxious as I am.

MS. MCELROY: I think the bottom line is the taxpayer wants to know what kind of a bang for the buck they are getting with this budget, and it's a darn good one. While I don't agree with how we are getting there, if you look at the tax rates for the 13 towns on the Cape, Falmouth is right in the middle, number 7, whether you count up or count down. If you look at the six largest towns that have populations anywhere near ours, we are at the bottom by quite a bit. Our tax rate is substantially below theirs.

Yet we get far more for our buck than many of them do. We have more municipal tax collection, we have more public services and we have better schools. So, while I have to say I don't - I'm not happy with how we've had to get here, we should go ahead with this because we do a good job with our finances.

[Applause.]

THE MODERATOR: Town Meeting department, lines 1 through 4. Town Moderator, 5 through 7. Selectman Administrator, 8 through 17.

Mr. Freeman. We need a microphone for Mr. Freeman.

MR. FREEMAN: Thank you, Mr. Moderator.

Michael Freeman, Precinct 8. As indicated in our warrant, the Selectmen have not changed their income from Fiscal '06 to Fiscal '07 recommendations. Yet the difference between Fiscal '06 and Fiscal '07 for this line item, I'm talking about 8, is \$18,000. I would like an explanation from the Finance Committee on that.

THE MODERATOR: It's actually line 9. Wages and salaries.

MR. FREEMAN: Salary. I'm sorry, correct. I am using the Fin Com recommendation.

THE MODERATOR: Yes, we're going to get you an answer. They're the administrative salaries, not the selectmen salary, but they're going to give it to you. Go ahead.

CHAIRMAN LEMOINE: Okay. What we did, Mr. Freeman, is each of the appropriate individuals in that department, except for the five selectmen, were increased by two percent cost of living increase the first of July and a two percent cost of living increase for the first of January per the kind of the contract that's been negotiated with several of the unions.

There are also probably a couple of step increases based on longevity also in that number.

MR. FREEMAN: That includes the Town Administrator?

CHAIRMAN LEMOINE: The Town Administrator is currently budgeted at two percent for the first of July, two percent first of January, and also in his contract the Selectmen have the alternative of increasing his salary by a bonus, and that has been factored in case he is -- that the Selectmen vote that way.

MR. FREEMAN: Okay, is the Assistant Town Administrator calculated in this as well?

CHAIRMAN LEMOINE: For the two percent

and the two percent.

MR. FREEMAN: Yes.

CHAIRMAN LEMOINE: That's it.

MR. FREEMAN: Is calculated in?

CHAIRMAN LEMOINE: Yes.

MR. FREEMAN: Both the administrator and
the assistant?

CHAIRMAN LEMOINE: Yes.

MR. FREEMAN: Thank you.

THE MODERATOR: Further discussion
on Selectmen/Administrator 8 through 17?

Mr. Lewis.

MR. LEWIS: Just a simple math question.

If we are working under Prop two and a half and we're giving four percent
raises, there is a hole in there. I don't --

THE MODERATOR: If you understand
Proposition two and a half, that's the increase in the amount of the levy
you can raise taxes in the town. You can go up any line item you want 100
percent.

MR. LEWIS: I understand, but when you
move a line item up 4 percent, you are going to make yourself a problem. I
guess I just don't understand the thinking.

THE MODERATOR: Further discussion
on 8 through 17. Someone in the back with their hand up. Oh, Ms. Sears.

MS. SEARS: My question is on the 14,000
for the Chamber of Commerce. I have great respect for the Chamber of
Commerce.

FROM THE FLOOR: Can't hear you.

MS. SEARS: My question is on 14,000 for
the Chamber of Commerce. I have great respect for the Chamber of Commerce

but they have or are destined to receive additional funding of about \$150,000 under the Community Preservation Act for the renovations to their building, and that's somewhat of a windfall because they have really finished the building by the time the CPC made its decision.

THE MODERATOR: So do you have a question or a motion?

MS. SEARS: I guess I move that we eliminate that 14,000.

THE MODERATOR: There is a motion to eliminate Article 14, Chamber of Commerce. Any question on the amendment?

Mr. Whritenour.

MR. WHRITENOUR: I just want to point

out, with the Chamber of Commerce that \$14,000 is the annual contribution that the town makes to help offset the costs of printing the Falmouth book that is the publication that draws visitors to our community, and they have done a great job with that book. They've helped to keep the cost down and the quality has gone up tremendously in that. And what I want to point out is that helps fill up the hotels, the motels rooms in town, which all pay a pretty substantial hotel, motel excise which goes directly into the town's budget.

So, I think it's extremely appropriate.

And we have worked very hard with the Chamber and the Finance Committee to arrive at that \$14,000 number that we could sustain annually and that helps with the marketing for the town.

THE MODERATOR: Mr. Bidwell.

Microphone to my right.

MR. BIDWELL: Mr. Moderator, I am prepared to share a few thoughts on this issue but I'd also like to invite our chairman of the board, Mr. Jody Shaw, if he has permission to speak.

THE MODERATOR: Sure. Is he a resident of the town?

MR. BIDWELL: Resident of the Town, yes.

THE MODERATOR: He has a right to speak.

MR. SHAW: Hi. Good evening, I am Jody

Shaw and I am Precinct 8, by the way, and the Chairman of the Falmouth Chamber Board of Directors. And the 14,000 really goes primarily also to economic development for the Chamber. As all of you know, we work very hard on the visitors services end for the town's economy and we're constantly promoting the town also for our residents and we provide, I believe, a very valuable service for the residents of the town. We take numerous questions and offer services to people to learn about Falmouth, guests of residents. So that is a line item that has been funded for as many years as I can recall and that line item has come down over the years. But we do appreciate Town Meeting's consideration for the services that we do provide.

The CPC funding is really a separate issue for us, and we are fortunate that we have a chance to be on the agenda for those funds this evening. But I just want to ask for your consideration to continue funding the Chamber and hope that you can appreciate the services that we do provide to the town. Thank you.

THE MODERATOR: Any further discussion on eliminating line 14? Ms. Aguiar, to my left, and then we will come back to you.

MS. AGUIAR: I have a question on number 11, not 14.

THE MODERATOR: Okay. We are on 14 right now: elimination of 14.

MR. BIDWELL: Good evening, ladies and gentlemen. My name is Todd Bidwell. I am Town Meeting Member for Precinct 4; I'm also the Assistant Director of the Falmouth Chamber of Commerce. Our executive director, Ms. Christine Ross, is in the back of

the room.

There are times when I am surprised by the community's reaction that we don't want or need tourism in this community. Tourism is everybody's business. Not just those who own a restaurant, a hotel, a shop, or a museum. What about the hundreds of employees that are employed by those businesses?

They buy or lease vehicles from our local car dealerships. They shop at our local farms and our markets. They get their hair cut at our local barber shops and salons. They buy our beach and dump stickers. And aren't we lucky to have a hospital in our community?

Falmouth Hospital's doctors and nurses

care for these very same employees, their families and all of the travelers who come to Falmouth. Our landscapers, our excavators, our electricians and our plumbers service the employee's homes. They service our shops, our restaurants, our hotels. I'd ask you, on our beautiful charming quintessential New England Main Street, how many restaurants and shops do you think would survive on 35,000 residents year round without tourism?

You may not be a hotel owner but if you sell cars, send your child to school, public school here in Falmouth, you grow food or make something that someone uses, you, too, are affected by tourism. Tourism is everybody's business.

In 2004, as provided by the Massachusetts Office of Travel and Tourism, direct spending by domestic and international travelers in Massachusetts totaled 12.4 billion dollars. Wages and salaries paid in Massachusetts directly attributable to travel spending reached 3.2 billion dollars, supporting 125,300 jobs. Travel spending in Massachusetts generated \$511 million in tax revenue through state sales, excise taxes and income tax.

Local governments in Massachusetts

directly benefitted from travel as well. In 2004, travelers' spending generated \$298 million in sales and property tax revenue. And here is a disturbing statistic. In 2004, Falmouth received \$916,000 from the local options rooms tax. Some of you may not be familiar with this tax. Every accommodation in Falmouth collects a rooms tax. That rooms tax totals 9.7 percent. It is sent on a quarterly basis to the state. The state in turn returns 4 percent to the local community that collected it. In 2002, Falmouth received \$1,086,000. In 2003, we dropped to \$1,058,000. In 2004, we received \$916,000. In 2005, we received \$838,000 in local options rooms tax. We are discussing a debt exclusion. I need to remind you that we have decreased by \$250,000 in local options room tax, which means people are not coming to Falmouth and they are not staying in our lodging.

Falmouth must reinvest in its tourism marketing. We are losing market share literally to around the world. Anyone in marketing and advertising or who owns their own business will tell you that 14,000 to market a single business is not very much money. In fact, I looked today, in Yankee magazine \$14,000 would pay for one ad once.

I urge Town Meeting Members to support

Falmouth's reinvestment in tourism marketing. Let our Falmouth Chamber of Commerce and a very dedicated volunteer tourism board continue to market this town and bring travelers back to Falmouth. Thank you.

THE MODERATOR: Further discussion on the amendment to eliminate Article line 14?

[Applause.]

THE MODERATOR: Any further discussion?

Gentleman in the back.

MR. MARTIN: Craig Martin, Precinct 9.

I just want to remind the Chamber that some of the numbers might have been skewed that were just relayed. And I am not taking a stance on either way on this particular matter, but we have lost a chunk of motels to time share

and condominiums during that time frame that he just gave. So it may not be that Falmouth is less attractive. It just might be that there is not a whole lot of accommodation for some of the visitors. Just an observation.

FROM THE FLOOR: Question.

THE MODERATOR: Okay. The question will come on the amendment to eliminate line 14, Chamber of Commerce \$14,000. All those in favor of elimination 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 and line 14 stays in the budget.

Ms. Aguiar, you had a question on line 11?

MS. AGUIAR: Yes, just a question.

THE MODERATOR: Okay. Sean, can we get a mic over here on my left?

MS. AGUIAR: Just a quick question on number 11. One of the Selectmen or someone tell what that is?

THE MODERATOR: Green head fly control program. Mr. Whritenour.

MS. AGUIAR: Do we have a fly problem?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: That is operated through the Cape Cod --

THE MODERATOR: Come on, hey.

Mr. Whritenour.

MR. WHRITENOUR: Yes, that is a regional program that we participate in that's run by the Cape Cod Mosquito Control District to control the green head flies, and yes, they are quite a problem.

MS. AGUIAR: Sorry to hear it.

[Laughter.]

THE MODERATOR: Any further discussion
on 8 through 17?

Finance Committee, 18 through 21?

Finance Committee Reserve Fund, 22 to

24. Town Accountant, 25 to 30. Assessing Department, 31 to 34. Town
Treasurer, 34 to 42.

Ms. Jewett, over here, Shawn. We've got one way over here on the right.

MS. JEWETT: Catherine Jewett, Precinct

5. On number 39, credit card fees. I know when I make a late payment on a
credit card, I have to pay the fee. Is there an easy way to get a quick
loan if you don't have to pay the fee, but I don't see why we are paying
the fees for everybody else. Is there a way that we can switch it around
the same way the IRS does?

THE MODERATOR: Does the Treasurer want
to take that or the Administrator?

Ms. Martin.

MS. MARTIN: I beg your pardon, but
could you possibly repeat the question? I couldn't hear it.

THE MODERATOR: She wants to know if the
users can pay these fees instead of the town.

MS. MARTIN: In this particular
instance, this is just for the harbor, ambulance, and night school. These
are the fees that we pay for people who use regular credit cards. And no,
I'm sorry, but there isn't a way to reduce this or eliminate it. Was that
your question?

MS. JEWETT: Thank you.

MS. MARTIN: As a matter of fact, they
only go up a little bit every year. It's more of a convenience to boaters

coming in who don't carry cash at all, people who are buying a one time fee for enrollment in night school classes and people who are using the ambulance services.

THE MODERATOR: Anything else under the Town Treasurer department?

43 to 47, Town Collector. Legal Department, 48 through 52. Mr. Freeman. He is in the middle, there. He is getting up.

MR. FREEMAN: Michael Freeman, Precinct

8. On line item 50, Other Expenses, have increased by a little over \$8,000. I believe that's an increase in the rent for the legal office. With all of the town-owned property that we have, why are we continuing paying rent to private holders of property in this case?

Now, who should answer that, the Town Counsel?

THE MODERATOR: Finance Committee --

MR. FREEMAN: Finance Committee.

THE MODERATOR: -- is getting you the figures.

CHAIRMAN LEMOINE: The primary reason why that line item increased -- or actually is increasing from the Fiscal Year '06 budget is because the office is moving. The amount of the increase in the rent will be \$2,000 a month or \$24,000 annually. It includes electricity, heat and air conditioning. And they've also built into the budget a \$2,000 moving allowance. Okay?

MR. FREEMAN: My question is how much do we pay for rent? How much more -- sorry. How much will we be paying for rent for the legal office in Fiscal '07, total, including utilities?

THE MODERATOR: She just told you, \$2,000 a month, 12 months, 24,000. She just told you: 2,000 a month for 24 months - 12 months, is -

MS. LEMOINE: \$24,000.

THE MODERATOR: She just said that.

MR. FREEMAN: Okay. What do we pay in '06?

MS. LEMOINE: We paid 16,000 - actually, the budget for 2006 is \$16,200. They are moving, it's more expensive accommodation but it does include the utilities.

MR. FREEMAN: Okay. My question is, if we have the Eddie Marks House, we have a second floor at the DPW, we have the Odd Fellows building. With all of this vacant space, can't something be moved around so we don't have to pay private leaseholders or private owners for outside rents?

THE MODERATOR: Mr. Duffy or Mr. Whritenour, who wants to go first?

MR. WHRITENOUR: Yes, I would like to answer that question because that is an area that we have definitely studied and we are looking into it. You know, the issue comes up that it's a bad thing to pay rent to a private party for this limited office space; what we had done is analyze the finances required in order -- a couple buildings where we specifically looked at, is the Odd Fellow's Hall, the Edward Marks Building, both of which require some substantial renovations in order to create additional space in there for municipal use, especially with the Eddy Marks building, there's the handicap accessibility. You'd have to go up to the next floor because we've got the first floor completely filled in there. And, believe me when I tell you, we ran the finances on that and it is so substantially more expensive to take on the construction costs and pay the debt service on that, far more than it is currently to pay the rent for this small space.

There will come a time, and we're analyzing that, when we can put, you know, enough together that we've got

enough different offices to justify the large cost of again maybe another debt exclusion to renovate more town space. But believe me, for now, we are looking at this and it is far more cost efficient to keep the town counsel in the offices where they are. But when room comes in one of these building when we get around to being able to afford the second floor of the Edward Marks Building, perhaps through some the Community Preservation Funding that we have, we will continue to study that and I just want to assure you that that is something that is on our radar screen.

MR. FREEMAN: Thank you. How much longer lease do we have right now over on Locus?

THE MODERATOR: Mr. Duffy.

MR. DUFFY: The lease is up in June, so we are gonna --

MR. FREEMAN: What is it, year to year?

MR. DUFFY: No. It's a three year lease. It's up.

MR. FREEMAN: A three year lease.

MR. DUFFY: Right. It was --

MR. FREEMAN: But we do have it under consideration beyond that point that some town owned properties would be --

MR. DUFFY: Yes. And we've spoken with Mr. Whritenour about this on a number of occasions and we are looking for appropriate space, but right now there is nothing where there's an occupancy permit that we can move into.

MR. FREEMAN: Thank you.

THE MODERATOR: Anything else under the Legal Department?

Okay, Personnel Office, 53 to 61.

Information technology, 62 to 67. GIS, 68 to 72. Affirmative Action, 73 to 76.

Town Clerk, 77 to 80. Elections, 81 to 84. Conservation Commission, 85 to 93.

Planning department, 94 to 98. Zoning Board of Appeals, 99 to 104.

Town insurance, 105 to 107. Facilities Maintenance, 108 to 114. Mr. Freeman.

MR. FREEMAN: Thank you, Mr. Moderator. Michael Freeman again. I would like an explanation on the Facility Maintenance increase of salary and wages with all that's going on in town right now of approximately 30 percent from Fiscal '06 to the Fin Com recommendation of Fiscal '07.

THE MODERATOR: Madame Chairman.

CHAIRMAN LEMOINE: The vast majority of that increase is two custodians that have been transferred from other departments and added to this Facilities Maintenance budget for centralized custodial staff. So that they're coordinating and working between different buildings under Shardell Newton's direction.

MR. FREEMAN: \$50,000 each? I am just dividing the two custodial managers under \$100,000 increase.

CHAIRMAN LEMOINE: No, one of them is 38,483 and the other one \$31,629.

MR. FREEMAN: Okay.

THE MODERATOR: Ms. Newton, do you want to respond to this as well?

Okay.

MR. FREEMAN: Thank you.

THE MODERATOR: Okay. Anything else under Facilities Maintenance?

Police Department, 115 to 128. Way in the back, there. Okay, there we go. Mrs. Hayward.

MRS. HAYWARD: On line item 117, how

many officers -- Police Department members are receiving education and time for this \$160,000?

THE MODERATOR: If you could hold on, there's another binder that our Chief is looking through in the back.

You can answer that question? Okay, let's hold on until we get an answer.

MRS. HAYWARD: The request is actually 183,000. The figure I read to you was [inaudible]
[Pause.]

THE MODERATOR: They're both looking for it, but let's go on to the next question, or the next speaker and we'll come back as soon as we have that answer.

Ms. Lowell.

MS. LOWELL: Vicky Lowell, Precinct 1. I have a question about salary and wages in the Police Department and it was prompted in part by a constituent that called me today. And they wanted to know about -- there has been a lot of press about all of the disability and sick leave in the department and they want to know how that relates to the line item and also is -- how does our Police Department compare in general with other towns in relation to sick leave and disability? Are we just having bad luck, or is it sort of endemic to police work that we have so many people out on leave? And how does that relate to the manning of the department right now?

I feel obligated to ask those questions in light of my constituent's concern and also I have some concern myself. Thank you.

THE MODERATOR: Okay, we've got an answer to the first question from the front and from the back.

CHAIRMAN LEMOINE: I am leaving Mrs. Lowell's question for David Cusolito to answer. The answer to the \$183,000

is that the amount is calculated based on a percentage of base pay, depending on what type of degree they've earned. So they're actual calculations. Anyone with an associate's degree gets 60 points, which is ten percent of their base salary. We have 16 officers that fall under that parameter. If they have a B.S. or a B.A., it's 120 points or 20 percent of their base pay; there are 14 officers with undergraduate degrees. And you get 150 points under this program for masters degrees; 25 percent base pay is what you get, is that educational incentive; there are nine officers in our Police Department with master's degrees. The total for next year based on the salaries that we've projected for next year comes to \$183,303. The difference from last year from the Fiscal Year '06 budget which we are in now, is \$25,292.

Chief, you get Mrs. Lowell's question.

THE MODERATOR: Chief Cusolito.

CHIEF CUSOLITO: Thank you, Mr.

Moderator. David Cusolito, Chief of police, Falmouth.

To answer your question, Mrs. Lowell,

through the Moderator, about injuries, presently we have nine people that are injured on the Department. Two of those are pending retirement. One is appealing a retirement decision to PERAC. Two are individuals who have old injuries that have been re-injured and required additional surgery. And we have four remaining new injured people. So, currently like I said, there were nine.

At one time last summer we had 15 people injured. We have two people in the Police Academy at this time. We won't realize them out on the street until September.

As far as comparing to other Police Departments, I have not done that. We have been dealing with this Police Department to return our people in a safe and recovered manner to work. With some of them it does take a long time and unfortunately with some it is career-ending with some of their injuries.

THE MODERATOR: Okay. Further discussion? Mr. McManamon. Where is the - down here on my right.

MR. MCMANAMON: Tom McManamon, Precinct

2. We just talked about tourism in this town and how necessary it is. And I think that an essential part of that is the professionalism of the Police Department. And if Chief Cusolito says that we need this kind of funding, then I agree with it because I think this town is a wonderful place to go, and I think that the people who work in this town are just fantastic.

THE MODERATOR: Okay, any further discussion on the Police Department, 115 to 128? Hearing none, we'll move on to the Fire Department, 129 to 145.

The Building Department, 146 to 154. Emergency Preparedness, 155 to 159. Natural Resources, 160 to 171. Harbor Master and Waterways, 172 to 178. The School Department, 179 to 182. Upper Cape Vocational School, 183 to 186.

MR. JONES: Mike Jones [??], Precinct

4. I'm just wondering if somebody could talk about the fact of how the states's portion has changed this year and made the number go up so much?

THE MODERATOR: A representative from the Upper Cape Vocational School Board here? Or, Mr. Anderson from the Finance Committee, subcommittee.

MR. ANDERSON: Gary Anderson, the Finance Committee, Precinct 7. The budget for the Upper Regional Voc Tech is actually the minimum state required funding that we have to have. Some of the increases, there were some teachers who were previously funded by grants and, as we all know, many of the state and federal grants have been cut and so some of these now have to be funded by the budget. But, by state law, this is the minimum funding requirement for the Upper Cape Voc Tech.

THE MODERATOR: Further questions on the Upper Cape Vocational?

DPW Administration and Engineering, 187-92. DPW Highway Division, 193 to 204. DPW Snow and Ice Control, 205 to 209. Ms. Aguiar.

MS. AGUIAR: Debra Aguiar, Precinct 9. I just have a question and I'm not sure if it's going to be about other expenses [inaudible,] but this year we didn't have much of a problem with snow, and how -- if we save that in money, like this year -- I don't know if we did, but if we did, how would it affect the budget? Can someone tell me? Or would it?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: Any funds that were saved would go back to help the Free Cash in the next year. So, if it doesn't snow, we don't spend the money.

THE MODERATOR: Madam Chairman.

CHAIRMAN LEMOINE: Mrs. Aguiar, I don't want you to leave here under false pretenses tonight. We already voted as a Finance Committee to allow deficit spending in this line item. As we do pretty much every year and certainly last year. But this budget, there won't be a dime left in this at the end of the year. All the times that they sand, and it's not just snow removal. It's sanding and things like that, too. Okay?

THE MODERATOR: Okay. Street lighting, 210 to 212. Waste Management Facility, 213 to 219. Mr. Ayres.

MR. AYRES: Dean Ayres, again, Precinct 7. I wouldn't be standing up commenting on this section in the budget if I wasn't absolutely outraged by the fees at the dump. A quick comment before a point of order is called on me.

[Laughter.]

THE MODERATOR: He knows me like a book,

huh?

MR. AYRES: A very quick comment. I think it's absolutely ludicrous that a small contractor, a lot of this which are small contractors in this town, are now being asked to take five garbage -- 3 garbage cans of demo to the dump at \$5 a garbage can. I wish that the Board of Selectmen and the Town Administrator would be honest with the contractors in this town and just come out and say you're trying to force us to take our materials to the Bourne dump, with the expense of gasoline to get up there, the pollution of trucks traveling up there and back again, et cetera, et cetera.

If we want to make money, the dump is a place to make money at. Let's get a scale in there, charge an equitable fee for demo coming in there. We can make money at the dump. Right now we are not making money. I believe we can if we revamp that dump and do what we should be doing. And a scale is, for \$50-60,000 for a used scale, you could pay it off in a year.

Because I am somewhat angered by what has transpired down there in the last couple years, I am now going to ask a question about line item -- well I would like to eradicate line item 26 -- let's see. I have to put my glasses on. Fuel and Power, 9950. I realize the price of fuel has gone up and cost plenty in power but it seems to me a few years ago, we got a line item asking for \$9,000 for a new computer system down at the dump. The one that's in the shed right now, at the entrance, looks like one that was picked out of the dump after somebody dropped it off.

[Laughter.]

THE MODERATOR: So your motion is to remove line item 260 -

MR. AYRES: Until such time that somebody can explain to me where that \$9,000 went for a new computer down

at the dump that doesn't exist. I heard it was for software. That's a hell of a lot of software.

[Laughter.]

THE MODERATOR: Okay.

MR. AYRES: So I will make a motion

until such time - and if it's next Town Meeting I will wait until then, we can re-appropriate the money -- but I want to eliminate 9950 for fuel and power until such time that this body is informed as to where that computer went.

THE MODERATOR: Okay. The question will come on the amendment to remove line 216, fuel and power from the Waste Management Facility budget. All those in favor of the elimination, 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 and Line 216 is still there.

Any further discussion on 213 to 219?

MR. AYRES: Excuse me. Point of order.

THE MODERATOR: Sure.

MR. AYRES: I'll agree with the vote of this body, but I would like somebody to answer my question, and preferably -

THE MODERATOR: If it's not going to take too much time I will let it answered, but it's got nothing to do with this line item.

MR. AYRES: It has to do with the budget. And I would suppose that the Finance Committee, through you, Mr. Moderator, I will ask Ms. LeMoine where that \$9,000 went.

THE MODERATOR: Which fiscal year budget was it on so we know which binder to get out?

MR. AYRES: Excuse me?

THE MODERATOR: Which fiscal year budget was it appropriated in?

MR. AYRES: I'm sorry, I don't know that. I just know there was a line item for \$9,000.

THE MODERATOR: Okay, can we get that?

CHAIRMAN LEMOINE: I have to defer to the Town Administrator. I don't know the exact disposition of every computer.

THE MODERATOR: He's got it. Richard Calise, do you have that binder with you?

MR. CALISE: George Calise, your acting DPW Director. That money was for basically the Upper Cape Regional Transfer Station and the Waste Management Facility. The Waste Management Facility under Tom Pucci and Lynn Grant, it was to put in a - most software. And we are looking into that junk you see down there to correct it and get better hardware. But it was basically software, and hardware and software at the Upper Cape Regional Transfer Station.

THE MODERATOR: And it's all been purchased or only the software?

MR. CALISE: It's all been purchased but we've got to correct the Waste Management Facility. Lynn Grant is looking at it now that we didn't do a thorough job at the Waste Management Facility.

THE MODERATOR: Okay, Ms. Grant, do you want to add to that?

MS. GRANT-MAJOR: The only reason I am a little unsure, I have been studying the software at the dump and I issued a report to the DPW about two months ago. We did purchase some software.

The same software we purchased goes -- was at the transfer station and it didn't seem to work as well at the dump. We are re-programing it. I don't think it was \$9,000. I just don't -- I didn't have the bill so I didn't do it. I know we had something to do with installing it, and it isn't working that well for -- the Transfer Station's working perfectly. But I know we had the software company down last month to restudy it.

And the computer isn't really junk.

That I know. The computer is okay for what it's running, and in fact I think there are two down there that we are working on. But I don't know about the \$9,000. It didn't come out of my budget.

THE MODERATOR: Okay. Solid Waste Collection, 220 to 226. DPW Wastewater Utilities, 227 to 234. DPW Water Utilities, 235 to 243. DPW Tree Warden, 244 to 257.

Health Inspection, 258 to 265. Clinics and Nurses, 266 to 268.

The Counsel on Aging, 269 to 275. Veterans' Services, 276 to 284. The Commission on Disabilities, 285 to 287. Human Services, 288 to 313.

The Falmouth Public Library, 314 to 319. Cape Cod Regional Library, 320 to 322. West Falmouth library -

MR. MURPHY: Mr. Moderator, we have a question on 318.

THE MODERATOR: 318. Falmouth Public Library. Go ahead.

MR. MURPHY: Bill Murphy, Precinct 3. Just a question, clarification on that, please.

THE MODERATOR: This is computer resource sharing with the Falmouth Public Library. The Director of the Library will address this one for us.

MS. MORRISSEY: That's the cost

of our membership in CLAMS.

THE MODERATOR: Further questions on the Falmouth Public Library?

Cape Cod Regional Library, 320 - 322.
West Falmouth Library, 323 to 325. Mr. Shearer.

MR. SHEARER: Both the West Falmouth - Dan Shearer, Precinct 6, excuse me. Both the West Falmouth Library and the Woods Hole Library are both private libraries. West Falmouth gets \$7,500; Woods Hole gets \$20,333. That was because of CLAMS. West Falmouth is now going to join CLAMS and is paying for CLAMS this year. So I would like to see the 7,500, the 20,333 added together and split half and half for the West Falmouth Library and the Woods Hole Libraries. You make the two fair. They both do the same job. They both service people very well. I think they both should get paid the same amount of money. Thank you.

THE MODERATOR: Okay. There's an amendment to strike the appropriations for the West Falmouth Library and the Woods Hole Library and insert in their place 13,915, which would be an equal distribution of the two.

Ms. Zacks.

MS. ZACKS: Thank you. Both libraries are serving very important functions. They take some of the pressure off the main library system and we appreciate that. I think that the circulation numbers of the two libraries would be vastly different and, with that being considered, I am not sure that an equal distribution would be called for at this time.

THE MODERATOR: Okay. Further discussion on the amendment?

Mrs. Jones.

MRS. JONES: Megan Jones, Precinct 1. I would agree with Marilyn Zacks' comments. Woods Hole has a much different

circulation and we already have been on CLAMS for some years. And the \$20,000 is used for that. It's true that we are a privately owned library, but we are a public - we're the Woods Hole Public Library. We're open to anyone who wishes to use it. There is no fee and the CLAMS is used by many people in Falmouth and all over Cape Cod. So, I would vote against and ask you not to carry out this amendment.

THE MODERATOR: Mr. Shearer, and then
Ms. Segal.

MR. SHEARER: West Falmouth is also now
given up its membership in the library, it is a public library, also.
[Inaudible.]

THE MODERATOR: Okay, Ms. Segal.

MS. SEGAL: Deborah Segal, Precinct 6.
Contrary to what Mr. Shearer said, the West Falmouth Library is not serving
the community well. The West Falmouth Library is now rich because of the
land that it sold contrary -

THE MODERATOR: Okay, let's -

MS. SEGAL: So I -

THE MODERATOR: - look at this
appropriation.

MS. SEGAL: I would like -- I would
just like to ask you not to appropriate more money for the West Falmouth
Library and take it away from the Woods Hole Library.

THE MODERATOR: Dr. Antonucci.

DR. ANTONUCCI: Robert Antonucci,

Precinct 6. I'm in West Falmouth. West Falmouth's Library, that's a cheap
shot. Let's fund the libraries as presented. The West Falmouth Public
Library - and I'm going to say public - is as good as Woods Hole. And
Woods Hole is as good as West Falmouth. Let's not split the town apart.
Let's vote for the library. It's the thing we should do, thanks.

THE MODERATOR: And they're all as good

as the East Falmouth Library, as well.

[Laughter.]

THE MODERATOR: So the question will come on the amendment of whether or not to eliminate -- I just had to add that.

[Laughter.]

THE MODERATOR: The question will come on the amendment to eliminate the funding for the West Falmouth and Woods Hole Libraries and replace \$13,915 to both; that would be an equal distribution of the funding. All those in favor of the amendment signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: It is the opinion of the Chair is that the No's have it by a majority and the amendment is not adopted.

Any further discussion on the Woods Hole Public Library?

The Recreation Department, 329 to 352.
The Beach Department, 353 to 359. Bikeways
Committee, 360 to 364. Public Access Committee, 365 to 368. Historical
Commission, 369 to 371.
Historic District Commission, 372 to 374.

Long Term Excluded Debt, 375 to 378.
Long Term Unexcluded Debt, 379 to 389. Short-term Excluded Debt, 390 to
393.

Ms. Lichtenstein.

MS. LICHTENSTEIN: Lesley Lichtenstein,

Precinct 8. I have a question for the Finance Committee, Mr. Moderator,

through you, and it concerns our bond rating for the town. When we do bond funds, and we have several things coming up, we just, in our Special Town Meeting in Article 9, appropriated an extra \$20,000 which I believe paid for higher interest than we thought on previously bonded things. I was wondering exactly what our bond rating is, what our Reserve Fund is and what the future looks like for our bonding. I have been told that we have been warned that maybe we will not get the good ratings that we've had before.

THE MODERATOR: You mean the Reserve Fund or the Stabilization Fund?

MS. LICHTENSTEIN: I'm sorry, whichever one is used to figure the bond rating for the town, when we go out to borrow.

THE MODERATOR: That's the Stabilization.

MS. LICHTENSTEIN: The Stabilization Fund.

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: I can take a quick answer at that, and also with us, Carol Martin, our Town Treasurer I think has done a just enormous job in terms of working with the various bond rating agencies and protecting that. And the town right now has, you know, one short of the highest bond rating that you can get. We do have our overall goal of improving that to the highest bond rating available. And, an interesting thing about the Town of Falmouth, that our securities, we bid every bond and, because of the name recognition of our community, we get the most favorable bids on the bonds that is equivalent to the highest rated communities in the Commonwealth. The key issue with respect to the bond rating is, a couple things just to mention. One of the things, that the

proposal to have a little bit of more flexibility under the Prop two and a half cap would definitely help us. Over time, since the economy has taken a downturn, one feature of the Town's balance sheet is that the reserves overall are declining, and that is something that is faced by every single community throughout the Commonwealth. So we are going to work over the next several years to try to build back up the various reserves. And I will give you an example, and I am reading from here, we had delivered today, it's the Town of Falmouth, Massachusetts, it's the management letter from the annual independent financial audit that we performed. It goes to the bond rating agencies and they use this to determine what our bond rating is. And I will just read just a couple of quick sentences that have direct bearing on this.

It starts off in the introduction that

overall -- and this is talking about the year that ended last fiscal year -- the town had a successful financial year where all major funds of the town continue to show healthy balances at year end. And then it goes on to say one of the problems that we are confronting is the undesignated General Fund balance. We have an available amount of \$6,631,923. And that has reduced approximately 1 million. But, to give you the sense that we still have that 6.6 million General Fund balance, and what it says about that trend, despite an overall decrease in surplus balances, the town still has healthy amounts available to offset future adverse economic impacts, and those are the key items that the bond rating agencies look at.

And we do have some things going in our

favor as well. And one of the key things is that we had the recent adoption of the GASB 40 [sp?] requirements, and those are the government accounting standards board has changed some of the requirements of communities our size for how they prepare their financial statements. And what we have done is we've added several new financial statements, tracking of our general fixed asset account group, and that's leading us closer to

the development of a more comprehensive annual financial report that is a feature of communities that have that highest bond rating that they have these comprehensive annual financial reports.

And one of the things, we may be back, and that's why I do mention this, this year was not the year to do it. This year was an interim step to adopt those new financial statements. But what we'd like to do is entertain the notion of putting into the budget for next year funds to complete that process and develop that comprehensive annual financial report. And we think that that, in conjunction with the policy directions that we're taking financially with the town, may very well help us to increase the bond rating.

So again, we are very concerned about the overall status of the fund balances that are on reserve. We still have healthy balances left, but we have to deal with the fact that they have decreased somewhat, and we are taking the steps long-term to preserve and enhance the bond rating.

MS. LICHTENSTEIN: Thank you and I would like to thank the Town Accountant, also. We all know that the lower interest we pay, the more we can save the taxpayers of Falmouth money. Thank you.

THE MODERATOR: The Town Treasurer, I believe, did the bondings, but. Yeah, the Town Treasurer does the bonding. So let's make sure Carol gets the credit for that.

Okay, Short Term Excluded Debt, 390 to 393. Short Term Unexcluded Debt, 394 to 399. Retirement, 400 to 403. Unemployment, 404 to 406. Health insurance, 407 to 410. Life Insurance, 411 to 414. Medicare Benefits, 415 to 417. Other Employee Benefits, 418 to 425.

Court Judgments, 426 to 428.

And 429 is the total figure.

Anything else on the budget? Mr. Murphy.

CHAIRMAN MURPHY: Mr. Moderator, I would just like to recap one quick thing to give this body an opportunity to vote with confidence this budget and the reason for a debt exclusion versus an override.

If I can show you a figure here. If the effects on the taxpayer in an effort required to support a debt exclusion over the life of the remaining debt would be \$7,233,306. If we were to do a simple override of that \$629,000, we would have an increased cost to the Town of \$4,966,000 over the course of the paying off that debt.

So your board has worked very hard to be fiscally conservative in the form and fact of being able to meet our cap under the two and a half proposition and continue to fund the services that we require. The board talked about this. We worked at it with our budget groups and one of the main issues was, that we discussed, was the two and a half override or pulling something out from underneath the cap. So, I want you to understand of course I am not disillusioned that we're not saving almost \$5 million but we are saving \$5 million by doing a debt exclusion verses a two and a half override. Thank you.

THE MODERATOR: Okay. The question will - Go ahead. Question there in the middle.

MS. MURPHY: Sandra Murphy, Precinct 3. Are you saying that the 649 -- I don't understand what you just said, really. 649,000 is going to cost us \$7 million? Is that what you said?

CHAIRMAN MURPHY: That's over the 20, you know, the 16 year period of time.

MS. MURPHY: How many years?

CHAIRMAN MURPHY: Sixteen years before that will be paid off, the remainder of that debt exclusion.

MS. MURPHY: That's a lot of money to spend for 649,000.

CHAIRMAN MURPHY: We have that \$649,000 every year in the budget.

THE MODERATOR: 629.

CHAIRMAN MURPHY: 29.

THE MODERATOR: Question over here. Ms. Tobey.

MS. TOBEY: Linda Tobey, Precinct 4.

It would help me if I knew exactly how much the town is in debt. Are we in debt \$10 million?

That's the figure I come up with when I look at the --

THE MODERATOR: A lot more than that.

MS. TOBEY: Could you give us an exact figure so we could kind of put these things in perspective?

THE MODERATOR: Is the Town Accountant here? That's a different binder, the total accounting. General accounting measures.

Mr. Murphy, do you have that number? If you could take the mic and give us what you have.

MR. MURPHY: If I may. Bill Murphy, Precinct 3. I am also a member of the Finance Committee and I am also one of the members of the Finance Committee that's in the minority.

Our current debt is approximately \$120 million. We have -- this is up before the million dollars that we spent here about an hour ago. This was as of like a month ago. We've authorized but not issued \$170 million, and the \$10 million that you're talking about, the \$10,469,490 is one year, next year's interest and principal payment.

I happened to mention this to the Finance Committee because a lot of us were going around saying, you know, "How much do we owe?" Because many of us work on similar -- we're on the same subcommittees year after year. So, like, I know the Harbormaster pretty well but I don't really know a lot about the whole indebtedness.

So we asked this question, and I just thought it was very interesting to get that answer. And I am glad this question came up tonight for Town Meeting because I don't think Town Meeting had any idea that we have that much debt.

MS. TOBEY: Thank you. I just wonder

how much of an impact the \$629,000 is going to have when we actually owe so much. I appreciate that. Thank you.

THE MODERATOR: Okay. The question will come on the main motion, which is the annual budget as recommended, adding that line about the meeting of the Community Preservation Committee. All those in favor of adoption of the annual operating budget signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: I declare a two-thirds majority and we've adopted the annual operating budget.

The meeting will stand adjourned for 15 minutes for a break.

[Whereupon, town meeting recessed.]

[Whereupon, town meeting resumed.]

THE MODERATOR: All right, here we go, let's establish a quorum to get back into the Annual Town Meeting. Would all Town Meeting Members present, please come forward. Let's go. Let's clear the aisles, so we can start up again.

I didn't even call the for the vote, yet, and they're standing. Would all Town Meeting Members present please stand and the tellers will return a count.

Division three, Mr. Hampson.

MR. HAMPSON: 50.

THE MODERATOR: 50.

Division one, Mrs. Tashiro.

MRS. TASHIRO: 51.

THE MODERATOR: 51.

Division two, Mr. Dufresne.

MR. DUFRESNE: 92.

THE MODERATOR: 92.

By a counted vote of 193, we have quorum
and we are back in session.

Okay, we're going to go to Article 16.

This was held by the Finance Committee and we have a new main motion.
Madam Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, I move
that the town vote to create the following new position in the town's
Position Classification Plan. Add one Assistant Town Planner slash
Community Preservation Grade -6. And may I speak briefly?

THE MODERATOR: Okay. The main motion
is what's printed there, except for it's -6 instead of -5. Madam
Chairman.

CHAIRMAN LEMOINE: The Finance Committee
re-voted this article last evening between six and seven o'clock. Since
the printing of the warrant booklet a job description that was agreeable to
all of the relevant parties was reached. That consensus was reached and
this just establishes the position. The funding will come up in an article
later on in this warrant, but the position will not be paid -- it was not
in the budget. The financing was not in the budget. It is with the
Community Preservation Act funds. And, for anything else, I will defer to
Peter Boyer.

THE MODERATOR: Any discussion on
Article 16?

Hearing none, the question will come on

the main motion, which is as printed except for it's -6 instead of -5. 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 18. This is a Planning Board article for a business redevelopment zoning district. Mr. Chairman.

CHAIRMAN HERBST: Thank you, Mr. Moderator.

I move that the town vote Article 18 as printed in the warrant.

THE MODERATOR: Okay, the main motion is as printed. Mr. Chairman.

CHAIRMAN HERBST: Explanation: the Planning Board and the petitioner have reached an agreement concerning this rezoning petition to extend the existing business redevelopment district that will ensure, via a restrictive covenant that, one, the existing yellow house will be renovated and re-used as two residential units; two, public access from Main Street to Nyes Pond via a walking trail, the exact location to be determined as part of the permit process, will be provided; three, the number of total units on the site will be limited to 16, including the two units in the yellow house, for a total of 14 new dwelling units. It is theoretically possible to have 20 to 24 units, given the acreage of the site.

The Planning Board's vote was five in favor, none opposed, and two absent to recommend this article to you.

THE MODERATOR: Okay. Discussion on Article 18?

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: The Ayes have it and I
declare a two-thirds.

Article 19. This is the Historic
Village Center Overlay District. Mr. Chairman for the main motion.

CHAIRMAN HERBST: Thank you, Mr.
Moderator. I move that the town vote Article 19 as recommended in the
warrant.

THE MODERATOR: Okay. As recommended.
Mr. Chairman.

CHAIRMAN HERBST: The Planning Board
has been working with the residents and North Falmouth Village Association
to develop new zoning for this village center. Since June, the village
association has held public forums to discuss a vision and the type of
zoning to achieve their desires.

The recommendation above represents
their vision of a mixed used residential and commercial village center
district. Falmouth residents may request this district to be adopted in
other areas of the town.

THE MODERATOR: Okay. Mr. Rowitz held
this article. A microphone down here for Mr. Rowitz.

MR. ROWITZ: Thank you, Mr. Moderator.
Ray Rowitz, Precinct 5. The intent of this article is to help maintain the
character of Falmouth village centers. The success of preserving our
village centers will not depend on tonight's vote, but on our decisions of
where we purchase our products and who we do business with. We will all
cast a vote every time we decide whether to buy a book online or at a local

book store. We will cast our vote when we decide where to purchase our lawn mower or pair of shoes or where to rent a video. Please maintain the character of our village centers and support our local businesses by trading locally. The future of Falmouth depends on it. Thank you.

THE MODERATOR: Okay, Ms. Johnson.

MS. JOHNSON: I am Patricia Johnson; I live in Precinct 5; I'm one of the ad hoc members who's worked on this zoning proposal. I would like to have another member of our committee, Charles McCarthy -- McCaffrey, who lives in North Falmouth, to make a brief statement.

THE MODERATOR: Mr. McCaffrey.

MR. MCCAFFREY: I am Charles McCaffrey from Glen Avenue in North Falmouth. And yes, I am not the dummy, Patty.

The zoning change proposed in Article 19 is the result of a series of community meetings sponsored by the North Falmouth Village Association. At three widely advertised meetings, each attended by from 75 to 100 people, North Falmouth residents expressed their views about what they valued in their community and what concerned them. A major concern expressed was the loss of community character, and the loss of village center businesses and other uses that serviced the community.

During the course of these meetings, we met with the Planning Board to discuss our concerns, we reviewed the town comprehensive plan and the zoning law. At our third forum in January, consensus was reached that some zoning changes to the Business III District were necessary if the village centers were to continue to provide the services and uses that the community both needs and values. It also was needed if we were going to preserve that special sense of place that our village centers historically have had.

Recognizing that similar concerns and issues exist in other historic village centers within the Town, we crafted a zoning change based on the objectives of the town comprehensive plan, the

views of the residents of Falmouth, of North Falmouth, and that is the initial draft of Article 19, which the Planning Board made some minor modifications to before they recommended it for adoption.

There was -- the main issue is that

there is substantial similarity between the new zoning proposal and the existing B-3 use, particularly with regard to business uses. All currently permitted business and commercial uses continue to be allowed. All currently permitted residential uses, including one and two family homes, elderly housing and, by special permit, construction of existing larger homes of up to four units. Commercial accommodations continue to be allowed by special permit. Motor vehicle service stations, currently not an allowed use, would be now allowed by special permit.

A few other uses that were previously allowed by special permit have been eliminated. These were uses that did not exist, never existed, or couldn't physically exist in village centers. They included airports, marinas, agriculture. So those were eliminated because they just didn't fit in the district under any circumstances.

In addition, there were some increases made to the lot coverage for business and other usage, recognizing that village centers traditionally tended to have denser pattern of development.

There were two significant changes to the zoning, to the B3, that are included in the proposed Historic Village Center District that were critical in achieving both our community's concerns and the objectives of the town comprehensive plan. First, mixed uses; that is residential uses of up to three units per acre, in combination with permitted commercial and business uses, would be allowed as a matter of right. The commercial uses or community service uses would have to be present on the first floor and the structure could not be larger than 10,000 square feet. The additional allowed use can help improve the

viability of the businesses that exist in business centers by allowing more extensive use of the property. Additionally, this form of mixed use development has the benefit that the residential uses that would tend to be used in combination say with the apartment above the shop, will tend to provide affordable housing which is needed throughout town.

The second significant change is that

the currently permitted special permit use of multifamily residents up to six units per acre would be eliminated. This was done because exclusively residential development in the Town's small village centers would generally result in the displacement of businesses and other traditional uses that have -- that have characterized these centers. So that was one of our main concerns, that the only way this type of dense exclusively residential use could exist would be by displacing an existing shop or an existing single family home because all of the land for the most part in village centers is fully developed with a use that has been traditionally occurring in these centers, and is generally allowed by the zoning already.

So, for the most part, as I said, there is not significant changes. Those two critical things, allowing mixed uses to enhance business opportunities, and restricting dense exclusively residential development which would replace the uses that the community values, for both what the services they provide and the character they give to the community.

THE MODERATOR: The gentlemen in the back of the auditorium on my right.

MR. MCNAMARA: Yes. My name is --

THE MODERATOR: No, you're going to need a microphone, Sir.

MR. MCNAMARA: I can't go up there?

THE MODERATOR: Oh, you can come down if you like, yeah. Just don't speak until you get to a microphone.

MR. MCNAMARA: I want everybody to hear

me.

[Laughter.]

MR. MCNAMARA: My name is Scott McNamara. I live in North Falmouth. I have a business in North Falmouth, Sports Imports of Cape Cod. I have been there for 28 years. I also own two other lots on Garnet Ave., which my wife and I, Christa Hennessey, own together. I've been there for a long time. And 28 years ago, no one was trying to help me with my business. Now all of a sudden, I need help. Well, I am imploring you to vote no on this. I can tell you that none of the business people, of the owners in this district, ever sat down with that ad hoc committee and discussed this with them, in any way.

In fact, right now, there are more of those business owners, those business property owners in North Falmouth, sitting here in close proximity than they have been in 6 months. And I will tell you what I got. This is -- sorry. This is what I got from the ad hoc committee. This is the total sole document I ever received from the ad hoc committee. Can you see this?

This is a post card. On the back of it, it says, "NFVA ad hoc committee invites you to come to village junction at Old Main Road Monday, March 20th, 7:00 p.m. Discussion Articles 19, 20. Historic village center redevelopment."

Now, I thought, "historic", what is this? This must be the historic overlay they've been talking about for such a long time. So I went to the computer and I got the map out from the Falmouth website. Just for my own information. And I looked to see where the historic district was. And it's not where my shop is. The historic district goes right up Old Main Road. It's 150 feet back from either side. It doesn't include any of that property and the two left lots that hook off to the right there, are mine in that, where it says 127, there. That's my property, there. I was under the impression that this had

something to do with the historic zone. This is what the title is on the article. It doesn't.

Now, if you ask me why I wasn't at those forums, I figured, well, I don't have to be. If -- and I don't want to separate myself from the other businesses in North Falmouth. I don't want to say, okay, you know, "I am out of this, I'm clear. We don't have a problem in North Falmouth as far as I am concerned." What I want to know is, why wasn't the businesses -- weren't the businesses in North Falmouth consulted and why weren't they put together?

I think there was a concerted effort on the part of the ad hoc committee -- and now I know two members of the ad hoc committee, because I've never seen a list of the people on that committee. I think "ad hoc" means "vigilante" in Latin, or something.

[Laughter.]

MR. MCNAMARA: So, you know, I apologize, you know, for seeming glib about this, but, you know what, if you knew the knot that I had to live with in my stomach for the last two weeks over this. This is my retirement. This is the whole nut for me, and these people are depreciating the value of my property just by putting it in an article. I mean, just the fact that there is a committee in North Falmouth that will go around to re-zoning things without getting the input of the owners they are going to rezone is scary to me. If there is a need there, fine, let's do something. But let's include everybody. Let's get everybody into the same room.

I can't speak for the other guys, but this is why I wasn't there. I didn't think it affected me. But I've talked to Art at the bike store, he thought it was a joke. He thought it wouldn't go through. I called Town Meeting Members; they thought it was a breeze. "Oh, it'll go right through, there's no problem. There's no problem because none of the business people have raised any complaints at

all." Well, I did! I did! On March 20th. Yet, in a meeting after that, a person who will go unnamed here denied that there was any negative feedback from any of the businesses. And I consider that deceitful.

And I don't like acrimony. I like North Falmouth. I like the neighbors in North Falmouth that I have up here. Until recently, I felt like I belonged there. And now, for the first time in 28 years, I have a bad feeling about having a business in North Falmouth. And I can't tell you what kind of a knot I have in my stomach after all this time that other people have decided what to do with my property, my life's work, my retirement.

So again, I ask you to vote no on this.

And let the citizens of North Falmouth go back and rethink this in a positive way and involve the people whose property is at issue here. Thank you.

[Applause.]

THE MODERATOR: The gentleman -- come on, let's go. I've got the gentleman in the back to my right and then Ms. Hayward, and then the gentleman on the left.

Go ahead, sir. You've got the floor first.

MR. DEVENEY: [Inaudible.] I am a property owner in North Falmouth on the corner --

THE MODERATOR: Folks, let's quell the undercurrent so we can get through this article.

FROM THE FLOOR: Can't hear him.

THE MODERATOR: And hear the speakers.

MR. DOWNEY: Don Deveney, I'm an owner of the property at the corner of Old Main and County Road. I wish you would all turn to page 3, the unnumbered page 3 in your book. That would be at the beginning after that front pink page. Go to number 4: "How will it affect your basic liberties?" Number 5: "Is it in the balanced

best interests of all?" And especially number 7: "Does it place too much power in the hands of one individual or group?"

I don't know the census in - of North Falmouth, but 75 to 100 people attending a meeting does not mean they all went with it. I don't know any of the people on the ad hoc committee personally. I was approached by them after a Planning Board meeting I attended. I don't believe any of them own a commercial property in the area that this ad hoc committee is targeting. They are changing the requirements for the lot sizes and shapes, which would affect what can be built, and that's their main purpose, is not to allow condos.

The other thing is, if they want a community center to flourish - you know, this is their big thing, they want the penny candy store, they want this, they want that. I've owned a property there on the corner. I've had a space for rent for almost a year. The reason why no one comes down there is, one, there's no parking. Two, they're trying to fix the speed of which the cars are going down Old Main right now by putting in a stop sign. I don't know that these people understand the economy that it takes to put in a commercial property and what the owner would have to charge to rent it out. No one can operate a business of the style that these people want for the rents they'd have to pay. They would be out of business in a month.

I wish you all would vote no. I thank you very much.

THE MODERATOR: Ms. Hayward.

MS. HAYWARD: Nancy Hayward, Precinct 5.

I am not a resident of North Falmouth. I live in West Falmouth. I am the very southern tip of Precinct 5. I have attended two of the three meetings which were held in the North Falmouth village. The two meetings which I attended were very well attended by local residents.

I didn't come prepared to address this. I don't have a timeline

of each thing that happened to bring this article forth in the warrant at this meeting, but I can assure you that I felt there was a very positive attitude of the people of West - of North Falmouth for this Article.

North Falmouth has an historic district.

It has a National Register Historic District, which comes under the purview of the Historic District Commission. But the historic district does not control a great depth on these properties, and there can be mixed zoning on one piece of property. This Article is trying to address the issue of having the properties in town turn in to nothing but condominium developments which are more and more making us a bedroom community of Boston. This village is trying to maintain some village character.

Obviously, there are at least one business person who has a business in North Falmouth, and I didn't get the gentleman's name and, as I was concentrating on this, I don't know if the second speaker has a business in North Falmouth or is concerned about other areas of the town. And I will say that this is only for North Falmouth. Perhaps some wise other section of town would like to adopt this.

I hope that there will be another person from North Falmouth who will address this issue after I sit down. I would say please vote for this for the overall benefit of the residents of North Falmouth. Thank you.

THE MODERATOR: Mr. Curry and then the gentleman on my left in the back.

MR. CURRY: I just want to make sure we all understand exactly what's in front of you at the moment. Article 19 creates the district that the North Falmouth Association came to the Planning Board to discuss. And, if you've looked on page 5 of your warrant book, I think this may be where some of the confusion resides. You will see in the original proposal that came from the petitioners, "establishment and delineation of the overlay district", it's about right here in your

page. [Indicating.]

And you can see in the Planning Board's recommendation on the following page that that's been eliminated. Just for some of the reasons that have come forward about a perhaps or perceived lack of inclusiveness of the ad hoc committee inviting the business community into the discussions. So Article 19 actually creates this district, which doesn't touch any of the commercial uses that's already allowed in the Business 3 zoning district today. Except for the fact I think Mr. McCaffrey indicated that some uses have been eliminated and they include things like a marina, an airport, a telephone exchange - I don't know if they even still have them. Some of the archaic zoning uses that appear in the original by-law that was crafted in 1947.

So I just want to make sure the Town Meeting Members understand that this creates the district. It actually doesn't touch any of the commercial uses. On page 7, under the dimensional requirements, the minimum lot size has actually been reduced from 40 to 30,000 square feet. And for your businesses in the area, your lot coverage actually goes up from 35 percent allowed in Business 3 today, to the 40 percent that would be allowed in this district.

Article 20 would apply this new district in the areas you see on the map. So, if it's a district that the Town Meeting Members find will be a fine tool to be in the zoning arsenal, you may want to vote for it, and not Article 20 if you believe that the North Falmouth residents need to go back and have a more inclusive dialog with the business community.

THE MODERATOR: Thank you for that clarification, Mr. Curry. The gentleman in the back left there. I've got you on my list.

MR. DEANGELIS: Hi. My name is Arthur DeAngelis. I own a piece of property smack dab in the middle of this

controversy, and I would ask that you fine members, that you vote against this and give us some time to figure out what is going on as far as the changes that are going to affect us. Thank you.

FROM THE FLOOR: Point of order.

THE MODERATOR: Yeah, the location of the district in North Falmouth is Article 20. So the first vote that we are going to be taking, this Article here, and in the rest of this discussion, is on the concept of this type of planning district. And then in Article 20 we will decide whether to place it in North Falmouth.

Ms. Johnson.

MS. JOHNSON: I would like to follow-up on Brian Curry's comments on why we developed this -- why we put this proposal before you in Article 19. Article 19 is a zoning district that can be applied anywhere in town. We have on our books, in Falmouth, another zoning district that we put in force a couple years ago, it was called a senior retirement or assistive living district. That has never been applied to any particular properties in Falmouth. We would like to have Article 19 passed because I do believe there are other areas in Falmouth that could benefit by this enhanced business mixed use district.

Falmouth has several areas where

business zones were put down in a strip fashion. That's what this is. This was just strips, not pertaining to any specific properties but they were just laid down in North Falmouth, West Falmouth, Waquoit, East Falmouth; I think even in Woods Hole, some strip zoning was applied. It was done 50 to 80 years ago. We need to bring our village centers -- using the term "historic village centers", had no particular reference to an historic district. It so happens that some of this B-3 is in the historic district and some of it isn't. We are trying to treat the entire area in a similar fashion.

And I would hope you would support this.

It will help us keep character in our village centers and not lose all our

village centers to residential use.

Thank you.

THE MODERATOR: Ms. McElroy, on my left, here.

MS. MCELROY: On one hand, Mr. Curry is saying that this is a general concept and can be applied to other villages and so have the people who proposed it for North Falmouth, but in the beginning of the article it very specifically says "for North Falmouth" so --

THE MODERATOR: You are voting on the main motion, which is the recommendation of the Planning Board.

MS. MCELROY: And that paragraph was deleted?

THE MODERATOR: Well, if you read it, it's not in there.

MS. MCELROY: Okay.

The second question would be that since this was developed in North Falmouth, has anyone analyzed how it would impact the other villages if it were overlaid on Waquoit Village, where there's quite a bit of undeveloped business land, in East Falmouth, where there's some undeveloped business land? In fact, we own a piece of undeveloped business land in East Falmouth, and under Section G-7, it says that it would require a special permit for new construction of business, which seems to be contradictory to the permitted uses under Section E. So, would it be correct to assume that existing business uses are still allowed but development of business on already business zoned property, if it's new construction, will no longer be allowed except under special permit?

THE MODERATOR: Let's let Mr. Curry answer that.

Mrs. Botelho, you're on my list if you want to have a seat.

MR. CURRY: Marguerite, what you see in front of you, really, as the Planning Board's recommendation was developed modeled after the business redevelopment bylaw that you see on East Main Street that this body voted back in 2004. It's almost the identical language.

The dimensional requirements you see there on Page 7 were actually developed by a consultant that the town hired on a grant from I believe the Cape Cod Commission, and she actually went on the ground and measured and took an analysis of all the dimensional standards in these areas: North Falmouth, West Falmouth, concerning lot sizes, setbacks. So we actually have physical measurements. This dimensional requirement you see here came directly from her report from her direct observations.

So, yes, you can model, when we take this to Waquoit or any other village that may want to apply it, H, your dimensional regulations will probably change in response to the information that we have from our consultants's report. The lot size may go up or down or the setbacks may increase or decrease based on the averages we found in each village center.

If you have an existing building, an existing business, you can expand it through the Board of Appeals. If you have a vacant lot and you want to have a new business, it's a special permit from the Planning Board.

MS. MCELROY: Okay, so you are saying that permitted uses currently on undeveloped land where I could build a business next week will no longer be permitted, I will have to get a special permit.

MR. CURRY: No, Ma'am. If you have a

vacant piece of property, and you want to develop it into a store tomorrow, if it's a 4,000 square foot store today or with this new bylaw, off you go. If today you come in in a Business 3 Zoning District and you want to have a 7,000 square foot building, you have to go see the Planning Board. And if you want a 10,000 square foot building, you have to go see the zoning board; you want more than that, you go see the Cape Cod Commission. I know, it's complicated.

But nothing changes in terms of the regulatory environment for you under this bylaw or the bylaw that exists today, Marguerite.

MS. MCELROY: Based on the consultant's report of actual lots that were measured, how many lots will be affected with more restrictive zoning if this is passed in all of the villages? That's a number that we've been able to look at in the past.

MR. CURRY: Sure. This bylaw is actually less restrictive in terms of lot size and lot coverage, and in this example, let's say for North Falmouth, the home office tells me that the area in red around Old Main Road and County Road is a little less than 9 acres and there are 20 parcels, and the area down by south of that is 3.5 acres and there are 7 parcels. So we have an inventory, yes, of who's affected by what or not affected by what and in this instance those parcels would actually have an enhanced density under the new bylaw and the same density, obviously, if nothing is changed.

MS. MCELROY: And has that been done for the other villages?

FROM THE FLOOR: No.

MS. MCELROY: No.

MR. CURRY: Yes. Yes. All the other villages, we have an inventory, Marguerite, not that it's in front of us tonight. But this person went out town-wide and, in these areas say up on Carriage Shop Road and Collins Road in Waquoit, actually went out and

inventoried everything. Went down to Davisville Square, where Meetinghouse Road comes in with Davisville Road, actually inventoried everything that's on the ground out there.

So, when we do come back to you at some future date, we'll actually have physical measurements to give you at that time such as you see here in this bylaw. We might have to change it a little bit if, in time -- if, at some future Town Meeting these articles come forward. They don't change very greatly. But we will try to modify them to accommodate what is on the ground in these various areas. But there is not a big discrepancy.

MS. MCELROY: Okay, and why is there a big gap in, you know, orange up here, orange down there, and what's the big gap in the middle?

THE MODERATOR: Okay, let's hold that for the next article. Let's take that map down because we're not on that article, okay. We are on the structure of the bylaw and then we'll get into actually whether or we should put this in North Falmouth after we decide if we are even going to create the concept of this zoning district, okay? And then everyone from North Falmouth in the back that wants to speak will do that.

Mr. Murphy.

CHAIRMAN MURPHY: Mr. Moderator, I live in North Falmouth and the folks that brought this article forward, I understand their concept. I love the village in North Falmouth. But I do believe that we need to take a step back. I believe that these people, these property owners, need to be part of the loop. They need to be brought forward. And what we're also hearing tonight, folks, is if you own a piece of business property in another village of this Town, you should be part of the process.

What Mr. Curry brought forward tonight

was one exception. The difference between this and the redevelopment of East Main Street, the Planning Board did an outstanding job in the redevelopment of East Main Street, reaching out to all of the business owners there, the Chamber of Commerce, and the business community, making them part of the process, developing the vision of the way that they wanted East Main Street. You know what? That's all that I think these folks want to do. They want to be part of the process.

Very often we have an opportunity at Town Meeting to take a first bite of an apple and I think that we should give them, the property owners who their property is going to be affected, just the opportunity to sit at the table with our professional planning staff, as well as the folks in other villages of this Town, who could in fact ultimately be affected by this article. Because in fact, other B2 zoning areas in village centers could be affected. All's I ask is that both sides be heard, and I think we can come out with a good piece of legislation. I urge indefinite postponement and bring this back in the fall.

THE MODERATOR: Mrs. Botelho, you're next. And then Mr. Putnam.

MRS. BOTELHO: A lot of what I was going to say was just said. And, but I would like to add a little bit to it. I talked to Brian Curry about our village, East Falmouth, and he said, "Well, you people go and you work and come back and tell us what you think you want and the Planning Board will work with you and everything. But the Planning Board went ahead and did this as an overall for every village. Every village in Falmouth is lovely because it is unique.

I think what the Planning Board really needs to do, is to go as they did Main Street, they did one section of Main Street one way and one section of Main Street the other way. They realized that on Main Street and the main village. They have failed to realize that

in the rest of the Town. Our businessmen in our villages really struggle to be business people in villages. But I for one have this belief that if we use our businesses in our village, we cause less traffic throughout the town. So I am very, very much for the business people in a village. I am willing to work with the village people in my village, and I know lots of other people that feel the same way.

Obviously, I am getting the impression

here in North Falmouth these village -- the business people felt left out. But that is something that they'll have to work out. But I think that this is the wrong way to go about this. We need to put -- we need an indefinite postponement. We need the Planning Board to work with village by village by village; that is the proper way to do it. Then each village will keep its uniqueness, will not be uniform like this, will not try to work something in that doesn't fit.

We have quite a bit of business land in East Falmouth, for instance, that has not been developed for different reasons, and I don't think the business people want -- would want to have some of the things that would inhibit them that are on this article. And I think that it would be fair to them to give them a chance for input. We've been working on that.

Every village is different in the

traffic. For instance, North Falmouth has a big highway that takes the traffic off their Main Street. Unfortunately, our village is on -- like Waquoit and Teaticket is on 28, which is the main road that goes between the Cape's two largest towns. We have concerns that they don't have. Right now, we are working on the street layouts, the traffic and everything, and then we were going to get, you know, to help our business people and pick out historical places and have them designated and so forth. But each village needs the time to do this. And I think that this, obviously, it's quite obvious here tonight there's going to be hard

feelings in North Falmouth.

If I was to sit here as a representative of my village and I voted for this tonight, there would be hard feelings in my village. So I urge everybody to vote indefinite postponement. Have the Planning Board try a different, more harmonious method of working with every one in the villages. The villages each do need some straightening out, but each one has its own unique problems and the Planning Board should work with them one at a time. Thank you.

THE MODERATOR: Mr. Putnam. Mrs. Botelho, if you could just pass that to Mr. Putnam. If you could pass it to Mr. Putnam, thank you.

MR. PUTNAM: Brent Putnam, Precinct 9.
I promise not to talk about cranberry bogs.

I concur with everything that Mrs. Botelho said, in general. And specifically, I'd like to raise a concern about F-4, where we are limiting radio antennas not exceeding 50 feet above ground level. I am an FCC licensed amateur radio operator, a ham operator, license W1NCH. Amateur radio operators are instrumental in providing emergency communications. For example, with Hurricane Katrina, a lot of the emergency communications was handled by amateur radio operators after the infrastructure was destroyed.

Limiting antenna heights for that purpose can limit our ability as radio amateurs in order to provide effective communications. And I would strongly argue against any article that or any provision that limits the height of antennas, because clearly the higher you get the antenna, the better you are able to communicate. And, given the public safety issues associated with that, and the public service that we as amateurs provide, I hope you'll consider that. Thank you.

THE MODERATOR: Mr. Hampson.

MR. HAMPSON: Ladies and gentlemen, my

name is George Hampson; I am from Precinct 5. I wanted to tell you right from the start this was a very positive experience for North Falmouth. It had a lot of people show up. They did a wonderful job.

I want to make it very clear that at no time did we make the attempt to exclude the business people. They were also invited. But you know, when I go on my walks and I go by Scotty's place, he has been working all day, and the last thing he wants to do is go to a meeting after that job. Same thing with Art. There's another person involved, John Maura, he called me. As a Town Meeting representative, I'm supposed to mention that because all too often we don't. So, there's three people that are concerned.

But I want you to know that you will be invited in the future and I hope you show up, because what we are trying to do is not only impacting North Falmouth but all our villages. And what initially was a wonderful idea, all of a sudden it's gone south. And, you know, you just can take so much of that in a town. And we seem to be growing these controversies, and it doesn't have to be. So we invite you to come in, but please show up. And -- and I'll carry you, if necessary, John. And Scotty, you know, if you need a little help, but you have to come to the meetings, okay? Thank you.

THE MODERATOR: Mr. Ayres. Ms. Taylor, you're on my list. I have a fairly substantial list on this one.

MR. AYRES: Dean Ayres. I was ready to jump up full bore in favor of this. I was one of the founding members of the North Falmouth Village Association and one of its original officers. I know the area very well. I chaired the first [inaudible] road race which is run right down the center of this district.

I didn't realize Scott McNamara was going to be here tonight. I have known Scott for over 30 years. I don't see him much any more, but I know he was one of the hardest working guys in

that village. I don't know Mr. Devaney, but I know his family has been out there a long time.

I really agree with Mr. Hampson that

Scott and Mr. Deveney and some of the other business people should come to these meetings. Therefore, I would also recommend indefinite postponement of both of these articles, particularly 19, until such time that there can be a compromise struck between the business community and the historical people of which I am highly in favor of, also. But I am a businessman and I think that many times the business community comes out on the short end of these deals.

It sounded to me like it was business friendly in the beginning from a mixed use standpoint, but now, because some of the important business people in the village of North Falmouth were not at the meetings, I would feel more comfortable if we brought this back in the fall and had these folks invited and show up. So I recommend indefinite postponement.

THE MODERATOR: Yes. Okay, could you just pass the mic across the aisle, there? Or use the front.

Okay, Mr. Latimer, you're on the list.

MR. FOX: Jim Fox, Precinct 1. I have

been renovating historic property for a few years now, and I have a question that has come up: I wonder if the Planning Board, with all their consultants and studies that they have, have they did any economic studies and what economic rents do they have carried in this development that'll support development of these places? What kind of rent per square foot were they thinking that people that own these buildings are going get when they finish it? I mean, we all know business people in Falmouth know what places rent for. I wondered if their consultants even looked at that? That's a question I'd like to ask to them through you, Mr. Moderator.

THE MODERATOR: Mr. Curry.

MR. CURRY: Yes, sir, to answer your question: because there are no changes in any of the business uses, and we actually enhance the density allowed in the district, it was assumed the economic benefit would be positive.

MR. FOX: You are actually taking away some existing uses, so in essence they're taking property from people. I am in favor of historic districts, I love the historic district. I want to preserve our towns, but this needs a little bit more study. I think they've gone a little too fast and need to hire a few more consultants.

[Laughter.]

THE MODERATOR: Okay, Mr. Pinto, you were next on my list. Where is Mr. Pinto?

MR. PINTO: Mr. Moderator, Greg Pinto, Precinct 9. I've heard the words "indefinite postponement a few times. But I believe there is a positive motion on the floor.

THE MODERATOR: Yeah, you just vote no if you want - if you want it indefinitely postponed, vote no on the main motion.

MR. PINTO: Right. By my account, we have another 26 articles held on this warrant, not including the funding article at the end. I would like to call the vote on this right now.

[Applause.]

THE MODERATOR: We have a procedural motion to close discussion on Article 19. Again this doesn't lay the district down in North Falmouth; this creates the district. You have a point of order, Mr. Dufresne?

MR. DUFRESNE: Point of order. If we defeat this article, this will mean they can't bring it back up for two years?

THE MODERATOR: No. This was recommended by the Planning Board. Petition articles cannot come back

before town meeting for two years unless they have the recommendation of the Planning Board.

MR. DUFRESNE: Right. And this is a petition article.

THE MODERATOR: Well, the main motion was presented by the Planning Board. So the -

MR. CURRY: Andy, if we vote indefinite postponement tonight, the article cannot come back within two years unless it has a positive Planning Board recommendation. But it can come back at the next Town Meeting.

MR. DUFRESNE: Yes. My concern is I think the plan is worthwhile -

THE MODERATOR: Okay, okay, that was your point of order. So, with the Planning Board's recommendation, petition articles can come back. Nice try, though.

[Laughter.]

THE MODERATOR: All those in favor of closing discussion on Article 19 signify by saying Aye.

{Aye.}

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: It is the opinion of the Chair that the Ayes have it, and I declare a two-thirds majority.

The question will come on the main motion of Article 19 as recommended by the Planning Board. 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 and there is no two-thirds.

Article 20. The Planning Board is going to make a new main motion since there is no district to lay down in North Falmouth.

Mr. Chairman.

CHAIRMAN HERBST: Mr. Moderator, I move that the motion for Article 19 be indefinite postponement.

THE MODERATOR: Okay. You've all heard the main motion to indefinitely postpone Article 20. 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 21. Madam Chairman of the Finance Committee for the main motion.

CHAIRMAN LEMOINE: Mr. Moderator, I move that the town vote to appropriate sum of \$9,189,134 for the purpose of design fees, architect's fees, engineering fees, construction, renovation and addition to the Falmouth Public Library on Katherine Lee Bates Road, including costs incidental and related thereto, and that to raise this appropriation the Town Treasurer with the approval of the Board of Selectmen is authorized to borrow said money under the provisions of General Laws Chapter 44 section 73A, or any other enabling authority, and to issue bonds and notes of the Town therefore. Provided, however, that no sum shall be borrowed hereunder unless the town shall have voted at a town election to exempt the amounts required to pay for the bonds and notes issued for the project from the provisions of Proposition two and a half so-called.

THE MODERATOR: Okay. You've all heard

the main motion. Ms. Zacks.

MS. ZACKS: Somewhere in a book it says, "Brevity is the soul of wit." Let's hope I can be witty.

I would like to give you the format for this presentation. I will present the library director Leslie Morrissey to speak following my remarks, and she will be followed by Peter Bierly and Richard Smith, who are the lead architects for the library project, and Mr. Whritenour will address any financial questions if they come up.

I want to thank the approximately 120 people who -- many of whom were Town Meeting Members who came to the library tours that we have been running. We will continue to run them, and I beg their indulgence because they have heard some of this before, and they had seen firsthand why the renovation is needed.

The concept of "If it ain't broke, don't fix it," really does not apply here. Things are pretty broke. And I would like to assure you that what we want to do is have a decent building that will be comfortable and accessible. We do not want to build a Taj Mahal.

[Laughter.]

MS. ZACKS: In the past five years, former members of the Library Board, and I will ask them to stand, please, because they've worked very hard, and the current members of the Library Board. They are: Frank Duffy, Elisabeth Abrams, Kathleen Murray, Barbara Esby, Ned Nolan, Jane Perry. Would you please stand because I want to give you a hand.

[Applause.]

MS. ZACKS: These board members, over the period of five years that we have been in the planning pipeline, have visited over two dozen libraries; we have done population projections, we have spoken with the Massachusetts Board of Library Commissioners, we have

interviewed various architects, we have seen what architects have done and interviewed the people who use and work in the libraries to see what's a frill and what's a necessity.

A gas stove at the Brookline Public Library didn't cut it as a necessity, just as an example.

What you need to know is that the library is truly in a state of disrepair, and if the infrastructure continues to go the way it is, this is what you are going to have. We have patched. We have made do. And the building is deteriorating at a rapid rate.

We have an increasing population and a need to supply patron needs which have not reduced with the advent of the computer age. If anything, we are more needed by the public, particularly those who do not own computers and who come in the summertime and expect to have access to their information load.

I would like to share with you my strongly-held belief about a public library in a democracy. And this sounds corny, but I watched the little kids come down here, bearing the weight of the flags, and barely doing it. Democracy isn't easy. It's a load to carry, but if you don't, you don't have a society that you want to live in. It's the backbone of a free society to have open access to information. It is available for those who are intellectually curious, just want to loaf, or if you please, want to come into the library building in the winter or in the summer and they can turn their thermostats down and appreciate the comfort of the library -- which is not terribly comfortable, and if the HVAC isn't working it's a tough scene.

It behooves us all to remember something that I hold very dear: information means access and equal opportunity. It's where you can get what you are looking for, for free. I won't say any time but now it's even on Sunday afternoons. A public library is important to the fabric of our democracy.

Remember, please, that when a totalitarian society wants to gain the upper hand, the first thing they do is burn the books. Those of my generation have seen it and know how ugly it can become. I hope that we resoundingly vote to put this on the ballot so the people that use the library and depend on it can help us decide where we are going to go. I thank you and I would like to introduce Leslie Morrissey.

MS. MORRISSEY: I will come over here.

Good evening. As Marilyn mentioned, over the past several weeks the assistant director, Lynn Mulvey, and I have been conducting behind the scenes tours of the library for the general public and for Town Meeting Members. Thank you to the many of you who attended. You had many thoughtful comments and asked probing questions that helped us prepare our presentation this evening. However, some of you were unable to attend, so tonight I would like to take you all on a very brief tour, highlighting the current problems of the library building and how these problems will be addressed in the renovation.

Strong libraries build strong

communities and strong communities build strong libraries. First, let me tell you how strong, vibrant and vital the Falmouth Library is. We are the busiest library on the Cape, circulating nearly a half a million items a year. Approximately a thousand people a day visit the main library. How do we know that? We know that because we use an electronic people counter to monitor the number of visits to the library each day.

The reference staff answers more than 950 reference questions per week and our website received over 1.5 million hits last year. On average, 3,267 people each week use our public computers for a total of under just 170,000 uses per year. Nearly 600 library programs were provided at the main library for children and adults in 2005, with over 1500 -- 15,000 people attending.

When the renovation of the library was planned in 1978, no one could envision how essential the computer would become, and so there was no provision made for wiring, with the result that the wiring at the Falmouth Public Library is a hodgepodge in public service spaces as well as in staff work spaces.

The HVAC system is old and inefficient, creating many micro climates throughout the building. It also leaks. These leaks are evidenced throughout the building by unsightly ceiling and carpet stains. High maintenance and high usage costs will be kept in check with a new, energy-efficient HVAC system. Added insulation and new window glazing will further control rising utility costs.

The skylight over the circulation desk, designed to bring light into the collection area, leaks as well. For the past several years the skylight has been covered with a blue tarp to prevent leaks; unfortunately it also prevents light from entering. On windy days, the tarp blows off the skylight. As a result, the circulation staff each evening covers the books and the computer equipment under the skylight with shower curtains to prevent damage to valuable materials and equipment.

The renovation will also address safety issues such as worn and torn carpeting, the lack of a sprinkler system, exposed wiring and asbestos. The renovation and addition to the main library will also address many service issues.

The new layout will be logical, easy to use, and it will have unobstructed views from one end of the library to the other, something we don't have right now. Many areas now used as staff work spaces will be recaptured for public use. The new work spaces will be smaller, more efficient and relocated closer to public service desks, creating more efficient use of staff and improved customer service. Currently, shelves are

crowded in all areas of the library. In the past five years, there has been virtually no growth in the collection at all. We literally must remove a book to add a book. The new library will provide increased collection space, increased public seating and increased public electronic access to the Internet, to information databases and to the library catalogs throughout Massachusetts.

Meeting rooms will be closed off from the library and a separate night entrance will allow the public to use the library meeting space after hours. There will be three meeting rooms of varying sizes. Currently the library often has to turn people away from programs because of lack of space.

Some of the biggest improvements will be evidenced in the children's department. The children's collection will be expanded. Children will have their own bathrooms. It will boast its own program area designed with our youngest patrons in mind. The space will be able to be used for story times, for older kids to work on homework projects, or for meetings of small groups of children and their parents. This is a far cry from the uninteresting and windowless space that becomes a walkthrough to the large meeting room during children's story times.

And lastly, the renovation will open the Main Street entrance, something that hasn't been -- the interior of which hasn't been seen for the past 28 years. This is a change that for many residents has been long awaited.

At each tour that we conducted, many of the same questions came up again and again. I'm just going to go over some of them for you tonight. Why do we need an addition to the library?

The library successfully applied for \$2.671 million to cover one-third of the cost of construction of the

renovated library. The state requires that, to be eligible for a state construction grant, the library must demonstrate that the plan addresses community needs for library services over the next 20 years in terms of square footage, collection size and seating. Without the addition, the library would not be able to meet these needs and would not be eligible for a state grant.

Another question. Wouldn't it be less costly for the taxpayer to forgo state funding and simply improve and renovate the current space?

By coincidence and simply by coincidence, the cost of the new addition is roughly equal to the amount of the state grant. If the town chose to renovate and improve the current building without the addition, the cost to the taxpayer would roughly be the same. In addition, it is likely that the trustees would be coming before Town Meeting in a few short years requesting funding for an addition to meet the needs of an ever-increasing population.

What is the timeline for the project?

In order to maximize grant dollars and to keep costs from escalating over time, the project would begin in October of 2006. The renovation will take from 12 to 14 months.

And the last question. How much will the project cost me, the taxpayer?

The Town Treasurer estimates that with the current bonding conditions, the impact of the debt exclusion will be 7 cents per thousand of assessed valuation. If the average home in Falmouth is assessed at \$400,000, taxpayers who own an average home will be assessed \$28 per year for the 15 year term of the bond.

What can we buy for \$28?

Well, as librarian, I like to use the book analogy. The average cost of one hardcover book in the United States is \$31.98. So, for less than the cost of one hard cover book for your

private library, you could invest that same amount per year over the next 15 years in the Town of Falmouth and in the future residents of the town and provide a new and renovated library facility that will meet the needs of the community for the next 20 years.

Thank you very much for the opportunity to speak on this project. I would like to introduce Peter Bierly and Richard Smith, the project architects.

THE MODERATOR: Do the architects live in Falmouth?

FROM THE FLOOR: No.

THE MODERATOR: Okay, the Chair will entertain a motion to allow the architects to speak. 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; the gentlemen are allowed to speak.

MR. BIERLY: Hello. Good evening everybody. Mr. Chairman and the Board, thank you very much. My name is Peter Bierly and I am with the architecture firm Beacon Architectural Associates in Boston, and to my right is Richard Smith, who is a principal in the firm of Adams and Smith, and together we are designing the new Falmouth Public Library for the town.

We have been contracted to work with the Town and have started work in the summer of '04. And, as Leslie pointed out so beautifully, we were -- participated in being able to put together the Massachusetts Board of Library Commissioner's grant. We did that in February of '05 and submitted that, and the town was put on the waiting list for that and we are moving forward now, you know, in hopes that we would be able to put the project out in the fall of '06, here.

What we are seeing on our board, here, is a prospective view from the library lawn. And what we have is this portion here would be the existing library and we would be looking north from Main Street, and we would have the addition here, and in addition to the addition there would be two small bays which would face the library lawn. And, as Leslie pointed out, part of going through for Massachusetts Board of Library Commissioner's grant was to expand the library by roughly 25 percent. And that's what you see here.

Now, what I'm going to do is we will take a look at the next slide, please. Okay. What we're looking at in this slide is what we call a site plan, and what it is is it shows the four bounding streets, Main Street and the existing library, which is this footprint here, and the addition which is shown here. And the reason that we are showing you this slide is to just show the impact of the new proposed library, which will be roughly 39,000 square feet total, over two stories. And what the significance of what we are showing here is that the existing libraries, as we all know, started out as a small piece, centering on what is now the library lawn, various additions were added and the entry, which is originally coming from the south into the old portion of the library, was shifted to Katherine Lee Bates Road, here, in 1978, and a new parking area was added.

What we are proposing to do in our new library plan is to place the new addition in such a way that it will start to create a new backdrop for the library lawn, and we are also going to reopen the existing entry off of Katherine Lee Bates Road and library lawn so that in fact the entry to the library will then go back to its original state. What this will do is this will allow more easy circulation throughout the building. It will also allow townspeople to take advantage of the - a lot of the municipal parking down here on the west side, as well as the existing library parking, to which we're going to be adding our

accessible parking spaces for persons in wheelchairs. The reason that we're putting these here is so that persons in wheelchairs do not have to cross any of the major street in order to enter the library.

As I mentioned earlier, we are also

looking to re-open this entry. The way that we will be able to do that is by adding a sloped walkway, which will allow people to come from the library lawn, from various points north, south, east and west, into the existing entry.

Can we have the next slide, please. What this slide shows is this slide shows two elevations. The top one would show the elevation as if you were standing on Main Street looking north towards the library. Once again, we have the existing original building which was built in 1901, and the infill additions which were built in the 60's, as well as the 1978 addition, and then our present addition here.

We are also looking at these bays. And the reason for these bays are twofold. It's - part of it is to accentuate the central aspect of the new or the reopened entry. The other thing that we're trying to do is to increase the amount of daylight that would be able to get into the main portion of the library. This is done for a couple of reasons: A, to provide a nice sense of place inside; also for energy characteristics as it will allow daylight coming from the south into -- deep into the library.

This lower elevation, here, would be what

you would see as if you were standing on the school looking across Katherine Lee Bates Road south. This is the original, or this is the existing entry right now. What we're doing is we're proposing to move the entry to the original block, centered, so that once again there is access from either side of the original entry. Then we will infill the portion of the floor that right now it's a split level, we will infill floor so that we will gain more stack space and we will also have bay windows facing

north, which will be a very pleasant place to sit and read.

The last thing I want to point out here is -- oh, and this would be where the addition would be looking north.

I want to just point out that the materials -- I'm sorry, do you mind going back? That the materials that we're using are very sympathetic to the existing library as well as we think the 1978 addition, the shape of the windows, the types of materials for the brick and the roof.

I'm now going to turn it over to Richard, who will show you through the floor plans.

MR. SMITH: All right. On the main level, looking here at the entrance here, we see the restored original main entrance. The other entrance coming in here. On this level, we will be making the '78 addition the primary repository for the main part of the collection, reading areas in the center, book stacks around. There will be public toilets on this level. We're going to be moving the public toilets for adults away from the children's room.

On this side, an enclosed area for young adults as well as a periodical space, using the historical -- the historic reading rooms as adult reading space. And then, over here in the addition, a new reference center, which will have greatly expanded computer access. You won't have to have a row of chairs anymore for people to sit and wait for a computer to be available.

Improved work space for staff as well, and new desk here, right at the crossing point.

Next slide, please.

On the lower level, the entrance from Katherine Lee Bates Road takes you to an elevator and a stair which would allow you to go up or down. Within the footprint of the 1980 addition we'll be greatly expanding the children's room, making it a self-enclosed

area, it's own program room, it's own toilets. It will be a secure and comfortable place.

On the other side, this will be the meeting room suite. As you see, it has its own door; it has its own toilets here. This will be a great asset to the town and will allow you to have meetings without having to be thrown out when the library closes.

Next slide, please.

In totality, what we're doing here is creating a new plan that's going to meet the 20 year needs efficiently.

MR. BIERLY: That's it.

MR. SMITH: That's it, we're done.

THE MODERATOR: Mr. Hampson, you want to work your magic on that mic.

MR. HAMPSON: Point of order. I would like to ask that we go beyond 11 o'clock.

THE MODERATOR: Okay. That's what I asked George to do. Yes. Thank you, Mr. Shearer. We have a motion to continue past 11:00. 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 Ayes have it and we'll continue on this article.

What's the matter?

FROM THE FLOOR: I thought Mr. Whritenour --[inaudible.]

THE MODERATOR: Oh, yes, Mr. Whritenour.

MR. WHRITENOUR: I want to underscore some of the comments. Why don't you go back one slide there.

What we've put up on the screen -- and I

hope it's legible. This just underscores some of the comments made with respect to the debt structure. And I do want to once again recognize our Town Treasurer Carol Martin for her work in analyzing the debt structure for this project and all of the projects, actually, that we fit into our capital improvement program. And I do have, you know, folks should be aware that we have the six year capital improvement program; this project has been a part of that process. I have worked personally with this project for nearly five years now, and I would call it kind of the model capital improvement by starting in the six year plan all the way at the end, in working through each year, you know, making progress, getting more work done, putting into place the grant funding, and I just wanted to go over a little bit the full structure of the debt, and make sure that folks see that the total principal amount that would be funded would be 6,519,000. That is net of the state grant. The first payments would take affect in 2008. And, as you can see, that total impact was pegged at that seven cents on your tax rate. And this is a 15 year debt structure. And one of the other characteristics that I do want to point out, it doesn't stay at the seven because of the declining payments, and we are estimating a 5.5 percent interest rate that the interest payments do decline over time. So as you can see, by the time we get, you know, into the upper teens here, I think it goes down to a paperback book.

[Laughter.]

MR. WHRITENOUR: And it shows the total

payments. And, just very briefly, I don't know, that next slide just shows some of the key things that we are dealing with. This project comes in at a time that, you know, it's been delayed for some of the other projects that we needed to move forward with the DPW facility, the fire station, and then the library renovation is the next major town side building that we need to take care of. In representation of the existing debt, the small yellow sliver represents what the library debt is. And, following after that, this next, even smaller one than that represents the

senior center project that is part of, again, our long-term capital planning. And I just wanted to show some of those items. And you can take that off.

THE MODERATOR: Okay. All set?

All right, the first one on my list was Mr. Netto. Mr. Wilbur, I'll put you on the list. Microphone for Mr. Netto. We stayed too late, we lost our mic carriers.

MR. NETTO: Joe Netto, Precinct 9. As usual with any Proposition two and a half exemption, and to be put on the ballot, I would urge Town Meeting Members to vote favorably for this article. I think that this is an article that the people in the Town of Falmouth should decide if they want to increase their taxes. And there is no doubt in my mind that this membership here tonight is going to vote favorably for this article.

I would also like to say that I think the purpose of government is to serve its people, and this is a fine example, when you see the figures, of the use of this building, I think we as a public use this building more than we use Town Hall. Plus they don't charge as much.

[Laughter.]

MR. NETTO: And I wouldn't be surprised if this gets more favorable votes than the other bond exemption. Which leads me to a statement that I made last night, and that's what are the consequences. And I think the consequences here are favorable. And I think that the voters at large are going to support this. But I think we also now have to look into a broader discussion, and there are some of us and it's been alluded to, that we need more money to run the town. I think that's the message that the chairman of the Finance Committee mentioned. And I concur with her thoughts, also.

And there are those of us that - I'm not

a no-growth person. The town has grown tremendously. Mr. Baker and myself were just looking at the extension of the library from when we were in high school. And, it started out as that original building. The town has grown and we have to support the growth of the town, whether it be firemen, policemen, renovation of the high school building, and these are the things that we have to bear.

But we have to find the funds for these and that's why I turn my attention now to the stage, because that is where we look for you people for help and guidance.

I think the healthiest discussion of any of the Town Meetings I've ever sat in here and held is that now there are many Town Meeting Members that realize that they too have to get involved more in the fiscal decisions and responsibilities.

Again, in closing, I would urge that you vote favorably for this article, put it on the ballot, and I think it's a project somewhat that sells itself. At first I had some reservations; I would be the first to admit it, because the cost of what came in front of us, and these numbers are large. But when you see the end product, and I was listening to the first speaker, is exactly the same conclusion that we came to as I sat on the School Building Needs Committee for the high school, that the renovation, you know, was better than just fixing things.

So again, I am sure this group is going to give this article a favorable vote. Thank you.

THE MODERATOR: Mr. Wilbur.

Thank you, Ms. Cuny, for helping us with the mics.

You have to switch it on on the bottom, there. I think you put it up from the bottom. If it's the same kind of mic.

All right, can we get him the other mic.

And bring that one up here so I can take a look at it.

MR. WILBUR: Hello!

[Laughter.]

THE MODERATOR: Maybe the battery died.

Would you bring that mic up to me, please. The dead mic.

MR. WILBUR: Hello. Jude Wilbur, Precinct 1. And I don't know why Joe Netto and I follow each other speaking these days at Town Meeting. I don't think it's something we do intentionally, is it, Joe?

THE MODERATOR: I scan the room from left to right.

MR. WILBUR: I would like to speak strongly in favor of this. And I want to just say that when we are looking at a Town Meeting where money is a very large issue here, I think we need to look at the wisdom of our investments. And as far as I am concerned, this is one of the wisest investments we can make. And I will say this because of this: back in the days when I was on the Planning Board we looked at the town center and we looked at the town center and the proposals that were in front of us for renovation of Mullen Hall School, for the rejuvenation of the Main Street, and it became very obvious to us that this building is the center of the Town, the centerpiece of the whole town, and I have to tell you, there is a lot of small towns that don't have a center, simply because they do not have a property and particularly a property that is this important to the entire community.

I submit that this is, you know, the keystone element in many ways in our community, is this library building. I think it's a very wise investment to do this at this time. I know that money is an issue but, as I said, I think you need to look at the wisdom of your investments, and I think that this is just a very good use of town money. Thank you.

THE MODERATOR: Ms. Lichtenstein was next on my list. Ms. Perry, you're on my list if you'd like to have a seat.

MS. LICHTENSTEIN: Leslie Lichtenstein, Precinct 8. I strongly support this article but I do have one thing that I would like to address through Mr. Moderator to the Library Building Committee. Between last fall's Town Meeting and this tonight's Special Town Meeting, we have appropriated approximately a quarter of a million dollars to repair the problems with the roof on the Gus Canty Center. It is my understanding that the contracts that were written for this did not address all of the warranty issues. We will not be able to recover all of the problems even though there were problems with the materials and with the design. I would like some kind of assurances from the Library Building Committee that we have learned as a town to be a little bit more careful when we make this contract, so we don't have to come back here in a few years and appropriate another quarter of a million dollars to fix a problem with this structure.

I do, however, hope certainly that the body does vote to support this tonight.

FROM THE FLOOR: Question, question.

THE MODERATOR: Okay. Does anyone want to respond to that?

FROM THE FLOOR: Question. Question.

THE MODERATOR: Okay, whoa, whoa, whoa, I've got a little list here.

Anything new? Mr. Hampson.

MR. HAMPSON: As Andy Dufresne says, I will rise to support this article. Or at least bring it to the town voters.

The thing that's new that I have to add is the present library as I see it is dysfunctional. It's a library at one

time that had books. And now it's an information center. And people spent a lot of time walking from one end to the other. That's what I was told when I went on the tour. And the other thing that I learned is they have one bathroom. I know where it is because have I gone down there to use it. You go down the stairs and go to the left. But the problem is apparently the young children use the same bathroom, is that correct?

So it's kind of a sad situation. So I thought I'd add that thing.

It has to go to the voters. There is no doubt about it. So I hope that information is new to you. Thank you.

THE MODERATOR: Ms. Jewett, something new?

FROM THE FLOOR: Question.

THE MODERATOR: I have a few folks left on the list and I hope they are hearing and watching people put jackets on. So let's discuss something new.

MS. JEWETT: Catherine Jewett, Precinct 5. I simply love the library and all the librarians that are here know that because I've spent so much time there and so have my children. What I wanted to point out was that if we continue to pay for hardcover books, you know, if each family paid for a hard cover book instead of switching over to the paperback books, we could get this paid off a little bit quicker.

The gentleman that gave that wonderful presentation said that the library would be good for another 20 years after it was redone, and the loan said it was going to last until 2030, so we will still be paying on the loan when the library was going to be needing to be upgraded again. So, I just wanted to put that out there and I certainly hope everybody backs the library on this. Thank you.

THE MODERATOR: Okay, is there anyone that wants to speak against this motion? Because

everyone has been speaking for it. I'm going to give the other side a chance and then I'm going to call the question.

Mr. Shearer.

[Laughter.]

THE MODERATOR: No, I don't want to be accused of not allowing the folks that are on the other side of the issue to speak.

MS. SHEARER: I'm Dan Shearer, Precinct

8. I think this should go to the voters of the town. I really do. And I'm going to vote that way now. But before we send it to the voters, I think we really have to see a five year plan. I think we've got to add up all these seven cents's, eight cents's, what the high school is going to cost us in the finality, what the DPW garage is, what the other items are on our tax bill. So we know exactly what it is we are looking at over the next 15 or 20 years. And how many more projects we have.

I haven't seen the five year plan, I'd like to, and I would like to know what exactly it's costing us. We are paying this year \$4,662,878 in interest. That's a lot of money to pay in interest. Over \$120 million debt. So let's see what we can do. Let's present all the figures and the amount that it's going to cost us, what our tax rate will be. Thank you.

THE MODERATOR: Okay. Mr. Anderson.

MR. ANDERSON: Very quickly because I know you have your coats on ready to go.

As a Finance Committee Member, we asked the Library Committee and the Building Committee about the bonding costs they included in the estimates. In the special town meeting we just had to approve \$20,000 to cover bonding costs that weren't in the original bids of some of the other projects that we did. In November, I had to go to the Finance Committee and ask for \$25,000 to appropriate, to cover some old bonding costs.

The paperwork they gave us at the meeting in front of the Finance Committee showed \$15,000 in bonding costs for this whole project. I asked is that sufficient, is that the real number. I did ask the Town Treasurer for an estimate. Okay, maybe in the \$100,000 range. At this time maybe I could ask the Administrator is \$15,000 the actual estimated bonding cost for this whole project? And if not, should we have a realistic number?

That is the only number in the whole budget that I looked at, and I don't think it's realistic. And I think the Town Meeting should have a realistic number, not a number that we fit within a budget and vote on and then it just goes over budget later. Thank you.

THE MODERATOR: Ms. Harper.

MS. HARPER: The current budget for the library project includes one-half of one percent budgeted for borrowing costs --

MS. MCELROY: I learned recently that --

THE MODERATOR: Ms. McElroy, you don't have the floor. I will give it to you after Ms. Harper's done.

MS. MCELROY: Oh, I'm sorry. Are you speaking?

MS. HARPER: I'll finish up. And that was in consultation with the Town Treasurer, that number was developed and used as a basis for borrowing over the life of the loan --

FROM THE FLOOR: What? Can't hear you.

THE MODERATOR: Okay, I guess they are having trouble. If you can -- no, it's on. You just have to speak more directly into it.

MS. HARPER: We are carrying one half of one percent of the total cost of borrowing, which we developed in

consultation with the Town Treasurer. That is an estimate, and the actual cost of borrowing is going to vary depending on the scheduling of borrowing, whether it's included in a larger borrowing process, what the schedule of the MBLC grant is going to be, which is guaranteed but the schedule is unknown at this time. So that is the estimate that we worked with Carol Martin on and we are comfortable with that number.

THE MODERATOR: Okay, Ms. Martin, did you want to add to that?

MS. MARTIN: I was going to add there --

THE MODERATOR: With the microphone, please.

MS. MARTIN: There should be sufficient funds in the current appropriation for the request.

THE MODERATOR: Okay. Thank you.

Okay this requires a two-thirds vote. This is the main motion: Article 21 for the library renovation to put it on the ballot. Or to appropriate it and then the Selectmen will put it on the ballot.

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 there's a two-thirds majority. Is there a challenge to the Chair? This is your only chance. Hearing none, I declare a two-thirds and the library renovation passes.

We'll stand in adjournment until tomorrow evening at seven o'clock.

[Whereupon, town meeting adjourned for the evening.]

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing transcript represents a complete, true and accurate transcription of my audiographic recordings taken in Falmouth Town Meeting, April 4, 2006, to the best of my knowledge, skill and ability.

Carol P. Tinkham
Notary Public
My Commission Expires
May 14, 2010

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