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COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

SPRING TOWN MEETING

Memorial Auditorium
Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

Wednesday, April 4, 2012

7:00 p.m.

Carol P. Tinkham
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THE MODERATOR: All Town Meeting Members please come forward and take your seats. Make sure you check in; attendance will be published in the Falmouth Enterprise.

Okay would all Town Meeting Members please come forward, take your seats. Let's re-establish a quorum and we'll go back into the Annual Town Meeting tonight. And we go into the Annual on Article 22 of the budget.

Okay, this evening, our tellers, in the first division will be Mrs. Tashiro; in the second division will be Mr. Dufresne; and in the third division will be Mr. Hampson.

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

[Pause.]

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

MRS. TASHIRO: 45.

THE MODERATOR: 45.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 93.

1 THE MODERATOR: 93.

2 In the third division, Mr. Hampson?

3 MR. HAMPSON: 51.

4 THE MODERATOR: 51.

5 By a counted vote of 189, we have a
6 quorum and I call the Annual Town Meeting back
7 into session.

8 All present please rise for the pledge
9 of allegiance.

10 [Pledge of Allegiance taken.]

11 THE MODERATOR: At this time I'll
12 recognize Scoba Rhodes for our invocation.

13 MR. RHODES: Oh God, creator of us
14 all, we ask your blessing on this town meeting.
15 Let each one of us here this evening recognize
16 our differences and our similarities. Let us
17 listen to each other thoughtfully and guide us
18 to vote on the issues before us with an open
19 mind.

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

23 THE MODERATOR: Okay. We are going to
24 start with Article 22, the budget, and then

1 we'll go back to the two articles that we passed
2 over on the first night for further information.

3 I want to let all town Meeting Members
4 know that the Rules Committee will be having our
5 next meeting at Town Hall in the Selectmen's
6 Room on Thursday, May 3rd. We'll have it in the
7 paper, as well. Thursday, May 3rd at seven
8 o'clock, if anybody would like to attend the
9 Rules Committee meeting.

10 And, at that meeting, we will be losing
11 the Clerk of the Committee, who has been with us
12 since my first term, so that's 14 years, now, as
13 Clerk of the Rules and Procedures Committee.
14 She's also been someone who has helped me with
15 each of the orientations for new Town Meeting
16 Members over the course of the years that we've
17 been here, and she has been a Member of Town
18 Meeting I think maybe just before I was born or
19 just after I was born.

20 So, at this point, I would like to
21 recognize the long service of Megan Jones, the
22 Clerk of the Rules and Procedures Committee.
23 Megan.

24 [Standing Applause.]

1 THE MODERATOR: Now, Megan's not off
2 the hook. She is still going to help me with
3 the orientation for new Town Meeting Members, so
4 we appreciate that.

5 Another individual who is not seeking
6 re-election and has been at this Town Meeting
7 since well before I began attending, and I don't
8 know if she has her little plastic bag with her
9 tonight, but I'll never forget the night that
10 she came to Town Meeting with her little plastic
11 bag. Judy Stetson, thank you for all of your
12 years of service as a Town Meeting Member.

13 [Standing Applause.]

14 THE MODERATOR: Okay, we are going to
15 start with Article 22. Mr. Chairman of the
16 Finance Committee for the main motion.

17 CHAIRMAN ANDERSON: Mr. Moderator, the
18 budget is found in the green sections, the
19 center pages of your booklet, and I would move
20 Article 22 as printed.

21 There is one change that I would like
22 to call your attention to. It's on page 3, line
23 item 133, under the School Department. Salary
24 and wages, the new number is \$33,289,681. And

1 line 134, the new number is \$7,522,463. The
2 total does not change, it remains \$40,812,144.

3 On the very last page, where the motion
4 is, I would call your attention to line item F.
5 The current reading is "Appropriate from Energy
6 Receipts Reserved"; please change that to
7 "Appropriate from Energy Stabilization Fund".

8 And I move as recommended.

9 THE MODERATOR: Okay, you've all heard
10 the main motion. At this time, I recognize the
11 Town Manager for a presentation on the Annual
12 Budget.

13 TOWN MANAGER SUSO: Thank you, Mr.
14 Moderator. Julian Suso, Falmouth Town Manager.
15 We have a brief PowerPoint summary of the
16 proposed FY '13 Budget and I will proceed
17 accordingly.

18 First slide, just a summary of sources
19 and uses. I will not read through all of those
20 numbers as a courtesy to all of you and in the
21 interest of time. As you can see, a summary of
22 our revenues as well as our offsetting expenses
23 for a total in each case of \$114,780,711. And
24 we'll move forward.

1 Next a graph showing generally trends
2 in Local Estimated Receipts, FY 2008 to the
3 present. And as you can see we've got a couple
4 of troughs or dips and also a peak, there. The
5 good news is we are trending forward in a
6 positive way and an indication we believe that
7 this recovery, although painfully slow, is
8 moving forward.

9 As to Local Estimated Receipts, they do
10 represent 16 percent of all the Town's
11 operations. That is down from 2009 and 2010 as
12 a percentage of Town revenue. It is an actual
13 increase, however, in projected revenue. In FY
14 2012, the receipts were \$17,959,300; projected
15 Fiscal '13: \$18,251,892 for a growth of just
16 under \$300,000. This growth is resulting from
17 meals tax, recreation and Building Department
18 fee increases that I believe Town Meeting is
19 generally aware of.

20 State Aid, some comments there. As you
21 may have heard, the projected net State Aid,
22 \$4,315,457. The Governor's estimate, which
23 frequently differs, is \$4,431,231. As a
24 percentage of the Town's total budget it's less

1 than four percent after the usual charge backs.

2 The Board of Selectmen of course have a
3 financial policy which they have adopted; in FY
4 '13 it was a guiding factor in crafting the
5 budget. It limited budget growth to 2.25
6 percent over the FY '12, the year prior. Also
7 there is a Stabilization Fund Policy which we
8 closely follow and we're pleased in this
9 particular year, certainly in working with the
10 Finance Committee, that we're able to recommend
11 an even larger amount of money into that
12 Stabilization Fund.

13 Also a policy to create a Health
14 Insurance Stabilization Fund that, recently
15 enabled by the legislature, was the creation of
16 special stabilization funds for special
17 purposes. All of them require, of course, the
18 approval of Town Meeting, a two-thirds vote to
19 put money in and a two-thirds vote to take money
20 out, and that depends on your collective wisdom
21 as to whether that would occur, of course.

22 As you already are aware because we had
23 some action on this in the Special Town Meeting,
24 the other post-employment benefits or OPEB, our

1 Trust Fund Goals, Selectmen have those goals,
2 Finance Committee has those goals. We're
3 pleased that with your concurrence a trust fund
4 has now been established and funded with \$20,000
5 in free cash.

6 Strategic improvements represented
7 therein. Increased fiscal stabilization as I've
8 noted, including the General Stabilization. And
9 again, because we're going to have - we're
10 having more than one stabilization account,
11 we'll have to be more definitive as to how we
12 describe them.

13 Creation and funding of the Capital
14 Stabilization Fund, as well.

15 This enacts municipal health insurance
16 reform. Town Meeting has heard about that in
17 the past, including the creation and funding of
18 the Health Insurance Stabilization Fund. And
19 the intent, as we've crafted this working with
20 the Board of Selectmen and the Finance
21 Committee, is to take the one time only savings
22 that we will realize from municipal health
23 insurance reform, place them in a Health
24 Insurance Stabilization Fund and that will help

1 to reduce the rates of increase over the next
2 few years so that it will temper the normal six
3 to ten percent health insurance rate increases
4 that we've been experiencing for many, many
5 years.

6 So, the thought is to invest those one
7 time savings dollars wisely - with the
8 concurrence of Town Meeting, of course, to allow
9 us to take greater control of our destiny for
10 health insurance in the near term.

11 I should also note that the enacting
12 municipal health insurance reform is also going
13 to allow us to better manage our health
14 insurance costs, working with fellow Town
15 employees going forward in a responsible way.
16 And I do want to emphasize responsible.

17 Also, again, as noted, we've had the
18 creation and begun the funding in the amount of
19 \$20,000, a small but a crucial, crucial start of
20 the OPEB Trust Fund to meet those future
21 liabilities which are now estimated by our
22 external auditors at just over \$120 million.

23 Continuing our strategic improvements,
24 we're proposing the establishment and approval -

1 I should say re-establishment, actually, of the
2 important School Resource Safety Officer
3 positions. There are two of them, one at the
4 high school, one here in Lawrence School, in
5 cooperation, of course, with my colleague,
6 Superintendent Dupuis and all those in the
7 School Department. A very important re-
8 establishment, in my opinion.

9 Also proposed for FY '13, which we'll
10 be presenting further for your consideration and
11 for support, is the creation of a Finance
12 Department, Articles 15 and 16, which will be
13 taken up, as the Moderator noted, after the FY
14 '13 Budget, that would create a Finance
15 Department, consolidated within the Town of
16 Falmouth, and also the full-time position of
17 Finance Director, if you so approve, and the
18 part-time position of Office Assistant, all
19 funded from a reallocation of existing dollars.
20 So we are not asking for any additional dollars
21 to make that happen. This is totally a proposed
22 reorganization that I as Town Manager am
23 bringing to you for your consideration.

24 I appreciate very much the Board of

1 Selectmen's support as well as that we've
2 received from the Finance Committee for that,
3 moving forward.

4 That is the summary, a very brief one,
5 as I noted, of the FY '13 Budget and we look
6 forward to answer questions that you may have.

7 Thank you, Members of Town Meeting, Mr.
8 Moderator.

9 THE MODERATOR: Okay, any questions
10 generally about the Budget before we go through
11 line item by line item?

12 Okay. No need to hold anything, we're
13 just going to do this by departments.

14 You might notice on the first page the
15 spreadsheet numbers on the far left. There are
16 two number 27's. That doesn't impact the Budget
17 because those are just spreadsheet numbers to
18 help us identify where we're at. The actual
19 budget line items are after the department
20 title.

21 So we'll start with Town Meeting. Town
22 Moderator. Selectmen/Town Manager. Mr. Young.

23 MR. YOUNG: Bob Young, Precinct 5. I
24 know this came up at the Precinct Meeting, but

1 I'd like somebody on the stage to answer it.

2 Why did on line 10 did they ask for \$22,000 and
3 we gave them \$52,000?

4 THE MODERATOR: Mr. Chairman.

5 CHAIRMAN ANDERSON: Contained in that
6 line item that is labeled Other Expenses, there
7 is \$5,000 of relocation expense for the new Town
8 Manager. There is \$19,600 for Professional and
9 Technical Services and there is also a \$5,000
10 allowance, auto allowance for the new Town
11 Manager.

12 THE MODERATOR: Further discussion on
13 the Selectmen/Town Manager Department? Ms.
14 Tobey.

15 MS. TOBEY: I just was hoping that a
16 Selectman or the Town Manager could clarify the
17 cost of out of state travel \$4,300; where we're
18 tightening up so many departments, I'm wondering
19 what the need is to go out of state.

20 I understand when the Fire and the
21 Police go out of state they're taking courses.
22 I just think that unless there's a real need to
23 travel out of state that at this time we
24 shouldn't be doing that anymore. Could they

1 clarify that, please?

2 MR. NIDOSITKO: Mr. Moderator, could
3 we have identification for the transcriber?

4 THE MODERATOR: Okay. I'm being asked
5 to ask you to do your formal identification for
6 the transcriber.

7 MS. TOBEY: Linda Tobey, Precinct 4.

8 THE MODERATOR: Okay, thank you. Who
9 wants to address that one? Yes, Mr. Suso.

10 MR. SUSO: Certainly, thank you, Mr.
11 Moderator.

12 The question we're asked about the out
13 of state expenses and alluded to the Police and
14 Fire example regarding the occasional need for
15 out of state travel for training, continuing
16 education, and that is what I want to emphasize
17 that that is equally important in the case of
18 professional management.

19 Assistant Town Manager Heather Harper
20 and I are members of the International
21 City/County Managers Association. They have a
22 single annual out of state conference. Normally
23 out of state, although the conference will be in
24 Boston, I'm happy to report, in two years. But

1 it is predominantly out of state. And both
2 Heather and I are credentialed professional
3 managers, which means that we have continuing
4 education requirements that we need to meet with
5 course work and training and ongoing education
6 each year if we are to maintain our professional
7 credentials as municipal managers.

8 And, a significant part of the single
9 fundamental occasions for out of state travel
10 for that conference allows us to take special
11 courses and do the kinds of things that we need
12 to do to help maintain those credentials.

13 THE MODERATOR: Okay. Further
14 discussion on Selectmen/Town Manager.

15 Finance Committee. Ms. Murphy.

16 MS. MURPHY: Thank you, Mr. Moderator.
17 Carol Murphy, Precinct 9. Under 19, line 19,
18 the \$63,000 increase of the Finance Committee
19 Recommendation to \$121,986, is that pertaining
20 to Article 16, the creation of the new position?

21 THE MODERATOR: Mr. Chairman.

22 CHAIRMAN ANDERSON: Yes, it is. There
23 are two positions in there as indicated in
24 Article 16. One is for the Finance Director.

1 The range for an hourly - the hourly salary is
2 from \$40.53 to \$52.90 an hour. If you base that
3 on a 40 hour workweek, the salary range is
4 anywheres from \$84,300 to \$110,000.

5 There is also a Grade 2 support person
6 in there for 15 hours a week, and that is at an
7 hourly rate of \$16.96 to \$22.09 per hour. Based
8 on 15 hours a week, that would be an annual
9 salary ranging from \$13,229 to \$17,230 on an
10 annual basis.

11 MS. MURPHY: Thank you. And the
12 executive is lower by about I think it's 23 -
13 13,000, something like that. And is that on the
14 recommendation of the Selectmen, the 98,793?

15 CHAIRMAN ANDERSON: The difference
16 there is that, if I may?

17 THE MODERATOR: Yes, Mr. Chairman.

18 CHAIRMAN ANDERSON: The Finance
19 Committee, as you are aware, lost its
20 administrator in October when Jill Irving Bishop
21 went to become the Director of the Counsel on
22 Aging. On my right, as I introduced at the
23 start of Monday night's meeting, is Mr. Tony
24 Torrisi, who is from the Edward Collins

1 Institute from the University of Massachusetts.
2 He has been helping the Finance Committee but he
3 has been tabbed for about eight hours a week.

4 The Finance Committee went through this
5 budget process with very little support. The
6 proposal in Articles 15 and 16 are to reorganize
7 and add a Finance Director. In doing so, they -
8 the Town Manager has said that they would not
9 fill the Budget Director, or the Finance
10 Committee administrator position to help finance
11 the salary. Also they would not fund the
12 Assistant Treasurer position, and, using those
13 salaries, those dollars were transferred in.

14 We had some difficulty. It was a lot
15 of hard work. Mr. Torrisi helped out a lot.
16 The Town Manager is new. Ms. Harper helped out
17 quite a little bit. But the way we looked - we
18 added \$23,390 to that line item. We are
19 concerned that if Town Meeting doesn't support
20 either the Finance Director, number one, or that
21 things don't work out as they have in the past,
22 that we need some support in there. So we have
23 put into the budget a person, part-time, 900
24 hours, totaling \$23,390, I believe, that will

1 give us the support that we need.

2 The analogy that I drew with the Town
3 Manager is it's like when you install new
4 software. This is a new concept, the Finance
5 Director; it's like installing new software.
6 You run parallel for a while before you cut
7 over. And what we have opted to do is to put in
8 that amount of money as an insurance policy, if
9 you will. That was over and above what the
10 Executive Group recommended. This was strictly
11 the Finance Committee suggesting that we need
12 this.

13 We may not use it. If the Finance
14 Director and that concept works out as we hope
15 and believe it will, then that money at the end
16 of the year will go to Free Cash.

17 MS. MURPHY: Thank you very much.

18 THE MODERATOR: Further discussion on
19 the Finance Committee?

20 Finance Committee Reserve Fund. Ms.
21 Davis.

22 MS. DAVIS: Linda Davis, Precinct 4.
23 Through you, Mr. Moderator, to Mr. Anderson.
24 Under what circumstances can we draw upon or use

1 monies from the Reserve Fund?

2 THE MODERATOR: Mr. Chairman.

3 CHAIRMAN ANDERSON: The state
4 guidelines provide that if there is an emergency
5 situation or an unanticipated expense, that
6 departments can make a request to transfer money
7 from the Reserve Fund. The Finance Committee
8 has the sole authority and responsibility for
9 making those decisions and determining whether
10 or not the transfer and the request are
11 appropriate under the state requirements.

12 THE MODERATOR: Any further questions
13 about the Reserve Fund?

14 Okay, Town Accountant. Oh- Ms.
15 O'Connell.

16 MS. O'CONNELL: Yes, Maureen
17 O'Connell, Precinct 4. Just for my own
18 edification, here, has this been 325 for as long
19 back? Or has this been a stable number? And
20 has there been a time - is this money just
21 sitting there from year to year to year, or has
22 this been used in the past? Thank you.

23 THE MODERATOR: Mr. Chairman.

24 CHAIRMAN ANDERSON: I've been on the

1 Finance Committee for nine years and it has been
2 at 325,000 since that time and probably before
3 that. There is also a policy, a financial
4 policy that is established to set it at
5 \$325,000. The Board of Selectmen would
6 recommend a change if they wanted to change it,
7 and that would be in consultation with the
8 Finance Committee.

9 What happens to the money if it is not
10 used during the year, it - at the end of the
11 year we use the money to offset any snow and ice
12 deficit that we may have, and currently we have
13 about \$145,000 deficit in our snow and ice. Or
14 it would go into the calculation of Free Cash by
15 the Department of Revenue and it would turn into
16 Free Cash for next year.

17 MS. O'CONNELL: Thank you.

18 THE MODERATOR: Further discussion on
19 the Reserve Fund?

20 Okay, Town Accountant. Mr. Clark.

21 MR. CLARK: Peter Clark, Precinct 1.
22 May I please have that explanation of the Salary
23 and wages settlement reserve; why it's there,
24 how it would be used, under what circumstances,

1 by what actions.

2 THE MODERATOR: Mr. Chairman.

3 CHAIRMAN ANDERSON: The first line
4 item 27, we'll call it 27A, is that settlement
5 reserve. There are I believe six collective
6 bargaining contacts that have not been settled
7 yet and it is prudent for the Town to establish
8 a reserve depending upon what the settlements
9 may be. So that any settlements during Fiscal
10 Year '13, or between now and the end of the
11 year, could be accommodated and this is what
12 that would be used for.

13 THE MODERATOR: Mr. Clark.

14 MR. CLARK: And may I then ask, Mr.
15 Moderator, who makes the decision to apply that,
16 and in the past Town Meeting has voted on
17 contracts; does this change that action by Town
18 Meeting in some way?

19 THE MODERATOR: Mr. Chairman.

20 CHAIRMAN ANDERSON: The contracts
21 would have to be approved by the Board of
22 Selectmen and the funding of the contracts is
23 the responsibility of Town Meeting. By
24 approving this budget in essence you are

1 approving the funding of union contracts if they
2 are settled up to that amount. Any amount
3 beyond this would require additional Town
4 Meeting action.

5 THE MODERATOR: Mr. Johnson.

6 MR. JOHNSON: Leonard Johnson,
7 Precinct 5. In light of this could I
8 respectfully request that when the contracts are
9 settled that the terms be made public, please?

10 THE MODERATOR: Other discussion on
11 the Town Accountant Department?

12 Assessing Department. Town Treasurer.
13 Town Collector. Ms. Houle. Microphone to my
14 left.

15 MS. HOULE: Louise Houle, Precinct 8.
16 I'm talking about tax collection, is this under
17 this area? I assume it is.

18 Anyways, I've noticed that we send our
19 taxes into Reading to be processed instead of
20 having them done in Town Hall. Is there a
21 reason for that? Excise and real estate.

22 THE MODERATOR: Mr. Chairman.

23 CHAIRMAN ANDERSON: The reason that
24 the property taxes and perhaps some of the

1 excise taxes, I believe, are going to that post
2 office box in Wrentham or Wareham, wherever it
3 may be, is something called a lock box, which is
4 a service provided by the bank, where all of the
5 monies go there; banks with - they put - they
6 make the deposits into the Town's bank account.
7 They input the information and then they send
8 the information, including the dollar amounts of
9 the bank deposits to the Collector's Office.
10 The Collector's Office must then reconcile them
11 and insure that they are appropriately applied.

12 THE MODERATOR: Ms. Houle.

13 MS. HOULE: Are we paying for this, I
14 assume? This service, how much are we paying
15 for it?

16 THE MODERATOR: Can the Collector give
17 us some details on that?

18 MS. HARPER: Mr. Moderator.

19 THE MODERATOR: Ms. Harper?

20 MS. HARPER: Yes, it's my
21 understanding there's no direct cost. It's part
22 of the service that the bank provides because we
23 keep a large balance at the bank.

24 THE MODERATOR: Mr. Chairman.

1 CHAIRMAN ANDERSON: There's something
2 in the banking industry called compensating
3 balances, where if you keep a large amount of
4 money the bank obviously earns on that money.
5 They lend it out and they make money on that and
6 they give in essence the holder of that account
7 credits and that's what Ms. Harper was referring
8 to.

9 THE MODERATOR: Any further discussion
10 on Town Collector?

11 Legal Department. Personnel Office.
12 Information Technology. Geographical Info
13 Systems. Affirmative Action. Town Clerk. Mr.
14 Donahue.

15 MR. DONAHUE: Robert Donahue, Precinct
16 3. I would like to suggest to the Board of
17 Selectmen and the Finance Committee that we look
18 at the salary of the Town Clerk in future
19 financial planning. He is being paid I believe
20 \$70,000, where our assistant managers of various
21 departments are making anywheres from 83 to
22 90,000 and we're going to hopefully approve a
23 Director of Finance and I'm sure that will come
24 out at a middle range number. So he or she will

1 probably be in that 85, 90,000 dollar range.

2 I don't know when the last time the
3 salary for the Clerk's office has been changed,
4 but I think it's very low considering today's
5 standards and what we're asking of the Clerk's
6 Office. Thank you very much.

7 THE MODERATOR: Mr. Pinto.

8 MR. PINTO: Thank you, mr. Moderator.
9 Greg Pinto, Precinct 3. If anyone would care to
10 turn to page one of your warrant booklet,
11 Article 5, you will see that we voted, two
12 nights ago, the Town Clerk's salary. We do it
13 every spring.

14 THE MODERATOR: Further discussion on
15 Town Clerk?

16 Elections. Conservation Commission.
17 Planning Department. Zoning Board of Appeals.
18 Town Insurance. Facilities Maintenance. Police
19 Department. Fire Department.

20 MR. BUESSELER: Ken Buesseler,
21 Precinct 2. We voted in Article 7 for the
22 overtime for the Police and Fire Departments --
23 it's about \$305,000 -- the other night. That
24 was to complete this fiscal year and I voted for

1 that. Is that type of overtime included in
2 these two budgets or do we expect something like
3 three percent every year to be voted on to fill
4 the gap?

5 THE MODERATOR: Mr. Chairman.

6 CHAIRMAN ANDERSON: You are correct
7 that the amounts that we voted on last night
8 were in the Special and those are for the
9 current fiscal year. The amount of overtime
10 that is in the Police and Fire has remained
11 pretty steady. In the past couple of years we
12 have tried to cut that back and unfortunately at
13 this juncture we have found that it is something
14 that is needed.

15 We have - the Finance Committee has
16 made appeals to both the Fire Chief and the
17 Police Chief to work as diligently as they can
18 on their service model to see what can be done
19 to lower the amount of overtime.

20 We can't always predict when fires or
21 emergencies are going to occur or when issues
22 are going to arise where police patrolmen have
23 to be called to an incident. So it's one of
24 those things where it's very, very hard to

1 predict and project.

2 THE MODERATOR: Further discussion on
3 the Fire Department.

4 Building Inspection. Emergency
5 Preparedness. Natural Resources. Mr. Pinto.

6 MR. PINTO: Thank you, Mr. Moderator,
7 Greg Pinto, Precinct 3. Through you to Mr.
8 Suso. Please correct me if I'm wrong but I
9 believe the Director of Natural Resources is an
10 acting director and has been for a while. And
11 this actually goes as well for the Acting Town
12 Treasurer.

13 This may be a small point, but I'm one
14 of those people who thinks that if you're going
15 to have a director of something, they should be
16 the director, they should not be the acting
17 director. So, I would just ask you to, as soon
18 as we can, however - whoever we have for
19 department heads who are acting department
20 heads, either promote them or hire somebody else
21 because I just - I don't feel that it's good for
22 morale in the departments. I don't think it's
23 good for the individual's morale to keep someone
24 in an acting position. Either promote them or

1 hire somebody else. Thank you.

2 THE MODERATOR: MR. Suso.

3 MR. SUSO: Thank you, Mr. Moderator.

4 When I arrived as a Town Manager about five
5 months ago, three department head positions were
6 acting and I have not changed that circumstance.
7 I made the conscious decision to focus on this
8 budget process as well as dealing with a few
9 vacancies. But I do anticipate taking up the
10 very important issue that you've identified over
11 the next few months and I do not anticipate that
12 that will be a situation we'll have to speak
13 about to any significant extent in the future.

14 THE MODERATOR: Any further discussion
15 on Natural Resources?

16 Harbormaster/Waterways. School
17 Department. Upper Cape Vocational School - oh,
18 School Department in the back.

19 MS. WELCH: Kelly Welch, Precinct 6.
20 I'd like to make a motion to change this line.
21 I have it in writing, if you'd like. I move
22 that we increase the School Department line 134,
23 Otherwise unclassified, by \$238,890 and decrease
24 the three Stabilization Fund lines -

1 THE MODERATOR: Whoa, whoa, let's get
2 the number again. 238 thousand -

3 MS. KELLY: \$238,890, it's the amount
4 that was listed in the budget narrative supplied
5 by the School Department.

6 THE MODERATOR: Okay. And what was
7 it, decrease the other?

8 MS. KELLY: And decrease lines 301 in
9 the budget, General Reserve, by 75,000. Line
10 302, Capital Reserve, by 75,000. And line 303,
11 Health Insurance Reserve by \$88,890.

12 In the budget narrative that we all
13 received, the School Committee showed that they
14 requested this amount of money as necessary to
15 operate the schools and that money was not
16 recommended by Finance and by the Board of
17 Selectmen. And I have kids in school. That
18 budget narrative also listed that class sizes
19 are bigger and teachers are fewer and supplies
20 are short, among many other reasons - among many
21 other ways that the schools have been adversely
22 affected by recent years' budget cuts. And I
23 already know that, because I'm a parent. And I
24 understand that times have been tough and things

1 have been lean.

2 But my problem is this: this budget
3 that we're looking at aims to allocate over \$3
4 million to reserve accounts and I don't
5 understand how we can justify putting that type
6 of money away for Capital projects in the future
7 and rainy day and to reserve - to protect our
8 bond rating without at least first trying to
9 start undoing the damage that we've done in
10 recent years in the schools.

11 THE MODERATOR: Okay, discussion on
12 the amendment to --

13 [Applause.]

14 THE MODERATOR: - line item 134 to
15 increase it by \$238,890 and to reduce the
16 General Stabilization by 75,000, Capital
17 Stabilization by 75,000 and Health Insurance
18 Stabilization by 88,890. Discussion on the
19 amendment.

20 Mr. Lowell.

21 MR. LOWELL: Nick Lowell, Precinct 5.
22 I'm a member of the Finance Committee but I
23 speak as an individual. Falmouth does have
24 some very good schools. There's no question

1 about that. However, over the last five or six
2 years there has been a decline in the level of
3 service. This is brought up time and time again
4 by the School Committee and is witnessed on a
5 very regular basis by many of the parents and
6 presumably the children if they knew what
7 they're missing.

8 We have good schools but they could be
9 better. In the - the decline in the five or six
10 years needs to be reversed. The current budget
11 as proposed, without this amendment, results in
12 continued small step downwards in the level of
13 service, as has been stated by the School
14 Committee.

15 Bringing in the \$238,000 will help that
16 - will keep that level of service from further
17 decline.

18 The budget as proposed represented a
19 1.04 or 06 percent increase, yet the budget -
20 the proposal overall for the town is a 2 1/4
21 percent increase. Why did the Town decide - why
22 did the process end up with a one percent
23 increase for the schools and a 2 1/4 percent
24 increase for the Town overall? Well, it's

1 complicated. But there are - is a - there is a
2 real desire, and I understand that desire to
3 protect the Town's bond rating, and that is
4 probably one of the biggest reasons that there's
5 a big push to increase the amount that's going
6 into the Stabilization account.

7 Over the last several years, we were
8 taking money out of the Stabilization account.
9 Last year we managed to put more in. This year,
10 we're putting a lot more in. The trend line is
11 going in the right direction. Taking the
12 238,000 out of the Stabilization account this
13 year will still allow the Stabilization accounts
14 to be going in the right direction. We will be
15 putting an investment in something that's I
16 believe just as important, probably more
17 important than our bond rating, which is
18 investing in our children. I really urge you to
19 encourage - I urge you to consider this
20 amendment. Thank you.

21 THE MODERATOR: Mr. Anderson.

22 [Applause.]

23 CHAIRMAN ANDERSON: Thank you. The
24 Finance Committee would recommend against this

1 amendment. There are a number of things that
2 come to mind that we took a look at, one of
3 which there was a presentation by our Financial
4 Advisor, First Southwest, about a month or a
5 month and a half ago. They gave us a good
6 rating, said that we were on a very good upward
7 incline in terms of improving our financial
8 stability.

9 One of the things that they mentioned
10 and cautioned greatly against is having a
11 mismatch of revenues and expense. And by a
12 mismatch of revenues and expenses, they
13 explained that you ought not fund ongoing
14 expenses with one time revenues. The revenues
15 that are going into the Stabilization Fund are
16 largely derived from a change in the health care
17 plans that we have. There's a savings that
18 results from that. A one time savings. And so
19 if we add this amount to the School budget, this
20 will increase the base and it will be an ongoing
21 expense. And the question may be, as we go
22 forward: will there be revenues for that?

23 The second issue is one that I would
24 call into question, and that is there was a

1 statement made that there's been a decline in
2 our schools. I would suggest to you that the
3 MCAS scores don't bear that out. I think that
4 the School Department, the School Committee, the
5 staff, the instructors and the students have all
6 done a phenomenal job, and they're all working
7 very hard and they are - we are seeing some
8 improvement, quite honestly, in the level of
9 service and the results.

10 We would encourage you to vote against
11 this amendment.

12 THE MODERATOR: Mr. Thrasher.

13 MR. THRASHER: Scott Thrasher,
14 Precinct 4. I'm a big supporter of the schools;
15 I have a seven year old and a four year old, and
16 they have a long way to go. And my wife is the
17 co-president of the PTO and we're doing
18 fundraisers all the time, smart boards, field
19 trips, and I think it's a lot of work that they
20 come up with money for. So if it's important
21 for schools, I'm all for that. But at this time
22 I don't believe this on the floor amendment is
23 appropriate.

24 There are a lot of departments in this

1 Town that need money, and we have all been level
2 funded.

3 Now, I support the school and I support
4 it not just at Town Meeting, but by being there
5 and donating my time and my family's time.

6 We all have needs. I can only speak
7 for the Fire Department, but we don't do car
8 seat inspections anymore. You can't get a burn
9 permit on the weekend. And we bought used air
10 pack bottles last year. And we had been level
11 funded. Level funded from three years ago when
12 money had been taken out of our budget, so it's
13 not a true level funding, it's a decrease.

14 So I don't think this is good to pit
15 one department against another or another need
16 in town; that's what the financial - the Fin Com
17 is for. That's why this was all prepared before
18 Town Meeting and we should stick with what is in
19 the budget. Thank you.

20 THE MODERATOR: Mr. Netto.

21 MR. NETTO: Joe Netto, Precinct 9.

22 This is very complicated and complex movement of
23 money and I am not speaking for or against the
24 article but I have many questions on the

1 legality of the article and I wish we had the
2 amendment up on the wall.

3 THE MODERATOR: Yes, \$75,000 from
4 General Stabilization, -

5 MR. NETTO: Okay, that -

6 THE MODERATOR: - \$75,000 from Capital
7 Stabilization, and \$88,890 from Health Insurance
8 Stabilization.

9 MR. NETTO: Okay, the first is the
10 last. When I quickly look back with the health
11 stabilization - and just bear with me - if
12 you'll turn to page 6, Article 19, we created
13 the Health Stabilization account, correct? I'm
14 only speaking on the legality of moving this
15 money, folks.

16 Who do I ask the question to: can we
17 take money - because it says in Article 19 that
18 we created the Health Insurance Stabilization
19 Fund as authorized by Chapter 40, Section 5B of
20 the Mass. General Laws. While I am sure that I
21 am not familiar with that chapter and verse, and
22 can somebody help me out on the stage -

23 THE MODERATOR: Yeah, that chapter -

24 MR. NETTO: - how do you take the

1 money out of there? What's the legality?

2 THE MODERATOR: You didn't put any
3 money in there, yet. You created a fund,
4 authorized the creation of a fund, which that
5 statute allows the towns to create specific
6 stabilization funds. Prior to that, you only
7 had the general stabilization fund and I believe
8 there was one other sub-authorization dealing
9 with capped landfills or something like that
10 years ago. But so this allowed you to create
11 the fund.

12 In that article you created a fund.
13 This article is where you're deciding whether or
14 not to put money into the fund.

15 MR. NETTO: Well, okay, so that leads
16 us - we have not put in the \$1.3 million yet,
17 correct? Isn't that the figure that I have on
18 page 7? When we get to that, we would be voting
19 on putting in 1.3 million, correct?

20 So we're taking money out of a fund
21 that we haven't put any money in.

22 THE MODERATOR: No, no. What you're
23 doing is you - there's no funds, Joe. This is -
24 do you remember at Epcot center they had a guy

1 called Figment? The budget is a figment of our
2 imagination. So what we are doing now is
3 imagining what we will spend next year. And
4 this amendment is to imagine not spending that
5 money in Stabilization and spending it with the
6 School Department instead.

7 So that, these monies are not in funds,
8 yet. They are just on paper and tonight we're
9 deciding where we want them to reside on paper
10 for the final vote.

11 MR. NETTO: Very good explanation,
12 thank you.

13 My next question then comes through
14 you, Mr. Moderator, to the Superintendent of
15 Schools, Mr. Dupuis. The motion, are we putting
16 - did the Member put the money in the right line
17 item? Again, my paper fell out and I -

18 THE MODERATOR: Yeah, we have the
19 amendment -

20 MR. NETTO: It is Otherwise
21 Unclassified, number 134. And I'm sure that the
22 superintendent if he got any extra money would
23 want to hire teachers and I did that for 35
24 years and I think I always got paid out of line

1 133, Salaries and Wages.

2 So, if we put a sum of money in 134,
3 Otherwise Unclassified, would you be able to use
4 those sums for salaries and wages, Mr. Dupuis?

5 THE MODERATOR: Superintendent Dupuis.

6 MR. DUPUIS: Mark Dupuis,
7 Superintendent of Schools. The money that is
8 being - the additional money that is being
9 requested, the \$238,890, represents the amount
10 that the School Committee voted at their last
11 meeting as a budget reduction to balance the
12 budget with the Finance Committee amount.

13 The 238,890 consists of: 144,000 in
14 utilities and operations and maintenance
15 accounts; 70,000 in materials and supply
16 accounts, which represents \$20 per student,
17 that's how we came up with the \$70,000; and
18 \$24,890 in technology equipment and materials
19 and supplies. And all those would go in the
20 Otherwise Unclassified line.

21 THE MODERATOR: Okay, let's see, on
22 the list next was Mr. Kasparian.

23 MR. KASPARIAN: Thank you. Michael
24 Kasparian, Precinct 5. I was late coming

1 because I was at North Falmouth Elementary
2 School for a tremendous third grade program and
3 I can tell you one of the greatest assets this
4 town has and one of the reasons why we love
5 living here is because of the School Department.

6 And although I understand what Mr.
7 Anderson is saying and I applaud what the
8 Finance Committee has done, and I do believe in
9 stabilization, I think that the amendment is not
10 only appropriate but necessary. We're still
11 talking about an enormous amount of money to go
12 towards stabilization. The School Committee has
13 been working for several years, now, with level
14 funding and the children need additional items
15 to continue the type of education they're
16 getting here.

17 We're not talking about a million
18 dollars. We're not talking about an enormous
19 amount of money. We're not talking about more
20 teachers, more salaries. We're talking about
21 items to help educate our children. And I'm a
22 finance person. I understand finance. Children
23 are not widgets. Children are children and
24 things come up.

1 I endorse this and I hope other people
2 see fit to support this amendment. Thank you.

3 THE MODERATOR: Okay, Ms. Harper.

4 MS. HARPER: There's a slide on health
5 insurance.

6 I think we had a beguiling proposal
7 last night and I think this is a tempting one.
8 And I can tell you how tempting it was for your
9 managers to take a look at that savings and
10 start to distribute it back out to all your Town
11 departments. But we resisted doing that. And
12 we resisted it for one reason. For two reasons.

13 The first reason is that the budget
14 available as a result of health insurance reform
15 is the result of significant cost shifting in
16 health insurance and right-sizing health
17 insurance to the employees. What we have done
18 is propose to shift those funds over to a
19 stabilization fund to use to continue to support
20 those ongoing employee expenses. And those
21 expenses, while we have reduced the base of
22 health insurance for the Town, we expect that to
23 continue to grow at eight percent every year.

24 Eight percent next year is close to

1 another million dollars in costs on health
2 insurance, which will compete against those good
3 costs for police services, fire services and
4 schools. What we're looking at doing - and this
5 is a model - is using those health insurance
6 stabilization funds to help us level and
7 stabilize health insurance for a period of time.

8 Now, we're going to have to take a look
9 at this because of course you run out of that as
10 the growth continues to escalate and we use
11 those stabilization funds. We end up in Fiscal
12 '16 with a significant ramp-up which is close to
13 \$2 million.

14 So, this is - and this reminds me of
15 the commercial - this is health insurance
16 without reform, this is health insurance with
17 reform. So those funds will be set aside,
18 looked at every year. We'll have some policy
19 work that we need to do with the Selectmen and
20 the Finance Committee to develop how we intend
21 to use those available funds every year, but
22 currently the plan is to use that to continue to
23 stabilize the Town's municipal health insurance
24 expense over the next three to five years.

1 And just one other point I did want to
2 make because this gets moved around every year.
3 Yes, when you separate the school budget and the
4 town budget, the schools have one percent and
5 the town has 2.5 percent. When you shift this
6 Town's 60 percent share of health insurance to
7 the school budget, the school budget is actually
8 2.5 percent.

9 THE MODERATOR: Okay, Mr. Murphy, next
10 on the list.

11 MR. MURPHY: Yes, Mr. Moderator, I
12 was hoping I wouldn't have to speak on this this
13 evening, and I was happy that the School
14 Department had readjusted their budget. Because
15 in fact moving forward, just like we've been
16 talking about here in the last few nights, is
17 that we have to change the model of how we do
18 things.

19 I need to bring forward some
20 information to all of you and it's important. I
21 want you to know that I had a daughter in the
22 system. My father was a school teacher. Three
23 of my siblings are school teachers. I
24 understand how hard they work. And the teachers

1 are not - are not - should not be punished. Nor
2 should our children. But I think we need to
3 manage our assets a little bit better.

4 And if I can give you some information.
5 Ms. Harper just touched on something that's
6 quite true. We're talking about roughly a \$40
7 million budget with the school department, but
8 not in that budget is an additional \$7 million
9 or more for health insurance. It represents
10 over 15 percent of their budget, but it never
11 shows up year in and year out. We all know that
12 that increases about ten percent every year, or
13 has in recent years.

14 We need to change the model of how we
15 do business over there. I appreciate how hard
16 everyone works. But on one side we can't do one
17 thing and not on the other side.

18 If I can give you some illustrations.
19 Eighty percent of the School Department budget
20 is salaries. Since 2008, the budget - the
21 contract was settled in 2008 with a two-two
22 split. Four percent increase. In 2009, the
23 School Department budget contract was settled
24 with a two percent increase. In 2010, it was

1 settled with a 1.5 percent increase. Granted
2 there was one furlough day, but on the Town's
3 side there was more than five furlough days.

4 In 2011, it was settled for 1.5 percent
5 increase. And in this year, folks, when we're
6 asking at the end of this year for more money -
7 and I'll tell you why we're asking for it - they
8 were under a contract that provided them when
9 other departments in this town were at a zero
10 percent increase, provided those folks with a
11 two-two split. Which ultimately at the end of
12 this year gave the School Department employees a
13 four percent raise.

14 I look at each and every one of you,
15 and I look at every other Town employee,
16 downright that is not fair. You keep coming
17 back without settling a contract knowing that we
18 haven't got the money. And if we're going to
19 talk about class size, let's talk about managing
20 things.

21 In 2007, we had 3927 students in the
22 school. In 2008, we had 3830. 2009: 3768.
23 2010: 3726. This year: 3536 students, a drop
24 of an additional 200. Do we need to manage our

1 assets better? I would say we do. And you know
2 what? I think they're working towards it.

3 By just throwing more and more money at
4 a problem, we don't solve the problem. What are
5 we teaching our children? What are we teaching
6 every other employee in this community? What
7 are you teaching the people who work day in and
8 day out in this economy? You know what? It's
9 great to give a four percent raise when people
10 are struggling, not being able to pay their
11 mortgages.

12 We heard folks lashing out last night
13 about the CPC. Well, you know why they're
14 doing that? Because \$170 when they pay their
15 tax bill means something to them now. These -
16 no one's singing, "Happy days are here again"
17 yet. When they do, I'll let you know.

18 The bottom line is we need to hold the
19 line here.

20 Folks, I ask you to defeat this budget
21 and I hope that this Board of Selectmen, the
22 Town Manager and the School Committee can work
23 together to try to come up with a new model as
24 we move forward. There may be some

1 consolidation. That might be necessary. But
2 sometimes when you change, it's good. Remember
3 the days when there were no computers and our
4 parents saw the first computers and said, "Oh,
5 those things will never be here." Well, guess
6 what? The people who embraced that change are
7 the people who are successful now.

8 I thank you for listening and I'm sorry
9 that I had to speak about this tonight. I - I
10 honestly believe we have a great school system
11 but I honestly believe we have a great town and
12 we need to keep it that way. Thank you very
13 much.

14 [Applause.]

15 THE MODERATOR: Ms. Asendorf.

16 MS. ASENDORF: Thank you so much.

17 Martha Asendorf, Precinct 6. I've a question
18 through you, Mr. Moderator, to the Finance
19 Chair. I'm wondering what our Medicare
20 reimbursement was this year. I think we get it
21 twice a year through employees of the School
22 Department's work.

23 THE MODERATOR: Mr. Chairman.

24 CHAIRMAN ANDERSON: Unfortunately I do

1 not have that information available.

2 MS. ASENDORF: It's been my
3 understanding it comes in twice a year and up
4 until about a year and a half ago it was
5 basically sent back to the School Department to
6 use. It comes from the efforts of occupational
7 therapists, physical therapists and speech
8 pathologists. They document their time with
9 Medicare students, their efforts with them,
10 their hours with them, and it is a heck of a lot
11 of paperwork. These people send in this
12 paperwork; we get Medicare reimbursement,
13 400,000 twice a year, 500,000. I mean, the
14 numbers were big.

15 THE MODERATOR: Mr. Dupuis, do you
16 want to address that? And, again, you
17 mentioned it's Medicaid reimbursement. So -

18 MS. ASENDORF: It is. I'd like to
19 also --

20 THE MODERATOR: - it's money that's -
21 yeah, it's a reimbursement of money that was in
22 the budget.

23 Mr. Dupuis, do you have the number?
24 This is when I miss Jill up here. She always

1 had a number for me.

2 MR. DUPUIS: Again, Mark Dupuis
3 Superintendent of Schools. The Medicaid
4 reimbursement varies from year to year and it
5 comes quarterly. It's in the 4 to 500,000 - or
6 has been in the 4 to 500,000 dollar range. I
7 don't have the amount off the top of my head
8 that we have received thus far this year.

9 THE MODERATOR: Ms. Harper.

10 MS. HARPER: I see the Town Accountant
11 looking feverishly and she doesn't have it, but
12 if the numbers I have are correct, that last
13 year, which would have been Fiscal '11, the
14 collections were \$361,000. This year is
15 \$190,000. That reimbursement is declining each
16 year. We do not expect it to rebound to its
17 prior levels.

18 MS. ASENDORF: And is it correct that
19 the Town has been keeping this money as of the
20 last year and a half or so?

21 THE MODERATOR: Mr. Chairman.

22 CHAIRMAN ANDERSON: The state -
23 previously, in prior years, I believe going back
24 two or three years, the money did go directly to

1 the schools. We were advised by the Department
2 of Revenue that we were not in compliance and
3 that money had to go into the General Fund.
4 That change did take place.

5 However, in the Fall Town Meeting, I
6 believe it was 2010, there was an adjustment to
7 the School's budget and they did receive an
8 adjustment for that that was embedded in their
9 budget and I am hoping that the Town Accountant
10 might be able to help me, but I think it was in
11 the neighborhood of 200 to 230,000.

12 THE MODERATOR: So that would be in
13 their budget.

14 MS. ASENDORF: Town Meeting used to
15 vote it back to the schools.

16 I'd also like to point out that, again
17 through you. I think, Mr. Murphy, you sent your
18 daughter not to Falmouth High School, but a
19 different high school.

20 The Falmouth schools are for the
21 public. They are for everyone. And whether
22 we're rich enough to send our children to
23 private schools or not, we can choose to send
24 them here but they are for everyone.

1 I do support the amendment.

2 THE MODERATOR: Ms. Lichtenstein.

3 MS. LICHTENSTEIN: Is it now - okay,
4 it's on.

5 You probably all know I am a teacher.
6 I have a son graduated from Falmouth High. I'm
7 a big supporter of Falmouth Schools. However -
8 and I fully support anyone bringing an amendment
9 to town floor for something they strongly
10 believe in.

11 However, when the School Committee and
12 the Town and the Finance Committee negotiated a
13 budget and said it was all right and then to
14 come back and say, "Well, no, we really want
15 more," that, I can't support. Because if we do
16 that, we have to let the Fire Department do it.
17 We have to let the DPW do it. We have to let
18 everybody do it.

19 Kids are great. As I said, I've been a
20 teacher all my life, but you have to spend money
21 wisely. And putting this aside may be in the
22 future of great - much more benefit to our kids
23 than giving them a few hundred thousand right
24 now. So I hope you vote this amendment down.

1 [Applause.]

2 THE MODERATOR: Okay, Mr. Shearer.

3 Let's go, folks, I've got a long list here. Mr.

4 Shearer. You're going to pass? Okay.

5 Gentleman in the center. Yes.

6 MR. VAN MOOY: Ben Van Mooy, Precinct

7 2. We just heard some critical words about the
8 management of the schools and as a parent I have

9 to disagree. I think that our schools are very

10 well managed. I think the administrators and

11 the teachers that are in our schools are trying

12 very hard. And at this point their backs are

13 really against the wall. They don't have any

14 flexibility to educate our children effectively.

15 They need some relief. Enough is enough.

16 And I just want to put this in

17 perspective. When I was looking at that chart

18 there, the Y axis was in the tens of millions of

19 dollars, okay? This is a modest request to

20 increase in the school budget and I think it's a

21 good compromise because it honors both - both -

22 both priorities. It shows the schools that they

23 have the support of the Town. It gives them the

24 resources they need to continue providing first

1 class education, but it's also a relatively
2 modest amount. So that the - you know, nearly
3 \$3 million will still be making it into the
4 Town's Stabilization Funds.

5 So I think we need to put this into
6 perspective, here. This is a good compromise
7 that honors both priorities that are on the
8 floor right now.

9 THE MODERATOR: Okay, Mr. Schmidt.

10 I'll put you back on the list, yeah.

11 MR. SCHMIDT: Yes, Edward Schmidt,
12 Precinct 8. I am retired. I do have four
13 children; they're all grown. They're all out of
14 school, so I have no children in our school
15 system presently.

16 But I was very delighted just about two
17 weeks ago to read a publication from the School
18 Department which talked about some of the great
19 successes of our students, including, and I was
20 very impressed, I think it was six Merit
21 Scholars from this town. So I was very pleased
22 and it felt very good to see that I really do
23 believe that our children are getting a very
24 good education. And that's important to me and

1 I think it should be important to all of you
2 because, in my opinion, as we make tough
3 decisions here we have to set priorities, and my
4 view is that the education of our children and
5 children elsewhere in our state and in our
6 nation is probably one - it really should be the
7 very highest priority. Or at least I can say I
8 can't think of anything of a higher priority
9 than giving our children that education.

10 So I think it's tough decisions before
11 us and as we begin to make compromises in
12 decisions, I'm going to support this article.

13 But I have one more thing to say. In
14 the presentation by the Town Manager we are told
15 that the Board of Selectmen set a target for the
16 year of increasing the Operating Budget by 2 1/4
17 percentage points and we all know that the state
18 has this Proposition 2 1/2 and I'm really I guess
19 a question for - through you, Mr. Moderator, a
20 question for the Finance Committee Chairman: is
21 there not 1/4 of one percent in potential
22 revenues being left on the table, here, because
23 the Operating Budget set by the Selectmen is up
24 this 2 1/4 percent instead of 2 1/2 percent? That

1 1/4 of a percent difference would amount to
2 roughly \$250,000 which is close to the number
3 we're talking about here.

4 If you look in your booklets here, the
5 Operating Budget for the Town is 99 million, 700
6 and something like \$80,000, giving a few - take
7 a few pennies.

8 So I'm just saying if you take 1/4
9 percent of that, you're looking at \$250,000. So
10 I'm suggesting that may be an alternative here
11 to increase the total budget by that \$250,000
12 and provide that to the School Department, as
13 opposed to trying to find the money from any
14 other source.

15 So, to you, through you Mr. Moderator
16 to the Finance Committee Chairman, are we
17 leaving a quarter of a million dollars on the
18 table here with this decision to only increase
19 to 2 1/4 percent?

20 THE MODERATOR: Mr. Chairman.

21 CHAIRMAN ANDERSON: We have about \$75
22 million in property taxes and 2 1/2 percent on
23 that is about \$1.8 million. We're increasing
24 this year's budget by \$3.47 million. So, we

1 are also using some of the savings from the
2 health care plan to supplement that.

3 The reality of it is is we can almost
4 put whatever revenue number we want into the
5 budget. However, it has to go by the Department
6 of Revenue, and if the Department - if we cannot
7 justify those revenues to the Department of
8 Revenue, they are going to not allow it, number
9 one, and we will be back here in a Special Town
10 Meeting.

11 The Town Manager is attempting to be
12 realistic but conservative in the estimate so
13 that the Department of Revenue will say yes,
14 that is reasonable.

15 THE MODERATOR: Mr. Schmidt.

16 And, mind you, the budget is 2 ½
17 percent and Proposition 2 ½ is on the levy. So
18 let's make sure we understand Proposition 2 ½.

19 MR. SCHMIDT: That's on the levy or
20 the 75 million, then?

21 THE MODERATOR: It's on the levy.

22 MR. SCHMIDT: So on 1/4 percent of the

23 -

24 THE MODERATOR: So your budget is

1 based on a series of revenues, when you go to
2 the last page it's A through L. So there's
3 multiple forms of revenue which get us to our
4 spending, which was 2 ½ percent increased.

5 MR. SCHMIDT: But we do, I believe,
6 have -

7 THE MODERATOR: But we can only raise
8 the levy limit by 2 ½ percent.

9 MR. SCHMIDT: All right, and that's
10 where we're leaving a quarter of a percent on
11 the table. So we're leaving 1/4 percent of
12 roughly 75 million on the table and that's where
13 I would like to make a motion to not leave that
14 on the table, but take the funds and give it to
15 the School Department.

16 If I'm wrong, I apologize, but.

17 THE MODERATOR: Mr. Chairman, could
18 you explain how we're raising the levy 2 ½
19 percent, not 2 1/4 percent? Mr. Chairman.

20 CHAIRMAN ANDERSON: Yes. What the
21 calculation is is you take last year's property
22 taxes and you get to apply 2 ½ percent to that.
23 You increase it 2 ½ percent. Which is what we
24 did. We have increased the levy by 2 ½ percent.

1 Now there are certain things that can
2 go outside that: any debt that you have excluded
3 that the Town has voted on that gets added on,
4 but it does not get counted in that 2 ½
5 calculation.

6 We are using all of the revenues that
7 are available in this budget. There isn't any -
8 any extra that - that I am aware of. I have had
9 consultations with the Town Manager, with the
10 Assistant Town Manager, with Mr. Torrasi, and
11 I'm reasonably comfortable that they've done a
12 very good job in determining the revenues along
13 with the finance group that they have, which
14 includes the Assessor, the Town Accountant, the
15 Treasurer, the Collector.

16 I am comfortable that the number that
17 we have is a good number.

18 THE MODERATOR: Mr. Holcomb, next on
19 the list.

20 MR. HOLCOMB: Bernie Holcomb, Precinct
21 9, President of the Falmouth Educator's
22 Association. Obviously I'm in favor of this
23 amendment, but my problem is with Mr. Murphy's
24 statements. He has distorted completely the pay

1 raises. Unfortunately this gentleman maybe does
2 not understand that the first group to take a
3 furlough was the School Department, and that
4 furlough is based on 184 day contract. Teachers
5 are paid on a contract, not on a 26 - 56 - 52
6 week pay week, which is what your regular
7 employee is on.

8 So when you take a furlough day, you lose
9 1/84th of your pay, which amounts to probably
10 more than if your pay is paid over that pay
11 period, more than two days and in some cases
12 three days. So you have to look at that.

13 When you go and look at the pay raises,
14 when Dennis Richards was here and the School
15 Department was having the issue or the Town was
16 having the issue with the High School building,
17 Mr. Richards, we were negotiating with him, he
18 came and he said that could we do a one year
19 contract and at the time we felt that that was
20 the appropriate thing to do.

21 The reason I'm making this point is
22 that we would have gotten a two-two and then
23 another two-two split. But because of that two,
24 we then ended up with a one or 1 ½, and then a

1 two-two for this year.

2 Now I'm retired so I'm not getting any
3 of that. But we also took another furlough day.
4 So that three percent is really a 2.5 percent
5 this year. So you're really distorting it. And
6 every single group has gotten their two-two in
7 the end of all their contracts.

8 You also have your signature on a
9 contract which gave an instant eight percent pay
10 raise to a union in this town. This year. But
11 I'm not going to say what that group is because
12 I don't want to attack that group -

13 THE MODERATOR: Okay -

14 MR. HOLCOMB: - so, that's a fact.

15 THE MODERATOR: I'm not going to
16 respond to the comments. Let's focus on this
17 amendment.

18 FROM THE FLOOR: Question, question.

19 THE MODERATOR: Okay. I've got a few
20 more here. I've got a few more here.

21 Mrs. Putnam - Mr. Putnam. I've got
22 three Putnams here now, so when I write "Putnam"
23 I get confused which one. The Junior Mr.
24 Putnam.

1 MR. PUTNAM: Thank you. Andrew
2 Putnam, Precinct 9. This is a really tough
3 issue for someone like myself. I look at it
4 from two sides. I look at it from the first
5 side, which is an emotional side. I went
6 through the school system. I got to Falmouth
7 High School my Freshman year, left for two years
8 to go to Sturgis - that's a whole other story -
9 but came back my Senior year and graduated.

10 Then there's the logical side. The
11 logical side of me is sitting here going, "You
12 know, through my entire time in school there's
13 one class I never took. One class that was
14 never offered to me. That was financial
15 management."

16 [Applause.]

17 MR. PUTNAM: And that's the problem.
18 The emotional side of me says, "You know what?
19 I want to support the teachers. Education is
20 important. In fact, I believe it is our future.
21 It is the most important thing I can pick out in
22 this budget. It really is." But the logical
23 side of me says, "You know, I was given no
24 example".

1 And in fact, at 18 years old, and my
2 father can be a testament to this, I really
3 screwed my finances. Let me tell you that:
4 fresh out of high school -- not a good decision:
5 don't get a credit card; got that.

6 But that's where I come into this.
7 Yes, our Town has a great bond rating, but we
8 see every day that it is very important to hold
9 that bond rating. And so that's where I'm
10 stuck. And I want to tell you all right now
11 that I want to say, "Yes, support it." But at
12 the same time, I want to say, "No, don't support
13 it because I'm stuck in that situation." But -
14 I'm going to have to go with the logical side of
15 me and say don't support it.

16 I understand, I really do. I went
17 through the school system. I have teachers who
18 I still talk about who I think were some of the
19 biggest influences of my life. Who helped me
20 through times that were really tough. But
21 again, it's that financial aspect. I don't want
22 to leave this town in a financial issue any
23 longer. I don't want to continue to leave that.
24 I don't want to see my sister, who's 13, here in

1 Lawrence right now, go through another couple of
2 years in a town that's starting to get a little
3 wishy-washy in its finances.

4 And I think the best future for our
5 children is both, but at this moment I think for
6 what we have here the discussion is moot at this
7 point. Our financial future is very important.
8 The Town has money and they reached an
9 agreement, and that agreement was clearly
10 reached on both sides and it was reached for a
11 reason.

12 So I want to vote this amendment down,
13 not because I don't support the schools, but
14 because I think that leading by example is
15 probably the most important thing we can do
16 right now if you want to talk about our students
17 and our future, because no one did that for me.
18 Thank you.

19 [Applause.]

20 THE MODERATOR: Okay, let's - we
21 started this at 7:44. I've got nine people on
22 the list. So let's keep this real tight.
23 Anything new. Anything new. Ms. Palmer.

24 MS. PALMER: Kathy Palmer, Precinct 3.

1 Through you, Mr. Moderator, to the Finance
2 Committee, anybody on the Finance Committee.
3 How much did the Lawrence School receive in
4 their grant to become an innovation school?

5 THE MODERATOR: Mr. Chairman.

6 CHAIRMAN ANDERSON: \$50,000.

7 MS. PALMER: \$50,000. I can tell you
8 I had a daughter there, she is now a Sophomore
9 in high school. I have a daughter there now
10 who's in 8th grade. It's a different
11 environment; with \$50,000 the administration got
12 very creative and they changed Lawrence School.
13 I think we can do that without moving money out
14 of areas that we need for safety and security of
15 the town. Thank you.

16 THE MODERATOR: Okay, Ms. Peterson.

17 MS. PETERSON: Laura Peterson,
18 Precinct 3. The new thing I'll add is a lot of
19 it was addressed to why did the School Committee
20 agree to the number. And in my opinion they're
21 too polite. And I'm very glad that a parent
22 brought this forward.

23 Let's be honest, we're still paying for
24 the high school. And I knew when I brought it

1 before all of you for the override that we would
2 pay. And in the past in 2009, there was a 1.8
3 percent increase. 2010, a negative point one.
4 '11, a negative 1.2. Level funded last year.
5 And this year we're asking for a modest 1.6
6 percent, and in the - Mr. Anderson's opening,
7 the person he raved - the place he raved about
8 was Lawrence schools. Then he also talked about
9 how successful we are with MCAS going up.

10 So that tells me that they're doing a
11 heck of a good job. And they're asking for a
12 modest 1.6 percent increase to continue to do
13 that fantastic job. And I'm very happy that
14 Selectman Murphy spoke, because he expressed the
15 frustration that I don't understand why it's out
16 there, but it exists, and we need to fix that.

17 Because the schools are doing a heck of
18 a good job, they're asking for a 1.6 percent
19 increase. In my opinion the School Committee's
20 been too polite and now it's time to get us back
21 on track and support the schools. Thank you.

22 [Applause.]

23 THE MODERATOR: Ms. Flynn.

24 MS. FLYNN: Yes, thank you, Mr.

1 Moderator. Pat Flynn, Chairman of the Board of
2 Selectmen.

3 The Town Manager and the School
4 Superintendent worked very closely on this issue
5 of this two hundred and what is it - 38, 48,000
6 dollars? - trying to find a way that we could
7 come up with those funds. And early in March
8 the Chairman of the Finance Committee spoke to a
9 joint meeting of the Board of Selectmen, the
10 School Committee and the Finance Committee that
11 took place in the school.

12 At that meeting, we had the - our
13 financial advisors present from First Southwest.
14 They made a presentation on the importance of
15 the Stabilization Fund. Some of you may
16 remember about two years ago our double A plus
17 rating was on a watch because we did not have
18 sufficient funds in the Stabilization. And so
19 we - the advisors really spoke very clearly
20 about the importance going forward that we begin
21 to rebuild the Stabilization Fund.

22 Nonetheless, we worked very hard with
23 the school. There was a meeting of the school
24 superintendent, the Town Manager, myself as

1 Chairman of the Board of Selectmen and Rebecca
2 Moffett as Chairman of the School Committee.
3 And we looked at various ways in which we could
4 come up with those monies. And there was no
5 other way except the Stabilization Fund.

6 So then we went back to look to see if it
7 was even possible to take some monies out of one
8 of those funds, and as it turned out we couldn't
9 take enough out that really made it that
10 worthwhile. So we met again to see if there
11 might be another way that we could somehow meet
12 this need that the school had.

13 And we looked at the projections for
14 this coming fiscal year and we thought that if
15 the revenues, particularly in the Local Receipts
16 and other revenues continue on a track of
17 improving, that perhaps by November we might be
18 able to find ourselves in a position where we
19 could come up with that \$248,000 and recommend
20 to the November Town Meeting that we put that
21 money in the School Budget.

22 But we all agreed that it was something
23 that we really could not do without jeopardizing
24 a potential of our bond rating and the potential

1 of building the Stabilization Funds, but in
2 November we would take another look at it and
3 hopefully that we might be able to come up with
4 funds or most of the funds at that time and
5 that's how we left it.

6 THE MODERATOR: Mr. Pinto.

7 MR. PINTO: Greg Pinto, Falmouth High
8 School, Class of 1991.

9 Page 10 of the School Committee's
10 Budget. Override allocations, Fiscal Year 1998.
11 Text supplies library, \$250,000. Capital
12 maintenance, \$280,000. Technology, \$200,000.
13 Staffing, \$250,000.

14 Post-15 years, Fiscal Year '12. Text
15 supplies library, \$40,000. Capital maintenance
16 \$38,760. Technology: \$70,000. Staffing,
17 \$831,240. Thank you.

18 THE MODERATOR: Okay, Mr. Shearer.

19 MR. SHEARER: Dan Shearer, Precinct 6.
20 My kids both went to Falmouth High School,
21 graduated, went to college, and are both doing
22 extremely well. I'm very proud of Falmouth High
23 School, I like it. I'm also on page ten.

24 We gave them in 1997 an override; it is

1 used mostly for salaries. When I voted for it
2 then it was for books, supplies, and technology.
3 I feel that we as a town and taxpayer have all
4 been gypped on this and it's gone on and on.

5 I was told last year when I saw that
6 one of the biggest problems was the No Child
7 Left Behind, because we have to have extra
8 people to regulate that. We don't have that
9 anymore, but I haven't seen any administrators
10 looking for jobs. I wonder why.

11 I'm all for the teachers. I think
12 we've got to look at top management and we've
13 got to see what we can do. It's pretty heavy up
14 there. Thank you and please vote against this
15 amendment.

16 THE MODERATOR: Okay, Mr. Latimer.

17 MR. LATIMER: Thank you, Mr.
18 Moderator. I'm Richard Latimer, I'm from
19 Precinct 2, Lawrence High School Class of 1962,
20 graduated right here in this building. In this
21 room.

22 Like young Mr. Putnam, I recognize that
23 this is a real difficult issue between the heart
24 and the mind. The heart says we have to support

1 the kids. The mind tells us, as Ms. Harper's
2 graphic has shown us, we need to have that money
3 for those tens of millions of dollars that are
4 going to be increased by way of insurance
5 premiums.

6 This is a good example that I want
7 everybody to think of of why what happens on the
8 national level has great impact right here on
9 us, forcing us into this kind of dilemma. This
10 wouldn't be even under discussion today -
11 tonight, if like every single other advanced
12 civilized country in the world we had a
13 national, single-payer health system. Thank
14 you.

15 [Applause.]

16 THE MODERATOR: Okay, Ms. Whitehead.
17 Ms. Whitehead.

18 MS. WHITEHEAD: I'd like to move the
19 question, please. Lynn Whitehead, Precinct 1.

20 THE MODERATOR: Okay, Ms. Whitehead
21 moves the question to close discussion on the
22 amendment. All those in favor of closing
23 discussion on the amendment signify by saying
24 aye.

1 [Aye.]

2 THE MODERATOR: All those opposed no.

3 [No.]

4 THE MODERATOR: The ayes have it and
5 discussion is closed on the amendment.

6 The question will come on the amendment
7 to increase line item 134 by \$238,890 and to
8 reduce the General Stabilization line item by
9 75,000, the Capital Stabilization Fund by
10 75,000, and the Health Insurance Stabilization
11 by \$88,890.

12 All those in favor of the amendment
13 signify by saying aye.

14 [Aye.]

15 THE MODERATOR: All those opposed no.

16 [No.]

17 THE MODERATOR: It's the opinion of
18 the chair that the no's have it by a majority
19 and the amendment fails.

20 Any further discussion on the School
21 Department budget?

22 Upper Cape Vocational School. DPW
23 Administration and Engineering. DPW Highway
24 Division. DPW Snow and Ice Control. Street

1 Lighting. Is there somebody? Oh, yes, okay.

2 MR. LEWIS: Wayne Lewis, Precinct 7.
3 About probably a half hour now I believe Mr.
4 Anderson mentioned that there is around a
5 \$61,000 deficit on this?

6 THE MODERATOR: More than that.

7 MR. LEWIS: And I assume that's from
8 prior years. When did this start and what are
9 we doing to make it up?

10 THE MODERATOR: Yeah, Mr. Chairman.

11 CHAIRMAN ANDERSON: Snow and ice, the
12 budgets do not carry over, so each year we have
13 had \$96,750 in the snow and ice budget. It is
14 the one budget that the state allows you to
15 deficit spend. If you increase this budget, you
16 can never decrease it again.

17 It is also the one item that you can
18 put on the levy in the upcoming year, on the tax
19 recap sheet.

20 We do currently have about \$145,000
21 deficit. In other words, we've spent the
22 \$96,750 in this year's budget and we've
23 overspent it by \$145,000. This will get offset
24 by an savings that we have in any budget that's

1 called turn backs at the end of the year, or if
2 we have revenues that are above what we
3 projected that we would have.

4 We do have to cure such a deficit
5 because currently we don't have any room under
6 the levy limit. So what we would have to do is
7 there will be either turn backs or a surplus or
8 we would use as I indicated earlier the Reserve
9 Fund, the balance in the Reserve Fund to take
10 care of that deficit.

11 THE MODERATOR: And that was with a
12 mild winter. So you can imagine what this
13 deficit is when we have a lot of snow.

14 Any further discussion on DPW Snow and
15 Ice Control?

16 Street Lighting. Vehicle Gasoline.
17 Mr. Stumcke.

18 MR. STUMCKE: Brad Stumcke, Precinct
19 4. What did we spend last year on gas? Does
20 anybody know? Gasoline?

21 THE MODERATOR: Mr. Chairman.

22 CHAIRMAN ANDERSON: In Fiscal Year
23 2011 we spent \$353,349. As of January 12th of
24 this year, in Fiscal Year '12, we'd spent

1 \$196,605.

2 MR. STUMCKE: Well, with the gas
3 prices going up and, you know, all the forecasts
4 are \$4 a gallon for gas by the summer, how are
5 we going to stay within this budget? That's my
6 question. Is it realistic?

7 THE MODERATOR: Who wants to address
8 is this number realistic? Mr. Jack?

9 MR. JACK: Thank you, Mr. Moderator.
10 Raymond Jack, Precinct 9. I think it's about as
11 realistic as we're going to be able to predict
12 what any costs are going to be over the next
13 couple of years. The actual projections were
14 based on what we are incurring - what we were
15 paying under last year's bid, and then try to
16 anticipate what it's going to be for the next
17 fiscal year, so that actually puts us almost two
18 and a half years out on the projections.

19 But I do believe that the budget number
20 as presented is one that's fairly realistic
21 under the circumstances. We are under the
22 County bid scenario, so that at least that
23 guarantees the value for a year.

24 THE MODERATOR: Okay. Ms. Szuplat.

1 MS. SZUPLAT: Peggy Szuplat, Precinct
2 7. Mr. Moderator to Mr. Jack, has anyone looked
3 at the number of vehicles that are floating
4 around town with our Town seal on them: the
5 white Ford Explorers and everything else, and
6 maybe we can eliminate a few of those vehicles
7 and cut on the gas bill.

8 THE MODERATOR: Okay. Further
9 discussion on the gas? Mr. Donahue.

10 MR. DONAHUE: Robert Donahue, Precinct
11 3. Is this total for all departments in the
12 Town, this gas? And is there any financial
13 breakdown as to what each department is using
14 and - we all - we just get these kind of numbers
15 and I say, you know, is the Police Department
16 using most of it, is the Fire Department, is the
17 DPW? One of the -- you know, who's using the
18 gas and how much are they using and then we can
19 maybe say why are they using it and get into
20 questioning it. But you never give us these
21 numbers. Thank you.

22 THE MODERATOR: Mr. Jack, can you give
23 us a breakdown of where the gas goes?

24 MR. JACK: We do have a computerized

1 fuel system so that we can run the numbers any
2 day of the week and annually. So we do know
3 exactly what each department uses, what each
4 vehicle uses, what each driver uses.

5 And the overall budget that you're
6 looking at covers everything within the Town
7 with the exception of the county busses, because
8 they do fuel up here but they're counted
9 separately, and the Department of Aging is
10 separate, and the School pays theirs separately.
11 But we do have a very complete accounting system
12 for all fuel that's used.

13 THE MODERATOR: Further discussion on
14 vehicle gasoline.

15 Waste Management Facility. Solid waste
16 collection. DPW Wastewater Utilities. DPW
17 Water Utilities. Renewable Energy. DPW Tree
18 Warden. Health Inspection. Clinics and
19 Nurses. Council on Aging. Veterans Services.
20 Commission On Disabilities. Human Services.
21 Falmouth Public Library. Cape Cod Regional
22 Library. West Falmouth Library.

23 Mr. Shearer.

24 MR. SHEARER: Dan Shearer, Precinct 6.

1 We have two private libraries in town: one in
2 West Falmouth and one in Woods Hole. And I
3 believe that they should be equally given money.

4 We both have CLAMS now. We're both
5 used. I know West Falmouth is used almost every
6 day of the week. We both give our hours to the
7 main library.

8 So I'd like to make an amendment that
9 we add both the libraries' budgets and divide it
10 by two so each would get \$13,219. Thank you.

11 THE MODERATOR: Okay, the amendment is
12 to strike the two - the West Falmouth Library
13 and the Woods Hole Library line items and
14 replace them with \$13,219. Discussion on the
15 amendment?

16 Ms. Fenwick.

17 This is a perennial favorite.

18 MS. FENWICK: Judy Fenwick, Precinct
19 1. I used to be on the board of the Woods Hole
20 Library and they were chartered as the Woods
21 Hole Public Library back in late 1800's, early
22 1900's. And the two libraries in question are
23 very different size and have different
24 operational budgets. So I don't think this

1 amendment is at all wise.

2 THE MODERATOR: Okay, I saw another
3 hand in the middle somewhere, wasn't it?

4 FROM THE FLOOR: [No mic. Inaudible.]

5 THE MODERATOR: Oh, you're all set.
6 Okay.

7 Ms. Hayward.

8 MS. HAYWARD: Mr. Moderator, through
9 you to Mr. Anderson. Were there any questions
10 asked of either one of these libraries as to why
11 the discrepancy between the two libraries? I
12 can't quote any figures on the West Falmouth
13 Library. I know it is much more heavily used
14 than it used to be and it is in the CLAMS
15 system. So, where is the rationale for having
16 the two different - I wondered that when I
17 looked at this budget. I would certainly
18 approve of dividing it equally, but is there any
19 rationale?

20 THE MODERATOR: Mr. Chairman.

21 CHAIRMAN ANDERSON: You have stumped
22 me. I have to admit I cannot recall the
23 specific discussion on this. I would call on my
24 colleagues in the Finance Committee if there's

1 someone that could help me. Mr. Lewis?

2 THE MODERATOR: Mr. Lewis.

3 Mr. Smith, I'll put you on the list.

4 MR. LEWIS: Gardner Lewis, Precinct 6,
5 on the Finance Committee. I believe we voted
6 what was asked for.

7 [Applause.]

8 FROM THE FLOOR: Question.

9 THE MODERATOR: Okay. So will the
10 Selectmen tell us why they asked for a
11 difference between the two lines items? That's
12 what the libraries requested?

13 MS. HARPER: This is based on the
14 libraries' request.

15 THE MODERATOR: Okay.

16 MS. HARPER: And they're based on the
17 historic contribution to the services and the
18 hours of services to make sure that we meet our
19 hours for um - um - yeah, Regional
20 Certification.

21 THE MODERATOR: Okay, Mr. Rhodes.

22 MS. HARPER: That's the historic
23 trend.

24 THE MODERATOR: Mr. Rhodes.

1 MR. RHODES: Scoba Rhodes, Precinct 8.
2 The same identical discussion has taken place
3 for the last ten years, at least.
4 THE MODERATOR: Fourteen, since I
5 started as Moderator.
6 [Laughter and applause.]
7 MR. RHODES: Okay, I'll go back that
8 far. The discussion about the difference in
9 amounts doesn't change. The dollars are going
10 to be the same for the two libraries as
11 requested.
12 Let's just move on because nothing's
13 going to change.
14 [Laughter.]
15 MR. RHODES: Leave it alone.
16 [Applause and cheers.]
17 THE MODERATOR: Mr. Smith. Okay,
18 let's go. Mr. Smith.
19 MR. SMITH: Thank you, Mr. Moderator.
20 Dana Smith from Precinct 6. I had been a - I
21 served one term as a library trustee and I don't
22 think much has changed, as he had said. The
23 difference, in the past, anyway, had to do with
24 the difference in circulation, difference in

1 hours, difference of use, basically. And keep
2 in mind, also, it's not just circulation within
3 Falmouth but they're also members of the CLAMS
4 system, so that's why historically we've seen
5 some differences between the two. Thank you.

6 THE MODERATOR: Mr. McCaffrey,
7 something new?

8 MR. MCCAFFREY: Charles McCaffrey,
9 Precinct 5. I'm also vice president of the West
10 Falmouth Board of Directors.

11 It is true that is what the library has
12 requested. It's been that amount for many
13 years.

14 Part of the difference, my
15 understanding is, that when that money was
16 requested, that was requested before we joined
17 CLAMS. Our costs for CLAMS significantly
18 exceeds the amount we're given from the Town.

19 We did not ask - have not asked for
20 more funding since we joined CLAMS, though we
21 feel we would - could request that, because of
22 the recognition of the fiscal situation of the
23 Town. We do feel that at some point in time it
24 would be appropriate -- given the amount of

1 expansion of hours, expansion of circulation,
2 which is extraordinary over the last four or
3 five years since we joined CLAMS -- that at some
4 point the Town might consider greater funding
5 for the West Falmouth Library. Not a
6 significant amount, but more than what we have
7 requested.

8 THE MODERATOR: Okay, the question
9 will come on the amendment to equalize the two
10 library line items. All those in favor, signify
11 by saying aye.

12 [Aye.]

13 THE MODERATOR: All those opposed no.

14 [No.]

15 THE MODERATOR: The ayes have it by a
16 majority.

17 Recreation Department.

18 FROM THE FLOOR: [No mic.] You said
19 the ayes have it.

20 THE MODERATOR: Beach - I did say the
21 ayes have it? Well, no, the no's have it. The
22 amendment failed.

23 Beach Department. Bikeways Committee.

24 Long Term Excluded Debt. Long Term Unexcluded

1 Debt. Short Term Excluded Debt. Short Term
2 Unexcluded Debt. Stabilization. Retirement.
3 Unemployment. Health Insurance. Life
4 Insurance. Medicare Benefits. Other Employees
5 Benefits. Court Judgments.

6 Any further discussion on Article 22?

7 Hearing none, the question will come on
8 the main motion as presented by the Finance
9 Committee. All those in favor signify by saying
10 aye.

11 [Aye.]

12 THE MODERATOR: All those opposed, no.

13 [None opposed.]

14 THE MODERATOR: The ayes have it by
15 the 2/3rds majority and I so declare.

16 We're going to go back to Article 15.

17 Article 15, Mr. Chairman of the Finance
18 Committee for the main motion.

19 CHAIRMAN ANDERSON: Mr. Moderator, I
20 move Article 15 as printed.

21 THE MODERATOR: As printed.

22 This is to adopt a bylaw within Chapter
23 38 of the Code of Falmouth establishing a
24 Department of Finance. Discussion on Article

1 15.

2 Mr. Dufresne.

3 MR. DUFRESNE: Adriane Dufresne,
4 resident of Precinct 2. Tonight I'd like to
5 speak as a Town Meeting Member and a taxpayer.

6 Article 15, which deals with the
7 establishment of a new \$150,000 - potential
8 department in Town Hall, at a time when we've
9 experienced furlough days, step increase
10 moratoriums on hiring and step increases, at a
11 time when we can't even pay our poor workers a
12 minimum wage, we want to establish a financial
13 officer - may I address Article 16 in the same
14 context, since they deal together?

15 THE MODERATOR: Yeah, they're
16 interrelated, so.

17 MR. DUFRESNE: So anyway, last October
18 we lost a very, very capable young lady who
19 earned the right to move ahead. So we lost -
20 the Finance Committee lost its go-to person.
21 For the last 40 years - I go back to 1979 as a
22 member of the Finance Committee - we have always
23 had this person that we could go to at any time
24 of the day through the work day and gather the

1 information necessary to bring to you - we work
2 for you.

3 I want to speak now - I was a Finance
4 Committee person. Our responsibility was to
5 bring you the financial information necessary
6 for Town Meeting.

7 Mr. Suso came on board I think last
8 October and I'm not going to question his
9 ability to be a town manager, but one of the
10 decisions that was made back then is that we
11 would not replace our go-to person. And I can
12 go to, I remember Mrs. Magnani, and I remember
13 Carol Martin and I go back to Diane Ward, so we
14 have always had this person. They decided that
15 that was no longer necessary for us to gather
16 the information to properly bring you the
17 necessary recommendations that we look at in
18 this book.

19 So I had a problem with that because
20 we, from the Finance Committee as a whole, 15
21 members, were not fully notified and I read it
22 in the newspaper. I believe it was in January.
23 And I took offense to that.

24 As I read the responsibilities of this

1 person, everything that this person is going to
2 do is Mr. Suso's job. If not Mr. Suso, then
3 his assistant's job. They're going to oversee
4 four departments. At least that's the way it's
5 described - the way I have it before me. The
6 Clerk Treasurer, I mean the Treasurer, the
7 Assessor, the Accountant, and there's one other.

8 But these people all make \$90,000 a
9 year. Do we need another \$100,000 a year office
10 that's going to oversee - I know all of these
11 town managers; they're very, very capable
12 people. Bailey in Assessing, is I think one of
13 the best financial managers and assessors that
14 I've seen in my years. And certainly Mrs.
15 Alwardt; you can't get anything past by her that
16 isn't legal, I can tell you that much.

17 [Laughter.]

18 MR. DUFRESNE: And so anyway I have a
19 problem that we're creating, quote, this
20 additional department at a time when the Town
21 Manager, who may be the best Town Manager we've
22 ever had, but he hasn't proven that yet. He's
23 been here six months. And I think we're a
24 little premature in taking away the ability of

1 the Finance Committee to do their job and
2 putting it in the hands of a person that we
3 don't know and have we been able to prove that
4 this is a real necessary position.

5 As I look at the Finance Director's job
6 description, it's almost like the Town Manager's
7 job description. Do we need another duplication
8 of services in Town Hall? I don't believe so.

9 The salary structure in the newspaper,
10 you know, which shocked a lot of people, we have
11 right now with the addition - possible addition
12 of this new person, something like close to
13 \$700,000 to run the corner office. If you look
14 at all the salaries of the Personnel Officer,
15 we're advertising for another Personnel Officer;
16 that's an \$80,000 position that's part of Mr.
17 Suso's responsibility as the Personnel Officer.
18 He hires and fires and negotiates contracts, so
19 to me he's the Personnel Officer, but we're
20 going to hire another \$85,000 a year person.

21 We have Mr. Suso's position, we have
22 his assistant's position, we have a Legal
23 Department, which I don't think we've saved any
24 money since we established the Legal Department.

1 So, but anyway, I just had a problem
2 that we're losing, quote, the efficiency of the
3 Finance Committee as I've known it for 25 years.
4 And one of the things that bothered me is it's
5 being financed by not only Mrs. Bishop's
6 position, but also the Assistant Treasurer.
7 And, in talking to the Acting Treasurer --
8 because she's acting -- we're going to finance
9 it with the position that she legally holds,
10 because she's not been appointed yet as the
11 Treasurer. So we're eliminating the Assistant
12 Treasurer's position.

13 So, anyway, in looking at all these
14 things, I don't have too much to gain by it, but
15 I'd ask this body to hold off on Article 15 and
16 Article 16 as premature until such a time - now,
17 you've seen some progress.

18 The Finance Committee Chairman on his
19 own - which I think we've got one of the
20 brightest guys in town sitting up there, and
21 we've got another right over here, Mr. Boyer,
22 who formed a Capital Planning Committee, sub-
23 committee of the Finance Committee. On that
24 committee we have I believe one of our Finance

1 Committee people Paul Sellers, bright young man.
2 Hopefully - and a lot of good has come out of,
3 quote, their getting together with the powers to
4 be to try to create a financial plan which will
5 eventually get us - with more in the
6 Stabilization, maybe we can get more money to
7 the schools. We're going to try to start saving
8 some money.

9 This committee, chaired by I don't know
10 if Mr. Boyer is the Chair or if my Chairman is
11 the Chairman, but I think they can do a lot of
12 good and do we need, quote, in your own minds,
13 the establishment of another \$150,000
14 department? Because, once you establish a
15 department, you'll have secretaries and you'll
16 have expenses and I've watched the bureaucracy,
17 since we adopted the Charter, grow from you know
18 a reasonable sum of about \$150,000 in the corner
19 office to what I've looked at and I think we're
20 up to almost \$700,000 with this new person.

21 So, with that, think about it for a
22 while and if you think it's an absolute
23 necessity, vote your conscience. Thank you very
24 much for listening.

1 THE MODERATOR: Okay, Mr. Anderson.

2 [Applause.]

3 THE MODERATOR: Mr Anderson. Let's
4 go, Mr. Anderson.

5 CHAIRMAN ANDERSON: Mr. Dufresne, as I
6 stated in my opening comments on Monday night,
7 is eloquent, he's a great debater and he's very
8 passionate, and I admire that about him.
9 However, I disagree with him on this.

10 And what I would like to do - I have
11 to, as I said in my opening report, I don't like
12 change, either. And this is a difficult change.
13 We, as Mr. Dufresne indicated, we've always had
14 extremely capable people supporting us. But
15 change does come, and we have to deal with it
16 and we have to watch it and manage it to make
17 sure that the change is better.

18 I believe that this change will
19 ultimately be for the better.

20 I used to run a couple of companies,
21 one at American Express; it was a hundred
22 million dollar company. I ran a hundred million
23 dollar company at Bank of America. I had a CFO.
24 I had a Controller. Finances are very, very

1 critical to an organization the size of this
2 town. Our Operating Budget, we just passed it,
3 \$112 million.

4 We also passed some articles in the
5 Special last night to the tune of about a
6 million one, and we have some additional
7 articles here. These are some very, very
8 substantial numbers, and it is not that the
9 people that are involved with this, the
10 Assessor, the Town Accountant, the Treasurer,
11 the Collector, aren't capable. We do have a
12 situation and we have had for several years
13 where the Town Manager has about twenty -
14 somewhere between 25 and 30 people reporting to
15 him. That is a span of control that any
16 management consultant would tell you is at best
17 unwieldy, and probably unmanageable.

18 I will agree with Mr. Dufresne that I
19 do wish that this would have been approached a
20 little bit differently with the Finance
21 Committee. I went back to the Charter, and
22 there are several references in the Charter that
23 I'd like to take just a minute or two to tell
24 you why I believe that the Town Manager first

1 has the right to do this, number one, and number
2 two that he should do it, and I can tell you
3 that we will hold him accountable, as I think
4 this Town Meeting will.

5 In the Charter, under Section C 5 3,
6 Powers and Duties of the Town Manager, the Town
7 Manager shall be the Chief Administrative
8 Officer of the Town and shall be responsible for
9 administering and coordinating all employees,
10 activities and departments placed by General
11 Law. Under Section C 5 4(c), it says the Town
12 Manager shall appoint and may suspend or remove
13 any appointed Town official in full time or part
14 time employ. In the case of an employee who
15 reports to a multi-member body, any action under
16 this clause shall be taken only after
17 consultation with the multi-member body to whom
18 the person reports.

19 This is subject to a little bit of
20 interpretation. Did the budget officer report
21 to Town - excuse me, to the Finance Committee or
22 did he report to the Town Manager? I do wish
23 that we as a Finance Committee had been
24 consulted and we had a conversation as a group

1 with the Town Manager. That didn't happen.

2 I would then go to Section C 5-6(b) of
3 the Charter. It says, "The responsibility for
4 the functions administered within the divisions
5 shall be vested in the Town Manager." And C 5
6 7 (a) says, "With the approval of the Board of
7 Selectmen, the Town Manager may establish,
8 reorganize, consolidate or abolish any division,
9 department, or position placed by this Charter
10 or, on the vote of the Board of Selectmen, under
11 the manager's direction and supervision, except
12 as otherwise provided by General Law and this
13 Charter.

14 To me, it's very clear that the Town
15 Manager has the ability under the Charter to
16 reorganize. And it is in essence what he did.

17 I also think that there are other
18 examples in Town where boards such as the
19 Planning Board have Mr. Curry and one of the
20 assistants that work for - that help the
21 Planning Board, but they do report up to the
22 Town Manager.

23 We also have the ZBA, where there is a
24 similar situation. I believe that the Finance

1 Committee can work and function and actually I
2 am hopeful that with a Finance Director in
3 place, that we will have better organization,
4 better control and better insight into the
5 finances, and I believe that somebody in a
6 Finance Director position will help and assist
7 the Finance Committee in a way that will also
8 help and assist the Town Meeting.

9 We will work very diligently and I will
10 tell you that we will ask more of this Finance
11 Director and this Financial division than
12 perhaps we have in the past. And so I would
13 urge you to vote in favor of this particular
14 article as it is printed. Thank you.

15 THE MODERATOR: Ms. Abbott.

16 MS. ABBOTT: Jane Abbott, Precinct 7.
17 I would like to support Andy Dufresne's
18 recommendation. I would like to ask Mr. Suso to
19 wait a year to establish this new department.
20 I'd like him to work with our Collector,
21 Assessor, Accountant and Treasurer as human
22 beings. I would like the position of the
23 Finance Committee's assistant to be filled,
24 because they do need that position.

1 We have here a board of 15 volunteer
2 citizens who have worked nobly for years and I
3 think they can continue. And I think it would
4 be nice to have Mr. Suso get to know them, get
5 to know Falmouth, and I think we should wait a
6 year and put this money into something like the
7 Stabilization Fund. Thank you.

8 THE MODERATOR: Mr. Suso.

9 MR. SUSO: Thank you, Mr. Moderator.
10 We do have a brief PowerPoint that deals - that
11 - it notes Article 16, it deals fundamentally
12 with both articles in summary form, and I'd like
13 to briefly proceed with that if I may and then
14 maybe a couple remarks.

15 This is a proposed Finance Department
16 as has been noted. It includes one full time
17 and one part time staff position. Let me
18 demonstrate for you where the funds will come
19 from. I'm not requesting any additional dollars
20 and I want to clear up any misconception that
21 there may be regarding that.

22 The two existing positions that have
23 not been filled - and, by the way, Town Meeting
24 may remember I arrived on the first day of your

1 November Town Meeting, so I had less than two
2 months to complete the proposed FY '13 Budget
3 under the Charter, which in the residents'
4 wisdom has been adopted for Town, and present
5 that to the Board of Selectmen and I did
6 certainly focus on that during my first 30 days.
7 This is among the proposals.

8 We noted the budget officer position
9 which has been so critical to the Finance
10 Committee and the Town, Jill Bishop, received a
11 well-deserved promotion. That position became
12 vacant or I would not be speaking to you about
13 this today.

14 This is all about timing. In my
15 judgment, being a manager is about seizing the
16 moment, taking advantage of opportunities. I
17 had arrived; this position was vacant; and I
18 either move forward with what I believe is a
19 responsible management proposal or I remain
20 silent and lose the opportunity.

21 The budget officer position, as noted
22 in FY '13, \$58,431 in the budget appropriated
23 plus benefits. The Assistant Town Treasurer
24 position was also vacant when I arrived and

1 obviously I have not filled that position. That
2 \$44,827 appropriated for the coming fiscal year
3 plus benefits for a total including the benefit
4 amount estimated at 30 percent -- that's
5 arguably a bit modest, but I'd prefer to be
6 modest about it - \$134,235.

7 Those are the positions not to be
8 filled.

9 These are the positions I am advocating
10 for Town Meeting's consideration. Finance
11 Director, as we've already spoken about, the
12 single full-time position, salary range is the
13 same as that of other department heads in town.
14 That's under the Classification Plan that Town
15 Meeting has affirmed. You see the salary range
16 there. The approximate start date would be in
17 my estimate in the month of August. So I'm
18 estimating, based upon again an approximate
19 salary, given a mid-range amount of \$101,059,
20 you'd be expending \$90,992 for FY '13.

21 In addition, the part-time office
22 assistant to support the Finance Director also
23 in the important work of working with the
24 Finance Committee, the salary range as noted,

1 I'm estimating \$15,000 annually there. That is
2 a position without benefits because it is part-
3 time. The estimated total, therefore, you can
4 see from the calculation would be \$133,289.

5 And the next slide will show our
6 comparison on that. The estimated expenses,
7 therefore, are within a thousand dollars, a
8 thousand dollars less, approximately, from the
9 amount that you have already set aside and
10 approved for the FY '13 budget. So in order to
11 enact this, with respectfully with your
12 concurrence if that - if I do receive that, I
13 would not need any additional dollars to enact
14 this proposal.

15 A couple of other slides following
16 this. And I'll read through this because I know
17 it's a little small, but this is the proposed
18 Finance Director job description to make no
19 mistake about the duties of this position.
20 Under the general direction of the Town Manager,
21 serve as the chief financial advisor to the
22 Manager, the Board of Selectmen, the Finance
23 Committee and Town departments regarding budget
24 preparation and management, revenue, and

1 expenditure, forecasting, financial strategies,
2 cost and revenue analysis and other financial
3 planning and management issues as necessary.

4 Provide integrated professional
5 oversight, administrative direction, support,
6 coordination and supervision for the Accounting,
7 Treasurer, Tax Collector and Assessing Offices.

8 And, by the way, I have met on more
9 than one occasion with what I call our
10 professional financial team, all of those
11 excellent individuals who are now in place.
12 They are aware of the proposal. I've discussed
13 it with them. This is an addition. This is a
14 value added to the excellent financial team we
15 have in place.

16 And will interpret - furthermore, this
17 position will interpret and administer federal,
18 state and local laws, regulations and policies
19 relevant to integrated municipal financial
20 management. Will also serve as the Director of
21 Procurement, a position where we do not have a
22 single, stand-alone individual with those
23 responsibilities and I think those of you who
24 are familiar with procurement and purchasing

1 understand that having a single set of rules
2 that, closely supervised and coordinated through
3 all departments, will result in substantial
4 savings to all Town departments; Town-side,
5 School-side, as well.

6 And we'll touch on the next slide.
7 Qualifications for a Finance Director. Requires
8 a Bachelor's Degree in Finance, Accounting or
9 related field. An MBA, meaning a Masters of
10 Business Administration, of course, or Masters
11 in Public Administration is preferred. With
12 expert knowledge of municipal financial
13 management. Demonstrated professional knowledge
14 and experience in the principals of municipal
15 and public finance, including related laws,
16 bylaws, regulations, as well as municipal
17 procurement and purchasing.

18 Successful candidate should possess at
19 least five years of progressively responsible
20 general management and supervisory experience,
21 including demonstrated experience in
22 successfully functioning in a team-oriented
23 professional environment.

24 A good example of what I envision is

1 Mr. Tony Torrisi, who's a retired long-time
2 Finance Director of Andover, Massachusetts, has
3 joined us. As Mr. Anderson, Chairman of the
4 Finance Committee has noted, Tony has joined us
5 temporarily in terms of this transitional time
6 to do what we could reasonably do to bridge this
7 gap. Again, because we have a vacancy in the
8 budget officer position. And this is the time
9 to bring this, with all due respect, to your
10 attention and make this recommendation.

11 As much as I would like - and I
12 recognize, by the way, under the Charter that
13 some of these duties and responsibilities do
14 fall within the Town Manager's job description
15 and overall responsibility and I'm fully
16 cognizant and aware of that. So do some of the
17 job descriptions and responsibilities of other
18 positions within the Town. However, I think, as
19 all of you understand and recognize, I'm only
20 given 24 hours in a day, the same as all of you,
21 and a manager who's effective and responsible
22 only gets the job done through qualified
23 colleagues, qualified professionals who are
24 responsible to the entire Town, operate as a

1 team in an integrated team-oriented environment.

2 You have a budget that's well in excess
3 of \$110 million. Over one-half of all the
4 municipalities on the Cape already have a
5 Finance Director and have recognized the
6 importance of integrating the financial
7 function. We're among the largest
8 municipalities in the Commonwealth that have not
9 achieved this as yet.

10 Can we function without it? Absolutely.
11 Is this the time to do it? Yes, in my humble
12 opinion and I so recommend to this Town Meeting
13 that you consider affirming both Articles 15 and
14 16. You deserve this enhanced level of
15 accountability, transparency in the budget and
16 expertise, and you deserve to have an individual
17 of this caliber added to the team that can
18 become the new direct liaison to the Finance
19 Committee in its very important work.

20 I know that, while the Finance
21 Committee, of course which I greatly appreciate,
22 along with the Board of Selectmen, voted
23 overwhelmingly in support of this concept, I
24 appreciate Chairman Anderson's remarks in that

1 regard.

2 And it was my privilege to join the
3 Finance Committee for the lion's share of their
4 very important meetings during the five months
5 within which I've been Town Manager, and my
6 point in doing that is that I recognize and
7 respect the extraordinary importance of the
8 Finance Committee. I've never been in an
9 organization that has not worked closely as Town
10 Manager with a Finance Committee in it's very
11 important role.

12 The Finance Committee undertakes duties
13 and responsibilities that are not mine, for
14 which they are accountable to you and I respect
15 that. They provide an excellent source of
16 checks and balances, ask tough, tough questions
17 of me, of those I work with in Town departments;
18 that's critically important in representing you
19 and I respect that role. I want to do
20 everything as Town Manager to enhance it, to
21 support it. And the Finance Director -- if you
22 give us the privilege of moving forward at this
23 time with the understanding of where we will do
24 so within the costs, the appropriations you've

1 already set up - the Finance Director will
2 provide this enhanced level of support and
3 integrated information to the Finance Committee
4 that they deserve so we can strengthen that
5 partnership going forward.

6 And I thank Town Meeting, the Board of
7 Selectmen, the Finance Committee, for your
8 consideration of this proposal. I recognize it
9 came very quickly because as I noted I arrived
10 in November. I either needed to raise this
11 issue and to strongly advocate your
12 consideration of it or stay silent for a year.
13 And you understand the choice that I made, I
14 think it was the appropriate choice and the
15 responsible choice with the privilege I have as
16 serving all of you as Town Manager.

17 So I am happy to answer any questions
18 you may have and I thank you for your
19 consideration.

20 THE MODERATOR: Okay, Mr. Dick.

21 MR. DICK: Henry Dick, Precinct 8.
22 For many years living in this town I've felt
23 very strongly and just had that continuously
24 upgraded in the Finance Committee as an

1 independent voice, that watchdogs the finances
2 of this Town. And I notice that we have an
3 Executive budget request and then we have a
4 FinCom recommendation. And I've always trusted
5 the FinCom because I've always felt that it was
6 independent of the rest of the financial
7 operation in Town Hall.

8 And my question, really, first, if I
9 might have a question through you, Mr.
10 Moderator, to Mr. Anderson, is the budget
11 assistant that you just lost, did she answer to
12 you or did she answer to the Town Manager?

13 THE MODERATOR: Mr. Chairman.

14 CHAIRMAN ANDERSON: My understanding
15 is that by Charter she actually reported to the
16 Town Manager. She was I would say under the
17 direct control of the Finance Committee. We
18 used her, however the reporting relationship was
19 to the Town Manager.

20 MR. DICK: Uh-huh.

21 I think that if we hire an executive to
22 - in the Town Manager's position, that we should
23 go with his recommendations. After all, that's
24 what we hired him for. I would be much more

1 comfortable if we were waiting a year for this,
2 but my biggest concern is the independence of
3 the FinCom and their source of information,
4 their go-to person has some degree of
5 independence and effectively works under the
6 FinCom. And I think that needs to be addressed,
7 because I think the independence of the FinCom,
8 and to have two separate lines, one effectively
9 watch dogging the other, is very important.

10 Thank you.

11 THE MODERATOR: Mr. Flanagan.

12 MR. FLANAGAN: Thank you, Mr.

13 Moderator, John Flanagan, Precinct 1.

14 And I'm speaking from a context of
15 being a CFO of and Treasurer and also Controller
16 of international corporations with annual
17 revenues well in excess of \$100 million.

18 And when we look at this, we have to
19 examine and look at what Falmouth is. It's time
20 for us to grow up. We do not have a CFO, a
21 chief financial officer. And it's absolutely
22 incumbent that we bring these financial
23 responsibilities under a single individual that
24 can be held accountable, whether it be to the

1 Town Manager or to the Chairman of the Finance
2 Committee. We've got to be able to fix it and
3 put it in there and say, "This is the
4 responsibility."

5 Last night we looked at a presentation
6 on capital budgeting and the sources of it.
7 That's a very simple corporate type of analysis
8 that we don't - it's a source and application of
9 funds, that to where I saw nothing but confusion
10 amongst the Members of the Town Meeting where a
11 straightforward, corporate source and
12 applications I think would have answered a lot
13 of the questions that we debated last night.

14 Now, one of the pieces that I see in
15 this organization the Town Manager's proposing
16 is the absence of an internal auditor. Now,
17 maybe that might be the person that would be an
18 independent individual that would answer to Mr.
19 Anderson and maybe serve as the source of
20 information for the Finance Committee. I have
21 never been in any corporation where there was
22 not an internal auditor, and I don't know where
23 you find the funding for it or how you
24 restructure it, but our Town Manager has been

1 very resourceful in trying to find out this.

2 So, I'm very much in support of this
3 article and would like to see the
4 responsibilities of an internal auditor added to
5 the staff. You know, who's the watchdog? Who's
6 the internal watchdog? Thank you.

7 THE MODERATOR: Okay, Mr. Putnam.

8 MR. PUTNAM: Good evening, Ladies and
9 Gentlemen, Brent Putnam, Board of Selectmen,
10 Precinct 9 Town Meeting Member.

11 I'll answer Mr. Flanagan's question
12 first, because I wasn't actually aware of it
13 myself until after I became a selectman that the
14 Town's internal auditor is actually the Town
15 Accountant. And if you look at the personnel
16 structure of the Town, the Town Accountant is
17 actually appointed by the Board of Selectmen,
18 and the reason why is so that there is an
19 independent auditor.

20 And when the Town Accountant has come
21 before the Board in the past with reports, she
22 has shared the fact that she does internal
23 audits on various departments every year.
24 Unfortunately it doesn't happen on all

1 departments because of budgetary constraints and
2 so on, but it does happen.

3 Mr. Suso did a very fine job of
4 explaining some of the financial aspects of
5 this, but I'd like to give you all a little bit
6 of a different perspective, in that the Board of
7 Selectmen has actually been talking about the
8 idea of a Finance Director for some time. And
9 if you followed the Selectmen's Meetings over
10 the past few years you may recall that our prior
11 Town Manager had at one point suggested merging
12 the Collector's Department with the Treasurer's
13 Department when our last Treasurer left, in an
14 attempt to try to reduce the span of control
15 that was mentioned by Mr. Anderson.

16 The Board at the time declined. We did
17 not support that recommendation from the Town
18 Manager, because we wanted to see a Finance
19 Director.

20 We talk about span of control, but I
21 don't know how many of you realize what a big
22 issue that is. Mr. Anderson talked about
23 management consultants. I've been in management
24 roles myself and generally you don't want to

1 have more than about a half a dozen people
2 reporting to you because, in addition to your
3 own responsibilities, you also have to oversee
4 these individuals. And as noted, the Town
5 Manager currently has approximately two dozen
6 direct reports.

7 The effect on the Town's business is
8 dramatic. Many of you may wonder, and have
9 complained perhaps from time to time, why some
10 things don't get done or why they don't get done
11 the right way or why we have this problem or
12 that problem, but I'd like you to consider that
13 when you have two dozen direct reports, two
14 dozen people that you are responsible for
15 annually reviewing, and you have to put together
16 a \$110 million budget, it's a lot of work for
17 one person, even when you can delegate some
18 things. And you can't delegate the
19 responsibility of reviews, because these are
20 your direct reports.

21 You can't tell one person to review
22 their peer. It's a lot of work. And in fact,
23 and unfortunately, there are some of these
24 individuals who report to the Town Manager who

1 have not had reviews, some in years, if at all.

2 And this does affect the operation of the Town.

3 So the idea of a Finance Director, of a
4 consolidated Finance Department, has its merits.
5 But there's also the need to consolidate the
6 span of control. There really should only be
7 about a half a dozen people reporting to the
8 Town Manager, and then the Town Manager can work
9 very closely with the Finance Director to make
10 sure the budget is done properly and the Town
11 Manager will have the time to oversee that
12 person's half a dozen reports, and then a lot of
13 the loose ends and a lot of the issues and
14 concerns that we often worry about and complain
15 about will get picked up, tied up, and will have
16 better management in general. Please support
17 these articles.

18 THE MODERATOR: Mr. Braga.

19 MR. BRAGA: Thank you. David Braga,
20 Precinct 7, and Mr. Moderator, through you to
21 the Town Meeting Members.

22 Anybody who has probably watched the
23 Selectmen's Meetings recently realize how
24 conservative I have become with Town funds.

1 When I heard of this proposal, there's probably
2 nobody sitting on the Board of Selectmen who was
3 more agitated than I was because we had just
4 gone through a long process of hiring Julian.
5 I mean, early on into the procedure, the wheel
6 fell off the cart. This thing, it seemed like
7 we were never going to get anyone on board.

8 And what I mentioned in the Selectmen's
9 meeting was I resented the fact that we had
10 hired him and some this job description appeared
11 to be what he should be doing, and I resented
12 it. But I also went on to say that I met with
13 him for a great length of time and, although
14 this may sound a little old fashioned, but it's
15 exactly what I mentioned in the Selectmen's
16 meeting. And I got this from Jan Perry, and
17 it's an old fashioned thing but I met with him;
18 he was honest.

19 He explained to me and made the case
20 for me why we should do this. The procurement
21 officer part of it to me is very important.
22 I've been asking for that for years. And he
23 actually, when he phrased - when he spoke with
24 me, he really spoke from the heart like he

1 really was concerned about the community,
2 continually mentioning Falmouth and what he
3 really - what it really meant to him to be here
4 and how effective we can be if we get this
5 Finance Department up and running. And he sold
6 me on it.

7 I was not happy about it in the
8 beginning but I met with him. There's been
9 issues that I have gone to him with, money
10 saving issues - and I'm sorry, Frank, you will
11 be going to a Town building sooner than later.

12 [Laughter.]

13 MR. BRAGA: But I've become very
14 respectful of Julian and his desire to really
15 see Falmouth do well financially and working
16 closely with the Finance Committee and the Board
17 of Selectmen.

18 I'm going to ask you to please support
19 this. If you asked me a few months ago, I
20 probably would have said no, although always,
21 always I wanted a procurement officer. But,
22 taking this as a package, I assure you Julian
23 even said to me he gets up every morning and
24 counts the votes, because he knows all eyes are

1 on him.

2 We want to make this for Falmouth to do
3 well. We want to show some leadership on the
4 Board of Selectmen and I'm asking you, just as
5 this Member, I'll be honest with you, to please
6 support this article, it's very important.

7 Thank you, Mr. Moderator.

8 THE MODERATOR: Mr. Duffany.

9 MR. DUFFANY: Thank you, Mr.
10 Moderator. Michael Duffany, Precinct 6.

11 My questions are really directed in how
12 this is going to impact us as Town Meeting
13 Members. Maybe it sounds a little selfish, but
14 I certainly have become very comfortable in the
15 oversight of a volunteer committee in all of our
16 finances and so forth. And I would expect that
17 the position of this new director would be
18 sitting in Mr. Torrissi's seat and how would it
19 impact Mr. Anderson's ability to - you know, as
20 the Chairman? Will it change anything? Because
21 again, this is somewhat about change. Will it
22 change the way that we've been accustomed to
23 doing business?

24 Will we hear from Mr. Anderson with the

1 Finance Director giving input to him? Or will
2 this, you know, will there be any conflict at
3 times when one may disagree with the other, that
4 sort of thing? Who - you know, who would
5 ultimately have the final say?

6 Maybe that's a non-issue, but I'd like
7 some level of comfort, if I could, in knowing
8 that the oversight that's taken place up to now
9 by an independent board would continue.

10 THE MODERATOR: Mr. Chairman.

11 CHAIRMAN ANDERSON: Thank you, Mr.
12 Duffany. From my perspective, I see things
13 only improving.

14 Currently, I have no problem if I need
15 some information, and Ms. Alwardt knows very
16 well that I contact her, I get information from
17 her, I request it. I have talked with Ms.
18 Ripley, the Acting Treasurer. I've talked with
19 the Collector. I've talked with Mr. Bailey.

20 Having one source I think might relieve
21 a little bit of that pressure on me or the
22 Chairman of the Finance Committee that you have
23 no source to go to. If you don't like the
24 information or if we don't believe the

1 information, we will probe deeper. Our
2 responsibility is to this body and we will not
3 subordinate that responsibility to anything. We
4 will continue to press and push.

5 I truly believe that we will be able to
6 ask more of the Finance Director. There have
7 been questions from departments - excuse me,
8 from precincts where they want more information,
9 and our difficulty is we're a volunteer board
10 and there's only so much that we can get - time
11 that we can give. If we have a Finance
12 Director, I truly believe that the Finance
13 Committee will work very directly with him. But
14 we know where our loyalties are and it is to
15 Town meeting. And you will get the information
16 and hopefully you'll get more and better
17 information.

18 THE MODERATOR: I don't normally
19 reserve my right to use the chair as an at-large
20 member, but I do want to call Town Meeting's
21 attention to the fact that the Finance Committee
22 has put some money in that budget, as we
23 mentioned when we were going through the line
24 items, to be able to bring back some services

1 directly to the Finance Committee should this
2 experiment not work out. And I as the Chairman
3 of the Finance Committee had great reservation
4 at the initial onset of this discussion about
5 losing the independence of the Finance Committee
6 and its ability to perform its role to Town
7 Meeting. It is an advisory committee of Town
8 Meeting. It is not a branch or an arm of the
9 Board of Selectmen or the Town Administration.
10 And so I think we've got an opportunity here to
11 try something new.

12 Clearly the span of control in this
13 Town is out of control. It has been for years.
14 It's amazing we've made it where we are the way
15 that we've been running. So, with new financial
16 management systems, with new personnel in place,
17 there, I think that the Finance Committee did a
18 great service to Town Meeting by tucking away
19 some money in their budget so that if we get
20 into the next warrant cycle and the next budget
21 cycle and things are breaking down, we'll bring
22 somebody in and we'll make sure that Town
23 Meeting has the information they need.

24 Next on my list was Mr. Netto.

1 MR. NETTO: Joe Netto, Precinct 9.
2 I'd like to speak on behalf of the article and
3 one qualification that was up there for this
4 Financial person. And something that many of
5 you I think already know that I'm going to speak
6 about and that's the question that I asked Mr.
7 Suso at Precinct 8 and 9, about a procurement
8 officer. So that the Town of Falmouth follows
9 the guidelines of Mass. General Law better known
10 as 30B. And Mr. Suso answered me that this
11 financial officer would be a Certified Chief
12 Procurement Officer at the Hatchville
13 Fairgrounds, is that correct, Mr. Suso?

14 THE MODERATOR: Mr. Suso?

15 MR. SUSO: Yes.

16 MR. NETTO: Okay, I will be very
17 brief.

18 As watchman of the warrant, as a member
19 of Town Meeting, in the years that I had to
20 write the report, I came across three or four
21 different instances when I found procurement
22 that did not follow state laws. I had to report
23 those illegal procurements to the Inspector
24 General's Office, and in each case the Inspector

1 General's Office had to come down to the Town of
2 Falmouth and say you can't do it that way. And
3 that troubled me as an individual a great deal.

4 It troubled me as an individual as a
5 Member of Town Meeting, as a resident of this
6 community, that we had people who not
7 intentionally but because of lack of education,
8 because no one had seen fit to hire a certified
9 by the state chief procurement officer.

10 So when I saw this job description
11 under the finances, I feel compelled to have to
12 speak to you in supporting this article. If
13 for all the years I stood up here and mentioned
14 violations of 30B and people didn't know what I
15 was speaking about, at least now I could have
16 someone who knows what I'm saying. And I think
17 my first discussion with Mr. Suso when he came
18 to Falmouth was something on 30B.

19 And, in closing, the last incident with
20 the Inspector General is a lack of a policy
21 required by 30B that Falmouth is in violation of
22 right now, of getting rid of surplus material.
23 And we just went through a tragedy because of
24 surplus material that was getting rid of not

1 correctly. So therefore, when we have people
2 who are educated, who have the certification of
3 the job they're supposed to do, it will be a
4 better run Town. Thank you.

5 THE MODERATOR: Okay, the question
6 will come on Article 15 as recommended. All
7 those in favor, signify by saying aye.

8 [Aye.]

9 THE MODERATOR: All those opposed no.

10 [No.]

11 THE MODERATOR: It is the opinion of
12 the chair that the ayes have it by a majority.

13 Article 16, Mr. Chairman.

14 CHAIRMAN ANDERSON: Mr. Moderator, I
15 move Article 16 as printed.

16 THE MODERATOR: Article 16 as printed,
17 that the Town will vote to amend the salary
18 administration plan as follows: add the Director
19 of Finance and add the office assistant to the
20 Director of Finance, grades 11 and 2.

21 Any discussion on Article 16? Yes.

22 MS. FINNELL: Margo Finnell, Precinct
23 8.

24 I just have one concern here, and that

1 is will the 15 hours that the assistant will be
2 scheduled for be asking for - will that figure
3 be asked to increase next year or in subsequent
4 years?

5 THE MODERATOR: Mr. Suso.

6 MR. SUSO: I do not envision any
7 request to increase it in FY '13. I believe the
8 nature of the job and the responsibilities, if
9 they do make a reasonable case for coming back
10 to Town Meeting and asking for your
11 consideration of additional hours, we would do
12 so respectfully and work diligently to make that
13 case. But at this point I don't envision it and
14 that's the reason this proposal has been brought
15 to you in this form.

16 THE MODERATOR: Mr. Donahue.

17 MR. DONAHUE: Robert Donahue, Precinct
18 3.

19 Mr. Chairman, through you to Mr. Suso.
20 On the funding of this, the Treasury Department,
21 you're an assistant treasurer, are you
22 eliminating that position? We have a temporary
23 Treasurer now. It looks like you're saying
24 we're eliminating the Assistant Treasurer's job

1 to pay for this new job; is that correct, or?

2 THE MODERATOR: Mr. Suso.

3 MR. SUSO: Ultimately I would
4 anticipate that both of the positions that I put
5 up on the screen, budget officer and assistant
6 town treasurer, would be eliminated, but it
7 would be imprudent of me to suggest that prior
8 to your giving me the authority to move forward
9 with an integrated Finance Department.

10 THE MODERATOR: Further discussion on
11 Article 16?

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

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [None opposed.]

18 THE MODERATOR: The ayes have it
19 unanimous.

20 Ten minute recess. There's some coffee
21 downstairs. We don't have the full service, but
22 we need to take a little break. Ten minutes.

23 [Whereupon, recess was taken.]

24 THE MODERATOR: All Town Meeting

1 Members please come forward and take your seats
2 so that we can reestablish a quorum.

3 [Pause.]

4 THE MODERATOR: Okay, folks, here we
5 go. Establishing the quorum to reconvene the
6 Annual Town Meeting. I'm hoping we have a
7 quorum to reconvene the Annual Town Meeting.

8 [Pause.]

9 THE MODERATOR: I don't even have a
10 teller to make a count to make sure we have a
11 quorum for the Annual Town Meeting.

12 Okay, here we go, reestablishing the
13 quorum. Doug, can you count the second division
14 for me?

15 All Town Meeting Members present please
16 rise for the establishment of a quorum and the
17 temporary teller in the second division will be
18 Mr. Jones.

19 Doug, Ms. Tashiro has the stage on this
20 side, so just the center.

21 [Pause.]

22 THE MODERATOR: In the second
23 division, Mr. Jones.

24 MR. JONES: 75.

1 THE MODERATOR: 75? 75 in the second
2 division.

3 Third division, Mr. Hampson.

4 MR. HAMPSON: 51.

5 THE MODERATOR: 51.

6 THE MODERATOR: First division Mrs. -
7 oh.

8 MRS. TASHIRO: 41.

9 THE MODERATOR: 41.

10 By a counted vote of 167, we have a
11 quorum and we're back in session.

12 Article 23. Article 23, the
13 recommendation of the Board of Selectmen is
14 indefinite postponement; this was held by Ms.
15 Whitehead. Ms. Whitehead for the main motion.

16 MS. WHITEHEAD: [NO mic:] I don't need a
17 microphone?

18 THE MODERATOR: No, you do need a
19 microphone. Do we have a mic carrier over here?

20 MS. WHITEHEAD: [No mic:] I can yell.

21 THE MODERATOR: No, no, they can't
22 hear you on T.V.

23 MS. WHITEHEAD: By request of the
24 petitioners of this article, I'd like to make a

1 motion to amend this article to read -

2 THE MODERATOR: This is not an
3 amendment; this will be the main motion.

4 MS. WHITEHEAD: The main motion. To
5 see if the Town will vote to suspend operation
6 of Wind I and Wind II, except for periods
7 required for further study or ordinary
8 maintenance of either turbine until the
9 November, 2012, Annual Town Meeting.

10 THE MODERATOR: Okay, you've all heard
11 the main motion and we have a petitioner's
12 presentation?

13 MS. WHITEHEAD: Yes.

14 THE MODERATOR: Okay.

15 MR. DRUMMEY: Good evening, Ladies and
16 Gentlemen, thank you for this opportunity to
17 speak to you. My name is Todd Drummey. I live
18 on Blacksmith Shop Road.

19 When we spoke to you last fall, you
20 heard many personal descriptions about the
21 impact wind turbines have had on our
22 neighborhood. I hope you will recall those
23 words because I do not intend to repeat them
24 here tonight.

1 I have attended many meetings at Town
2 Hall. I've read many letters to the Enterprise,
3 and many people have said we must base our
4 decisions regarding the wind turbines on
5 science. I could not agree more.

6 Next slide. Let's begin by reviewing
7 some of the science regarding Wind I.
8 Complaints regarding Wind I began soon after it
9 went into operation. The Town hired Harris,
10 Miller, Miller and Hanson to conduct a sound
11 study, HMMH. The neighbors also hired Noise
12 Control Engineering to take additional
13 measurements.

14 HMMH reported that there were no
15 violations at Wind I. NCE, our consultant, and
16 later the Mass. Department of Environmental
17 Protection, were both very critical of the HMMH
18 report. HMMH reviewed the data a second time
19 and concluded that there would be violations of
20 the Mass. DEP guidelines for noise with both
21 turbines operating at low wind speeds, but only
22 from 2:00 to 3:00 a.m. in the morning. Mass DEP
23 was still not satisfied and they decided to
24 conduct their own measurements.

1 Next slide. In January of this year,
2 the state released a literature review regarding
3 wind turbine health effects. That report
4 recommended that Massachusetts adopt noise
5 regulations for turbines similar to European
6 countries. Last Thursday, two new reports were
7 posted on the Town website.

8 I've done a lot of reading this
9 weekend.

10 Acentech reported that amplitude
11 modulation and low frequency noise should be
12 investigated. This is something our consultants
13 said over a year ago. DNV, another company,
14 reviewed the HMMH report in great detail. They
15 noted that HMMH miscalculated the effects of
16 wind shear. I would note that, if anyone saw my
17 presentation to the Board of Selectmen last
18 July, I noted the same problems.

19 DNV predicted that the turbines would
20 be loudest at high wind speeds, not low wind
21 speeds, and that the Town windmill bylaw level
22 of 40 decibels may be exceeded. They also said
23 that amplitude modulation and low frequency
24 noise, those Annex A tests, should be performed.

1 So what has the science told us so far?
2 The HMMH report is flawed. The Town bylaw level
3 may be exceeded. Amplitude and low frequency
4 noise need to be investigated. And finally, the
5 mitigation options, which are based on the HMMH
6 report, should be re-evaluated.

7 Next slide. I've been in contact with
8 Mass. DEP many times over the last two years.
9 When I learned that they would be conducting
10 tests, I contacted them again and offered to act
11 as a liaison to the neighborhood. They also
12 agreed to allow me to collect my own data, side
13 by side with them. We discussed what
14 information would be useful, and they suggested
15 that I program my equipment to sample at a much
16 faster sample rate to test specifically for
17 amplitude modulation.

18 DEP is currently reviewing the noise
19 guidelines for wind turbines, and this data
20 might be useful during that review.

21 I would like to show you some of the
22 data I just collected. I think it will give you
23 a very clear picture and a better understanding
24 of the noise being generated by Wind I. There

1 is a little bit of good news, here. I won't be
2 showing you a bunch of tables with numbers.

3 Next slide. The DEP protocol calls for
4 a series of three measurements at each location
5 with the turbine on, then another three with the
6 turbine off. We're going around the
7 neighborhood during this; it takes about three
8 hours to complete the circuit.

9 This was the first night where we were
10 able to complete testing. It was March 7th. The
11 winds were out of the southwest at 16 miles an
12 hour. Very average night for Cape Cod. We had
13 completed the first round of samples and we
14 called the Town to have Wind I turned off.
15 While we were waiting, it occurred to us that it
16 would be very interesting to leave my equipment
17 running to record the actual shutdown event, and
18 this is what you see in that slide.

19 If you look along this axis, that's the
20 noise level. It starts low, higher at the top.
21 The time is shown on the bottom: 2:30 in the
22 morning. On the left-hand side, here, you see
23 the turbine on. It's very erratic, bounces all
24 over the place. That's the noise level going up

1 and down every second. When the turbine
2 actually shuts down, you get this large peak of
3 noise; that's the blades on the turbine
4 feathering in the brake being applied and the
5 turbine comes to a very quick stop. And then on
6 the right-hand side, you can see the ambient,
7 the background noise. That's no turbine; with
8 turbine. Notice how little fluctuation there is
9 here. It's very consistent.

10 Next slide, please. This is the same
11 slide, but with some reference points added.
12 This is the Town's windmill bylaw level of 40
13 decibels. Thirty-seven is the level from the
14 European countries that was recommended by the
15 state health panel. On the bottom in black,
16 this is the background sound level at 27; Mass
17 DEP defines that as the lowest level during the
18 measurement period. And this arrow, here,
19 indicates DEP plus ten; it's the background
20 level plus ten decibels; that's what the state
21 noise rule says you're allowed to create.

22 Clearly, we have a problem here.

23 What I'd like to do next is take this
24 piece of the slide and expand it.

1 Next slide. You're looking at a 30
2 second period of time just before the turbines
3 shut off from that same slide, and you're
4 looking at what we call amplitude modulation,
5 approximately one beat from the turbine as each
6 blade passes, one beat per second. You'll
7 notice that some of those peaks are only two
8 decibels tall, but others are as high as ten
9 decibels.

10 As we learn more about amplitude
11 modulation, governmental bodies are adopting
12 regulations to address this problem. The State
13 of Maine recently adopted a new noise
14 regulations which were just I think formally
15 adopted two weeks ago. Specifically to wind
16 turbines. They include something called short
17 duration repetitive sound, it's the SDRS. That
18 states that no more than five peaks larger than
19 five decibels can occur in ten minutes. We have
20 five peaks larger than ten - or five peaks
21 larger than five decibels in 30 seconds.

22 The Town of Bourne also adopted new
23 regulations which limit peaks to just four
24 decibels in height. Again, at this moment in

1 time, we have a very clear problem.

2 Next slide. This is from March 15th.

3 We now have a northeast wind; different wind
4 direction, about 11 miles an hour. Much quieter
5 night. But you can see the same pattern. The
6 turbine on: the amplitude modulation is smaller,
7 but it's still apparent and it would still
8 probably violate those amplitude modulation
9 standards from Maine.

10 It's interesting when you look at the
11 ambient noise, the background noise, here.
12 You'll remember we had those couple of warm
13 nights a few weeks ago and the spring peepers
14 started. That makes taking sound measurements
15 very challenging because you're not supposed to
16 include the peepers in your sound measurements.
17 Insect noise, spring peepers and things like
18 that are discarded. And that's what you're
19 seeing here is actually when this loud noise
20 event happened as the turbines shut off, the
21 peepers got very quiet. They got scared, I
22 would guess.

23 [Laughter.]

24 MR. DRUMMEY: And then they slowly

1 began the chorus again as the night went on.

2 We returned, you know, through our
3 regular sampling we returned to this site about
4 a half an hour later. It was very quiet, the
5 background sound level was down in the low 20's.
6 You can see, with the lines that I've put on
7 there, under this wind condition we also have a
8 big problem.

9 Next slide. This is from March 8th.
10 Southwest wind 32 miles an hour. It was a nice
11 gale. Strong winds, very gusty. You can see
12 that the amplitude modulation has gotten very
13 erratic again. The turbine is also much louder.
14 We're now up in the 50's. The Town bylaw limit
15 is here, ten decibels above - that's also
16 probably the level of the ambient. Ambient
17 again is the lowest background level during the
18 time period.

19 We still have that ten decibel DEP
20 number to worry about. The Town bylaw limit
21 we're ten decibels above. But you'll notice
22 there's no figure there from the European
23 standards and it's because the international
24 standards don't allow you to go out and take

1 measurements when the wind speed's more than ten
2 meters a second, and that's because you get so
3 much interference from the wind on the
4 microphone [blows into mic] like that.

5 Lost my place.

6 Let me remind you, as I finish up here,
7 because my time is short, that HMMH used a model
8 to predict the maximum noise level. With both
9 turbines running, that level, according to their
10 model, was 45 decibels. Wind I alone is well
11 above 50 here. Clearly there's some issues
12 before we make decisions that we need to find
13 out.

14 My neighbor Kathy Elder would now like
15 to say a few words in our remaining time, but I
16 would be very happy to answer questions when she
17 is done. Thank you.

18 MS. ELDER: Good evening. Katherine
19 Elder, Precinct 6.

20 Last fall, we came before Town Meeting
21 and asked that the turbines be shut down until
22 several important questions could be answered.
23 Do the turbines pose a health risk? Was the
24 permit issued legally? Did the turbines

1 operate within the noise limits? What are the
2 mitigation options and can we build a consensus?

3 The Selectmen decided then to preempt
4 your vote and keep the turbines off for the last
5 five months except for testing while we waited
6 for these key pieces of information. So what's
7 happened since then?

8 First, the relief of turning Wind I off
9 was immediate. The health problems stopped and
10 recurred only during testing. Selectmen
11 expressed hope that the communication between
12 the Board and the neighbors would be possible
13 and we could go forward to solve the problem
14 together.

15 There's not been a single dialogue
16 between the Selectmen and neighbors. We're not
17 allowed on the agenda and every request to meet
18 has been ignored. We've attended all the
19 meetings that have anything to do with turbines
20 and we're told there would be no public
21 comments.

22 Last week, the Selectmen preempted all
23 of us again at the last minute. They decided in
24 Executive Session on an operating strategy for

1 both turbines with no input from any of the
2 neighbors - or you. The mitigation plan they
3 now present is based on the HMMH sound study
4 made two summers ago, a study that is so flawed
5 that DEP could not use it to determine if the
6 turbines are in compliance.

7 We're waiting for the state to complete
8 that determination and make their report to the
9 Selectmen. No real answers, no dialogue, no
10 consensus. However, each new report has made
11 the magnitude of the problem clearer.

12 Todd showed us tonight that Wind I is
13 operating above the Town 40 decibel bylaw limit
14 repeatedly. The data show that the noise from
15 Wind I is much higher -

16 THE MODERATOR: Ms. Elder, we've hit
17 the 15 minute opening presentation mark. Would
18 you like to request an additional set amount of
19 time?

20 MS. ELDER: Thank you, yes, I would,
21 Mr. Moderator. I have probably three more
22 minutes.

23 THE MODERATOR: Three minutes. Okay,
24 so the motion will come on extending three

1 minutes for the opening presentation. All those
2 in favor of the additional three minutes signify
3 by saying aye.

4 [Aye.]

5 THE MODERATOR: All those opposed, no.

6 [No.]

7 THE MODERATOR: The ayes have it by a
8 two-thirds majority and we have an additional
9 three minutes.

10 MR. DRUMMEY: Thank you.

11 MS. ELDER: Thank you, Mr. Moderator.

12 I continue. We've seen tonight that
13 Wind I is operating above the 40 decibel bylaw
14 limit repeatedly. The data show that the noise
15 from Wind I is much higher than the models
16 predicted and it pulses up and down as much as
17 ten decibels every second.

18 The data collected show that the noise
19 from Wind I is consistently out of line with
20 state, local and international standards.
21 Standards that will only become stricter with
22 time.

23 For two years we've been reporting that
24 the turbine destroys our quality of life, makes

1 us ill, disrupts our sleep, and drives us away
2 from the haven of our homes. We're only just
3 beginning to hear about a whole new crop of
4 affected neighbors around the second turbine
5 with the exact same problems.

6 No one expected that the turbines would
7 be harmful to those living nearby. We were all
8 ignorant about the technology and the proper
9 siting of it, but that doesn't mean that we can
10 make the neighbors suffer anyway because it
11 costs too much to fix it.

12 The proposed mitigation strategy is
13 based partly on inaccurate conclusions from the
14 HMMH noise report and mostly on financial
15 constraints with no input or discussion from the
16 neighbors. Such a plan would only subject us to
17 very serious and continued harm and perpetuate a
18 liability for the Town. Even if we could
19 mitigate to bring operations in line with the
20 local and state recommendations, the turbines
21 would no longer be financially viable project.
22 A lose-lose situation.

23 We're asking you tonight to turn off
24 the turbines so we can really get down to

1 solving this problem together.

2 We know that finding a solution means
3 finding the money and that we need to ask for
4 assistance from the state. Some of the
5 neighbors have already met with our state reps
6 and a group of us have met with Senate President
7 Therese Murray. She's made it very clear that
8 industrial-sized turbines do not belong in
9 residential areas and she's worked to make sure
10 that communities in the permitting stage, like
11 Bourne and Plymouth, were fully informed and did
12 not make the same mistake that was made in
13 Falmouth.

14 Senator Murray has indicated that the
15 state is willing to help us but the request must
16 first come from the Town. To date, our
17 Selectmen have not asked. I see that one of her
18 aides, Steven Mayer, is in the audience tonight,
19 and Timothy Madden was here on the first night
20 of Town Meeting. And of course our own
21 Moderator and State Representative David Vieira,
22 who has been very willing to help us find a
23 solution. We want to express our sincere
24 gratitude to them for listening to us on this

1 issue and for their continued support as we go
2 forward.

3 The next step is to ask for help from
4 the state and the Clean Energy Center and to
5 insist that the engineers and manufacturers
6 share in the financial responsibility of
7 correcting this mistake. In order to move in a
8 positive direction, we all need to work together
9 and the turbines must be kept off to prevent
10 further harm.

11 Please support Article 23. Thank you.

12 [Applause.]

13 THE MODERATOR: Okay. The Chair
14 would recognize the Board of Selectmen for a
15 presentation. Chairman Flynn.

16 MR. WILBER: [No mic:] Point of order,
17 Mr. Moderator.

18 THE MODERATOR: Mr. Wilber.

19 MR. WILBER: [No mic:] Is the
20 article on the floor the one in the warrant, or
21 the one that just appeared -

22 THE MODERATOR: That was the main
23 motion that Ms. Whitehead placed, was what was
24 up there, to suspend operations until May -

1 excuse me, until November.

2 CHAIRMAN FLYNN: Yes, good evening,
3 Town Meeting Members. I'm Mary Pat Flynn,
4 Chairman of the Board of Selectmen.

5 I want to thank Todd Drumme for the
6 work that he did. I thought that his - the
7 slides that he produced were very informative.

8 The Board of Selectmen did meet on
9 March 26th and they met to consider a statement
10 of principals related to the turbines and it was
11 about a 40 minute discussion among the Board,
12 and then the Board took it up against this
13 Monday evening at 6:30 in the meeting prior to
14 the beginning of Town Meeting, and they voted
15 and adopted a Statement of Principles on the
16 Operation of the Wind Energy Facilities.

17 What I'm going to speak to tonight is
18 just an abbreviated version of that statement.
19 It is that full statement and the litigation
20 disclaimer that precedes it is available at
21 www.falmouthmass.us/falmouthwindinformation. So
22 it is available on the website.

23 To insure that our community has the
24 financial and environmental capacity to provide

1 clean water for this and future generations of
2 Falmouth, the Board of Selectmen has adopted
3 fiscal energy sustainability and energy
4 conservation goals. These goals are outlined in
5 our Climate Protection Action Plan and in the
6 Five Year Strategic Plan as well as in the
7 Town's Financial Policies.

8 In response to our goals, the Town of
9 Falmouth has first upgraded industrial scale
10 motors and pumps at our utilities; installed
11 solar panels at the Gus Canty Recreation Center,
12 at Town Hall and at the Crooked Pond Well site;
13 we have modernized street lighting; we have
14 improved building envelope and HVAC operations
15 throughout the town, and we have installed wind
16 turbines at our water quality and treatment
17 facility and others.

18 The Selectmen recognize that our
19 community tolerance for wind generators has been
20 tested by both our municipal turbines and by
21 several private, neighborhood-scale and
22 industrial-scale turbines throughout Falmouth.
23 The Board is prepared to address the suffering
24 of residents neighboring our two turbines. We

1 have embarked on a review of alternatives to
2 mitigate negative experiences reported.

3 Our professionally-facilitated review
4 and development of mitigation alternatives is
5 actively underway. To support this ongoing
6 process, the Board has marshaled the technical
7 resources at no cost to the Town.

8 To help the Town Meeting come to the
9 decision of indefinite postponement, the Board
10 of Selectmen has adopted the following statement
11 of operational principles for the remainder of
12 Fiscal '12 and Fiscal 2013. I'm ahead of
13 myself, here.

14 The Fiscal 2013 Operation Plan Process
15 will, first, be responsive to the well-
16 documented negative experience of neighbors to
17 our municipal turbines. It will cover the
18 Town's annual operating cost of \$624,000. It
19 will address the energy needs of the Wastewater
20 Treatment Facility and the related budget. It
21 will limit any additional exposure to
22 litigation. It will convene a brief process
23 with the Consensus Building Institute to develop
24 alternative operating plans for Fiscal 2013,

1 while long-range planning continues. It will
2 present a one-year short-term plan for adoption
3 by the Selectmen prior to July 1st, 2012. It
4 will be adapted as the facilitation process
5 continues, but would not result in a budgetary
6 deficit in Fiscal 2013. It commits to the study
7 period adopted at the November, 2011 Town
8 Meeting through April 17th.

9 From April 17th through May 15th, Wind I
10 will be operated at ten meters per second
11 curtailment mode and Wind II will be operated
12 with an increased cut in speed. In addition,
13 during the late spring and early summer, when
14 windows are open, May 15th through June 30th, both
15 turbines will be shut down from ten p.m. to six
16 a.m. to address sleep disturbance. And, in
17 engaging the community, next week on April 12th,
18 at 7:00 p.m., the Consensus Building Institute,
19 which is a neutral facilitator, and DNV and
20 Acentech, which are the Town's technical
21 consultants, will present their review and
22 findings to the stakeholders.

23 The Town is involved in a public, long-
24 range, permanent planning process and asks Town

1 Meeting to allow this process to continue to
2 unfold. On behalf of the Board of Selectmen, I
3 ask that you indefinitely postpone Article 23
4 and Article 27. Thank you.

5 THE MODERATOR: Okay, Mr. Hackler.

6 MS. MURPHY: Point of order, Mr.
7 Moderator? May we see the revised -

8 THE MODERATOR: The motion? Can we
9 put the motion up briefly before we go to the
10 next slide?

11 So this is to suspend operation of both
12 turbines, except for periods for further study
13 or ordinary maintenance, until the November
14 Annual Town Meeting. That's the main motion.

15 Okay, Mr. Hackler.

16 MR. HACKLER: Joe Hackler, I'm a
17 Hatchville resident. Precinct 8, I believe it
18 is. We're going to skip the energy depletion
19 topic. Go on.

20 I have a question for our attorney,
21 here, about the 40 decibel -

22 THE MODERATOR: Can you speak into the
23 mic? We can't hear you.

24 MR. HACKLER: Sorry. I have a question for

1 our attorney about the 40 decibel limit that's
2 apparently the Town limit for sound in the bylaw
3 because my understanding of that 40 decibel
4 limit is that it's really quite confusing and
5 really doesn't make any sense and I was really
6 impressed by the measurements that were taken
7 and I see decibel readings of 28 and I don't
8 know what kind of equipment you can measure that
9 on and the whole field of measuring sound is -
10 is a complicated one. It's a complicated one to
11 measure, it's a complicated one to understand.

12 And I live on Hatchville Road and we
13 never see anything that quiet on Hatchville
14 Road. And most of us live in a town where we
15 never hear anything as low as often 40 decibels.
16 So it's hard to know how one could regulate, you
17 know, a maximum sound output of 40 decibels from
18 a wind turbine when no one hears that little
19 sound almost ever.

20 So we're asking - I'm not sure what
21 we're asking, but it's a complicated thing that
22 needs a lot of study that needs a fair amount of
23 support for us to be able to understand the
24 context of sound.

1 I'm going to stick to the numbers here
2 tonight. With uncurtailed operation, this wind
3 energy facility would produce almost \$1.4
4 million a year of Town revenue. There's about
5 \$524,000 a year of expenses associated with
6 owning those machines and if we were to curtail
7 both machines, going a year out from now,
8 operating them like we did this past year - Wind
9 I this past year - then you can see the hit that
10 we take for the Town, for its operations.

11 The same wind speed, but adding the
12 curtailment suggested by the Board of Selectmen
13 from ten p.m. to six a.m., knocks you down
14 further. And if we turn the machines off,
15 there's no income, there's no revenue from these
16 machines.

17 Skip ahead. Yep. There are health
18 impacts associated with these other energy
19 systems.

20 Let's look at the net annual income for
21 a town that is looking to find as much income as
22 it can. Once again, there are very few of us in
23 this town that experience as little noise as 40
24 decibels. At nighttime if you can go out in the

1 middle of the night, that's true, there's 40
2 decibels if the peepers aren't peeping. That's
3 what you'll hear, but I'm impressed by these
4 really low numbers.

5 And so, what I'd like to propose is
6 that we think about a mitigation strategy,
7 because there are, clearly, there are people
8 that are unhappy with this thing. There are a
9 lot of people that are very unhappy. And at the
10 same time, this is really a fantastic facility.
11 It meets a lot of goals for the Town for its
12 long-range energy needs and its long-range
13 climate protection goals that will serve us all
14 for a long time.

15 And so one possible mitigation strategy
16 is that you take a certain proportion of the net
17 revenue and you offer it to the folks in the
18 community that are affected by this thing, and
19 that's just one example of many that the Town
20 probably needs to explore.

21 But this thing is going to cost the
22 Town a lot of money not to run and my
23 understanding of the wind opponents' position is
24 that they just want them gone. They just want

1 them gone. They don't like to hear them, they
2 don't like to see them, they want them gone.

3 That's totally understandable. Things
4 change. But I think we should - I think we
5 should be more open-minded about meeting the
6 many goals that we have in this town for all of
7 the Town's residents and that a mitigation
8 strategy could benefit a lot of people who live
9 in the area, as well. Thank you.

10 THE MODERATOR: Okay, Ms. Whitehead.

11 MR. WHITEHEAD: Lynn Whitehead,
12 Precinct 1. I am not an abutter. I do not live
13 in the neighborhood, but I've been following
14 this right from the get-go and I was asked by
15 many people, some in our neighborhood, some new
16 people that have come to town, they don't know
17 the background, they're confused, they asked me
18 if I would give a little bit of a history and
19 I'll do the best I can if you can bear with me.

20 I have three points. The new recent
21 ongoing research has absolutely found that low
22 frequency noise, infrasound, does in fact effect
23 the health of those living too close to wind
24 turbines. This is a major point because we

1 don't measure - we have not measured the
2 infrasound. And I'll get to that later.

3 These turbines - this is number two -
4 these turbines are situated too close to
5 residents.

6 Three, profiting from other people's
7 misery is absolutely wrong. Even if it were
8 just one person -- and in this case there are
9 many, not a few as I have heard -- why should we
10 benefit, make money, at the cost of other
11 people's health? It's wrong and I think
12 Falmouth is wrong to do it.

13 All right. As all of you know, but to
14 review: our abutters were and still are in full
15 support of responsibly-sited wind turbines.
16 Green energy. But only after full research has
17 been accomplished to protect people from adverse
18 health effects.

19 These are the facts. Seven years ago,
20 discussion at Town Meeting centered around plans
21 by the Falmouth Energy Committee for a 660
22 kilowatt turbine, the size that abutters
23 personally viewed in Hull. The Town officials
24 increased the size to 1.65 megawatts, more than

1 twice the size, in the fall of 2006. Ken
2 Voegel, President of West, said that GE declined
3 to bid on the project due to safety concerns,
4 saying that the turbines had to be sited a safe
5 distance from any occupied structure, road, or
6 public use area.

7 As a result, the Town had to get a
8 waiver from the EPA in order to use federal
9 stimulus money, your federal dollars, to buy a
10 foreign wind turbine from Vestus, a Danish
11 company. Orleans had ordered these two Vestus
12 turbines and then shelved its plans. These
13 turbines sat for two years and became available
14 since other towns, Harwich and Wellfleet,
15 rejected them.

16 Regarding the bylaws - and this is
17 serious. And if I'm wrong, you just tell me I'm
18 wrong, but this is what I've gathered. Our Town
19 bylaw regarding projects for municipal use,
20 gives a by-right clause. It specifies a very
21 long list of projects, just for municipal use,
22 but the list does not include windmills.

23 This clause was used as a justification
24 by Town officials to avoid the completely

1 separate windmill bylaw, which does require a
2 special permit. Because Falmouth chose to
3 separate windmills into a separate bylaw and was
4 ignored, a group of people brought this bylaw
5 issue to court and a decision will be
6 forthcoming.

7 Also, there was no public hearing
8 concerning these two particular turbines. There
9 were no letters, certified or otherwise, that
10 were sent to the abutters prior to these being
11 set up.

12 I was at that particular hearing. It
13 was about a few months after the turbine had
14 started. Our abutters started to experience
15 health problems. They finally were given a
16 hearing a couple of months after, and one of our
17 officials said that the certified letters had
18 been sent out to all the abutters. After the
19 hearing proceeded for quite a while, the
20 abutters were able to get up, one by one, and
21 each one said they didn't receive a letter, they
22 didn't receive a letter. They had not received
23 any letters.

24 Then this official, at the very end of

1 the hearing said, "Oh, yes, I forgot, I guess I
2 didn't send them out."

3 The bylaw, Chapter 207-1, regarding the
4 use of Town property states, "To ensure the most
5 appropriate use of Town land and to allow for
6 citizen participation in the planning and
7 preliminary design of important building
8 projects, the Town hereby requires the Board of
9 Selectmen to conduct at least one public hearing
10 regarding the potential use of any Town parcel
11 to be used for municipal purposes including but
12 not limited to public buildings, public works,
13 schools, parks, marinas or similar projects."

14 As we know, no hearing was ever held.

15 As part of this same bylaw, Chapter
16 207-2, under comments from Town boards, it
17 states, quote: "Notice of said hearing shall be
18 published twice in a newspaper of general
19 circulation, the first notice published no less
20 than two weeks prior to the hearing date and
21 notice sent to abutters, as defined in MGL c.
22 40A-9. The Board of Selectmen shall forward a
23 copy of said notice to the following Town
24 Boards: the Board of Health, Conservation

1 Commission, Historical Commission, Planning
2 Board, Zoning Board of Appeals, and to any other
3 board that Selectmen deem appropriate and" -
4 this is important - "no action on the use of any
5 Town property shall ensue prior to receiving
6 written comments or after 35 days from the close
7 of the public hearing, whichever comes first,
8 from each of the boards."

9 And this same bylaw, 207-3 states,
10 quote: "The Board of Selectmen shall hold a
11 joint meeting with any of the above boards or
12 other board it deems appropriate to the context
13 of the hearing when in its judgment such a joint
14 hearing would facilitate the gathering of
15 citizen comment and the dissemination of
16 information to the public."

17 Article 34, 240B says, "The Board of
18 Appeals shall ensure, through the use of
19 appropriate engineering data, that there shall
20 be no adverse impacts on the neighborhood, ice
21 throw, prop throw, noise, etcetera."

22 These turbines are ten feet taller than
23 the Pilgrim Monument in Provincetown and the
24 blades extend 400 feet, half the size of the

1 John Hancock building in Boston.

2 The Board of Health could have, even at
3 that time, looked on the web to discover that in
4 Denmark, Canada and elsewhere, there were major
5 concerns about the welfare of residents when
6 wind turbines, particularly industrial size
7 turbines were being sited too close to homes.

8 Now, referring to my first point, and I
9 hope you can bear with me for this, a great deal
10 of research recently being conducted into the
11 health issues, using data from established wind
12 turbine developments, now appears that there is
13 a real possibility that there is certainly a
14 basis for all the health concerns worldwide.
15 The study of the one second repetitive swish,
16 swish, swish, boom, the wall in the wind thumps,
17 and low frequency noise is a big area.

18 It has been found that children, people
19 with pre-existing medical conditions, especially
20 sleep disorders, and the elderly are generally
21 more susceptible. Some people are not affected,
22 while nearby neighbors develop serious health
23 effects. According to recent medical research,
24 these documents chronic sleep deprivation may

1 develop into far more serious physical and
2 psychological problems. And this has happened
3 to these neighbors.

4 Almost done.

5 An enormous amount of research
6 regarding low frequency sounds is now underway
7 that previously was not referenced. Scientists
8 who do hearing research now have shown that wind
9 turbines generate low frequency sounds that do
10 affect the ear. Serious misconceptions about
11 low frequency sound and the ear have resulted
12 from a failure to consider in detail how the ear
13 works. Responses to infrasound reach the brain
14 through pathways that do not involve conscious
15 hearing, but instead produce pressure and these
16 low frequency sounds at the levels generated by
17 wind turbines can affect those living nearby.

18 Tinnitus, dizziness, is one big area of
19 research. There are several recent
20 publications: 2012, 2011, in scientific journals
21 such as the Bulletin of Science, Technology and
22 Society, as well as others.

23 This is 2012, folks, not the '90's.
24 Not even the decade of 2000 to 2010. This is

1 now. And many of the literature that have been
2 quoted are from the '70's, the '80's, the '90's.
3 It's old literature that people have been using.

4 Because scientists now know that the
5 inner ear responds to infrasound levels that are
6 not heard. People living near wind turbines are
7 being put at a risk by infrasound effects on the
8 body that no one presently understands. The
9 National Academy of Science has stated that more
10 needs to be understood regarding the effects of
11 low frequency noise on humans. Until a
12 scientific understanding of this issue is
13 established, we should not be dismissing these
14 effects and need to be erring on the side of
15 caution.

16 This past June, there were hundreds of
17 sessions given by physicists at the American
18 Physical Society in Baltimore. I actually
19 attended. I went with my husband who was going
20 to read a book and ended up listening to many,
21 many scientists who are working on this very
22 thing.

23 They presented research involving
24 turbine wakes and the vortices - Jude -

1 measuring the pressure that is produced from
2 these huge blades. When people have said that
3 they stood by the turbine and didn't feel or
4 hear something, this is understandable. Picture
5 yourself in a boat. You wouldn't feel the
6 strength of the wake coming from the boat unless
7 you were in the pathway of that wake. Even if
8 you're far away from a wake when you see a boat
9 and that wake comes, you could be way far away,
10 almost on the beach, and that wake will hit you
11 because of the pressure. It's the same thing
12 with the wind with the pressure from the air
13 coming off that blade.

14 Have you ever been pushed over by a
15 wake while standing in the water if a great big
16 boat went by? The Falmouth Health Department
17 stated in a letter to the Mass. DEP, quote: "The
18 characteristics of the sound emanating from
19 wind" - sorry - "from wind turbines is different
20 from those types of sound used to establish the
21 Mass. DEP's noise pollution criteria. We feel
22 that specific guidance is required to address
23 the potential noise pollution and health effects
24 of very low amplitude modulation and low

1 frequency sound. In addition, infrasound can
2 only be measured" - and this is important -
3 "infrasound can only be measured by a very
4 specialized instrument, which is now available
5 to capably detecting sounds down to one hertz."
6 It's now available. It has not been used
7 before.

8 Concerning my second point, there are
9 scientists now, as well as the World Health
10 Organization, who have stated emphatically that
11 for industrial turbines setbacks need to be of
12 at least two kilometers, which is one and a
13 quarter miles from the nearest homes. That's
14 the World Health Organization that has stated
15 that.

16 There are some abutters here, in this
17 neighborhood, who live less than a quarter of a
18 mile from the turbines. I know many of the
19 people - victims - who are the abutters. They
20 are honorable people. They are telling the
21 truth about the health effects of these
22 monsters. Wind turbine noise is not comparable
23 to other sounds like traffic, trains or
24 whatever. I know many of the people who are

1 being severely harmed, including children.

2 The Town is already looking at other
3 areas here to place these machines. Some of you
4 sitting here may be the next neighbor of one
5 them next to you.

6 Referring to my third point. The
7 purpose of the turbines, as I have heard many
8 times, is to make money. It's for green energy;
9 we all want that. But it's to make money. To
10 take away the rights and the happiness and to
11 harm even one citizen - never mind 30 or 40
12 neighbors - one of the worst examples of a
13 particular character of a town.

14 In order for the Town to make a profit,
15 it's just on the backs of other people and
16 letting them suffer is - is just wrong.

17 Falmouth's reputation as I've found -
18 we've been traveling around quite a bit, and
19 Falmouth's reputation is now being adversely
20 affected and being spread far and wide. The
21 Town's priority is money over that of the
22 welfare of its citizens. Again, profiting from
23 other people's misery is absolutely wrong.

24 Let us have green energy, we all want

1 green energy, but responsibly developed,
2 responsibly placed. For now, keep them off
3 except to test and do the research, so that we
4 can celebrate the real fact that Falmouth is a
5 town with expertise, responsibility and a caring
6 for all of its citizens.

7 These machines should be shut down at
8 least until the November Town Meeting -- Town
9 Meeting, when research has been completed,
10 especially research concerning infrasound, has
11 been completed.

12 As a reminder: our noise pollution
13 bylaw limits noise from any source to 40
14 decibels, period. No source of noise, either
15 private or municipal, can exceed this limit.
16 Any time, day or night. Please vote for this
17 bylaw - bylaw - sorry, bylaws - for this
18 article.

19 THE MODERATOR: Okay -

20 MS. WHITEHEAD: It's important. Thank
21 you very much.

22 THE MODERATOR: Mr. Moriarty.

23 [Applause.]

24 THE MODERATOR: Mr. Moriarty. Let's

1 go, folks. Mr. Moriarty.

2 MR. MORIARTY: It's been a long time
3 coming. Hi, everyone, my name's Dave Moriarty,
4 Precinct 6.

5 I've spent the last five years of my
6 life trying to warn people about the adverse
7 health effects of industrial sized wind
8 turbines. It's taken a long time, but I - I
9 think we're finally getting it.

10 What we have here, folks, is we have a
11 failed project. This project was never going to
12 work. You know? I hate to say it, but we were
13 hoodwinked by the professionals. The Mass.
14 Technology Center - the defunct Mass. Technology
15 Center, because all of their data they were
16 putting out was wrong and all of their projects
17 were wrong. They had to close them down, and
18 what did they do? They changed their name.
19 They're now the Mass. Clean Energy Center.

20 The folks that brought these machines
21 to town, these are the folks that we're
22 listening to. These are the folks we're getting
23 our expertise from.

24 This is a failed project, folks, it was

1 never going to work. It was done for profit.

2 They knew, they knew about infrasound.
3 They knew about what it was going to do to the
4 neighbors' health. They tried this experiment
5 in Boone, North Carolina in 1980. NASA spent
6 \$20 million on a wind turbine and what happened?
7 The same exact thing that's going to happen in
8 Falmouth: they had to take them down because the
9 infrasound was rattling the cupboards - the
10 plates in the cupboards right off of their
11 shelves in their houses.

12 So eventually, they took them down.

13 Now, that was in 1980. What's
14 changed? We have the same situation here in
15 Falmouth, Massachusetts in 2012. Nothing has
16 changed.

17 Bear with me, folks. It's been a long
18 time.

19 The reason I worked so hard and
20 diligently to help my neighbors is because I
21 knew what was going to happen to them, and I
22 knew that no one would believe them because it
23 takes five years to educate the public on any
24 subject. So, I - I knew this was going to

1 happen to them. But the reason we worked so
2 hard in all these towns and we tried to protect
3 the people in Fairhaven and we go out to the
4 Berkshires and we try to educate the people in
5 the Berkshires, because we don't want this to
6 happen to anyone. This is unacceptable.

7 A government agency coming to a country
8 town - we're not the - you know, we're just
9 regular folks. Hustling us. They hustled the
10 Board of Selectmen. These people don't know
11 anything about wind turbines; they're not
12 engineers. They have no degree. They didn't
13 take any college courses like I did to
14 understand the technology. No, they said, "Oh!
15 Free money! We'll take it! We don't care."

16 Well, look what happened. Look at how
17 much money and how much damage this project is
18 going to cost the Town of Falmouth. If these
19 people win their lawsuit, \$11 million, you'll be
20 begging to give them \$11 million. It could be
21 \$211 million. This is a serious, serious
22 situation that needs to be corrected
23 immediately. This, my friend, is Deval
24 Patrick's Willy Horton.

1 MS GORDON: Point of order.

2 THE MODERATOR: Yes, that's - Mr.
3 Moriarty let's -

4 MS. GORDON: Point of order.

5 THE MODERATOR: - refrain. Let's
6 refrain from personalities.

7 MR. MORIARTY: Yes, forgive me.

8 THE MODERATOR: Do you have a
9 procedural question?

10 MS. GORDON: It is five minute until
11 11:00.

12 THE MODERATOR: Yeah, yeah?

13 MS. GORDON: I would like to know if -
14 may I have the microphone -

15 THE MODERATOR: We're not at eleven
16 o'clock yet. Mr. Moriarty has the floor.

17 MS. GORDON: We're at five minutes of.
18 This is Helen Gordon, Precinct 8.

19 Point of order first, because the
20 candidate for Selectman, aren't you the same guy
21 who's running for Selectman?

22 MR. MORIARTY: Oh, no, this has
23 nothing to do with that.

24 THE MODERATOR: Okay, okay -

1 MS. GORDON: It doesn't matter. My
2 point is -

3 THE MODERATOR: There will be no
4 personalities in this Town Meeting. What is
5 your point of order?

6 MS. GORDON: My point of order is I've
7 been sitting here listening to people going on
8 for very long periods of time -

9 THE MODERATOR: That is not a point of
10 order. The gentleman has the floor until eleven
11 o'clock. Do you have a procedural question as a
12 point of order?

13 MS. GORDON: Yes.

14 THE MODERATOR: What is the procedural
15 question against me?

16 MS. GORDON: Every other night we have
17 voted at five minutes of or two minutes of or
18 three minutes of; five minutes of is certainly a
19 reasonable time to ask if we're going to
20 continue.

21 THE MODERATOR: That is not a point of
22 order. It is not eleven o'clock. We have not
23 violated a procedure. If you would like to
24 stand up and make a motion to proceed after

1 11:00, that would be in order.

2 MS. GORDON: I have one other question
3 to you. What is the length of time each person
4 may speak after the initial presenters have done
5 their fifteen minutes?

6 THE MODERATOR: The maximum is
7 fifteen, we have not set -

8 MS. GORDON: Per person?

9 THE MODERATOR: We have not set a per
10 person time. We've discussed it at the Rules
11 Committee Meeting and every time we've discussed
12 it, the folks that have come have testified
13 against having a specific time limit per
14 speaker, but they put a cap for presentations.

15 MS. GORDON: Well, then, I apologize,
16 but I'm really getting a little bit - when we go
17 so far off, it's just - it's not sticking with
18 what the article is about, and that's really
19 hard for me after three nights when it's almost
20 eleven o'clock again.

21 So, I would really encourage the
22 speakers to please just stick to the point and
23 stop -

24 THE MODERATOR: Okay.

1 MS. GORDON: - going beyond.

2 THE MODERATOR: So now I'm going to
3 allow Mr. Hampson to make the motion because
4 we're just about there and I want to be very
5 clear going forward, whether tonight or tomorrow
6 night, that during the course of debate, Town
7 Meeting Members should refrain from
8 personalities.

9 A point of order means I did something
10 procedurally wrong.

11 If folks need to leave the auditorium
12 for a cup of coffee or a break, feel free to do
13 that, but a point of order is because
14 procedurally I have done something wrong at this
15 meeting. That's what a point of order is.

16 Okay, Mr. Hampson. Mr. Hampson.

17 MR. HAMPSON: Mr. Moderator, I'd like
18 to suggest that we go - extend this beyond
19 eleven o'clock. It would be nice if we added on
20 an end period, because obviously 12:00 is - we
21 have to stop, but do you have a suggestion when
22 we should close shop?

23 THE MODERATOR: I'm just going to take
24 the motion to extend after 11:00.

1 MR. HAMPSON: Okay, I suggest we go on
2 and not to go any further than 11:30. That's
3 my motion, okay? You can vote on it if you
4 would, please.

5 THE MODERATOR: Okay, the first motion
6 is to extend after 11:00, no later than 11:30.
7 All those in favor, signify by saying aye.

8 [Aye.]

9 THE MODERATOR: All those opposed, no.

10 [No.]

11 THE MODERATOR: We'll see you at seven
12 o'clock tomorrow night and we'll pick up this
13 article where we left off. Mr. Moriarty, you'll
14 have the floor.

15 FROM THE FLOOR: [General talking.]

16 THE MODERATOR: By a call of the chair
17 I'm adjourning the meeting. Whoa, what's the
18 problem, now?

19 FROM THE FLOOR: Motion to adjourn!

20 THE MODERATOR: We had a motion to
21 extend past eleven o'clock and it failed. It
22 requires a two-thirds majority.

23 FROM THE FLOOR: [General talking.]

24 THE MODERATOR: Okay, so the question

1 will come on extending after eleven o'clock with
2 no limit. All those in favor of staying after
3 eleven o'clock with no limit, signify by saying
4 aye.

5 [Aye.]

6 THE MODERATOR: All those opposed no.

7 [No.]

8 THE MODERATOR: It's the opinion of
9 the Chair that the no's have it; there is not a
10 two-thirds; we'll see you at seven o'clock
11 tomorrow night.

12 Mr. Moriarty, you'll have the floor
13 when we open.

14 [10:57 p.m.]

15 [Whereupon, the hearing adjourned.]

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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 April 4, 2012. To the best of my ability the within transcript is a complete, true and accurate record of said Town Meeting.

In witness whereof, I have hereunto set my hand and Notary Seal this 11th day of June, 2012.

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

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