

Vol. Three
158 pages

COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

SPECIAL TOWN MEETING

-and-

ANNUAL SPRING TOWN MEETING

Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

Wednesday, April 10, 2013

7:00 p.m.

Carol P. Tinkham
321 Head of the Bay Road
Buzzards Bay, MA 02532
(508) 759-9162
caroltinkham@gmail.com

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1 P R O C E E D I N G S

2 THE MODERATOR: All Town Meeting Members
3 please come forward and take your seats.

4 When we dispense with the Special we will
5 then go back to the Annual Town Meeting.

6 Would all Town Meeting Members present please
7 come forward; take your seats.

8 Our tellers this evening in the first
9 division will be Mr. Sellers; in the second
10 division will be Mr. Dufresne and in the third
11 division will be Mr. Hampson.

12 The chair would like to remind everyone:
13 please take out your cell phones right now and
14 turn them on either a silent mode or shut them
15 off. I've been getting complaints from some
16 Town Meeting Members that there are cell phones
17 going off next to them and that it's distracting.
18 So please if you could put it on a silent mode or
19 shut your cell phones off, that would be
20 appreciated.

21 I want to remind all Town Meeting Members
22 that attendance will be published in the Falmouth
23 Enterprise.

24 I want to thank FC-TV Channel 15 now for our

1 live broadcast. Remind all Town Meeting Members
2 please identify yourself by name and precinct
3 each time you get up to speak.

4 Again: the tellers this evening in the first
5 division will be Mr. Sellers; in the second
6 division will be Mr. Dufresne and in the third
7 division will be Mr. Hampson

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

11 [Pause.]

12 THE MODERATOR: In the first division, Mr.
13 Sellers.

14 MR. SELLERS: 47.

15 THE MODERATOR: 47.

16 In the third division, Mr. Hampson.

17 MR. HAMPSON: 63.

18 THE MODERATOR: 63.

19 In the second division, Mr. Dufresne.

20 MR. DUFRESNE: 86.

21 THE MODERATOR: 86.

22 By a counted vote of 196, we have a quorum
23 and the Town Meeting is back in session.

24 Last night we had completed Article 22 and

1 the Board of Selectmen were asking to place
2 another motion on the floor but we had voted to
3 only stay to finish that main motion. And so at
4 this time I'll recognize the Chairman of the
5 Board of Selectmen.

6 MR. LATIMER: [No mic:] Mr. Moderator.

7 THE MODERATOR: Mr. Latimer.

8 MR. LATIMER: [No mic: inaudible.]

9 FROM THE FLOOR: Microphone.

10 THE MODERATOR: Yes, microphone.

11 Microphone.

12 MR. LATIMER: Richard Latimer, Precinct 2.

13 Sorry.

14 We had an article published in the warrant,
15 we voted on it. The only motion that would be in
16 order at this point would be a motion to
17 reconsider on Article 22 and that would have to
18 be based on new information.

19 I would object to any other type of motion,
20 thank you.

21 THE MODERATOR: Okay. You're incorrect, Mr.
22 Latimer. You can have multiple main motions on
23 an article. The motion to reconsider is necessary
24 to open up the same motion on an article or if

1 you have gone on to another main motion, another
2 article, to go back to the original article.

3 You may remember that we've done this before
4 when the Community Preservation Committee was in
5 its genesis and they hadn't established the
6 process of putting articles in the warrant for
7 the Reserve Fund and when Town Meeting had voted
8 a project down, the motion was then in order,
9 main motion, to take that amount of money and to
10 put it into a Reserve Fund.

11 So those were two main motions on one article
12 because we hadn't gone on to another order of
13 business.

14 And so I will read it out of the book because
15 I know you're not going to believe me.

16 [Laughter.]

17 THE MODERATOR: While defeating the negative
18 cannot establish the affirmative, defeating an
19 affirmative motion can, as a practical matter,
20 frequently be taken as a sufficient negative.
21 Theoretically, anyone may make another - anyone
22 may make another and different affirmative motion
23 and this is sometimes done, but more often the
24 declaration of the vote on the affirmative motion

1 is allowed by silence and the moderator may
2 properly proceed to the next article.

3 MR. LATIMER: I would perhaps agree with
4 that if the criteria for passing each article
5 were the same. So if we want to say another
6 motion can be brought forward that will require a
7 two-thirds majority, I will accede to that.
8 Otherwise I will say this is an end run against
9 our bylaws and against the procedure stated in
10 state law and I will object. Thank you.

11 THE MODERATOR: Can you quote what state law
12 you think I'm violating, Richard? You're a
13 lawyer; tell me what state law I'm violating.

14 MR. LATIMER: The state law that says when
15 we're going to ask the voters to pass money - to
16 vote money under Proposition 2 ½ we have to first
17 have a two-thirds - a two-thirds majority here.
18 That's the state law that I'm saying we would be
19 violating. It would be an end run and I would
20 consider challenging that, thank you.

21 THE MODERATOR: Proposition 2 ½ requires a
22 two-thirds vote for the legislative authority of
23 a municipality to authorize and appropriate the
24 borrowing. And in many communities in the

1 Commonwealth, if you read the newspaper in
2 Mashpee, for example, or the Town of Bourne,
3 you'll notice that the Selectmen put questions on
4 the ballot without any vote of their Town
5 Meeting, and then they come back to the Town
6 Meeting to get the two-thirds vote. Matter of
7 fact, it just happened in Bourne with the DPW
8 project which they went to the ballot and then
9 they were expecting to come back to Town Meeting
10 for their two-thirds vote. So that is not a
11 violation of Proposition 2 ½.

12 MR. LATIMER: What does our bylaw say about
13 that?

14 THE MODERATOR: There is no bylaw in the
15 Town; we are silent on the procedure by precedent
16 or by Town Meeting time, which I just read for
17 you.

18 MR. DUFRESNE: Mr. Moderator. Mr.
19 Moderator.

20 MR. LATIMER: I will defer to Mr. Dufresne.

21 THE MODERATOR: Mr. Dufresne.

22 MR. DUFRESNE: Fellow Town Meeting Members,
23 rather than start this off with this dialogue,
24 maybe we should have saluted the flag and said a

1 prayer.

2 FROM THE FLOOR: Yes.

3 [Applause.]

4 THE MODERATOR: Thank you, Andy.

5 I did not have my checklist from the first
6 night and I did miss the opening procedures. So
7 would all members and guests present please rise
8 for the pledge of Allegiance.

9 Thank you, Andy.

10 [Pledge of Allegiance taken.]

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

13 MR. NIDOSITKO: Lord, when it comes to
14 meeting and communicating with each other, help
15 us to be good listeners. Help us to be open
16 minded, putting aside our own agendas. Help us
17 to be honest, without being insensitive. Help us
18 to be respectful, without being too formal or
19 artificial.

20 Help us to question and to challenge without
21 being harsh. Help us to be aware that this is
22 just one moment, just one meeting. And lastly,
23 help us to remember that you, too, are always
24 meeting and communicating with us. Amen.

1 THE MODERATOR: Mr. Chairman.

2 Thank you, Andy.

3 CHAIRMAN MURPHY: Mr. Moderator, I move that
4 the Town vote to appropriate the sum of \$100,000
5 from Certified Free Cash for the purpose of
6 soliciting and evaluating proposals to dismantle
7 Wind I and Wind II and any other costs relative
8 hereto, to be expended under the jurisdiction of
9 the Town Manager and further to support the Board
10 of Selectmen's placement of questions on the
11 ballot seeking the vote of Town to exclude the
12 amounts required to repay any borrowing
13 authorized for the purpose of dismantling and
14 removing wind turbines and repaying grants
15 received on account of such wind turbines from
16 the limits of Chapter 59, Section 21C of the
17 General Laws, also known as Proposition 2 ½.
18 And pursuant to the passage of special
19 legislation continued in this motion.

20 And further, the Board of Selectmen is
21 authorized to submit a petition to the
22 legislature for enactment of special legislation
23 as follows and that the Board of Selectmen is
24 authorized to accept recommended changes by

1 legislature, counsel or bond counsel to further
2 evaluate the purpose of this article.

3 An act pertaining to the issuance of bonds or
4 notes by the Town of Falmouth. Be it enacted the
5 Senate and the House of Representative in the
6 General Court assembled, and by the authority of
7 the same as follows.

8 Section one: notwithstanding the provisions
9 of any general or special law to the contrary,
10 the Town of Falmouth is authorized to borrow from
11 time to time such sums of money as may be
12 necessary to pay costs of decommissioning,
13 dismantling and removing of the wind turbines,
14 repaying grants received on account of such wind
15 turbines, refinancing outstanding debt related to
16 such wind turbines without regard to the present
17 value savings required of Section 21A of Chapter
18 44.

19 And for the payment of any and all other
20 costs incidental and related thereto.

21 Bonds and notes issued under this act shall
22 be issued for a term not to exceed 20 years from
23 the date or dates of issue and the maturity of
24 any bonds issued by the Town under this act

1 either shall be arranged so that for each issue
2 the annual combined payments of principal and
3 interest payable in each year commencing with the
4 fiscal year in which principal payment is
5 required shall be nearly equal as practicable in
6 the opinion of the municipal treasurer and
7 collector of taxes shall be arranged in
8 accordance with the schedule providing for more
9 rapid amortization of principal. Bonds and notes
10 issued under this act shall be outside the limits
11 of the indebtedness prescribed in Section 10 of
12 Chapter 44.

13 And except as otherwise provided in this act
14 shall be subject to the applicable provisions of
15 sub-chapter - said chapter 44 Section 2.

16 This act shall take effect upon the passage.

17 Thank you, Mr. Moderator.

18 THE MODERATOR: Okay, Mr. Chairman, by way
19 of explanation.

20 MR. RHODES: Mr. Moderator.

21 THE MODERATOR: Mr. Rhodes.

22 MR. RHODES: Scoba Rhodes, Precinct 8.

23 I heard your explanation as to why you were
24 allowing this to be read, but it's confusing

1 simply because last night we had an Article 22;
2 we discussed it for an hour and a half and it was
3 killed. You didn't get the two-thirds positive
4 vote on it.

5 I'm concerned that this sets a precedent that
6 I haven't seen in Town Meeting in Falmouth in
7 over 40 years. It's my guess -

8 THE MODERATOR: Mr. Rhodes, I explained the
9 precedent had been set at the genesis of the
10 Community Preservation Committee when I invoked
11 that rule and allowed a second main motion on the
12 floor. So I've done this before.

13 I actually have done it twice; I can't
14 remember what the other one was. I was -

15 MR. RHODES: I must have been absent that
16 night.

17 THE MODERATOR: It's been 15 years since I
18 started this; I was trying to find the other -
19 the other time, but we've done this twice before.

20 MR. RHODES: I think twice is enough.

21 [Laughter and applause.]

22 THE MODERATOR: Then you're going to vote no
23 on the motion.

24 MR. RHODES: I think that this body should

1 be asked if they're going to allow it to occur.

2 And they -

3 THE MODERATOR: I'm not going to ask the
4 body to decide whether or not a legal rule and a
5 procedure that we have had - used in this Town
6 Meeting multiple times and as part of the
7 standard procedure for Town Meetings in New
8 England is a worthwhile procedure. If you want
9 to change the procedures that we use at Town
10 Meeting, you're more than welcome to petition to
11 a future Town Meeting and have an article and
12 have a motion and - or come to our Rules
13 Committee Meeting.

14 But I'm not going to allow the body to change
15 procedure in the middle of a Town Meeting. That
16 would not be consistent with precedent.

17 MR. RHODES: But you just changed the rules
18 by allowing this to occur.

19 THE MODERATOR: I did not change the rules.
20 Again, we used this with the Community
21 Preservation Committee at its genesis. There was
22 one other time that we've use it and I read the
23 section from Town Meeting Time that says that it
24 is in order unless you've moved onto another

1 article.

2 Mr. Chairman.

3 CHAIRMAN MURPHY: Yes, ladies and gentlemen.
4 If I can explain this process. What we put
5 forward this evening would allow the voters to
6 vote and see whether or not they wanted to
7 exclude from Proposition 2 ½ for the debt to
8 dismantle and decommission the wind turbines.

9 Also included in this motion is \$100,000
10 under the jurisdiction of the Town Manager to
11 fund an RFP and legal representation to go
12 forward with the special act in the legislature.
13 No borrowing will occur - and I repeat this - no
14 borrowing will occur unless of course we get a
15 vote of the voters and then we would come back to
16 Town Meeting and it would be necessary at that
17 time to get a two-thirds majority vote from Town
18 Meeting.

19 Now, a lot of folks had expressed some
20 concerns last night still about the idea and the
21 ideal that these turbines, if we take them down,
22 have some value. In this period of time we
23 would be able to set out the RFP, find out what
24 the actual cost is to dismantle the turbines, to

1 take the turbines down and whether or not they
2 would - anyone would want to buy them. Number
3 one.

4 Number two, we would have the opportunity and
5 the authorization, again with the voters'
6 authority, to go to this legislature and see if
7 in fact the legislature were to approve this act
8 and allow the Town to move forward. It will come
9 back to Town Meeting, the ultimate borrowing.
10 You will have a better, firmer and harder number
11 to be able to make a decision.

12 And, incidentally, it would never come back
13 to Town Meeting unless of course the voters
14 approve this. If we're talking tonight about
15 eliminating an opportunity for the voters to have
16 their say whether it's up or down, I think that's
17 ludicrous. This - this body is going to have an
18 opportunity to make a decision on whether to
19 incur the debt. And that may come in the fall,
20 which we would hope; that may come in the spring
21 next year. We don't know how long this will
22 take. But in fact it will come back to this
23 body.

24 Nobody is trying to do an end run. This was

1 one of the alternatives the Board of Selectmen
2 had discussed. But, as prudent as this Town
3 Meeting is, last night you didn't pass what the -
4 give the Board of Selectmen or the voters the
5 authority to borrow with the two-thirds vote.

6 We will come back -- only come back if it
7 passes at the ballot and only come back if it
8 passes the legislature and we're able to go with
9 the special act of legislation. We will also
10 then have firmer numbers for you and what this
11 will actually cost.

12 Thank you, Mr. Chairman.

13 THE MODERATOR: Okay, Ms. Lichtenstein and
14 then Mr. Shearer.

15 MS. LICHTENSTEIN: Point of clarification.
16 This - if this passes tonight with a simple
17 majority, it goes to the ballot. The voters of
18 Falmouth vote yes or no. If they vote yes, it
19 goes back to Town Meeting in the fall. Will it
20 again go to the voters or does - I mean, this is
21 where - usually Town Meeting votes to put
22 something as a Proposition 2 ½ override. So
23 that's my question. And is it going to go back
24 to the ballot again?

1 THE MODERATOR: No, it won't go back to the
2 ballot. And Town Meeting is under the impression
3 that it votes to put something on the ballot, but
4 it's not. You are voting to authorize the
5 borrowing, subject to the question. The sole
6 authority to put a ballot question on the ballot
7 is the Board of Selectmen.

8 So we have had a practice of doing one before
9 the other so there's been the impression - and I
10 try to do this every time we do the orientation
11 for Town Meeting Members to take away the myth
12 that we're actually placing something on the
13 ballot. We are authorizing the borrowing and
14 then we're requesting the Board of Selectmen to
15 duly place it on the ballot.

16 MS. LICHTENSTEIN: Okay, so a positive vote
17 on this motion would send it to the voters of
18 Falmouth and they would make a decision. If we
19 vote no, it doesn't go to the ballot?

20 THE MODERATOR: The Selectmen have that
21 authority to put it onto the ballot or not.

22 MS. LICHTENSTEIN: Okay. That was what I
23 want to know. Thank you very much.

24 THE MODERATOR: And I think the Chairman

1 made the intention of the Board of Selectmen
2 clear, but they still have the final authority
3 whether or not to put it on the ballot.

4 Mr. Shearer. Mr. Stetcher, you're on my
5 list.

6 MR. SHEARER: Good evening. Dan Shearer,
7 Precinct 6.

8 I usually speak a lot at Town Meeting. This
9 is the first time I've stood tonight and I'm
10 disgusted.

11 I hope everybody here is going to look out
12 for that train, because here it comes. We're
13 being railroaded. We're being pushed around.
14 We're getting something that we don't understand.

15 Last night, we did the same thing. You
16 handed something out at the door. I didn't have
17 a chance to read it and I doubt many people here
18 did.

19 And I'll ask anybody here: do they understand
20 fully what Mr. Murphy said? Can they repeat it?
21 That's what a Town Meeting is supposed to do.
22 You're supposed to come here with knowledge and
23 we don't have it when we get something at the
24 door at the last minute and it goes Rah, Rah.

1 Please vote this down. They're going to put
2 it on the ballot. We'll find out what the
3 taxpayers of Falmouth want. But we don't have to
4 put down what, where, and you're going to get ten
5 cents and you're going to get fifty cents and
6 this is going to go there.

7 The Selectmen before this did not do their
8 homework. They should have known who might be
9 interested. I know one company that does
10 windmills that is interested after the verdict
11 comes out. But I don't think they - maybe they
12 can tell me what companies they've gone to who do
13 windmills who might buy it or might be interested
14 in it.

15 Let's find out what the whole population of
16 Falmouth wants, now, on the vote ballot that they
17 will put on without passing this. Thank you.
18 Vote no, please.

19 THE MODERATOR: Mr. Netto and then Ms.
20 Shepard.

21 MR. NETTO: Joe Netto, Precinct 9. Dear
22 Fellow Town Meeting Members. I'm standing in
23 front of you to address you about the process
24 that is being unveiled tonight. I have no

1 problem with the Moderator's decision to put this
2 in front of us, and as he said we can take this
3 up at a Rules Committee meeting.

4 My problem is a process of the dialogue, as
5 Mr. Shearer just said before me. As a Town
6 Meeting Member, being given the facts so that I
7 can form an intelligent opinion, given the facts
8 to make an intelligent decision.

9 As I walked through the door tonight, I was
10 handed the purple piece of paper. This purple
11 piece of paper has the potential of 12 to 15
12 million dollars, and even more, according to some
13 people.

14 Back up. Last Wednesday, the state had a
15 meeting. The Selectmen at our precinct meetings
16 told us they will finalize this before Town
17 Meeting, they got to wait for the state.
18 Wednesday the state had their meeting. Thursday
19 morning you put your computer on and you got the
20 yellow piece of paper.

21 They made sure you got last night's motion
22 with enough time to digest it.

23 Well, I put the computer on this morning and
24 nothing came up. Then finally, about noontime,

1 still nothing was there, so I drove downtown.
2 Oh, excuse me. And I saw the clerk to see if
3 there was a motion there. And the clerk gave me
4 the motion and I said, "How long have you had
5 this?" And he told me, "Monday night." Now,
6 was that the final one that was passed?

7 Why weren't we given this after it was
8 discussed? This no longer to me has relevancy
9 to the windmill question, but how we as Town
10 Meeting are going to operate.

11 If you look at the facts on the question, as
12 it's been said numerous times, now, first we have
13 to go to the voters. We have to go to the polls.
14 Well, why don't we just do that? That is
15 entirely up to the Board of Selectmen. The
16 Moderator just told you you're an advisory group
17 as far as that's concerned. They can do anything
18 they want.

19 Look at the second half of the motion. They
20 have to petition the legislature. So if this was
21 a business, wouldn't step one be let's go to the
22 voters.

23 So I ask you to defeat this motion - they
24 told us it was going to the voters - and let the

1 voters have their say on this question and then
2 that'll give us the leadership in the direction
3 of which way we're supposed to go.

4 I would wholeheartedly concur with Mr.
5 Shearer that we vote this article down. There
6 are certain things that are going to happen
7 anyhow. Why would we want to appropriate
8 \$100,000 if the voters turned this down? That's
9 common sense, and shouldn't commonsense here
10 prevail?

11 Forget the emotional issue. To me, this is
12 core to what we're here for, the relationship
13 between this body, Town Meeting, and the Board of
14 Selectmen. Thank you. I'd appreciate your
15 support.

16 THE MODERATOR: The gentleman in the aisle,
17 I have you on the list if you want to take a
18 seat, because this is a big list. You're on the
19 list, though.

20 Mr. Murphy, do you want to respond and then
21 Ms. Shepard has the floor.

22 CHAIRMAN MURPHY: I do want to respond. And
23 what I want to respond by is saying the Board of
24 Selectmen spoke about this motion last Thursday

1 night. We didn't take action on this motion
2 until last evening before Town Meeting. We had
3 talked about it in an open public meeting. That
4 open public meeting happened to be with the
5 Finance Committee. So we spoke about it, but we
6 made a decision to move forward with the article
7 we moved forward with last night.

8 Last night, before Town Meeting, the Board
9 took this up as an alternate if in fact this
10 didn't - our original article did not work - did
11 not pass the muster of a two-thirds vote.

12 Now, what is the importance of the \$100,000?
13 The importance of the \$100,000 is - and
14 incidentally, that \$100,000 will not be spent
15 unless/until it passes the voters. In last
16 night's motion, that \$100,000 was in the motion,
17 but in that \$3.5 million because we need legal
18 assistance to be able to put out the RFP. We
19 need legal assistance and bond counsel to help us
20 move through the special act of the legislature.

21 If we merely went to the ballot, we would
22 have no funds to be able to do any of these
23 things. We would have to wait until next fall to
24 come back to this body. And, you know what?

1 There are a lot of neighbors there and a lot of
2 folks in this community who if they decide at the
3 ballot, they're sending a clear message to this
4 Board, to this community, and to each and every
5 one of you that they want to see a change. And
6 only after they go to the ballot.

7 So I think it's fair to say that if they vote
8 at the ballot that you're going to give this
9 Board some funds to be able to move through the
10 process, and yes we will come back to Town
11 Meeting to get the authorization to borrow. But
12 by merely just going to the ballot, we would sit
13 there in limbo and, as Mr. Dick had to say last
14 night, we would be kicking the can down the road.
15 We wouldn't have the opportunity to move forward
16 with anything.

17 So just give us the opportunity if the voters
18 say yes. The opportunity is to be able to do
19 some research.

20 We heard loud and clear from you last night
21 that you wanted a firm number. We heard loud and
22 clear that people said these things are worth
23 some money. Well, we don't know that. I don't
24 know any used wind turbine salesmen I can call.

1 And incidentally, Mr. Shearer brings up a good
2 point. You know, you could call these people.
3 This is government; you don't call people and ask
4 them, "Hey, what do you think, Joe? What can you
5 get me for this?" You have to put out an RFP.
6 That's the bottom line. That's part of what
7 government is is an open public process. So we
8 need some tools to be able to do it. That's what
9 this article gives us, is that tools, that funds.
10 No funds will be expended unless of course the
11 voters vote for this. Thank you.

12 THE MODERATOR: Okay, Ms. Shephard.

13 Mr. Zweig, I've got you on the list if you
14 want to have a seat.

15 MS. SHEPHARD: Susan Shephard, Precinct 1.
16 Through you, Mr. Moderator, I have essentially
17 two questions.

18 One is, when I read this article, it doesn't
19 say that there will be a ballot question on this
20 year's ballot. I want to know if there will be a
21 ballot question this May and I also want to know
22 what that question will be if this body votes the
23 motion up and what it will be if it votes the
24 motion down.

1 But first, will there be a ballot question
2 this May?

3 THE MODERATOR: Mr. Chairman.

4 CHAIRMAN MURPHY: Um, for me to act without
5 the entire board to tell you what the actual
6 language would be would be inappropriate. But
7 the Board has had all intentions of moving
8 forward after Town Meeting to put a ballot
9 question on.

10 What this article allows in the ballot
11 question is not a referendum, but it allows us
12 for a ballot question that would ask people to
13 exclude from Proposition 2 ½. So they would
14 actually be saying, "We're going to vote to pay
15 up to the amount we had last night." That's if
16 - that's if they would put on the ballot
17 question.

18 The ballot language is very vague. And it
19 would be to exclude from Proposition 2 ½.

20 MS. SHEPHARD: And it would give the amounts
21 that you gave last night?

22 CHAIRMAN MURPHY: They would be that
23 amounts, not to exceed that amount, that's
24 correct.

1 MS. SHEPHARD: And that will be on this May
2 ballot?

3 CHAIRMAN MURPHY: Again, the Board has not
4 voted a ballot, but I would assume all along
5 we've discussed that.

6 MS. SHEPHARD: I don't feel like you
7 answered my question.

8 CHAIRMAN MURPHY: I can't act on behalf of
9 the entire Board. I'm only one of five and the
10 Charter does not allow me to do so. Thank you.

11 THE MODERATOR: Okay, Mr. Donahue.

12 MR. DONAHUE: Through you, Mr. Moderator.
13 Fellow Town Meeting Members, I feel like I'm in a
14 used car or a new car dealership and the
15 salesman, being the Selectmen, have taken my
16 proposal that we had last night and they took it
17 to their manager and now they came back again
18 and, instead of giving us a better deal, it's the
19 exactly the same terminology, all the same stuff,
20 "But, hey, guys! It's going to cost you a
21 hundred thousand more!"

22 A hundred thousand dollars more.

23 FROM THE FLOOR: No.

24 MR. DONAHUE: If you think that they

1 couldn't - and I'd like to ask, through you, Mr.
2 Moderator, how many more motions do you have for
3 us guys? And why couldn't you have had a
4 meeting and decided on what the terminology of
5 the ballot would be for the Proposition - for an
6 override on this?

7 You could have done all that. You could have
8 done your homework. But you're trying to be, in
9 my opinion, pigheaded about this, because you
10 made a decision. There were Mr. Murphy, Mr.
11 Putnam, who were on that board that okayed this
12 stuff, and so your reputation is at stake if this
13 thing goes down.

14 Let's come back in the fall. Let's get a
15 committee going to work on this problem with
16 these people and really come up with a solution.
17 I'm voting against it and I hope everyone else
18 does, too.

19 THE MODERATOR: Mr. Stetcher and then Dr.
20 Clark.

21 MR. STETCHER: Bernie Stetcher, Precinct 3.
22 First of all, I don't think it's appropriate to
23 ask us to give you \$100,000 after we voted this
24 same idea down.

1 I'm all for going to the ballot with the
2 public. I voted yes to take the things down in
3 the first place. But I don't think this is the
4 way to do it.

5 Let's go get the permission from the public
6 and then we can work from there.

7 You're assuming this \$100,000 is going to be
8 used because the public is going to say okay, but
9 we don't know, and then what? I think we should
10 just proceed with the ballot in May and then just
11 go from there. Thank you.

12 THE MODERATOR: Dr. Clark.

13 DR. CLARK: I would start by saying that I
14 don't think we make progress tonight by
15 castigating the Selectmen, anymore than we make
16 progress by castigating neighbors or - or others.
17 The point here is that the Selectmen are trying
18 to move the process ahead in some way.

19 Personally, I would have been in favor of
20 this if the Selectmen were asking us for \$300,000
21 so that they could put a panel of experts
22 together to study the plausibility of the other
23 WTOP option. What's disappointing to me here is
24 that this is still full bore on one of the

1 options. And I would raise the issue that when
2 the Selectmen and others talk about the desire to
3 bring the town together, or talk about the desire
4 to build trust in future money issues, the
5 problem is that the town has to be convinced that
6 there's been due diligence done.

7 I think a lot of people here, including me,
8 would say, "We might not be in this problem if
9 due diligence more were done more carefully at
10 the beginning of this whole thing." Given the
11 problem we have now, there was a wonderful effort
12 by the WTOP to list three options. Only one of
13 them has been investigated. And that's because
14 the Selectmen did a great job of being behind
15 that process, but when the options came forward,
16 I believe, they didn't look at all the options
17 equally. They looked at one option. And this is
18 what they're still desiring to do.

19 There needs to be more information, but it's
20 all about one option. And I think, as a voter,
21 that I need to be convinced that the other
22 options are more expensive or don't work or are
23 legally impossible or they're unethical or
24 they're - you know. And my problem is there just

1 hasn't been enough investigation.

2 And Mr. Putnam stepped to the floor to give
3 us a piece of information, but that was certainly
4 no study of the plausibility, the complexity, the
5 legal and real estate complexities of the other
6 option, and I'm sure he would agree.

7 So I don't want to slap hands. I think what
8 we need to do, though, is understand that we do
9 need to do more study. In my look at the WTOP
10 report, I would tell you, there's a strong need
11 to have manned, credible sound studies done in
12 more places for more time in more conditions.
13 There was a lot of uncertainty in that report
14 about whether there were exceedances or not, or
15 how often or where or in what situations.

16 Why aren't we getting some information about
17 that? Because the decision has been made,
18 evidently, that the option to bring forward is to
19 take the turbines down.

20 The WTOP certainly was uncertain about the
21 future value of electricity created by the
22 turbines and some questions were raised last
23 night about that. We ought to be looking at that
24 to know what that side of the option is, too.

1 And I'm sorry because I think we could be
2 moving forward as a town to get this breadth of
3 information that I think would be needed to say
4 to the voters, "Look, folks, we looked at this
5 option and we looked at this option and this
6 one's going to cost half again as much and it has
7 ethical issues and legal issues that you don't
8 want to touch as a town. Whereas this one, as
9 we've been told, appears to be cleaner and more
10 concrete." But I don't know about this one over
11 here, that's my problem, and this doesn't do
12 anything to help me get there.

13 So, I think if you want to build the
14 credibility of town recommendations on money, you
15 do the kinds of things that the WC and P - the
16 study that they've done. You do the things that
17 the WTOP has done but then you carry it further
18 to say, "And here's what the costs of those
19 options are." And I think until we do those due
20 diligence on a couple of options and you say to
21 us, "You could choose this one and here are the
22 costs and benefits, or you could choose this one
23 and here are the costs and benefits." But we're
24 not getting that. We're seeing, "Choose this

1 one, choose this one, choose this one, choose
2 this one, choose this one," as far as I'm
3 concerned.

4 And that's - and I think that comes from a
5 desire to get it done. And I understand that
6 desire, but I think if we rush to get it done too
7 fast, it leaves people not sure about the
8 options. Thank you.

9 [Applause.]

10 THE MODERATOR: Mr. Schmidt.

11 MR. SCHMIDT: Mr. Moderator -

12 THE MODERATOR: Let's go, folks.

13 MR. SCHMIDT: Mr. Moderator.

14 THE MODERATOR: Mr. Schmidt.

15 Mr. Jones. Do you have a point of order,
16 Mr. Jones?

17 MR. JONES: No, I'm just - I haven't had a
18 chance to respond for two nights, and being
19 accused of not giving information, and we haven't
20 had the airing of exactly the information that
21 Dr. Clark has put forward.

22 Last night we went through the -

23 THE MODERATOR: Okay. So you are ready to
24 answer a question that was posed?

1 MR. JONES: I've been ready to for two
2 nights, but -

3 THE MODERATOR: Okay, well, you were on my
4 list last night and they moved the question. You
5 don't have to get snippy; I'll show you the list,
6 like I showed a few people after Town Meeting.

7 You were asked to be put on the list, as they
8 told me you wanted to make an amendment. And you
9 are a member just like anyone else and I put you
10 on my list. But if you're answering a question,
11 I will recognize you.

12 Mr. Schmidt, I'm going to recognize Mr. Jones
13 to answer some of the questions and then Mr.
14 Schmidt you'll have the floor next, okay?

15 MR. JONES: The Board of Selectmen didn't
16 just consider one option. The Board of Selectmen
17 has made a recommendation for one option.

18 The Board of Selectmen has been involved in
19 the WTOP process for a long time. Mrs. Flynn and
20 I made it to almost every single meeting. The
21 five members of the Board read the report very
22 carefully; had a meeting, open meeting at the
23 library to hear the report, received input from
24 as many people as wanted to speak, and considered

1 these options very, very carefully. This is not
2 a decision, a recommendation that we made
3 lightly.

4 We received many, many emails from all the
5 people in town. And to suggest that we only
6 looked at one option, I'm stunned by. The idea
7 that we haven't presented the information on the
8 other options was really more of a fact of how
9 the debate went last night. We heard pro
10 argument after pro argument after pro argument
11 last night, enough that the Moderator, I think in
12 good choice, polled people to find out was there
13 any anti argument. At that point we still had
14 seven that had pro arguments put forward who were
15 put aside. We may have had many other pro
16 arguments out there, including the information I
17 was going to give about the costs of some of the
18 other options. We have that information. We did
19 not present it last night because we were not
20 given the opportunity to.

21 FROM THE FLOOR: Oh, come on.

22 MR. JONES: It is not the issue tonight.
23 I'm happy to give -

24 THE MODERATOR: Mr. Jones, I just want to

1 make this procedurally clear to the Board of
2 Selectmen. All five of you listen up.

3 When you put a motion on the floor of Town
4 Meeting, you had the opportunity to make the
5 presentation. If you want to keep your little
6 slips of paper in your bag under the table up
7 here, that's your choice. You had the floor, all
8 five of you, through your chair, to put a main
9 motion to make any presentation you wanted.

10 Mr. Jones, I even recognized you and you
11 spoke. Matter of fact, I can tell you that you
12 spoke at ten o'clock, was when you spoke, and you
13 had the opportunity to make any other
14 presentation when you had the floor, as well.

15 So, in the future, before the Board of
16 Selectmen say that you did not have the
17 opportunity to make a presentation, when you
18 place a main motion on the floor, I expect you to
19 make your presentation at the beginning of the
20 article.

21 Mr. Jones, you have the floor.

22 MR. JONES: Last evening, I was asked some
23 specific questions, at which point I answered
24 them. The question about the costs of some of

1 the other options was a different presentation
2 than our positive reasons for supporting the
3 recommendation we have supported.

4 The Board of Selectmen feels that the removal
5 of the turbines will provide a solution to
6 pulling this Town back together that is clear,
7 understandable and quick. And this is the reason
8 why we have supported it.

9 Many people have asked why don't we just
10 purchase the houses of those people who are
11 affected. I have some real concerns about that
12 idea. They'll begin with asking people who have
13 lived in their houses and built their houses and
14 suggest they need to move. I find that a cost
15 that's different than money.

16 The recommendation we've made has a financial
17 cost that I can understand. Some of the other
18 costs I find harder to understand. So, one,
19 asking people to move or potentially saying they
20 have to move.

21 Then we do get into some of the unknown
22 financial costs. If we are going to buy houses,
23 that costs money. If we're going to sell
24 houses, that costs money. If we're going to

1 take houses by eminent domain, that's going to
2 cost us some money. If we're going to have to
3 take some time to do this and decide how do we
4 run the turbines at that point, we are not going
5 to be running them at the full operation to make
6 the \$8 million.

7 Many of the predictions right now that we
8 have say that the turbines can bring in about
9 \$1.2 million every year. \$120,000 of that is to
10 go to the wastewater treatment plant. The state
11 has made it clear that that's the purpose of the
12 project, is to create electricity.

13 Then we have to spend six to seven hundred
14 thousand dollars - and there's argument as to
15 exactly what that number is - for operating,
16 maintenance, debt obligations, contract services.
17 That leaves us about 300 to \$400,000 to buy
18 unknown number of houses. I don't understand
19 where the finances quite work. We may end up
20 with \$8 million over 18 years but we need the
21 money now to buy the houses now.

22 So then we're also going to have to start to
23 find some mortgages to be able to buy these
24 houses. These are the kinds of the points of

1 research that the WTOP and the Board of Selectmen
2 did do, did consider, did read in the report
3 before we made our recommendation and our choice
4 of an option that we are recommending to you and
5 to the Town residents.

6 I would like to make an amendment, because I
7 do understand Mr. Netto's point and I think it's
8 an excellent one. And I would love to add the
9 amendment that the \$100,000 not be expended until
10 the Town vote supports or passes the ballot
11 question.

12 THE MODERATOR: So the amendment is to add
13 that the - appropriate the sum of \$100,000 from
14 Certified Free Cash contingent on a vote of the
15 town?

16 MR. JONES: To be expended under the
17 jurisdiction of the Town Manager and not to be
18 expended unless the ballot question is passed
19 affirmatively by the Town.

20 THE MODERATOR: Okay. I think it's pretty
21 straightforward, but if we can just - if
22 somebody's got the ability to just write it up so
23 the Clerk can have it to insert it in writing.

24 So, the question, we're going to start a new

1 list, the question is opening up on the amendment
2 which is making the appropriation contingent on
3 the ballot vote.

4 Discussion -

5 DR. CLARK: [No mic. Inaudible.]

6 THE MODERATOR: Yes, Dr. Clark.

7 DR. CLARK: One of the questions that's been
8 raised that might be clarified is whether a
9 ballot question, were it to come, can have the
10 actual number in it. And my experience with
11 Proposition 2 ½ overrides is there's very strict
12 language and there will be no number in the
13 actual ballot question. I've never seen it, one.

14 THE MODERATOR: Yeah, we'll have Mr. Duffy
15 answer it.

16 DR. CLARK: So can we be clear about that?

17 THE MODERATOR: Yes, Mr. Duffy, can you talk
18 about the standard form of a Proposition 2 ½
19 question?

20 MR. DUFFY: The Selectmen are considering
21 putting on the ballot a question which is called
22 a debt exclusion. In a debt exclusion, the
23 question is - well, you must conform to state law
24 and the form of the question is prescribed in the

1 statute. You don't mention the amount of money;
2 you simply refer to all the money.

3 So you are going to be asked, or at the
4 discretion of the Selectmen, whether or not you
5 will exclude all of the money necessary to pay
6 the notes, to repay the notes, from Proposition 2
7 $\frac{1}{2}$. This is the question that we have all of the
8 time. The amount is never in the question. The
9 amount only appears in an override.

10 THE MODERATOR: And a capital exclusion?

11 Mr. Netto.

12 MR. NETTO: Joe Netto, Precinct 9. I
13 wholeheartedly concur with Selectman Jones and I
14 thank him for the amendment and I'll
15 wholeheartedly support it. Because now we're
16 starting to put things in perspective, in the
17 correct order, and number one, you have to go and
18 get the authority to do this to move forward for
19 the population of the Town that shows up to vote
20 that day. So I said last night, and that's what
21 I'm going to say now in support of this.

22 Also, the amendment, if I'm not mistaken,
23 answers Mrs. Shephard's question because she
24 didn't feel she got a correct answer because Mr.

1 Murphy has to have a meeting of the Board. But
2 if you pass this amendment and now pass the
3 article, sir, I've come 180 degrees in that
4 regard because something's been added.

5 It forces, literally, stop and think about it
6 - see, it's funny when you get the facts and you
7 get them with enough time and have time to digest
8 them. And that was my criticism when I went to
9 the podium, that you never gave us this
10 information. We should have had this information
11 first thing this morning. Because one thing we
12 can do when we discuss things is come up with
13 answers that make sense. And I think we're now,
14 finally, starting to move in the right direction.
15 Thank you, Mr. Jones.

16 THE MODERATOR: Mr. Zweig and then the other
17 Mr. Netto.

18 MR. LATIMER: [No mic:] Mr. Moderator.
19 Point of order.

20 THE MODERATOR: Yes, Mr. Latimer.

21 MR. LATIMER: [No mic:] Are we talking about
22 the amendment?

23 THE MODERATOR: Yes, we're talking about the
24 amendment.

1 MR. ZWEIG: Thank you, Mr. Moderator, Ron
2 Zweig, Precinct 1.

3 I'm a bit puzzled by this, and even by the
4 amendment in particular. It says in this pink
5 sheet or this purple sheet, that they're going to
6 appropriate the sum of \$100,000 from Certified
7 Free Cash for the purpose of soliciting and
8 evaluating proposals to dismantle Wind I and Wind
9 II. If you go to the WTOP report, we have a 14
10 million overall estimate of the costs to do this.
11 If you go to the WTOP report, and you read
12 Section 4.8, Turbine Resale Data, the Weston and
13 Sampson report had estimated that resale value of
14 the turbines without a manufacturer's warranty at
15 three hundred to six hundred thousand dollars.
16 Which did not include the dismantling and
17 transportation costs. Alternatively if the
18 turbines' copper, steel and spare parts were
19 harvested for resale the estimated approximately
20 182,000 could be raised.

21 So over a \$14 million program, we've spent
22 380 or \$390,000 for the WTOP through a grant from
23 the Clean Energy Center. We have this range of
24 numbers. Out of 14 million, why are we spending

1 another 100,000 now to basically come up with
2 probably almost the same estimate? I may be -
3 and then it has to be put out to bid. So it
4 seems to me that there's a real question about
5 committing \$100,000 for something that has more
6 or less been done or we have a good idea relative
7 to \$14 million. Thank you, Mr. Moderator.

8 THE MODERATOR: Mr. Chairman.

9 CHAIRMAN MURPHY: Thank you, Mr. Zweig and
10 that's exactly what we would do. We would put it
11 out to bid, meaning an RFP if in fact the voters
12 vote for it. So I agree with you.

13 We would not take a number out of the WTOP.
14 We would actually set up an RFP with legal
15 counsel helping us to do that and we would
16 actually get a firm number. Put it out to bid,
17 thank you.

18 THE MODERATOR: Okay, Mr. Netto.

19 MR. NETTO: Mike Netto, Precinct 9.

20 Mr. Moderator, strictly a procedural question
21 here. Let's say that this amendment passes and
22 the motion fails, or the amendment does not pass
23 and the motion then fails. Does Mr. - does
24 Chairman Murphy have an option to throw a third

1 card on the table? Can he throw a third motion
2 or perhaps if that one fails a fourth motion as
3 well?

4 THE MODERATOR: Procedurally he has the
5 opportunity. I don't know if he's got another
6 paper in his bag.

7 Mr. Murphy.

8 MR. NETTO: No, I'm not asking. I just said
9 strictly procedural.

10 THE MODERATOR: Strictly procedurally, until
11 we move to the next article.

12 MR. NETTO: Okay. Well, my point is this:
13 Mr. Donahue feels like he was - or that he's in
14 the process of haggling for a used car. I feel
15 like I'm at a poker game. And I'm horrible at
16 cards.

17 So at this point I've lost my trust in the
18 five Selectmen on the stage. And I'm wondering
19 if it's possible to go ahead and put on the
20 ballot without a debt exclusion question but
21 somehow verse a question on the ballot for
22 everybody in this Town and ask them what they
23 want to do.

24 Is it possible to put: Option A: take the

1 turbines down; Option B: buy the houses?

2 Selectman Putnam last night spoke about
3 insulating the houses for - I'm sure for sound
4 attenuation. But is it possible to just put the
5 - put a question on the ballot and let the
6 townspeople speak through their vote?

7 THE MODERATOR: Mr. Murphy or?

8 CHAIRMAN MURPHY: The Board of Selectmen is
9 in charge of the ballot. We could put anything
10 on the ballot. I don't think that that would be
11 productive because, as we discussed last night,
12 our job is to try to make a decision how to move
13 forward. Are we going to set up a referendum:
14 this got ten percent, that got 20, that one got
15 30 percent?

16 As we said last night, this either gets voted
17 up or voted down. If it gets voted down, the
18 Board of Selectmen and this community needs to go
19 back to work to find another solution to the
20 problem. This is the best solution that this
21 leadership, the Finance Committee, have thought
22 through and moved forward with.

23 I realize that a lot of folks here tonight
24 have not followed the process. As you heard some

1 folks who were on the WTOP, there were 24
2 meetings over a period of 28, 30 weeks that those
3 folks worked at it; we had members of the Board
4 of Selectmen at those meetings, and even before
5 that members of the Board of Selectmen have
6 looked at this issue for a long period of time.

7 Folks, I can tell you that my opinion today
8 was drastically changed by the WTOP process, the
9 public hearing process than it was before we
10 started all those.

11 And I -

12 MR. LATIMER: [No mic:] Point of order. Mr.
13 Moderator.

14 THE MODERATOR: Mr. Latimer.

15 MR. LATIMER: [No mic:] This is about the
16 main article. Stick to the amendment.

17 THE MODERATOR: Okay.

18 CHAIRMAN MURPHY: I'm just answering his
19 question that he asked me, Mr. Moderator.

20 THE MODERATOR: Okay.

21 MR. LATIMER: [No mic:] Well, his question
22 was not on the amendment.

23 THE MODERATOR: No, but the question was
24 whether or not they could place the thing on the

1 ballot and the Selectmen control the ballot.

2 MR. LATIMER: [No mic: inaudible.]

3 THE MODERATOR: So further discussion on
4 just the amendment portion? Mr. Donahue.

5 MR. DONAHUE: Mr. Moderator, I feel that
6 this amendment is totally deceiving and the
7 information that Mr. Duffy has given us, that the
8 Selectmen want to put something on the ballot,
9 either yea or nay, but don't want to tell the
10 general public that Mr. Murphy just said doesn't
11 pay attention to this stuff because we don't pay
12 attention, right, folks?

13 And - and, you're going to say do you want
14 to tear down or do you want to let them still run
15 but you're not going to tell them it's
16 \$14,176,000 it's going to cost them, plus what we
17 lost, the seven or eight million that's in
18 dispute that we lost from revenue or would
19 possibly revenue from the thing.

20 You know, it seems to me that this just isn't
21 fair. If you're gonna ask me to vote, if you're
22 gonna ask me my opinion on something - and that's
23 what I think a vote like this is - then I want
24 all the information in front of me. I don't

1 want you to just, you know, give me half or none
2 and ask me to make, yes, I want to do this or no
3 I don't want to do that.

4 I'm still voting no. As far as I'm
5 concerned, I'm voting no on the amendment as
6 well. Thank you.

7 THE MODERATOR: Okay, let's really tighten
8 up our conversation here around this amendment
9 because I've got a really long list to go back to
10 on the main motion. So let's really tighten up
11 whether or not you want to add Mr. Jones's
12 language to make the \$100,000 appropriation
13 contingent upon it, okay?

14 Ms. Funfar. Then Mr. Potamis.

15 MS. FUNFAR: I agree, this isn't fair. For
16 the neighbors, it's already been over three
17 years. Monday night -

18 Oh, Diane Funfar, Precinct 6.

19 Monday night you Town Meeting Members voted
20 unanimously for Article 7, which guarantees that
21 none of you will ever have an industrial wind
22 turbine in your neighborhood.

23 My question is how is it -

24 THE MODERATOR: Ms. Funfar, we're on the

1 amendment. I can add you to the list on the main
2 motion, but do you have comments related to
3 making the \$100,000 contingent on the ballot
4 vote? That's all we're going to discuss until
5 we dispense, but I'll put you on the list, Ms.
6 Funfar. Okay.

7 Mr. Potamis, on the amendment.

8 MR. POTAMIS: Gerry Potamis, Precinct 2.

9 I think this is pretty simple. We have to
10 vote the \$100,000 because it's a clarifying
11 procedure. We asked for the clarifying
12 procedure. I trust that the Selectmen were going
13 to do exactly what the amendment said, was they
14 weren't going to spend the 100,000 if the town
15 decided against taking them down.

16 We talked about social issues and civility,
17 but tonight we're tearing apart our leadership,
18 we're tearing apart ourselves, and the one reason
19 we're doing it is three-fourths of my fellow
20 citizen-legislators have not done their homework,
21 they have not listened to the Selectmen meetings
22 and they have not followed the WOPT process.

23 I think we have to vote yes on this because
24 this is due process. The state legislature

1 doesn't allow us to put certain things on the
2 ballot that maybe I would like to see on the
3 ballot, but we're a nation of laws. I think we
4 have to vote yes. We will never study our way
5 out of this problem.

6 [Applause.]

7 MR. POTAMIS: And I'll address Mr. Clark's
8 issue. But we can get some information. I
9 think we need to vote yes on this ballot
10 question.

11 THE MODERATOR: Okay, on the amendment. Mr.
12 Allegro.

13 MR. ALLEGRO: I'll save mine until later.

14 THE MODERATOR: Okay. There was a gentleman
15 in the way far back.

16 FROM THE FLOOR: [No mic:] No [inaudible].

17 THE MODERATOR: You're on the other one,
18 okay.

19 Ms. Lowell, on the amendment?

20 MS. LOWELL: [No mic:] I'm okay.

21 THE MODERATOR: You're all set. Any
22 further discussion on the amendment?

23 Hearing none, the question will then come on
24 the amendment to add the language that they don't

1 spend the \$100,000 from Certified Free Cash until
2 after a positive vote on the ballot.

3 All those in favor of the amendment signify
4 by saying aye.

5 [Aye.]

6 THE MODERATOR: All those opposed, no.

7 [No.]

8 THE MODERATOR: The ayes have it by a
9 majority and we're back to the list of the main
10 motion as amended. Next on my list --

11 MR. RHODES: Mr. Moderator.

12 THE MODERATOR: - was Mr. Schmidt. Did
13 you - yeah, you were on the -

14 Yes, Mr. Rhodes, you got a point of order?

15 MR. RHODES: Scoba Rhodes, Precinct 8.

16 I hope I'm not out of order. We debated for
17 an hour and a half last night. We debated an
18 hour tonight on the same article. I move the
19 question.

20 THE MODERATOR: Okay, a point of order to
21 take you out of turn of a speaking list doesn't
22 allow you to move the question. So I could add
23 you on my list, and after about 18 people on this
24 list, you can move the question.

1 So, Mr. Schmidt.

2 MR. SCHMIDT: Yes, Edward Schmidt, Precinct
3 8. I have to take a deep breath when I stand
4 here; I ask you all to do the same, because I'm
5 going to be talking about something and putting
6 something out here which you haven't heard
7 before. Something totally new and different.

8 I think I build a little bit around what
9 Peter Clark had to say. It was a perfect setup,
10 if you will. Well, he is much more eloquent than
11 I will be.

12 But Peter was trying to bring down the tone,
13 I guess, and calm everybody down a little bit,
14 try and look for some areas where we can find
15 some kind of agreement. And maybe consensus.

16 Because what I want to do is talk about
17 consensus. There was a Consensus Building
18 Institute that led the whole WTOP process, and I
19 think when it was done the woman who - the young
20 lady actually made the statement that she didn't
21 think from the beginning it was going to be
22 possible. But I think maybe it is possible.

23 I'd like to share an idea with you. I think
24 there's a way of achieving consensus that will

1 make all the Town Meeting Members happy and
2 importantly something where we might be able to
3 get the agreement from the good folks on -
4 particularly those on Blacksmith Shop Road who
5 have been impacted by this situation.

6 Some of those folks know that I've been
7 sending them emails back and forth trying to look
8 for resolutions. Well, at four o'clock this
9 afternoon I had my ah-ha moment, and my blood
10 pressure shot up and it's still up there.

11 As I started looking at the WTOP report,
12 Section 4.7 has to do with turbine relocation
13 data. And there are a couple of P elements.
14 That's only a one page summary. It was a - the
15 whole WTOP report, it was a summary report that
16 I'm talking about.

17 So one page was all that was devoted to
18 treating the idea of relocating the turbines.

19 And the net of all the discussions, I guess,
20 by that committee, and that met for 24 meetings,
21 was a real focus on moving the turbines to the
22 Crane Wildlife Center and no other locations were
23 mentioned.

24 They did set some criteria. One was a 2500

1 foot setback, which is twice the setback, I
2 believe, of the current position of Wind I
3 relative to the closest homes on Blacksmith Shop
4 Road, and I confirmed that this afternoon looking
5 at Google Earth that I figured out how to use.

6 I guess to get to the real point real
7 quickly, when I went onto Google Earth I - I -
8 you can put a little spot on a particular
9 location. I put the spot right on the location
10 of the Wind I wind turbine, and you can do a
11 little function on Google Earth which says it's
12 about drawing a line, drawing a map and whatnot.
13 Well, I did the - I made the operation and I drew
14 a line from that turbine and I drew it as it
15 turned out it was 51 degrees by the compass.
16 That's a little bit east of northeast. It goes
17 from where Wind I is off in the direction of the
18 Social Security Center.

19 The Social Security Center actually seems to
20 be quite a good distance away from Wind I. But
21 what I found on that 51 degree movement from the
22 current location of Wind I is you can go an
23 additional 440 yards, one-quarter of a mile,
24 north and east, that's moving away from

1 Blacksmith Shop Road, and the spot you find when
2 you get there is the northeast corner of one of
3 those three settling ponds of the waste
4 management treatment itself.

5 So I'm saying you can move these turbines -
6 I'm just addressing Wind I - you can move it 440
7 yards, not feet, and you're still on our Town
8 property over there where the treatment center is
9 located.

10 Now, the Weston and Sampson did an analysis
11 of the course of moving turbines. I don't know
12 what they based it on. Maybe it was based upon
13 moving the turbines to the Crane Wildlife Center
14 - which incidentally doesn't work out because of
15 FAA requirements and people on the house living
16 nearby - people on the base living nearby.

17 But Weston and Sampson indicated that they
18 could be moved for \$4.4 million and it says here
19 in the WTO report that, quote, "WTO have
20 generally agreed with this as a ballpark amount."

21 And it also indicates here the WTO report on
22 moving turbines the criteria was a 2500 foot
23 setback, and what I'm saying now is this is
24 easily achieved, that 2500 foot setback.

1 It gives the turbines, it gives the people on
2 Blacksmith Shop road an extra one-quarter of a
3 mile, 440 yards, separation from the turbine.
4 And I have an idea that that pretty much should
5 pretty much take care of all of the problems and
6 I guess I'm getting out here to say that I don't
7 expect you to bless the idea tonight, but it's
8 one more reason we need to dig into some of the
9 alternatives much more deeply than we have, and
10 for that reason we should not approve this
11 article tonight, we should ask people who've
12 worked on this to go back to the drawing board,
13 and I'm even willing to get involved and put my
14 time in, but not for 24 meetings.

15 But I think we need to move quickly,
16 investigate the alternatives, come up with
17 numbers to attach to all the alternatives and you
18 haven't seen them, despite all of the comments
19 we've had tonight. Put some numbers to them, and
20 get back here in the fall. No later. Get back.
21 We've got to move fast. This has gone on long
22 enough. Come back here in the fall, everybody
23 having all of the information they need to make
24 the best decision we possibly can. Thank you

1 very much.

2 [Applause.]

3 THE MODERATOR: Okay.

4 Mr. Chairman and then Ms. Taylor.

5 CHAIRMAN MURPHY: That was great idea, but
6 the only problem was we voted last night a wind
7 turbine bylaw that would eliminate these turbines
8 moving ten feet. We would have to move them, and
9 once you move them, we would be under a different
10 permit process and in fact we could not move
11 them.

12 So, these things have all been thought
13 through by this Board. And, incidentally, more
14 study? The \$392,000 that was spent by the Clean
15 Energy Group was for the consultants to come up
16 with those hard numbers to begin with in the
17 WTOP. A portion granted was for the
18 facilitator, but most of the rest was for
19 professional guidance and engineering.

20 So, I mean, as people say, we can continue to
21 study this, folks. Sooner or later you have to
22 fish or cut bait. Sooner or later we have to put
23 it to the voters.

24 We can continue to stall this and one thing

1 we did find out in the WTOP process: we surely
2 were hoping for it, but not everybody is gonna
3 agree on one solution. Thank you.

4 THE MODERATOR: Ms. Taylor.

5 MS. TAYLOR: Unlike - Julia Taylor, Precinct
6 6.

7 Unlike last night, I think I'm the first
8 person to speak in favor of this motion other
9 than the Selectmen. Which I don't like to be,
10 but I will.

11 The Selectmen voted for the turbines, to put
12 them up. And Town Meeting voted to put up the
13 turbines. And we're not to blame for what
14 happened but we definitely have to take the
15 responsibility for what happened and we have to
16 take the responsibility of solving the problem.

17 I'm sure the Selectmen see absolutely no
18 political advantage in proposing that we spend
19 \$14 million on dismantling the turbines. They're
20 only doing it because they take that political
21 responsibility and that moral responsibility very
22 seriously. And I commend them for doing so.

23 Yes, the town has to vote it at the ballot,
24 but we, Town Meeting Members, have to take our

1 responsibility very seriously and we can't just
2 let this go to the ballot and let it fall as it
3 may, especially since those ballot questions
4 don't have the money on there.

5 The Selectmen searched their conscience and
6 they did their homework, and this is what they've
7 proposed. If I search my conscience, much as I
8 don't want to spend the money, I have to vote
9 yes.

10 THE MODERATOR: Okay, Mr. Hampson. And
11 then Mr. Zweig.

12 MR. HAMPSON: George Hampson, Precinct 5.

13 I just wanted to have a positive bit of
14 information about moving wind turbines.

15 I saw the one, I think it was probably Wind
16 II that, in the middle of the night I saw it
17 coming along the highway. It's incredibly
18 complex. I think that in order to get this
19 started, you could simply call one of the
20 companies to find out if they could investigate
21 it without spending any money.

22 I also saw the one in Fairhaven on the move.
23 It was unbelievable what they did.

24 So, you don't have a long list of people that

1 do this. These people are very, very, very well-
2 qualified and what they do is very limited as far
3 as numbers of people. So, I think you could get
4 that number without spending any money. That's
5 what I would do. Thank you.

6 THE MODERATOR: Okay, Mr. Zweig.

7 MR. ZWEIG: Thanks again, Mr. Moderator.
8 Ron Zweig, Precinct 1.

9 I just was once again going to read a little
10 section here. In terms of the point about
11 relocation, there's an exemption clause in your
12 books under Article 7. And that exemption says:
13 Any wind energy system in existence as of the
14 effective date of this article shall be
15 considered conforming and may apply for a special
16 permit under this article to alter, modify,
17 relocate or otherwise make improvements
18 consistent with this article.

19 So, just as a point of clarification on that
20 point.

21 What I came really to speak out, though,
22 concerns basically my comment is framed in the
23 context of Selectman Murphy's point last evening
24 about looking forward and moving forward. And

1 Mr. Latimer's point on applicable Constitutional
2 statutes to this whole issue that we're facing.

3 But first, look around this room. This
4 August body could make a decision that would
5 affect Falmouth for the next 18 years, or
6 essentially for a generation, at a cost of
7 between 1.2 to 1.3 million dollars a year, for
8 nothing.

9 That is, with no benefit to the Town if the
10 turbines are dismantled. This will impact us as
11 grandparents, parents, grandchildren, including
12 our nine year old - our nine year old
13 granddaughter and potentially our great-
14 grandchildren. For my family, three generations
15 live in Falmouth. Perhaps some of you already
16 have great-grandchildren here, making it four
17 generations. It will not only affect current but
18 also future homeowners and renters.

19 Last night the Moderator made a request on
20 behalf of the Service Center to donate canned
21 goods tonight, but now try to imagine what the
22 lobby could look like if twice a year at the time
23 of these meetings it was filled with 500 to
24 600,000 dollars worth of canned goods, medical

1 supplies, school books and other goods for
2 financial disadvantaged in our community. That's
3 where the money could possibly go.

4 Likely 1.2 to 1.3 million dollars of
5 charitable giving within our community could be
6 lost each year for the next 18 years if the
7 turbines are dismantled.

8 Now I come to my question. Through the
9 Moderator, and with his permission, I would like
10 to ask Mr. Suso a question. Wait a minute.

11 [Pause.]

12 MR. ZWEIG: Okay. But first -

13 [Laughter.]

14 MR. ZWEIG: But first, using this past few
15 moments of quiet, the highest sound level
16 measured at this podium was about 50 dBA. Fifty
17 dBA is what you're hearing. That's 50 dBA. The
18 dBA range is what can be heard by the human ear.
19 As a comparison, the sound of peepers at my
20 bedroom window last night varied between 55 to 65
21 dBA. Again, using this device. They live around
22 a vernal pool about several feet from - well,
23 about 100 feet from my window. Of course, they
24 only peep at night. Can I sleep at night? And

1 not all year-round, as we know.

2 So, it's interim. It's not all the time. I
3 don't know what the infra sound coming from them
4 is, but I know what the dBA is.

5 Regarding the turbine sound, the town
6 received a May, 2012 report from the state's
7 Department of Environmental Protection that shows
8 that in four instances the outdoor sound level at
9 one residence across from the wastewater
10 treatment plant was in exceedance of the 10
11 decibel limit above ambient. The highest
12 exceedance was 1.9 dBA. 1.9 dBA. That's 50 dBA
13 above the limit with the total measured level -
14 total level, the highest point, the highest
15 measurement at that point was 40.9 dBA from the
16 report. 40.9 outside.

17 The 50 dBA we're listening to inside is - is
18 what we're witnessing.

19 My question to Mr. Suso is this: has the DEP
20 or any other state agency sent a complaint or
21 citation to Falmouth that our municipal turbines
22 were in violation of state laws with regard to
23 noise or any other factor?

24 THE MODERATOR: Mr. Suso.

1 MR. SUSO: If I understand the question, Mr.
2 Moderator, we have not received any notice of
3 violation.

4 We received a report from the DEP that
5 indicated that at one location there - an
6 exceedance was noted based on their testing but
7 it resulted in no notice of violation.

8 MR. ZWEIG: Thank you, Mr. Suso.

9 Based on the above points and looking to this
10 body's responsibilities, please vote no on this
11 ad hoc motion to pursue the most costly by far of
12 all the options to mitigate any wind turbine
13 impacts as reported by Ms. Harper to the Board of
14 Selectmen on January 30th or as found in the final
15 January, 2013 WTOP report. Thank you.

16 THE MODERATOR: Okay, Mr. Dufresne.

17 MR. DUFRESNE: [No mic:] I'd like to call the
18 question.

19 THE MODERATOR: Call the question?

20 Mr. Dufresne is moving the previous question
21 to close discussion. It requires a two-thirds.
22 All those in favor of closing discussion signify
23 by saying aye.

24 [Aye.]

1 THE MODERATOR: All those opposed no.
2 [No.]

3 THE MODERATOR: The opinion of the chair is
4 that the ayes have it by two-thirds and the
5 question is closed.

6 The question will now come on the main motion
7 as amended. It's what was in the overhead slide
8 and we had the \$100,000 appropriation contingent
9 upon the positive ballot vote.

10 All those in favor of the main motion as
11 amended signify by standing and the tellers will
12 return a count.

13 [Pause.]

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

16 MR. SELLERS: 24.

17 THE MODERATOR: 24.

18 In the third division, Mr. Hampson.

19 MR. HAMPSON: 37.

20 THE MODERATOR: 37.

21 In the second division, Mr. Dufresne.

22 MR. DUFRESNE: 49.

23 THE MODERATOR: 49.

24 All those opposed signify by standing and the

1 tellers will return a count.

2 [Pause.]

3 THE MODERATOR: In the first division, Mr.
4 Sellers.

5 MR. SELLERS: 24.

6 THE MODERATOR: 24.

7 In the third division.

8 MR. HAMPSON: 28.

9 THE MODERATOR: 28.

10 In the second division.

11 MR. DUFRESNE: 39.

12 THE MODERATOR: 39.

13 By a counted vote of 110 in favor and 91
14 opposed, the majority passes.

15 [Applause.]

16 THE MODERATOR: Article 23. Mr. Chairman of
17 the Board of Selectmen for a main motion.

18 Mr. Chairman of the Board of Selectmen for
19 the main motion on Article 23.

20 CHAIRMAN MURPHY: Yes, Mr. Moderator. I
21 recommend that the Town vote to transfer from the
22 Certified Free Cash \$140,000 from the Operating
23 Budget deficit resulting from the shutdown of
24 Wind I and Wind II, said sum to be expended under

1 the jurisdiction of the Board of Selectmen.

2 THE MODERATOR: Okay, so Article 23, the
3 main motion is as recommended.

4 Discussion on Article 23?

5 Mr. Potamis.

6 MR. POTAMIS: Gerry Potamis, Precinct 2.
7 Yeah. It's been a long night. And I'm also the
8 Wastewater Superintendent.

9 I think we have to pass this. I think it was
10 explained beforehand, and please correct me
11 right, that this money will only be used if we
12 don't have money to operate the wastewater
13 treatment plant or pay the wastewater treatment
14 plant electricity bill.

15 We can't afford not to do it. By law, I
16 can't shut this thing down, so I think this is
17 just good government to say, if needed, the
18 Selectmen will use this money to continue
19 operation of the electrical bills at the
20 wastewater treatment plant. Is that correct?
21 Someone.

22 THE MODERATOR: Mr. Chairman.

23 CHAIRMAN MURPHY: I think that's best served
24 from the Finance Committee and from -

1 THE MODERATOR: Ms. Petit. Or Madame
2 Chairman, who ever wants.

3 CHAIRMAN MAGNANI: [No mic:] It's in the
4 explanation. If you will notice -

5 FROM THE FLOOR: Can't hear you, can't hear
6 you.

7 CHAIRMAN MAGNANI: Sorry about that. It's
8 in the explanation. The funds requested will
9 provide for two months of energy costs for Fiscal
10 Year 2013 and the projected Fiscal Year 2014
11 energy needs for the wastewater treatment plant
12 if the wind turbines are shut down and no longer
13 provide energy to meet the demand of the
14 wastewater treatment facility.

15 THE MODERATOR: Okay. Mr. Latimer.

16 MR. LATIMER: Richard Latimer, Precinct 2.
17 All I can said is, "Whew, already, like that,
18 it's cost us a hundred and forty grand." For
19 the folly of spending \$14 million to get nothing
20 back for it, just a waste of the money we've
21 already spent and already, just like that, it's
22 going to cost us \$140,000.

23 I would hope that anybody listening here in
24 the voting public understands what we're doing

1 here come May. Thank you.

2 THE MODERATOR: Okay. Mr. Netto.

3 MR. NETTO: Joe Netto, Precinct 9.

4 Again, confusion. This is a Special Town
5 Meeting which should, as Ms. Magnani started to
6 say, cover the costs for the next typically two
7 months.

8 How come as of July 1st, 2013, the start of FY
9 2014, we haven't covered the operational costs of
10 the electricity for the wastewater plant? I
11 can't understand how come the costs weren't built
12 into the Operating Budget -

13 THE MODERATOR: I think it's the time frame.
14 That they hadn't made this decision until after
15 the budget had left the station.

16 MR. NETTO: Well, we knew, but we kind of
17 knew that this was going to happen, that these
18 turbines weren't going to be operating.

19 No, please. You can shake your head no,
20 please. Because it's always better to
21 appropriate money and not spend it than to do it
22 the other way around. I'd have no problem with
23 the article and of course we're not going to vote
24 against it, but let's just see what's happening

1 here, folks. Watch the process. This is a
2 Special Town Meeting. The money that we -
3 anything we pass on a Special is available
4 tomorrow morning and it's supposed to only cover
5 the operating expenses that end June 30th. That's
6 why it's a Special.

7 THE MODERATOR: Actually, Mr. Netto, the
8 Annual Town Meeting can also appropriate funds
9 within the current fiscal year.

10 MR. NETTO: Okay. We've never done that as
11 long as - okay. I'm not going to challenge on
12 that one, fine, but I thought that was the
13 purpose of the Special.

14 THE MODERATOR: No.

15 MR. NETTO: Thank you.

16 THE MODERATOR: Madame Chairman.

17 CHAIRMAN MAGNANI: Mr. Netto, we start the
18 budget in October.

19 THE MODERATOR: Okay, further discussion on
20 Article 23? Hearing none, then the question will
21 come on the main motion as recommended. All
22 those in favor, signify by saying aye.

23 [Aye.]

24 THE MODERATOR: All those opposed no.

1 [No.]

2 THE MODERATOR: The ayes have it by a
3 majority.

4 Article 24, Madame Chairman.

5 CHAIRMAN MAGNANI: Mr. Moderator, I move the
6 Town vote that all articles considered in this
7 Town Meeting be funded as voted for a total of
8 \$2,221,153 and that the Board of Selectmen be
9 requested to place questions on the May, 2013
10 Annual Town Election ballot as voted in Article
11 22.

12 THE MODERATOR: Okay, you've all heard the
13 main motion to fund what we did in the special.
14 All those in favor, signify by saying aye.

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [No.]

18 THE MODERATOR: The ayes have it by a 2/3rds
19 majority and I so declare.

20 Madame Chairman.

21 CHAIRMAN MAGNANI: Mr. Moderator, ladies and
22 gentlemen, I move the April, 2013 Special Town
23 Meeting be closed.

24 THE MODERATOR: Okay, you've all heard the

1 main motion to close the Special Town Meeting.

2 All those in favor, signify by saying aye.

3 [Aye.]

4 THE MODERATOR: All those opposed no.

5 [None opposed.]

6 THE MODERATOR: The ayes have it unanimous
7 and the meeting is closed.

8 At this time would all Town Meeting Members
9 present please rise for the establishment of a
10 quorum for the Annual Town Meeting and the
11 tellers will return a count.

12 [Pause.]

13 MR. SELLERS: 51.

14 THE MODERATOR: 51.

15 In the third division Mr. Hampson.

16 MR. HAMPSON: 65.

17 THE MODERATOR: 65.

18 In the second division, Mr. Dufresne.

19 MR. DUFRESNE: 94.

20 THE MODERATOR: 94.

21 By a counted vote of 210 we have a quorum and
22 I call the Annual Town Meeting back into session.

23 Madame Chairman.

24 CHAIRMAN MAGNANI: Mr. Chairman, I move

1 reconsideration of Article 23.

2 THE MODERATOR: We have a motion to
3 reconsider Article 23, which is the operating
4 budget. Do we have new information?

5 CHAIRMAN MAGNANI: I move -

6 THE MODERATOR: We have new information?
7 Just -

8 CHAIRMAN MAGNANI: Yes, we do have new
9 information.

10 THE MODERATOR: Okay.

11 CHAIRMAN MAGNANI: We would like to change
12 the bottom line of the Operating Budget.

13 THE MODERATOR: Okay, so we had an error in
14 the final number of the budget so the purpose of
15 reconsideration is to open it up and fix the
16 final total.

17 All those in favor of reconsideration signify
18 by saying aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [None opposed.]

22 THE MODERATOR: The ayes have it unanimous.
23 Madame Chairman.

24 CHAIRMAN MAGNANI: I move the budget be

1 voted in the amount of \$112,645,739.

2 THE MODERATOR: Okay, \$112,645,739. Any
3 discussion? Hearing none, the question will come
4 on the main motion. All those in favor, signify
5 by saying aye.

6 [Aye.]

7 THE MODERATOR: All those opposed no.

8 [None opposed.]

9 THE MODERATOR: The ayes have it unanimous.
10 Article 24. Madame Chairman for a main mot
11 ion
12 .

13 CHAIRMAN MAGNANI: Mr. Chairman, I move
14 Article 24 as recommended.

15 THE MODERATOR: Okay, Article 24 as
16 recommended. This is the sum of \$5,600,000
17 appropriated to pay the cost of design,
18 construction and any other costs related to the
19 implementation of the Town's Comprehensive
20 Wastewater Management Plan and authorized
21 borrowing under Chapter 44, Section 71 of the
22 General Laws.

23 Discussion on Article 24.

24 Mr. Turkington.

1 MR. TURKINGTON: Mr. Moderator, with your
2 permission a couple members of the Water Quality
3 Management Committee who have particular
4 expertise in this matter are with me, as well as
5 is Sia Karplus, who is our staff person, as well
6 as Amy Lowell, who - at the Wastewater
7 Department. If we may be heard on this matter.

8 Is there a pointer available? Thank you.

9 Eric Turkington, Precinct 1 and the Chairman
10 of the Water Quality Management Committee, and
11 we're here to speak on Article 24, which is one
12 of the largest investments that this Town has
13 ever been asked to make. It's a major project,
14 it's a very complicated project, and we will
15 present as much as we can and take as many
16 questions as we can.

17 Let me start by telling you the three
18 elements in this article are the Lower Little
19 Pond Project, the Bourne's Pond inlet widening,
20 and treatment plant upgrades. Most of it is
21 design and permitting, with the exception of one
22 part of the treatment plant upgrading.

23 Okay. To begin with, the purpose of this
24 committee and the purpose of this article is to

1 protect the most valuable resource this Town has,
2 and that's its water bodies. Megansett Harbor,
3 Fiddler's Cove, Rand's Canal, Wild Harbor, West
4 Falmouth Harbor, Quissett Harbor, Oyster Pond,
5 Salt Pond, Falmouth Harbor, Little Pond, Great
6 Pond, Green Pond, Bournes Pond, Eel Pond, Waquoit
7 Bay, this town has more estuaries than any other
8 town in Massachusetts. They are the focal point
9 of our community's recreation for fishing, for
10 boating, for shell fishing. They are a huge
11 contributor to all of our property values;
12 whether you're waterfront, water view or just
13 live in the Town of Falmouth, your value is
14 enhance enormously by the existence and the use
15 of these estuaries.

16 The estuaries are in terrible trouble. And
17 we all know why. The main cause of their rapid
18 deterioration these last couple of decades:
19 excess nitrogen. And most of it, we know where
20 it comes from. It comes from the massive
21 development that has brought this town from 3500
22 to 30,000. We've put in roads, we've put in
23 houses, we've put in parking lots, we've put in
24 malls on top of cranberry bogs. We have done

1 everything you can to add to the nitrogen load
2 that rolls into every one of these estuaries.

3 And 75 percent of that nitrogen, we know
4 where it comes from. It comes from septic
5 systems in our back yards.

6 Falmouth Comprehensive Wastewater Management
7 Plan has been a work in progress for at least
8 four years. It has three basic simple elements.
9 Element number one is to pursue demonstration
10 projects. And you all remember we were here at
11 the last Town Meeting and we went through each
12 one of them and told you the progress of how
13 they've been going. This town is leading the
14 state, and in many ways leading the country, in
15 examining demonstration projects, alternatives to
16 sewerage. Not just examining them by hiring a
17 consultant, but examining them by putting them
18 into the water, into the ground, into wherever we
19 need to put them to see what works.

20 The second element in this town's
21 Comprehensive Wastewater Management Plan is to
22 sewer as little as possible. That is a radical
23 proposal to the state and federal agencies that
24 are overseeing this. Most towns just come in and

1 say, "We're going to sewer everything and we're
2 going to do it over the next so many years and
3 it's going to cost a lot of money and that's the
4 way it is." Falmouth didn't say that. Falmouth
5 said, "We want to sewer as little as possible and
6 pursue demonstration projects in the hopes that
7 they will obviate or reduce the need for
8 sewerage."

9 The third piece that this Town is doing that
10 is different than other towns is we're not
11 putting a schedule out of when we do the
12 projects. We're putting a schedule out of when
13 we can afford to do the projects with no tax rate
14 increase. Those are the three elements in this
15 Comprehensive Wastewater Plan.

16 Who approved these three elements and who
17 approved this plan? Well, for starters, you did.
18 Two years ago we came to you with a plan that had
19 these three elements. You voted unanimously to
20 approve \$2.7 million to pursue sewer design and
21 alternatives.

22 The voters accepted your offer on the May
23 ballot in that year by a two to one margin in
24 every precinct. The voters of this town said,

1 "Yes. We want to do those things."

2 The Water Quality Management did. A
3 unanimous vote of this committee in July on the
4 Draft Comprehensive Wastewater Management Plan
5 with those three elements.

6 The Board of Selectmen did. A unanimous vote
7 in August of 2012, to approve and to send to the
8 state that Draft Comprehensive Wastewater
9 Management Plan.

10 And when it got to the state, the Executive
11 Office of Energy and Environmental Affairs did.
12 They looked at this proposal - this radical
13 proposal, compared to everything they'd received
14 from anybody else - and they said it was
15 adequate. "Adequate" in their bureaucratese
16 means, "This is okay". You know, they had 225
17 questions to ask, which we expected, but they
18 said it was adequate.

19 Now, there's been some confusion, and I don't
20 blame anybody for being confused over the last
21 half a dozen years, because there's been plan
22 after plan after plan. So let me just lay out
23 to get everybody's memory back on the same page.

24 You see that red big circle? That was the

1 \$600 million plan that was put out in the year
2 2009. I think we all remember that one because
3 we all fell out of our chairs when we read about
4 it. But the reason it was that price tag, that
5 600 million, is because it basically said we need
6 to sewer everything south of Route 28 and a whole
7 lot of things north of Route 28.

8 Okay. That plan was wisely rejected by the
9 Board of Selectmen and they appointed a review
10 committee and the review committee undertook for
11 the next two years to look at every piece of this
12 and come up with a different plan. And they did.

13 What you see in the yellow circle is what the
14 review committee came up with two years later.
15 They said, "We're not going to be sewerage North
16 of 28. We're not going to be sewerage all the
17 way over to Waquoit Bay. We're going to be
18 sewerage less and less," and for the first time
19 alternatives were put into the mix. The review
20 committee said, "We're going to do alternatives.
21 We're going to slater them, we're going to put
22 them in place in the hopes that they will reduce
23 the amount of sewerage we have to do." But that
24 plan came to about \$320 million.

1 The third plan, which is the one that you and
2 we and the Selectmen and the state have all had a
3 look at, now, is the one we're talking about
4 tonight. It only talks about sewerage one area
5 of this Town, the Little Pond Lower Watershed,
6 okay? That is a \$45 million sewerage plan and
7 it also includes a whole lot of alternatives
8 being put into place and being put into practice.

9 But, but, in terms of the sewerage element,
10 the big red circle is what you woulda had four
11 years ago. The yellow circle is what you woulda
12 had two years ago. The white circle is what
13 you're being asked to look at today.

14 So the question comes, then, why is that
15 Little Pond area the one that was chosen to be
16 done? Okay, you can see in the plan, there,
17 it's basically Maravista Avenue south. It's the
18 Maravista peninsula and it's the eastern portion
19 of Falmouth Heights and it's the Falmouth Mall
20 and the commercial area right along 28, the
21 Admiralty and that area.

22 Why was that area chosen? Well, reason
23 number one: Little Pond is the most degraded. Of
24 all of our 15 estuaries, Little Pond is in the

1 worst shape. Fish kills, smells. Andy's
2 sitting here smiling. He lives there; he knows.
3 That pond is in rough, rough shape. Naturally,
4 because it's surrounded by the most densely
5 developed, near-built-out part of town. We have
6 hundreds of very, very small lots, some 5,000
7 square feet or less. Many of them - most of
8 them, I would say, still have cesspools. Many of
9 them cannot meet Title V. If you had to pick
10 one part of town that needed sewerage, that would
11 be - everybody would tell you that would be the
12 one.

13 And 30 years ago, 35 years ago, this Town
14 recognized it, even then. Even before they knew
15 about the nitrogen and where it was going and
16 what it was doing, this Town, when it built the
17 sewer system we have today, designed it to
18 include sewerage this area as well. And so all
19 of the existing pipes that run down Main Street,
20 that run up Jones Road, that run to the plant,
21 all of those, all the pumps stations along the
22 way, the sewer plant that's up in West Falmouth,
23 it was all designed to accept this quantity of
24 septage that would come out of this neighborhood.

1 They were planning, from day one, to have this be
2 part of the total plan.

3 Consequently, if you had to pick this area to
4 sewer, it is the most cost effective area to
5 sewer. The houses are close together. You don't
6 have to spend much on the piping to take it
7 someplace. You've already got a plant that can
8 take it. The plant capacity is way more than it
9 needs to take this amount.

10 So, for all these reasons, that's why the
11 Little Pond area, and only the Little Pond area,
12 is in this plan.

13 Some people will say, "Well, Little Pond
14 could be restored without sewerage." The answer
15 is no.

16 Shellfish, which we have one of the world's
17 experts on shellfish here, who gets very excited
18 about the prospect of shellfish being an answer -
19 we all get very excited about the prospect of
20 shellfish being an answer. It is a long-term
21 nitrogen reduction strategy which has been
22 untested anywhere in this country for this
23 purpose. Unapproved anywhere in this country for
24 this purpose. And, as many of you may have

1 noticed, we're having a little trouble getting it
2 approved at the Falmouth Conservation Commission.

3 So, it's got a long way to go before this
4 will be acceptable as a substitute means for
5 nitrogen removal.

6 And the opening at Little Pond was another
7 idea that people said, "Well, why didn't you open
8 that particular inlet?" Well, we got a lot of
9 flak from people who live there who are concerned
10 about erosion of their waterfront, and it happens
11 to be a very narrow, very shallow kind of pond at
12 the entrance. So, even if you doubled the inlet
13 opening and you did some dredging, it would only
14 remove 9% of the nitrogen. We've actually
15 explored it to that extent of having the
16 engineers put a number on it. Nine percent.

17 Another idea that's been floated out there:
18 permeable reactive barriers. We think it's a
19 good idea, we're going to try it someplace.
20 Maravista is not the place because you need a
21 long stretch of publicly-owned waterfront to put
22 in a permeable reactive barrier.

23 Many people have been excited, as we have, at
24 the prospect that eco-toilets might have a role

1 in the future. Eco-toilets have problems.
2 Homeowner acceptance is one. Retrofitting houses
3 is very complicated and very expensive. The
4 technology is in its infancy. In fact, they will
5 tell you: the only place in Massachusetts where
6 these can be installed in a - by the state
7 plumbing board is Falmouth because this committee
8 and Sia Karplus went to the state plumbing board
9 and persuaded them that this was something worth
10 doing, we wanted to do it in Falmouth, we're
11 going to do it in Falmouth. But it's still very
12 much in its infancy.

13 Every estuary is different in this town, all
14 of them. If these demonstration projects
15 prove successful, many of these estuaries we hope
16 can be restored without sewerage. Little Pond is
17 not one of them.

18 Those are the dead fish from last summer in
19 Little Pond. Little Pond needs to be sewerage.

20 Coming to Town Meeting and trying to persuade
21 people to do sewerage is a less than rewarding
22 activity and always has been. In 1929, some
23 hardy soul came here and said, "We would like to
24 build a sewer and it would only cost you

1 \$65,000", and the town said no.

2 In 1933, they came in with a little higher
3 cost, it was \$88,000 that year, and the town said
4 no. In 1938, the federal government came in;
5 they were going to give us half the money in a
6 grant and an interest free loan: no, the Town
7 didn't want that.

8 1947, we bit the bullet. Woods Hole was
9 literally sinking in its own septage. Everybody
10 was on a cesspool back then in Woods Hole. They
11 actually came to the point of spending money.
12 They actually build a sewer in Woods Hole for
13 \$168,625. After that, we reverted back to our
14 form. In 1957, the feds offered us a 30 percent
15 grant for a half a million dollar project and the
16 town said no, nope.

17 1979, after many, many, many studies and
18 diversionary tactics that many of you still
19 remember, we ended up, this town actually did a
20 project. And those were the good old days when
21 you could do a \$21 million project and the state
22 and the federal government paid 90 percent of it.
23 So it cost the town two and a half million
24 dollars. And that was the year that we built

1 the current system, it goes you know, to the bike
2 path, Woods Hole, Surf Drive, Main Street. That
3 was also the time when if we had done it, we
4 could have done this area. It would have cost us
5 \$3 million. No. We were done. We didn't want
6 any more sewerage. So that was 30 years ago.

7 Thirty years later, it's time to say yes.

8 There's two other parts to this proposal and
9 I'm going to just touch on them -

10 THE MODERATOR: Excuse me, Mr. Chairman.

11 MR. TURKINGTON: - [inaudible] - because
12 they're clearly not as -

13 THE MODERATOR: Mr. Chairman.

14 MR. TURKINGTON: - controversial.

15 THE MODERATOR: Sorry, just procedurally
16 we've hit the 15 minute presentation mark.

17 MR. TURKINGTON: Five more minutes.

18 THE MODERATOR: Five more minutes to
19 complete the presentation. All those in favor
20 of an additional five minutes, signify by saying
21 aye.

22 [Aye.]

23 THE MODERATOR: All those opposed no.

24 [No.]

1 THE MODERATOR: The ayes have it and you
2 have another five.

3 MR. Turkington: Okay. The two non -
4 hopefully non-controversial parts of this program
5 are the Bournes Pond inlet widening, opening the
6 channel from 50 feet to 90 feet. We need
7 \$300,000 by way of an appropriation to get the
8 design and permitting for that. That will bring
9 out from that pond the equivalent of reducing the
10 nitrogen from 350 houses. That's a very cost-
11 effective proposal.

12 The other piece is some upgrades at the
13 plant, flow measurement, something that's
14 required by the settlement agreement that we
15 signed with the state about the plant. These are
16 issues that Amy Lowell will be happy to discuss
17 if anybody wants to hear more about those.

18 Next. Now, if we don't do it now - if we
19 don't do this now, and I'm talking about at this
20 Town Meeting, we will move ahead with no design
21 and no permits, okay? What that means is we will
22 have no final approved CWMP, Comprehensive
23 Wastewater Management Plan, by December, which is
24 the date that this town has been ordered and

1 agreed to have a plan in place that's approved.

2 No design and no permits mean we will have no
3 construction option using the 2014 window of
4 opportunity. We'll talk about that a little bit
5 later. But if you don't have the design and you
6 don't have the permit, you can't build anything.
7 That also means we will no longer have the option
8 of being able to apply for revolving fund grants
9 from the state - loans, rather. Zero percent
10 loans or 2 percent loans, we won't be able to do
11 any of that.

12 But - but, now before we get to this. I want
13 to describe the larger picture. A lot of people
14 in this room are going to think, "Well, let's - I
15 can vote against this. You know, we've been
16 voting against it for a hundred years; we can
17 vote against it again." Well, if it were only
18 Falmouth that had an interest in this, they might
19 be right. They could go home, we could not do
20 it, life would go on. It is not only Falmouth
21 that has an interest in this.

22 As we speak and as we sit here tonight,
23 there's a pending lawsuit at the Federal District
24 Court in Boston brought by the Conservation Law

1 Foundation against the Environmental Protection
2 Agency. That lawsuit basically is asking the EPA
3 to say that the way they treat sewer plants in
4 terms of their regulation of them is the way they
5 should treat your back yard septic system. They
6 want to treat everybody's septic system in
7 everybody's back yard as a point source of
8 pollution. If you can imagine having the EPA in
9 charge of regulating your back yard septic
10 system, that is what that lawsuit would bring to
11 us.

12 This town and its Board of Selectmen were
13 smart enough and wise enough to engage Gregor
14 McGregor, one of the best environmental lawyers
15 in the state, to represent this town to try to
16 get us intervenor status in that case. Because
17 if it's just the EPA and just the Environmental
18 Law Foundation having a conversation, as they
19 say, if you're not at the table, you're on the
20 menu.

21 [Laughter.]

22 MR. TURKINGTON: We need to be at the table
23 and thanks to the Selectmen we're going to be at
24 the table. But that doesn't mean the

1 Conservation Law Foundation won't win. And if
2 they win, all bets are off. You will look back
3 at this plan and say, "Gee, we should have done
4 that."

5 And the other player, and this is the Cape
6 Cod Commission. They are getting funds for
7 studies, they are being ordered to do plans.
8 They are moving themselves into a situation of
9 being the regional entity that makes all these
10 decisions for the towns. If we have a plan in
11 place that we chose and that we agree with, we're
12 going to be all right. If we don't, the Cape Cod
13 Commission is going to start telling us where to
14 do and what we should do and how much it should
15 cost.

16 And, if you remember, their proposal, which
17 they have been talking about, for Cape Cod, is
18 from three to eight billion dollars. They're not
19 proposing to do this with oysters or with eco-
20 toilets. They're proposing sewerage a whole lot
21 more than this plan calls for, in our town and in
22 every town.

23 So the choices before you is not this plan or
24 nothing. Your choice is this plan or their plan,

1 and their plan is going to be the \$600 million
2 plan.

3 So how would we pay for this plan, the \$45
4 million plan? Well, here's some simple
5 arithmetic. Article 24 and Article 25 equals no
6 tax increase. No property tax increase. We will
7 hear from people who have an issue with that, but
8 it happens to be true. Because of very smart
9 planning by the Finance Committee and the
10 Selectmen and the Town Manager in the last few
11 years, we have built up a financial mechanism to
12 be able to free up a revenue stream that could
13 pay off bonds for this project, for the water
14 filtration plant, both of them, with no tax
15 increase. It is close to brilliant financial
16 planning. This Town is the only one I know of
17 except for Chatham, who has actually done it that
18 way.

19 But you have to do it now. If we don't have
20 the plans now, we can't borrow to do the building
21 next year. If you don't do this this year and
22 next year, the window of opportunity which Mr.
23 Boyer has popularized the phrase, but the window
24 that allows us to do this goes away. You use it

1 or you lose it. Now is the time to use it and
2 next year. If we don't use it in those two
3 times, it's over.

4 So, should we move ahead with this plan? The
5 Board of Selectmen says yes. The Finance
6 Committee says yes. The Board of Health says
7 yes. The Water Quality Management Committee says
8 yes. The Town Manager and the Finance Director
9 say yes. What we're asking you to do tonight is
10 give it a two-thirds vote and let the voters say
11 yes.

12 We're available for questions.

13 [Applause.]

14 THE MODERATOR: Okay. Okay, Article 24.

15 Mr. Donahue. Ms. Lichtenstein. Let's
16 actually do any questions for the committee
17 first, okay?

18 MR. DONAHUE: A couple questions, and one
19 that I've asked you numerous times and you've
20 always told me that if we sewer from Maravista
21 all the way over to Falmouth Harbor, including
22 the Heights, what would that entail we'd have to
23 do to the treatment plant in order to take care
24 of that extra capacity? And other than that, if

1 - could you answer that one question first?

2 MR. TURKINGTON: Yeah, Ms. Lowell would be
3 happy to do that, but yes, go ahead.

4 MS. LOWELL: Hi, I'm Amy Lowell, I'm the
5 Town's Assistant Wastewater Manager. Nothing has
6 to be done to the plant just to handle that
7 capacity. We are asking for funds under this
8 article for some upgrades to the plant that are
9 needed whether or not this additional flow comes,
10 but there is no additional effort that needs to
11 be made at the plant just because of this flow
12 coming in.

13 As Eric said, the plant was originally
14 designed with this area as a Phase 2 to be
15 incorporated.

16 MR. DONAHUE: I think - did you hear my
17 question? I think we're not talking on the same
18 -- I'm saying from Maravista all the way to
19 Falmouth Harbor, including the heights. There's
20 a section of that semi-circle that you had that
21 we're not doing the Heights -

22 MR. TURKINGTON: Right. Yeah.

23 MR. DONAHUE: - and my thing has always been
24 that the Heights, all those big houses up on the

1 top of that hill, are on postage size lots and
2 they don't have room for their septic system.

3 MR. Turkington: I understand your question.
4 Yes.

5 MR. DONAHUE: And this would be a time that
6 we could -

7 MR. TURKINGTON: Right.

8 MR. DONAHUE: - at least put the pipe down
9 the street and if the capacity of the plant can't
10 take it.

11 MR. TURKINGTON: Well, I will say the last
12 thing I expected from you is an advocacy for
13 additional sewerage, but I'm glad to answer that
14 one. The Little Pond watershed, basically that's
15 where when the rain comes and it goes into the
16 ground, it goes into Little Pond. Half of the
17 Heights goes into Little Pond, and that's why
18 it's in this plan. The other half goes into
19 Falmouth Harbor or into the ocean, and frankly we
20 only wanted to do the most impacted watershed,
21 which was Little Pond.

22 You could in the future do something to add
23 to it that would relieve the amount going into
24 Falmouth Harbor, but we've only recently received

1 the study on Falmouth Harbor, and frankly the end
2 at the Harbor entrance is actually not too badly
3 off, so. So, for a lot of reasons, we wanted to
4 stick with the most impacted water body, which
5 was Little Pond.

6 MR. DONAHUE: I understand that from the
7 water quality standpoint. But there is also the
8 property and people import, and that - I don't
9 know, is there a hundred houses up in there or
10 so? And I would think if we could include that,
11 you would have my big vote.

12 And, by the way, I'm convinced, I've changed
13 my mind on this whole thing. I think that this
14 project has to go through, but I would really
15 like to see that little section included in it
16 if, as I say, that's why I was saying on the
17 plant, if the plant can't -

18 MR. TURKINGTON: Okay.

19 THE MODERATOR: Okay?

20 MR. DONAHUE: Thank you.

21 MR. TURKINGTON: Thank you.

22 THE MODERATOR: Okay, Ms. Lichtenstein.

23 I just want to remind Town Meeting Members, we're
24 deciding whether or not to do the money and the

1 authorization. What we're not going to do at
2 this Town Meeting is re-write the plan.

3 So, if you really want to re-write the plan,
4 then you vote no and send it back to the Planning
5 Committee. I don't want this to become a debate
6 about re-writing sections of the plan. This is
7 whether or not to authorize this appropriation in
8 the borrowing.

9 Mr. Lichtenstein.

10 MS. LICHTENSTEIN: [No mic: Inaudible.]

11 THE MODERATOR: Okay, any further questions?

12 Ms. Lichtenstein's going to offer an amendment.

13 Yeah, Ms. Driscoll.

14 [Laughter.]

15 THE MODERATOR: Have you got a new job,
16 there, John? I think you just hold the - on the
17 bottom you hold it in for a minute and then it
18 should light up.

19 MS. DRISCOLL: Kathy Driscoll, Precinct 7.

20 THE MODERATOR: Thank you.

21 MS. DRISCOLL: You've mentioned the retired
22 debt that would be covering the 5.6 million on
23 design and engineering and the same for the next
24 article, I believe, as well, is retiring debt

1 will be covering the design and engineering. How
2 will we be covering the construction costs that
3 you've discussed in terms of 43 and 40 something
4 else million on these articles?

5 MR. TURKINGTON: I think if Jennifer Petit
6 is ready and able, we'd be happy to have her
7 answer this one.

8 MS. PETIT: Thank you. With the schedule,
9 we would be using retiring debt until
10 approximately 2019, when we'd start paying for
11 construction. We'd actually probably start
12 paying for the debt service for construction a
13 year or two earlier than that.

14 There will be several factors that will need
15 to be discussed when we go in and start
16 discussing construction, and one of those will be
17 betterments.

18 So that's where you might see - and when we
19 vote and if betterments are voted and discussed,
20 there will be a full financial analysis done on
21 that and how that would affect the tax rate, but
22 right now moving forward with this project, you
23 wouldn't see an impact until 2019.

24 THE MODERATOR: Okay, further questions?

1 Mr. Mancini.

2 MR. MANCINI: Mark Mancini, Precinct 7.

3 Moderator through you to the committee. They

4 say our taxes won't go up if we vote for this.

5 If we vote it down, will our taxes go down?

6 [Laughter.]

7 MR. TURKINGTON: Yes.

8 THE MODERATOR: Any other questions? Yes,

9 Mr. Dufresne.

10 MR. DUFRESNE: [No mic:] Through you, Mr.

11 Chair, are there -

12 THE MODERATOR: No, with the mic, please.

13 MR. DUFRESNE: Adrien Dufresne, Precinct 2.

14 Are there any federal grants available for these
15 types of projects?

16 MR. RAFFERTY: I guess I'll handle this one.

17 I'm Steve Rafferty from Precinct 2.

18 I actually do work in this sort of
19 engineering industry. Right now there is no
20 grants from the federal government. But I will
21 remind you, probably at the risk of re-opening
22 the discussion that went on for two nights, that
23 on occasion our government tries to stimulate our
24 economy by offering money through various funding

1 mechanisms and they're always looking for shovel
2 ready projects. We think it's prudent to have a
3 shovel-ready project to go, should money become
4 available again.

5 THE MODERATOR: Okay, Mr. Stetcher.

6 MR. STETCHER: Bernie Stetcher, Precinct 3.
7 I just wonder if you can give us some assurances
8 that there are going to be zoning changes before
9 the sewerage goes in, because those postage stamp
10 lots will then be able to build McMansions on
11 them. At least I think so.

12 MR. TURKINGTON: That's a very good point.
13 The state does not give out grants for this sort
14 of thing anymore. What they do, and we
15 referenced earlier, was you can get - is it two
16 percent loans? You can get zero percent loans,
17 which we are thinking that we ought to work for.
18 But to get the zero percent loans, you have to
19 put into place controls over exactly what you're
20 concerned about.

21 Nobody thinks you should put a sewer system
22 in so that everyone who now has a two bedroom
23 house can have a six bedroom house. That is
24 something to be avoided and it's something that

1 this town would want to avoid. So, we will come
2 back to you in the fall with exactly the kind of
3 proposal you're describing, to make sure that
4 that doesn't happen.

5 THE MODERATOR: Okay, Ms. Fenwick.

6 MS. FENWICK: Judy Fenwick, Precinct 1. I'm
7 hearing about retiring debt and I'm curious
8 through 2019, could you give us an amount
9 annually for retiring debt? Starting with 2014.

10 MS. PETIT: I'm going to answer the question
11 - just because I have a spreadsheet in front of
12 me, so I'm going to answer it just a little bit
13 differently.

14 I'm going to answer it in the way of what we
15 would need to spend in order to keep the levy at
16 the same rate. So, it would in essentially be
17 the retiring debt.

18 In 2013, it would be 2.3 million. In 2016,
19 it would be 2.5 million. And in 2017, it would
20 be 3 million. And then 2018 would be 3 million
21 that you would spend in those years to keep your
22 levy at the same level.

23 MS. FENWICK: [No mic:] And in 2014?

24 MS. PETIT: 2014 is 1.7 million.

1 THE MODERATOR: Okay, good?

2 All right, I saw a hand over to the left,
3 somewhere.

4 Yes. And then Mr. Putnam, next.

5 MR. LEWIS: Wayne Lewis, Precinct 7.

6 Eric, I'm going to switch over to Bournes
7 Pond. By widening that from 50 to 90 feet is
8 there any kind of an estimate as to how much
9 nitrogen will be released through that channel
10 and where will it go?

11 MR. TURKINGTON: 57 percent of the excess
12 nitrogen? Of the total. Okay. Of the total
13 nitrogen entering the watershed, 57 percent of it
14 will go out as a result of widening that. And
15 the answer is it will go out into the ocean where
16 it disperses -

17 MR. LEWIS: Just thin out?

18 MR. TURKINGTON: - instantly and enormously,
19 to the point where it's undetectable.

20 MR. LEWIS: It's not going to affect the
21 scallop beds or anything like that?

22 MR. TURKINGTON: No. Absolutely not.

23 MR. LEWIS: Okay.

24 THE MODERATOR: Yeah, okay, Mr. Putnam.

1 MR. PUTNAM: Andrew Putnam, Precinct 9.

2 Quick question here. How far along are some
3 of these alternative projects that we were
4 talking about just the other Town Meeting?

5 MR. TURKINGTON: How much time do you have?
6 We have half a dozen alternatives. Do you want
7 to give a short one on the shellfish and maybe we
8 - does everybody want to hear all the
9 alternatives?

10 FROM THE FLOOR: No, no.

11 MR. PUTNAM: No. I mean, let me clarify
12 then. I don't want to hear all of the
13 alternatives, you know, I don't want to go line
14 by line -

15 MR. RAFFERTY: Let me try to do a quick
16 summary. Let me try to do a quick summary
17 because we meet every two weeks. We're on T.V.
18 I'm hoping that a lot of you will watch this.

19 We have retained a consultant for the PRB's.
20 We are in the process of identifying the optimum
21 locations to put a demonstration PRB in.
22 Permeable Reactive Barrier. That's one. That's
23 moving along. We'll be back with that. We have
24 some available to go to the next step on that,

1 still.

2 We talked about the inlet widening. That's
3 actually an alternative that we've taken forward
4 and it's going forward quickly.

5 We've developed - we've been before the Con
6 Com; we're going to go back in front of them on
7 the 17th. I expect we've got a good
8 understanding with them about what we're doing.
9 We have some issues to resolve. But we're going
10 to put between an acre and two acres of oysters
11 into Little Pond either this year or next year or
12 over the next three years to see how they work,
13 and then we'll be looking at other locations to
14 put them in.

15 We've developed a grant program to encourage
16 people to put eco-toilets in so we can measure
17 it, so we can get values from the state and
18 credits for anybody that puts an eco-toilet in.
19 Not in the Little Pond area but in other parts of
20 the town as we get more of those, it'll be
21 better.

22 And we've now begun looking closer at
23 denitrifying systems on line. We've toured some
24 facilities and looked at 'em, and we're going to

1 pick that up and work on it some more.

2 And we're open to any other ideas that come
3 up that are valuable, viable and creative ideas.
4 So, we're working in the order that we can do,
5 and we've made progress in every area.

6 MR. PUTNAM: So I have a quick follow-up
7 question to that. Would you say that we
8 probably won't start seeing the effects of these
9 until later this year or next year that we would
10 start seeing some of these projects come back
11 with results that we can quantify?

12 MR. TURKINGTON: Well, each project is on
13 its own time line, but once they get started, the
14 DEP wants to see a series of years, like three to
15 five years in some cases, so that they have
16 accurate data to judge whether these things are
17 going to work in the long-term.

18 So, our premise here is that five years from
19 now we should have good, solid answers on all
20 these alternatives, and good, solid [inaudible]
21 by DEP as to how much they will consider them
22 viable and for how much. But it's a three to
23 five year window, I think, for the final results
24 of these to be meaningful.

1 MR. PUTNATM: All right, thank you.

2 THE MODERATOR: Okay, any other questions
3 for the committee? Mr. Finneran.

4 MR. FINNERAN: Mark Finneran, Precinct 6.

5 As you know, I've been part of this process
6 right from the beginning and if you recall, about
7 two and a half years ago we were at Monomoy
8 School, I think it was, in Yarmouth, and George
9 Fregon [sp?] from Newfield's had the system that
10 you put in your backyard about the size of a
11 phone booth. You could build it yourself for ten
12 grand; it was experimental. And it brought the
13 septage down to below three parts per million.

14 Last week, at the eco-toilet summit - and
15 many of you were there - some students from Cal
16 Tech, on a grant from the Gates Foundation, have
17 made this thing so you can drop it into your
18 septic tank, and it's supposedly soon available.

19 With your statement and what we all know is
20 in three, four, five years we're going to know
21 what these alternatives can do, and at \$10,000 a
22 unit, 900 homes, we could do all of Maravista for
23 \$9 million.

24 So why in this plan isn't there engineered -

1 besides designing it the way you want all the way
2 - in steps, where we may be able to stop at
3 Randolph Street? We may be able to stop halfway
4 up Maravista and then just pipe it down Randolph
5 Street. So we can - it gives us the opportunity
6 to save the money if these alternatives do in
7 fact work.

8 MR. TURKINGTON: A couple of reasons. The
9 goal here is to get Little Pond cleaned up. To
10 get as close as we can to a hundred percent.
11 Doing it in stages won't do that.

12 Construction-wise, doing things in stages
13 doesn't save you as much money as you might
14 think. You know, costs tend to go up, not down
15 over the course of time. So, really, this
16 proposal of just Little Pond was the bare bones
17 one - the smallest one we could come up with that
18 would have a measurable result that would
19 actually clean up the worst estuary we have, and
20 at the least cost.

21 Doing it in segments wouldn't be such a gain.

22 MR. Finneran: This is for the engineering.
23 The actual construction won't start for four or
24 five years, is that not correct?

1 MR. TURKINGTON: Well, it would be voted
2 next year. What's the time frame? 2015 would
3 be the actual construction.

4 MR. FINNERAN: Beginning of.

5 MR. TURKINGTON: Yeah.

6 MR. FINNERAN: So it really leaves us no
7 window for saving money on this particular
8 peninsula. That's unfortunate.

9 MR. TURKINGTON: Well, we have 15 estuaries
10 and each one's going to have its own answers.
11 And our fondest hope is that these alternatives
12 will turn out to be viable and useful and good
13 substitutes for sewerage in many of these other
14 estuaries.

15 This one was just so overloaded thanks to all
16 the development and the commercial development
17 and everything we've done to ruin that water
18 body, we did. It was just so overdone, there
19 was no practical answer except sewerage this
20 small area of it.

21 THE MODERATOR: Okay, Mr. McGrath, question.
22 We're doing questions here.

23 MR. MCGRATH: My name is Michael McGrath. I
24 - most of you know me but for since 1986 I've

1 been developing a particular denitrifying septic
2 system. My firm employs three operators, and my
3 advice to Town Meeting is go ahead, we need to
4 sewer Maravista and we need to sewer Falmouth
5 Heights. There's no way to put effective,
6 approved denitrifying septic systems on those
7 lots. You have to sewer.

8 For the people that know me, I'm not fond of
9 treatment plants, but we need to sewer those two
10 neighborhoods; I don't think we have any options.
11 Thank you.

12 FROM THE FLOOR: Question.

13 THE MODERATOR: Okay. Any questions?

14 All right, Ms. Lichtenstein.

15 MS. LICHTENSTEIN: Hi guys. I was asked by
16 Ron Smolowitz to make an amendment to this motion
17 because he knew he was unable to be on Town
18 Meeting floor this evening.

19 Can I have the slide, please, for the
20 amendment for 24.

21 I'd like to thank the Committee for all of
22 their hard work and I want to say up front I'm
23 not against sewers. I've been part of the
24 wastewater treatment program at my college and

1 taught in it, so.

2 Okay. I move to amend the main motion as
3 follows: that the sum of \$1,100,000 is
4 appropriated to pay the cost of regulatory
5 requirements associated with permitting the
6 wastewater treatment system in the amount of
7 \$800,000 and for engineering and design for
8 Bourne's Pond inlet widening in the amount of
9 \$300,000. And that to meet this appropriation,
10 the Treasurer with the approval of the Board of
11 Selectmen is authorized to borrow the said amount
12 under and pursuant to Chapter 44, Section 7(1) of
13 the General Laws, or pursuant to any other
14 enabling authority, and to issue bonds and notes
15 of the Town therefore.

16 No sum shall be borrowed or expended
17 hereunder unless and until the Town shall have
18 voted to exclude the amounts required to pay any
19 borrowing authorized by this vote from the limits
20 of Chapter 57, Section 21C of the General Laws,
21 also known as Prop 2 ½.

22 This motion seeks to fund immediate concerns
23 while delaying - not eliminating just delaying -
24 sewerage. This is all about timing. Sewering

1 to some degree may be the very best alternative
2 for Little Pond, however right now the cost is
3 staggering. We're looking at five million
4 tonight for planning, we're looking at 44 to
5 construct it, we're looking at eight to hook up
6 to it, and unknown costs to operate it once it's
7 up and running.

8 Before we start down the path to spend \$60
9 million for this solution, we should know if it's
10 the only path we have to take. We're only
11 asking for a little time. Let's look a little
12 bit further and let some of the alternates see
13 what we get from them before we do this.

14 We need new concepts and technologies to be
15 applied to preventing a bankrupt and economic
16 burden on the taxpayers of the Town.

17 EPA and DEP have expressed a willingness to
18 work with us and not fine us in developing these
19 new approaches that are more ecologically
20 sustainable. They are water and energy
21 conservative and they are not economically
22 disastrous.

23 Give the Selectmen some guidance that you
24 really don't want sewers unless they're the

1 absolute last choice. The 4,500,000 that we
2 removed from here could be added to the
3 appropriation for the water filtration and
4 treatment system that we're going to fund,
5 hopefully, in Article 25. This will take
6 advantage of the Town's existing debt drop-off,
7 that window of opportunity that we have.

8 So it will just fund a little bit more of the
9 drinking water project. It will still leave the
10 money for the sewage available to us in the
11 future.

12 A very wise and long-term member of Town
13 Meeting advised me tonight to tell you that this
14 is a matter of timing. How many times over the
15 last few years have we discussed projects? How
16 many hours have we spent debating projects that
17 maybe we didn't spend enough time talking about
18 before we did them? We are just asking for a
19 little bit of time, here.

20 Also the funding, if we apply the money to
21 the other one, it will still be available for it.
22 So we don't lose anything. We're just delaying,
23 we're getting a little bit of time and hopefully
24 won't run into any of the problems we've had

1 before.

2 So we think it's a win-win for the Town and
3 we ask that you support this amendment. Thank
4 you.

5 THE MODERATOR: Okay, discussion on the
6 amendment.

7 MS. LICHTENSTEIN: Um-

8 THE MODERATOR: Yeah.

9 MS. LICHTENSTEIN: - Hilde has a PowerPoint.

10 THE MODERATOR: Okay, yes.

11 So the amendment is to reduce the scope of
12 the main motion to \$1,100,000. That's 800,000
13 for the wastewater treatment portion and \$300,000
14 for the pond widening.

15 Ms. Maingay.

16 MS. MAINGAY: Thank you, Mr. Moderator.
17 I'm Hilde Maingay and I'm in Precinct 8.

18 I want to take the whole sewer issue out of
19 the abstract and budget and more into the
20 reality, because I don't know how many people
21 really realize what it means to plan and to have
22 a sewer.

23 I am extremely worried about climate change,
24 and that is what drives all this for me. I

1 believe that it's really time for us to make
2 drastic changes if we want to a secure future for
3 our kids. That's really the most important
4 reason why I am doing all this. And I think if
5 we read this - this statement from Albert
6 Einstein, that it's exactly where we are at:
7 "Insanity is doing the same thing over and over
8 again and expecting different results." The
9 time that we can no longer do the same thing over
10 and over again - that is no longer a possibility.
11 We are in a different world right now. We have
12 different problems.

13 And this is one of our big problems that
14 we're discussing today. We have seen this
15 picture of the dead fish before. We are faced
16 with huge problems environmentally and
17 economically, and combine the two and we have big
18 problems socially.

19 Next, please. We have been discussing these
20 problems for years. We have heard that from
21 Eric. And each time we learn something new. And
22 a lot of these issues that you see there have not
23 been resolved. We are talking about sewers and
24 big pipes, but we haven't resolved the start

1 sites, betterments, land use control,
2 pharmaceuticals, wasting water, wasting
3 nutrients, wasting energy and climate change. It
4 hasn't come today. I haven't heard a thing about
5 it, and it's of great concern to me.

6 So, as we have noticed over the last couple
7 of days, we do not always agree with everything,
8 but I think we can agree on one thing: we all eat
9 and we all excrete; there is no debate about
10 this.

11 Next, please. Here is what we are doing
12 with the present system of flush and forget.
13 This is truly a low-flush toilet. These are the
14 actual numbers, and actual barrels. For this
15 amount of human waste, 90 gallons of urine and 30
16 gallons of feces, we flush all that water which
17 is pure drinking water at high cost, and
18 polluting it all. And then at the other end we
19 have to clean it all. This is of great concern
20 to me when it's about climate change, because
21 there's a huge amount of energy and waste in that
22 whole system.

23 Next, please. And then this is another part
24 of the puzzle that we never hear about. Once

1 it's into the pipe, which takes a lot of energy,
2 it goes to a sewer plant. The stuff that we
3 flush doesn't go away. When you flush and
4 forget, you might forget, but somebody on the
5 other end gets it. It doesn't go away. It goes
6 somewhere; it's just not your back yard and it's
7 not your pond, it's someone else's pond, someone
8 else's land.

9 So here is some numbers. At the very best,
10 if we do a really good job, seven to eight
11 percent of nitrogen still goes in the ground,
12 lots of it gets lost in the air and the rest of
13 it goes into the sludge off the Cape to another
14 community. Well, that community happens to have
15 an incinerator, and these are the numbers for all
16 the trucks per year that I got from the DPW that
17 go over the bridge to the lowest bidder, wherever
18 we can get rid of it. Probably a poor community
19 somewhere.

20 So these - I couldn't put all the trucks in
21 because I would fill the whole page, but the
22 numbers are right there. And then, at this
23 moment, it gets trucked to the incinerator. And
24 the incinerator, which adds a lot of pollution

1 and gets rid of a lot more nitrogen, it doesn't
2 get rid of any of the other nutrients, doesn't
3 get rid of any of the pollutants, it just burns
4 up, but is there in carbon and the rest all stays
5 in the ashes. And the ashes get trucked off and
6 then they go to another community, whoever is the
7 lowest bidder. And that's where it's going to
8 be a toxic waste somewhere in a landfill.

9 So I want you to realize when you start to
10 plan for sewers, that's what you're planning for,
11 and as far as I'm concerned, it is not
12 sustainable. We might say it is cheap and it is
13 - we can afford it. No, we cannot afford it
14 because the climate is changing, the world is
15 changing, and we're ruining ourselves and we have
16 nothing left for our kids. And that is the
17 reason why I'm doing all this.

18 Next, please. Now the alternatives. I
19 would like to make a correction to Eric. It's
20 not true that composting toilets are not
21 permitted. I have a model in my house for the
22 last 13 years that has been in existence for 50
23 years, that same model. So it's not the
24 infancy. And, I permit it. You don't need a

1 special permit for it. There are many models;
2 you can put them in tomorrow without any special
3 permit. So that was not true.

4 The only thing that's different, we have
5 recently gotten the permission to install urine
6 diversion, because it hasn't been used in this
7 country. It has been used in Europe and
8 Australia and in many other places in the world.
9 So, I'm glad we got that. It's a really good
10 thing but it was not the truth.

11 So, if you see what's happening in the
12 composting toilets, you have this little bit of
13 human waste. After it's compost, it turns out to
14 be 12 gallons; that is per year. You can put it
15 in the back - in a little box in the back of your
16 bicycle and bring it to the next facility. That
17 doesn't take much truck, it doesn't take climate
18 change, it doesn't take fuel. It is easy. It's
19 a small problem.

20 Next slide. And it's actually not a problem
21 at all. It's an asset. It's what nature
22 wanted to do, because the food that you eat, all
23 of what you excrete, except for the energy that
24 you take out to live, hardly any nutrients you

1 will use to sustain yourself. All of it goes out
2 of your body and can be used and should be used
3 as nature intended on the land where the food
4 needs to be grown.

5 Now, there is a big issue here, not just the
6 nitrogen, not just the fossil fuel. We have
7 gone beyond that. We have gone beyond peak
8 phosphorus and phosphorus is what we eliminate
9 99.9 percent of what we eat. And without
10 phosphorus we cannot grow food and if you have no
11 phosphorus in this world, we cannot have food.
12 We have past peak phosphorus. If we don't
13 collect our phosphorus now, your children will
14 have very high, high food prices or no food. Or
15 your grandchildren, but it doesn't matter which
16 generation. We want to have sustainability and
17 we want it built in, with everything we do, we
18 want to build in sustainability for the long-term
19 and not a disaster that the sewer is.

20 I would like to have next slide, please. So
21 just to get the fear out of the picture, I would
22 like to read this, because this is what we got
23 from the EPA. The EPA is seeking cost effective
24 solutions for retrofitting existing septic

1 systems and groundbreaking and affordable
2 technologies as well as innovations in policy and
3 regulation to address nutrient impacts to protect
4 and restore the economic and ecosystem resources
5 supported by our coastal waters. We got that in
6 January.

7 The DEP supports an adaptive management
8 approach to implementing a TMDL, taking the most
9 cost-effective measures first, measuring the
10 impacts, and making adjustments where necessary,
11 giving priority to projects with more immediate
12 impacts, such as eco-toilets but especially the
13 shellfish culture on water quality will help
14 communities adjust implementation steps if
15 needed.

16 I recommend here that we apply a range of
17 alternative options and innovations before
18 locking into sewerage that are for generations to
19 come. Sewers are not flexible. Once you have
20 them in, you are locked in for generations. As I
21 heard in the last meeting, you are locked in for
22 a hundred years. The world will not see a
23 hundred years where we can afford this.

24 Thank you very much.

1 THE MODERATOR: Okay, discussion on the
2 amendment.

3 Mr. Ketchum.

4 MR. KETCHUM: Thank you. Paul Ketchum,
5 Precinct 1. Former member of the Board of
6 Health.

7 I strongly urge you to not vote for this
8 amendment. It's micro-managing what a
9 significant committee and their work has gone
10 into.

11 There are some things that you have to
12 realize, that most of this wastewater in our town
13 doesn't go into septic tanks. It goes into
14 cesspools that have been here for 30, 40, 50
15 years. And that is not the way to continue to
16 treat our waste products. The alternatives that
17 are being looked at are a good approach, but you
18 really have to treat septage and sewer with a
19 very complex sequence of biological processes
20 that are most favorably done in a plant like our
21 sequencing batch reactor.

22 So the important thing is to get rid of the
23 nitrogen, which is not coming from the normal
24 nitrogen cycle, because now in our world we are

1 fixing nitrogen with the excess methane that we
2 are making from fracking and all over the world
3 this nitrogen fertilizer gets taken to the farms
4 and is very cheap, and that's where the nitrogen
5 comes from, and to get that back into the
6 atmosphere where we took it from is a very
7 complex biological process. And even our Title
8 V's don't use denitrification because there are
9 difficulties in doing denitrification.

10 So I recommend that you fund this - the
11 original article, that you don't vote for the
12 amendment. They need that money to get started
13 and to not micro manage this committee. Thank
14 you.

15 THE MODERATOR: Mr. Waterbury.

16 MR. WATERBURY: John Waterbury, Precinct 1
17 and a member of the Board of Health.

18 I encourage you to vote this amendment down
19 and to vote for the article as presented.

20 I would just remind you of our experience
21 more recently to build on the long list that Eric
22 gave you, of our experience in New Silver Beach.
23 When we first proposed that project and voted it
24 here, it was a \$4 million project. After nine

1 years of litigation, it cost us eventually \$12
2 million. So if we procrastinate and drag these
3 projects out and with the hope of finding a magic
4 bullet to solve our problems, all we're going to
5 do is increase the \$43 million this project is
6 projected to cost to \$100 million or more.

7 I encourage you to go ahead with the plan
8 that this committee has put together and
9 considered very carefully. Thank you.

10 THE MODERATOR: Okay, Ms. Shephard.

11 Mr. Waterbury, if you could just pass the mic
12 to Ms. Shephard.

13 MS. SHEPHARD: Susan Shephard, Precinct 1.

14 I would just like to remind this body that
15 this committee is also pursuing all those other
16 alternatives. We need to do this now. Vote
17 this amendment down, move ahead with the
18 alternatives.

19 We - I expect we will have some wonderful
20 results from some of them, but now is not the
21 time; we need to get this part of it done. Thank
22 you.

23 THE MODERATOR: Okay, the question will come
24 on the amendment. All those in favor of the

1 amendment, signify by saying aye.

2 [Aye.]

3 THE MODERATOR: All those opposed no.

4 [No.]

5 THE MODERATOR: It is the opinion of the
6 chair that the no's have it.

7 The question will now come on the main motion
8 as recommended. This requires a two-thirds.

9 All those in favor of the main motion as
10 recommended, signify by saying aye.

11 [Aye.]

12 THE MODERATOR: All those opposed no.

13 [None opposed.]

14 THE MODERATOR: The ayes have it unanimous.

15 [Applause.]

16 THE MODERATOR: Article 25, Madame Chairman
17 for the main motion.

18 CHAIRMAN MAGNANI: Mr. Moderator, I move
19 Article 25 as recommended.

20 THE MODERATOR: Article 25 as recommended.
21 This is the sum of \$3,400,000 for the design and
22 construction of the water treatment system or
23 water filtration plant.

24 Discussion on Article 25.

1 Okay, which one should it be? 84? Okay.
2 In your recommendation, we need to make a
3 statutory reference change. In the third -
4 fourth line where it says Chapter 44, Section
5 7(I), it should say Chapter 44, Section 8(4) of
6 the General Laws.

7 FROM THE FLOOR: Eight parens?

8 THE MODERATOR: Yeah, eight and then in
9 parenthesis four.

10 And in the second line it says "and
11 construction of a water treatment system or water
12 filtration plant", striking out the word
13 "design". Okay, that's the main motion.

14 Discussion on Article 25. Mr. Heath. With
15 the microphone, please.

16 MR. HEATH: This is more of a question.
17 This is really a roughly \$50 million question,
18 because this will lead on to the construction of
19 a filtration plant which we need.

20 We paid \$800,000 for a study and out of this
21 came a \$46 million recommendation, but we don't
22 have anything of what else or what alternatives
23 were or what the design is that we're going -
24 what we're going to design, and if someone can

1 give a brief description of this, it would be
2 appreciated.

3 Obviously when this was originally passed for
4 \$800,000, I believe the recommended or suggested
5 amount would be that the filtration plant would
6 cost \$20 million, and during the course of the
7 \$800,000 study it's doubled and I think that it'd
8 be good if someone could give us a little
9 background and fill in on this.

10 We obviously have to build a filtration
11 plant; we put it off for something like 20 years.

12 THE MODERATOR: Okay, who - Mr. Jack.

13 MR. JACK: Thank you, Mr. Moderator.

14 Raymond Jack, Precinct 9, Director of Public
15 Works.

16 The \$20 million is actually a carryover from
17 all the way back in 1994-1995, which was the cost
18 of a plant back then and it's just been carried
19 forward for each of those subsequent years.

20 In order to try to give you a broad overview
21 of what the process being recommended by the
22 Board is, it would start off it's a multiple
23 barrier approach, as most treatment systems are,
24 so I know that when we talk about a filtration

1 plant, it is not just one item within a plant,
2 it's actually a series of systems or processes.

3 So we're talking about a first process of
4 coagulation slash DAF, and some of you may have
5 heard that term. DAF is dissolved air
6 floatation. Another term for that type of
7 process would be coagulation flocculation. But
8 in both instances a chemical is added to the
9 water in order to destabilize the particles in
10 the water. So most of the things that are in
11 water that are bad are negatively charged, and by
12 neutralizing the electrical charges it allows the
13 particulates to agglomerate together, and if you
14 ever actually saw it occur, it would look like
15 the formation of little brown tufts of cotton in
16 a swimming pool.

17 Then they get denser and denser and generally
18 they precipitate out based on their density.

19 Dissolved air floatation is the opposite of
20 that. It pushes it to the surface and that's
21 because one of our primary concerns with Long
22 Pond is a buoyant product, which happens to be
23 algae. It wants to be buoyant so the process
24 makes it buoyant, pushes it to the top instead.

1 So the goal of that process is to remove the
2 particulates that you can see; it's also capable
3 of absorbing on the surface of those materials,
4 micro-organisms, some of the other particulates
5 that you cannot see, and of course algae. So
6 that takes out a high range of the precursor
7 products that we would have to deal with.

8 That treatment - pre-treatment process is
9 absolutely necessary before you apply it to a
10 filter. If you take raw pond water or raw lake
11 water and generally apply it to a filter, it's
12 going to clog the filter in a very short order.
13 So it's necessary in order to pre-treat the water
14 to bring it to a filtration state.

15 Then the filter that is recommended - and
16 these are in use, many, many treatment systems
17 across the country, but the easiest type to
18 understand would be something similar to the old
19 type of pool filters. I mean, when you go to a
20 hotel or motel and you go to the swimming pool,
21 the water is very, very clear; very, very clean.
22 And that's not a natural event. That's because
23 that filter is processing that water
24 continuously. You put the water in through the

1 top of a sand filter like that and it basically
2 removes the particulates and brings it to that
3 state.

4 This type of a filter is known as a dual
5 media filter, so it will use sand and granular
6 activated carbon. Granular activated carbon is
7 the same product that you would find in a Britta
8 or a PUR Water filter. So I had said before
9 that what we'd actually be proposing here is to
10 build a very large Britta filter.

11 It's capable of - the process there is
12 actually very simple. It acts as a physical
13 strainer so that anything that made it through
14 the first process will be strained out physically
15 and then the granular activated carbon has an
16 absorptive capacity, so it doesn't take in to the
17 product, it takes onto the surface of the
18 granular activated carbon.

19 Many of things that are organic in nature,
20 synthetic organic chemicals, natural organic
21 matter that we find in a pond all the time,
22 algae, and some of the byproducts, the humectant
23 and folic acids of decomposition, are organic in
24 nature. And those are some of the things that

1 cause us the bigger problems.

2 When you have smells in the water, that is
3 due to those decomposition of those products.
4 Taste, odors, both fall into this category.
5 Algal products, not only the algae itself but
6 they also can release toxins and by-products as a
7 result of their metabolism. Those can cause
8 taste and odors as well, but in any event,
9 they're generally organic in nature, so that just
10 means that they have carbon in their molecular
11 structure. And carbon has a natural affinity -
12 so I'm explaining a PUR Water filter, if you
13 will. Carbon has a natural affinity to attract
14 carbon-based compounds. So the chemicals that
15 you are afraid of, some of the chemicals that I
16 would normally discuss on something like this,
17 like the contaminants of emerging concern, or any
18 of the other chemicals that most of your cannot
19 name or pronounce fit into that category of being
20 synthetic organic chemicals. The key term there
21 is organic. It means it has carbon in their
22 molecular structure. So they're very conducive
23 to being removed by this process.

24 The pharmaceuticals that you've heard about

1 in the newspaper that are going to be of concern
2 in the future are also generally organic in
3 nature and they, too, are conducive to this type
4 of removal process.

5 In between those two processes of the
6 physical slash chemical removal of some of the
7 suspended solids by dissolved air floatation and
8 before it would get to filtration is ozone
9 treatment.

10 Ozone in the atmosphere is formed by
11 lightening strikes, so it takes O₂, which is what
12 we breathe, and when you apply electricity to it,
13 it forms O₃, which is highly unstable but it's a
14 very powerful oxidant. So it's one of the more
15 widely used disinfectants nationwide for public
16 water systems. But it has other benefits,
17 especially when it comes to organic matter. And
18 also when it comes to those contaminants of
19 emerging concern. It has the ability to be able
20 to break those down, and nationally it is
21 recognized as one of the best available
22 technologies for the reduction of those types of
23 chemicals.

24 So we start out with the pre-treatment steps

1 of dissolved air floatation for the physical
2 removal, then we have the application of ozone,
3 which is going to act as a disinfectant, so it
4 has the capacity to neutralize microorganisms and
5 viruses, as well to reduce some of the other
6 organic compounds. Then we have the filtration,
7 which will physically remove the compounds and
8 the activated carbon will also remove some of the
9 [inaudible] compounds in there.

10 I'll give you an example of a [inaudible]
11 compound: fuel. If you put a gallon of gasoline
12 in a conventional filter, you'll have a gallon of
13 gasoline coming out the other end. So it does
14 not remove those types of constituents.

15 Activated carbon is highly conducive to that.
16 Why? Because fuel is an organic compound.

17 Then the last step in that treatment process
18 would be disinfection on the other end, and that
19 is intended to be able to handle any of the
20 microorganisms that may have passed through the
21 system and to be able to protect the system
22 before it gets to your house.

23 So I know that a lot of people don't like
24 chlorine at all. But of the three types of

1 disinfection that are currently used and widely
2 used today, chlorination, ozonization and
3 ultraviolet radiation, it is the one that leaves
4 a residual effect in the system to protect that
5 water on the way to your home.

6 So, that's about the briefest explanation I
7 can give on the processes.

8 [Laughter.]

9 THE MODERATOR: Mr. Heath. With the mic.

10 MR. HEATH: Are we filtering all of the
11 water or the Long Pond water? And what is the
12 total gallons per day or that you have to handle?

13 MR. JACK: At present, depending on the time
14 of the year, over 60 percent of our water comes
15 from Long Pond, so it's been in use since 1898
16 and it'll probably be in use in the year 2098.
17 It should be around for a long time if it's
18 properly managed and properly utilized.

19 Annually we pump 1.6 billion gallons of water
20 from all of our sources a year. I think many of
21 you may have read the article in Tuesday's
22 Enterprise. I thought it was very well done.
23 Believe it or not, I had nothing to do with that.
24 It appeared on it own. But, nonetheless, back

1 then we were processing I want to say less than 3
2 million gallons 50 years ago. Or, I'm sorry,
3 300 million gallons. Today, we process 1.6
4 billion gallons, of which over a billion gallons
5 generally comes from Long Pond directly.

6 For the second part of your question as to
7 the treatment of sources, Long Pond is
8 supplemented with the Mares Pond Well, the Fresh
9 Pond Well, the Crooked Pond Well, Coonamessett
10 Well, and there are wells up on the base as part
11 of the regional cooperative that we draw water
12 from.

13 So there are several wells of varying
14 capacities. Two of those wells are piped
15 together and processed through the Crooked Pond
16 treatment plant. I won't get into a detailed
17 description of that one, but I will say it's an
18 air stripper. Shoot water through the air and it
19 removes volatile organic compounds, followed by
20 manganese green sand filtration, followed by
21 activated carbon absorbers, so that plant
22 actually produces water that is better than what
23 you buy off the shelf. So that's capable of
24 doing two and a half million gallons a day.

1 So our combined capacity on a daily basis
2 would be about ten and a half million gallons a
3 day of filtered water if we were to treat Long
4 Pond.

5 THE MODERATOR: Okay, Mr. Hampson.

6 MR. HAMPSON: George Hampson, precinct 5.

7 Ray, I have - I'm all in favor of this, as
8 you know, but the one thing that drives me up the
9 wall is when I take my walks and I see people
10 watering their lawn and it's raining outside,
11 which is - which is a good combination. And
12 since we're going to have Poland Springs water,
13 is there any anticipation that you will have to
14 correct the charges for this so that people that
15 abuse this privilege of using this high quality
16 water pay for it?

17 THE MODERATOR: Mr. Jack.

18 MR. JACK: What Mr. Hampson is referring to
19 is something that's known as an ascending block
20 rate structure. Right now, when you get your
21 water bill, you have a flat rate that's your
22 minimum charge is built into it. And then for
23 every hundred cubic feet that you use, there's
24 another charge. So it's currently at 281 and an

1 ascending block charge means that the more water
2 you use, the higher the rate goes. So there are
3 many communities that do in fact have that. It
4 is encouraged.

5 I would also argue that it's pretty clear
6 that water has an intrinsic value and now people
7 are going to really understand the true value of
8 water, if you will. And, as that becomes more
9 and more apparent, you're going to see much less
10 of that. We're literally going to have to have
11 large scale campaigning to reduce the water use.

12 Just for your own information, nationally
13 it's generally at 105 gallons per capita, meaning
14 per person, per day. Here, in Falmouth, annually
15 we have to calculate that volume and it's
16 generally between 65 and 70 gallons per capita
17 per day. So we're already on the downside, but
18 you're absolutely right, there is no excuse for
19 wasting such a valuable resource and I think we
20 have to become much more efficient, especially
21 when it becomes to that discretionary use.

22 Because many people - we have a burgeoning
23 summer population that it goes three to four
24 times what our normal population is. So goes

1 the water use, all right? We can pump - we pump
2 about two to here million gallons of water a day
3 in the wintertime; we can pump over 11 million
4 gallons a day in the summertime, and much of that
5 water is discretionary use, meaning it's going on
6 the lawns outside. It is not that everybody is
7 so clean and healthy and taking showers everyday.

8 THE MODERATOR: Okay, any further discussion
9 on Article 25?

10 Yes, over here on the left.

11 FROM THE FLOOR: No.

12 MR. NICKERSON: Brian Nickerson, Precinct 2.

13 Point of clarification, Mr. Moderator. You
14 mentioned scratching the word "design" and I
15 think you meant to scratch the word
16 "construction", because I think this is only for
17 design, isn't it?

18 What we're voting on is just the design
19 funds?

20 THE MODERATOR: We had a briefing last week;
21 they told me to strike it. So who wants to tell
22 me whether that was right or not? It's in the
23 second line, right? After the word "filtration
24 plant"?

1 MR. NICKERSON: It said design and
2 construction. Later on, it only talks about
3 design, so I presume you meant to say scratch
4 "construction".

5 THE MODERATOR: No, no, it was the
6 redundancy of the word design.

7 MR. NICKERSON: Oh.

8 THE MODERATOR: To pay the costs of design
9 and construction of a water treatment system or
10 water filtration plant -

11 MR. NICKERSON: Right.

12 THE MODERATOR: - design.

13 MR. NICKERSON: Right. It is for design,
14 correct?

15 MR. JACK: Yes. Yes.

16 THE MODERATOR: Yes.

17 MR. NICKERSON: Thank you. Because you did
18 say scratch design. I just want to clarify it.

19 THE MODERATOR: Yeah, and that's what
20 everybody on the stage told me to tell you, so
21 unless -

22 MR. NICKERSON: Okay. [Laughs.]

23 THE MODERATOR: So do we want to strike
24 that, or no?

1 [General talking off the record.]

2 THE MODERATOR: Town counsel had the
3 suggestion, so Mr. Duffy can you address the
4 striking -

5 MR. DUFFY: It's in there already in the
6 first part of that. It's a redundant word. We
7 took it out because it would cause confusion.

8 MR. NICKERSON: It says design and
9 construction and is any of the money going for
10 construction? I guess that's what I'm asking
11 the question.

12 THE MODERATOR: No.

13 MR. NICKERSON: Okay, so the word "and
14 construction" needs to be taken out. Otherwise
15 -

16 THE MODERATOR: I don't make motions.
17 Anybody want to take those words out?

18 MR. NICKERSON: I move that we take the word
19 "and construction" out.

20 THE MODERATOR: All right, so there's an
21 amendment on the floor to strike the words "and
22 construction". Any discussion on the amendment
23 to strike the words "and construction"?

24 Ms. Lichtenstein.

1 MR. NICKERSON: I have a comment afterwards.

2 MS. LICHTENSTEIN: Why would we want to
3 restrict it in this way? Just in case some of
4 that money actually isn't used for design, it
5 could be applied to construction. If we take the
6 word construction out, then we have to spend all
7 of it on design.

8 I mean, something may just actually - we
9 might get it a little cheaper than we thought.
10 I'd leave it in, myself.

11 THE MODERATOR: Okay, Mr. Duffy.

12 MR. DUFFY: The Finance Director is
13 recommending we leave the word "and construction"
14 in because that tracks the statute under which we
15 are going to borrow.

16 We would like it to conform to the statute,
17 with the understanding that it's going to be used
18 for design.

19 THE MODERATOR: Okay, Mr. Nickerson.

20 MR. NICKERSON: Then I move that we remove
21 that - I withdraw the amendment.

22 THE MODERATOR: Okay, so to withdraw the
23 amendment, we need to vote no.

24 All those in favor of the amendment say aye,

1 all opposed no; the no's have it. Okay, so
2 that's done.

3 [Laughter.]

4 THE MODERATOR: So now the question is back
5 on the main motion as recommended.

6 MR. NICKERSON: Okay, I just wanted that
7 clarification because, later on, it only talks
8 about design, but that's another thing.

9 Just about 15 years ago, before I moved to
10 Falmouth, I lived in Worcester, along with Austin
11 Heath, so we're familiar with filtration plants
12 because in the City of Worcester they put a
13 filtration plant back in sometime in the mid-
14 '90's and I know my wife is more particular about
15 the quality of water than I am, and before that
16 filtration plant went in, she drank a lot of
17 bottled water as she does now in Falmouth. But
18 after the filtration plant went in, the water
19 tasted so much better she stopped doing that and
20 drinking it right out of the tap.

21 So, after we do this, we'll probably have -
22 those of us who buy bottled water may see a
23 reduction in the cost of what they spend at the
24 grocery store.

1 It tasted very good and I think it's a major
2 aspect of the water filtration plant. Thank you
3 very much.

4 THE MODERATOR: Okay.

5 FROM THE FLOOR: Question. Vote. Question.

6 THE MODERATOR: The question's going to come
7 on the main motion, Article 25 as recommended.

8 All those in favor, signify by saying aye.

9 [Aye.]

10 THE MODERATOR: All those opposed no.

11 [No.]

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

14 Article 26. Article 26 is the Board of
15 Selectmen for the main motion.

16 CHAIRMAN MURPHY: Mr. Moderator, I move
17 Article 26 as recommended.

18 THE MODERATOR: As recommended. This is
19 the laying out of three roads.

20 Mr. Noonan, you held this article.

21 MR. NOONAN: I just have a question
22 regarding taking these roads. I believe that
23 the state gives us money under Chapter 93, I
24 don't know if that's the correct chapter or not.

1 Could anybody tell me if that's the correct
2 chapter?

3 THE MODERATOR: Chapter 90.

4 MR. NOONAN: 90. Thank you.

5 My question is the amount of money that the
6 state gives us is based on the number of miles of
7 road that the Town owns, so does the amount of
8 money that they normally give us on an average
9 cover the cost of upkeep of these roads? And if
10 not, how far off is it?

11 So we're taking costs as a Town; I'm just
12 wondering what kind of additional cost are we
13 taking on when we take on additional roads.

14 THE MODERATOR: Mr. Jack.

15 MR. JACK: Up until about two years ago, our
16 annual allocation was roughly \$900,000 per year
17 under the Chapter 90 program. Most recently,
18 within the last two years, it was bumped up to
19 almost \$1.25 million. The most recent
20 correspondence we got from the state, which is
21 this April -- every April they have to announce
22 it -- they're talking \$1.89 million. Significant
23 increase, but you've heard about that on T.V.,
24 that's all about the road taxes and the other tax

1 package going on in the state. So if that does
2 not pass, that number will come down.

3 So it was a very optimistic number. I expect
4 that what we're going to get is going to be
5 something higher than what we had last year,
6 meaning somewhere around \$1.3 million. Maybe
7 somewhat higher than that over the next several
8 years.

9 As far as what we actually need for road
10 maintenance, you're looking at approximately \$3
11 million a year just to be able to try to
12 maintain. And that's talking about the Town's
13 roads. Of the 400 miles of roads in town, about
14 190 of them are private roads. So it's - it's
15 actually more than that. So it's a fairly
16 significant amount. And we're really never going
17 to be in a position where we can afford to
18 maintain the roads the way we really actually
19 need to do it. It's very, very expensive.

20 THE MODERATOR: Mr. Noonan.

21 MR. NOONAN: I would encourage us to vote
22 this down, then, because if as you take on
23 additional roads, they cost the Town more money.
24 We're talking about the cost of taking down wind

1 turbines, we're talking about filtration. Let's
2 - if we don't need to take on the added expense,
3 let's not take it on.

4 THE MODERATOR: Okay. Further discussion
5 on Article 26?

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

9 [Aye.]

10 THE MODERATOR: All those opposed no.

11 [No.]

12 THE MODERATOR: The ayes have it by a
13 majority.

14 Article 27. The Board of Selectmen for the
15 main motion.

16 CHAIRMAN MURPHY: The Board of Selectmen
17 recommends Article 27 as printed.

18 THE MODERATOR: Okay, Article 27 as printed.
19 This is to declare surplus to the needs of town
20 and authorize the Board of Selectmen to lease,
21 convey, or otherwise transfer parcel of land on
22 Spring Bars Road.

23 Ms. Williams, you held this one? Microphone
24 for Ms. Williams.

1 MS. WILLIAMS: Thank you, Mr. Moderator.
2 Cheryl Williams, Precinct 3, and I'm also
3 representing the Teaticket Civic Association and
4 the Save Little Pond group.

5 We work very closely with the CPC and in
6 concept we do support this affordable housing on
7 Spring Bars Road. That being said, we have
8 thought very hard about possibly putting an
9 amendment on this article, however we'd like to
10 move for an indefinite postponement. The reason
11 being there are so many outstanding issues right
12 now, and due to those outstanding issues, i.e.
13 the Memorandum of Understanding between the CPC
14 and the Board of Selectmen as to the number of
15 units, and that's where we were thinking possibly
16 of doing an amendment to include that in the
17 article.

18 However, but the two bigger issues: number
19 one, the Cape Cod Commission is in the process of
20 doing a review of this specific project for
21 financial feasibility and they're also taking a
22 look at the surrounding area for zoning,
23 redevelopment, etcetera. And also there was an
24 issue that we voted on at our last Town Meeting

1 which was to fund through the CPC \$400,000 to
2 extend the public sewer to this property. And
3 that was voted down.

4 Subsequent to that, the CPC has worked very
5 diligently on the permitting of the extension of
6 the sewer, and they're almost there but that
7 hasn't been completed. And also that would
8 require a vote from Town Meeting.

9 The second part of that for the sewerage of
10 that project, certainly if the Lower Little Pond,
11 once that construction begins in 2015, that
12 project would be able to hook into it. But until
13 such time as all of these issues have been
14 clearly defined, we would move indefinite
15 postponement. And perhaps in the fall the CPC,
16 working with the Selectmen, can come back with
17 another article. Thank you.

18 THE MODERATOR: Okay, so in order to
19 indefinitely postpone, you would vote no on the
20 article.

21 Article 27, further discussion. Yes, Ms.
22 Haney. Then Mr Johnson.

23 MS. HANEY: Patty Haney, Community
24 Preservation Act Committee.

1 We support the feelings of the Teaticket
2 Association. We would like to move forward with
3 this, but if they're uncomfortable and need more
4 detail, we understand that.

5 Originally we had written an article that was
6 changed a little bit and made less specific and
7 we don't see the harm in waiting to redo this in
8 November in a more complete and informed fashion.

9 THE MODERATOR: Mr. Johnson.

10 MR. JOHNSON: Leonard Johnson, Precinct 5.

11 The 300 Committee has been involved in this
12 project for a long time, and I urge you to vote
13 no on this proposal. It's too vague and it's
14 premature, as has been said.

15 It's very important in this whole process of
16 Little Pond to have the support of the community.
17 I won't go through all the history of the suits
18 and everything where these people tried and
19 succeeded in preventing a huge development in
20 this area. And all of this purchased by the
21 Town and all the other subsequent conversations
22 have involved a process of limiting the number of
23 units. Otherwise what will happen is just what
24 they wanted to prevent happening in the first

1 place.

2 So this is too early to do this. It needs
3 more information, as Cheryl has said, so I urge
4 you to vote no.

5 THE MODERATOR: Okay, any further
6 discussion?

7 FROM THE FLOOR: Vote, vote.

8 THE MODERATOR: Okay, this requires a two-
9 thirds vote and many times when we have a two-
10 thirds vote we have to take a count, and I want
11 to take this opportunity to draw our attention to
12 the first division, Mrs. Tashiro was unable to be
13 with us tonight, but tonight would have been
14 Charlotte's last meeting after 35 years, and a
15 teller for most of those 35 years.

16 So, Charlotte, I know you're watching at home
17 tonight, thank you very much for your 35 years as
18 a teller in the first division.

19 [Standing ovation.]

20 THE MODERATOR: That being said, I'm going
21 to try this on a voice vote.

22 All those in favor of Article 27, signify by
23 saying aye.

24 [Aye.]

1 THE MODERATOR: All those opposed no.

2 [No.]

3 THE MODERATOR: It's the opinion of the
4 chair that the no's have it and the article does
5 not pass.

6 Article 30.

7 CHAIRMAN MAGNANI: Mr. Moderator, I move the
8 Town vote that all articles considered in this
9 town meeting be funded as voted for a total of
10 \$123,264,318, and that the Board of Selectmen be
11 requested to place questions on the May 2013 Town
12 Election ballot as voted in Articles 24 and 25.

13 THE MODERATOR: Okay, you've all heard the
14 main motion to fund this Town Meeting for
15 \$123,264,318. All those in favor, signify by
16 saying aye.

17 [Aye.]

18 THE MODERATOR: All those opposed no.

19 [None opposed.]

20 THE MODERATOR: The ayes have it unanimous.
21 Mr. Chairman of the Board of Selectmen for
22 notification of the next Annual Town Meeting.

23 CHAIRMAN MURPHY: Yes, Mr. Moderator, fall
24 Town Meeting is on Tuesday, April the 12th, 2013.

1 THE MODERATOR: Tues -

2 FROM THE FLOOR: April - April?

3 CHAIRMAN MURPHY: November, I'm sorry.

4 It's been a long three days.

5 November - November 12, 2013.

6 THE MODERATOR: Okay, November 12.

7 Ms. Siegel, you have a point of order?

8 MS. SIEGEL: [No mic:] Mr. Moderator, I
9 would like to be able to address Town Meeting
10 before we adjourn.

11 THE MODERATOR: Do you have a point of order
12 or?

13 MS. SIEGEL: [No mic:] Well, no, a point
14 of order implies a criticism of something you're
15 doing and I don't have any criticism of what
16 you're doing. So it's not a point of order.

17 I -

18 THE MODERATOR: With a microphone, please.

19 MS. SIEGEL: Oh, thank you.

20 Debra Siegel, Precinct 6.

21 No, as I understand it a point of order is a
22 criticism and I'm not criticizing. I have
23 something that I would like to say that I think
24 needs to be said.

1 THE MODERATOR: Okay.

2 MS. SIEGEL: And I'd like your permission to
3 do it.

4 THE MODERATOR: Quickly, since we don't have
5 an article on the floor.

6 MS. SIEGEL: Quickly. Quickly, what it is
7 is that I want to say this now because last night
8 so many people left Town Meeting at the break
9 that I'm surprised we had a quorum.

10 I was very disturbed at a lot of what I saw
11 last night and tonight, particularly around
12 Article -- about the wind turbine article. I'm
13 as you know I have had my issues with the Board
14 of Selectmen but they have done a tremendous
15 amount of learning, educating themselves and
16 attempting to educate Town Meeting and they were
17 criticized for showing the leadership that we
18 asked them to demonstrate, and they were
19 criticized because too many people do not educate
20 themselves before they come to Town Meeting.

21 And how people can get up here and
22 consistently demonstrate suspicion and - and
23 cynicism and -

24 THE MODERATOR: Okay.

1 MS. SIEGEL: - make no -

2 THE MODERATOR: Ms. Siegel.

3 MS. SIEGEL: - wait a sec- wait -

4 FROM THE FLOOR: No - no - point of order
5 [and Inaudible].

6 MS. SIEGEL: Wait a second. May I -

7 THE MODERATOR: Your point was - your point
8 was taken by the meeting, okay?

9 MS. SIEGEL: Okay, I just want to -

10 THE MODERATOR: Madame Chairman.

11 MS. SIEGEL: Mr. Moderator, I -

12 CHAIRMAN MAGNANI: Mr. Moderator, ladies and
13 gentlemen -

14 MS. SIEGEL: - I didn't want to leave that
15 as a negative -

16 CHAIRMAN MAGNANI: - I move the April, 2013
17 Annual Town Meeting be closed.

18 THE MODERATOR: You've all heard the main
19 motion to close the meeting. All those in favor
20 signify by saying aye.

21 [Aye.]

22 THE MODERATOR: All those opposed no.

23 [None opposed.]

24 THE MODERATOR: The ayes have it, the

1 meeting's adjourned.

2 [Whereupon, meeting 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 10, 2013. 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 7th day of June, 2013.

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

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