

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF FALMOUTH**

**ANNUAL TOWN MEETING**

**Memorial Auditorium  
Lawrence School  
Lakeview Avenue  
Falmouth, Massachusetts**

**MODERATOR: David T. Vieira**

**Monday, April 11, 2005  
7:00 p.m.**

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

THE MODERATOR: Notice to people sitting in front of rows M and N where the signs are, that's only Town Meeting Members. All Town Meeting Members should be sitting in front of those rows. Your votes will not be counted by the tellers if you're behind the sign. Here we go. Clear the aisles, please, for the opening. All Town Meeting Members take your seats.

Again, I'd like to remind all Town Meeting Members that your attendance will be published in the Enterprise. I want to thank FCTV-13 for the live broadcast of Town Meeting. If you're a Town Meeting Member and you're standing in the aisle to my left, those

of you in the back of that line might want to check in over here to my right so we can speed up the check-in. Let's get all Town Meeting Members down front so we can have a quorum.

Okay, all Town Meeting Members please take your seats. Our microphone carriers this evening to my right will be Sarah Clayton, to my left Michael Clayton. The tellers this evening: in the first division will be Mrs. Tashiro, in the second division Mr. Dufresne and in the third division Mr. Hampson.

At this time, will all Town Meeting Members please rise for the establishment of a quorum.

[Pause.]

THE MODERATOR: Our second teller this evening is Nick Clayton, not Mike Clayton. Sorry about that, Nick.

Division one, Mrs. Tashiro.

MRS. TASHIRO: 64.

THE MODERATOR: 64.

Division two, Mr. Dufresne.

MR. DUFRESNE: 100.

THE MODERATOR: 100.

And Division three, Mr. Hampson.

MR. HAMPSON: 51.

THE MODERATOR: 51. By a counted vote of 215, we have a quorum and I call the Annual Town Meeting to order.

At this time, will all members please rise for the presentation of the colors by Sea Scout Ship 40 and the Brian Baru Pipe Band.

[Colors presented.]

[Pledge of Allegiance taken.]

THE MODERATOR: At this time, the Falmouth Town Band Brass Choir will play the National Anthem.

[National Anthem played.]

THE MODERATOR: At this time we'll have an invocation by Vice-Chairman of the Finance Committee Mr. Gary Anderson.

MR. ANDERSON: Lord, when it comes to meeting and communicating with each other, help us to be good listeners. Help us to be open-minded, putting aside our own agendas. Help us to be honest without being insensitive. Help us to be respectful without being too formal or artificial. Help us to question and challenge without being harsh. Help us to be aware that this is just one moment, just one meeting. And lastly, Lord, help us to remember that you, too, are always meeting and communicating with us. Amen.

THE MODERATOR: At this time, the Brian Baru Pipe Band will play "Amazing Grace" in honor of Town Meeting Members and those that have passed since our last meeting.

["Amazing Grace" played.]

THE MODERATOR: Colors post.

Brian Baru Pipe Band, Sea Scout Ship 40 and the Falmouth Town Band Brass Choir.

[Applause.]

THE MODERATOR: Okay, at this time I'd like to start with the dispensing of the reading of the warrant. Mr. Chairman of the Board of Selectmen for the main motion.

MR. MUSTAFA: I move we dispense with the reading of the warrant except for the Officer's Return.

THE MODERATOR: Okay, you've all heard the main motion. All those in favor, signify by saying "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

At this time, I'll read the Officers Return of the Warrant. By virtue of this warrant, I have this day notified and summoned the inhabitants of the Town of Falmouth qualified to vote on town affairs as said warrant directs by posting an attested copy thereof in Town Hall and in every precinct in the town. Signed Constable Paul Gonsalves.

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

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

FROM THE FLOOR: Moved.

THE MODERATOR: So moved. All those in favor signify by saying "Aye".  
[Aye.]

THE MODERATOR: All those opposed, "No".  
[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

At this time, the Chair would entertain a motion to allow town employees who are not residents of the town the right to speak on any issue before this meeting.

FROM THE FLOOR: Moved.

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

THE MODERATOR: All those opposed, "No".  
[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

At this time, I would like to introduce the Chairman of the Falmouth School Committee to introduce our new superintendent of public schools. Chairman Kirkman.

CHAIRMAN KIRKMAN: Thank you, Mr. Moderator. Good evening, my name is Tom Kirkman. I'm the chair of the School Department. And I would like to introduce you to Dennis Richards, who is going to be our new superintendent beginning July

1st upon the retirement of Dr. Clark. Mr. Richard comes to us from Reading, Massachusetts, where he's been the associate superintendent for 13 years and his selection was the end of a very long search in which a number of people in this town devoted a lot of time to, and I really appreciate that. Mr. Dennis Richards.

[Applause.]

MR. RICHARDS: Mr. Moderator, may I speak?

THE MODERATOR: Yes.

MR. RICHARDS: Thank you very much, Mr. Moderator. Town Meeting Members, I can't tell you how pleased I am to be standing before you as the next superintendent of schools in Falmouth. The welcome that I have received in talking to the people so far in Falmouth has been really rewarding for me. I've been in a number of school districts over my career and I can tell you what I have seen and the people I have interacted with, you can be proud of the school system that you support.

Over the next year, one of my high priorities is going to be meeting people in the community, listening to you to learn more about the community so that I can better lead the school district, and developing over the course of the year the trust that I know I need to have from you if we're going to move together as a community. I look forward to that opportunity to speak with you and good luck tonight. Thank you.

[Applause.]

THE MODERATOR: We'll now hear from Mrs. Marilyn Zacks who will introduce the new library director.

MRS. ZACKS: This is an appropriate time for Town Meeting; this is National Library Week. Can't think of a better time to call your attention to something in the heart of the community that we're very proud of. Lesley Morrissey is a person that we have chosen who has had experience here on the Cape in being a library director, which means that she is well informed about Massachusetts laws relating to libraries and also to something called Seamless, which is the local library consortium.

She came to the library on January the 10th and she and Lynn Mulvey, the assistant director, based on what Nancy Sorokin, the former director, had left as her really true, wonderful legacy, hit the road running on January 10th. She and the library staff got together and brought a grant request to the Massachusetts Board of Library Commissioners that was due on February 9th. And one attest to her prudence, she brought it up on February 8th so that she would not be in the Patriot's celebration traffic. So, she really thinks. I'd like to introduce her now.

[Applause.]

MS. MORRISSEY: I just want to say how delighted I am to be here in the Town of Falmouth working as the Director of the Falmouth Public Library. I don't know, maybe you're too close to it, but I've been in the library field for a long time and the Falmouth Public Library is considered to be the premier library in Southeastern Massachusetts, so it is an honor for me to be here. I have a wonderful staff and a wonderful board and I couldn't ask for anything better. Look forward to a long career here. Thank you.

THE MODERATOR: Welcome.

[Applause.]

THE MODERATOR: More quick announcements. The Board of Selectmen recently proclaimed April 16th and 17th as Woods Hole Model Boat Weekend. The Museum is hosting the Fifth Biennial Model Boat Show and encourages visitors and exhibitors to come to town and to Woods Hole on the weekend of April 16th and 17th. At this time, I'd introduce Marguerite McElroy to tell us what we should bring tomorrow night.

MS. MCELROY: Aside from patience. I'm Margo McElroy from Precinct 1 and I'd like to ask you once again to be generous to the Falmouth Service Center, neighbors helping neighbors, feeding our community. There are people in need in our community, and if you can bring a canned good, cold cereals, peanut butter, whatever you can bring tomorrow night and put it out by my poster there and we'd be very, very grateful, thank you.

THE MODERATOR: Okay, at this time I'd like to recognize the Planning Board for notification of public hearings.

MS. KERFOOT: Pursuant to Section 5, Chapter 40A of the Massachusetts General Laws, the Planning Board held a public hearing on Articles 25, 26, 27 and 28 on Tuesday, February 23rd, 2005, and all who wished to be heard were heard.

THE MODERATOR: Okay, at this time if you'd go to the back cover of your warrant booklet, we'll review the modified Rules for Town Meeting.

Number 1. Speaking and Voting. Registered voters, residents and taxpayers of the Town may speak on any article in the warrant. Persons who are not voters, residents or taxpayers of the Town may address the meeting only with the consent of a majority of those present. Only Town Meeting Members may vote.

Motions and Amendments. Motions and amendments may be made only by Town Meeting Members. Two amendments will be accepted on any article. Long or complicated motions, and other motions which he shall so request, shall be presented to the Moderator in writing.

Reconsideration. Reconsideration will be allowed at any time during the meeting if the article does not involve the appropriation of money. If the article involves the appropriation of money, notice of reconsideration must be given within 30 minutes of the vote on the article. Reconsideration may then be allowed at any future time.

Our hours of operation on the first night is seven o'clock; subsequent nights at 7:00, and we will close at 11:00 p.m. unless a motion to continue is made and approved by a two-thirds vote of Town Meeting Members.

We're going to use a blanket vote tonight on the Annual Meeting. As we go through the blanket, I will read off a brief description of every article and what its recommendation is. If you want to – Mr. Calfee?

MR. CALFEE: I know there's a little different lighting in this room tonight. I wonder if this second row of lights can be turned on? I don't know if it's a matter of a light switch?

THE MODERATOR: Okay. Can we look into that? We're going to look into

that, see if we can get an extra row of lights on up there in the center. They heard that back there, right? Okay. We'll work on that, Mr. Calfee.

MR. CALFEE: Thank you.

THE MODERATOR: It's a little cooler up here, though, without those lights on.

Okay, we're going to go through the warrant for the blanket vote. I'll go through and give a brief description. If you want to hold the article, stand up, yell, "Hold", let me know what precinct you're in. Otherwise, any article that's not held during the blanket will be moved as recommended. I will run through the warrant a second time, very quickly, and then we will take one vote to accept all those articles that were not held.

So, we'll start with Article 1, to choose town officers, is a hold. Article 2, to hear reports of committees, is a hold.

Article 3, to authorize the Board of Selectmen to settle claims and suits. Article 4, to authorize the Board of Selectmen to apply for and accept state or federal grants. Article 5, to vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws for damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts. Article 6, to fix the salaries of elected officials and to further raise and appropriate \$3,774 to fund the included step increase for the Town Clerk.

Article 7, to vote the revolving fund for the expenditure of updating the Code of Falmouth, and to raise and appropriate the sum of \$7,000. Article 8, to authorize the continued use of the Revolving Fund known as the Falmouth Recreation Department Revolving Account. Article 9, to vote that any funds received by the Town of Falmouth as part of the Medicaid Medical Services Program defined in General Law Chapter 44, Section 72 are allotted to the School Committee. Article 10, to raise and appropriate \$15,000 for the purpose of funding hospital, medical and related expenses incurred by employees of the Fire and Police Departments in performance of duties.

Article 11, this is the American Federal of State, County and Municipal Employees contract; the recommendation is indefinite postponement. Article 12 of the International Union of North America for the DPW, the recommendation is indefinite postponement. Article 13 is the International Association of Firefighters Local 1397; the recommendation is indefinite postponement. Article 14 is the Falmouth Police Federation Contract; the recommendation is indefinite postponement. Article 15 is the Falmouth Superior Officers Association; the recommendation is indefinite postponement. Article 16, to amend the Town's Classification.

MR. SHEARER: Hold.

THE MODERATOR: Hold by Mr. Shearer.

Article 17, this is to appropriate the sum of \$16,065 for the purpose of creating and funding –

MR. SHEARER: Hold.

THE MODERATOR: Hold, Mr. Shearer.

Article 18, to appropriate the sum of \$70,514 for the purpose of creating and funding the following new position in the Town's Classification Plan for the Water Utilities Department: to delete one Grade 8 Water Plant Operator and to add three Water Plant Operators, Grade 8.

Article 19, to raise and appropriate \$42,703 for the purpose of creating and funding the following new position in the Town's Classification Plan for the Water Utilities Department: one, add an Assistant Chief Water Treatment Plant Operator Grade 12.

Article 20, to raise and appropriate \$2,844 for the purpose of reclassifying and funding the following position in the Water Utility Department: to delete three Water Plant Operators at Grade 8 and to add three Water Plant Operators at Grade 9.

Article 21, to raise and appropriate \$4,134 for the purpose of reclassifying the positions under the Water Utilities Department to delete one Chief Water Plant Operator at Grade 11 and to add one Chief Water Plant Operator at Grade 14.

Article 22, to raise and appropriate \$630 for the purpose of reclassifying and

funding the following position for the Water Utilities Department: to delete one Utilities Supervisor Water Grade 13 and to add one Water Utilities Supervisor Grade 15.

Article 22, in the recommendation there is a scrivener's error. It should read the same as the article to raise and appropriate \$485. Article 23, I'm sorry, to raise and appropriate \$485 to delete one Assistant Supervisor of Water at Grade 10 and to add one Assistant Water Utilities Supervisor at Grade 12.

Article 24 is the omnibus budget and it is a hold.

Article 25, to see if the town will vote to amend Section 240, 240H of the Zoning Bylaw by inserting the words, "minimum frontage 100 feet". The recommendation is as printed. This is for Business Redevelopment Districts.

Article 26, to amend Article 2 of the Building Permit Limitation of the Zoning Bylaw. This is to change the date from May 1st, 2005 to May 1st, 2008 for the termination, and to include a section on Planned Production Units. The recommendation is as printed in the warrant.

Article 27 is a hold. Article 28, vote to amend the official zoning map to rezone a portion – the rear portion of the property located at 614 Main Street zoned Residential C to Business Redevelopment District shown on Assessor's Map 47 B, Section 03, Parcel 12, Lot 1. The recommendation is as printed.

Article 29, that the Town vote the sum of \$6,650,000 to be appropriated for the purpose of installing water mains and that to raise this appropriation the Treasurer be allowed to borrow under Chapter 44, Section 8, 5, and 6 of the General Laws

Article 30, to authorize the Board of Selectmen to purchase or take by eminent domain an easement over an ancient way or a wood road running in a generally westerly direction from Sam Turner Road in Hatchville to the Town's Crooked Pond well. The recommendation is as printed.

MR. YOUNG: Hold.

THE MODERATOR: Who's holding this?

MR. YOUNG: Young.

THE MODERATOR: Mr. Young.

Article 31, to see if the Town will vote to authorize the Board of Selectmen to transfer a parcel of land situated on Sam Turner Road, Parcel 11, Section 2, Parcel 004A, Lot 0, for nominal non-monetary consideration. The recommendation is as printed with the following change: deleting "Habitat for Humanity of Cape Cod" in line 3; deleting the words, "for a period of 20 years" and replacing "in perpetuity" in line 8. And deleting the entire sentence beginning, "now the sponsor".

Article 32, to see if the town will vote to adopt the following bylaw relative to the Community Preservation Act established by Chapter 149 of the Acts of 2004 and accepted by this Town Meeting as Article 13 at the November 8th, 2004 Annual Town Meeting.

Article 33, to see if the town will vote to accept the doings of the Board of Selectmen in the laying out of Fox Lane. Article 34, to see if the town will vote to authorize the Board of Trustees of the Falmouth Public Library and/or the Board of Selectmen to apply for any state grants available to defray the costs of construction and equipping the renovation and addition to the library main building.

Article 35 –

MS. STETSON: Hold. Judy Stetson, 1.

THE MODERATOR: Ms. Stetson.

Article 36, to see if the town will vote to update the goals and policies for the Local Comprehensive Plan dated January 18th, 2005. Article 37 is a hold.

Article 38, to see if the town will direct the Board of Selectmen to discontinue Manchester Avenue and Central Park Avenue. The recommendation is indefinite postponement.

Article 39, to see if the Town of Falmouth will appropriate the sum of \$4,000 for use by the Peterson Farm Management Team for the construction of two sheds on the Conservation Land. The recommendation is indefinite postponement.

Article 40, to see if the Town will vote to ban the construction of any new underground irrigation systems and require that all existing systems not be updated or repaired. The recommendation is indefinite postponement.

Article 41, to see if the town will vote to require –

MR. SHEARER: Hold.

THE MODERATOR: Mr. Shearer.

Article 42 is a hold.

Okay, one more shot at this one.

Article 1 is a hold; Article 2 is a hold.

Article 3; Article 4, Article 5; Article 6, Article 7; Article 8; Article 9; Article 10; Article 11; Article 12; Article 13; Article 14; Article 15.

Article 16 is a hold. Article 17 is a hold.

Article 18; Article 19; Article 20; Article 21; Article 22; Article 23.

Article 24 is a hold.

Article 25; Article 26.

Article 27 is a hold.

Article 28; Article 29.

Article 30 is a hold.

Article 31; Article 32; Article 33; Article 34.

Article 35 is a hold.

Article 36.

Article 37 is a hold.

Article 38; Article 39; Article 40.

Article 41 is a hold and Article 42 is a hold.

MR. SHEARER: Mr. Moderator.

THE MODERATOR: Mr. Shearer.

MR. SHEARER: I would like to drop my hold on Article 16.

THE MODERATOR: Article 16. Article 16, Mr. Shearer is dropping his hold. Is there anyone else who would like to hold Article 16?

Okay, Madame Chairman for the main motion.

CHAIRMAN LEMOINE: Mr. Moderator, I move all articles as printed.

THE MODERATOR: As recommended.

CHAIRMAN LEMOINE: And recommended.

THE MODERATOR: Okay. Okay, the main motion is all of the articles in the blanket be passed as recommended. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed?

[None opposed.]

THE MODERATOR: The ayes have it unanimous.

MS. LEMOINE: Mr. Moderator, I hereby serve notice of reconsideration of all articles passed under the blanket vote.

THE MODERATOR: Okay. Notice of reconsideration has been served on the blanket.

All right. Article 1, to choose all necessary town officers. This would be our Finance Committee approval for appointment. Currently there are five members up for re-appointment and one unexpired term up for reappointment. All members have expressed their wish and desire to continue serving. So, at this time, I'll enter into nomination the names of the members for reappointment to the Finance Committee: Michael Miller for a three year term; William Murphy for a three year term; Wilson Smith for a three year term; James Vieira for a three year term; Mark Woods for a three year term; and Richard Sacchetti for a two year unexpired term.

Are there any nominations from the floor? Hearing none, the chair would entertain a motion to close nominations for the Finance Committee.

FROM THE FLOOR: So moved.

THE MODERATOR: So moved. All those in favor of the nominations as presented, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No."

[None opposed.]

THE MODERATOR: The Ayes have it unanimous. Congratulations. And let's have a round of applause for the hard work that our Finance Committee puts in especially in the spring.

[Applause.]

THE MODERATOR: Okay, Article 2, to hear reports of committees and town officers. First off, I have the Falmouth High School Building Committee would like to make a report. And are there any other committees that would like to make a report on the floor of Town Meeting?

MS. MCELROY: Thank you, Mr. Moderator. Margo McElroy, Precinct 1, former chair of the Town School Building Needs Committee and a member of the Falmouth High School Building Committee. We've been working since the early '90's on the renewal of the Falmouth School system facilities and I'm pleased to tell you that we're entering the final stage. As of two weeks ago, we issued a contract to the general contractor for the renovation of Falmouth High School, the last stage in our school system planning. And for those who've been very concerned about it, I'd like to add that the contract came in within the estimates and we will be able to put the small gym addition on. And I'd like to thank everyone very, very much for the support you have given your school system and the importance to the community that we know this support is providing us with an educational facility that will move us into the next 30 years and meet our educational program. Thank you very much.

[Applause.]

THE MODERATOR: Any further committees to make reports? Okay. Hearing none, the question will come on accepting all of the reports. All those in favor, say "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No."

[None opposed.]

THE MODERATOR: The Ayes have it and we've heard all of our reports.

The next one we have here is Article 17; this was held by Mr. Shearer. Madame Chairman of the Finance Committee for the main motion.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 17 as recommended.

THE MODERATOR: Okay, Article 17, the main motion is as recommended.  
Mr. Shearer.

MR. SHEARER: Dan Shearer, Precinct 6. This article, I have great respect for our Veteran's Administrator that we have now. He is a very nice gentleman and I think he does a superb job. But I'm wondering if we can get a little bit of help on this from some of our neighbors.

I called Bourne today. I got an answering machine. They have a Veteran's Administrator on Tuesdays and Thursdays from 9:00 a.m. until 11:00. I called Sandwich, and they have a Veteran's Administrator who comes on Wednesday afternoons from 2:00 to 4:00. I called Mashpee and they didn't know if the office in Hyannis was open or closed anymore, but Falmouth had one and they were sure they'd take care of everybody. Oh, maybe we could get a little help from these people, because when I did talk to our administrator, he said, yes, he was getting people from Sandwich, he was getting people from Mashpee, he was getting people from Bourne, and maybe that's why he's so busy.

So I don't know if we need to pay for a new person or if we could maybe raise some funds from these three other towns where we're doing their work. Thank you.

THE MODERATOR: Mr. Dufresne.

MR. DUFRESNE: Adrian Dufresne, and I'll speak as a member of the Veteran's Counsel, Chairman of the Veteran's Counsel. I've asked Jay Hill to be here tonight in case

there are any financial questions that were being asked. I would strongly urge that you pass this article in support of the Director of Veteran's Services who has a workload – I go down and see him quite often. His phone rings constantly. As far as other towns, when the Town of Falmouth adopted Chapter 115 a number of years ago, Falmouth made a commitment to the Veterans of World War II. Since then, we've had about three major wars and we have one currently going on, and I don't believe the word "veteran" is ever going to disappear out of this warrant booklet of the Town of Falmouth.

I strongly urge that we don't get into any arbitrary conversation about the need for this particular position which at one time was a full-time position held by one Prudence Bruseau [sp?]. When Falmouth adopted Chapter 115, the original Veteran's Agent was Roy Burg [sp?]. Roy Burg was replaced by Vinny Innis [sp?]. Vinny Innis had a full-time secretary called Prudie Bruseau. That full-time position disappeared and with the conflicts that are going on now, trust me, we would like to get back some help in that office so if the services to the veterans currently serving and those that have served in wars going as far back as World War II be served in the manner in which they are entitled under Veteran's Services of Chapter 115 Massachusetts General Laws. Thank you very much and I hope you will support this article and not listen to the last gentleman.

THE MODERATOR: Any further discussion on Article 17? Hearing none, the question will come on Article 17, the main motion is as recommended. All those in favor, signify by saying, "Aye".

[Aye].

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it unanimous. Good.

Okay, Article 24, which we thought maybe we would have to take out of order tonight, but obviously we won't, Article 24 is the omnibus budget. Madame Chairman for the main motion, and then we'll have a budget presentation.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 24 as printed in the

warrant.

THE MODERATOR: Okay, Article 24, the main motion will be the column in your warrant booklet that is the Finance Committee recommendation. That is the last column. That is the main motion on the floor. Mr. Whritenour for a budget presentation.

Just to remind Town Meeting Members: after the presentation, we'll then go into the budget department by department, and it won't be like a blanket: if you want to speak on it, just stand right up. We'll do that department and then we'll move on from there. And we do allow more than two amendments on the article but no more than two amendments on a department budget since it is an omnibus budget; we do the same for the capital. Mr. Whritenour.

MR. WRITENOUR: Thank you, Mr. Moderator. Good evening, ladies and gentlemen. What I wanted to try to do this evening, there's been a lot of talk on the budget this year and where we stand in terms of the overall state of the town in terms of the municipal finances. I wanted to try to give you, if possible, a brief overview of some of the forces that are impacting the town's finances and set the stage for exactly where we stand with the town budgets and where things look like we're going and hopefully I'll be brief and we'll have some time for some additional questions. And I'll just motion for the slides as we move along.

I thought the best way to approach this would be to look at some of the recent budgetary trends that the town has faced, because I think they paint a very clear picture on what the overall issues are and what direction that the town is going. What I've done is I've conducted a just a basic five year analysis of some of the key revenues that comprise the town's budget.

Now, the basic issue really is shown in slide number one, here, which analyzes the state revenues from 2002 through 2006 and, as you can see, through the periods of 2003 to 2004 there's a rather precipitous decline in the overall state revenues that the town receives from about 7.7 million down to the low point which is just under \$6 million per year.

Now, from '04 to '05 you see it's roughly level-funded and what we're hoping to see in 2006 is a slight rebound as first of all the economy begins to take hold a little bit and move us forward and also our legislative delegation has made a very strong push at addressing some of the equity issues that exist here on Cape Cod, and I'm very confident that we're going to come back with some of this state aid, but essentially one of the major problems that we're confronting in the Town's budget is that since this high point where we've gone down to the five and a half just under six million range, you can see that these funds haven't been restored and we're still at a point that's a million and a half or so below, even if we do get a little boost in the state revenues.

And I'd like to show you the next slide because a couple of the receipts – what we've been trying to achieve as a community, it was I think the governor's basic initiative that property taxes come in in all of the cities and towns across the Commonwealth and make up for that loss of revenues in state aid. What we've tried to do here -- last year, as you know, we had this discussion. The finances were extremely tight for that same reason, that we had lost the \$2 million in the state aid and we hadn't had additional revenues to take the place of that.

And we were in great financial difficulty at that time and what we had done was a couple of things in terms of the strategy. The first thing was we had a \$300,000 stop-gap funding program for the School Department that helped get only those most dire needs met in that department and bring us into 2006 budget time frame, but also the Board of Selectmen to their credit at that time put together a Revenue Enhancement subcommittee of the town to analyze all of the Town's revenues and make recommendations in areas where we could hopefully develop some revenues to take the place of the lost state aid to move us forward.

And, as you can see, we've got some fairly good growth in the local estimated receipts. Now, these are all of the fees and fines that are charged in the town; also, the motor vehicle excises. And one of the things in order to try to bring us back a little bit from that loss of the state aid, that the Revenue Enhancement Committee conducted this past year a full cost allocation study of all of the departments that do charge fees, such as the Solid Waste

Department, the Beach Department, the Building Department, and had recommended a modernization. A lot of those fees hadn't been touched in over ten, twelve years, and as a result of that study, recommendations came through that the Board of Selectmen did adopt that provided an additional \$700,000 in estimated new revenues for fiscal year '06. And these funds are reflected in the fairly strong growth in our estimated local receipts.

Now, as you can see, that only makes up a little less than half of the shortfall from the state aid reductions. However, it is very significant in this budget and really is one of the reasons why it is not essentially in a crisis mode, it's just a very tight budget this year. And perhaps we can go to the next slide.

Clearly, the lion's share of the Town's revenues are coming from the property taxes. Again, we're up to in that \$65 million range -- 64, just under 64 for the overall property tax levy. That includes all of the exclusions. As you can see, this growth is very steady, straight-line growth. And it's only comprised of each year the property taxes have been raised the 2 ½ percent plus whatever new growth we have in town. And we haven't taken on in recent years a lot of large debt exclusions, but as you can see, and even if you go back there's, you can see it trends on a very even rate of growth, the property taxes. And, again, you know, that's good for municipal government that the growth is steady. It is not rapid growth, but that is really where a lot of the funding ability for the town comes.

Now, the next sheet, if you take a look at what some of these revenue trends mean and where that brings us, you can see property taxes over the past five years have an average annual increase of about 4.2 percent. Again, that's slow and steady, but it pays the lion's share of the bills. We've worked extremely hard to keep that property tax a stable source of revenue that doesn't have peaks and valleys. And, as you can see, there's that slow and stable growth that we shoot for.

Local receipts are growing at somewhat of a faster rate as of primarily a consequence of the efforts that we've made in recent years to try to look -- and especially in the 2005-6 time frame to look at those local estimated receipts as ways that we can potentially

pay for the full cost of the departments that do charge the fees. Also in there we've had some pretty good growth. There was an error in the state's distribution of the hotel/motel excise tax that we picked up this year and that's reflected in the local receipts. We also picked up additional funds: the motor vehicle excise has grown a little bit faster than the property taxes. So you can see that 6.9, these revenues are growing a little bit faster. However, again, with the state revenues over the past five years, it works out to an average annual decrease of 4.4 percent.

Now, in analyzing these revenues, what we see as a consequence: very, very strong property tax base in the community. The valuations are increasing at a rapid rate. Local estimated receipts are growing as a portion of the town's budget also very strong. And now we see the state revenues hopefully stabilizing. The town is in excellent financial health as a result of the strength of all of these revenue sources, and these are the three that comprise the town's budgets. The key point here is not that the town is losing money, is not that the town is not in a strong financial health, but with the reduction in some of these revenues, what we see is that the level of growth of the town's revenues is at a slower pace than some of the demands for the new services. And maybe we can look at some of those on some of the next.

Again, just to give you a sense, we talked about how fast the revenues are growing, you should be aware that, again, the lion's share with the property taxes, that's 67 percent of your annual budget. Which is quite a chunk. In a perfect world, that would be down to about, you know, 50 percent or so. But since we only have 6 percent state revenues, and that's that equity piece, I know our legislative delegation is working extremely hard on with only 6 percent state revenues, it forces us to use the local estimated receipts. That's grown over the last several years to maybe in the low 20's up to about 27 percent. So that gives you a sense for how those revenues we looked at come together for the full picture. Maybe we can move one more slide.

Again, the town has very strong, stable revenue sources. The basic issue with the Town's budget is the total of all of these revenues put together is up approximately 3.16

from the previous year. Now, you have to match that with all of the department's needs. As you know, for the past several years we've been trying to tighten our belts and the key thing that we've been doing as a community that's kept us financially healthy is that this body, working with the Finance Committee and the Selectmen, have limited the expenditure levels, kept the budgets down to a level that's commensurate with the type of growth we've seen in the local revenues.

Now, this is about the third year in a row that we've been at this three percent or so range in terms of the overall revenue growth. It was over double that prior. And we saw some nice -- from the late 1990's into early this century we've seen some much higher rates of growth. What we have now is as a result of the shrinking economy, a lot of -- and this really bears mentioning -- a lot of the municipalities you look at across the Commonwealth are faced with numbers that are actually declining for revenues. A lot of the historic communities such as Falmouth. But because we have the stronger areas with a lot of local receipts, a very strong property tax economy, our major problem is not declining revenues but just a cut about in half of the rate of growth that we had become accustomed to several years prior to that.

Now, as a consequence of that, we see some of the symptoms when we do the budget requests, they came in almost \$2 million over what we have for available revenues. Now, these aren't just fluff requests. These are what we consider the core budget requests. And I have met with each and every single department cost center in the town. And this year, you know, I have to admit, really more so than in any other year, there were some extremely valuable programs, some service enhancement we would like to have seen that in order to stay within that three percent growth rate because of some of the overhead items that are increasing, we just had to defer.

So, what you see in front of you is the FY '06 budget package. It represents an additional year of belt tightening in order to reduce down the overall budget growth to fall within that 3.1 percent range that the overall revenue growth is in given our current poor economy.

Now, I want to give you, despite, you know, the fact that we are in a belt-tightening mode and a lot of the key service enhancement new positions and things have been deferred this year, keep in mind that with three percent in there that is still a fair amount of growth for a town budget, and we were able to incorporate I think some very strong initiatives that are going to keep our services strong for the next year and also keep our budgets in good shape.

And I just want to go over a couple of those here. First of all, this is a very realistic budget that you folks have in front of you. We've tried to budget what we think we will need for all of our overhead items, which are increasing fairly rapidly. Costs for the energy for the town buildings, the fuel for the vehicles. The insurance market is still increasingly unstable and we've had health insurance increases, although as far as the health insurance market goes, a ten percent increase is extremely low for health insurance these days. For a town budget, ten percent for health insurance as an increase represents a large portion of that limited amount of funds that we have.

The debt money, our solid waste budget's increased I'd say more so this year than they have – than we've seen in any recent year. But we've been able to incorporate all of the overhead items that comprise the basic core of the Town's services, what the departments are run on, and I dare say there's not one item in there that, you know, we feel is going to run short halfway through the year or create a major problem for the Town.

Another area that required a good deal of funds in addition of approximately \$300,000 was progress that we needed to make on the unfunded liability for the Town's retirement program. Now, we share an unfunded liability with many other – just about every other retirement system in the Commonwealth, but we are under a state mandate to have that completely paid off by the year 2028, and we needed to accelerate that schedule to make sure that we're on track. One of the problems we've had, remember, with the economy the way it's been the last three years, the stock market, where a lot of the funds for the unfunded retirement liability come from because there's approximately \$60 million that's invested in that, what

we've seen is we've seen somewhat of a reduction in the interest income, so we've had to, you know, rethink the Town's commitment to that. We're happy to say that right now the investment income's returning, but we still needed to add more money into that.

We've further made some good progress on the consolidation of our building maintenance under our Maintenance Supervisor Shardell Newton, out of the Department of Public Works, and I think everyone in this room will agree over the past several years the Town buildings have looked pretty good, and we're continuing to do that. We've taken another two positions that were custodial positions assigned to various departments, consolidated them under our crack building custodial unit and we're going to move forward with that again this year.

Let's try one more slide. One area – it's a little bit deceiving in the budget. It looks – it takes up, you know, a fair amount of the growth in this budget, and you've gone through and already seen the reclassifications, but the one area that we have had to increase – and again, the funds for these increases came directly from the water and the sewer rates – but it's very important that folks realize there are two extremely major facilities that are coming online just this year and it's kind of an historic occasion that we've got our brand new wastewater treatment facility, which will revolutionize the way nitrogen is handled in this community. That's coming on line this summer. We've also got the Crooked Pond Well Treatment Plant that's located in the Hatchville section of town, and that will be a very good contributor to the Town's water system. Each one of these facilities required a complete retooling of the respective division in terms of the requirements that we had for staff members in wastewater and water. Those are in the budgets and represents probably the largest increases I think percentage-wise that you'll see. But, again, two major improvements for the town. And we've been working for many years at planning these and some other very strategic capital improvements that are going on around town.

Additionally, we have in the budget – and, again, I thought this was an extremely

prudent step to take with the finances as limited as they are. You notice that we had the articles on for each of the Town's labor units. Funds are very, very slim for any cost of living increases, and that's hurt us a little bit in terms of our ability to reach amicable settlements with all the groups, so we still are at the point where we're not finished with those. But it's a strong feeling of mine, and supported by the Board of Selectmen and the Finance Committee, that we needed to at least take some amount – and we put in for a two percent reserve for some of these cost of living increases because if we didn't do that in this budget and reserve some funds, what you would see is a situation over a two-three year period where Town employees would get no cost of living increase, and that's simply not fair with the level of inflation that we have currently.

Let me try the next slide. Just – I want to give you some final thoughts and hopefully I'll be able to answer any questions on any other financial items you might have.

But, just to re-cap a couple of issues and where we stand today. Although the budget is increasing at three percent and we're up right around the \$90 million now, this is a very tight budget. And I don't see any of the Town individual departments as having any padded lines. We've gone through them with a fine-toothed comb. This budget is designed to control expenses to meet available revenues while still keeping services intact. There are no on the Town's side layoffs thankfully in this budget. However, very, very, much so some of the items we've deferred, the new positions and things of that nature, to keep in with available revenues that we have. Based on that, I think looking forward we can expect to very much see continued fiscal pressure throughout the next one to three or four years, with the economy rebounding much slower than economists forecasted with the state revenues as you saw in that first chart hopefully beginning to rebound, but very slowly.

With the budgets now deferring basic service improvements, what we'll see is next year perhaps that, you know, \$1.9 million in budget requests over what we have, you know that might be up to \$2.5 million. And you know we'll have to continue to work hard to address all of the revenue areas to try to make sure that we have what we need to do some of these service increases. We may be picking up a few initiatives next year, deferring others.

Again, this is a basic budget. The needs of the town departments are met to keep the services going the way we've had them in the past, but there were several service increases that we have deferred.

And I think that's basically all I had for a presentation. But I'd like to be able to answer any questions anyone has.

THE MODERATOR: Are there any general questions for Mr. Whritenour before we go into the department budgets?

MR. WHRITENOUR: Thank you very much.

THE MODERATOR: Thank you, Mr. Whritenour.

All right. We'll go through department by department, so if anybody wants to discuss any line item within the department, please stand up and we'll stop and have that discussion.

Town Meeting. Town Moderator. Selectmen Administrator. Finance Committee. Finance Committee Reserve Fund. Town Accountant. Assessing Department. Town Treasurer. Town Collector. Legal Department. Personnel Office. Information Technology. Geographical Information Systems. Affirmative Action. Town Clerk. Elections. Conservation Commission. Planning Department. Zoning Board of Appeals. Town Insurance. Facilities Maintenance. Police Department. Fire Department. Building Department. Emergency Preparedness. Natural Resources. Harbormaster Waterways.

Mr. Shearer.

MR. SHEARER: Dan Shearer, Precinct 6. I just want to know what 147 is, Mooring Contract for \$4,000.

THE MODERATOR: Line item 147, Mooring Contract. Does the Harbormaster want to respond to that?

MR. FRASER: Greg Fraser, Harbormaster. That pays for contractual services for survey work of the mooring fields. It also paid for the last couple years to hire an individual to do work with the GIS Department to map the mooring fields.

MR. SHEARER: Thank you.

THE MODERATOR: Okay. Any further discussion on Harbormaster/Waterways?

School Department. Mr. Clark.

MR. CLARK: I'd like to have an amendment. The amendment to Article 24 reads, "I move that the total budget of the School Department, 01300, line 155, be amended by adding the sum of \$750,000 for purposes of operating the School Department, books, and other instructional material, technology, capital improvements and full-day kindergarten, subject to approval of a ballot question at the Annual Town Meeting to allow the Town to assess an additional \$750,000 in real estate and personal property taxes for said purposes for the fiscal year beginning July 1, 2005, said money to be expended under the jurisdiction of the School Department."

THE MODERATOR: Okay. We have an amendment on the floor to amend the bottom line item of the School Department for \$750,000, that portion of which would be subject to an override vote. Dr. Clark.

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: It says Annual Town Election. As it's printed –

DR. CLARK: As printed is –

THE MODERATOR: Okay.

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: We can. Because we don't have the ability to change line item by line item, in order to do this amendment, after meeting with counsel and talking to the Department of Revenue, we decided to do just the bottom line item subject to the override. If that money is appropriated, then the School Department under its appropriating authority for the school budget can choose where that money will be specifically spent.

Dr. Clark.

DR. CLARK: I'd like to ask if Mr. Kirkman can come forward, please.

THE MODERATOR: Chairman Kirkman.

MR. KIRKMAN: Thank you, Mr. Moderator. Tom Kirkman, I'm the Chair of the School Committee. Two years ago, we lost \$1 million in our budget. One million dollars was cut from our state aid, it was 20 percent of our state aid amount. And we're here tonight to ask you to support this amendment to our budget to allow us to fill the gap or rather to allow the voters to fill the gap through the ballot.

In 1997 this Town Meeting and the voters passed an override to cover textbooks, technology and other items in the amount of \$980,000, and then when September 11th, 2001, this state suffered a loss, in fact the country suffered a loss, but it resulted in a loss of substantial revenue to the state in the form of meals taxes, room taxes and other taxes for tourism. As a result, all cities and towns in this Commonwealth took a loss. Mr. Whritenour has already spoken to it. In our case, it was \$1 million. And when we were faced with that loss, which came two years ago in the fiscal year, we had to figure out how to make up the gap, and what we did is we looked at the override amounts we had, and we were very clear about doing this in public, and we took monies that were dedicated to textbooks and technology and met other needs that we had.

Now, in a few minutes, Dr. Clark is going to explain to you very specifically where the money has gone and what we need this override money for. Generally, what we need the money for, it's in four main areas: textbooks and library books, technology, capital improvements like the seats that you're sitting in, and also to expand full day kindergarten which we had started in the year 2000 in East Falmouth and Teaticket, and out of equity we want to expand into Mullen Hall and North Falmouth as well.

This Town has struggled with its revenues. We have seen that with Mr. Whritenour's presentation. We have operated under very tight budgets. A year ago we voted to seek an override at that time because of the loss that we had suffered, but we backed away from that when the Town stepped forward and gave us \$300,000, and we're appreciative of that, but the Town can't just continue to do that, obviously. So we're here before you tonight

to ask you to support this.

The Town has made up some of its losses, not all of it, in the form of increasing fees. One fee that I direct your attention to is for beach stickers. They're now up to \$30. The override that we're proposing would cost less than a beach sticker for anyone owning a house assessed at \$400,000 or less. That amount of money seems to me and seems to the School Committee to be a very worthwhile investment in this town. And so tonight we're asking for your support to let the voters decide.

And now I'm going to turn it over to Dr. Clark to more specifically explain why we need this money and where it would go. Thank you.

THE MODERATOR: Dr. Clark.

DR. CLARK: Good evening. Before I start talking about budget, I want to personally welcome Dennis Richards myself as the new superintendent. He has a wonderful opportunity: this is a great town to be a superintendent in and I'm pleased that the Town has chosen well.

I'm proud to have been the superintendent and I'm proud to have worked closely with the Town over many years to try to bring budgets that in fact represented a collaborative decision and didn't require any significant disagreement. I'm sorry that on this one we have to step forward and push for additional help for the schools despite decisions by the Selectmen and the Finance Committee. But I hope to persuade you to assist the schools once again by approving an override that would go onto the ballot.

Thanks to the inspired work of our teachers and staff, I believe that our schools are succeeding with students. If you looked at the table at the bottom of the yellow page you got when you walked in, you saw our very significant improvements in MCAS scores. Or, if you read the material in the green booklet on page 4 you saw a variety of ways that I feel the school has really helped students to succeed, whether that is in music or AP courses or in sports participation. The total program is what helps students to succeed in their lives. And I think that the school system is not faced with dire cuts in staffing or programs if this override

doesn't go forward, but it is faced with very, very serious degradation in terms of the materials and instructional materials, the books, the library books, the technology. We've had two years of that and it is my fear and the fear of the School Committee that if we continue that decay we will be faced with major expenses that will in fact if not passed result in significant cuts.

The other thing I see us avoiding through this I think reasonable and prudent step is the prospect of fees in the Falmouth School system. We are very proud of the fact that we have not introduced the fragmentation, the argument, the loss of equal opportunity that comes, we feel, with fees being charged for any of the significant services that the school has to offer. We see those elements of our program not as being options that some students ought to have the right to choose and others not, but as very important pieces of the total growth of the students in our school system.

I'd like to in four parts bring you through the budget process that we followed and explain the override. First I will go back and revisit what the schools are asking for very quickly. Second, I'd like to talk with you for a few minutes about why although the Finance Committee worked closely with the School Department and Mr. Anderson spent many hours on his analysis, why I feel that analysis misses its mark in terms of talking about the expenses of the School Department.

Third, I'd like to tell you a little bit about how we kept our budget down. Mr. Whritenour talked about the tightening that the Town has done. I want you to understand that we have, too. And talk a little bit about the needs – the uses of that \$750,000. And the fourth part is just to do a quick comparison between Falmouth and some other communities in the state on their spending.

So, if we can step back one slide. This is the budget that the School Department has settled on at \$38,182,567. It's a 4.8 increase – 4.8 percent increase. That's made up of the million dollars that the Selectmen voted for the increase in the Town and the \$750,000, slightly over two percent, that we hope will be an override. We are not trying to get more money for the School Department out of the very tight revenues that the Town has. We are

asking that we have the opportunity to go out and ask the voters to raise the tax levy so that the Town has more money which can come to the schools.

The next two slides over, please. This is a chart or graph from your budget book. It shows the growth in the School Department budget from fiscal year '98 when the last override was passed. Clearly the Town has been supportive of the schools. There isn't a question about the effort of the Town. During fiscal year 2000, 2001, 2002, you can see that the growth was over five percent. And that was because of the money that was coming from the state at that time to support education reform. But when you hit fiscal year 2003, 4 and 5, the state was leveling its support and in '04 you heard about the million dollar cut, the 20 percent cut in local help to schools from the state. And that level has stayed the same in fiscal year '05 and may well stay the same in fiscal year '06. We do not know.

And that is where we've run into some difficulties as most school districts have around the state. And you can see that we had a one percent growth in fiscal year '04. Next slide, please.

I'd like to talk to you about the Finance Committee analysis. And I want to raise some questions about it. I think you're going to have an opportunity to hear that analysis. It came to the conclusion that the schools really had enough money with the 2.7 percent – 2.47 percent that was in the Selectmen's budget, and we of course are disagreeing. The analysis method used, a rate volume analysis, was borrowed from banking relative to interest rate risks. It helps to identify factors that hurt the net interest income, identify sources or centers of cost that are not working, but it doesn't get at the issue of cost effectiveness measures and I think we feel -- and it's very difficult to put a quantifying number on those successes – that the school system has managed to be very successful and needs the continued help of the Town.

The next slide simply states that our economic dynamics are not like a bank. Our mission calls us to be responsible for every child regardless of the risk. When we are asked to use all the methods available to us to assist growth for every child, even if they are

very expensive, and that's what we've set out to do. We do not feel that the special education child deserves any less in terms of his or her opportunities in the school system, even though the needs of that child are greater and the costs of those programs are greater. And we must work under the mandates that we've received from the federal and state government with every single child to help them succeed.

The next slide essentially represents a five percent growth assumption that was made in the analysis by the Finance Committee, and we question that assumption because of the unfunded mandates that have been brought to the school systems that have made us work harder, that have improved our achievement levels. They've been important to us, but they have not been met with the funding as necessary. And that includes programs, training, reporting, a whole range of things.

We are committed to maintaining quality programs and to avoiding fees in our system.

I'd like you to look at the federal – on the next slide – federal funding for education. I'd call your attention – it shows you money in the IDEA column for special needs from the federal government, and from No Child Left Behind under Title I in the total you can see some growth there. That growth represents \$33,698, and \$8 per student, essentially, is what we're getting from the federal government for a huge range of mandates relative to student achievement and also to high quality staffing which requires training, to reporting a range of data on discipline and other kinds of things. This is what we're receiving from the federal government.

The next slide shows you the state effort to help. And you can see that very solid growth from '99 to fiscal year 2000 when it leveled off. And in fiscal year '04 is the year when we took the 20 percent cut because of the state's inability to support ed reform at the level that it had. And you can see that that stays constant.

In the green book there are a couple of pages that talk about the extraordinary programs which are summarized on the next slide. This includes the high stakes testing.

That is to say that students don't get a diploma unless they are at a passing level in English and math in the 10th grade testing under the state system. We've created new classes to help students who are struggling, the equivalent of six teachers. That's been – some people are claiming that somehow our challenge is easier under the state ed reform. I tell you it is not because we must, as I say, work toward getting every student over that passing bar.

The No Child Left Behind law is a federal law and it requires that every year we make a certain amount of progress. The goal under that law is that by 2014 every student will be at proficient. That, in the state system, is a whole jump above the passing level. It is a very, very rigorous challenge. Under that, we have identified 230 students; because they are having a hard time meeting that standard, we create individual success plans for them. And we have been providing, last year and this year, up to 14,000 hours of additional time in one to one or small group efforts with those students to make sure that they're succeeding. If we don't succeed, that is to say if they don't succeed, we don't, and we begin to face, again, issues that put an immense administrative burden on specific plans to correct a deficit. It is a daunting task.

I call your attention just to the fact that even now the State Board of Education is considering creating science tests as part of that high stakes graduation, and their proposal is that in 2010 for the current 7th graders they also will have to pass English, Math and Science in 10th grade or in retests in the 11th and 12th grade in order to get a diploma. Now, again, it's a legitimate, challenging task. However, it has all of those various sub-tasks that we have to take on right now with level state funding.

The next two slides I'm not going to take much time on. They simply show you the path of annual goals that have to be met in English, which is the higher line, and in Math, the more difficult one. And those are the targets that are set. The law doesn't give you any elasticity or flexibility on that. That is where you're going to try to get every student to proficient by 2014. That's our aggregate student body. The next slide shows our students with disabilities. And it clearly shows that there's a considerably greater challenge there

because of those students' needs. And we are faced with making that succeed.

The next slide talks further about programs in special needs particularly. Because it is very, very expensive to have special needs students who have to leave the district and go out of town to specialized programs. And one of the things that we've worked on, and one of the things that I think in the Finance Committee analysis is hard to quantify, just as those unfunded mandates, is the work that we've done to create special needs programs in the district so students can stay here in their home schools near their friends and not have to be transported. So we've invested, in these last three years, in building those programs. It is one reason why all of the student population has declined. We have not been bringing down the staffing because we've been trying to build these programs.

So, next slide shows you where we are with our request for 1,750,000. A million covered by the Selectmen's budget. This shows you the areas that have been moving up, and I can give you more detail or answer questions about that. I'm not going to go into a lot of detail on these, but you can see the split between the regular budget proposed by the Selectmen and our override. The \$170,000 is the money to support full-day kindergarten. The \$400,000 is \$200,000 for textbooks and \$200,000 for technology to phase the replacement of those. The \$180,000 is for capital needs. The first year of that is two modular classrooms at North Falmouth.

I want you on the next slide to see the steps that we have taken to meet our budget. Essentially, from the requests that were made, the School Committee and I have cut \$1.3 million out of those requests. Otherwise, the budget would have been well above the revenues possible. 812,000 of that were requests for staffing that were not granted. And again, I would echo what Mr. Whritenour said. This was not fluff. This was an alternative education program to help struggling students. It was a reading teacher. It was other kinds of important things. You can see those details: in your green book there's a detailed list of the personnel that was not put into the budget.

We also have cut out 300,000 based on retirements that are taking place. And

assuming or forcing ourselves to hire teachers at a relatively low point in the salary schedule to replace them. And the final is under other expenses are various kinds of cuts that we have taken out of the operating budget for our \$1.3 million reduction from the requests that were made at the start of the year.

The next slide is more detail on the staffing requests, and I won't take more time with that. It just shows you the 28 full time equivalent additions were requested, eight of them teacher assistants. We approved nine. There were reductions of eight in the original; we increased that to 12. So, we have worked hard to keep our staffing in line as we've moved forward here.

The next slide, again, just a summary of the \$750,000. I want you to realize that there are basically four reasonably equal pieces of that. And we're going to take a closer look at those as we go along.

The cost of this override on the next slide is 7.3 cents per thousand dollars of property value. Again, about \$29 on the median priced home or property in the town. No increase is easy to suggest. And there are people who will certainly be pinched by this. Significantly for some. However, the majority of taxpayers can, and if you look at the power or the impact for instance of fees on a young family when in some neighboring towns they're paying several hundred dollars for athletic participation or for bussing, or for kindergarten, those are really heavy to bear.

Now, let's take a look quickly at the pieces of the override. This comes out of the green book, so I hope you've taken a look at it and we won't spend a considerable amount of time on this. But I do want to point out that the original override for textbooks and instructional materials was \$240,000. We had to cut that back to 90, and we maintained 90 once when the state hit us with our 20 percent cut because staffing is the most important part of an education. We did not feel it was responsible to continue to buy textbooks and to fire staff and raise class sizes. So the School Committee made that decision. In fact, when I stood here in '97, I told you that the only thing that would disrupt the override would be some

kind of financial trauma that caused us to have to make those decisions. And it happened.

What we're asking is to put the 200,000 back on top of that 90 so it would be 290,000 for texts and other instructional materials, and that is because we have a need and because we have two years to make up for, and we don't want that to become three or four years to make up for.

The next two slides are, again, I just want you to look at the left-hand column. People don't understand why you would have to have \$290,000 a year for books. Well, in point of fact, we have about 16,000 hardback textbooks, about 70,000 paperbacks and 80,000 library books, a total of over 150,000 books. And even – on the next slide – in the most careful kind of phasing, with – with hardbacks every eight years, paperbacks every four years, library collections every 20 years, it still costs a considerable amount of money, \$344,000 a year to replace those books in a phased, ongoing way. As one of our School Committee members said, it's like painting the Golden Gate Bridge: you start at one end and you take a lot of time and effort and you get to the other end; lo and behold, it's time to start back over here again.

And it isn't as though you can buy textbooks and get it all done and then not have to do it for a while. With that number of books, you have to continue to replace them.

Next slide, just the technology piece. I want to stress that we usually think about computers, and a big piece of this is phased replacement of computers. But it also includes graphing calculators for math. It includes balances and microscopes for our science labs; it includes Alpha Smarts, which are small word processing, very simple devices, very sturdy devices that elementary students can use to help them with their writing. So, there's a range of important technology. And again, we cut back significantly but kept \$125,000. This adds 200,000 to that. And, in the green book, I explain to you that we would need to spend \$170,000 just to maintain our status quo; to get to where the state expects us to be, it would be \$233,000 a year. And that doesn't count the science lab equipment and the LCD projectors and those kinds of things.

The capital projects, again, people say, "Why not make this a debt exclusion? You just need it for a few years." We have eight buildings and 750,000 square feet of space. These are just a list of the first five years of projects. There will be continuing projects that need support from this override.

The last piece of my presentation to you is just to look at a couple of things about where we are compared to other schools. We look at our own growth in budget and our own per pupil expenditure, and it seems high but I think you need to understand that all school districts are struggling with this. This slide only goes to 2004. That's the point at which the state data ends. But you can see here that our district lagged behind the state in terms of per pupil expenditure in 2000, 2001, 2002. In 2003, we got very close to the state, and again this is partly because we were building – lowering our class sizes to those targets that we had set during that period of time, because our student population was coming down.

In 2004, we did reach an equivalent level of expenditure with the state and in 2005 and 2006 it's predictable that we're going to move ahead of the state, but we don't have the data to show that yet. But it will not be hugely ahead of the state, and I want you to have the perspective of where we are compared to the state average.

The next slide, we talk about growth over time, and how much growth Falmouth has had and, compared to other towns on the Cape, you can see that in fact other towns are also growing on a per pupil basis by a significant amount. They have to, given the mandates, given the challenges, given the needs. We're all working with this. And so you can see that Mashpee has grown, Sandwich has grown – although not – it grew heavily early. It has been struggling. Barnstable – Falmouth is in the middle of the pack, essentially, as of 2004. And again, 2005 and 2006, we have been able – in 2005, we've sustained some growth, and so we may be bumping up in that list. But I want you to see that we're not alone in this process.

There's a foundation budget. We're spending over that foundation budget. But the state average is well over the foundation budget also. And so you need to have that state context as you look at where we're going and what we're doing.

I'm going to skip the last two slides. That's the end of my presentation. I urge you to support this amendment and this override. I think there are other presentations, but I'll be answering questions if there are any afterwards. Thank you.

THE MODERATOR: Okay, discussion is now open on the amendment. Mr. Anderson.

MR. ANDERSON: Mr. Moderator, Town Meeting Members, citizens of Falmouth, my name is Gary Anderson from Precinct 7, and I'm speaking as a member of the Finance Committee who is assigned to review the budget of the School Department. My 31 years of experience have been in the corporate world. Of course, educating a child is far different than running a for-profit business. I recognize they're not the same. However, the principal reason I feel that a business analysis can be applied to schools is because both must be accountable to the sources of their funding. In a business, to the shareholders, and in a school system to the taxpayers of this town.

Finance Committee members must look at the big picture for the entire town. We must balance the demands for services from groups which have different views of what's needed and important, with the resulting financial impact on the average taxpayer.

When looking at the schools, our tasks include looking at the dollars requested to provide the services, and the explanations of the what and the why of the expenditures clearly articulated. It's with this setting that we undertook the review of the school budget.

As we reviewed the budget, it became clear that while student enrollment declined 15 percent over eight years, the school budget actually increased 42 percent over the same period. As you can see, the enrollment decline actually began after fiscal year 2001 and it continues even today. Since that time, enrollment has decreased by almost 700 students. This contradiction of declining enrollment and increasing budgets seem counter-intuitive. Since the number of students to be educated is a key driver of costs, we ought to consider student population in the budget request to get a complete picture of what's happening. If you simply divide the total budget by the number of students that year, you will get a cost per

student. And for 2005, that number, based on the town budget, is \$8,524 per student. This chart shows that the cost of educating our children on a per-student basis over an eight year period will increase nearly 67 percent if the override is approved. This contrasts with the almost 42 percent of the budget increase – the stated budget increase over the same eight year period. But this budget increase does not take into consideration the decline in student enrollment.

Now, we all know that costs have increased. The new bus contract is more expensive, salaries are increasing. There's been inflation in energy, textbooks and other items. Taking these costs into consideration, the Selectmen and the Finance Committee added one million dollars to the schools' budget for the next year. This, coupled with the lower number of students, amounts to a 6 ½ percent increase in the cost per student. We think it's reasonable. With this budget, the cost per student still increases from the \$8,524 per student to \$9,079 per student. That's \$555 more per student than we're spending this year. This approach properly reflects the fact that we're going to be educating 151 fewer students next year, and what we're trying to do is to make a very slight attempt to flatten this ever-steepening cost curve.

Falmouth's population is growing older, gentrifying as Selectman Carey Murphy calls it. In the decade from 1990 to 2000, the median age here in Falmouth increased from 38.6 years to 45 years. We're not seeing growth in the number of young families moving to Falmouth. Anecdotal evidence would indicate the opposite: we're seeing some families, young families, move out of Falmouth.

Now, a number of factors may have contributed to this shift: significant increases in property values make it harder for the new young families to afford housing here. Increase in property taxes and other fees make our town more expensive. Higher-paying jobs generally are not available on the Cape, and the increase in the cost of gas makes commuting to Boston or other surrounding areas where these jobs are more expensive.

Additionally, Falmouth is facing several other large capital spending projects which are going to put upward pressure on our property taxes: the renovation of the Falmouth High School, the DPW building, the filtration system at Long Pond, a possible library renovation, and a new Senior Center are all looming within the next three to five years. These will add to the property tax burden on our taxpayers. Undoubtedly, as the years roll on, we're going to see other projects added. For example, water treatments plants are badly needed here, and we now face residential property revaluations every year, instead of every three years.

I've given you a lot of information tonight, but one concern that I'd like to share with you is that the issue of the override should not divide our town into two camps by implying that those who are for the override are for children and those who are against the override are against children. Because of the strong feelings we have about our children and their education, this has become an emotionally-charged issue. All of us need to take a step back and reflect for a moment that our purpose here is to make a good, balanced decision for our children, our town, and our taxpayers.

As members of the Finance Committee, it's our job to evaluate the budgets the Selectmen have approved and to make a recommendation to Town Meeting. So, after all the discussions, the research and the analysis, you might ask, "What's the right decision?" Well, as with many difficult issues, we don't know if there is one right decision. Perhaps the most rational course is to pursue a good solution, one that does not shortchange our children or stifle the ability of our teachers to continue to provide a quality education to their students and also one that does not unduly burden the taxpayers of Falmouth.

We've elected a new – selected a new Superintendent of Schools whom you met earlier, Dennis Richards. He will bring his own ideas, approaches, and insights into the educational process for Falmouth schools. He will determine the direction, and needs, of our school going forward. It seems prudent to give him the chance to digest his new role. Then we can listen to his recommendations after he's had a chance to evaluate the effectiveness of the programs and the personnel already in place.

All of the things that the school is requesting in this override may be worthy and appropriate for the direction we've been heading. But let's make a good decision and allow the new superintendent to determine and communicate his vision, why it makes sense, and what he'll need to implement it.

We didn't arrive at the decision to recommend against the override lightly or easily. Our hearts are with the children and their education. We've already approved a one million dollar addition to the schools' budget for next year, but given the decreasing student population, the large capital projects that the Town is facing in the next three to five years, the current economic environment with rising costs for taxpayers, and the opportunity for the school to critically examine and prioritize its delivery of services with its new leader, the Finance Committee respectfully recommends a "No" vote on the amendment to increase the budget an additional \$750,000 by means of an override. Thank you.

THE MODERATOR: Okay, discussion will now open on the amendment. To my left, Mr. Lynch, and then Ms. McElroy.

MR. LYNCH: Kevin Lynch, Precinct 3. Just a technical thing on the amendment. It doesn't mention override, capital exclusion or debt exclusion. It looks like it's not in order.

THE MODERATOR: No, if you put it back up, it says, "Subject to –

MR. LYNCH: It looks like it's adding something to this budget line item.

THE MODERATOR: It does. "Subject to the approval at the annual town election to assess an additional 750". Which is an override. To give approval to have that additional assessment is an override. So it in effect would increase this line item if the ballot question were to pass.

Ms. McElroy.

MS. MCELROY: Thank you, Mr. Moderator. Margo McElroy, Precinct 1. I have to say I agree with Mr. Anderson. We should not let this divide us tonight. We should

stand together remembering that Falmouth has not an open town meeting but a representative town meeting; that our job as Town Meeting Members is to represent a constituency. If we were to deny the voters their right to make this decision, we would be voting our personal agendas. We need to put this on the ballot as an override. We need to show faith in our neighbors, in our fellow citizens, to make their own decisions as to how their money should be spent. We should put this on the ballot. We should allow our neighbors to be a – to participate in the democratic process and let them decide for themselves how their money is to be spent in Falmouth. Thank you.

[Applause.]

THE MODERATOR: Okay, further discussion? Okay, folks, let's hold the applause to the end of the meeting. Mr. Herbst.

MR. HERBST: Thank you. Ralph Herbst, Precinct 8. Thirty dollars a year. I'm going to not give up my beach sticker and instead I'm going to bypass dinner for two at a cheap restaurant. And please don't tell my wife.

Thirty dollars a year in a town like ours, if that's what we're talking about, regardless of all of the graphs and so forth that have been presented to us this evening, just is almost foolish to even talk about, in my opinion. Proposition 2 ½ was passed in 1982 and we've had two Proposition 2 ½ overrides since then: in 1988, for trash collection for \$860,000 and in 1997 the schools got \$980,000 and the roads got \$300,000 revolving account. So, this isn't the first time the town has done it, but it is the first time that the Selectmen have not endorsed this \$30 fee on the average homeowner here in town. I'm looking at the yellow sheet that was handed to me as I entered this evening, and I notice that at the bottom that there is a reference to the fact that education in a town makes a difference in a lot of different ways, but one of the ways is on our real estate values.

Now, I have a question for Dr. Clark, and it's not whether or not you're going to sell the high school or not, like I indicated last time but I was just kidding and you knew it. I would like to know how many new teachers will be coming in to the – will be hired in our

school system in the next, say, five years – or say let's make it three years, whatever you think is appropriate, and noting the fact that the pool of teachers will probably have to come from off-Cape, and the fact that property values in this town are going out of sight, and where these people are going to live, and so we're going to have to pay them more to live here than you may have to in a lot of other towns, especially the western part of this state. And I would like, and I hope that Dr. Clark will confirm this, that new teachers coming into a town have an interest not only in how pretty their classroom is, but the types of materials and equipment that they are provided to teach the children of this town. So, Dr. Clark, if you would be kind enough to answer that question for me, you can tell that I definitely support this article. Thank you.

THE MODERATOR: Dr. Clark.

DR. CLARK: The quick answer is that we have been replacing teachers because we have an aging group of teachers moving into retirement. We've been hiring about 25 teachers a year, and that's even when we aren't filling some of the retirement positions. It's because of retirements, resignations, and it is very important for those teachers coming into this district to have technology that they are now being trained in in their educational process. And more and more teachers are using projectors on a daily basis and teaching their children to do that, too. So that kind of technology is very important. You are correct that we tend to lose teachers because they either can't live here or have to commute here and because they want to have those kinds of pieces of equipment.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Thank you, Mr. Moderator. I'm Richard Latimer, Precinct 2. I found it disturbing, Mr. Anderson's comparison of running our school system with running a business. If you own a business, and many large businesses do this, if you want to make more money and cut costs, well, you can cheapen your product, you can ship jobs overseas. We've seen a lot of that in our business culture these days.

Our educators like Dr. Clark can't to that. He's got to deal with the students he

had and especially in the climate that he's faced over the past decade or so with increasing unfunded state mandates for things like MCAS achievement, special needs requirements, he's got to spend the money to get those jobs done; he can't ship them overseas. So we're dealing with a false analogy here when you say we're trying to run a business with these schools. Absolutely not. And when Mr. Anderson suggests we should leave it to the new superintendent to make his own goals – to set his own goals, well, he doesn't have goals to set, he has the same requirements. And I think it should be up to us to give him the means that he will need to succeed, instead of giving him a shortfall to start a new job. I just don't think that would be fair.

I would like to say simply, though, that this apparently is a very closely contested issue in this town. A few years ago, we were saddled with Proposition 2 ½ when we were a town that was very well run, we as a body Town Meeting would vote up or down tax increases to meet our needs. That right, that responsibility was taken away from us by a state mandate that limited our ability to raise revenues as a town meeting. The state has told us that this is the decision for the voters, but it left to us the right to say "No"? Well, I think that would be irresponsible. I think if we can't say "Yes" to Dr. Clark's needs directly, I don't think we should say "No", especially on something as important as this. I think we should leave it to the voters and therefore I would urge acceptance of Dr. Clark's amendment.

THE MODERATOR: Ms. Johnson and then in the middle.

MS. JOHNSON: Pat Johnson, Precinct 5. I have a couple of technical question on the override. Does an override amount also increase every year? In other words, does the \$980,000 that we voted several years ago now actually increased – has it increased a certain amount for inflation or otherwise?

THE MODERATOR: It increases the base. Mr. Whritenour.

MR. WHRITENOUR: The answer is yes, it is calculating with that 2 ½ increase included on that override amount.

MS. JOHNSON: So the \$980,000 is now worth a million something? All

right. The second question is if the override amount includes staffing, new staffing, what percentage – or what are those costs to the town to carry -- the additional costs for us to carry those additional staff? In other words, health care costs, insurance costs, what does that represent?

THE MODERATOR: Dr. Clark.

DR. CLARK: Mrs. Johnson, the town side of the budget supports the health care costs, the health insurance costs if the employee needs those. Some do and some don't. Some have spouses who have their own health plans and therefore they don't buy into the town health plan. So, it's hard to predict. There are about four teachers probably, maybe four and a half that would be hired under the override for full-day kindergarten, and it would depend on how many of them chose the health. We have a variety of health plans, too, so it depends on which health plan the person chooses. Maybe Mr. Whritenour can give you an average figure. I'm not sure.

MR. WHRITENOUR: The health insurance costs are roughly \$7,500 per employee.

THE MODERATOR: Okay. In the center aisle, here.

MS. BISSONNETTE: Karen Bissonnette, Precinct 6. I just want to urge you all to vote for this article to put it on the ballot, because I do think we have an obligation to our constituents to do that. I'd also like to say that I think all of you would agree that we live in an extraordinary town, and with that comes some costs, and I think if you look at the taxes we pay, they're far less than other communities pay and we get so much more for that. So, I would urge you to really just look at that and – and put it on the ballot, and I urge you all to vote for it and really realize that you do get what you pay for. Thank you.

THE MODERATOR: Okay. The gentleman in the back, two rows back.

MR. KAPULKA: Hello, I'm Stephen Kapulka, Precinct 4. I'm also a teacher here at Morse Pond School. I just wanted to address a couple of the points. I really do, as other people have said, urge you to put this on the ballot and let our town residents decide. I

can answer a couple of things that have come up as well. As far as talking about the new teachers coming to the town, I can speak kind of backwards about that. I came from Kingston, Massachusetts, from a brand new building with a lot of technology in it to come to work at a school that I attended with a lot less technology as when I worked in. Today, I had 15 or so students working on laptops doing a reading project much like the slide show we see here tonight on the screen. Without this override, I'm not sure I could keep doing that. A lot of the computers are declining in their quality, they need new batteries and so forth, and I think we should allow them to upgrade our technology as they see fit.

Dr. Clark in the past has been on this floor and he's been very fiscally responsible. I think if he says we need this override I think we should listen to him. I also attended a meeting earlier in the year when the Finance Committee explained this – their questioning of the budget, and I know it didn't come out the way it sounded, but they kind of correlated the school children of Falmouth as widgets, and they're not widgets, they're all different. And we can't use a cost-cutting analysis like this based on our school system.

I just really – I really urge you, from someone who's in the trenches each day, I urge you to support our schools, support this override, but most importantly let our residents decide. Put this on our ballot in May. Thank you.

THE MODERATOR: Dr. Antonucci.

DR. ANTONUCCI: Yeah, Bob Antonucci, Precinct 6. It was 25 years ago today that I was your new superintendent, waiting to come to Falmouth. So, Dennis, welcome, it's a great town. And Peter, congratulations to you for doing a great job. I appointed you assistant, if you remember. So I deserve credit.

I will tell you the gift you gave to me when I became the new superintendent was Proposition 2 ½ that November. I thought Falmouth had a lot of money, coming from the city school system, and then it hit. But we made it and we built a good foundation.

What's really been refreshing tonight is to hear Gary, my good friend – and I say "good friend". I take a little responsibility for him coming here, and Peter, doing a job on the

budget, and Bob the Town Administrator, they all did a great job. They all had different opinions, and that's what Town Meeting is all about. And I really like the civil way we did it. The invocation that Gary gave really set the tone of the night. And the debate tonight and the debate tomorrow night on Article 26 I'm sure will generate a lot of discussion. But let's just remember civility.

But I come before you, what do you expect, to support this override. I have to. There are three reasons. One is fairness and equity. I've talked to you many times before all my votes have been about fairness and equity. Whoever knocks at our door in the public schools, we take in. Whether they're short, tall, black, white, male, female, they come to our school system. What's been nice about Falmouth is we don't charge our kids all these extras to play football, to take a bus and all of that, and the School Committee is to be commended about that.

The second reason is to keep "public" in the words Falmouth Public Schools. I support private schools, I serve on the board of a private school. I serve on the board of Falmouth Academy. I endorse that school. I endorse Falmouth High School. I think our public school system is public and we have to remember that, and it's our responsibility to support that.

And thirdly, in the spirit of full disclosure, this is the first time even when my kids were in school, I'm taking this vote personally. I have a little grandson Jack who's going to kindergarten in September, and he told me he wants to go for a full day. And Jack would be very disappointed if Poppa didn't come before you tonight and say, "Give the kid a chance." If he doesn't come a full day, maybe Poppa and Grammy will have to take care of him in the afternoon. So, you owe me.

But, in all fairness, it's not about Jack. It's about the Andrews, the Tonys, the Rebeccas, the Jennifers, the Amys, who all want to have an equal opportunity. And I hope we give them that.

And lastly, remember why we're here tonight. We're here to serve. We

basically want to give the voters of this town the opportunity to vote either yes or no. And there will be a lot of deliberation. Gary will deliberate, Peter will deliberate, Bob will, the Selectmen. But remember why we serve.

Two weeks ago my good friend lost the selectman's race in Arlington. He had been a selectman for 32 years. Great guy, I think he's one of the best Selectmen in town. And we stepped back to wonder why he lost that race. And I just think enough voters didn't come out. But a number of people said, "You forgot who you serve." And Charlie never forgot but people began to think about that. So let's tonight not forget who we serve. And the reason I'm voting on this and voting yes is because all the letters I received, the phone calls I received, the visits in front of the post office said to me, "Give the kids a chance," and I'm going to do that. Thank you very much.

[Applause.]

THE MODERATOR: Okay, further discussion on Article 24 amendment? In the back. Mr. Crocker, and then the woman in the back.

MR. CROCKER: Mr. Moderator, ladies and gentlemen, I'm on behalf of helping the school and everything over the last quite a few years of being a Town Meeting Member here, I've been many years. As it's coming, and we know, the gas prices have gone up, everything's going up, and even our retirees in the Town of Falmouth, or whatever, they have to live on a certain budget. I understand the School Committee needs money to work with, they have children they want to do things, and we have other departments in the Town of Falmouth that have to also grow, too.

I would like to say tonight to the Selectmen, Board of Selectmen and the Finance Committee, I want to thank them for taking their stand on what they have said to the Enterprise. But also I would like to mention if this goes on the ballot for the people out there in the Town of Falmouth to vote, I hope and pray that the townspeople will get out and vote, not sit home and dream, please vote.

THE MODERATOR: Okay, the woman in the back, the green. And then Ms. LeMoine.

MS. SCOTT: My name is Katherine Scott. I live in Precinct 2. I'm not in favor of this override. I think it was always a certainty, way back in 1999 when the Mullen Hall project was being discussed, that there was going to be some fiscal belt tightening over the horizon and there wasn't going to be a lot of money, the same kind of money around that there was at that time. And I think we're over the horizon now but it shouldn't come as a surprise to anybody in this town.

My property tax is up this year by six of those bags of groceries. And my income has not gone up. My insurance is also up by another six bags of groceries. Never mind the beach sticker. Many letter writers in the newspaper have pointed out that money was already earmarked a number of years ago for school budgets and overrides and things for the items that the School Department now says it needs more money for. And then other letter writers say that unexpected costs have arisen and so money for books, et cetera, had to be used for these other costs. So, one of my questions is that I'd like to know exactly what those other costs were that came up. Specially, I would like to see an accounting and know exactly how much money the School Department spent on extras not covered by the state in the costly Mullen Hall renovation. I also would like to point out that I don't think it's fair to try to denigrate the efforts of the Finance Committee to get a handle on how much is actually being spent on students. I believe that when different school districts, sometimes they pay each other to educate children from another district, and in that case accounting has to be done on how much because money changes hands and a district can be paid actually to educate a child from another district. So I think this is a fairly standard procedure from what I read in the newspapers, and I don't think that the Finance Committee should be denigrated and accused of treating children like widgets. I really don't think that that makes sense.

I also wonder if it's setting a good example for the kids that the schools can have everything they want when taxpayers are tightening their belts all over the place, including these kids' parents, I'm sure. So, I leave you with that point. Thank you.

THE MODERATOR: Ms. LeMoine.

CHAIRMAN LEMOINE: Ladies and gentlemen, this is the single most heart-wrenching statement I've ever made to Town Meeting. I am recommending that Town Meeting Members vote against this override. I make this recommendation based on my sense of fairness and equity. Mr. Antonucci read my notes earlier, those are the same two words.

This is the first and hopefully only time I will vote against a school override. Since the mid-90's I've been on the Fin Com subcommittee for the schools. Over the years, I conveyed to Fin Com how critical the \$980,000 override was, and how much the renovations of Mullen Hall School and FHS were needed. Fin Com and Town Meeting have always, in my memory, voted in favor of the schools' requests. So have the Selectmen. This time is different.

The Selectmen and Fin Com both voted against any override for any department. The Town Administrator, Selectmen and Fin Com have seen many requests for personnel and new projects from several of the Town's departments over the last few years. Due to the state of the economy and our Town's finances, we said "No" to all requests.

Approximately one-third of our local year round population is 59 years old or older, i.e., considered senior citizens. These residents value their fire department, emergency medical services, police, water services and a number of other things just as much as the school age population and their parents value education. Yet, we have not been able to increase those services for three years. We as Finance Committee Members, looking at the big picture, want to fund each department equitably. We should not be increasing the services of only one department. As such, our recommendation essentially level funded every budget, other than pre-scheduled step increases and personnel changes. This was our attempt to maintain all of the services the Town provides and not eliminate or reduce any one service.

It is the total amalgamation of all our services which keeps improving the property values.

My sense of fair play says that the extra \$1 million already approved by the

Selectmen and Fin Com should be enough for this year. Thank you.

MR. BOYER: Mr. Moderator, Peter Boyer, Precinct 5. I want to attack and defend one piece of the rationale that's been provided for this override. And that's got to do with I think the community expectations of the commitment to the last override. Dr. Clark has certainly outlined the reason why the erosion occurred in the commitment to textbooks and computers from the last when the last override occurred. And the fact of the matter is of course that you can't defer salaries, you can't defer the utility bills, but what you can defer are maintenance, acquisition of textbooks, and acquisition of computers. I don't know how you come to the decision of it's okay to do those deferrals in the face of the pressures of staff and utilities.

One of the things that I think you have not mentioned is the extent to which you may be prepared to commit to preserving the reason for this override in the future, or will this too succumb to the future pressures for staffing, for utilities or whatever other non-discretionary or non-deferrable costs that you may have. And I think that's been a reason why there's been some unsettlement about approving this is because those genuine needs get sacrificed for the more driving forces of the non-deferrable projects.

So, I think I'm going to vote "Yes", but I'd like to hear the answer to your question because I want to know that there is some sustainable fraction of that amount that's going to keep on and it's not, "Well, we'll get five years out of it and then we'll use it for something else and come back again." Thank you.

THE MODERATOR: Dr. Clark.

DR. CLARK: I do agree that I feel that the School Department is a publicly open steward of the money. Each year you got a page in your budget booklet that defined exactly how the money was being used, in what schools and for what purposes. I don't consider that the 20 percent cut in state aid is a common and frequent kind of thing. I believe that it was that kind of trauma that created the problem, not a kind of gradual erosion to contracts or to salary increases.

I do want to call your attention in the green book and well, it's a hard slide to read anyway, I won't put it up there. But, it's on page 16, shows the trends for staffing. And I think it's very important to realize that we have cut – if we don't get the override it'll be a total of 20 regular education classroom teachers as the student population has gone down. It isn't that we have continued to push the class sizes down and down and down and down lower. We had targets, we met them in 2003, and as our student population has gone down we've reduced our regular education classroom faculty. But, at the same time, we've had to increase special education faculty and we have chosen to lease buses and hire our own drivers because we're saving close to eight or ten thousand dollars – I think more than that in many cases – in that special education transportation. So it's been a cost avoidance process.

The long and the short of it is it was a specific and I think – I hope one time problem with state funding that caused us to divert, not an erosion that I think will move forward in any way to take money away from this. And I do also want to stress again that we have been reducing our faculty as our population has gone down. Thank you.

THE MODERATOR: Mr. Kirkman.

MR. KIRKMAN: Thank you, Mr. Moderator. I just want to make some final remarks. First, Mr. Anderson mentioned that the needs that we have are to continue in a direction that we've been going, and that's true. It's a direction of educational excellence that started with Dr. Antonucci, that's been carried on by Dr. Clark, and we fully expect will be carried out by Mr. Richards.

I'm also not here to denigrate the Finance Committee. We've had a good working relationship with that Finance Committee and I look forward to that work again in the future and along with the Selectmen as well. Mr. Anderson said that we need to make a good, balanced decision. And indeed we do. And there's been discussion of a business model.

Well, let's talk about the business model for just a second. I want you to consider this, and let me use a personal example. A couple years ago, I found out that I

needed a new roof on my house, and I need a new furnace a year later, I found out. I haven't replaced those. My wife and I looked at our situation. We both work outside the home full-time. And we decided we didn't want to take a loan. Rather, we decided we would try to set aside money and then perhaps a year or two down the road make those replacements that we need to make. But suppose for just a minute that one of us had our jobs cut back to part-time status, what would we do? What we would probably do is go look for a loan, and we'd probably go back to the bank that lent us the money to begin with. I doubt that the banker would stand there and say to us, "Well, what have you been doing with the money that we lent you 18 years ago to build this house? What are you spending it on?" I doubt the banker would say, "Well, we've looked at your budget. You've got two cars; get rid of one. Then you could afford it." What the banker would do, and this is the prudent model and this is what I invite you to do: use a business model. The banker would look at us and say, "Is this a wise investment? Is this a wise investment for our shareholders?"

The shareholders for the School Committee, for the Selectmen, for the Finance Committee, for all of you, are the taxpayers and the children. We have a clear track record, a good credit record in this town of the investment that you have made and this town has made in our children. And I'm asking you tonight to continue to look at that investment and have your high expectations because the return is also going to be very, very high. I thank you for your consideration and I ask you to vote to let the voters decide this very important issue.

THE MODERATOR: Mr. Nidositko.

MR. NIDOSITKO: Yes, Jim Nidositko, Precinct 2 slash 6. I just want to remind this body that this is a representative town meeting and we have a responsibility to represent those who elected us. Secondly, I want to make a comment regarding property and teachers renting – buying houses and the cost of property. When I first started working in this town, I rented an apartment in a house. And it's my understanding that with the preponderance of 40B housing right now, that rentals are way off. As a matter of fact, there was an article in the Cape Cod Times that there are many, many, many, many available rentals. But I would just like this body to be well aware of their responsibility to the people

who did represent them – who elected them. Thank you.

THE MODERATOR: There's a woman behind the microphone carrier with a white shirt. Turn around there, Nick. There we go. Is it Phyllis?

MS. DAY: Phyllis Day, Precinct 9. I've been a Town Meeting Member for 22 years and I think this is the third time that I've risen to talk on a subject. I'm deeply disturbed by the amendment that's been presented to us. I see it as bad public administration, bad public policy and I want to commend the Selectmen and the Town Administrator and Finance Committee for voting against this, and I'll tell you why. I don't mind paying for something once, but as I started following the stories in the Enterprise after the Selectmen chose not to put this in the warrant or support this, I went to the library and looked up what the vote was back in 1987, and the vote in 1987 is exactly what we have on the front of this green ballot book. They're asking us to pay for the same things twice.

What I found out in investigating, I read the different letters from individuals in the town against this question, and I was interested in Dr. Clark's response. I went to Mr. Whritenour; I was looking for a Selectman's warrant. I wanted to be able to hear both sides and didn't realize they had been cancelled. And to find out eight years later that the money that we voted in for fiscal 1998 that is a perpetual override, this \$980,000 plus that doesn't have a 20 year limit, doesn't have a 25 year limit, doesn't have a 30 year limit, will just keep going on, that that money that we voted in 1987 is used for something other than what we were expecting. Granted it's used in the schools. Dr. Clark's comment I believe was it needed to be diverted. He said the same thing this evening. But there's a problem. We have a watchman of the warrant. This doesn't come under the watchman of the warrant's purview. Up until Dr. Clark coming before us asking for the same money twice, none of us had any idea that this money that we gave was not being spent on what we expected it to.

Now, this is a representative town meeting, we're all here, and just think for a minute where we are at the moment. We're in the middle of the budget. Every department head comes before us and has to defend the budget to us after they've done it to the

management of the town. And we pay attention. And this has gotten by us. There's been no way for us to know, based on the budget, that this money had been diverted over the years.

My problem with this is if we vote this article and the amendment that we're now going to be giving the School Committee and the superintendent over \$1.7 million to do what they want with, with no checks and balances. And that is not what Town Meeting is about. Town Meeting is about checks and balances. And for us to do our job, this needs to end here. We're in the budget. We need to know what's happening and what we're looking at is not something that we bought into. So I would ask you to vote no and thank you for your listening.

FROM THE FLOOR: Question, question.

THE MODERATOR: Ms. McElroy. I think we're almost ready. Mr. Shearer, you wanted the floor, too? I'll get you next. Okay, a couple more speakers and then I think we're going to take the vote on this.

MS. MCELROY: I'd like to clarify that there was extensive publicity in public meetings and in the Enterprise of how the school budget and the override portion of the school budget was being used. It was published every year in the little green insert we get and it was covered in School Committee meetings, in the meetings where the Selectmen voted the additional million dollars, and extensively in the newspapers. So this is not a surprise, this is not being slipped in, this is not news. And it has been accounted for and the School Department will continue to account for it. It would have been irresponsible of Dr. Clark not to put this before you. And the explanation of where the money went because of the state cutbacks has been clear and has been public. So please remember that you are not voting for or against this money tonight. You are voting for or against your neighbor's right to participate in this process. Thank you.

THE MODERATOR: Mr. Shearer. Then we're almost ready to go. Then Ms. Poole and then we're going to call it.

MR. SHEARER: Dan Shearer, Precinct 6. First of all, I stood up before you a

few minutes ago and when I spoke to you I did not say I was going to vote for that article. What I meant was can we look into something.

On this article, however, at the School Committee meeting, I asked Dr. Clark as some of the Selectmen did, if we really needed an override, couldn't we have a debt exclusion, let's say for ten years. Let's start at five and go to ten, where it ends. Because we may get this state money back. I'm thinking of our kids. I'm thinking of Jack, who may want to live here some day and may be able to have a house here. And my kids. And if we keep increasing the fees and these overrides that go on forever, Jack's not going to be able to live here. Unless his Daddy leaves him an awful lot of money.

THE MODERATOR: Okay, Ms. Poole. And then we're going to do this and suspend for a break and then we'll come back to finish the budget. Ms. Poole.

MS. POOLE: Diane Poole, Precinct 9. I have one question and one statement. The question also refers to the debt – the capital exclusion and why it can't be done that way instead of as an override. Is there someone that can explain that?

THE MODERATOR: Dr. Clark.

DR. CLARK: I would simply refer you back to what is in the green booklet, that we're not talking about funds that can be spent over a period of four or five years and then the need ends. If they were that kind of – or, if we did that, I think we'd be back here in four or five years saying, "We're back again." And I think what we're trying to do is set a moderate amount that will meet the needs on an ongoing basis and not have to come back with other requests. Thank you.

MS. POOLE: All right, now my statement is that I'm in rather a unique position, although not entirely unique, because there are a lot of people, grandparents raising their grandchildren today. I'm a retiree on a fixed income that has become extremely fixed over the last five years. And when I came here in '99, I was pretty comfortable with my cost of living, my taxes and so forth. And at this point I am very uncomfortable, financially. And

I am also raising a 13 year old grandson who is in the school system. And obviously I want him to have a good education. So I'm on both sides of the fence. But I know that there are many people in the town that are doing the same thing I am. So, I think in that sense I am representing a certain population in this town, and I'm having a very difficult choice here as to survival and wanting to help my grandson get the best education he can. And also I have a feeling that it is a good idea to allow the people that live in the town to make a choice. But I do tell you it is a difficult decision.

FROM THE FLOOR: Question.

THE MODERATOR: Mr. Murphy.

FROM THE FLOOR: Question.

THE MODERATOR: Okay, we're almost there. Mr. Murphy.

MR. MURPHY: Kevin Murphy, Precinct 5. I've been very vocal about this issue only because of the fact that – I would like to preface my remarks and say I think the school system in this town has done a wonderful job educating our youth. I also would say that the teachers, the rank and file teachers, who are there every day teaching our children deserve every penny they get and work as hard as they get because they care about our children. But this isn't about that. Tonight, what we're talking about is our responsibility. We're educated on the budget. We know the picture. What I am saying is going to highlight what Mr. Anderson said and what Mr. Boyer said. We have a new head coach coming into town. I was fortunate enough to sit on the screening committee, be the Selectman's representative for our new superintendent of schools. I can tell you some things that impress me and that's why I voted to have him as one of the finalists.

One is he comes from a comparable school system that has as high a MCAS scores as us and has the same number of students. But yet they spend \$850 less per student. I don't know all the reasons why. There could be some demographics there. There could be some geography. But going back to what Mr. Anderson said, we'd be doing him a disservice and our system a disservice if we voted in an override this year and we shortchanged him for

next year. We don't know what he's going to decide and what he's going to come up with in the next year. In his system, one of the questions that was asked of him was, "Why are you called the associate superintendent of schools?" And the thing that impressed me in the interview was, he said, "In our system, there's the superintendent, there's me and then there's some clerical people." What he said was, "We are not top-heavy." That really impressed me.

Based off of our W-2 forms, we have 33 people in our school administration building that get full-time salaries. I don't know whether they're all necessary there in the school administration building. This isn't District wide people. These aren't people that are teaching your students. These aren't people that are forming our young people.

All's I'm asking is that we give our new head coach a year's opportunity to look around, smell the roses, figure out what is best for our system. We can then look him in the eye and if he says, "I'm going to spend this money on books and technology," we can look back at him and say, "You're going to be here in three years and we're going to say back to you you said you were going to spend it on books and technology." Tonight, folks, I think we need to vote this down because we need to do our duty as Town Meeting Members because we're educated.

In this regard, this is an emotional issue. I have yet to hear anything except about talking about cutting back services like Sandwich does and Barnstable; that means cutting teachers. That's emotional. We're talking about – we've been talked about increasing fees; that's emotional. Have you heard once that we might cut an administrator or put a freeze on hiring on administrators? No, we haven't. Why? Because that dog wouldn't hunt here tonight. Okay?

[Laughter. Applause.]

THE MODERATOR: Okay, folks, hold it, come on.

MR. MURPHY: All's I'm saying, ladies and gentlemen, is do ourselves a service, our children a service, give ourselves some time, give our new superintendent an opportunity to get in, see what's going on. He might be able to find – bring some new ideas.

And Dr. Clark, God bless you, you have done a wonderful job. This is not directed at you. All's I'm saying is we have new opportunity here. Let's give him the tools next year when he comes back before us. Thank you. Vote no.

THE MODERATOR: Mrs. Augusta.

FROM THE FLOOR: Question.

THE MODERATOR: I've got a School Committee Member that wants to speak. Mrs. Augusta. And then Ms. Baylor if she wants the last word, and then we're going to vote. We've done this for a little over an hour and now we're going to decide.

MS. AUGUSTA: Very briefly, Mr. Murphy. We're doing the townspeople a disservice by not putting this on the ballot.

THE MODERATOR: Okay, Ms. Baylor, one last word? And then we're going to take a vote.

MS. BAYLOR: Please let it go to the voters. Thank you so much. I won't harangue you.

THE MODERATOR: Okay. The question will come on the amendment. It's up there; I'm not going to read it again. But it's \$750,000; this will be subject to an override ballot vote on the May election. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[No.]

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

Mrs. Tashiro.

MRS. TASHIRO: 18.

THE MODERATOR: 18.

Division two, Mr. Dufresne.

MR. DUFRESNE: 45.

THE MODERATOR: 45.

Division three, Mr. Hampson.

MR. HAMPSON: 29.

THE MODERATOR: 29.

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

Division three, Mr. Hampson.

MR. HAMPSON: 27.

THE MODERATOR: 27.

Quiet, folks.

Division two, Mr. Dufresne.

MR. DUFRESNE: 55.

THE MODERATOR: 55.

Division one, Mrs. Tashiro.

MRS. TASHIRO: 45.

THE MODERATOR: 45.

By a counted vote of 92 in favor and 127 opposed, the amendment does not carry.

[Applause.]

THE MODERATOR: Okay, I have to do this otherwise all of the folks that are downstairs are going to leave to go home for the refreshments. By a call of the chair, I'm going to take a 15 minute break. Then we're going to come back up here and get back into the budget starting with the Upper Cape Vocational School. This meeting will stand adjourned.

[Whereupon, meeting recessed.]

[Whereupon, meeting resumed.]

THE MODERATOR: This evening the League of Women Voters takes your attendance, but after a break we merely take a quorum count. I want to thank the League of Women Voters for taking attendance for us so that it can be published in the Enterprise. Okay,

folks, here we go.

Come on forward, take you seats. I need to re-establish our quorum. We had 215 Members when we started. Let's see how many Members we have now. Let's go, folks. Come on, Town Meeting Members, please come forward and take your seats.

Okay, at this time would all Town Meeting Members please stand and the teller return a quorum count.

Division three, Mr. Hampson.

MR. HAMPSON: 56.

THE MODERATOR: 56.

Division two, Mr. Dufresne.

MR. DUFRESNE: 98.

THE MODERATOR: 98.

Division one, Mrs. Tashiro.

MRS. TASHIRO: 63.

THE MODERATOR: 63. Oh, we gained some folks. By a counted voted of 217, we have a quorum and the Town Meeting is back in order.

At this point, we're going to go back to the budget and we are at the Upper Cape Vocational School. And with us tonight, I don't know if all of you know Barry Motta who is the Superintendent – Principal – Principal? Superintendent, I'm sorry, Superintendent of the Upper Cape Schools with us tonight. Mr. Motta.

[Applause.]

THE MODERATOR: Appreciate him being here tonight for the budget vote. Okay, is there any discussion on the Upper Cape Vocational School budget?

The DPW Administration and Engineering. DPW Highway Division. Mr. Herbst, microphone, please.

MR. HERBST: Ralph Herbst, Precinct 8. Three Town Meetings ago, I stood before this group and asked you to vote down the elimination of six positions in the DPW

Highway Division and Tree Warden Division that were proposed to be eliminated from the personnel roster, and you agreed. And we did not eliminate those positions. Those positions were eliminated, and I hope I'm correct and if I'm not I would ask our Town Administrator to correct me, those positions were eliminated in 1982, when Proposition 2 ½ was passed. At that time, the town had 24,417 year- round residents. Last year, our year-round residents were 31,809, so that was an increase of 7,392 people in 23 years. Which comes to a 30 percent increase in our year-round population since Proposition 2 ½ was passed. Along with the increase in population, of course, we have all of the additional roads and hydrants and telephone poles and curbs and sidewalks and all the other things – beaches, all the other things that the DPW has to take care of.

I went through this blue booklet and totaled up the DPW budget; it comes to \$8,920,000. Not the 37 million that the school needs and wanted a little bit more but didn't get. Anyway, the salaries and wages for the DPW, according to my figures, were \$3,798,000, and what I'm proposing is to amend line number 167 and actually line 220 which I'm – because I only choose to speak once here and I know that's all anybody wants to hear me anyway. But to add a one laborer position to line 167 at the cost of \$25,855 for one year and the same for line 220, which would be the same cost. Now these –

THE MODERATOR: Mr. Herbst?

MR. HERBST: Yes?

THE MODERATOR: I'm going to require that in writing as I did to the School Department so that the clerk has an official record.

MR. HERBST: Well, I – I'm not –

THE MODERATOR: The reason for that is when we start doing this with the budget we jeopardize not getting the entire budget passed with these other amended suggestions, so therefore I've required it to be in writing so that we don't make a mistake on the amendment votes which would jeopardize the overall budget vote.

MR. HERBST: So you want me to write down \$25,850?

THE MODERATOR: And I want to know where it's going to come from and

how we're going to get it.

MR. HERBST: I will verbalize that. I mean, I am prepared to verbalize that right now.

THE MODERATOR: If the clerk is willing to write it down as you verbalize it.

MR. HERBST: I spoke to the administrator of the Finance Committee today and there's sufficient –

THE MODERATOR: You know what? You didn't speak to me and it says that I choose if it will be in writing. I wish you would have called me. I've required it and I was very clear that I required the School Department to put it in writing. So, let's go slow, you give me the exact funding source, we'll write it down, we'll read it back to make sure you have it, and then we'll go forward with that. But I wanted to make sure this is correct because I don't want to jeopardize the whole budget.

Do you have a point of order?

FROM THE FLOOR: [Inaudible]

THE MODERATOR: We could do that. Could we do that, Mr. Herbst?

MR. HERBST: I'm confused, because you said why didn't I contact you. You mean before Town Meeting?

THE MODERATOR: To ask me about it in writing, yeah. The procedures say that I can require it in writing and I'm requiring these amendments to be in writing. So why don't we do this, Mr. Herbst: can we write it down and we'll go through the rest of the line items and then we'll come back to it? I'm not trying to –

MR. HERBST: Okay –

THE MODERATOR: – be –

MR. HERBST: – yeah, okay, that's fine. I don't –

THE MODERATOR: – I'm not trying to be a jerk about it.

MR. HERBST: – care, I'll write it down.

THE MODERATOR: I just want to make sure that we don't jeopardize the

overall budget vote because of inappropriately made amendments. And that way, if it's in writing, the Clerk has that record, Town Counsel can look at it to make sure it's written appropriately.

MR. HERBST: Okay, I'll write it down, thanks.

THE MODERATOR: So we will come back to that and I need a funding source, where it's coming from, what amounts and what line items.

So we will come back to that Highway Division and the DPW Tree Warden section when we get there.

DPW Snow and Ice Control. Street Lighting.

MR. LATIMER: Hold it.

THE MODERATOR: No, you don't need to hold. Just get up and – Mr. Latimer. Can we get a mic or use the one in front there or –

MR. LATIMER: Richard Latimer, Precinct 2. I just had a question on this on line 181, where there is a huge discrepancy between the request for fuel and power and the recommendation. And I have a suspicion it has to do with snow emergency demands on our snow removal this year and my question is what is built into this budget or outside the budget for meeting in future, perhaps next year, the needs for additional fuel and equipment use for snow removal during another blizzard or another heavy snow. I just wonder what's the reason for that discrepancy and how is that going to be accounted for.

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: Yes, I'd like to answer that question. Under the snow and ice account, that is the one account under the Massachusetts General Laws that municipalities are allowed to deficit spend in that account provided that the town appropriate at a minimum the amount that it appropriated for that purpose in the previous year. And for that reason, we've kept the snow and ice control account at a level funded appropriation just like it's been for many years because what happens is when you have a particularly difficult year and you increase the appropriation, then you have to fund that higher appropriation every

single year or else you don't have any authority to deficit spend.

MR. LATIMORE: All right, so you're saying –

THE MODERATOR: Okay, let's get the mic. Richard, if we can get the mic, please.

MR. LATIMORE: Am I correct that what you're saying is that we can just spend the money that we need without having to put it on the budget?

MR. WHRITENOUR: You'll see it, there is an item for snow and ice on the Special, so that's the one account under the Massachusetts General Laws that you can deficit spend. So, it will run over, and then if there's an amount to be raised, we'll bring it on a Special.

MR. LATIMORE: And we can do that?

MR. WHRITENOUR: Yes.

MR. LATIMER: That was my question, okay, thanks.

THE MODERATOR: Okay, anything else on ice and snow and ice control? Yes, Ms. LeMoine.

MS. LEMOINE: Mr. Latimer, we can only deficit spend in that account if both the Board of Selectmen and the Finance Committee vote in any given year to deficit spend. So, once we know there have been enough snowstorms and we start to need to, we just do it. And then we wait until the end of the year or close to it to try to figure out where the money is going to come from to cover, okay?

THE MODERATOR: Okay? Street lighting. Waste Management Facility. Solid Waste Collection. DPW Wastewater Utilities. DPW Water Utilities. I'm going to skip the Tree Warden section for the Amendment.

Health Inspection. Clinics and Nurses. If one of the microphone carriers, if you could bring that up to me that would be great. Thanks.

Clinics and Nurses. Counsel on Aging. Veteran's Services. Commission on

Disabilities. Human Services. Falmouth Public Library. Cape Cod Regional Library. West Falmouth Library. Woods Hole Library. Recreation Department. Beach Department. Bikeways Committee. Public Access Committee. Historical Commission. Historic District Commission. Long Term Excluded Debt. Long Term Unexcluded Debt. Short Term Excluded Debt. Short Term Unexcluded Debt. Retirement. Unemployment. Health Insurance. Life Insurance. Medicare Benefits. Other Employees Benefits. And Court Judgments.

Now we have the amendment to Line item 167, this is the DPW Highway Division, to add \$25,855, the cost of one laborer. Said sum to come from Certified Free Cash. We'll do these one at a time. We'll discuss that and vote it. But the other one is going to be the DPW Tree Warden line item, Line item 220; it's to add the same amount, \$25,855, the cost of one laborer. Said sum to come from Certified Free Cash. Mr. Herbst on the amendment, transfer of Certified Free Cash for the position of the laborers.

MR. HERBST: Thank you. Okay, I've already given you some of the statistics, but I just want to remind you that since these six positions were eliminated we've had a 30 percent increase in the population of our town, and if you would take the cost of these two laborers, which is about \$51,000, \$52,000, it comes to about 1.4 percent of the salaries, DPW, and probably around one half of one percent for the total DPW budget.

The reason I'm putting this in here is because the original Proposition 2 ½ that was supposed to be discussed this evening which was not approved by the Selectmen covered expenses beyond the School Department, and some of those expenses were directly related to the DPW. And the DPW in the Proposition 2 ½ override that was not brought back before this Town Meeting tonight asks for four laborers to be returned out of those six. After 23 years and a 30 percent increase in our population.

I am asking you to consider and to reward the DPW with half of what they asked for, which wasn't even considered tonight. To me, the Town is a huge asset and it needs maintenance just like any asset. The maintenance comes from the DPW, a good portion of it,

anyway. And we're getting behind in our ability to maintain the town the way we want it. And I ask you to please reward the DPW with their charge of maintaining this town by adding these two laborers. Thank you.

THE MODERATOR: Okay, Mr. Whritenour.

MR. WHRITENOUR: Thank you, Mr. Moderator. I agree that it would be an excellent idea to reward the DPW for the hard work that they perform in the community. It's quite a large department and I know that, you know, that they're throughout the community doing great work. Unfortunately to pass this article now I think would be an enormous mistake for the town. The source of funds as sought is the Free Cash account. After we get through this Town Meeting, we will have approximately \$146,398 left in Free Cash, which is a dangerously low amount. I don't think it's ever been this low. We thoroughly evaluated a number of positions for the budget, including additional positions in the Highway, Forest and Parks. We looked at the Police Department. There's a need for additional employees in the Fire Department. We need an information systems officer in the library, more zoning enforcement, and, you know, there is a list – there is a five year program for adding these new positions.

The DPW itself, as you know, you directed at the last Town Meeting, they're undergoing a staffing analysis to determine how best to strategically meet its staffing needs. I think what would happen, to jump into the budget at this point and begin using some of the one-time revenues such as dangerously low levels of Free Cash to add new positions, it creates a liability for the Town that there's no ongoing revenues to support. You'd force us to potentially be in a situation where we'd be in here laying people off. I'm concerned about moving forward and adding new positions to the DPW, but first and foremost I'm more concerned at this particular point with the 27 people in the Highway Department alone, the other 14 people that exist today in the Forest and Parks Division, as well as the other divisions of the town. We can't be jumping from department to department trying to just add positions when we haven't come up with the long-term, sustainable revenues to support that level of

expenditure because it is going to create some problems. And right now we've been extremely fortunate that we've been able to maintain those current levels of staff.

Granted, it would be nice to increase staff levels at some point when the revenues are there to support them, but I think right now the key focus should be on protecting the level of services that we have now, not creating something that we can't sustain. And, for that reason, I think to use the Free Cash that's already down to less than 150,000 is not the way to go. And I think that what, you know, needs to be done is that we'll go back and we're continuing to work with the DPW to look at their staffing needs and to try to come up with a program hopefully that we can begin to add some of these jobs, but in a way that has ongoing revenues to support and not just a one-shot deal that we can't come back with next year.

THE MODERATOR: Okay, Mr. Shearer, no, and then Mr. Murphy. Mr. Murphy. Mr. Shearer doesn't want the floor.

MR. MURPHY: Mr. Moderator, in fairness, the Board of Selectmen looked at the entire town. It wasn't just the School Department. We looked at an override potential there and the School Department's override was \$750,000. We had also looked at and recommended against -- the Board had recommended against adding these positions. We felt at this time it was fiscally prudent to do that, and we hope to look forward in the future to be able to add positions as well as increase fundings in the schools.

I also want to bring up a point here. We're talking about roughly 50 some-odd thousand dollars, but yet we still haven't added in what the benefits are going to cost for these employees. To provide the benefits, we're talking \$7,500 plus retirement. So there's other additional costs, folks.

I think that all our departments do a wonderful job, but this year we were able to hold the line, unlike other towns, and be fiscally conservative and be able to come up with a balanced budget, adding two firefighters, giving a million dollars to the School system, and we're being fair and consistent. I suggest that you vote this down at this time.

THE MODERATOR: Okay, any further discussion? Mr. Herbst, another

word. And then Mr. Lynch, sorry about that.

MR. HERBST: I'd like to remind Town Meeting Members and the Selectmen and the Finance Committee that year after year after year, the DPW director requested that these positions be reinstated, ever since Proposition 2 ½. So, for 23 years they've been asked for these to come back. So this is not a knee-jerk reaction. This is planned, and the DPW feels that they need these positions to take care of the Town.

Now, the fact that Free Cash is down to \$146,000, you're not going to be able to do much with \$146,000 at the next Town Meeting when you're talking about the types of expenditures that we have here in this booklet here tonight. But one of the things you can do is reinstate two of these laborers. And I asked the Director of the DPW today what the cost of these laborers was, including benefits, and that number is the number that I gave you.

THE MODERATOR: Okay, Mr. Lynch.

MR. LYNCH: Just briefly. Kevin Lynch, Precinct 3. I got involved in these two positions a few years ago because we're interested in putting somebody in the Parks Department which takes care of the Bike Path, and I guess I got a question. There are positions there but they're not funded? So there are positions there, that're funded. But I agree with Mr. Murphy and Mr. Whritenour that now is not the time to do it, particularly with the Free Cash. So I urge you to vote No on these two amendments.

THE MODERATOR: Okay, anything else?

FROM THE FLOOR: Question, question.

THE MODERATOR: Okay, the question will come on amending the DPW Division Line 167, the increase of \$25,855 from Certified Free Cash. All those in favor, signify by saying, "Aye".

[Aye]

THE MODERATOR: All those opposed, "No".

[No.]

THE MODERATOR: The No's have it and the motion doesn't carry.

Is there any further discussion on the DPW Highway Division budget? Mr. Calfee. And then we'll go and take a vote on the Tree Warden Section when we get there.

MR. CALFEE: I have a question regarding Line 222 in the Tree Warden section, Fuel and Power –

THE MODERATOR: Oh, oh, okay, one second. I said is there anything else in the Highway Division, and then we'll do that one. Right in front of you I think there's something on Highway. Mr. Ayres.

MR. AYRES: It seems to me we're jumping to 222 and I had a question about 204. Can I ask that now?

THE MODERATOR: 204, in the Wastewater Utilities?

MR. AYRES: Yeah.

THE MODERATOR: I'll go back to that after. You missed it the first time around, though.

MR. AYRES: Sorry about that.

THE MODERATOR: We'll go back. Is there anything else on the Highway Division budget? Okay, hearing none, we'll then go to the amendment that's within the Tree Warden, DPW Tree Warden. This is Line item 220, to increase from Certified Free Cash \$25,855. All those in favor, signify by saying, "Aye."

[Aye.]

THE MODERATOR: All those opposed, "No".

[No.]

THE MODERATOR: It's the opinion of the Chair that the No's have it.

Is there any further discussion on the budget? Mr. Calfee, and then Mr. Ayres.

MR. CALFEE: Yes, thank you. Art Calfee, Precinct 1. The Fuel and Power line, as requested here, is \$34,000. It looks like it was cut by \$4800 for the recommendation. I looked at the other DPW Fuel and Power line 212; that requested amount was given. The same for line 203 for Wastewater was not questioned, and the big one at the Highway

Division, 169, stayed the same also as recommended. Can we have an explanation as to why the Tree Warden Fuel budget was cut?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: Yes, in fact, if you look a little closer at the numbers, you'll find that the budget was not cut. The amount in the current year's budget for fuel and power in that is \$18,500 and it's been increased by over 50 percent. And the initial request came in at 34, I think it was a little high, that request, but this was I think the largest of any of the increases percentage-wise in a fuel and power account. And I think that the 29,200, in working with the department, is going to be adequate to meet the needs. But it was not cut, it was a pretty substantial increase.

MR. CALFEE: All right, I'll accept that, but I wondered what happens when he runs out of his budget money at the gas pump. Do we park the trucks or do we go over budget? But, that's all right, we'll go ahead with it.

THE MODERATOR: Okay, any further – do you want to answer? Okay.  
Ms. LeMoine.

CHAIRMAN LEMOINE: I'll answer Mr. Calfee. The simple answer is if the Department head is on the ball, they would have requested a reserve fund transfer for what they're guesstimating the fuel and power charges will be from that date to the end of the fiscal year which is June 30th and requested a reserve fund transfer from the Finance Committee. Though we're not expecting a Reserve Fund transfer to be necessary for that line.

THE MODERATOR: Okay. Any further discussion on DPW Tree Warden?  
Mr. Ayres.

MR. AYRES: Dean Ayres, Precinct 7. This line 204, 25,000 for well monitoring, what wells are we monitoring for 25,000? Are these wells that we're trying to find out whether nitrogen loading is going up or down or what wells are these?

THE MODERATOR: Ms. Lowell will answer this question, our wastewater superintendent.

MS. LOWELL: Our discharge permit for the wastewater plant requires that we monitor a number of wells down-gradient of our discharge for nitrogen among other things. This is bi-annual monitoring that's required by our permit.

MR. AYRES: As a follow-up, how are we doing on reducing nitrogen loading now and Mr. Whritenour said in his presentation that the money we're presenting spending on the wastewater treatment plant, which is a considerable amount of money, should go a long way to reduce nitrogen loading. How are we doing now and what do you suspect the new improvements to the wastewater treatment plant will have on nitrogen loading?

FROM THE FLOOR: Point of order.

THE MODERATOR: Okay, why don't we make a general answer to that and then after the meeting you two can get together and talk about the specifics. Because this is the operating budget and you've got the answer to the question to what we're spending it on.

MS. LOWELL: I'll just say our new plant will significantly reduce the nitrogen from that site – or nitrogen discharge at the site.

MR. AYRES: Thank you. Sorry I got off on a tangent.

THE MODERATOR: That's okay. Okay. Any further discussion on any of the municipal budget? Ms. Abbott.

MS. ABBOTT: Jayne Abbott, Precinct 7. I should have asked this question at the beginning of the discussion. Several items have double asterisks that don't seem to be capital items. I see in the explanation it says "Capital items" are double asterisks and there are several that are obviously that. But, "Staff Development"?

THE MODERATOR: Ms. LeMoine.

MS. LEMOINE: Those are dedicated accounts, i.e. if we vote \$10,000 in that line item, that money can only be used for that purpose and cannot be mixed with other line items in the individual department's budget.

MS. ABBOTT: So those double asterisks mean several things?

MS. LEMOINE: Just one.

MS. ABBOTT: Just one?

THE MODERATOR: Ms. Abbott, what you're looking at is the difference between the two plus signs versus the asterisks.

MS. ABBOTT: No, no. I'm looking at some double asterisks.

THE MODERATOR: Okay, then give me a line item.

MS. ABBOTT: Yes. The ones that I'm looking at, Staff Development is line 57 and line 70 –

THE MODERATOR: 57 – It's just a typo, is that what it is? Is what they're telling me, yes. If there's one asterisk, then that refers to the line item – the footnote at the end.

MS. ABBOTT: All right.

THE MODERATOR: So, in some cases there were two asterisks put in place of two plus signs.

MS. ABBOTT: Thank you.

THE MODERATOR: So those staff developments ones were typos.

MS. ABBOTT: Thank you.

THE MODERATOR: Good call.

Dr. Antonucci.

DR. ANTONUCCI: Yeah, Bob Antonucci, Precinct 6. Just a general comment, and it's a reflection on Selectman Murphy's comments tonight and on Peter's presentation and the questions. Could we next Town Meeting have a consistent format between the School Budget and Town Budget in terms of employees, number of administrators? Not that I'm favoring the school. The school gave us a lot more detail tonight in their presentation which generated Selectman Murphy's comments, which I thought were good. But if we could see – all we get is numbers from the Town's side. And I'm looking at it tonight: the Town spent \$52 million versus \$37 million for the school. I think it would save a lot of questions. I only offer that as a suggestion because I don't want to start asking the Town Administrator, "Your administrative numbers, how do they compare with the School

Department?" I'm not looking to create a battle, but more a consistency.

THE MODERATOR: Okay. Any further comments on the overall budget?

Mr. Peck?

MR. PECK: Mr. Moderator, if I could. Bill Peck, Precinct 9. In the Upper Cape Vocational School, their budget went up from 1.5 million to over 2 million. Can somebody explain that?

THE MODERATOR: Yes, Mr. Anderson will respond to that.

MR. ANDERSON: Gary Anderson, the Finance Committee, Precinct 7. The budget went up in the Upper Cape Cod Regional Technical School for a couple of reasons. One principally is that the number of students from Falmouth increased by 26. And so to take into consideration that we have now more students there, we have to pay more. That's the basic reason.

THE MODERATOR: Okay, anything else on the budget? Okay, the question is going to come on the main motion and the Chairman of the Finance Committee needs to read – if you look at the last part about the revenue sources, some of these numbers are inaccurate in what's been typed and she's going to give us the new numbers.

CHAIRMAN LEMOINE: I'd like to give you a couple of corrections on the last page of the Operating Budget. Under Section – the second section labeled "C", Appropriate from the Land Bank Fund for principal and interest payments, that figure should read: \$2,006,090. So, it's 2, 006, 090. Under "F" Raise and appropriate under the estimated fiscal year '06 levy limit, the figure should be: \$86,711,212. That's 86,711,212, for a total operating budget of \$89,367,139. The rest all reads the same. And I so move.

THE MODERATOR: Okay. So the Land Bank principal interest is \$2,006,090, and raise and appropriate is \$86,711,212, the main motion. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it unanimous and we have a budget.

Article 27. This was a hold by the Planning Board.

CHAIRMAN FOREMAN: Mr. Moderator.

THE MODERATOR: Mr. Chairman.

CHAIRMAN FOREMAN: Yeah. Thank you, Mr. Moderator. The reason for holding this article was that at the time the warrant was published our recommendation was incomplete as you will note from reading the warrant. After due deliberations, the Planning Board recommends indefinite postponement.

THE MODERATOR: Go ahead.

CHAIRMAN FOREMAN: We don't need to belabor the discussion if there's no one else –

THE MODERATOR: Okay, any discussion? Hearing none, the question will come on the main motion. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

Article –

CHAIRMAN FOREMAN: Mr. Moderator?

THE MODERATOR: Article 30 – yes, sir?

CHAIRMAN FOREMAN: I move we change the order to take Article 37 which must be done tonight?

THE MODERATOR: Actually, thank you. I told you I was going to do that by call of the Chair and I just went to the next number in the book. Under Section 18 of the Rules of Town Meeting time, the Moderator can take articles out of order for due purpose, and since we have another question that would potentially be on the ballot, I'm going to read: "The

Moderator has the power to change the order of articles without the voters' approval, but should exercise the power sparingly and only for good cause, stating the reasons clearly and convincingly. The impression certainly should be avoided that the Moderator thinks he or she has more common sense than the Selectmen."

[Laughter.]

THE MODERATOR: "Sometimes --" I just want to read it so you know I'm doing it for other reasons. "Sometimes the relationship between articles, unperceived by the Selectmen when they put them on the warrant together, suggests a better sequence at the time of the meeting." And that's why we're going to take it out of order.

Okay, so we will take up Article 37.

CHAIRMAN LEMOINE: Okay. Mr. Chairman.

THE MODERATOR: Madame Chairman.

CHAIRMAN LEMOINE: I move that the Town vote to appropriate the sum of \$300,000 for surveying, engineering design and permitting costs for the completion of the Shining Sea Bikeway Extension Phase 3, including costs incidental and related thereto, provided, however, that no sum shall be expended under this appropriation unless the Town shall have voted to access an additional \$300,000 in real estate and personal property taxes for the fiscal year beginning July 1st, 2005, said sum to be expended under the jurisdiction of the Board of Selectmen.

THE MODERATOR: Okay. Mr. Lynch.

MR. LYNCH: Kevin Lynch, Precinct 3, Chairman of the Bikeways Committee. We are very much in favor of this article. I'd like to yield the floor to Mr. Lowell here who will give us a presentation.

THE MODERATOR: As Mr. Lowell comes down, I'd just like to mention: I guess I was quoted Friday in the Enterprise as saying that this vote would require a two-thirds vote. It requires a two-thirds vote by the appropriating authority to put it on the ballot. So the Selectmen will be required to vote two-thirds. Town Counsel tells me that Town Meeting

only has to vote by a majority. The Selectmen are required to do two-thirds for both debt exclusions and capital exclusions. Town Meeting is only required to use two-thirds for a debt exclusion because we are authorizing the incurrence of that debt, and this would be paid from one time revenue enhancement.

Mr. Lowell.

MR. LOWELL: Nick Lowell, Precinct 5. I'd just like to take a couple minutes to talk about the Shining Sea Bikeway Extension. This is a very exciting opportunity to make something that is already very good even better. As many of you know, last year the Town got a 99 year lease on the center line of the tracks – hit me. From – that will allow us to extent the bike path from Palmer Ave. all the way up to County Road in North Falmouth. That's a 6.5 mile extension. It will allow connectivity from the existing bike path all the way down to Woods Hole up through phase 2A and B, which is currently under construction, all the way up to North Falmouth. It's going to be very, very nice.

Next slide, please. It's going to cost us \$300,000 to do the survey, design work and permitting work that's required. And I understand George will be giving a presentation shortly on that. The work, though, is – it's required that we pay for this money ourselves to do the design work. Once we do this, though, we can in all likelihood secure the three to three and a half million dollars from federal and/or state money. In fact, there's already in the works \$2 million coming from the federal government that should pay for the lion's share of the costs. But it's important that we have to go step one to get the design funding in place. That shows our commitment to the project. The state and the federal government – they're no dummies – they expect us to pony up something. So we put up 300,000; they will pay the three to three and a half million dollars that's required for the actual construction.

The nice thing about this is that it's a one-time charge. You're only going to see it one year on your property taxes. \$300,000 equates to \$12 on a \$400,000 house. That will show up in 2006 only. Not every year. One year. About twelve bucks on a \$400,000 home.

So, it's going to require approval today by two-thirds and then it will require approval by the voters in May.

THE MODERATOR: It's only going to be a majority tonight.

MR. LOWELL: So, by a majority, yes. That's all I have. And I believe George Kalize has got some more detail on the – where the \$300,000 goes.

THE MODERATOR: Mr. Kalize, if you want to come up front you can, or if you want to talk back there, whichever you're comfortable with.

MR. KALIZE: George Kalize, good evening, your Town Engineer. Basically Mr. Lowell had everything up there what the money is going to be used for, basically. But I want to emphasize our track record. We got phase two because we designed it. We got the construction dollars. We got phase 2B, which is under construction now, because we designed it. Et cetera. So, what we're asking for here, now, those were three-quarter of a mile length, we're going 6.5 here, that's why you see more design money.

Basically, it's a very crucial environmental area, too, so there's going to be a Notice of Intent, an Engineering Environmental Notification Form, MEPA has to be met, so a lot of the money out of that \$300,000 will be in environmental permitting, along with surveying and some structural design. Because along the path is a lot of culverts that we're going to have to replace. It's quite an exciting job, not just laying asphalt down. If you walk the area, there's a lot of environmental issues and a lot of structural issues. And what we're doing – what we pulled off here is we're using the center line and it was great seeing the rail go. The rail has left town and will continue to leave town and will continue to a bike path.

So, what we're asking for here is up-front money, get the design done and I can – I can't guarantee you but I'll work very hard for you to get the construction dollars. We've already got \$2 million in a federal bond issue and we can get the other million and a half from the Transportation Improvement Program through the Cape Cod Commission.

Any questions of me? Yes, sir. Oh, excuse me.

THE MODERATOR: Mr. Ayres. And then Mr. Shearer.

MR. AYRES: Do any of the design [inaudible]. Will any of that design –

THE MODERATOR: Give him a mic.

MR. AYRES: – money be put forth to parking?

MR. KALIZE: No, sir.

MR. AYRES: How much –

THE MODERATOR: Okay, let's have a mic so that we can get you on record.

MR. AYRES: Well, I know, I used to live in North Falmouth and I know at the North End, there, at County Road there's a large parking area. Is that going to be part of the project?

MR. KALIZE: It would be used for – the design money, we're going to design a parking lot. At County Road there will be parking lot. We'll be looking along the route for other areas of access in the design. Construction-wise, we'll have to look at the construction dollars once we get the design done. We're estimating it at 3.5. Ten percent of that is a fair equitable fee for design.

MR. AYRES: So there will be parking for other people beyond the people who live along the bikeway, then?

MR. KALIZE: Yes, sir.

MR. AYRES: Thank you.

THE MODERATOR: Mr. Shearer.

MR. SHEARER: Dan Shearer, Precinct 6. I'm going to start off by saying I'm going to vote yes for this. I want a bike path. I want it to go the whole way. But I think we're getting it jammed down our throat tonight and I understand why we are and I think we have to vote for it.

However, in future things like this that really don't – not everybody in town needs or wants or uses, I think we've got to start raising some money ourselves by the committees and so forth and not just stick it on the taxpayers as another few bucks. And I'd like everybody to think about this when we have new projects that are like this that we say,

"Okay, let's go out and raise some." I wrote a letter to the editor saying I'd make the first contribution. But please, tonight, vote this. We need it and we are under the gun and which is too bad.

THE MODERATOR: Okay, further discussion, Article 37? Mr. Calfee and then in the back right.

MR. CALFEE: I'm glad Mr. Shearer got up to ask whether these counsels around town – the Beautification Counsel, I'd like to have you know that that stone there was put there as one of our big projects in town, donated by Jerry Lynch. So we are contributing. Thank you.

THE MODERATOR: Okay. In the back right, here.

MS. JEWETT: Katherine Jewett, Precinct 5. As many of you can see, I can't use the bike path at this time, but I think that the bike path would be a benefit for the entire town, regardless of whether somebody's on crutches or in a wheelchair or just not into walking or biking because it would bring added revenue to this town. It would give something else for people to do besides sit on the beaches that would free up beach parking. I think it would be a bonus all the way around, a win-win situation. Thank you.

THE MODERATOR: Okay, further discussion on Article 37? Mr. Kalize? Yeah, go ahead.

MR. KALIZE: Just to let everybody know. There will be a 25 percent hearing so you all can get your input into the design.

THE MODERATOR: Okay, great. Any further discussion? Hearing none, the question will come on the main motion for Article 37. This is \$300,000 for the Phase 3 Bike Path Extension. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

At this time, the Chair would entertain a motion to extend past 11:00 so we can finish up the last couple articles.

MR. NIDOSITKO: So moved, Mr. Moderator.

THE MODERATOR: Okay, we have a motion to extend past 11:00.

According to my list, here, we've got three articles left. Maybe we can finish this meeting tonight. All those in favor of extending past 11:00, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[No.]

THE MODERATOR: It is the opinion of the Chair that the Ayes have it. I so declare the two-thirds majority. We'll go on to Article 30.

Article 30, Madame Chairman for the main motion.

CHAIRMAN LEMOINE: Mr. Moderator, I move Article 30 as printed.

THE MODERATOR: As printed. This is to purchase or to take by eminent domain an easement in Hatchville, Sam Turner Road to the Power Plant; Mr. Young held this.

MR. YOUNG: Thank you, Mr. Moderator. I want to use this article just to speak to Town Meeting Members for a moment. I happen to be familiar with this area and I don't know if anybody's been down Sam Turner Road, but there's a large cache of pipes that have been dumped there over a year ago, and if you and I dumped those pipes there we'd get a call from the Building Inspector.

I happen to know a family that lives at the end of the road and they'd like some relief from those pipes. We know that those pipes are going to be installed. They were originally told it was going to be for water. Now utilities are included. Communications from the Town have been vague. They've received a letter that I don't want to use the word "threatening", but it seems like a last chance type of letter. And if this goes through, I think that the Town should treat these people fairly. They have 600 feet along this road and if there's an eminent domain taking that they should be given some proper relief. That's all, sir.

THE MODERATOR: Okay, any further discussion on Article 30? Mr. Lewis.

MR. LEWIS: Gardner Lewis, Precinct 6. Usually when we have an eminent domain, we have dollars attached; there are none.

THE MODERATOR: Mr. Duffy or Mr. Whritenour. Can we get the mic down here for Mr. Duffy, please?

MR. DUFFY: That's right, Mr. Lewis, but in this particular situation, the Water Department already has money from another source for this purpose. We're simply asking for the authorization to acquire the land, here.

THE MODERATOR: Okay, any further discussion on Article 30?

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

[Aye.]

THE MODERATOR: All those opposed, "No".

[No.]

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

Article 35, to see if the Town will vote to authorize the Board of Selectmen to establish and charge an Agricultural Commission. Mr. Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MUSTAFA: The recommendation is that the Town vote Article 35 as printed.

THE MODERATOR: Article 35 as printed. This was held by Ms. Stetson. Microphone in the back, please.

MS. STETSON: Judy Stetson, Precinct 1. This is an article that I would never have even thought once about in any other warrant. In this warrant, my ears pricked up and I wondered what is this? The explanation sounds wonderful: The Board of Selectmen support an Agricultural Commission to provide our community agricultural interests with a forum to work collaboratively to promote and enhance local farms and agricultural activities." That's

the explanation. But the article talks about the Selectmen shall develop a work plan with the Commission and the activities shall include but not be limited to advocating for agricultural economic opportunities for the Town. And working for the preservation of agricultural lands. Then we get a definition of agriculture. It's defined to include fresh water and marine aquiculture and the keeping and boarding of horses or livestock for personal or commercial purposes. Does it include, may I ask through you, Mr. Moderator to the Selectmen, does it include cranberries? Are we now asking to have an advocacy group advocating for cranberries in this town?

THE MODERATOR: Does somebody want to respond to that? Ms. Harper?

MS. HARPER: I think that the simplest answer is that if it's an agricultural crop that it would be covered by the Agricultural Commission. So, yes, cranberries would be included.

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

MR. LATIMER: Richard Latimer, Precinct 2. I'm also a member of the Planning Board, but speaking for myself to follow up on Judy Stetson's question as sort of a corollary to that question. Does the Town actually have interest in large acreages of upland that is farmland, apart from cranberry bogs? Large upland acreages that we're going to put back into strawberry farming, growing rutabagas, corn and things like that? Is that part of the Selectmen's vision here?

THE MODERATOR: Ms. Harper? Ms. Harper.

MS. HARPER: Mr. Moderator. The town is confronted with issues related to agricultural property in many different ways. The cranberry acreage along the Coonamessett River is one obvious example. There are many others. The Town's acreage acquired through the Land Bank and through Town Meeting previously have a lot of different agricultural issues that it confronts, whether it's the conversion of agricultural property for residential use at which time the Selectman are asked to make a decision on that right of first refusal, whether it's planting different habitat or species on property that was previously used

for agriculture; sea farms, the Peterson Farm; there are a variety of different locations in which the Town is confronted in making decisions related to its agricultural property. An Agricultural Commission would give us an opportunity to have a more of an advocacy group there to discuss what the appropriate decision making are from the Conservation Commission to the Board of Selectmen on a variety of different issues. So it really isn't a single issue whatsoever.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Yes, Mr. Moderator. Are you actually proposing that the Commission is going to be looking for tenant farmers to create additional agribusiness for the Town of Falmouth to get into supplying the existing agricultural markets which today are not really, you know, traditional farm stands but which really serve large food processing companies? Is the Selectmen – do they have that kind of vision for the Falmouth public lands?

THE MODERATOR: Ms. Harper?

MS. HARPER: I think I can only respond to what we do. We do solicit agricultural business at the Peterson Farm with a sheep business there. We have been confronted with a request for grazing of other animals on Town property. We have been requested to plant fruit trees on particular Town parcels. So those are questions that are asked of us on a very regular basis.

THE MODERATOR: Okay. Microphone there on my right midway up. Right here. Yeah, the one right in front of you. And then Mr. Ayres.

MS. LICHTENSTEIN: Lesley Lichtenstein, Precinct 8. It used to be that Falmouth was an agricultural community and a lot of our young people actually were engaged in this. Today if a young person who's gone to Amherst or Cornell or so on wants to have a farm in Falmouth, what's the odds? There aren't any. If you happen to have parents who have the foresight to save you a little land, you've got the land. One of the things that this Agricultural Commission will do for us is that it makes farmers in Falmouth eligible for state

and federal grants that they aren't eligible now.

Most people seem to think that it's kind of nice to keep a little open land for farmers, and most of us like to see the fields. Please don't make this a one issue thing: "We don't like that little red berry". That's not what this is about. Matter of fact, if we had had an agricultural commission in place ten years ago, we probably never would have gotten to this very contentious problem that we've got with cranberries right now. So, don't think about this as a pro- or anti-cranberry issue; this is a pro or anti farming issue. Farmers are an endangered species, guys. And farms are an endangered species. So I really hope that maybe you'll give some kids a chance to farm in Falmouth.

THE MODERATOR: Mr. Ayres. And then Mr. Kirwin.

MR. AYRES: Dean Ayres again. I just hope that if this is passed that the discussion of a farmer's market would be part of this. I know the subject has come up before and I would hope that people – that if we do have a Farmer's Market at some point in time down the line that small farmers that bring their goods to the market. I am opposed to agribusiness.

THE MODERATOR: Mr. Kirwin.

MR. KIRWIN: Peter Kirwin, Precinct 5. Mr. Moderator, through you to either the Chair of the Board of Selectmen or the Town Administrator, whoever is appropriate to answer this. A point of information: in the paragraph that talks about how this shall be administered, it indicates that the Selectmen and said commission, once appointed, then go on to have all of these different responsibilities, and I'm wondering if the responsibilities are going to be administered by the Administrator or if we're going to get away and have the Selectmen doing these many tasks when in fact they're supposed to be setting goals, setting policy, developing budget and firing and hiring the Administrator. I think this is a little bit confusing and I would like to get some more information on it.

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: I'm not sure I can address the issues with respect to the

charter and the Board of Selectmen and the Town Administrator. The key thing: this article sets up an advisory committee so the Agricultural Committee is definitely advisory. I can honestly say that I will work with the Board of Selectmen to make sure that everyone's roles in the Charter are honored and maintained; I think there's no question about that.

THE MODERATOR: Okay, further discussion? Ms. Lowell. Microphone here.

MS. LOWELL: Vicky Lowell, Precinct 1. Is this on the warrant because we have to give it official status to be eligible for funding or other situations? It seems to me like the Selectmen have it now in their power to appoint – they've appointed a working group on an issue we know we're going to hear more about tomorrow night. And we could maybe for a year or two have an Agricultural Commission that would consult with the Selectmen and do these tasks. I don't really see the Selectmen and the Commission doing these things together on a bi-weekly or once a month basis. It just seems like maybe more than we need right now.

With the wording, "that work for the preservation of agricultural lands owned by the Town", I feel in the context of what's going on that that could be a loaded and a phrase and I don't think anybody wants it to be at this time. But I'm just – the way this – I mean, I'm on the Beebe Woods Management Committee and we're working on those issues but we're not doing it – we weren't created by Town Meeting. So I'm just wondering if this is overkill right now to have such a formal creation.

THE MODERATOR: Okay, Ms. Houle. The microphone.

MS. HOULE: Hi, my name's Louise Houle, Precinct 8. Basically this was presented to the Town a number of years ago by Ron Smalowitz and presented to the Selectmen and the Administrator who didn't move forward with it. When I did a survey of the farms in Falmouth last year, I found that many of them needed assistance and information on many aspects that would help them financially and they felt they needed recognition in the town.

Ron Smalowitz is really behind this project and he'd like to speak on some of the issues you're questioning us about.

MR. GILES: Point of order.

THE MODERATOR: Mr. Giles, you have a point of order?

MR. GILES: After eleven o'clock.

THE MODERATOR: Yes, we've already voted to stay after eleven o'clock.

Mr. Smalowitz. Let's go. Let's go. Mr. Smalowitz.

MR. SMALOWITZ: Thank you, Mr. Moderator. My name's Ron Smalowitz. I own Coonamesett Farm. And I'm with you: I'm never up after eleven o'clock.

I would have had a Power Point presentation but my goat ate it.

I have a fax sheet from the state, and this isn't anything – this is pretty cut and dry. "What is an Agricultural Commission? Ag Com's are committees formed at Town Meeting through the passage of local bylaw. Each town can decide what the duties and responsibilities of the Ag Com will be." Okay. "What does an Ag Com do? It serves as a local voice advocating for farmers, farm businesses and farm interests. Provides visibility for farming. Works with other town boards about issues facing the town. Helps resolve farm-related problems or conflicts. Protects farmland and natural resources."

"Why are town Ag Coms formed? Many towns trying to balance growth and quality of life issues are creating Ag Coms. The intent of an Ag Com is simple: protect agricultural land, preserve rural character, provide a voice for farmers and encourage agricultural based businesses."

One last thing from this particular sheet. "Are Ag Coms regulatory? Unlike some other town committees, Ag Coms do not operate under any regulatory authority from the Commonwealth. While town Conservation Commissions implement the State Wetlands Protection Act and Planning Boards enforce the local zoning code, Ag Coms are created at Town Meeting to represent farming interests in the town, but they do not have any legal mandate or enforcement authority. So the only thing an Ag Com does is it provides

information."

Now, there are 12 Ag Coms in Massachusetts now. On spring ballot there's another 30 in Massachusetts towns. On fall ballot, there'll be another 40. Why all of a sudden this interest? This is the application. It's called the Commonwealth Capital Application. With the smart growth planning initiative, it links funds to ten state programs to smart growth. Basically a town having an Ag Com gets points. A town having a – gets four points. Matter of fact, it adds up substantially in a total of 140 points for getting grant funds for things like the bike path. It's called preserving working natural landscapes, and an Ag Com is a component of that. So that's why Towns are putting these things in.

And I just really hope that you – there are 25 farmers left here. But we have a potential in many directions to greatly improve agriculture here in Falmouth and I think this would be the start of a program to do so. Thank you.

THE MODERATOR: Someone in the back wants to speak, in the public. Mr. Ayres, I'll put you on my list.

MR. ADAMS: Seth Adams, Precinct 8. I just want to speak to one small phrase that's in Article 35 and speak to aquaculture. Commercial fishing is a dying breed of industry in this part of the country. It was once the only way of life around here. And aquaculture is basically the new form of commercial fishing and I think it can revive that kind of a lifestyle, earning money from the sea, in a sustainable way, and I think the Agriculture Commission can provide a lot of information to townspeople on the benefits of aquaculture, not only for the town but for the ocean and sea life itself and I just think there's a lot of misconceptions about it and this type of commission can bring a lot of information for it. I would urge all of you to vote "Yes" on the Agricultural Commission, thanks.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Thank you, Mr. Moderator. Richard Latimer, Precinct 2 again. I'm not anti-agriculture, and like Judy Stetson normally I'd look at something like this as being a boon to the town. And however I do question the timing of this. We're informed

that this has been on the drawing board for several years but it just so happens to come up at a time when the Special Town Meeting includes a quite controversial article on the use of the town bogs for commercial cranberry growing. And it may be unfortunate for the people who are you know have been pushing for this for a long time, but I just see this as somehow the Selectmen trying to get our preliminary imprimatur for a public policy that would promote the use of Town lands for commercial growing purposes. And I think that's very unfortunate, as I said, because normally I would be in favor of something like this.

I do know that cranberry growers do not need advocates. They have their advocates. They are part of a conglomerate known as Ocean Spray. I've seen Mr. Handy –

THE MODERATOR: Mr. Whritenour, Mr. Whritenour – I mean, Mr. Latimer, let's focus here.

MR. LATIMER: Excuse me?

THE MODERATOR: Let's not go into each industry that's available. Let's talk about the Commission and the merits of having it or not.

MR. LATIMER: Well, I go into that for the purpose of saying that if this article were to exclude cranberry growing, I'd be all for it.

FROM THE FLOOR: Oh –

MR. LATIMER: I'd be all for it because the cranberry industry does not need an advocate. They have – they have –

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: Okay. Mr. Latimer.

MR. LATIMER: They have resources –

THE MODERATOR: Let's save that argument for tomorrow night.

MR. LATIMER: Well, I feel that it is unfair for this article to be asking Town Meeting to endorse a policy for using Town land for growing any kind of commercial product when that is an issue that is coming up in the Special.

I do feel that if there is some kind of funding that would be of a benefit to the

Town if we were promoting agriculture on private land or private land owners, I would be all in favor of that, but I don't see that that is what this is all about. Thank you.

THE MODERATOR: Mr. Handy.

MR. NIDOSITKO: Mr. Moderator, we're getting bogged down on this issue.

THE MODERATOR: Okay, all right, Mr. Handy.

[Laughter.]

THE MODERATOR: Nice try at some levity there, Mr. Nidositko.

Mr. Handy's got the floor.

MR. HANDY: Thank you. Brian Handy. Yeah, smile. Cynthia said to smile.

From my aspect, Ocean Spray isn't necessarily an advocate. It certainly isn't in Falmouth, or I guess I wouldn't be in the fix I'm in now. I've certainly become a target in this town, and that's unfortunate. But I look at the Ag Commission as being something that would certainly help me. I'm one of the largest private land owners in Falmouth and I think the amount of people I have enjoying my property tells me that people appreciate that open space. But with that comes some complications that I run into that I have a hard time addressing. Addressing issues with the Con Comm and other boards, and I would definitely support the establishment of an Ag Commission so that I have someone that I can talk to, someone that can address my issues, someone to have a better feeling on what's going on. And I echo Leslie Liechtenstein's comments that I can safely say I think if we'd had this Ag Commission quite a while ago the issue that we're going to be discussing tomorrow night wouldn't be on the table and it would have been resolved long ago. Thank you.

THE MODERATOR: Okay.

FROM THE FLOOR: Question, question.

THE MODERATOR: I've got just a couple more and then we're going to take the question. Back right.

MS. HAYWARD: My name is Nancy Hayward; I live in West Falmouth. I

look at this article as an article which might enable me to get more fresh produce in town. I wouldn't mind having fresh tomatoes and fresh zucchini at a market where I didn't have to search them out. I also like cranberries, but I don't really see that this cannot – I feel that this can be separated from the article tomorrow.

THE MODERATOR: Okay, one last one here and do you still want to – have you had enough? No. Okay. One last one here in the aisle and then we're going to take a vote. Right behind you. Is it on?

MS. COX: [Without microphone:] Sandy Cox. [With microphone on:] Precinct 6. I'm actually a – I'm at home and I have a little place that could very possibly be a family farm. And I've been online a few years. And if we actually had an Ag Comm I could have gone to somebody that would say, "Well, this is what that means and you could probably do this," and there are an awful lot of grants that small farmers, people with just little plots of land that could actually do something with them and maybe grow aquaculture or hydroponics – there are all sorts of little grants that this commission would very possibly help. It's not all about cranberries.

THE MODERATOR: Okay, the question will come on the main motion of Article 35. The recommendation is as printed for an Agricultural Commission. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[No.]

THE MODERATOR: It's the opinion of the chair that the Ayes have it by a majority.

Article 41. Our last article. To see if the Town will vote to require that the Collector of Taxes print on a real estate tax bill certain information. This was held by Mr. Shearer. The recommendation is indefinite postponement. Mr. Shearer, would you like to put a positive motion on the floor?

MR. SHEARER: No, I would not, Mr. Moderator. I'd like to withdraw this. But I would like to – it is against – I have been told it is against the state law to do this. But I think it would be a very good idea if Town Meeting in the future or the Enterprise might publish all the 2 ½ percent overrides, the debt exclusions and so forth so the taxpayers know where their money is going. Thank you very much.

THE MODERATOR: Okay, at this time the chair would entertain the Board of Selectmen to make the main motion of indefinite postponement.

CHAIRMAN MUSTAFA: Indefinite postponement.

THE MODERATOR: You've all heard the main motion. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No."

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

Madame Chairman, Article 42.

CHAIRMAN LEMOINE: Mr. Moderator, I move that all articles considered in the April, 2005 Annual Town Meeting be funded as voted, for a total of \$96,173,288, and that the Board of Selectmen place a question on the May, 2005 Annual Town Election Ballot as voted in Article 37.

THE MODERATOR: Okay, you've all heard the main motion. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it. At this time, the Chair would entertain the – recognize the Chairman of the Board of Selectmen for notification of the next Annual Town Meeting.

CHAIRMAN MUSTAFA: November 14th.

THE MODERATOR: Okay, November 14th is our next Annual Town Meeting.

Madame Chairman.

CHAIRMAN LEMOINE: Mr. Moderator, ladies and gentlemen, I move the April, 2005 Annual Town Meeting be closed.

THE MODERATOR: Okay, you've all heard the main motion. All those in favor, signify by saying, "Aye".

[Aye.]

THE MODERATOR: All those opposed, "No".

[None opposed.]

THE MODERATOR: The Ayes have it and the meeting is adjourned.

[Whereupon, this meeting adjourned.]

C E R T I F I C A T E

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COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BARNSTABLE

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing transcript represents a complete, true and accurate transcription of my audiographic recordings taken in the Town of Falmouth April 2005 Annual Town Meeting to the best of my knowledge, skill and ability.

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

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