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COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

SPECIAL TOWN MEETING

AND

ANNUAL FALL TOWN MEETING

Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

TOWN CLERK: Michael Palmer

Tuesday, November 10, 2015

7:00 p.m.

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P R O C E E D I N G S

THE MODERATOR: All Town Meeting Members please take your seats. Okay, don't forget to check in, Folks. Attendance will be published in the Falmouth Enterprise. I want to remind all speakers tonight that we are being broadcast on FCTV Channel 15. So please identify yourself by name and precinct each time you speak. It also helps our stenographer get you on the record accurately.

Okay, Folks, here we go. We've got a long night. We're going to come back on Thursday if we don't finish tonight, because tomorrow's Veteran's Day, and if we don't finish on Thursday, you're going to come back on Friday night. So let's get going.

Okay, my tellers this evening in the first division will be Mr. Netto; in the second division will be Mr. Dufresne; and in the third division will be Mrs. Long.

All Town Meeting Members present please stand for the establishment of the quorum and the tellers will return a count.

I want to make an important announcement.

1 Because of the impending weather, the Falmouth
2 Veteran's Council is moving the Veteran's Day
3 Ceremony to the Falmouth High School tomorrow.
4 Same time, at eleven o'clock. But there won't be
5 the parade. We'll be doing the ceremony up at
6 Falmouth High School at eleven o'clock tomorrow.

7 So if you could help us spread the word
8 to the community. And I know I was speaking to
9 Chief Dunn earlier and they've got a sign down
10 there and they'll make sure that people know where
11 to go. But if we could spread the word, that
12 would be great.

13 [Pause.]

14 THE MODERATOR: In the first division,
15 Mr. Netto?

16 MR. NETTO: 52.

17 THE MODERATOR: 52.

18 In the third division, Mrs. Long?

19 MS. LONG: 53.

20 THE MODERATOR: 53.

21 In the second division. In the second
22 division Mr. Dufresne? Mr. Dufresne.

23 MR. DUFRESNE: 100.

24 THE MODERATOR: 100.

1 By a counted vote of 205 we have a quorum
2 and I call the Special Town Meeting into session.

3 All present please rise for the
4 presentation of the colors by Cub Scout Pack 39.

5 [Colors presented.]

6 THE MODERATOR: Please follow me in the
7 Pledge of Allegiance.

8 [Pledge of Allegiance taken.]

9 THE MODERATOR: At this time I'd
10 recognize Heidi Marotta for our invocation.

11 MS. MAROTTA: Oh, God, creator of us
12 all, we ask your blessing on this Town Meeting.
13 Let each one of us here this evening recognize our
14 differences and our similarities. Let us listen
15 to each other thoughtfully and guide us to vote on
16 the issues before us with an open mind.

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

20 THE MODERATOR: Remain standing for our
21 moment of silence in honor of our veterans and our
22 active military personnel serving in harm's way.

23 [Moment of Silence held.]

24 THE MODERATOR: Colors post.

1 [Colors posted.]

2 THE MODERATOR: All right, Cub Scout
3 Pack 39, we'll see you back when you're Boy Scouts.
4 Good job tonight.

5 [Applause.]

6 THE MODERATOR: Thanks to the Boy Scouts
7 of Troop 42 that are teaching the young men that
8 are doing the flag ceremony. Good job, Scouts.

9 [Continuing applause.]

10 THE MODERATOR: At this time, I'd ask
11 for a motion to dispense with the reading of the
12 warrant. Mr. Chairman.

13 CHAIRMAN JONES: Mr. Moderator, I move
14 to dispense with the reading of the warrant.

15 THE MODERATOR: You've all heard the
16 main motion to dispense with the reading of the
17 warrant except for the officer's return. All those
18 in favor signify by saying aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [None opposed.]

22 THE MODERATOR: The ayes have it
23 unanimous.

24 By virtue of this warrant, I have this

1 day notified and summoned the inhabitants of the
2 Town of Falmouth qualified to vote on town affairs,
3 as said warrant directs, by posting an attested
4 copy thereof in Town Hall and in every precinct in
5 the town. Signed by the Constable Ron Braga.

6 Mr. Clerk, I ask that the warrant become
7 an official part of the record for the meeting.

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

11 FROM THE FLOOR: So moved.

12 THE MODERATOR: All those in favor
13 signify by saying aye.

14 [Aye.]

15 THE MODERATOR: All those opposed no.

16 [None opposed.]

17 THE MODERATOR: The ayes have it
18 unanimous.

19 At this time the chair would entertain a
20 motion for all Town employees who are not residents
21 of the town to speak on any article before the
22 Special Town Meeting.

23 FROM THE FLOOR: Moved.

24 THE MODERATOR: So moved.

1 All those in favor signify by saying aye.

2 [Aye.]

3 THE MODERATOR: All those opposed no.

4 [None opposed.]

5 THE MODERATOR: The ayes have it
6 unanimous.

7 At this time I recognize the Planning
8 Board for notification of public hearing.

9 MR. DREYER: Mr. Moderator, my name is
10 Paul Dreyer, precinct 2, Town Meeting member and
11 Clerk/Secretary of the Planning Board.

12 In accordance with Chapter 40A, Section
13 5, Massachusetts General Law, and Article 43 of the
14 Falmouth Zoning Bylaw, a public hearing was held on
15 October 20th, 2015 on Article 3 for the Fall
16 Special 2015 Town Meeting and all those who wished
17 to speak were heard.

18 THE MODERATOR: Thank you.

19 So, no blanket tonight. There's three
20 articles on the Special Town Meeting.

21 So we'll start with Article 1.

22 Madame Chairman for the main motion.

23 CHAIRMAN VOGEL: Mr. Moderator, I move
24 Article 1 as recommended.

1 THE MODERATOR: As recommended. This
2 is to vote to appropriate and transfer the sum of
3 \$200,000 from Certified Free Cash into the Energy
4 receipts Reserved for Appropriation Account.

5 Discussion on Article 1.

6 Mr. Moriarty.

7 MR. MORIARTY: Good evening, everyone.
8 Dave Moriarty, precinct six.

9 I'm opposed to this article for several
10 reasons. I don't think we should spend another
11 hard earned dollar of a Falmouth taxpayer on this
12 failed project, and I think it's the Mass. Clean
13 Energy's responsibility to absorb any losses that
14 are incurred by the turbines being shut down. So
15 I urge that we vote this thing down and don't give
16 them another dime.

17 Thank you.

18 THE MODERATOR: Mr. Latimer.

19 MR. LATIMER: Richard Latimer, precinct
20 one.

21 Mr. Moriarty expresses concern for the
22 taxpayer, and then he says that the state of
23 Massachusetts Clean Energy Committee should pay for
24 this. Where does he suppose that the state is

1 going to get the money? It's going to get it from
2 the taxpayers. Everyone in this room and everyone
3 in the whole state. To solve the problem that is
4 - maybe it is a problem for a handful of people.
5 That is bad public policy. That is bad fiscal
6 policy.

7 I suggest we vote this article to give
8 the Selectmen the tools they need to keep what we
9 have, not lose what we have in promotion of sound
10 clean energy policy and not spend money to come up
11 with nothing. Which is what Mr. Moriarty is
12 suggesting that we do. Taxpayer money. To come up
13 with nothing. Thank you.

14 THE MODERATOR: Okay, further
15 discussion? Yeah, in the center.

16 MR. COOK: Peter Cook, precinct six.

17 I read a couple of days ago, Mr. Suso,
18 you had put on the Town website the affidavit that
19 you had given giving the history and the money
20 spent for the Town turbines.

21 About a month ago I sent an email to the
22 Town Manager's office and the Board of Selectmen,
23 asking for before we vote on any more money, as a
24 fiscally responsible project we should be

1 indicating exactly, in a spreadsheet, what the
2 expenses are in this project, what the outgo is
3 from this project, and that includes legal fees and
4 everything, before we actually are authorizing more
5 money.

6 I'm in total support of clean energy and
7 support climate change, but as a Town Meeting
8 member I'm supposed to be voting on something and
9 know exactly now the money has been spent.

10 I found the affidavit very interesting.
11 It had a lot of good information, but it didn't
12 really paint a clear picture as to where these
13 devices are financially. Thank you.

14 [Pause.]

15 THE MODERATOR: Yeah, we're going to
16 actually have a presentation and I'll add you to my
17 list.

18 MS. PETIT: Good evening.

19 Slide one, please. Thank you.

20 This information was presented to the
21 Board of Selectmen and was on a handout for the
22 precinct members for the precinct meeting. So I'm
23 just going to go over the information that was
24 presented.

1 When we looked at deficit, you know, what
2 would a six months shutdown of Wind I be, we looked
3 at estimated revenue and a refund payment that we
4 would owe to the Mass. CEC and a six month loss of
5 NSTAR revenue, and we looked at the deficit around
6 169 to 212. So, around 200,000. The policy from
7 the Board of Selectmen and the Town Manager is to
8 fund, you know, a six month deficit into the
9 Receipts Reserved for Appropriation Account.

10 Next slide, please.

11 This was another part of the handout that
12 was given to precinct members. So, if you look -
13 people were asking what would the expenses be. In
14 your warrant booklet you vote every year on the
15 annual budget. It's under Renewable Energy. It's
16 the line item in the warrant booklet, and that's:
17 \$187,931 goes to the Vestus contract for the
18 maintenance of the turbines. Approximately, for
19 electrical equipment inspections, around 11,000.
20 For insurance, it's 50,000. For cable, phone and
21 software support, it's around 10,000. And the
22 debt service is about 400,000. And the cost of
23 electricity provided to the Wastewater Treatment
24 Facility is about 120,000, which is behind the

1 grid.

2 And I just want to explain that these
3 numbers aren't in just one place. There are - you
4 have to pull them out of the budget, because I know
5 people will ask, "I want to see it". And it's
6 not: a push of a button, it all comes up. We have
7 to pull them out of different parts of the budget
8 and I just wanted to explain that.

9 But this is what we looked at, is
10 estimates, when we were looking at operating
11 expenses.

12 Next slide, please.

13 So the total estimated revenue is about
14 212,000 to 168. And the estimated expense, which
15 you just saw, is 787,000. So the operating deficit
16 would be about 570,000.

17 And I just want to note, too, that in
18 your Town Meeting warrant booklet in April, when we
19 look at the budget, we do transfer that amount of
20 debt service from the Receipts Reserved from Energy
21 Account into the Operating Budget for the debt
22 service. So that's clearly, you know, every year
23 you can see, you know, what that debt service is.

24 And next slide, please.

1 FROM THE FLOOR: [Inaudible.]

2 THE MODERATOR: Yeah, could you just
3 read the red number off again.

4 MS. PETIT: Yeah, it's -

5 THE MODERATOR: 574 -

6 MS. PETIT: - yeah, 574,873 to 638,513.

7 I apologize for the red. We were trying to show
8 that it was in the red. It should be a darker
9 red, so I apologize for that.

10 THE MODERATOR: Okay. So, next on my
11 list, Mr. Shearer.

12 Thank you, yeah. Mr. Shearer, you were
13 next on my list. Oh, the other Mr. Shearer, okay.
14 I knew I wrote Mr. Shearer down.

15 MR. SHEARER: Douglas Shearer, precinct
16 6.

17 Over the last couple of weeks I've been
18 asked by many people, both in my precinct and town-
19 wide, how I was going to vote on this article, or
20 these articles. So, and quite honestly, until
21 probably last night I really hadn't made up my
22 mind.

23 A brief history on how I got to where I
24 stand now. I am a new Town Meeting member. I

1 had left the Town of Falmouth, my home town, about
2 ten years ago under circumstances that weren't the
3 best. I was kind of resentful and very spiteful,
4 as we talked about last night a little bit. And
5 because of that I moved to the Town of Bourne. And
6 to do my part I joined the Planning Board in the
7 Town of Bourne.

8 One of the very first projects that I had
9 the privilege - or maybe it was karma - to deal
10 with was a wind turbine issue. I fought very
11 hard, because I believed in that applicant's
12 property rights and their ability to put up a wind
13 turbine. That project was voted down 5 to 2,
14 myself being one of the minority voters for it.

15 It was a learning lesson for me. I
16 believed in green energy, I still believe in green
17 energy. I thought they had every right to put up
18 a wind turbine where they wanted to put it up.
19 They didn't get that opportunity.

20 Shortly, a year or two after that,
21 another project came before our board and that was
22 proposed by a couple of Falmouth residents. It's
23 a great project, the board actually thought it was
24 a wonderful thing. There was only one problem:

1 every person against it came in loaded for bear
2 with "We can't do this because of you've seen
3 what's happened in Falmouth." Over and over and
4 over again, project after project in Bourne was
5 shot down, given up, taken off the drawing board
6 because of Wind I.

7 Doing my due diligence, I've spent many
8 of hours sitting under there, under that turbine,
9 driving through the neighborhood, trying, reading
10 endlessly about health effects, flicker, shadow, on
11 and on and on. All of which you've all heard
12 about more than enough already.

13 I truly, truly believe green energy is a
14 wonderful thing. It's much better than most - wind
15 turbines are much better than most other green
16 energy opportunities.

17 However, when you do something, you need
18 to do it correctly, by the board, above board, and
19 you need to have the trust of the people, the
20 understanding, a financial game plan. And, as we
21 have heard and as you guys are so tired of
22 listening to, not all of that has happened over the
23 past few years.

24 As a couple other Town Meeting members

1 have asked us to turn to page two in our booklet, I
2 wrote them down for you so you don't actually need
3 to. Even though they're not numbered, the third
4 one down says "What will it ultimately cost us?"
5 We still do not have that answer. We may never
6 have that answer.

7 The fourth one down, "How will it affect
8 our basic liberties?" For most of us, it's not
9 going to make any difference at all. For a few of
10 us, it will. Again, like I said, I fought very
11 hard for wind turbines in my past. I'm not sure I
12 fully believe all the studies on or I've had plenty
13 of experts tell me that there aren't health
14 effects. Some tell me that there are. That's
15 for the experts to decide; it's way above my pay
16 grade.

17 The fifth one down says "Is it in the
18 best interests of all?" I think I just answered
19 that question.

20 And lastly, "Does it square with my moral
21 convictions?" Well, at this point I would love to
22 see turbines that are operating properly, put up
23 properly, in the right areas, for the right
24 reasons. Do we have that? Again, it's for you

1 guys to decide. I've already made up my mind for
2 myself.

3 Just talked about resentment and spite,
4 which were personal feelings of mine. I believe
5 we all have an issue of trust that we also have to
6 deal with. Even last night, which may be the
7 catalyst for my decision on how I vote for the next
8 three articles, trust lately in the Town of
9 Falmouth is a sore subject, I think. I have a list
10 here of the examples I was going to use tonight on
11 what they were. That doesn't do us any good, it
12 just adds fuel to the fire, so I'm going to skip
13 over that part.

14 We have gotten to the point where I
15 believe - but it's tabled, so I'm not really sure
16 yet because we don't have a required report on what
17 our litigation costs are going to be, but I'm just
18 going to assume because no one's told me otherwise,
19 that the 350,000 of litigation in a previous
20 article is for wind turbines. Another 200,000
21 here. Ongoing, ongoing and ongoing.

22 So, I want everybody - it's my opinion,
23 it's my vote - you make up your own minds. Even
24 though I believe in green energy, I believe in the

1 right to have them up there, and I sure don't like
2 wasting tax money. And I sure don't want to see
3 additional monies added to my tax bill. But,
4 enough is enough. Truly, enough is enough.

5 Thank you.

6 THE MODERATOR: Mr. Dick.

7 The article 8, with the legal fees and
8 the report, we do have copies of the report on the
9 stage in front of me. So we'll deal with that
10 after the break. So, folks that want copies may
11 want to review that during the break; you can pick
12 up a copy up on the stage.

13 Mr. Dick.

14 MR. DICK: Good evening. It's nice to
15 be back from a temporary retirement from Town
16 Meeting. My travel schedule has kept me in the
17 air and away too much, so I had to resign my
18 position because if you're going to be a Town
19 Meeting member, you'd better be there.

20 I came out of retirement tonight to speak
21 against this article and the other articles that
22 follow.

23 I have many times stood up in this
24 meeting and championed the underdogs, the place

1 where the housing lot was going to be turned over
2 for a very good reason, but in a very inappropriate
3 place for cranberry growing, because it's important
4 to the Town and culture. And every time I feel
5 like I run up against people who have very good
6 principles, who are really interested in the right
7 thing. And it's a frustration to me that it's
8 hard to find balance. And for some people, it's
9 very hard to find balance.

10 I'm a believer in clean energy. I voted
11 for these windmills as a Town Meeting member and I
12 feel I was misinformed. I feel that Town Hall did
13 not do due diligence.

14 I recently read the full lawyer's brief
15 on this from one of the hearings, and I was
16 appalled. I was appalled at what had happened in
17 Town Hall, and I was appalled with this proceeding.
18 I wish everyone in this room could read those
19 briefs, they'd be equally appalled.

20 One of the things about principles is
21 that it often causes one to override concerns about
22 human suffering. And that's a tragedy.
23 Indifference to the suffering of others is really a
24 terrible thing.

1 Now, I know these people, many of them.
2 And I have watched them in their lives and what a
3 horrible time they've had. And if you think it's
4 expensive for the Town to fight for the windmills,
5 think of what it's costing these people out in East
6 Falmouth to fight this.

7 I am totally unaffected by these
8 windmills, but I'm deeply concerned about what kind
9 of town we are. What kind of town we are. And I
10 say that how we treat our citizens is key. And I
11 say indifference to human suffering is terrible.
12 And I urge you all to think about the old joke
13 about the lawyer and the judge watching a hanging.
14 And the judge said, "She really shouldn't have been
15 hung, but it was a matter of principle." And the
16 lawyer replied, "Your principle, Your Honor, his
17 life." So, please vote against this.

18 THE MODERATOR: Mr. Heath.

19 MR. HEATH: Austin Heath, precinct 8.

20 At our precinct meeting I said to support
21 this I'd need hard figures. They haven't come.
22 Year after year we vote deficits to make up what
23 we're not making. But many of those deficits came
24 from the order that we had to limit the hours of

1 operation.

2 When this was first presented, and I
3 remember this distinctly, we were told that these
4 windmills would have a 38 percent efficiency. I
5 have friends that were in the utility business, and
6 they said they didn't believe it.

7 What we have never seen and what I asked
8 for in the meeting is actually income and expense,
9 operational figures, both on what we've actually
10 gotten over the years, each year. Are these making
11 any money? And that includes debt service. And
12 even if you raise those figures to account for 24/7
13 operation, would we ever make any money out of
14 these? Because it makes a big difference of
15 whether if we've got a problem that we cannot solve
16 operationally no matter what we vote, or whether or
17 not it's time to just say we made a mistake, and
18 start working to how we reduce or meet the expenses
19 incurred.

20 I had my own business for quite a few
21 years. But when I went into that business - and
22 it was my money - I found that if you make a
23 mistake, the best thing you can possibly do is
24 admit it right away and then see where you go from

1 there.

2 I don't think - I'd like to see the real
3 figures before I vote for any more money on this.
4 And we don't even get them. What is the
5 efficiency rating? What are we getting for a rate
6 as opposed to the alternative rates? Can we ever
7 make any money on this, no matter what we do?

8 Thank you.

9 THE MODERATOR: Mr. Putnam.

10 MR. PUTNAM: Thank you, Mr. Moderator,
11 Brent Putnam, precinct 9.

12 I'm going to echo what Mr. Cook and what
13 Mr. Heath have said. This body has two primary
14 responsibilities. One is to vote and approve
15 bylaws, and the other is budgets and money.

16 And what we're lacking tonight -- and I
17 appreciate what Ms. Petit put up there this
18 evening, but first of all I couldn't read the red,
19 either, even from my angle. And I'm not even sure
20 were those numbers for six months, for one year?
21 There was no time frame associated with the numbers
22 that were put up there.

23 THE MODERATOR: It said six months at
24 the top of the slide.

1 MR. PUTNAM: Did it?

2 THE MODERATOR: Yeah. Put the slide
3 up.

4 MR. PUTNAM: My apologies. I may have
5 -

6 THE MODERATOR: Why don't we leave the
7 slide up, so they can see the numbers while we're
8 debating this.

9 MR. PUTNAM: But there's something
10 missing from this and that is, as the last several
11 speakers have mentioned, is the overall numbers.
12 We keep coming back here, being asked for more
13 money, for more money, for more money. And, as
14 many of you know, I was a little bit closer to
15 this, having been a Selectmen myself throughout
16 much of this process, and I know for example that a
17 lot of our legal expenses are being covered by our
18 liability insurance, our liability carrier. But
19 there's still money coming out of our pockets, and
20 frankly at this point I'd like to see a complete
21 accounting of where everything has gone and where
22 we're going with this. Because there comes a
23 point in time when you've really got to cut your
24 losses. You know, the old saying, "Fish or cut

1 bait", because we're going to keep throwing money
2 at this.

3 For most of us in this room, we can go
4 home and we're not going to really have any vested
5 interest in whether those turbines spin or they
6 don't. And we can talk about global warming, we
7 can talk about air pollution, we can talk about all
8 the benefits of wind turbines, but all of that is
9 sort of ethereal. It's not a direct benefit that
10 any of us can see or touch or taste, and so it
11 really doesn't matter to us. When we go to bed,
12 it's going to be outside of our minds. But the
13 neighbors who live there, Folks, these turbines are
14 still there, they're still in their minds. And
15 regardless whether there's one study that says that
16 they're beneficial or one study that says they're
17 not, regardless of whether we believe that it's in
18 their heads or whether it's real, it's real for
19 them.

20 And they're going to continue to fight
21 this. They'd been fighting this when I was a
22 selectman, they're fighting this now and I'm not a
23 selectman. They have a vested interest in this,
24 ladies and gentlemen, that most of us don't. And

1 they, as just pointed out, they're continuing to
2 spend their own money and their own energy and
3 their own time to fight this, and guess what?
4 They're winning.

5 When I was on the Board, we were given
6 legal advice and, quite frankly, looking back on it
7 -- because hindsight always is 20-20, isn't it --
8 we were told, "No problem, slam dunk", and then we
9 lost. "Oh, no problem, slam dunk", and then we
10 lost. And then we lost and then we lost.

11 And right now, Folks, we're looking at
12 several articles here that are asking us to spend
13 more money. One article that's asking us to
14 retroactively rezone the property so we can win a
15 battle that we've lost. This is really getting
16 comical, if not, as one recent writer pointed out,
17 absurd.

18 Mr. Moderator, I move that we table this
19 until we get a full accounting of what we're
20 spending and what we're getting out of this.
21 Because quite frankly the state is subsidizing
22 this; I know that. We all know that. Those
23 things are spinning to satisfy somebody's ego at
24 this point.

1 We're paying for it, Folks; as Mr.
2 Latimer said, it's coming out of pockets one way or
3 the other, but the question is are we going to
4 continue to fight the neighbors - because we're
5 going to pay that way - or we're going to
6 reconsider this whole situation. Which is why I'd
7 like to have the numbers, so I can see whether it's
8 worthwhile fighting, or just call it quits and move
9 on.

10 Thank you for your time.

11 [Applause.]

12 THE MODERATOR: Okay, now, the question
13 to table, we have to take an action on every
14 article before we can adjourn and dissolve a
15 meeting. And we've only got three articles on
16 this warrant. So this is going to require a two-
17 thirds to table it, but we can't adjourn the
18 Special Town Meeting until we've taken action on
19 all the articles. Okay?

20 So, the question comes on tabling this
21 article. All in favor say aye.

22 [Aye.]

23 THE MODERATOR: All those opposed no.

24 [No.]

1 THE MODERATOR: The opinion of the chair
2 is that the no's have it and my next one is Mr.
3 Wilber.

4 MR. WILBER: Good evening, everybody.
5 My name is Jude Wilber; I'm from precinct 8.

6 And, you know, I really like Town
7 Meeting. I really like Falmouth's Town Meeting
8 because it's one of the last holdouts of
9 representative democracy at this scale anywhere in
10 the country. You know, it really is. And I would
11 hate to see it dissolve because of issues like
12 this, where people just can't seem to come together
13 and make a decision.

14 This one's particularly sticky because
15 here we're running up against principles on one
16 side and money on the other side. Okay? And
17 that's a hard one. That's a hard one.

18 And, you know, I've been watching this
19 like many people. I thought Mr. Shearer's
20 presentation was very enlightening. I've been out
21 there; I've talked with the people. I was on one
22 side, then I was on another side. And now, as you
23 can see, I'm standing in the middle.

24 [Laughter.]

1 MR. WILBER: But, but - haha. I just
2 want to point out that this is difficult. This is
3 a difficult thing, and it's been made more
4 difficult over the years by I think a lack of --
5 can I say this? -- a willingness to compromise.
6 And at the point we're at now, I don't think it's -
7 I think the principle is all wrong to try to retro
8 - retro-zone an area to make something that is
9 already there legal.

10 I know it's going to cost money, but the
11 sooner this is taken care of in some sort of a
12 fashion that does not compromise the principles of
13 the town and this Town Meeting, then that's what
14 I'll vote for. Thank you.

15 THE MODERATOR: Okay, Mr. Hargraves.

16 MR. Hargraves: Good evening. Peter
17 Hargraves, precinct 9.

18 I have a question for the financial
19 director. If we could get to the page that
20 summarizes all the information about revenue and
21 expenses. Maybe it's a page or two beyond this.
22 Another one.

23 Didn't you have one with everything on
24 the same page, Jennifer?

1 THE MODERATOR: The last slide, I think
2 it was.

3 MR. HARGRAVES: So, my position and
4 point of view on this, personally, has been guided
5 by an assumption that under the right conditions we
6 could eventually make some money on running the
7 turbines. And I realize that the revenue there
8 reflects 12 hour operation and so the revenue is
9 maybe half of 24 hour operation and there's a
10 penalty perhaps because of curtailed operation.

11 So, am I right in assuming, just to
12 settle once and for all, if we ran the turbines
13 24/7, would the revenue exceed the expenses and so
14 would it be a positive cash flow?

15 THE MODERATOR: Who's the best one for
16 this? Ms. Petit?

17 MS. PETIT: I think it was about - -
18 wait a minute - a year or two ago, there was a
19 presentation to the Board of Selectmen that - I was
20 involved in putting the information together but I
21 wasn't involved in the overall presentation, and it
22 is on the website. And there's different scenarios
23 of estimated revenue if you run it 24/7, 16 hour
24 operation, 12, and those are estimates that were

1 prepared with a consultant. Because, you know,
2 when it's more windy it'll generate more money.

3 So, that's really where all that
4 information is. There's different - different
5 scenarios on different hours of operation. It's
6 on the website. I don't have it at my fingertips.

7 MR. HARGRAVES: So, is the short answer
8 then that there are conditions under which they
9 would make money? Because if - if under any
10 condition -

11 THE MODERATOR: I think we have an
12 answer to that.

13 Mr. Chairman.

14 CHAIRMAN JONES: I haven't looked at the
15 numbers recently, but my recollection is 24/7 they
16 would make money. At about 18 hours, seven days a
17 week, it was about a break-even. And at 12 hours,
18 seven days a week, it was a loss.

19 MR. HARGRAVES: Thank you.

20 So, the comment I'd like to make, and
21 it's a little different point of view than some of
22 what we have heard so far. And frankly I had
23 second thoughts about getting up here. And I'm
24 embarrassed to say that because this should be a

1 safe environment. But anyone who's read their
2 email over the last two weeks and sees what's been
3 flowing on this issue might share some concern and
4 trepidation about speaking on the wrong side of
5 this issue.

6 And I'm basically supportive of it if
7 it's a money-making proposition. And the reason
8 for that I guess is because there were some
9 decisions made - there are all kinds of
10 insinuations about our appointed and elected
11 officials and others, but until malfeasance or
12 criminal behavior is proven or until someone is
13 accused, my assumption is that everyone was acting
14 in their - in the best interest of the Town and
15 performing their function in a, you know,
16 professional manner, when these decisions were made
17 and the turbines were installed. In spite of the
18 emotional arguments on both sides of those issues.

19 And to think about it as raising your
20 kids. You look back and you say, "Gee, I wish I
21 hadn't", or "I wish I had", but you do the best you
22 can at the time and you can't turn the pages back.
23 And part of the problem we're having here, I think,
24 is that we keep trying to turn the pages back and

1 re-visit decisions that have been made, and we have
2 to get into a mindset that we're in this place
3 today and we have to move forward.

4 The second thing I'd like to add is I'm
5 kind of disappointed with Town Meeting as a whole,
6 because when I joined up I -- being elected, my
7 understanding from the training I got was this is a
8 representative Town Meeting. The 27 members of
9 precinct 9 stand up for 3,000 voters in precinct 9.
10 And I have several colleagues here who were against
11 running the turbines and they said, "Gee, we almost
12 took 'em down, you know? It was 63 to 37," or
13 whatever it was. But it went to the ballot, and
14 guess what? The citizens of Falmouth said, you
15 know, more than two to one majority, "We want to
16 run them." And I thought I was here to do the
17 bidding of the citizens of Falmouth. And yes, my
18 personal point of view and values gets folded in,
19 but frankly, I'm supposed to be representing those
20 people who voted out there in the ballot box.
21 And so I think Town Meeting should scratch their
22 chins and wonder if they're not standing on their
23 own personal platforms, or if they're truly
24 representing the people who put them here.

1 And frankly, you know, I stand here with
2 some trepidation because of what I told you about
3 the email messages. But I, you know, I don't
4 believe that democracy should be driven by fear and
5 intimidation and name-calling, so I choose to make
6 this statement. And if this is a viable financial
7 proposition, I stand for the article 2, which says
8 that we have to figure out how to make it as such.

9 I do not vote that I support the people
10 who want to cut off the funding if we don't have
11 the courage to execute. The people of Falmouth
12 have already given us the vision. They say, 70-
13 30, "Run the turbines". The leadership
14 responsible for implementing that vision has not
15 had the courage to do it, because the tools are at
16 their disposal.

17 And, irrespective of everything that's
18 gone on in court -- which is a bunch of hand
19 wringing. So I would say, you know, we should
20 treat everyone fairly and with sensitivity, but
21 understand that not everyone is going to be a
22 hundred percent satisfied in a democracy. And 70-
23 30 wins in any democracy that I'm aware of.

24 So, thank you for listening.

1 THE MODERATOR: Mr. Smolowitz, Mr.
2 Smolowitz.

3 [Applause.]

4 THE MODERATOR: Let's go. I've got a
5 growing list, but let's let the folks speak. Go
6 ahead.

7 MR. SMOLOWITZ: Ron Smolowitz, precinct
8 8.

9 I'm just interested in talking about the
10 money aspect of this thing. Back in the Special
11 Town Meeting in July, 2009, when we voted for Wind
12 II, a few of you might remember it was myself and
13 one other person that spoke out against this wind
14 turbine. And it was strictly on a financial
15 standpoint.

16 I had said to Town Meeting at that time
17 and on numerous occasions before, that it would
18 have been better off going with the 600 kW turbine
19 and the million watts of solar. Because the
20 numbers didn't make sense to me. The financial
21 numbers did not make sense.

22 But, Town Meeting in its wisdom voted for
23 green energy of this particular nature, put up the
24 turbine and now it's up.

1 So now I have to re-evaluate the
2 situation.

3 I'm really disappointed at the group up
4 there because you're not doing a real good job of
5 presenting the information. Saying, "Oh, it's on
6 the website". You mean you didn't come prepared
7 to present the information that that turbine, if
8 it's running 24/7, those two turbines will produce
9 somewhere between 200 and 300,000 dollars, and as
10 the debt service goes down they'll be producing
11 \$500,000 a year in revenue, net revenue? And you
12 haven't presented what it would cost to take them
13 down, which is a part of the economic situation.
14 You're really not doing your job. You're not
15 explaining the economics of the situation that
16 we're in. Forgetting all the other issues.

17 So, I - I mean, you haven't even
18 presented - there's another similar turbine, a
19 third turbine up there, and it's production and
20 it's dollar value is available online. Anybody
21 could go and see what these things can produce.
22 And, yeah, I think I was right. We would have been
23 much better off going solar. Again, economically.
24 It would have produced more money because of the 50

1 cent RECS, which were not taken into the
2 calculation in 2009.

3 So we're in a particular situation now.
4 But financially, again, just looking at the
5 financials, it makes more sense to run those
6 turbines and - and hopefully the maintenance
7 contract will hold up and we're not going to get
8 what I worry is major maintenance and repair costs
9 that don't get covered. But, if we believe in
10 these numbers, these are going to produce profit.
11 They're not going to cost us. And right now,
12 that's the choice from a financial standpoint.

13 And I'm not going to talk about the other
14 issues. But, financially, it makes sense to vote
15 yes in this, and financially it makes sense to keep
16 them running. And I wish you people would defend
17 these things instead of just sitting up there.

18 THE MODERATOR: Mr. -- are you going to
19 respond to the question? Okay. Okay, go ahead
20 and then Mr. Potamis after.

21 Mr. Chairman.

22 CHAIRMAN JONES: Thank you, Mr.
23 Moderator.

24 I'd like to clarify what this article is

1 asking for. This is a response to an Operating
2 Budget that we put forward last year that was
3 expecting in the neighborhood of \$200,000 in income
4 to be able to balance our budget. Due to the cease
5 and desist order put out by our Board of Appeals,
6 we know that we are not going to be making the
7 income that we need to be able to balance our
8 budget, and so we're coming to Town Meeting to be
9 able to balance the budget by replacing the income
10 that we are not making with the \$200,000 from Free
11 Cash.

12 Concerning the other figures about how
13 much money these turbines could make, we've seen
14 those figures for the past four or five years. On
15 this article we did not feel it was necessary to
16 make those presentations because all we're talking
17 about is making sure that we're replenishing funds
18 that we were expecting for income. That's what
19 this article is about. It is not - this article
20 is not about running them, taking them down. It
21 is merely about making sure that we have a line
22 item to be able to make sure that we have a
23 balanced budget for this year.

24 THE MODERATOR: Okay, Mr. Potamis.

1 MR. POTAMIS: Gerry Potamis, precinct 2
2 and also the Wastewater Superintendent.

3 I thank the Chairman for going over that
4 this is a fiscal article. And this is a fiscal
5 decision. The other two articles we can debate,
6 but as one that has lived through a lot of this, I
7 can assume you all these things have been answered
8 and answered and answered.

9 As far as the efficiency of the turbines,
10 these are one of the most efficient turbines that
11 Vestus makes. This is not me speaking, this their
12 technical people. It doesn't mean we're making 33
13 percent of interest - or 38 percent. I remember
14 33 and I think the number could be 30 percent.
15 It's how you measure energy and the energy of the
16 mechanical equipment, and I don't want to get into
17 the physics because I'd probably not get it right.

18 As far as money, we don't get a dime
19 until the courts, not the ZBA, until the courts
20 tell us to take it down. We're hanging out there.
21 If we don't try to deliver money -- and some people
22 may say, "It's a waste of money". I never thought
23 defending oneself in the court is a waste of money.

24 I'm also glad someone brought up about

1 the hearing in front of the ZBA. We should all be
2 diplomats, not that I'm high on the list of being
3 one. But I try, and I know when I fall short.
4 Which is often. But one of the things I see with
5 the hysterics from the attorneys is the fact that
6 people don't want to compromise. We spent a year
7 in the wind turbine operations. No compromise.
8 It came at a Zoning Board of Appeals meeting that
9 the offer was made and counter-offered and one of
10 the gentlemen in the litigation said, "I don't want
11 to take it." His attorney in open meeting said,
12 "That's not true." We have his client and we have
13 the attorney. Who do you want to believe?

14 I would like to get back to what the
15 chairman said. This is about fiscal
16 responsibility. Legislators have fiscal
17 responsibilities. We all have morals and we all
18 have principles, and you can read the Bible if you
19 want and you can get anything out of it you want.
20 I daresay we're all principled; no one wants to
21 hurt our neighbors. But there's no clear cut if
22 we're harming anybody. There's differences of
23 opinion.

24 The courts will settle it.

1 So I think let's have the debate and
2 hopefully I won't have to get up, but let's have
3 the debate on the fiscal responsibility that the
4 Town owes this money. You may not like it, but if
5 you're a businessman or you pay your bills, you pay
6 your bills and then you try to resolve the issue.
7 And the resolving of the issue is diplomacy and
8 compromise. Thank you.

9 THE MODERATOR: Ms. Lichtenstein.
10 Stand up so they know who you are.

11 MS. LICHTENSTEIN: I had a letter in the
12 Enterprise last week. We did vote, the Town, and
13 two-thirds of the people voted they wanted to keep
14 them up.

15 We have been trying to reach a
16 compromise. I don't think there's a compromise
17 here, Folks. And I think a lot of the people that
18 voted might have voted differently if they knew
19 that there wasn't a compromise.

20 We really have two options. We can shut
21 them down, or we can take the property by eminent
22 domain, and remove the neighbors.

23 I'm all for green energy. I've been an
24 environmentalist all my life. I'm a biology

1 teacher. I personally don't think it's fair for
2 me to say, "Hi, neighbor, I'm beating you over the
3 head 24 hours a day." And you complain, and I
4 say, "Okay, I'm only going to do it 12 hours a day.
5 Now you should be happy." I don't think we can do
6 that.

7 We have to take the responsibility,
8 Folks, the whole town has to take the
9 responsibility. If you are willing to vote to have
10 the Town buy the properties, then we'll keep the
11 turbines running. If you're not willing to buy the
12 properties and move the neighbors out, then I think
13 we have to turn them off. Thank you.

14 THE MODERATOR: Okay.

15 Mr. Zweig.

16 MR. ZWEIG: Thank you, Mr. Moderator.

17 THE MODERATOR: And then we're almost
18 ready to do this.

19 Go ahead.

20 MR. ZWEIG: No, I was going to actually
21 say what Mr. Smolowitz said, but the total over
22 between 2015 and 2025, as calculated by the Town's
23 consultant, was close to \$4 million dollars in net
24 gain from the turbines over that period. I'll be

1 discussing this and other points in the next
2 article when it comes up.

3 Thank you.

4 THE MODERATOR: Mr. Rhodes.

5 MR. RHODES: Scoba Rhodes, precinct 8.

6 I've been sitting in this audience a
7 number of years, now, and we're beating a dead
8 horse. I - I suggest that we give me the
9 opportunity now to call the question and let's get
10 on what we need for some answers.

11 THE MODERATOR: Okay, the question
12 requires a two-thirds vote to close discussion.
13 All those in favor of closing discussion signify by
14 saying aye.

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [No.]

18 THE MODERATOR: It is the opinion of the
19 chair that the ayes have it by the two-thirds and I
20 so declare. The question has been called.

21 The question will now come on the main
22 motion as recommended, to vote to appropriate and
23 transfer the sum of \$200,000 from Certified Free
24 Cash into the Energy Receipts Reserved for

1 Appropriations Account. This is a simple
2 majority.

3 All those in favor, signify by saying
4 aye.

5 [Aye.]

6 THE MODERATOR: All those opposed no.

7 [No.]

8 THE MODERATOR: It's the opinion of the
9 chair that the ayes have it by the majority.

10 Yes, Mr. Oppenheim. Do we have a point
11 of order or something?

12 MR. OPPENHEIM: I'm Jeff Oppenheim,
13 precinct 2.

14 Before we enter into Article 2 I'd like
15 to present a motion. The motion is to limit the
16 debate to 90 minutes on Article 2 of the Special
17 Town Meeting, with proponents and opponents given
18 15 minutes to present their initial positions,
19 followed by alternating speakers for and against
20 the article, not to exceed five minutes in duration
21 each.

22 I don't believe that's open for
23 discussion.

24 THE MODERATOR: So it's 90 minutes total

1 and you said 15 opening. Fifteen minutes opening?
2 And five after that. So the 15 is the standard -
3 okay, you've got it in writing, good.

4 All right, the motion to limit debate
5 requires a two-thirds vote. This would do 90
6 minutes on the article, 15 for opening
7 presentation, one on each side, and each speaker
8 five minutes apiece. All those in favor of the
9 limitation of debate, signify by - yeah.

10 MR. LATIMER: [No mic:] I would agree
11 with this except -

12 THE MODERATOR: No, no, this is not a
13 debatable motion. Do you have a point of order?

14 MR. Latimer: Point of order.

15 THE MODERATOR: Yep.

16 MR. LATIMER: [No mic:] There's two of
17 us who are the proponents of Article 2. And each
18 one speaks for seven and a half minutes.

19 [Inaudible.]

20 THE MODERATOR: Okay, so, yeah, so your
21 presentation can be 15 total.

22 MR. LATIMER: Yes. [Inaudible.]

23 THE MODERATOR: Okay. Yes, we'll do
24 that for 15, and then you guys split it in half.

1 Perfect.

2 All those in favor, signify by saying
3 aye.

4 [Aye.]

5 THE MODERATOR: All those opposed no.
6 [No.]

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

10 [Pause.]

11 THE MODERATOR: In the third division,
12 Mrs. Long.

13 MS. LONG: 52.

14 THE MODERATOR: 52.

15 In the first division, Mr. Netto.

16 MR. NETTO: 47.

17 THE MODERATOR: 47.

18 In the second division, Mr. Dufresne.

19 MR. DUFRESNE: 68.

20 THE MODERATOR: 68.

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

23 [Pause.]

24 THE MODERATOR: First division.

1 MR. NETTO: 9.

2 THE MODERATOR: 9.

3 Third division.

4 MS. LONG: 2.

5 THE MODERATOR: 2.

6 Second division.

7 MR. DUFRESNE: 22.

8 THE MODERATOR: 22.

9 By a counted vote of 167 in favor and 33
10 opposed, the limitation will be placed on debate.

11 The chair would entertain a main motion
12 from the Chairman of the Board of Selectmen on
13 Article 2.

14 CHAIRMAN JONES: Mr. Moderator, I move
15 Article 2 as printed.

16 THE MODERATOR: If we can just hold a
17 second, here, we're making sure we have something
18 that goes down to the second.

19 [Laughter.]

20 THE MODERATOR: Okay. No, because we
21 have a minute clock up here. So, since we're doing
22 five minutes, we want to make sure we're -
23 excellent. There's an app for that, great. Thank
24 you. Ha, ha.

1 [Laughter.]

2 THE MODERATOR: Okay, so the main
3 motion as printed, and who will be making the
4 opening presentation?

5 Yes, Mr. Zweig.

6 MR. ZWEIG: Thank you, could you put up
7 my slide.

8 Thank you, Mr. Moderator, for the
9 opportunity to present in favor of positive vote on
10 Article 2.

11 FROM THE FLOOR: Can't hear you.

12 MR. ZWEIG: Oh, oh. Thank you, Mr.
13 Moderator, for the opportunity to present in favor
14 of a positive vote on Article 2.

15 Good evening, I am Ron Zweig; I live in
16 precinct one.

17 Slide.

18 The article reads as follows: to see if
19 the Town will vote to support the Board of
20 Selectmen's efforts towards maximizing the benefits
21 and thereby minimizing any financial burden to
22 Falmouth citizens from operation of the Town's
23 municipal turbines at its Wastewater Treatment
24 Facility at 154 Blacksmith Shop Road, West

1 Falmouth, Massachusetts.

2 The purpose of this article is to show
3 our town's support for the Board of Selectmen to
4 maximize the benefits and operation of our
5 municipal turbines.

6 There's already been discussion this
7 evening about the vote on May 21st, 2013 at a two to
8 one margin not to finance removal of the turbines.
9 One thing that has not been mentioned is that that
10 vote even included a 54 percent majority in
11 precinct 6, where the turbines are located, not to
12 take them down, or not to finance their taking
13 down. These citizens are the same as those who
14 elected us to represent them.

15 The removal of the turbines at that time
16 was estimated to be about \$10 million for
17 decommissioning and an additional \$15 million loss
18 by their offset of the purchase of electricity for
19 municipal purposes generated by them. Yes, a
20 whopping \$25 million cost to taxpayers of Falmouth.

21 We are now again faced with the threat of
22 the same burden of that crippling figure. From a
23 fiscal standpoint alone, without considering
24 environmental benefits, not to retain and operate

1 the turbines as planned will cause in real
2 financial terms an enormous hardship for our
3 townspeople and a certain reduction in services
4 they deserve: schools, public works, libraries,
5 police, fire and rescue, public safety, et cetera.
6 In fact, no reasonable plan has been put forward on
7 how to finance such an irresponsible action by the
8 proponents of turbine removal. How many town jobs
9 will be eliminated, families displaced and services
10 lost by such an action?

11 We also know issues have been raised via
12 the courts and Town boards by a handful of property
13 owners, eight of about 200 within one-half mile of
14 the turbines, or about 0.03 percent town-wide,
15 mainly over procedural technicalities and other
16 very questionable assertions over adverse impacts
17 by the turbines.

18 About 16 in total in that area have filed
19 written complaints with the Town in the past, eight
20 percent of the property owners, which amounts to
21 0.06 percent town-wide.

22 I do not have time this evening to delve
23 into all of the self-reported issues raised, but
24 will show the results of just a couple recent

1 scientific peer-reviewed analyses that challenge
2 the validity of those claims, especially as they
3 relate to health and real estate values. On
4 health, there is consensus among experts that the
5 perceived effects are specifically related to
6 NOCEBO, or psychogenic factors. And on real
7 estate values, as a direct indicator of well-being,
8 home sales within one-half mile of the turbines are
9 on par with sales across Falmouth and have
10 overwhelmingly exceeded their assessed values since
11 the turbines went up, with one sale 32 percent
12 above that value.

13 All such studies find no evidence - find
14 no adverse impacts on health and property values.
15 Here are a few recent pertinent studies.

16 Slide.

17 This is an October 19th, 2015 letter to
18 the Board of Selectmen and the Zoning Board of
19 Appeals from the Falmouth Board of Health on one
20 recent health study.

21 Slide.

22 What it says is this: "Dear Board
23 Members, in a letter dated September 5th, 2013, the
24 Board of Health recommended that the Board of

1 Selectmen consider changes to nighttime operation
2 of the two wind turbines at West Falmouth
3 Wastewater Treatment Plant based on concerns about
4 sleep interruption impacting the neighbors.
5 However, at that time, there was insufficient
6 evidence in the peer-reviewed literature to support
7 a health-based curtailment by the Board of Health.

8 "A comprehensive study of health effects
9 of the wind turbines has now been completed by
10 Health Canada, and accepted for publication,
11 entitled 'Wind Turbine Noise and Health Study'. We
12 encourage you to consider the conclusions in your
13 deliberations concerning the fate of Falmouth's two
14 wind turbines, and note that regulatory findings
15 based on health effects of wind turbines should be
16 supported by peer reviewed scientific literature."
17 Signed by all the members of the Board of Health.

18 Slide.

19 The study included A-weighted, that is
20 dB(A) low frequency and infrasound noise
21 measurements from wind turbines with over more than
22 4,000 hours of wind turbine noise measurements,
23 involving 1,238 households, most within 600 meters
24 or 1,968 feet to large turbines like ours. The

1 following were not found to be associated with wind
2 turbine noise exposure: self-reported sleep/general
3 disturbance, use of sleep medication, diagnosed
4 sleep disorders, self-reported illnesses,
5 dizziness, tinnitus, prevalence of frequent
6 migraines and headaches and chronic health
7 conditions, heart disease, blood pressure and
8 diabetes, and self-reported perceived stress and
9 quality of life.

10 While some individuals reported some of
11 the health conditions above, their prevalence was
12 not found to change in relation to wind turbine
13 noise levels.

14 At the bottom there's a tiny URL where
15 you can find this online at Falmouth BOH, and you
16 might take note of that because none of this has
17 been reported in the local media except on Falmouth
18 Patch.

19 Slide.

20 On real estate values, here's the 2014
21 statistically valid relationship between wind
22 turbines and residential property values studied by
23 the University of Connecticut and Lawrence Berkeley
24 National Laboratory.

1 Slide.

2 As can be seen, the study included
3 122,000 residential and real estate sales and
4 evaluated a wide range of impacts, beneficial and
5 adverse, on residential property values, including
6 some near Falmouth's wind turbines NRWTF:

7 Landfills, like the one in the vicinity
8 of our turbines; transmission lines; highways, such
9 as the one near our turbines; prisons; open space;
10 beaches; beachfront and operating wind turbines.
11 As you can see, the impact of the wind turbines is
12 negligible. Okay.

13 In the conclusion of the report is: weak
14 evidence suggests that the announcement of the wind
15 turbine facilities had a modest adverse impact on
16 home prices, but those effects were no longer
17 apparent after turbine construction and operation
18 commenced. That's what we're seeing here.

19 Slide. Please keep this slide, thank
20 you.

21 Options to remedy the challenge before us
22 should be as revenue beneficial as possible.
23 What's most critical is not to throw away public
24 funds and burden this town with debt in the short

1 term or possibly even for a generation. What's
2 probably well beyond our service to this body, with
3 no benefit to taxpayers, the Town has taken several
4 actions to try and resolve the matter, including
5 many months of effort -

6 THE MODERATOR: We're at 7:30, just so
7 you know.

8 MR. ZWEIG: What?

9 THE MODERATOR: We're at seven minutes,
10 30 seconds, just so you know.

11 MR. ZWEIG: Oh, okay, sorry.

12 All right. So we've already talked
13 about the wind turbine analysis process that came
14 to naught. And we already talked about the
15 litigant who was offered - made an offer to,
16 concerning a nuisance claim and rejected it. The
17 litigant made a counter-offer, the Town accepted
18 it, and then in court the litigant reneged on it.

19 Similarly, there was an -

20 MR. LATIMER: I'm going up.

21 MR. ZWEIG: Okay, I'm just about
22 finished. Okay -

23 [Laughter.]

24 MR. ZWEIG: - just about finished.

1 Okay, most of us, if not all in this
2 community, have compassion for those who claim to
3 be adversely impacted. We have made important
4 steps in this town through the leadership of the
5 Boards of Selectmen in the past toward more
6 sustainable renewable energy development and energy
7 efficiency actions and we need to continue that.
8 This cannot be reversed. While we -

9 MR. LATIMER: Well, let me cut to the
10 chase, here. Cut to the chase.

11 THE MODERATOR: Okay, Mr. Latimer.

12 MR. LATIMER: Ron has adequately
13 described the doubts that many of us have about
14 these adverse effects. It's not a clear-cut case
15 that these exist. But what this article does, it
16 assumes, okay, these people have a grievance.
17 We're giving them that; there is a grievance there.

18 The question is: how do we address that
19 grievance in a rational way, in a way that is fair
20 to the taxpayers, in a way that is also fair to the
21 people who claim to have the grievance. That is
22 the issue, here.

23 Because what we are told is, and the
24 reason Ron and I got involved in this, is we heard

1 that it was going to cost \$15 million to tear the
2 turbines down. That's \$15 million taxpayer
3 dollars, whether it comes from us locally or
4 whether it comes from us as state taxpayers through
5 the state, it's still \$15 million. That is a
6 waste of money. Why? Because we spent \$15
7 million for what? To get nothing. Zero.

8 Now, who, who, who among us thinks that
9 is rational?

10 The only benefit that we get from this is
11 some feel-good political result where a handful,
12 less than one percent of the citizens of this town
13 are going to get their satisfaction. These are
14 the people that have had a scorched earth policy of
15 pushing this, pushing this. Like Ron said, one of
16 the people was offered money. He said, "No." We
17 said, "Give us a counter demand." He gave the
18 counter demand, the Town said yes, he back out.
19 Who's driving that? Who - who - who got to him to
20 get him to back out of that?

21 There's other interests here besides
22 those people.

23 We spent \$15 million to tear the turbines
24 down. Now, there's a Latin word, a Latin phrase

1 called Cui bono. Who benefits from that? Well,
2 sure, the small percentage of people who live near
3 the turbines, they're going to benefit. Who else?
4 Well, the anti-wind industry out there.

5 Mr. Shearer was telling us about the
6 people who came to his board talking about this.
7 It wasn't just the local there, it was the anti-
8 wind industry. There are people out there making
9 money. And who are they serving? Not
10 necessarily neighbors and friends and neighbors in
11 this town. They're serving A, the fossil fuel
12 industry; B, companies like Eversource; and C, the
13 Koch brothers, yes. That's who they're serving.
14 Those are the people that really benefit.

15 Mr. Shearer says those people, the
16 opposition that he was getting in Bourne was,
17 "Well, look at Falmouth, look at what's happening
18 in Falmouth." Well, what do you think is going to
19 happen to green energy if we spend \$25 million to
20 tear the turbines down? Never mind the money, the
21 relatively small amount of money that we're going
22 to have to spend to do what this article proposes.
23 And what this article proposes is simply to enable
24 the Selectmen to authorize and direct them to

1 explore other alternatives. If we're going to
2 have to spend \$15 million, there are smarter ways
3 to spend it. We want the Selectmen to figure that
4 out and come back and report to us what that might
5 be.

6 Now, there's this bugaboo out there: oh,
7 it's a takings article. Well, that's the last
8 resort. There are steps short of a takings that
9 we can do. For example, we can negotiate
10 settlements. Cash settlements where people can
11 stay in their homes if they want to and they're
12 satisfied with a cash settlement. Or we can do
13 voluntary buy-outs. That's not a taking, that's
14 get them the place that they want and we get a
15 release.

16 Now, this article doesn't do any of that.
17 At this point it's just simply to authorize and ask
18 the Selectmen to go and explore these avenues, find
19 out what's going to be the most cost effective way
20 of dealing with this apart from just tearing it
21 down and doing great service to the petroleum
22 industry in this country, which is why we are
23 promoting green energy in the first place, is to
24 get off of our dependence on the petroleum

1 industry.

2 There's a saying: act locally, but think
3 globally. And for us to just spend \$15 million as
4 a handful of people want us to do to tear these
5 turbines down is, in terms of global policy, insane
6 and disastrous and ultimately it is fiscally
7 irresponsible. What we would be asking the
8 taxpayers to authorize us to spend \$15 million to
9 tear the turbines down when there would be other
10 alternatives that we should be exploring. And
11 that's what this article is for and I would suggest
12 that we say Yes to Article 2, ask the Selectmen to
13 do their job, which they are willing to do, and
14 come back to us. Thank you.

15 THE MODERATOR: The Chair wants to be
16 clear that the motion doesn't include a reporting
17 back requirement or anything. It's really a non-
18 binding resolution for them to maximize it. Okay.

19 MR. LATIMER: Yes -

20 THE MODERATOR: I just want to be clear
21 that's what -

22 MR. LATIMER: - it's a non-binding
23 resolution. It's just simply asking the Selectmen
24 to do this.

1 THE MODERATOR: Okay.

2 MR. ZWEIG: Do we have any more -

3 THE MODERATOR: You want to keep going,
4 yeah.

5 MR. ZWEIG: I just think that that one
6 more thing that's critical to realize -

7 FROM THE FLOOR: Can't hear you.

8 MR. ZWEIG: Oh, just one more thing
9 that's critical to realize is that, you know, we
10 have to look at what more can the Town do to
11 resolve this, basically. And what it comes down
12 to is that if we take them down, we're going to
13 affect the financial well-being or threaten our
14 public employees livelihood. You can't put faces
15 to those employees today, but as things progress,
16 if they were to be taken down, we're going to be
17 displacing people, we're going to be cutting back
18 on services. This is going to be a catastrophe
19 for the Town of Falmouth and for the people.

20 Many of those people may be sitting in
21 this room tonight, who may be losing their
22 livelihoods, so we have to look at a balance, here.
23 This is something that needs to be looked at and
24 resolved in a very fair manner that is reasonable

1 to all concerned.

2 Thank you.

3 THE MODERATOR: Okay, now who's going to
4 make the lead presentation opposed to this article?
5 Okay, yes, Ms. Fenwick.

6 MS. FENWICK: I'm Judy Fenwick, precinct
7 1. I don't have a PowerPoint presentation this
8 evening, and I will probably only speak for about
9 five minutes.

10 I'm just going to get my text up in front
11 of me, thank you.

12 So, what I want to talk about is finding
13 alternatives for moving beyond wind to solar, in
14 the context of this article as written, while we're
15 talking about minimizing financial burden to
16 Falmouth and supporting the Selectmen's efforts
17 towards maximizing those benefits.

18 In December, I'll attend the UN Climate
19 Conference in Paris as a registered observer. The
20 prospect is strong that, with this Climate
21 Conference will come a global accord for gaining
22 traction on this most critical issue. How do we
23 bring that back to Falmouth?

24 Climate change, climactic disruption,

1 global warming, all of these issues have been a
2 major concern of mine for decades in my
3 professional and personal life. So in 2004, when
4 Town management proposed renewable energy to run
5 the Wastewater Treatment Plant and to produce
6 additional electricity and income, I like many of
7 you was enthusiastic in support of. As a Town
8 Meeting member, a concerned citizen and a taxpayer,
9 I was supportive.

10 Both solar power and wind power were
11 discussed in those early stages, yet the Town
12 pursued only wind. With insufficient background
13 data, installation of industrial larger and more
14 powerful - excuse me, installation of industrial-
15 sized turbines without a permit, special or
16 otherwise, that were far larger and more powerful
17 than anticipated, and with no input for these
18 changes from the community, including the
19 neighbors, the project was flawed.

20 I, like many, was confused.

21 After several false starts to look
22 closely and factually at the turbine problem and
23 find a solution, the Board of Selectmen initiated
24 the wind turbine option process in 2012. It was

1 conducted independently by the Consensus Building
2 Institute and paid for by the state of
3 Massachusetts Clean Energy Center. The WTOP
4 included all stakeholders: neighbors, wind
5 proponents and individuals who looked at all
6 perspectives to find a balanced solution to end the
7 conflict. I served as one of the two individuals
8 in that last role. And it also included Town
9 employees, citizens concerned with property rights
10 and values.

11 The WTOP submitted a report in 2013 with
12 recommendations to the Selectmen. I do believe
13 that recently the Town Manager stated that the WTOP
14 never came to any resolution. We were not charged
15 with coming to a resolution, only to make
16 recommendations to the Selectmen.

17 The one option contained in that report
18 that could satisfy all stakeholders in this case
19 was Section 5.3, and that was entitled, "Removal of
20 the Turbines and Replacement With a Photovoltaic
21 Array". And that came complete with financial
22 analysis provided by Town and Mass. CEC
23 Consultants, showing the removal and solar
24 replacement could be accomplished for \$3.9 million.

1 And I would like to make sure that the current
2 Selectmen have all visited or re-visited that
3 report and are very aware of that section.

4 The Falmouth EDIC will put three articles
5 before our Town Meeting that propose a 5.3 megawatt
6 solar garden. And that would be on the capped
7 landfill and could potentially save the Town
8 \$200,000 to \$500,000 in reduced energy costs. This
9 project will keep the Town moving ahead with its
10 energy goals. And, when either by choice or by
11 legal directive the turbines stop operating, the
12 Town will already have in place a reliable
13 renewable energy source. Maybe not producing
14 quite as much energy as the turbines would if they
15 were running 24/7, but to me this is a good
16 compromise.

17 So, balancing global and local
18 perspectives in energy consumption and low cost
19 alternative energy development is almost an art
20 form. With the upcoming closure of the Pilgrim
21 nuclear plant, the push will be on to develop more
22 alternative energy sources with low or no emissions
23 in Massachusetts. We know in this state that
24 land-based wind project development is static. We

1 know that natural gas projects with lower emissions
2 and increased infrastructure will blossom. And we
3 know more municipal solar projects will come online
4 if the state lifts its current cap on net metering
5 to allow for greater solar energy development.

6 The combination of technology
7 development, scientific evidence, economic forces
8 and political realities are all in play, here.
9 The hard political reality for Falmouth is that we
10 need to get beyond wind, with all its messy moving
11 parts, both literal and figurative, and on to
12 solar.

13 THE MODERATOR: Okay, the limitation
14 motion asked for us to rotate speakers. So when
15 you get my attention that you want to speak, raise
16 your right hand if you're going to speak in favor -
17 [Laughter.]

18 THE MODERATOR: No, I'm serious, so I
19 can keep track of this.

20 You raise your right hand if you're going
21 to speak in favor, and raise your left hand if
22 you're going to speak opposed when you get my
23 attention to speak. Okay?

24 So, Mr. Putnam.

1 [Pause.]

2 MR. PUTNAM: Sorry. I looked up that
3 Canadian study to see what it said, and something
4 jumped out at me. It said: "The results may not
5 be generalized" - excuse me, Brent Putnam, precinct
6 9.

7 "The results may not be generalized to
8 areas beyond the sample, as the wind turbine
9 locations in this study were not randomly selected
10 from all possible sites operating in Canada." And
11 we can infer from that all possible sites operating
12 in the world. In other words, the study is only
13 applicable to what they studied, and everything
14 else is sort of irrelevant.

15 It was already stated and I'll state it
16 again. The Board did try to negotiate; the Board
17 failed. You all remember that straw poll we did
18 last night about should we have the meeting here or
19 should we have it at the high school. Everybody
20 voted in favor of it. And then Mr. Vieira said,
21 "Oh, by the way, Town Meeting rejected it years
22 ago." It's - the same thing applies to the myth
23 of that 2013 vote, ladies and gentlemen, because
24 yes, the Town voted two to one against it, but what

1 I heard after the vote were people saying, "I don't
2 want the turbines, but I don't want to pay to take
3 'em down." I had people telling me, "Why don't we
4 just let them stay there and rust and then we don't
5 have to take them down, we don't have to pay to
6 take them down."

7 There was a lot of misconceptions about
8 that vote, ladies and gentlemen, so to use that as
9 sort of a referendum to say that we need to keep
10 the turbines up because that's what the people
11 said, it really doesn't work very well like that.

12 And, to Mr. Hargraves' point, we are
13 elected to represent the people, not to parrot the
14 people. Democracy, ladies and gentlemen, is
15 flawed in that a direct Democracy is essentially
16 mob rule, and it is up to us as representatives of
17 the people to think through this carefully and
18 weigh all the facts as they are presented to us,
19 and not just take a straw poll and say, "What does
20 everybody think about this?"

21 I really don't know - I'm speaking, I
22 guess, in opposition to this article, but the point
23 is, is that it's a straw poll that we're talking
24 here, ladies and gentlemen, and I don't think it's

1 going to help us.

2 In 2013, when the Board of Selectmen put
3 that article here before Town Meeting and asked
4 that we put it in front of the town, the Board
5 looked down the road and saw what we're seeing now,
6 that it was not going to get any better, that it
7 was going to continue to cost us money, and yeah,
8 if we can operate the turbines 24 by 7, they will
9 make money. But they haven't been operated 24 by
10 7 in years, ladies and gentlemen, and they continue
11 to lose money and the state continues to subsidize
12 us. And we continue to debate it. And so we're
13 sitting out there bobbing in our boat. We're
14 still fishing, but we're not pulling in any fish.
15 And at some point we've got to come home and rest.

16 And I ask you all to vote this down,
17 because somebody needs a straw poll somewhere,
18 apparently, because, with all due respect to the
19 Board, and I was up there and we made a decision,
20 but I don't see the Board making any decisions
21 right now.

22 Please vote no, ladies and gentlemen.
23 Somebody needs guidance here.

24 [Applause.]

1 THE MODERATOR: Mr. Patterson. Mr.
2 Patterson.

3 MR. PATTERSON: Sam Patterson, precinct
4 2. Speaking for myself, but of course I am a
5 Selectman.

6 Like most of you, I have done a lot of
7 soul-searching on this issue. As a physics teacher
8 who also taught a course in environmental systems,
9 I am well aware of the growing need to conserve
10 coal, petroleum, and natural gas. Basically
11 energy is what allows us to refine, modify,
12 fabricate, construct and transport things. It's
13 absolutely essential for us to have the kind of
14 quality of life that we have.

15 At a Massachusetts Municipal
16 Association's Selectmen's meeting this fall,
17 Lieutenant Governor Karyn Polito indicated the
18 concern the Baker administration has about the need
19 for energy to sustain our vibrant Massachusetts
20 economy and our high quality of life.

21 I will be attending a state briefing for
22 municipal leaders December 3rd in Fall River which
23 is being given to educate municipal leaders about
24 the potential impacts of Entergy's de-commissioning

1 of two nuclear power plants. These power plants
2 contribute a significant amount of electrical
3 energy to the Southeastern Massachusetts load zone
4 of the electrical grid. At this time, replacement
5 of those sources of energy can only come from
6 consuming more fossil fuels.

7 As most of you know, coal, natural gas
8 and petroleum are finite resources. Along with
9 India, China, Europe, we are depleting them at an
10 ever-higher rate. Petroleum is also the raw
11 material from which most plastics are made.

12 My grandmother was born in 1890. She was
13 born into that what was then typically a middle-
14 class farm house about 20 miles from Baltimore.
15 The farm is now a suburban subdivision. She
16 described her earlier years to me when I was about
17 ten. Their home had no indoor electricity and no
18 indoor plumbing. She rode to town and church
19 weekly in a wagon pulled by mules. The same mules
20 they used to plow fields and harvest crops. Their
21 primary sources of energy were the food that was
22 eaten by humans and animals and the firewood that
23 they cut and split by hand 125 years ago. Not that
24 long ago. Most of the food they grew themselves

1 in gardens and fields. My grandmother had six
2 children; four survived childhood. If we deplete
3 most of the fossil fuel resources on this planet in
4 four or five generations, where will the energy
5 come from to support the quality of life for
6 succeeding humans?

7 Our high quality of life is also only
8 possible through human civilization. Living and
9 working together in neighborhoods, villages, towns,
10 cities, nations requires cooperation, accommodation
11 and tolerance. People that live in urban
12 communities live with noise that far exceeds that
13 experienced by Falmouth residents. For 12 years my
14 wife and I lived within 200 yards of a major
15 commuter and freight rail line. Three tracks
16 leading into and out of Chicago. The noise from
17 that 24/7 activity of more than a thousand rail
18 cars a day dwarfs that made by our wind turbines
19 when you're standing there at the Wastewater
20 Treatment Plant. But those trains provided food
21 and goods to more than 14 million people; that's
22 the metropolitan area around Chicago.

23 On a windy day in March, Neil Anderson
24 invited the Selectmen to come to his house to

1 experience the noise he was experiencing. I
2 honestly wanted to understand the nature of what
3 was going on, what was bothering him and his wife
4 and some of the other nearby residents. So I took
5 him up on his invitation. In his driveway, I heard
6 a periodic hiss that occurred about every second.
7 It appeared to correlate with the wind turbine
8 blades passing the supporting column that I saw
9 through the trees. I heard the same kind of sound
10 vibration but lower inside his foyer and his garage
11 as he invited me in. I could not find any
12 similarly - well, I won't - when my fully enclosed
13 attic fan came on this summer, I was immediately
14 surprised by how much louder it was and how much
15 more resonant hum it produced than the wind turbine
16 sounds I heard at Mr. Anderson's home.

17 I have a background in engineering. I
18 worked for the Department of Defense in actually
19 analyzing a secure communications system, and so
20 detection and decoding of signals was an extremely
21 important thing.

22 For us to have a conversation requires a
23 minimum of 30 dB for you to understand me. You're
24 hearing me at significantly higher than 30 dB.

1 And the measurement on the wind turbines is
2 something around 10 dB, sometimes poking above in
3 the middle of the night when the ambient noise
4 comes back, because it's always a comparison to the
5 background noise to the actual source of the noise
6 -

7 THE MODERATOR: Mr. Patterson, we're at
8 five minutes.

9 MR. PATTERSON: That's it?

10 THE MODERATOR: Yes.

11 MR. PATTERSON: Okay, thank you.

12 THE MODERATOR: Okay. Mr. Finneran.

13 MR. FINNERAN: Mark Finneran, precinct
14 6.

15 First off, Ron, I understand why you're
16 doing this. You're a good friend of mine. I met
17 you several years ago. We worked very hard
18 together on the sewer project, against it. We had
19 some numerous - we had numerous victories. If you
20 happen to recall, they wanted to spend \$650 million
21 and sewer everything south of 28 in this town and
22 that was the plan, forget it, that's it. And we
23 stopped that. And you should be proud.

24 But I can't support you on this, Ron.

1 And first off, as far as the money and the
2 information is concerned, the people on the pro-
3 wind side, they always use the phrase, "Tear the
4 things down". "It's going to cost 15 million,
5 it's going to cost 25 million." Ten million of
6 that number is electricity that it perhaps might
7 have produced. You can't count that.

8 Another thing that is counted is the cost
9 to tear the things down. Why tear them down?
10 Leave them there, as a monument to our mistake.
11 Why spend the extra money?

12 But, whether you're pro-wind or not,
13 however you feel about global warming or not,
14 there's maybe another way you could look at this.
15 Most people that read the newspaper or the
16 advertisements for retail products, there's
17 sometimes a disclaimer printed: "Limited supply.
18 Only two per store." This comes from something in
19 the early '70's, I believe it was, that was made
20 illegal. Car companies used to sell one car for
21 19.95, you know? And they actually literally had
22 one car for 19.95 and the rest of them were four
23 grand, or whatever, back then. It was called bait
24 and switch. It was made illegal. The people in

1 this town basically bought those windmills from
2 Town management, the DPW, and it was a case of bait
3 and switch. They told us we were getting 660's;
4 they stuck us with these big things.

5 After the first one, they knew there were
6 problems. As soon as they turned the switch on, my
7 information is that they looked at each other and
8 said, "Boy, these things are a lot louder than they
9 told us they were going to be." Yet they went on
10 and they put up another turbine.

11 We were given a letter by the
12 manufacturer, telling us that these things were
13 going to have - we were going to have these
14 problems, and yet management insisted on going
15 forward with it, anyway.

16 The sewerage project that I referred to
17 and the oyster work that you did, Ron, was
18 fabulous. Everybody knows how much they work.
19 We're not going to sewer \$650 million in this Town
20 - worth in this town.

21 And I hate to break it to you, Folks, but
22 the sewer project is a revenue-producing
23 instrument; that's why it was done. First and
24 foremost. And it will produce some revenue, so we

1 do have some money coming in the future from that
2 sewerage project, and I don't want you to forget
3 that.

4 And in the future, perhaps we can apply
5 some of this towards this giant mistake. This
6 giant bait and switch that was perpetrated upon the
7 people of this town. The only ones who really
8 feel it are the Andersens and the people who live
9 in the neighborhood. But, quite frankly, I believe
10 them.

11 Another way you can look at it is
12 allergies. Nuts, whatever it may be. A very
13 small percentage of the people can be deathly
14 allergic to one item or another, something that - I
15 used to be able to rub poison ivy all over my face.
16 You know, never bothered me. Crawl in it, work in
17 it, didn't bother me. Now I get near it, it's
18 brutal.

19 I believe these people. I believe we're
20 doing damage to them. And I believe this was just
21 simply bait and switch and it's against the law.
22 You might not agree with me, but that's how I look
23 at it.

24 And as far as the tearing the things

1 down, I mean, that's a canard. We don't have to
2 tear them down, we don't have to spend that money.
3 Give us an honest figure. I don't believe we're
4 ever going to get one. It took me three questions
5 last night to try to get an honest answer out of
6 management, and I didn't get it. Somebody had to
7 follow-up the fourth time and we finally got it.

8 Um, I don't have a lot of faith in the
9 management of this Town. Um, I believe they bait
10 and switched us and I believe at some point in time
11 we're just going to have to put this behind us, and
12 I think that time should be now. Thank you.

13 THE MODERATOR: Okay, Ms. Moran.

14 MS. MORAN: Thank you. Thank you, Mr.
15 Moderator, thank you.

16 The - I want to just call Town Meeting's
17 attention to the entire scope of the issue, and I
18 was not on the Board as Mr. Putnam was, when the
19 initial reviews were made and when all the public
20 notices went out and when all the meetings were
21 had. I only had the opportunity attend a couple
22 meetings and look through the Enterprise and try to
23 follow the news.

24 There - you know, certainly the Town

1 administrators were in the forefront of using wind
2 energy to this extent, and I think a lot of people
3 were excited about that; and fast-forward, where we
4 are where we are.

5 There were many attempts made at
6 mediation, at trying to find a mutually beneficial
7 decision, and there are a few people for which that
8 doesn't work.

9 I, too, visited homes. I, too,
10 understand. I'm, you know, as Mr. Patterson
11 mentioned or someone, or Mark, maybe, I'm very
12 sensitive to smells. That's the - I was unable to
13 perceive any of the effects whatsoever. I've read
14 the research, so I'm assuming it's something to
15 that effect.

16 But the extent of the issue here, you
17 know, there are lawsuits going on it as well as the
18 matter being before the zoning Board of Appeals.
19 And the, you know, the easy answer of, you know,
20 this has gone on long enough. I wish it was over,
21 I mean, I - I personally am very challenged and -
22 and emotional about what it's done to our
23 community, and I think that that's really, you
24 know, an important thing to take pause and take

1 account of.

2 But, the other side of that is economic.
3 And the lawsuits are very likely not going to be
4 resolved by just taking the turbines down. The
5 lawsuits will likely go on unless the proponents
6 decide they don't want to give up their nuisance
7 claims for the health effects that they have
8 alleged or their attorney's fees or all of their
9 additional claims. So that is part of the
10 equation.

11 And with respect to leaving the turbines
12 up, that's not realistic. Certainly anyone can
13 see that that could be a nuisance and a liability
14 in and of itself, to leave, you know, that large a
15 piece of equipment unattended.

16 You know, the other thing that we need to
17 consider, if you fast-forward all of these real
18 economic decisions, is we certainly will all need
19 to make compromises. Whether, you know, some of
20 the things that Ron mentioned, whether it's trash
21 pick-up or schools, these are real numbers.

22 And, you know, I just want to briefly
23 comment in terms of what I know about the efforts
24 the Town has made and about what this Board has

1 made.

2 We took seriously the mandate from the
3 voters that was to leave the turbines running. And
4 you know, it was, I'm sure, economically driven.
5 And, so, you know, despite our personal feelings,
6 that's not why we're elected. We are trying to do
7 the best we can economically for the Town and we
8 have asked the staff to try to be creative, to try
9 to look for solutions.

10 You know, it's constantly asked: have we
11 gone back to mediation? Is there any, you know,
12 break in the icebergs about all of the creative
13 solutions that have been suggested? And it just
14 hasn't happened yet, and it's very hard to have
15 patience with that. But the lawsuits are these
16 people's right. And they will likely continue.
17 And there's no easy answer.

18 I mean, I am trained in conciliation.
19 It's often the most sensible resolution. Not
20 everybody ends up happy. If there was a
21 conciliated resolve, the Town would still have to
22 pay something. You know, that would certainly be a
23 part of the conciliation. If there isn't a
24 conciliated or mediated result, then a judge will -

1 THE MODERATOR: Ms. Moran, we're at five
2 minutes.

3 MS. MORAN: - make a decision.

4 Thank you.

5 THE MODERATOR: Okay. Mr. Dick.

6 MR. DICK: Sorry for speaking twice. I
7 know people are getting tired of this issue, but I
8 have gotten really annoyed by a certain vote in
9 2013 in which a figure of \$25 million was put up to
10 the town to take down turbines that cost us about
11 five. It was an outrageously inflated number.

12 Fifteen million dollars in lost revenue
13 to the Town. Right now, we're running a half-
14 million dollar deficit. Let's run that for 30
15 years. That's \$15 million negative, so we'll
16 split the difference. If we're lucky, they'll
17 break even, but they won't.

18 Stopping and starting, that's putting a
19 lot of wear on those windmills. They're not going
20 to produce anything like the revenue this was
21 estimated there. That was phony.

22 But tonight I heard a guy say, "Hey,
23 people in this room are going to lose their jobs if
24 we take them down." Ha, fear-mongering, ha.

1 That was really nice. I heard "catastrophe" if we
2 take them down.

3 One of those windmills was put up with a
4 loan; that could be forgiven. Now, Deval
5 Patrick's board wouldn't forgive it. But we have
6 a new governor. And that new governor is much
7 more likely, when faced with the fact that it's
8 ended here, to approve the forgiveness of that
9 loan.

10 So we have no real estimate of what it's
11 going to cost, but it isn't going to cost \$25
12 million and the Town of Falmouth did not vote two-
13 thirds to keep them up, they voted two-thirds not
14 to spend \$25 million, which was outrageous. And
15 it kind of upsets me to hear people citing that as
16 the Town's support for windmills. It was the
17 Town's opposition to spending \$25 million to take
18 them down. And I don't want to hear anybody
19 telling me that that was a vote to keep them up.

20 [Applause.]

21 THE MODERATOR: Dr. Clark, next on my
22 list.

23 DR. CLARK: Good evening, I'm Peter
24 Clark from precinct one.

1 I want, once again, to approach this
2 issue, I approach it without demonizing neighbors
3 for avarice, and without demonizing the Town
4 government for manipulation.

5 I also approach it personally feeling
6 that - and I think we all agree: if we had it to do
7 all over again, we would do it in a different way.
8 But that brings us, as Mr. Hargraves says, back to
9 the point that we are where we are.

10 We have a complicated issue. I don't
11 believe that complex issues get solved by
12 scapegoating. I don't believe complex issues get
13 solved accept through negotiating and through a
14 messy process.

15 And I stand here today to say that I
16 support Article 2 because I believe it keeps that
17 process open for us to seek to find a negotiated
18 settlement.

19 There is a morality about protecting your
20 neighbors, and I feel that. There's also a
21 morality about representing the ballot, which I
22 refuse to have wiped away. I mean, it's the
23 evidence we have, however you wish to re-interpret
24 it now, it's the evidence we have of how the town

1 voted.

2 There's a morality in protecting against
3 the costs in terms of other services.

4 And, there is a moral, although I think
5 as Mr. Putnam has said it is kind of vague and out
6 there, somewhere. There is the morality of
7 worrying about what's going to happen to huge
8 numbers of people if we don't get our fossil fuel
9 burning under control. And I stand here from that
10 moral position.

11 So, there's morality to go around. And I
12 don't think anybody owns a moral position,
13 necessarily.

14 So I stand here to say that I'm in favor
15 of Article 2 because I believe it keeps the process
16 open by which we can find what will be, I'm sure, a
17 messy kind of process to solve this complicated
18 issue.

19 Thank you.

20 [Applause.]

21 THE MODERATOR: Okay, I had the
22 gentleman in the back right.

23 MR. GRANT WALKER: Hello, my name is
24 Charles Grant Walker. I live on 71 Philadelphia

1 Street, precinct number 3.

2 I'd like to commend Mr. Hargraves for
3 what he said earlier about the election and the
4 Town Meeting in relationship to the voters of the
5 Town.

6 I'm one of the voters in the Town. I
7 voted with that 70 percent and I read about the
8 issue. I understood, though, and do still think
9 that I understood the issue. And I like the idea
10 that we have democracy and that that vote counts.
11 And in spite of what Mr. Putnam has said, I don't
12 think we should allow the comments of a few people
13 who say they did not understand what they were
14 voting for to now lead us to dismiss the results of
15 the official Town vote. That's what we have.
16 That is our democracy, we voted. Thank you.

17 [Applause.]

18 THE MODERATOR: Okay, Mr. Potamis, Mr.
19 Potamis.

20 MR. POTAMIS: Gerry Potamis, Wastewater
21 Superintendent and Town Meeting representative.

22 I guess I agree with the last speaker,
23 but I take deep and personal exception to anybody
24 that says: "Democracy is mob rule. You guys are

1 the mob; so your decisions don't count." Tomorrow
2 we're celebrating Veteran's Day, but Democracy is
3 mob rule.

4 I think someone owes everybody an apology
5 -

6 THE MODERATOR: Okay -

7 MR. POTAMIS: - especially at the
8 Veteran's breakfast tomorrow.

9 THE MODERATOR: Okay, Mr. Potamis, I
10 don't want to get up on this side issue.

11 MR. POTAMIS: Okay.

12 THE MODERATOR: He talked about direct
13 democracy, with no representation. We obviously
14 have a Republic here in Falmouth. We don't have a
15 direct Democracy; they have that over in Bourne and
16 Mashpee, but let's not get into that.

17 [Laughter.]

18 MR. POTAMIS: All right. I apologize
19 if I took the language literally, but I'm
20 emotional.

21 [Laughter, applause.]

22 MR. POTAMIS: I can clearly say Vestus -
23 - if that's the letter someone was referring to -
24 did not warn us. Because the letter came to me

1 and I responded to the letter as a Town
2 representative for the project. And after
3 consulting with several people we simply told
4 Vestus, "You are responsible for the performance of
5 the turbine in accordance with the documents."
6 And part of that document was a sound power curve.
7 That's what Vestus said. That's what the
8 documents say. So I think we should put that to
9 bed.

10 And I agree with the other people: God
11 help us if we take a vote and all of a sudden a few
12 people say that vote didn't count. That is mob
13 rule. Thank you.

14 THE MODERATOR: Okay, Ms. Whitehead is
15 next on my list.

16 MS. WHITEHEAD: I guess it's on.

17 Lynn Whitehead, precinct one.

18 I have about eight points, if I can make
19 them quite quickly. Even for the last one that
20 Gerry just said.

21 First of all about health. I have more
22 research than you can shake a stick at, as far as
23 health effects of the wind turbines. I've been to
24 conferences of the American Physical Society in

1 Baltimore. I sat there for a day. Even they,
2 with the wind and the turbines that go around, the
3 big blades, the infra sound that has erupted from
4 those - you don't have to hear - you don't have to
5 hear a wind turbine. You can feel a wind turbine.

6 I knew a little boy in fourth grade who
7 looked sick, sick, sick, sick. I tried to send
8 him to the nurse. Lo and behold, after four
9 weeks, I pulled him out and he - I said, "You're
10 sick; I'm going to call your mom. You've got to go
11 to the nurse." "No, no, Mrs. Whitehead, I'm not
12 sick. No, I'm not." He's talking about the
13 glass vibrating - and he showed me. He said, "It's
14 not like this, it's like that." He said, "I tried
15 to go to sleep, but you can - you can - you can
16 feel it, you can hear it." And the mattress was
17 going not like this, but like this. But he
18 couldn't hear it, he could feel it.

19 He laid down on his floor, tried to
20 sleep; couldn't. Went down to the dining room,
21 went to the living room, went to the kitchen, went
22 to the den, and he's been sleeping in the basement.
23 Now, that's - he didn't hear it.

24 In fact, people said, "Well, I stood

1 under the turbine and I couldn't hear anything."
2 Well, you can't hear anything under a turbine. You
3 can't feel it. You have to be in the right way,
4 far away, even way far away, and you can feel it if
5 the wind is a certain direction and if the
6 topography is fine - is perfect for that area.

7 Another point is -- so, the health
8 effects, back to that. There are many, many
9 experts with peer-reviewed journals in the
10 journals, even recently, that talked about all
11 this.

12 Bob Frosch, who lives down in Woods Hole,
13 talked about it. He's an acoustic person. He
14 was at NASA for nine years and he talks about the
15 infra sound, not that you can hear it, the feeling
16 of it, and what it does to the body. So I wish he
17 would come and talk about that. He did try to go
18 to the Selectmen, but he didn't really get his
19 point across; I know that.

20 It's not a handful of people. There are
21 40 families. Everyone says a handful. It's not
22 a handful, it's 40 families.

23 So if you want to take houses away, you
24 just think about that part.

1 Let's see. Mr. Potamis. I did see
2 that letter that came from Vestus. And I think
3 some of - I don't know where I got it, but it's on
4 my - it's on my email, and you signed it. And it
5 was from Vestus saying that the Town needed to know
6 about the risks, and they wanted to be relieved of
7 the liability in case something happened. For
8 instance, there were two risks.

9 One was stated that the ice throw was a
10 big one. In case the ice throw -- and I think with
11 the ice throw came another one, and that was under
12 the certain circumstances the ambient 40 - 40
13 ambient level was above that, it would go way above
14 that. Maybe ten - ten above it. Under certain
15 circumstances.

16 I have that letter. I wish I'd brought
17 it. It said that the Town should be aware of that
18 and they should know about it and it had to be
19 signed, and you signed it.

20 The other thing is, I think the lawsuits
21 would end. If these turbines came down, the
22 lawsuits would end. I would hope they would end
23 and I think they would end. I hope they will. If
24 they come down, and people try to take them by

1 eminent domain, then they will be up again.

2 Certainly will. I'll join them.

3 And I'd like to know how many public
4 employees are going to be affected by this. How
5 many of them. If --if they come down. How many
6 employees does that actually affect? Never mind
7 the houses that it would be - would - how many
8 families would be affected by that.

9 I think we're all for green energy. I
10 think the solar would work, and I don't think
11 anyone wants to do any more fossil fuel. We know
12 about all of the warming and everything else that's
13 going on in this world. So I don't think that's
14 even a part of the question.

15 Now, the other thing, in Colorado, just
16 very quickly. Just very, very quickly.

17 THE MODERATOR: No, we're at five
18 minutes.

19 MS. WHITEHEAD: Okay.

20 THE MODERATOR: So, next, Ms. Driscoll.

21 MS. WHITEHEAD: Thank you.

22 MS. DRISCOLL: Thank you, Kathy
23 Driscoll, precinct 7.

24 Thank you, everyone, for being here

1 tonight. I know that we've done this many times
2 over many years. Each time, I believe I've spoken
3 in support of the wind turbines. I have done a
4 lot of research, a lot of background review, going
5 back to old Town Meeting minutes and looking to see
6 what was said.

7 I've gone back to 2009 Special Town
8 Meeting for Wind II. It was very clearly spelled
9 out in that meeting, with unanimous support going
10 forward with Wind II, that it was a 1.65 megawatt
11 turbine.

12 Going back to 2008 and 2007 for support
13 and installation of Wind I, that it was stated it
14 was a 1.65 megawatt turbine. There were Town Hall
15 community meetings talking about the turbines
16 sponsored by the Energy Committee, sponsored by the
17 Board of Selectmen.

18 Yes, originally, in 2004, 2005, 2006, the
19 660 kilowatt turbine was what was out there and
20 available to see. It was not decided upon.

21 There was discussion.

22 But, if you go back, do the research.
23 If you want to go into the minutes, they're all
24 available on the Town website. I've looked

1 through them again, and looking through what a lot
2 of people have said and their positions. It was
3 not a bait and switch.

4 A lot of - a couple of the issues that we
5 are facing here with this article is to continue to
6 support the Board of Selectmen in their endeavors
7 in this issue to come to a solution, a resolution,
8 an answer for our community. Not just the
9 neighbors that are up around the turbines, not for
10 the people that are just in support of the wind
11 turbines, but for everyone. It means a little bit
12 more compromise, a little bit more consensus,
13 something along those lines, to come up with
14 something that would be fair for all of the
15 taxpayers.

16 When this discussion began back in 2006-
17 2007, and in one of the presentations by Mrs.
18 Harper is that Wind I was a revenue bond. No
19 taxes were raised by any of residents or businesses
20 in Falmouth to install Wind I. No taxes have gone
21 towards that installation. Okay?

22 In ensuing operation, some of our tax
23 dollars, through appropriations, through votes,
24 because of minimized operation, have gone towards

1 other bills' debt service. And that's actually
2 where we're at right now. That started in about
3 2014. Not prior to that. Our taxes have not
4 been raised or been turned into the operation of
5 either wind turbine.

6 With that revenue bond, that means that
7 the turbine needs to operate to pay its bills.

8 With Wind II it was done, in 2009, it was
9 done through a grant for about \$4 million. The
10 condition to have that grant is for the operation
11 of the wind turbine. If the wind turbine does not
12 operate, then the bond must be paid back.

13 Those two values of debt, with Wind I and
14 Wind II, are approximately eight to ten million
15 dollars. That does not include the dismantling.
16 That does not include the lost electricity.

17 We'd have to come up with money to pay
18 for the electricity at the Wastewater Treatment
19 Plant. We are expanding operations at the Little
20 Pond sewer process that I know anybody who's driven
21 through Falmouth Heights this summer probably did a
22 lot of swearing, and with detours, but the
23 electricity is going to increase. We have been
24 told, when we voted on that project, that

1 electricity was going to increase. Having those
2 two wind turbines there are supposed to help offset
3 the increased capacity and operation at the
4 Wastewater Treatment Plant.

5 We need to look at this in a much broader
6 scope than how we are viewing it. I'm not saying
7 that we don't listen to what our neighbors are
8 saying; we have done that. There have been many
9 processes. We are continuing to listen. We're
10 not saying that we're not going to listen to them.

11 THE MODERATOR: Okay we're at five -

12 MS. DRISCOLL: It may not be what
13 everyone wants to hear. But please vote yes,
14 thank you.

15 THE MODERATOR: Okay, Mr. Dufresne.

16 [Applause.]

17 THE MODERATOR: Mr. Dufresne.

18 MR. DUFRESNE: [No mic:] Mr. Moderator,
19 if it's the will of Town Meeting, I'd like to move
20 the question.

21 FROM THE FLOOR: Can't hear you.

22 THE MODERATOR: Andy was trying to - Mr.
23 Dufresne is trying to move the question. We have
24 a limit on debate already.

1 FROM THE FLOOR: [Inaudible.]

2 THE MODERATOR: Say again? We have a
3 limit on debate already. The motion is in order,
4 but we do have an overall limit on the article.
5 So Mr. Dufresne is moving to close discussion.
6 This requires a two-thirds vote.

7 All those in favor, signify by saying
8 aye.

9 [Aye.]

10 THE MODERATOR: All those opposed no.

11 [No.]

12 THE MODERATOR: The opinion of the chair
13 is that the ayes have it by the two-thirds and the
14 question is called.

15 The question will now come on the main
16 motion as printed.

17 All those in favor, signify by saying -
18 Yeah.

19 MR. MORIARTY: [No mic:] Don't we have
20 90 minutes to debate?

21 THE MODERATOR: You did until a motion
22 to close discussion passed by a two-thirds.

23 MR. MORIARTY: [No mic:] You didn't
24 mention that.

1 THE MODERATOR: He doesn't have to
2 mention that. That's parliamentary procedure.
3 And if you'd attend my training, you'd know it.

4 [Laughter.]

5 THE MODERATOR: Article 2 is the main
6 motion as printed. All those in favor, signify by
7 saying aye.

8 [Aye.]

9 THE MODERATOR: All those opposed no.

10 [No.]

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

14 [Pause.]

15 THE MODERATOR: First division.

16 MR. NETTO: 34.

17 THE MODERATOR: 34.

18 Second division, Mr. Dufresne.

19 MR. DUFRESNE: 57.

20 THE MODERATOR: 57.

21 Third division, Mrs. Long.

22 MRS. LONG: 27.

23 THE MODERATOR: 27.

24 All those opposed, signify by standing

1 and the tellers will return a count.

2 [Pause.]

3 THE MODERATOR: Third division.

4 MS. LONG: 27.

5 THE MODERATOR: First division.

6 MR. NETTO: 22.

7 THE MODERATOR: 22.

8 Third division.

9 MR. DUFRESNE: 36.

10 THE MODERATOR: 36.

11 By a counted vote of 118 in favor and 63
12 opposed, the article passes.

13 I'm sorry.

14 [Applause.]

15 THE MODERATOR: No, no. Hold on, hold
16 on, hold on, hold on, hold on. 22 plus 36, plus
17 27. Yeah, it's 85. I punched something in
18 wrong. It's 85. It's 118 in favor and 85
19 opposed.

20 Yes, Mister - do you have a point of
21 order?

22 FROM THE FLOOR: No, I just left a pen
23 up there.

24 THE MODERATOR: Oh, okay. That was

1 important, okay.

2 Mr. Chairman, Article 3.

3 The result was 118 in favor and 85
4 opposed, okay.

5 Mr. Chairman, Article 3.

6 CHAIRMAN FOX: Our recommendation is
7 indefinite postponement.

8 THE MODERATOR: Okay, the recommendation
9 of the Planning Board is indefinite postponement.

10 Mr. Chairman of the Board of Selectmen.

11 CHAIRMAN JONES: Mr. Moderator, the
12 Board of Selectmen placed this article on the
13 warrant over two months ago in an effort to ensure
14 that all of the potential options are available to
15 the Town to secure appropriate authority to
16 responsibly operate the Town of Falmouth's wind
17 turbines. The zoning changes put forth in Special
18 Town Meeting Article 3 represented one potential
19 pathway available to the Town to resolve regulatory
20 challenges.

21 We recognize and appreciate that the
22 short time frame associated with this request
23 placed a burden on the Planning Board to hear and
24 consider this matter without time for the

1 significant community outreach and deliberation on
2 the decision that they are accustomed to use.

3 We respect the decision of the Planning
4 Board and agree that action on this issue is
5 premature.

6 The Town of Falmouth is presently before
7 the Board of Appeals seeking a special permit for
8 Wind I and we anticipate a thorough, reasoned and
9 objective review by our Zoning Board of Appeals.
10 We remain optimistic that this process will result
11 in permitted operations consistent with the Board's
12 continued goal to respond to and address the
13 concerns of neighbors and to fulfill the will of
14 the Town to continue renewable energy production
15 through the operations of the Town's wind turbines.

16 We appreciate the thoughtful comments and
17 concerns we have received and we ask that Town
18 Meeting continue with patience as the Town works
19 diligently to bring all these matters to closure.

20 On behalf of the Board of Selectmen,
21 voting unanimously, I move that the Town refer
22 Article 3 to the Planning Board for further review.

23 THE MODERATOR: Okay, so the main motion
24 on the floor is to refer Article 3 back to the

1 Planning Board. All those in favor of referring
2 signify by saying aye.

3 [Aye.]

4 THE MODERATOR: All those opposed no.

5 [No.]

6 THE MODERATOR: The opinion of the
7 Chair is that the ayes have it by a majority and
8 the article will be referred.

9 The chair will entertain a motion to
10 dissolve the Town Meeting.

11 FROM THE FLOOR: Moved.

12 THE MODERATOR: So moved.

13 All those in favor of dissolving the
14 Special Town Meeting, signify by saying aye.

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [None opposed.]

18 THE MODERATOR: The ayes have it.

19 We're dissolved.

20 Let's take a break and come back in 15
21 minutes for the Annual.

22 [Whereupon, a recess was held.]

23 THE MODERATOR: Okay, here we go. We're
24 going to take a quorum call and then we're going to

1 reconvene the Annual Town Meeting. And at the
2 Annual Town Meeting we were in the Capitol Budget,
3 Article 9, so we're going to go back there.

4 Okay, let's go, Folks, come on forward.

5 [Pause.]

6 THE MODERATOR: I would be remiss if I
7 did not read this email that I just got from a
8 young man from Falmouth who is actually at
9 Georgetown University and he's watching Town
10 Meeting live. And his grandma is in the room.
11 And so Thomas just sent me a little email. It
12 says, "Rep, I'm watching online from D.C. As
13 always you're doing a great job navigating the
14 strong turbine feelings of the room. I hope the
15 FHS mic carriers are as speedy as their
16 predecessor. Leave it to a Republican to remind
17 the Town that Falmouth is a Republic."

18 [Laughter.]

19 THE MODERATOR: Thomas, glad you're
20 watching and keep up the good work down there at
21 Georgetown.

22 Okay, all those present please stand for
23 the establishment of the quorum and the tellers
24 will return a count.

1 [Pause.]

2 THE MODERATOR: When Thomas got his
3 Eagle Scout, I actually gave him a copy of Town
4 Meeting Time and told him I couldn't sit in this
5 chair forever, so he's - he's watching to make sure
6 he's ready.

7 [Pause.]

8 THE MODERATOR: In the third division.

9 MS. LONG: 56.

10 THE MODERATOR: 56.

11 First division.

12 MR. NETTO: 51.

13 THE MODERATOR: 51.

14 And in the second division.

15 MR. DUFRESNE: 90.

16 THE MODERATOR: Nine-zero?

17 MR. DUFRESNE: Nine zero.

18 THE MODERATOR: Nine-zero, 90.

19 By a counted vote of 197, we have a
20 quorum and we're back in session of the Annual Town
21 Meeting.

22 So the motion on the floor was the motion
23 to zero out the line item for the Facilities
24 Improvement Consolidated Dispatch Center of

1 \$578,500, and which list is it?

2 Mr. Crocker was next on my list, but I
3 think you were going to make the motion to go after
4 11:00, right? Did you want to speak on this, Mr.
5 Crocker?

6 MR. CROCKER: [No mic:] No, I didn't.

7 THE MODERATOR: Okay. Mr. Donahue.

8 MR. DONAHUE: Bob Donahue, precinct 3.

9 Folks, why? Why did we have a vote last
10 spring -- a unanimous, three-quarter vote; how
11 often does that happen here - and we said, "We want
12 you to go to the Fire Department." That's what we
13 said. It was simple, plain.

14 So, do we get the one finger salute from
15 the Selectmen and the Town Manager for this vote?
16 Is that what it is?

17 FROM THE FLOOR: No.

18 MR. DONAHUE: No? That's what they
19 said in the Enterprise.

20 Could it be? Because, if you look upon
21 the government circles, a feather in the cap of the
22 Fire Department has always been a sore for years
23 with Selectmen and Town Managers. In contracts
24 they will go to the arbitration before they settle.

1 And usually they win more than they lose. So it
2 makes these guys look bad. And it's been going on
3 for years. That's why they don't want it at the
4 firehouse. In my opinion. I'm sorry, it's my
5 opinion, Folks.

6 Mr. Murphy said it was right, we needed a
7 call center in Falmouth. I agree with him. We
8 need a call center in Falmouth because the state -
9 one more incident with Police Departments in this
10 state and all policemen will have to have cameras,
11 both in the cruisers and on their bodies. And if
12 that is the case, then we're going to have to have
13 a center to filter this stuff. And who's going to
14 be the manager of the filter? The Town Manager,
15 the Fire Chief and the Police Chief.

16 Who has the vested interest in the
17 communications? The Police Department. They are
18 the ones that deal with the most sensitive of
19 sensitive issues in this town. So the Chief of
20 Police is going to be the manager of this
21 Department.

22 Now, we don't have any other structure.
23 There's no structure like a regular Town department
24 where you have a manager, assistant manager,

1 citizen secretaries. No, you have it all run by a
2 triumvirate.

3 So I say we vote to eliminate this Town
4 item. We can pick it up again further on when
5 we're talking about the Police Department
6 Headquarters, further on in the articles. And
7 let's get some answers and some truth.

8 Why do we need - why did they go out and
9 behind our backs, kind of, and go to another
10 consultant? Because they don't want it in the
11 Fire Department, Folks. They just don't want it.

12 If they had come back to us and said,
13 "We're going to put it anywhere in Falmouth. And
14 we've got a contract with somebody that owns a
15 building and we're going to go into that building,"
16 I would be 100 percent in favor of that. But no,
17 they want it in the basement of the Fire - of the
18 Police Department, excuse me. And that is in a
19 flood zone.

20 FROM THE FLOOR: No.

21 MR. DONAHUE: It is. Look at the map.

22 FROM THE FLOOR: No.

23 MR. DONAHUE: But still, why do you need
24 it? Have you looked at the layout for it? The

1 Communication Center is a very small area but
2 they've put a gym in for the Police Department.
3 Come on. We don't need this in the Police
4 Department.

5 THE MODERATOR: Okay, Mr. Jones.

6 CHAIRMAN JONES: I have to take a minute
7 to respond to Mr. Donahue. Mr. Donahue has asked
8 for facts.
9 The first fact I will give you is the Police
10 station is not in the flood zone. You may check
11 the FEMA maps.

12 Second fact is the Board of Selectmen and
13 the Town Manager have not chosen the Police station
14 in any kind of retribution to the Fire Department
15 and the firemen, and to suggest that is offensive
16 and inappropriate. And to put that forward, if
17 you want a fact, I can guarantee you that is not
18 anything to do with a discussion.

19 As I stated last night, this body
20 suggested the Fire Department and the Board of
21 Selectmen responded to that, saying a neutral site
22 was not important to this body; the fire station
23 was acceptable. Once you stated that, we opened
24 our eyes to saying, "Well, we can consider other

1 non-neutral sites.”

2 To just have our consultant look into the
3 fire station without numbers to compare did not
4 make sense. So we asked the consultant, and they
5 said the Police station would be less expensive and
6 more efficient. That was the basis of our
7 recommendation.

8 What this body did vote in the spring was
9 money to go towards the fire station, and that
10 money is there. The Board of Selectmen feels very
11 strongly the consolidated dispatch is the correct
12 way to go. If more money is available from the
13 town to go to the fire station, I’m sure that we
14 would be willing to do that, but we have made our
15 recommendation on what we think is the most
16 efficient and most cost effective.

17 THE MODERATOR: Okay, Ms. Lichtenstein.

18 MS. LICHTENSTEIN: I apologize last
19 night for being the last person in Falmouth who
20 does not have a smart phone and I didn’t have any
21 way to show what I was trying to talk about.

22 I am a biologist. I don’t really do
23 planning. I did happen to attend a very good
24 conference on coastal zone planning.

1 That is a map from the Cape Cod
2 Commission. The yellow - well, it's actually, if
3 you go to their website it's the whole Cape. You
4 can type in any address and what it does is it's
5 actually a sea level rise program. But it has on
6 it the FEMA firm flood plain areas. And that, the
7 yellow there, they are correct, that is the FEMA
8 flood plain that you have to pay insurance for.

9 However, the National Weather Service has
10 produced a large program which is used by FEMA in
11 their environmental emergency management planning.
12 If you go to the NOAA website you will see that
13 this program is used as overlays on the entire
14 coast of the United States. It is a process -

15 Could you please click on the SLOSH, now?

16 It is something called SLOSH. Which is
17 a weird acronym; it stands for Sea Lake Overland
18 Surge from a Hurricane. This is not a flood
19 plain, but they said if you have a hurricane this
20 is what the winds will do with the water from
21 Falmouth Harbor. The water from Falmouth Harbor
22 will come up, it will go all the way up to the
23 Police station, beyond the Police station, all the
24 way up to Dillingham Avenue.

1 And this fascinated me. It was like,
2 “Oh, okay. Wow, look at that. We’ve got water
3 coming all the way up from Falmouth Harbor and
4 going all the way up there.”

5 Town Meeting, our job is to watch the
6 budget and see that money is spent wisely. After
7 I went to this meeting and I saw that water would
8 be all around that area in a surge if we had a
9 hurricane - now, it’s true, I hope we don’t have a
10 hurricane. I really hope we don’t have a
11 hurricane. But if we do, there is a potential for
12 this. The federal government uses these SLOSH
13 maps to predict what will happen in a hurricane.
14 Okay?

15 I looked at it and I said we’re asked to
16 appropriate money all the time. And our job is to
17 make sure that we spend the money wisely for the
18 citizens of Falmouth. We just appropriated at a
19 prior Town Meeting three-quarters of a million
20 dollars for new combined service emergency
21 communications center. I’m all for that; don’t
22 get me wrong. I think that’s good. I think we
23 should do that.

24 I don’t think we should be rushed into

1 doing it right away because, oh, the federal
2 government or the county or the state or something
3 will do something to us if we don't. It's not in
4 that imminent danger of failing, Folks.

5 We want to do it, but we want to do it in
6 the right place.

7 I'm a biologist, but I don't think
8 spending half a million dollars to renovate a
9 basement and then put three-quarters of a million
10 dollars worth of new electronic equipment into that
11 basement if that building is in line with surge
12 that you might get from a hurricane. I just can't
13 see that that's a possible way to do.

14 It really surprised me. I'm sorry if I
15 misled anybody and said it was a flood plain last
16 night. I don't know all the terms. But I do
17 know that it is in a surge area for a potential
18 hurricane. I do know that our Selectmen and our
19 Town Manager had never heard of this SLOSH.

20 Now, considering its use by FEMA and its
21 use all around the country, it's just something to
22 think about. Maybe we don't want to consider it.
23 Maybe we think we won't get a hurricane, we can
24 save \$120,000. But it's just something that I

1 felt as a Town Meeting member I had an obligation
2 to bring to you and let you know about, because
3 nobody had told us about it.

4 Thank you very much.

5 THE MODERATOR: Okay, Mr. Netto.

6 MR. NETTO: Joe Netto, precinct 9.

7 I'd like to start out that I sent some of
8 you an email with some information. And I was
9 told when I walked in here that I sent out some
10 wrong information. I forwarded the map that
11 Leslie sent me. So that's the map that you saw on
12 the screen. And I am in 101 percent concurrence
13 with her thinking.

14 That's correct. Are you going to spend
15 a half a million dollars in your basement on Cape
16 Cod when you find out it's there when your choice
17 is -- no offense to the third floor, but I'm even
18 beginning to wonder how much of a consolidated
19 dispatch center we need, and I'll get to that.

20 Last night during the - and when I stood
21 up to speak somewhat against this article, it was
22 the location of the Rec center, twice, and you
23 supported that, that we didn't build the Rec center
24 for a communications center. Okay. I didn't pay

1 too much attention to the Consolidated Dispatch
2 concept. And I've started spending more time.

3 And last night, when I was listening to
4 the speakers, I was feeling that the term
5 Consolidated Dispatch means that when you pick up
6 the phone like we did years ago, you talked to
7 someone in the Falmouth Fire Department or the
8 Falmouth police station. Well, 9-1-1 changed all
9 that. And the cellphone changed all that. So
10 let's start - clear some things up.

11 What happened to Mrs. Putnam is correct;
12 that's what happens. You have a cellphone; you get
13 the state police because your cellphone tells them
14 exactly where you are. You know, you go to Google
15 Maps, the blue dot. So that part is true; we're
16 not going to change that.

17 So now, the system that we have in place
18 when you place a call, it goes to County. And
19 some of you know, I've done this, had this happen:
20 County says, "What town?" You tell them Falmouth.
21 And then they say, "What's your emergency?"
22 "Choking, fire, someone's breaking into my house".
23 Then County sends it to Fire and Police.

24 Now, if you need medical assistance,

1 there's a very good plus to that. And this has
2 all been verified by the Chiefs. I'm not standing
3 here making this up. I've spent time talking to
4 them.

5 County, if it's medical, the dispatcher
6 at County is trained if someone is choking or you
7 have to perform CPR - and I'm not a medical person.
8 While the Fire dispatcher is sending out the
9 ambulance or the fire truck and then having to call
10 in the backup for the minimum manning, because
11 that's what that dispatcher does, the person at
12 County is trained to give you instruction over the
13 phone. I think that's a great thing.

14 And then of course the fire or ambulance
15 or police get sent to help you out.

16 Now, when we do a consolidated dispatch,
17 guess what? Nothing's going to change. Nothing
18 is going to change. It's the same system.

19 So then, as I looked at this, I said,
20 "You know, there's somebody missing from this
21 argument. Matter of fact, there's two people
22 missing from this argument." And that's what some
23 times where -- and I don't mean to point the finger
24 so to speak, but this change, as Mr. Jones, the

1 Chairman of the Board of Selectmen has said, is
2 policy driven from the administration.

3 When you bump into the Fire Chief and the
4 Police Chief as you walk around town, are they
5 pulling you aside and saying, "Joe, we really need
6 your vote on this," "I would like your support for
7 this consolidated"? And I don't mean to put them
8 on the spot, but let's - we want to spend money
9 based on facts.

10 Mr. McNamara, when this first came up
11 stood up, if I'm not mistaken, and said, "You know
12 what? If it's not broken, why are we going to fix
13 it?" And I'm beginning now to change my mind that
14 if I want to call the Fire Department because I
15 have a fire, then let me deal directly with them
16 through County. And if I need a police, deal
17 directly through them.

18 Oh, but California has only four of
19 these. Wow, aren't you impressed? Let's all
20 pick up and move to California. And you could
21 list towns that have gone to this and have changed.
22 I'm not going to do that now.

23 But I do have a question for Mr. Jones.
24 Because we based this on money, a Chairman of the

1 Board of Selectmen.

2 And the figures that came in, because now
3 we're being prudent, it's \$578,500 to get this up
4 and operating at the police station, correct?

5 CHAIRMAN JONES: [Nods.]

6 MR. NETTO: Okay.

7 Now, there's a call box downstairs in
8 this school. There are call boxes on streets,
9 metal boxes which you pull the handle down that
10 there's a fire in this building, that there's a
11 fire at this location. Those call boxes, I don't
12 know whether they're a hundred mil, whatever the
13 term that they use for those, are all wired to the
14 fire station. So the minute that handle is
15 pulled.

16 In the \$578,500 for the police station
17 location, has a price of moving the wiring from the
18 fire station to another building included?

19 CHAIRMAN JONES: That is part of the
20 telecommunications budget, yes.

21 MR. NETTO: Well, then, we have a
22 difference of opinion of that. Because I've been
23 told no, it hasn't.

24 It's been included, Mr. Suso? Because

1 you gave him the answer. Excuse me, I mean,
2 obviously.

3 THE MODERATOR: Mr. Suso.

4 MR. SUSO: Absolutely. It's included.

5 MR. NETTO: Okay, its' included. All
6 right. Then I was told wrong today, I guess,
7 because that's -

8 But we're into the same argument with the
9 flood plain maps, but that price has been included.

10 All right, so let's look quickly at the
11 figures. It's 729 for the Fire station and it's
12 578 for the Police. The difference is 151,000.
13 But it's not really 151 because we voted 75,000
14 last year that's earmarked for the Fire station.
15 So really, the true difference is \$75,000 out of
16 this year's tax rate, correct?

17 CHAIRMAN JONES: [Nods.]

18 MR. NETTO: Okay, I just want to make
19 sure I'm correct, thank you.

20 So that's the money you're looking at.

21 Now, what do you gain from that? All
22 right, when you have a hurricane, where does your -
23 I can't use the right vernacular, the acronym, but
24 when you have a disaster, the Emergency Management

1 team is in the fire station. And the dispatch is
2 going to be in the police station? Does this make
3 sense? Forget money, forget - does that make
4 common sense? That at least those two should be
5 there. And that's what I think when you come to
6 \$75,000 difference. I think we get what we pay
7 for. And I don't want to get into the semantics
8 of Fire and Police and this and that. But I -

9 And what was missing -- this article,
10 this article started out on the wrong foot and it's
11 never been right.

12 When we did something like this in the
13 past, I don't see the people who have to make this
14 work involved in the creation. And now I'm
15 talking to the Board of Selectmen. What happened
16 to our old working groups?

17 What happened to going to get some of the
18 - talking to the dispatchers at the Police and the
19 Fire, and visiting? When I talked to them, they
20 said you folks haven't talked to them. This is an
21 upper level management decision with the people
22 that make it work not involved.

23 I don't think that's the right way to do
24 it. That's my opinion. Thank you very much.

1 THE MODERATOR: Okay, Ms. Moran.

2 MS. MORAN: Thank you, Mr. Moderator.

3 The question Police or Fire Department, I
4 mean, if one has a surge possibility, another one
5 might have a wind possibility. That's something
6 that insurance will be reviewed to deal with.

7 But I want to really just speak against
8 Andy's motion to zero out the line. And I
9 disagree with Andy with great hesitation, from my
10 last - my past experience. But while I am making
11 the point, it -- particularly where he was recently
12 recognized for service as a veteran by the National
13 Graduate School. But, moving on to the point.

14 The - you know, Ms. Putnam brought up the
15 point we can't continue to tempt fate and we need a
16 decision moving forward, here. She did - she
17 described a very scary experience. I've had a
18 similar experience with a person in this room, just
19 trying to call 9-1-1 for someone that was gravely
20 ill and there was quite a delay.

21 But I want to make clear the point that
22 Mr. Netto just brought up, that the consolidated
23 dispatch does not route ambulances. That's not
24 directly relevant to the point that we're talking

1 about today.

2 The emergency services in the Town do
3 have to be made a priority here. And as the chair
4 mentioned, everything is a balance of the needs and
5 the funds. The Selectmen took a look at the
6 project because it was directed by Town Meeting: Go
7 sharpen your pencil. We don't want it in the Rec
8 center for any number of reasons. And that's
9 exactly what we did.

10 I think there's a slide on both of the
11 Police and Fire together. Do we have that? Do
12 we?

13 Okay, so, in any event, while that's
14 being found. The decision was made very
15 specifically on the logistics of the space and the
16 cost. So, if you look at the logistics, on the
17 right is the police station; on the left is the
18 fire Department.

19 On the right side, it's you know your
20 basic, you know, parallel functions straight across
21 from each other. In the top left, you see the
22 console area. It's sort of a circle of
23 organization, very friendly toward communication.
24 If you look at the left, you can just see that,

1 because of the layout of the space, the
2 communication area has to be separated. It
3 doesn't as easily facilitate quick and discernable
4 communication.

5 Possible likelihood of mistakes or
6 errors, and that's where I think Rebecca Putnam
7 made a very good point. When you're in an
8 emergency situation, you want it to be as quick and
9 efficient and lifesaving as possible. So we
10 really just looked at the efficiency when we looked
11 at the spaces.

12 The other thing we looked at. As you
13 all know, there is \$150,000 difference, give or
14 take. And I know that just before yesterday's
15 meeting the Town Manager was saying to me, because
16 it's been a topic that we've discussed earlier,
17 "We've got to take a look at the West Falmouth Fire
18 Station situation." I mean, that's something that
19 we've got to talk to the Village Association about
20 what's needed there. That that's, you know, it's
21 a recent situation that just came up that's
22 somewhere where that \$150,000 could go. Just as
23 an example.

24 So that's, you know, the Board's decision

1 was, you know, we've - we have sharpened our pencil
2 to try to effect the desire of Town Meeting.

3 And, just as part of my conclusion, here,
4 I'd like to call, if the Moderator would allow, the
5 Fire Chief and the Police Chief.

6 THE MODERATOR: For what? To speak?

7 MS. MORAN: To the podium, yes, sir.

8 THE MODERATOR: Yes, sure. If they
9 want to speak.

10 MS. MORAN: Thank you.

11 THE MODERATOR: I don't know.

12 CHAIRMAN JONES: Mr. Netto had asked
13 for some input from the Police Chief and Fire
14 Chief, and suggested that we had not communicated
15 with the dispatchers or with these two departments
16 about their feeling about consolidating the
17 dispatch.

18 THE MODERATOR: Okay. Would either of
19 the chiefs like to speak?

20 CHAIRMAN JONES: And this is not about
21 the location.

22 CHIEF SULLIVAN: All right.

23 THE MODERATOR: Well, this is up to you
24 guys. You guys are the chiefs. If you'd like to

1 speak, you can have the floor; if not, you don't
2 need to.

3 CHAIRMAN JONES: This is not about the
4 location. Mr. Netto was questioning whether
5 consolidated was the right way to go, and that's
6 the specific question I'm hoping they can address.

7 THE MODERATOR: Okay.

8 CHIEF SULLIVAN: Yeah, hi, Mark
9 Sullivan, Fire Chief.

10 I'm going to say what I said a year ago
11 on the floor, is that if I had my way and money and
12 training wasn't an issue, that I would leave the
13 dispatch centers the way they are, because they are
14 two different functions.

15 If we can save money for the community
16 and get a better service, then I would go with the
17 consolidation.

18 So, I leave that up to you.

19 CHIEF DUNN: As far as whether the
20 dispatchers in the Police Department have been
21 involved in this, they've been involved in this.
22 They've spoken to the consultants; I've had
23 conversations with them and everything else.

24 As far as the Police are concerned, the

1 consolidation is the right way to go. We're going
2 to free up police officers that I can give you a
3 proactive Police Department and not a reactive
4 Police Department which we are right now.

5 CHIEF SULLIVAN: Just, right now we were
6 also short a fire engine, as the Town Meeting is
7 aware of. And if we can save \$150,000 by putting
8 it in the Police station and maybe use those funds
9 towards funding our fire station, or a fire engine,
10 which we need very, very quickly, then I would vote
11 on it again.

12 THE MODERATOR: Okay, Mr. Mustafa.

13 [Applause.]

14 THE MODERATOR: Mr. Mustafa is next.

15 MR. MUSTAFA: Mr. Moderator, I'm not a
16 mathematician nor a politician, but I'm looking at
17 what you have up there, and if you take a close
18 look at it, the size of the doors at the Police
19 station and the size of the doors on the other one:
20 the scale is completely wrong, here. If you're
21 going to put something up there like that, keep them
22 both the same scale.

23 All I want are the facts, and that's the
24 way I'm looking at it.

1 Personally, right now we have a very good
2 Fire Department, we have a very good Police
3 Department. We have qualified people in both
4 areas.

5 What I would say is we can save a lot of
6 money by buying both of the departments new
7 equipment. Not buy, excuse me, let me take that
8 back. Lease radios for the Fire Department and
9 for the Police Department. That way there, as the
10 technology changes weekly, they can get new
11 equipment without having to pay any more; the lease
12 would continue on.

13 But if you buy it, you own it and that's
14 why they're in trouble now, because the stuff was
15 bought and it's out of date.

16 So all I'm saying is this: right now,
17 let's buy - let's lease the radios for the Police
18 and the Fire and let them work it through. And,
19 please, don't - don't try to snowball the thing by
20 coming up with false facts. If you - if you don't
21 like us making decisions, then why don't we just
22 stay home and you people make the decisions and
23 just call us up and say, "This is what we're going
24 to do." This is not right.

1 [Applause.]

2 THE MODERATOR: Okay. Let's - I had a
3 gentleman in the center middle aisle.

4 I'm going to let you reply, and then I'm
5 going to call the question, because people know
6 what they want to do with this. Go ahead. Make
7 a reply and we're going to go.

8 MS. MORAN: Only to -

9 THE MODERATOR: Because we've been
10 doing this one article for about an hour between
11 last night and tonight - this one line item, excuse
12 me.

13 MS. MORAN: The slide is not anything
14 other than trying to fit it on one screen. That's
15 it.

16 THE MODERATOR: Okay, the question is
17 going to come on the amendment to remove this. All
18 those in favor, signify by saying aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [No.]

22 THE MODERATOR: It's the opinion of the
23 chair is that the no's have it and the amendment
24 doesn't pass.

1 And we'll go on to Town Hall Archives,
2 \$95,000.

3 Bike path design, Community Preservation
4 Committee match, \$53,000. Ms. Lichtenstein.

5 MS. LICHTENSTEIN: [No mic:] I never
6 heard the call for the vote.

7 THE MODERATOR: Okay, so we'll vote
8 again because some folks didn't know that we just
9 voted.

10 So, all those in favor, signify by saying
11 aye.

12 [Aye.]

13 THE MODERATOR: All those opposed no.

14 [No.]

15 THE MODERATOR: It's the opinion of the
16 chair that the no's have it again.

17 MR. LATIMER: [No mic:] What is the
18 motion?

19 THE MODERATOR: What is the motion, are
20 you kidding me? Are you kidding me, Richard?
21 The motion that we've been debating is whether or
22 not to remove the consolidated dispatch line item
23 from the Capitol Improvement Plan.

24 MR. LATIMER: [No mic:] Thank you, all

1 right.

2 FROM THE FLOOR: [Inaudible.]

3 THE MODERATOR: Okay? That's the
4 motion that was on last night; that's the motion I
5 placed back on at the beginning of the meeting.
6 That's the one that we just -

7 MR. LATIMER: [No mic:] The motion to
8 zero it out.

9 THE MODERATOR: To zero it out, to
10 remove it from the plan.

11 Is it - did a lot of folks not realize
12 that that's what we just voted on?

13 FROM THE FLOOR: [Inaudible.]

14 THE MODERATOR: Okay. It's going to
15 go the same way, but I'm going to take a vote one
16 more time so I don't get accused in the newspaper
17 tomorrow of voting when people didn't know what
18 they were voting on.

19 All those - not your newspaper. All
20 those - [laughing] they're waiving back there.

21 All those in favor of removing the line
22 item for the Consolidated Dispatch, say aye.

23 [Aye.]

24 THE MODERATOR: All those opposed, say

1 no.

2 [No.]

3 THE MODERATOR: And the no's have it
4 again.

5 [Laughter.]

6 THE MODERATOR: Golf Equipment. Golf
7 Equipment? Yes, Mr. Finneran. With a
8 microphone, please. With a microphone.

9 MR. FINNERAN: Just curious on the Town
10 Hall archives: is that part of the construction at
11 Town Hall, shall we call it?

12 THE MODERATOR: The Town Hall archives.

13 MR. FINNERAN: And what does that
14 entail? It's moving the stuff that's in the
15 basement now, but where are you moving it to? And
16 wouldn't that be part of the \$300,000 or \$4.6
17 million project that we discussed last night?

18 THE MODERATOR: Okay.

19 MR. FINNERAN: I just want an
20 explanation. It seems like it's all part of the
21 same thing.

22 THE MODERATOR: Okay, Ms. Harper.

23 MS. HARPER: All right, I will do a very
24 brief presentation, which I hadn't anticipated,

1 but.

2 Good evening. I'm Heather Harper; I'm
3 the Assistant Town Manager.

4 Very briefly this project is very long
5 needed to address the storage of Town archive
6 files. That is the lower level of Town Hall.
7 That is space that's finished space, or it could be
8 finished to accommodate office uses in the lower
9 level of Town Hall. We've talked a lot about the
10 flood zone. That is in the flood zone. Those
11 need to be removed and placed in a location where
12 they can be appropriately preserved and filed and
13 maintained.

14 Next slide, please.

15 We also have significant files in the
16 lower level of Town Counsel's facility, which is a
17 leased space. And I believe that's also in a
18 flood-prone environment. But that's space that we
19 don't own and those are Town files and they need to
20 be archived.

21 So the project is to place the files -
22 and you can go to the last slide.

23 Which shows you the type of - well, this
24 talks about what the project will do, which will

1 take all of those files back to a facility, create
2 a complete archiving program, and then make them
3 available hopefully much more conveniently both for
4 our departments and for the public in retrieval of
5 documents.

6 The project includes providing a scanner.
7 It's a very compact solution. It will accommodate
8 over 2600 boxes, which is what we've identified the
9 need, based on the evaluation of the Town archives
10 as well as those in Town Counsel.

11 And I believe this is a project that you
12 can vote for regardless of how you feel about
13 whether Town Hall should be moved to another
14 location, whether you think it should be renovated
15 and improved, or whether it should stay as it is.
16 These files need to be made much more accessible,
17 and ultimately the files will be electronically
18 archived as we move in the future towards an
19 electronic archival program. So I ask for your
20 support of this project.

21 MR. FINNERAN: Just one more question.

22 THE MODERATOR: Mr. Finneran.

23 MR. FINNERAN: My original question:

24 where are they going to? Where are you going to

1 archive them? What is this \$95,000 to move them
2 to where?

3 MS. HARPER: Oh, I'm sorry, I didn't
4 hear that part of the question. We're talking
5 about locating it within the Gus Canty Community
6 Center.

7 THE MODERATOR: I hope it's not on the
8 stage.

9 MR. FINNERAN: Have you talked to them?
10 [Laughter.]

11 MS. HARPER: We have attended a meeting
12 of the Falmouth Recreation Committee; we had a very
13 warm welcome and reception. We did a tour of the
14 facility with the Rec Committee and we'll have
15 ongoing communication with them about where in the
16 building makes the most sense for the recreational
17 program and for the archive use.

18 THE MODERATOR: Ms. Cuny.

19 MS. CUNY: Sandra Cuny, precinct 2,
20 Chairman of the Falmouth Recreation Committee.

21 We have met with our Town Manager, but my
22 question to her is if this passed, would they be
23 able to just move the archives to wherever they
24 want? Because the Recreation Committee did not

1 vote on where they should go. And we were looking
2 at the different rooms, but the fact that they
3 would take one and it would be a permanent taking,
4 we, you know, we questioned which of the rooms that
5 they wanted, because it has to be a certain size.
6 And the one that was off the Teen Center was one
7 that we really didn't want to part with.

8 So, we haven't gotten all the figures of
9 where they want to put it. We didn't close the
10 door on the idea, but we certainly haven't voted,
11 and I would like to think that before their move to
12 the Recreation building that you would re-assure
13 that the Recreation Department and the Committee
14 would have a formal vote on this.

15 THE MODERATOR: Ms. Harper.

16 MS. HARPER: I think we -- we would have
17 no objection to that. The Board of Selectmen I
18 believe ultimately has the authority over space use
19 in town. I mean, I know that it's clear that
20 they're looking for your input on what the best use
21 of the Gus Canty Center is.

22 THE MODERATOR: Okay. Yeah, Mr.
23 Finneran.

24 MR. FINNERAN: I'm sorry, but it seems

1 like we're putting the cart before the horse, here.
2 We're giving you money to move something and you
3 don't even know where you're moving it to. And
4 you're already sitting on 225 that you didn't want
5 to tell us about last night.

6 I propose we zero this one out, too.

7 THE MODERATOR: Okay, we have an
8 amendment to remove the Town Hall archives for
9 \$95,000.

10 Discussion on the amendment.

11 Mr. Latimer.

12 So this amendment is to strike out the
13 Town Hall archives line.

14 MR. LATIMER: In addition to the concern
15 of not knowing where this money would be spent, I'm
16 concerned about almost - assuming that the rec
17 building - the community building could be used for
18 any other purpose for which it's convenient to dump
19 something. I mean, I think that that is a
20 valuable facility that should be used for what it
21 was designed to be used for.

22 Are there no other publicly owned
23 buildings that could be used for either the Police
24 or - excuse me, either the dispatch center or this

1 storage that would be available to the Town? Are
2 we saying there are no other buildings? Doesn't
3 the Town own other properties that could be perhaps
4 rehabbed for these purposes?

5 THE MODERATOR: Ms. Harper.

6 MS. HARPER: Mr. Moderator, there are
7 three locations in the Gus Canty Center that we
8 reviewed with the Recreation Committee. In fact,
9 we asked them where they think the most reasonable
10 location would be. And I can't speak for the
11 Committee and neither can Ms. Cuny, I don't think,
12 but the reception was very warm. It wasn't at all
13 an adversarial conversation.

14 They - we are measuring all three of the
15 locations. There are multiple issues. The height
16 of the room -- two of them we know are feasible and
17 we're waiting for a report on the third location.

18 But I'm confident that, working with the
19 Recreation Committee, that there will be a space in
20 the Community Center that makes sense for this
21 important community use. These are important
22 files. They will be available to the public and
23 there are locations in the facility that are
24 currently not actively used.

1 In terms of other municipal buildings, we
2 did explore many, many locations. Again, I worked
3 closely with the Human Resources Director Denise
4 Coleman. We explored every municipal facility.
5 There's currently nothing available now that would
6 be appropriate for this use.

7 THE MODERATOR: Okay, Ms. Hayward.

8 MS. HAYWARD: Nancy Hayward, precinct 5.
9 Off the Historical Commission due to term limits.

10 I have one comment to make. I don't
11 know where you can put these. Please don't put
12 them in a basement. Thank you.

13 THE MODERATOR: Okay. Mr. Palmer.

14 CLERK PALMER: Can everyone hear me? In
15 2001, a report was done by I believe her name was
16 Nancy Kugis [sp?], which made recommendations for
17 the archival of our historic documents in Town and
18 documents we use to do business.

19 Nothing has been done since 2001. We
20 have woefully underspent on archiving of our public
21 records. We need to move forward with some kind
22 of system wherever it may be. I'm not saying it
23 should be at the Rec building, but wherever it may
24 be, to preserve the historical documents of this

1 Town.

2 If anybody has ever tried to put in a
3 public request for documents, it is very difficult
4 when you go into the basement of Town Hall and the
5 pictures there, to see what the pictures look like
6 of how these things are stored. It takes time to
7 look through these documents to find what people
8 are looking for.

9 We have been spending - and I have a
10 saying, we spend on buying a Volkswagen bug where
11 we need to be spending to buy a Cadillac. We have
12 not spent any money in 15 years on archiving of
13 documents. We need to do something and, wherever
14 it is going to be in Town, we need to put some
15 money into the archiving of documents and preserve
16 the history -- the documental history of the Town.

17 THE MODERATOR: Mr. Dufresne.

18 MR. DUFRESNE: Adriene Dufresne,
19 precinct 2.

20 The security of the Community Building
21 for these archives -- did I understand that the
22 Town records are under the control of Mr. Duffy;
23 they're also in a basement. A few years ago, when
24 I was on the Finance Committee, I was witness to

1 some of the records that are in the basement of his
2 building. Are those records also going to be
3 placed in the Community Building under a secure
4 area?

5 CHAIRMAN JONES: [Nods.]

6 MR. DUFRESNE: Okay.

7 His records, of course, are very
8 important, the security of those records. That's
9 the legal records of all the Town. And right now,
10 they're sitting next to a furnace in the basement
11 of the building that he leases.

12 Some form of security would have to be
13 placed in whatever location all of these records
14 are going to be placed. And I don't understand:
15 we close the Community Building usually every night
16 and I'm wondering about the liability. I think
17 that's what's on my mind, is, knowing both
18 locations, these archives have to be preserved and
19 they really have to be moved, but the security
20 portion is what I don't understand.

21 THE MODERATOR: Ms. Harper.

22 MS. HARPER: It will be a secure
23 location. It will be locked and secured and
24 likely will have a swipe card system associated

1 with it.

2 MR. DUFRESNE: With an alarm?

3 MS. HARPER: I don't know.

4 MR. DUFRESNE: I mean, it's right next
5 to the Police Station -

6 MS. HARPER: Yeah.

7 MR. DUFRESNE: I would suggest every bit
8 of security necessary -

9 THE MODERATOR: Okay, all right.

10 Let's go. I don't want to get into the question of
11 where that's going to go. That's the - the
12 Selectmen are going to make that decision. Either
13 you want to give them the 95,000 to go forward with
14 this, or not, okay?

15 We don't have the authority to set the
16 site, here. They're going to make that decision.
17 I think they hear the concerns of Town Meeting
18 members. So, if there's anything new related to
19 the 95,000.

20 MR. DUFRESNE: I would like to move that
21 we keep the funds in place and remove it to a safer
22 place.

23 THE MODERATOR: Okay, Mr. Young?

24 Nothing new, okay.

1 Mr. Hargraves, anything new?

2 MR. HARGRAVES: Peter Hargraves,
3 precinct 9.

4 This is new in the sense that I'm kind of
5 losing perspective on what we're doing here. I
6 thought we were allocating Free Cash to capital
7 spending, and it seems to me that we're assaulting
8 volunteers, elected officials and paid
9 administrators of the Town who are presenting us
10 with their best thinking and I think we owe them a
11 level of trust - or else it ought to come out at a
12 different forum of performance reviews or some
13 other venue. But I think assaulting the people
14 who are up there trying to serve us is not the way
15 to get this done. And micro-managing their job
16 can only de-motivate them in giving their best
17 creative effort. And so I would encourage us to
18 think about what we're trying to accomplish here.

19 And I know that they don't need any
20 defense from me, but I'd like to make a comment
21 that I didn't get a chance to make on the last
22 item, which is: some people thought that we were
23 directing Town management to look at one location.
24 Personally, I'm glad that people have the passion

1 in their job to deliver the best value to the
2 taxpayers, and I thank Town management for looking
3 at all the options and delivering that. That's
4 what I expect. And so, instead of not meeting
5 expectations, I would say that's exceeding
6 expectations.

7 I would certainly consider the other
8 things that have been brought up here: the SLOSH
9 factor and can we lease equipment, but you know,
10 attacking the people on the stage is not the way to
11 get this done.

12 THE MODERATOR: Okay -

13 [Applause.]

14 THE MODERATOR: - the question will come
15 on removing the \$95,000 -

16 [Applause continuing.]

17 THE MODERATOR: The question is to
18 remove the \$95,000 for the Town Hall archives. All
19 those in favor of the amendment, signify by saying
20 aye.

21 [Aye.]

22 THE MODERATOR: All those opposed no.

23 [No.]

24 THE MODERATOR: It is the opinion of the

1 chair that the no's have it by a majority.

2 Bike Path Design(CPC Match), 53,000.

3 Golf Equipment, 56,356.

4 Senior Center Owner's Project Manager,

5 \$50,000. Mr. Dufresne.

6 MR. DUFRESNE: Adriene Dufresne,

7 precinct 2.

8 How about a slight explanation on is this

9 a brand new position?

10 THE MODERATOR: The OPM for the Senior

11 Center, Ms. Harper.

12 MS. HARPER: Just very quickly, the

13 Owner's Project Manager is a requirement of Chapter

14 149, which is the construction bid laws, and you're

15 required to have an Owner's Project Manager on

16 board prior to selecting an architect. We heard

17 the report on the Senior Center the other night;

18 our thought was to engage the Owner's Project

19 Manager for a short period of time to assist the

20 Town in whatever is needed as soon as any

21 additional vote is required related to an

22 architect. So this is just making the next

23 appropriate step in the decision-making relative to

24 the Senior Center.

1 It's not a staff position, it's a
2 contract.

3 MR. DUFRESNE: [Inaudible.]

4 MS. HARPER: It's a contract.

5 MR. DUFRESNE: It's a contract?

6 MS. HARPER: Correct, with a
7 professional -

8 MR. DUFRESNE: A contract position.
9 And I'd probably have no problem with it, except
10 that we've not really voted on a location for the
11 Senior Center, of which I understand there's been
12 some discussion in the last couple of nights. And
13 I question if this is not a premature
14 appropriation, but that's a personal opinion.

15 THE MODERATOR: Mr. Jones.

16 CHAIRMAN JONES: If I heard you
17 correctly, Mr. Dufresne, there has been a vote
18 taken on the location on Brick Kiln Road at the
19 high school.

20 MR. DUFRESNE: It has been voted?

21 CHAIRMAN JONES: Yes, it has.

22 MR. DUFRESNE: Okay.

23 THE MODERATOR: Okay.

24 Phase 1, Portable Radios, \$240,465.

1 Police Vehicle Radios, \$112,000.

2 Mr. Donahue. Yes, with a microphone,

3 Mr. Donahue.

4 Is it on, or are you --

5 [Pause.]

6 THE MODERATOR: I don't think it's on.

7 Maybe the batteries died.

8 [Laughter.]

9 THE MODERATOR: Mine are gettin' a

10 little low.

11 [Laughter.]

12 MR. DONAHUE: Mr. Chairman, through you

13 to our Finance Director.

14 I bring this up every time. Shouldn't
15 these two items be in the Police Department budget?

16 Don't they - all police vehicles need radios and
17 don't all policemen need portable radios?

18 I keep asking every time this comes up.

19 I believe this should be in the Police budget.

20 It's a normal thing. It's nothing unusual. If

21 you - you know, the Fire Department, we're going to
22 need a fire truck; that's unusual. We don't need
23 a fire truck every year, or even every ten years.

24 Why can't we get these things so we can reflect the

1 Police budget and other budgets in a proper
2 accounting manner?

3 Thank you.

4 THE MODERATOR: Okay.

5 Go ahead, Ms. Petit.

6 MS. PETIT: This is a Capital item.

7 It's not an operating expense item, so you wouldn't
8 see it in the Operating Budget, if that's what the
9 question is. We're not using re-occurring revenues
10 to buy this. This is the first phase of replacing
11 all of our radios, so it's not something that we
12 would put in the budget in April every year.

13 MR. DONAHUE: But my point is, is that
14 all equipment that's used by a department, standard
15 equipment, should be in their budget, not in a
16 Capital budget. It should all be -

17 THE MODERATOR: Whoa, whoa, whoa, Mr.
18 Donahue -

19 MR. DONAHUE: - so we reflect -

20 THE MODERATOR: Mr. Donahue, Mr.
21 Donahue.

22 MR. DONAHUE: Yeah.

23 THE MODERATOR: Go into your warrant
24 booklet and look at the Working Group's definition

1 of Capital, okay?

2 MR. DONAHUE: Yeah.

3 THE MODERATOR: And we don't upgrade our
4 entire portable radio system on a regular basis.
5 It's not like buying the police cruisers every
6 three years, re-occurring expense, re-occurring.
7 This clearly meets the definition that the Working
8 Group that Mr. Anderson put together defined to
9 lead us into a paradigm of what is capital and what
10 is operating.

11 MR. DONAHUE: But we bought these a few
12 years ago, as well.

13 What I'm saying is that, anything that's
14 standard equipment, whether it's stationery or
15 radios, if it belongs in that department, it should
16 be bought under that budget so we know what the
17 total cost of that department is.

18 I'm just looking for what the total cost
19 is. You don't - and in the spring, you won't come
20 down and say the police budget was \$2.50 plus \$5.00
21 for radios and give us a - do you follow what I'm
22 saying? I just think that -

23 THE MODERATOR: No, I don't, actually,
24 and I'm losing my patience with it.

1 MR. DONAHUE: I'm sorry.

2 THE MODERATOR: Because this is - could
3 I have the Chief explain the upgrade to this
4 system? Because, clearly, the background of why
5 we're doing this radio system is not known by
6 anyone.

7 So, could we talk about the upgrade of
8 the platform, here, and that this isn't a re-
9 occurring expense; that we're actually -

10 [Laughter.]

11 THE MODERATOR: Job shift.

12 CHIEF DUNN: He's going to help me,
13 because he understands.

14 These portable radios that the Police
15 Department are using are from 1996 Olympics.
16 There are no parts for 'em. We are scavenging the
17 ones that are good to repair 'em.

18 Our cruiser radios are also from 1996.
19 Motorola, if you talk to Motorola, the young techs
20 at Motorola now have never even heard of our
21 radios.

22 [Laughter.]

23 CHIEF DUNN: And, like I said, they are
24 failing and if you come into the Police station,

1 I'll show you the box that we have that we're
2 scavenging parts just to keep them running for now.

3 So, we don't buy new radios every year.

4 THE MODERATOR: Okay, so Ford - yeah,
5 yeah, what? Ford F-25, or 250, whatever it is.
6 Ford 250.

7 FPI Vehicle. Fire Prevention Inspection
8 vehicle, yes, Ms. Putnam.

9 MS. PUTNAM: Rebecca Putnam, precinct 9.

10 And, I'm sorry, I just wanted to go back
11 to the Ford F-250. For what department is this
12 vehicle for? I think we should at least know is
13 this for Police, Fire, DPW? Who is it going to?

14 THE MODERATOR: Yeah. If we go in the
15 back, it's in there. There's a sheet for each
16 one. Does anybody got it off the top of their
17 head?

18 MS. PETIT: It's for the Police
19 Department.

20 THE MODERATOR: Police Department.

21 Okay?

22 Fire Prevention Officer Vehicle.

23 EMS Supervisor Vehicle.

24 Marina Building Roof.

1 Let's see, and then we've got the DPW.
2 This is the DPW Garage Windows. That was the
3 change in the main motion from the fire station to
4 DPW garage windows.

5 Rec Center Exterior Wallboard.

6 Two Emergency Generators.

7 Road Maintenance/Construction/Sidewalks.

8 Mr. Hargraves.

9 MR. HARGRAVES: Peter Hargraves,
10 precinct 9.

11 I notice that in the back this is
12 requested at \$850,000, and it's consistently in the
13 out years requested at that amount. We spent
14 \$200,000 last year and the statement, if I'm
15 recalling it correctly, is the 200,000 is kind of
16 the minimum to cover crack filling and striping.

17 So, my question to all of us and to Ray
18 Jack if he's here: should we increase this amount,
19 considering we saved 300,000 in one of the line
20 items and 121,500 in another. So, we have
21 \$421,500; should we be putting more money into road
22 maintenance? I see a lot of road projects and
23 they always seem to get it done, but so I don't
24 really know if this is smart, to increase this.

1 I'm looking for some help and guidance on this.

2 THE MODERATOR: Ms. Harper or Ms. Petit.

3 MS. PETIT: Yes, this question came up
4 last year because it's consistently requested in
5 the Capital Plan of about \$800,000. The issue is
6 that the DPW, if we appropriate \$200,000, they
7 still have money from previous years on the books.
8 So you can appropriate more money, but they won't
9 spend it in the next year.

10 We want to -- you know, in the next year
11 we'll probably be able to increase it a little bit
12 knowing that they will get to the projects for the
13 roads and actually spend it. But they have more
14 than the 200 that you're going to appropriate
15 already on the books and that's why we only
16 recommended the \$200,000.

17 MR. HARGRAVES: Thank you.

18 Could I just ask a clarifying question on
19 what you just said, Jennifer?

20 MS. PETIT: Sure.

21 MR. HARGRAVES: Is that because there
22 isn't the need, or because they don't have the
23 capability to manage that many projects?

24 MS. PETIT: Well, I definitely think

1 there's a need. It's just, you know, in the last
2 couple years, I think with staffing and things of
3 that nature, they just haven't been able to get to
4 those projects.

5 And also, I want to remind everybody that
6 they do have use of Chapter 90 funds, and they've
7 been using that as well. They just haven't been
8 getting to the money too much of what we've been
9 appropriating. So we want to let them catch up a
10 little bit, but you'll probably see an increase
11 next year.

12 THE MODERATOR: Okay, yes. What do we
13 got? Yeah, Peter. Peter McConarty.

14 MR. MCCONARTY: Thank you, Mr.
15 Moderator. Peter McConarty, Deputy Director of
16 Public Works, Town Engineer.

17 It is correct, we do have Chapter 90
18 funds that we use on an annual basis. The Chapter
19 90 funds that we do use is basically what we use
20 for our road maintenance. This \$200,000 was
21 appropriated.

22 It is correct, the statement. It
23 basically covers line striping, crack sealing and
24 minor repairs that we do to the roadways. It does

1 not take care of any of the larger areas that we're
2 working on the roadways.

3 So, we will be working this year to
4 reduce the budgets for the roadway, but what we
5 don't want to do is start depending on Chapter 90
6 funds, as what we have been doing.

7 You've been seeing a lot of construction
8 going around town. You've been seeing it on
9 Acapesket Road. You've been seeing it on Old
10 Barnstable Road. That is our Chapter 90 funds and
11 it's not to be confused with the funds that we have
12 for local. We don't want to be relying on our
13 Chapter 90 funds. We are looking to increase our
14 local funds for the roadway maintenance.

15 Thank you.

16 THE MODERATOR: Okay, anything else on
17 that one?

18 All right, let's see. A Dump Truck with
19 Plow, 190.

20 Sweeper, 260,000.

21 Roadside Mower, 100,000.

22 Sewer Cleaning Truck Rehab, 45,000.

23 Chipper, 70,000.

24 Pickup Truck F350, 50,000.

1 Mower and Blower, 43,217.
2 Replace Van with F350 Truck, 50,000.
3 Wastewater System upgrade, 125,000.
4 New fire safety improvements and paging
5 system, 163,460. Ms. Mace.

6 MS. MACE: Okay, just making sure it
7 works.

8 Rose Mace, precinct 3.

9 This is through you, Mr. Moderator, to
10 Mrs. Harper. In my precinct meeting we went over
11 the replacement of mini van. If you look in the
12 back of your Articles of the Warrant, they want to
13 replace this mini van with an F-350. And their
14 explanation for it is that the mini van has 103,000
15 miles on it and that it was beyond its life cycle.
16 And you said the other reason was because they
17 needed the F-350 for a piece of equipment they need
18 to put in the back of it, you believed. And I was
19 wondering if you got that information.

20 THE MODERATOR: Ms. Harper.

21 MS. HARPER: I did raise your inquiry
22 with the Facilities Coordinator and the Finance
23 Director and I know Shardell is prepared to answer
24 that question for you.

1 THE MODERATOR: Ms. Newton.

2 MS. NEWTON: Shardell Newton, Facilities
3 Manager.

4 What we're doing is we have a van that
5 was a hand-me-down from the Water Department, which
6 many of our vehicles usually are hand-me-downs. We
7 have a half ton, very small half ton Chevrolet
8 pickup truck that our town carpenter drives. That
9 vehicle originally belonged to me. It was
10 purchased for the Facilities Manager; it wasn't
11 purchased to do heavy jobs or push snow around.

12 Since the hiring of the carpenter, we've
13 taken that truck and we gave it to him. And as
14 you've all seen, I'm sure you've seen him around
15 town, lugging wood around. That half ton just
16 can't push snow for us. And we're the first ones
17 out in the morning. What we try to do is help the
18 DPW by plowing the smaller buildings, like the
19 Senior Center, the Rec area, the Police station.
20 We just can't push snow around with that half ton
21 pickup.

22 So we're taking the oldest vehicle of the
23 fleet, which is a two wheel drive van; that's
24 driven by the overnight person. We have a person

1 that works 11:00 to 7:00 at night. So that person
2 in a snowstorm is driving around in a two wheel
3 drive van that has a rotted floor in it, and it's
4 just not really that safe. So we're going to get
5 rid of that vehicle. We're going to give the four
6 wheel drive half ton pickup to the custodians that
7 work at night, and the new one ton pickup will be
8 driven by the Town Carpenter.

9 Those guys start work at six o'clock in
10 the morning; they coordinate with Mr. Souza on
11 who's going to plow what and where we're going to
12 go.

13 So we really help the DPW out to keep
14 some of the bigger trucks on the roads where they
15 belong and we'll take the one ton pick-ups and try
16 to get the Town buildings cleared so we can keep
17 these buildings open for the snow storms.

18 THE MODERATOR: Okay, any further
19 discussion on the Capital Budget?

20 Hearing none, the question will come on
21 the main motion - the amendments - as amended.
22 So, your amendments included removing the Town Hall
23 renovation, and that was the only amendment.

24 So the new total amount is \$3,582,003.

1 All those in favor of the Capital Budget, signify
2 by saying aye.

3 [Aye.]

4 THE MODERATOR: All those opposed no.

5 [None opposed.]

6 THE MODERATOR: The ayes have it
7 unanimous.

8 Article 10, Madame Chairman for the main
9 motion.

10 CHAIRMAN VOGEL: Mr. Moderator, I move
11 article 10 as recommended.

12 THE MODERATOR: As recommended. This
13 is non-Capital projects, to transfer from Certified
14 Free Cash \$403,860.

15 Mr. Hargraves held this.

16 MR. HARGRAVES: [No mic:] No.

17 [inaudible.]

18 THE MODERATOR: Well, I had you for ten
19 and eleven.

20 MR. HARGRAVES: [No mic:] Okay, I did
21 have one question. Thanks for correcting me.

22 [With mic:] The only - Peter Hargraves,
23 precinct 9.

24 There's one item under Water, Update

1 Water and Sewer Rate Study, and I was wondering the
2 nature and purpose of that work. It seemed like
3 something that somebody who has a job in DPW would
4 be doing, and I don't know if this is a consultant,
5 and for what purpose that we would be paying
6 \$30,000 for this study.

7 THE MODERATOR: Okay. Mr. Potamis,
8 Mr. Rafferty, who's - let's give Mr. Rafferty a
9 shot.

10 [Laughter.]

11 THE MODERATOR: He gave us a great tour
12 a couple weeks ago with the Municipal Citizen's
13 Academy.

14 MR. RAFFERTY: The Town every few years
15 takes a look at what revenue is raised by the Water
16 Department and the Sewer Department, to make sure
17 the revenue that's being raised covers the cost of
18 those departments. Those costs are the cost of
19 the labor, the cost of the materials, as well as
20 the cost to recover some of the capital in the
21 project of fixing the pipes.

22 We haven't done it for a number of years.
23 The new Water Treatment Plant is going to cost us
24 some more money to run. We're going to get a lot

1 more sewer users. Both of those factors will
2 affect what the rates are.

3 I believe the question was can it be done
4 internally. I suppose it could be, however we've
5 used a consultant in the past who has got a vast
6 knowledge of what rates are charged across the
7 state, and he'll help us in comparison to what
8 we're doing to other communities, and help us with
9 the economics of how much and how fast we should
10 try to take on certain projects and the fairness of
11 the rates that we're going to establish.

12 The state's got several rules around
13 water quality management and water resource
14 management and we're going to have to make sure
15 that our rates fit into those rules. There is some
16 complexity to that and we want it done right.

17 THE MODERATOR: Okay, Mr. Hargraves.
18 With a microphone, please.

19 MR. HARGRAVES: Your answer was
20 excellent, as usual, and it pinged on the purpose
21 of my question.

22 So, in doing the rate study are we
23 planning to look at making the Water Department and
24 Sewer Department paying for itself, or creating a

1 revenue generator based on equitable rates in other
2 communities? Because I would hope the former.
3 I'm concerned that, you know, we have low water
4 rates and a lot of people enjoy that, and some
5 people are feeling that - whether it's folklore or
6 truth - that the Water Department is a money-maker
7 now. And I know we've had informal kind of banter
8 on this point, but I would hope the purpose is to
9 just establish a fair rate based on the cost of
10 delivering services in Falmouth. But I don't
11 know; I'm asking you that.

12 MR. RAFFERTY: I think you stated it
13 rather well. The intent is for the Water and
14 Sewer rates to cover the actual full costs of the
15 Water and Sewer Departments.

16 THE MODERATOR: Okay, any further
17 discussion on Article 10, the non-capital items?

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

21 [Aye.]

22 THE MODERATOR: All those opposed no.

23 [None opposed.]

24 THE MODERATOR: The ayes have it

1 unanimous.

2 Article 11, that was Mr. Hargraves wanted
3 to release his hold.

4 What, Mr. Finneran? A point of order.

5 MR. FINNERAN: Yeah.

6 I know we voted on it, and would it be
7 possible to go back to number 10 and my question
8 is: we just saved \$300,000 from the Town Hall
9 funds. Would it be possible in any way to take
10 that 300,000 and earmark it towards the fire engine
11 that we definitely need? And try to address that
12 safety issue?

13 THE MODERATOR: The article, this is a
14 non-capital article and it's - we've already taken
15 a vote on it, so it's closed.

16 MR. FINNERAN: Well.

17 THE MODERATOR: We'll have to come back
18 at a future Town Meeting if we're going to buy a
19 fire truck.

20 Article 11 was held and he wants to
21 release the hold, by Mr. Hargraves. So the chair
22 would entertain a motion from the Planning Board.

23 CHAIRMAN FOX: Jim Fox, Chairman of the
24 Planning Board.

1 We recommend indefinite postponement.

2 THE MODERATOR: Indefinite postponement,
3 all those in favor, signify by saying aye.

4 [Aye.]

5 THE MODERATOR: All those opposed, no.

6 [None opposed.]

7 THE MODERATOR: The ayes have it
8 unanimous.

9 The next one, we're going to go to
10 Article 14. By a call of the chair, we're going to
11 take that one out of order because we have to
12 decide if we're going to rezone the land before we
13 can give them authority to do stuff on the land.

14 So, Article 14 is to see if the Town will
15 vote to amend the official zoning map of the Town
16 of Falmouth so as to rezone from Public Use to
17 Light Industrial C a portion of the former Town
18 landfill.

19 Mr. Chairman of the Planning Board for
20 the main motion.

21 CHAIRMAN FOX: Mr. Moderator, we
22 recommend the article as printed.

23 THE MODERATOR: Okay, as printed.

24 And I think we have a presentation that

1 will address this and sort of be an overview of all
2 these three articles and then we can have a little
3 debate and then we can go article to article.

4 Mr. Galasso.

5 MR. GALASSO: Thank you, Mr. Moderator.
6 Good evening, Town Meeting members. My name is
7 Michael Galasso. I'm the Chairman of the Falmouth
8 Economic Development and Industrial Corporation,
9 also known as the Falmouth EDIC.

10 With me tonight is Board member Jim Fox,
11 our consultant Mike Richards with Weston and
12 Sampson, and our Attorney Laura Moynihan.

13 We have a short PowerPoint presentation
14 this evening on the proposal to rezone a portion of
15 the closed landfill on Thomas Landers Road from
16 Public Use to Light Industrial C; it's Article 14.
17 And to ask for your approval for the EDIC to enter
18 into a land lease with the Town, that's Article 12;
19 to develop a solar array at the landfill which
20 could generate up to 5 megawatts of electricity and
21 save the Town between 250 to 500,000 dollars a year
22 in electrical cost.

23 These three articles, if approved by you
24 this evening, again will save the Town between 250

1 and 500,000 a year at no cost to the Town. This
2 is a different way to produce renewable energy for
3 our community.

4 Let's see how we propose to do that.

5 First slide, please.

6 Just a quick background on the EDIC. It
7 was formed in 1981 by vote of Town Meeting, and on
8 the screen are some of the projects that were -
9 some of the ones that have been already completed.
10 And the one that we're currently working on is the
11 Falmouth Station. If you recall from our
12 presentation in the spring, we entered into a long-
13 term, 99 year lease with Mass. DOT to renovate the
14 Falmouth Station, and we were also able to secure a
15 grant from the Mass. DOT for 1.4 million to go
16 towards renovation of that project.

17 The current capped landfill and the
18 surrounding development.

19 Next slide, please.

20 The nearest residential home to the
21 capped landfill is 600 feet away. That's shown on
22 the right in that little square box. Sorry it's
23 not a little bit bigger. It's 714 Blacksmith Shop
24 Road. 617 feet away.

1 Let me give you a little bit of
2 background if I could. In 2012, the EDIC entered
3 into a Memorandum of Understanding with the Town to
4 study at our cost, the EDIC's cost, all the
5 potential re-uses that could reasonably be
6 accomplished at the closed and capped landfill. We
7 hired and paid for a consultant, Weston and
8 Sampson, who has extensive experience in studying
9 land use and market alternatives for closed
10 landfills, to study all the potential re-uses that
11 our landfill could support.

12 We held a number of open public meetings
13 and information forums between 2012 and 2015 to
14 solicit input into the study and the proposed
15 plans, including meeting with the Board of
16 Selectmen, the Planning Board, and noticing the
17 residents and property owners within 1,000 feet of
18 the site. We individually invited all the
19 property owners within 1,000 feet to come and join
20 us at those meetings to discuss the highest and
21 best use.

22 If you recall, we presented an update to
23 you at the Spring Town Meeting, where we mentioned
24 we would be before you this evening.

1 The study by Western & Sampson looked
2 into and evaluated a variety of potential re-uses
3 ranging from recreational, agricultural, industrial
4 -- such as contractors' yards and boat storage --
5 to parking. A copy of the re-use study has been
6 posted on the EDIC website for a number of months.

7 The conclusion of that study, taking into
8 account public input, was to develop the solar
9 array which could generate up to 5 megawatts of
10 electricity to be used at Town-owned facilities and
11 reduce the Town's cost of electricity.

12 In addition to the study, the EDIC has
13 also paid for the interconnection study we needed
14 to submit to Eversource to determine if the grid
15 could accept the proposed power that the landfill
16 could generate, and what would be the cost which
17 the solar developer would pay to upgrade the grid.
18 The result of that study that was approved by
19 Eversource was that: yes, the grid could accept the
20 power we would generate at the landfill.

21 Next slide, please. Next slide.

22 This is the area of the landfill we are
23 asking to be rezoned from PU, Public Utility, to
24 Light Industrial C. The Waste Management Facility

1 which is located up in the upper left-hand corner,
2 is not a part of our rezoning request. The total
3 area of the Landfill is approximately 53 acres, and
4 the area to be rezoned is in the shaded area; it is
5 approximately 48 acres.

6 There is a map with more detail in your
7 warrant book.

8 Next slide, please.

9 So, again, here is the evaluation
10 criteria that Western & Sampson used in ranking
11 each of the potential re-uses. What was legally
12 possible, physically permissible and financially
13 feasible, that was the criteria in looking at all
14 the potential re-uses that our landfill could be
15 put to.

16 Again, the full report, which we reported
17 on in the Spring, is on our website.

18 Next slide, please.

19 So the zoning district that permits
20 ground-mounted solar panels in our community, by
21 right, is Light Industrial C. It is the only
22 zoning in town that permits ground-mounted solar
23 arrays.

24 If you agree to the rezoning tonight,

1 Article 12 would authorize the Selectmen to enter
2 in negotiations with the EDIC for a ground lease of
3 the area being rezoned, and Article 13 would
4 generate - would grant easements over Town-owned
5 land that would allow us to connect the power - the
6 solar power into the grid.

7 There's a telephone pole on the left-hand
8 side as you enter the landfill; that's the
9 connection point. That's not a part of the area
10 that we're going to be leasing; it'll remain Town-
11 owned and we need an easement to get to that power
12 pole. And that's Article 13.

13 So, once the EDIC enters into a lease
14 with the Town, it would then enter into a sub-lease
15 with the selected solar developer.

16 Next slide, please.

17 So the solar array will be developed,
18 financed, maintained and, at the termination of the
19 lease they would remove the panels - if we want
20 them to be removed - by the selected solar
21 developer. And to ensure that the solar developer
22 who's selected to build the array meets all their
23 obligations to both the EDIC and the Town, we will
24 require that the developer post a bond or a letter

1 of credit.

2 The Town will not borrow any money,
3 provide any grants, nor have any financial
4 obligation in the development of the solar array at
5 the landfill. So, let me repeat that so we all
6 understand: the Town will not borrow any money,
7 provide any grants. It will have no financial
8 obligation in the development of the solar array at
9 the landfill.

10 The EDIC will be responsible for
11 selecting the solar developer and entering into
12 agreements for the development with the selected
13 developer. The Town will receive the benefit of
14 reduced, green, renewable energy at a cost lower
15 than what it currently pays Eversource.

16 The Town will enter into what is called a
17 Power Purchase Agreement, known as a PPA, to
18 purchase the power generated at the landfill from
19 the solar developer at a rate below what we
20 currently pay Eversource for electricity.

21 In addition, we have the right to fix our
22 cost of electricity over the 20 year period.

23 Next slide, please.

24 Okay. There is some urgency in moving

1 forward tonight. One of the financial incentives
2 to developing solar projects, whether it's on your
3 home roof or projects like we're proposing at the
4 landfill, is a 30 percent federal tax credit, which
5 is available to solar developers or to a homeowner
6 if you purchase the solar system and place it on
7 your roof.

8 The Town, since we do not pay federal
9 taxes, cannot take advantage of the credit. The
10 credit is due to be reduced to ten percent at the
11 end of 2016. The potential impact is that if we
12 are not in operation by the end of 12 - by
13 12/31/16, the end of 2016, the credit expires and
14 reverts to a ten percent credit. The cost of
15 developing the solar array will increase and the
16 savings to the Town would decrease. We would still
17 derive a savings; it just won't be as large.

18 All indications are if we obtain your
19 approval tonight for all the three articles, we can
20 meet the end of the year deadline. It's the end
21 of 2016.

22 I'm going to ask my fellow board member
23 Jim Fox - Jim wears a lot of different hats, but
24 he's been a long-term board member of the EDIC -

1 THE MODERATOR: Mr. Galasso, before you
2 do that --

3 Can we just have a motion, Mrs. Long?

4 MS. LONG: Mr. Moderator, may we have a
5 motion to continue after eleven o'clock to finish
6 these three articles.

7 THE MODERATOR: Okay, to continue after
8 eleven o'clock for this package of articles. All
9 those in favor, signify by saying aye.

10 [Aye.]

11 THE MODERATOR: All those opposed, no.

12 [No.]

13 THE MODERATOR: The ayes have it by a
14 two-thirds majority and I so declare.

15 Mr. Galasso.

16 MR. GALASSO: Thank you.

17 So Jim is going to take you through some
18 of the preliminary cash flow projections so you get
19 an idea how we're coming up with the potential
20 savings to the Town.

21 CHAIRMAN FOX: Can I have the next
22 slide, please. Ooh, that's so small.

23 Basically what we have here is three
24 different categories. We're looking at getting a

1 20 percent discount, a 30 percent discount or a 40.
2 Which, the 14 cents as you see it in the second
3 column, that's what the electric bills are. The
4 actual numbers, the actual credit now is that's
5 closer to 17. These numbers are a year old.

6 The estimated dollars that we thought we
7 would get from a credit you can see goes from
8 either 11 or as low as 8. We got the bids today,
9 and the bids are at 6, and they're fixed for 20
10 years. If you changed those two numbers, one to
11 the 17, which is the current bid rate, the electric
12 rate, and the other one to six, that 500,000 - that
13 400 becomes an almost \$800,000.

14 We have seven bids in from some of the
15 major companies in the country like this, with all
16 great credit and this project's looking really
17 good. We're just going through the bids right now,
18 but they look absolutely fantastic. Almost double
19 our expectation on the revenue. So it's good
20 news.

21 Next slide, please.

22 This shows how the Town flow goes. The
23 Town leases the site to the EDIC, and it collects
24 rent from the EDIC and it gets payment in lieu of

1 taxes. And it also saves on the discounted
2 electricity through what we call a Power Purchase
3 Agreement. The EDIC leases it from the Town and
4 subleases it from the developer. We just wanted
5 an intermediate role because we've been working on
6 it for three years and studying it and we're the
7 ones that took the initiative.

8 The developer actually spends all the
9 money. This third party alternative is what we -
10 the decision we made that makes it different from
11 any other projects. We're not - the Town is not
12 investing anything. The simple way to put this is
13 we're renting the dump out for about \$800,000 a
14 year. It's a really good deal.

15 The developer is going to build the
16 photovoltaic array on it at their own costs.
17 They're going to pay the EDIC rent. They're going
18 to make payment in lieu of taxes to the Town, and
19 they're going to sell the Town electricity at
20 around six cents a Kilowatt, with the current price
21 being 17. And that six cents is fixed for the
22 entire term of the 25 year agreement, because we
23 own - the Town owns the land. That's the deal.
24 And we're letting them come in and build. They own

1 the equipment, we own the land.

2 And the reason why this works is, as Mike
3 mentioned first, this is over a ten million dollar
4 project we're doing here, so this 30 percent tax
5 credit, they're getting \$3 million back right off
6 the top if we get it done in the first couple year
7 - in the first - before the end of next year.

8 And on top of that, the state gives out a
9 tremendous amount of SRECs, or Solar Recoverable
10 Energy Credits that only third parties can use,
11 only for-profit companies can use; the Town can't
12 use it. So they are selling those. They
13 syndicate them, they re-sell them, and that's where
14 they're getting all their money from, basically
15 from two incentives.

16 One, they get the money from selling the
17 electrons to the Town. We actually do some
18 electricity, here. But the more than two-thirds
19 of the money comes in the form of these SRECs and
20 credits, and that's where - that's how this thing
21 is all coming together.

22 Next screen, please.

23 Now, in the zoning. At some of the
24 meetings, you know, people brought up their usual

1 thing, they say "spot zoning". Okay? As you can
2 see, we have - this is the area of the town that
3 the Planning Board's been working on and the Local
4 Comprehensive Plan has been considering for the
5 past three or four years.

6 We first create the Light Industrial C
7 district before it's assigned anywhere. That's
8 the way zoning works. First you create the
9 district, and you have a vision where you'd like to
10 assign it. And, as far as the Planning Board
11 goes, we've been looking at this area of town
12 because it has major truck routes coming in and out
13 Blacksmith Shop Road; not far from Sandwich Road,
14 Thomas Landers and 28. That's where your
15 industrial land is.

16 So this has been part of a long-term
17 comprehensive plan. We have a letter from the
18 Attorney General verifying that this is not spot
19 zoning, this is something that - part of our long-
20 term plan and it is included in our Local
21 Comprehensive Plan.

22 You can see the one little dark area
23 there is an area that we first assigned to Light
24 Industrial C a couple meetings ago, and in our view

1 we'd like to encourage more property owners in this
2 whole area if they want to, because Light
3 Industrial C was brought to us by our town - people
4 working in our town. They needed to have a place
5 for their contractors yards.

6 Can I have the next slide, please.

7 These are the by-right uses in Light
8 Industrial C. Contractors yards, wholesale to the
9 trades, warehouse and ground-mounted solar array.
10 These are all by-right uses. And the most
11 important thing in here is there is no residential
12 use.

13 One of the things we had with our Light
14 Industrial A and our Light Industrial B over the
15 last 20 years, it was all eaten up with condominium
16 developments. So we used up all our land, because
17 that was a permitted right they could build eight
18 units per acre, and off Carlson road and Treetops
19 and many of those areas in town, were all developed
20 over the last 20 years and they ate up our
21 Industrial land and so our contractors were moving
22 out of town. So they came to the Planning Board,
23 pleaded with us, and we created Light Industrial C
24 and we're - part of the long-term plan is to apply

1 it to this area. So it's been something we've
2 been working on for years.

3 Next slide, please.

4 This is what some of the other - this is
5 what other areas look like, that have done it.
6 These are landfills that are capped.

7 Next slide.

8 This is what the equipment looks like on
9 grade. It actually sets right - it's not buried in
10 the ground. It sets right on top of the landfill.
11 It sits on concrete blocks and it's pretty much
12 plug and play. They snap the panels down and put
13 the conduits in and -

14 Next slide, please.

15 And then they - that's the frame before
16 they put it on it.

17 And one more.

18 And it's - the cool thing about the Cape,
19 we have some of the best environment - our summer
20 environment, with the cooler weather, actually
21 produces more electricity than any other areas of
22 the country, because if it gets too hot, they don't
23 work that well. So the Cape is uniquely seated or
24 suited for this.

1 The next slide.

2 These are the inverters. The solar
3 arrays can make DC power, direct power, and it has
4 to be converted to AC to go into the grid, so we
5 have about ten of these that'll be going on site.
6 And those again are just sitting on those concrete
7 pads. They're not buried in the ground. They
8 can be lifted up and taken away.

9 Next slide.

10 These are all the towns that have already
11 done this on Cape Cod. We're about four or five
12 years behind the curve, here. This has been going
13 on for a long time and all these have been done,
14 with the exception of Mashpee and Dennis, by Cape &
15 Vineyard Electric Cooperative. So, as you can see,
16 they've been going on and they're generating an
17 awful lot of power. So it's not some new idea.

18 Next slide.

19 Some of you, I hope you got letters from
20 - emails from us if you wanted to see the
21 background. These are some of the other
22 information that you could get. You could click
23 on these links and you can get these background
24 information if you needed it.

1 Next slide.

2 And this is the credits for the project.

3 It's done by the EDIC, myself, Dave Eldredge and

4 John. The other board of directors is Sue Moran,

5 Jay Zavalas, Brooks Bartlett and Chris Langlais.

6 Weston & Sampson, Mike Richards has been working

7 with us for years on this project and we have the

8 Law Offices of Laura Moynihan; she's been working

9 on the zoning aspect of it and helping us with the

10 Power Purchase Agreement.

11 We've been lucky enough to get the Power

12 Purchase Agreement and the lease from Mashpee, so

13 we already can take a look at. We're not

14 reinventing the wheel, here. We're have - we're

15 copying the documents. I myself actually went down

16 and visited some of these sites and through the

17 Freedom of Information Act got copies of the bids

18 from the other towns.

19 So we've been studying this for a long

20 time. We're really well prepared. And the

21 numbers are fantastic. They're almost double our

22 expectation and we're pretty sure that the

23 Selectmen will be real happy to - I think they have

24 a place to put that money.

1 FROM THE FLOOR: Vote it in.

2 THE MODERATOR: Okay, Ms. Putnam.

3 FROM THE FLOOR: Vote, vote.

4 THE MODERATOR: Ms. Putnam.

5 We've got a zoning article; we can't just
6 vote it in. We gotta -

7 MS. PUTNAM: Rebecca -

8 MR. GALASSO: I just wanted to - excuse
9 me, Mr. Moderator, I just wanted to conclude, if I
10 could, by -

11 THE MODERATOR: Okay.

12 MR. GALASSO: - saying that we're
13 available to answer any questions that you have
14 this evening. We've made presentations to all the
15 precinct meetings. Anyone who has a question,
16 both Jim and myself are available and our
17 consultants, too.

18 THE MODERATOR: Okay. Ms. Putnam.

19 MS. PUTNAM: Rebecca Putnam, precinct 9.

20 I am very much in favor of the solar.

21 It's, you know, less obtrusive to neighbors, even
22 if there were neighbors.

23 But I have an issue with zoning a Light
24 Industrial C. Because Public Use allows a lot

1 more usage there if these solar panels end up, you
2 know, when the lease ends or if we don't use them
3 and some other technology comes out 30, 40, 50
4 years from now, because that's what happens,
5 technology changes.

6 Through you, Mr. Moderator, I'd like to
7 ask the Town Planner or the Zoning Board of Appeals
8 why we would not be able to do a special permit for
9 the life of the lease for these solar panels
10 instead so that we don't rezone, and still be able
11 to use the land for solar panels.

12 CHAIRMAN FOX: I would just like to make
13 one comment. We have been looking at this area to
14 rezone Light Industrial C as part of the Local
15 Comprehensive Plan we put together, as part of the
16 - and brought to this board and approved, for a
17 long time. So this is part of a plan the Town's
18 been working on and thinking about for a long time.

19 MS. PUTNAM: But that was not my
20 question.

21 CHAIRMAN FOX: I know. I just wanted
22 to -

23 MS. PUTNAM: My question was can we,
24 instead of rezoning, do a special permit so that if

1 we need this section of land for a public use, that
2 it does not fall under a Light Industrial C; we
3 would still be able to utilize it.

4 MR. CURRY: The short answer is no.
5 Would you like the longer answer?

6 The Light Industrial C has a category in
7 there, the photovoltaic array, as a matter of
8 right. Public Use district is silent. It has no
9 by right or special permit use that lists the
10 photovoltaic array. So you're sort of stuck with
11 the LIC zone at this point, for the longer answer.

12 THE MODERATOR: Okay, Mr. Hargraves.
13 Then I got back there, yeah.

14 MR. HARGRAVES: Peter Hargraves,
15 precinct 9.

16 I'm aligned with Ms. Putnam on this. I'd
17 like to read a brief section from Massachusetts
18 General Law Part one, Title 5, Chapter 40A on
19 zoning, Section 3: subjects which zoning may not
20 regulate, exemptions, public hearings, temporary
21 manufactured home residences. And mercifully
22 there's only one sentence that applies to this
23 discussion.

24 It says: No zoning ordinance or bylaw

1 shall prohibit or unreasonably regulate the
2 installation of solar energy systems or the
3 building of structures that facilitate the
4 collection of solar energy, except where necessary
5 to protect the public health, safety and welfare.

6 Which means that we could put - and I'm
7 in favor of this solar project and I congratulate
8 the proponents on their financial wizardry and
9 cleverness in putting it altogether. But I object
10 to this zoning change. I don't think it's
11 necessary. In fact, I had an email exchange with
12 Mr. Fox, and part of the answer I got was
13 reinforcing and underlining my concerns. If you
14 heard at the beginning of the presentation, it was
15 said that the nearest home is 600 feet away, which
16 is closer than some of the turbine objectors' homes
17 where they're having issues.

18 And if you look at what's allowed by
19 Light Industrial C, I think - and, at the same
20 time, turbine objectors - I'm sorry to use that
21 shorthand, but I'm trying to save time at eleven
22 o'clock - were very willing to accept solar and
23 it's not as intrusive.

24 So I would say some of the Light

1 Industrial C uses would be more offensive and
2 intrusive and objectionable to residents, and in
3 fact the - one of the - the part that relevant in
4 the answer I got to my email was "rent will be
5 negotiated as well as a payment in lieu of taxes
6 based on any additional investments on the site".
7 And my question was really regarding who would have
8 control over remaining land after the solar panels
9 were put in, and who would control the use, and who
10 would actually be responsible for the performance
11 of those other people leasing the property.

12 I'm just concerned this is a Trojan horse
13 and we're -

14 THE MODERATOR: Okay, let's get an
15 answer. Yes, go ahead.

16 MS. MOYNIHAN: I'm Laura Moynihan, the
17 attorney for the EDIC just to respond, Mr.
18 Hargraves. The section that you quote from the
19 Mass. General Laws, we're aware of that section,
20 but we do feel that the zoning bylaw has to
21 specifically authorize the use. It can't -- while
22 it may not prohibit it by way of certain
23 regulations, here you have a very complicated RFP
24 process, where you have developers coming in to bid

1 on this solar. We want specific authorization
2 within the zone to allow this particular use.

3 The zoning bylaw was amended to allow
4 this use in the Light Industrial C District and
5 that's why the rezoning is being requested, so that
6 it is very crystal clear and there's no ambiguity
7 that the use is allowed. That's important to the
8 process as a whole.

9 Also, as far as the rezoning goes, we
10 have to keep in mind that the town owns this land,
11 so this isn't a private landowner or petitioner's
12 article coming in, asking you to rezone the land
13 Light Industrial C and opening it up to the various
14 uses in the bylaw. Because the Town owns this
15 land, in essence, Town Meeting has a say and has a
16 level of control over what goes on on this land.

17 If for some reason this project did not
18 materialize and there was some other use that the
19 Town boards wanted to make of this land, in
20 response to Ms. Putnam's suggestion, then we would
21 have a new rezoning article perhaps back before
22 you, to rezone that land back to Public Use or some
23 other zoning that would specifically address the
24 presentation before you for the land use.

1 So, in a way, there's a built-in
2 regulation of what goes on on this land, which is a
3 good thing.

4 In terms of other uses for the property,
5 obviously those things would have to go through the
6 Town board and the Town would have control over
7 them.

8 So, that is the difference here. It's
9 important to keep in mind. It is a large parcel
10 of land. It is an unusual type of rezoning
11 article because it is the Town itself coming to you
12 and asking you for it, but we do believe that the
13 specific authorization for the use is important to
14 the project. It is authorized by the bylaw in
15 this district and that's why we're asking for the
16 LIC.

17 Thank you.

18 THE MODERATOR: Okay, the center
19 section, yes, right there.

20 Yes, with a microphone, please.

21 FROM THE FLOOR: Is this equipment going
22 to be made in America?

23 THE MODERATOR: Mr. Galasso.

24 MR. GALASSO: Two things that we have

1 requested in the Request for Proposals from the
2 developers are that they - we prefer that the
3 panels be made in America and that they hire local
4 contractors for the installation.

5 So we can't guarantee that, but we have
6 asked for that to be part of the RFP.

7 THE MODERATOR: Okay, Ms. Long. Mrs.
8 Long.

9 MS. LONG: [No mic: inaudible.]

10 THE MODERATOR: Oh, okay. Ms. Moran.
11 You're on the list, yeah. Ms. Moran.

12 MS. MORAN: Okay, Susan Moran. As you
13 saw, I'm also a member of the EDIC.

14 And I just want to emphasize a point that
15 Attorney Moynihan made. I'm also an attorney.
16 I've worked for a long time with developers,
17 contractors, financiers. And, as we saw with the
18 Marriott, that developers are - put a great weight
19 upon not having to go through the cost and the time
20 of - and the uncertainty of special permits. And
21 it adds to the value of the development.

22 And it also, in this case, with the
23 credits being a very short window and development
24 time being, you know, of the utmost importance as

1 it always is with developers, that that's why it's
2 requested as part of this project.

3 I just wanted to just highlight that.

4 THE MODERATOR: Okay, Ms. Siegel, and
5 then Mr. Latimer.

6 MS. SIEGEL: Mr. Moderator, I'd like to
7 call the vote - move the question.

8 And I'm also wondering, since we've been
9 discussing all three articles here, if I can
10 possibly move all three questions.

11 THE MODERATOR: No, you - we can't do
12 that, but we have to do them one at a time.

13 MS. SIEGEL: Didn't think so, but it was
14 worth a try.

15 THE MODERATOR: Good try, though.

16 [Laughter.]

17 THE MODERATOR: Good try.

18 [Applause.]

19 THE MODERATOR: So the question will
20 come on closing discussion. All those in favor,
21 signify by saying aye.

22 [Aye.]

23 THE MODERATOR: All those opposed, no.

24 [None opposed.]

1 THE MODERATOR: Opinion of the chair is
2 that the ayes have it unanimously.

3 The question will now come on Article 14.
4 This requires a two-thirds majority. All those in
5 favor, signify by saying aye.

6 [Aye.]

7 THE MODERATOR: All those opposed, no.

8 [None opposed.]

9 THE MODERATOR: The ayes have it
10 unanimous and I declare the two-thirds majority.

11 Do we want to try to do the other two
12 related ones?

13 FROM THE FLOOR: [Inaudible.]

14 THE MODERATOR: Okay. The chair would
15 recognize the chair of the Board of Selectmen for a
16 main motion on Article 12.

17 CHAIRMAN FOX: The Planning Board
18 recommends Article 12 as printed.

19 THE MODERATOR: Okay, I got Board of
20 Selectmen written in my book, here.

21 CHAIRMAN JONES: Mr. Moderator --

22 THE MODERATOR: Yes.

23 CHAIRMAN JONES: - the Board of
24 Selectmen also recommends Article 12 as printed.

1 THE MODERATOR: Okay, but you're making
2 the main motion, right? The Board of Selectmen's
3 making the main motion as printed, is the
4 recommendation.

5 Any discussion?

6 Hearing none, then the question will come
7 on the main motion -

8 Oh, there is one? Okay, yes, Mr.
9 Anderson.

10 MR. ANDERSON: Gary Anderson, precinct
11 7.

12 To avoid any issues such as we've had
13 with the wind turbines, is there any known or
14 possible deleterious effects on neighbors or
15 aircraft, such as reflections or noise, from these
16 sort of photovoltaic solar arrays?

17 THE MODERATOR: Okay. Mr. Galasso.

18 MR. GALASSO: We certainly did a report
19 - it was done by the Massachusetts Department of
20 Energy Resources, the Massachusetts Department of
21 Environmental Protection and the Massachusetts
22 Clean Energy Center. That was sent out to many
23 Town Meeting members. And, as far as them creating
24 any noise, the inverters that were pictured before

1 make a humming noise that is similar to the
2 transmitters that are on poles. But I will tell
3 you that, from our experience in going and seeing
4 these, they make less noise than the seagulls that
5 used to live at the dump.

6 And also, though many of the seagulls are
7 now gone, there is quite a bit of industrial
8 operation that occurs out in that area. There is
9 land mining that goes on, there is heavy truck
10 traffic on both the roads, the site is pretty well
11 screened by trees. The nearest home is over 600
12 feet away and, based upon our experience in
13 visiting other locations, within 50 feet any noise
14 from those inverters dissipates and you don't hear
15 them.

16 MR. ANDERSON: [No mic:] Reflections?

17 THE MODERATOR: Reflections?

18 MR. GALASSO: Solar panels are built to
19 absorb sunlight and not reflect them. So they do
20 not reflect and cause any - there hasn't been any
21 instances of solar glare causing any problems with
22 air traffic control.

23 THE MODERATOR: Okay, Mr. Latimer.

24 MR. LATIMER: Richard Latimer, precinct

1 1.

2 We've been told that this is the highest
3 optimal use of this land that we owned, for which
4 nothing else can be used. Who's going to develop
5 on a landfill, a capped landfill?

6 This is no brainer. I move the
7 question.

8 THE MODERATOR: Okay, then let's just
9 vote on it.

10 All those in favor, signify by saying
11 aye.

12 [Aye.]

13 THE MODERATOR: All those opposed, no.

14 [None opposed.]

15 THE MODERATOR: The ayes have it
16 unanimous.

17 Article 12. Mr. Chairman for the main
18 motion - 13, sorry. I'm writing my notes on 12
19 and trying to get to 13.

20 So, 13, Mr. Chairman of the Board of
21 Selectmen.

22 CHAIRMAN JONES: Mr. Moderator, I move
23 Article 13 as printed.

24 THE MODERATOR: As printed. This is

1 to authorize the Board of Selectmen to grant,
2 transfer and convey any leases or easements, excuse
3 me, necessary.

4 Any discussion?

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

8 [Aye.]

9 THE MODERATOR: All those opposed, no.

10 [None opposed.]

11 THE MODERATOR: The ayes have it
12 unanimous.

13 And we will come back on -

14 MR. GALASSO: Thank you very much.

15 THE MODERATOR: -- Thursday at seven
16 o'clock.

17 Don't forget tomorrow at 11:00 a.m. we'll
18 have the Veteran's Day Ceremony at Falmouth High
19 School auditorium.

20 [11:25 p.m., whereupon, this matter adjourned for the
21 night.]

22

23

24

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing is a true and accurate record of Falmouth Annual Town Meeting, taken by me on Tuesday, November 10, 2015. To the best of my ability the within transcript is a complete, true and accurate record of said Town Meeting.

In witness whereof, I have hereunto set my hand and Notary Seal this 13th day of January, 2016.

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

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