

Vol. One
170 pages

COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

APRIL TOWN MEETING

and

SPECIAL TOWN MEETING

Memorial Auditorium
Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

TOWN CLERK: Michael Palmer

Monday, April 13, 2015

7:00 p.m.

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SPECIAL TOWN MEETING

I N D E X

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1 another one at the next Town Meeting. And
2 anyone who wins the raffle will also be having
3 light refreshments and dinner with FC-TV during
4 our break.

5 Madame Chairman of the Finance
6 Committee, could you find out who will have the
7 best seat in the house?

8 [Pause.]

9 THE MODERATOR: And the winner of the
10 best seat in the house is: Paul Sellers.

11 [Cheering and applause.]

12 Would all Town Meeting Members present
13 please rise for the establishment of a quorum and
14 the tellers will return the count.

15 [Pause.]

16 MR. NETTO: 44.

17 THE MODERATOR: 44 in the first
18 division.

19 In the third division, Mr. Hampson?

20 MR. HAMPSON: 60.

21 THE MODERATOR: 60.

22 Mr. Dufresne, second division?

23 MR. DUFRESNE: 90.

24 THE MODERATOR: 90.

1 By a counted vote of 194, we have a
2 quorum and I call the Annual Town Meeting into
3 session.

4 All present please rise for the
5 presentation of the colors with the Brian Baru
6 Pipe Band and Troop 42.

7 [Pause.]

8 THE MODERATOR: Please follow me in the
9 Pledge of Allegiance.

10 [Pledge of Allegiance taken.]

11 THE MODERATOR: At this point, the
12 Falmouth Town Band Brass Choir will play the
13 National Anthem, and we encourage all present to
14 salute the flag and sing along with us.

15 [National Anthem played.]

16 THE MODERATOR: At this time I'll call
17 forward Peter Hargraves for the invocation.

18 MR. HARGRAVES: Heavenly Father, may our
19 meeting this evening be not only an exercise of
20 care and concern for our community and its
21 residents, but also an example of how a community
22 can agree and disagree and still be a community.

23 We ask you to watch over and protect our
24 families, our community, our nation and our

1 world. May your gift of peace become a reality
2 for all. Amen.

3 THE MODERATOR: At this point the Brian
4 Baru Pipe Band will play Amazing Grace in honor
5 of members who have passed since our last meeting
6 and most recently former Town Meeting Member and
7 former Falmouth Selectman John Elliott will be in
8 our thoughts and his family tonight as well.
9 And Mr. Freeman as well. Michael Freeman, a
10 longtime member of this body.

11 [Amazing Grace played.]

12 THE MODERATOR: Colors post.
13 Falmouth's Brian Baru Pipe Band.

14 [Applause.]

15 THE MODERATOR: Boy Scout Troop 42.

16 [Applause.]

17 THE MODERATOR: And the Falmouth Band
18 Brass Choir.

19 [Applause continuing.]

20 THE MODERATOR: I was just notified
21 that some folks are still looking for copies of
22 the warrant. If you're doing that, there are
23 copies out in the lobby. If you still need a
24 copy of the warrant, there are copies out in the

1 lobby.

2 Tomorrow night, starting at six o'clock,
3 there will be tours of this building related to
4 the Special Town Meeting article on the Lawrence
5 School windows. And they will meet here and
6 you'll go off in groups. So between 6:00 and
7 6:30, if you'd like to take a tour of the
8 building and see what the window situation is,
9 there'll be guided tours that will originate in
10 the auditorium tomorrow evening.

11 At this time I recognize Leslie
12 Lichtenstein for an announcement.

13 MS. LICHTENSTEIN: [No mic:] What
14 happened to this microphone?

15 THE MODERATOR: I don't know what
16 happened.

17 MS. LICHTENSTEIN: Guess what time it
18 is again? The snow is gone. It melted;
19 unfortunately the paper cups and the nips and the
20 beer cans and the bottles didn't melt along with
21 it. And I'm trying to convince the turkeys in
22 town as they roam around to pick up the trash,
23 but they're just not - they're just not doing it.

24 We've got lots of wonderful scout groups

1 and our kids in the high school, and it would
2 really be wonderful if the adults could show some
3 leadership here and everybody get out and help
4 pick up and make Falmouth nice.

5 This isn't a lifetime commitment, folks.
6 This is an hour. Take a bag; take a walk. Do
7 your street, do the beach. Wander around. Let's
8 make Falmouth nice.

9 The dates this time are the last week in
10 April. It's going to be April 25th to May 2nd.
11 There are flyers out there in the hallway.
12 People's names; you can give them your stuff and
13 they'll take it to the dump for you. Put it out
14 and our wonderful DPW will pick it up.

15 So, thank you. Let's all clean up
16 Falmouth. Thank you.

17 [Applause.]

18 THE MODERATOR: Thank you, Leslie.

19 We'll be here tomorrow night for a
20 Special Town Meeting and the Falmouth Service
21 Center is particularly looking for some donations
22 of cereal items and canned tomato products. So
23 if you could bring some products in the lobby
24 tomorrow and we'll get those ready to go off to

1 the Falmouth Service Center.

2 At this time I'd like to call forward my
3 colleague in the House of Representatives. He
4 lives on Nantucket. He represents half of the
5 Town of Falmouth: State Representative Tim Madden
6 is with us here tonight.

7 [Applause.]

8 THE MODERATOR: And my colleague in the
9 Senate, our new state senator, Senator Vinny
10 deMacedo. Senator demacedo, could you come
11 forward, please.

12 [Applause.]

13 THE MODERATOR: Our 1936 act, Special
14 Act of the legislature created Town Meeting, a
15 representative town meeting in Falmouth. And it
16 said that any elected member of the general
17 court, whether they be in the House or they be in
18 the Senate, is an ex officio voting member of
19 Town Meeting. And over the course of the last
20 50 years, we have a Town Meeting member who has
21 served in that ex officio capacity and has been
22 independently elected as a Town Meeting member
23 for 50 consecutive years.

24 Former State Representative and Town

1 Meeting Member Richard Kendall, would you please
2 come forward?

3 [Cheers, whistles and applause.]

4 MR. MADDEN: Good evening, everyone,
5 and thank you for that well deserved applause for
6 Dick.

7 You know, it was interesting when the
8 prayer was being said before tonight's meeting, I
9 thought it was appropriate to discuss about the
10 fact that we're a legislative body here and the
11 fact that we can agree without being disagreeable
12 -- most of the time -- but at the end of the day
13 we still are a community.

14 I learned much about legislating from
15 Town Meeting. And it's a difficult task, and
16 it's an important task. And for -- doing it for
17 50 years is something I just can't even fathom.
18 And Dick, Dick, doing it for 50 years -- I didn't
19 realize you'd been a legislator for 50 years, but
20 you have been. And this is probably in my
21 opinion as important as the House of
22 Representatives is, because this is your home,
23 this is your community.

24 These are the people that you see on a

1 daily basis. You can have a disagreement with
2 them, but you may run into them at a stop sign or
3 in the grocery store, so you know you can't be
4 disagreeable.

5 And I haven't known you very long, about
6 seven years, now, but you are a legacy here.
7 Everyone can say nothing but positive things
8 about you. I think you're a wonderful asset to
9 this community and you're a gift to this
10 community, and thank you for being -- sharing
11 that gift with us.

12 So, Dick, I'm going to turn this over to
13 Senator deMacedo who's been terrific. And
14 Vinnie and I served together in the House. And
15 I guess when we call it a house, you know, it's
16 kind of like siblings and brothers and sisters:
17 you can still fight and at the end of the day you
18 try to remember you're family.

19 But this is a community.

20 So, with that, Dick, thank you for what
21 you've done. And Senator deMacedo has something
22 for you, as well.

23 MR. DEMACEDO: Just an honor to be
24 here. And the one thing I've learned from Town

1 Meeting is the last thing you want to do is
2 listen to some politicians, so I'll get quick to
3 the citation.

4 But just honored to be here. I have
5 heard of your legacy that you have left in this
6 community, the fact that you have served this
7 community for 50 years. What a blessing it is;
8 it is truly a testament to your character, to the
9 type of individual you are. It's everything
10 that I heard.

11 Andy shared with me that he worked on
12 your first campaign -- or, 50 years ago, on your
13 first campaign. You don't look that old, there,
14 for 50.

15 But it is -- you're an amazing man and
16 so I just think it's beautiful that this entire
17 community has come around you to honor you today
18 and I'm going to read the citation on behalf of
19 the Commonwealth of Massachusetts House of
20 Representatives and Massachusetts Senate
21 Citation.

22 [Reading:] Be it hereby known to all
23 that the Massachusetts House of Representatives
24 and State Senate offers sincere congratulations

1 to Richard "Dick" Kendall, in recognition of your
2 service and dedication to the Town of Falmouth
3 and, being a pivotal Town Meeting Member for the
4 past 50 years, the entire membership extends its
5 very best wishes and expresses hope for future
6 good fortune and continued success in all your
7 endeavors. Given on this, the 13th day of April,
8 2015. Signed at the State House by Speaker
9 Robert DeLeo, Stanley Rosenberg, Senate
10 President, and your very proud state
11 representative and Town Moderator David Vieira,
12 and Timothy Madden.

13 Thank you very much and God bless you.

14 [Applause.]

15 MR. KENDALL: Thank you very much.

16 One of our great founding fathers, John Adams,
17 once said that the true strength of a democracy
18 is trial by jury and elected representation. I
19 believe that this is the pure form of
20 representation. I have been honored to serve my
21 precinct, Precinct 4, as a representative. And
22 that's why each and every one of you are here: we
23 know this is true democracy.

24 And I thank you very much for this

1 unexpected honor. Thank you very much.

2 [Applause.]

3 THE MODERATOR: Okay, at this time, I'd
4 like to dispense with the reading of the warrant.
5 Mr. Chairman for the main motion.

6 CHAIRMAN JONES: Mr. Moderator, I move
7 to dispense with the reading of the warrant
8 except for the Officer's Return.

9 THE MODERATOR: You've all heard the
10 main motion to dispense with the reading of the
11 warrant.

12 All those in favor, signify by saying
13 Aye.

14 [Aye.]

15 THE MODERATOR: All those opposed, No.

16 [None opposed.]

17 THE MODERATOR: The Ayes have it
18 unanimous.

19 At this time, I'll read the Officer's
20 Return of the Warrant. By virtue of this
21 warrant, I have this day notified and summoned
22 the inhabitants of the Town of Falmouth qualified
23 to vote on Town affairs, as said warrant directs,
24 by posting an attested copy thereof in Town Hall

1 and in every precinct in the Town. Signed by
2 Constable James Crossen. And Mr. Crossen is
3 with us today as our constable tonight.

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

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

10 So moved.

11 All those in favor, signify by saying
12 Aye.

13 [Aye.]

14 THE MODERATOR: All those opposed, No.

15 [None opposed.]

16 THE MODERATOR: The Ayes have it
17 unanimous.

18 At this time, the Chair would entertain
19 a motion for Town employees who are not residents
20 of the Town to speak on any article before the
21 Town Meeting.

22 So moved.

23 All those in favor, signify by saying
24 Aye.

1 [Aye.]

2 THE MODERATOR: All those opposed, No.

3 [None opposed.]

4 THE MODERATOR: The Ayes have it
5 unanimous.

6 At this time, I'll recognize the
7 Planning Board for a notification of public
8 hearing.

9 MR. DREYER: Mr. Moderator, Members of
10 the Board of Selectmen and Town Meeting Members,
11 I'd like to read a statement on behalf of the
12 Planning Board. My name is Paul Dreyer, Clerk
13 of the Board.

14 In accordance with Chapter 40A, Section
15 5, Massachusetts General Law, and Article 43 of
16 the Falmouth Zoning Bylaw, a public hearing was
17 held on February 10th, 2015 on Articles 7 through
18 11 for the Spring, 2015 Annual Town Meeting and
19 all those who wished to speak were heard.

20 THE MODERATOR: Thank you. Thank you
21 from the Planning Board.

22 At this time, I'd call your attention to
23 the last white page in your warrant booklet for
24 an overview of Town Meeting Rules.

1 Speaking and Voting. Registered voters,
2 residents and taxpayers of the town may speak on
3 any article in the warrant. Persons who are not
4 voters, residents or taxpayers of the town may
5 address the Meeting only with the consent of a
6 majority of those present.

7 Only Town Meeting members may vote.

8 Motions and Amendments. Motions and
9 Amendments may be made only by Town Meeting
10 members.

11 Two amendments will be accepted on any
12 article.

13 Long or complicated motions, and other
14 motions which he shall so request, shall be
15 presented to the Moderator in writing.

16 Reconsideration. Reconsideration will
17 be allowed at any time during the meeting if the
18 article does not involve the appropriation of
19 money.

20 If the article involves the
21 appropriation of money, notice of reconsideration
22 must be given within 30 minutes of the vote on
23 the article. Reconsideration may then be allowed
24 at any future time.

1 The Moderator shall determine if the
2 motion to reconsider is in order. Motions for
3 reconsideration must be based on substantially
4 new information not available to the Meeting at
5 the time of the original debate. The motion to
6 reconsider is not debatable.

7 Our hours of operation, seven o'clock
8 the first night; seven o'clock subsequent nights;
9 and we will close at eleven o'clock unless Mr.
10 Hampson makes a motion and we pass it by two-
11 thirds.

12 I want to remind all Town Meeting
13 members to each time you speak to identify
14 yourself by name and precinct so that we can have
15 it for the record for our stenographer in the
16 record.

17 Normally we start off Town Meeting with
18 a blanket vote, but since we have such a small
19 Town Meeting Warrant, 25 articles or 26 on this
20 one, we'll just start in on Article 1 and then
21 just go through them one at a time.

22 Article 1. Article 1 is to choose all
23 necessary officers.

24 This is an article for us to nominate

1 and elect Finance Committee Members. We have
2 five members of the Finance Committee who are up
3 for their full three year term. And we have two
4 unexpired one year terms on the Finance
5 Committee.

6 At this time I'll submit to the floor a
7 nomination slate for a three year term: Paul
8 Sellers; three year term, Susan Smith; three year
9 term, Mary Harris; three year term, Wendy Vogel;
10 three year term, Steve Angelo; a one year term,
11 Keith Schweigel; one year term, Ron Dyer.

12 Are there any further nominations from
13 the floor? Hearing none, the Chair would
14 entertain a motion to close nominations.

15 FROM THE FLOOR: Moved.

16 THE MODERATOR: So moved. All those
17 in favor of closing nominations signify by saying
18 aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [None opposed.]

22 THE MODERATOR: The ayes have it
23 unanimous.

24 All those in favor of the slate as

1 presented signify by saying aye.

2 [Aye.]

3 THE MODERATOR: All those opposed no.

4 [No.]

5 THE MODERATOR: The ayes have it
6 unanimous and we have a slate.

7 We have two of those individuals are
8 brand new members to the Finance Committee, Ron
9 Dyer and Keith Schweigel, so gentlemen, welcome
10 aboard. We appreciate you're willing to stand
11 up and volunteer in the community.

12 Article 2 is to hear Town reports.
13 I've got a few groups that want to give a Town
14 report, but before we do that I would like to
15 recognize the Board of Selectmen to discuss the
16 litigation report which Town Meeting has
17 requested at its previous vote of Town Meeting.

18 CHAIRMAN JONES: Thank you, Mr.
19 Moderator.

20 First, before I make that report, I do
21 want to wish our current Chair of the Board, Mary
22 Pat Flynn, a speedy recovery. She wishes she
23 could be here. We do hope that she'll be here
24 at our next meeting in two weeks, and she'll be

1 watching us very, very carefully tonight, I'm
2 quite sure.

3 The Town Counsel has provided a 24 page
4 report listing all the courts and suits - all the
5 suits and claims that are pending and have been
6 resolved. There are copies of it here in the
7 front. It will be on the website on the
8 Wednesday under the Town Meeting listing. And
9 so, if you'd like to get a copy, please come and
10 grab one. It's a very extensive report and does
11 cover everything that's been asked. And if you
12 would like to get an electronic copy, you can
13 also put your name down with your email and we'll
14 send that to you.

15 Thank you very much.

16 THE MODERATOR: Okay, thank you, Mr.
17 Vice Chairman.

18 The report is 26 pages, so when we had
19 our pre-Town Meeting meeting, I didn't think it
20 was necessary for us to make 243 copies of 26
21 pages. So we do have some copies here and it
22 will be available electronically, and as they
23 said, you can have it emailed.

24 So, Madame Chairman for the main motion

1 on Article 2.

2 [Pause.]

3 CHAIRMAN MAGNANI: Mr. Moderator, I
4 move Article 2 as recommended.

5 THE MODERATOR: Okay, as recommended to
6 hear the reports, and I have the Falmouth School
7 Committee would like to make a report. Ms.
8 Augusta.

9 MS. AUGUSTA: Good -

10 THE MODERATOR: Or Ms. Gifford.

11 MS. AUGUSTA: - evening. Susan
12 Augusta, Precinct 9 and Chairman of the Falmouth
13 School Committee.

14 On behalf of the School Committee, Dr.
15 Bonnie Gifford, our superintendent, is going to
16 give a brief report on the activities in the
17 schools.

18 MS. GIFFORD: Thank you, Madame Chair.
19 Mr. Moderator, town officials and elected Town
20 Meeting Members, thank you for allowing us this
21 time tonight to present our School Committee
22 report for the year.

23 A school committee is an elected body
24 that, in collaboration with the Superintendent,

1 serves as the governance leadership for the
2 school district. As such, the committee's role
3 is to oversee the annual school budget, develop
4 school system policies, hire and review the
5 performance of the superintendent, and advocate
6 for the school system with citizens, town
7 government and state government.

8 The work of the committee supports the
9 district's efforts that result in what we might
10 call a portfolio of excellence. Tonight, I
11 would like to highlight a few of the district's
12 accomplishments that are included in that
13 portfolio. They represent the story of the
14 Falmouth Public Schools, the work that goes on
15 every day in every building and in every
16 classroom.

17 Leadership changes in 2014 included the
18 appointment of Patrick Dillon as the Morse Pond
19 principal; Mary Gans as the Lawrence School
20 principal; Nancy Taylor as Assistant
21 Superintendent; Zack Waddicor as Director of
22 Curriculum for Elementary; and Sonia Tellier as
23 Director of Curriculum for Secondary. As well
24 as Nancy Ashworth at the Mullen Hall School.

1 In addition, Sara Cox replaced Joanne
2 Holcomb as the English Department Chair for 7
3 through 12. Full-time Assistant Principals were
4 reinstated at the elementary levels, resulting in
5 one assistant principal at each elementary
6 school, Morse Pond and Lawrence, and two at the
7 high school.

8 As of October, 2014, we had 3,554
9 students enrolled in grades pre-K through 12,
10 the same as in 2013. This year, we also saw an
11 increase of 29 school choice students,
12 demonstrating the appeal of the Falmouth Public
13 School due to its reputation as a very strong,
14 student-centered district that offers rigorous
15 academic and co-curricular opportunities for all
16 learners.

17 In addition, we continue to serve 53
18 students in out of district placements.

19 Academically, the Falmouth Public School
20 District continues to celebrate its many
21 successes and the dedication of our talented
22 staff and students, as we have much to be proud
23 of.

24 Falmouth High School and the Lawrence

1 School once again earned Level 1 designations
2 from the Massachusetts Department of Elementary
3 and Secondary Education.

4 Falmouth High School continues to excel
5 on state mandated assessments, with the
6 percentage of students achieving proficiency or
7 advanced in math, English, and science technology
8 and engineering surpassing the state average.
9 Ninety-eight percent of Grade 10 students scored
10 proficient or advanced in English language arts
11 and 90 percent scored similarly in math.

12 As an innovation school, Lawrence has
13 achieved like results, with students in all
14 demographic groups meeting expected targeted
15 growth, resulting in successful closing of
16 achievement gaps. Morse Pond and all four
17 elementary schools have earned noteworthy Level 2
18 designations.

19 Relative to arts, graphics, foreign
20 language, athletics and music, our students once
21 again made us proud. They have prepared,
22 performed, competed and excelled in a variety of
23 ways, bringing home awards and accolades such as
24 the 2015 Best Communities for Music Education

1 designation, the Boston Bruins MIAA Sportsman
2 Award and several Massachusetts High School
3 photography awards, among a host of other things
4 listed in your handouts that were included in
5 your warrant.

6 Through a thoughtful year-long process
7 and in collaboration with community members,
8 staff and parents, we completed a new strategic
9 plan. This plan will guide our work in resource
10 allocations for the next three years. A plan
11 identifies three main objectives: teaching and
12 learning, access and equity, and community
13 engagement. Action plans have been developed
14 under each objective to insure the accomplishment
15 of articulated goals. The plan will provide
16 focus and targeted enhancement efforts for years
17 to come and support our goal of enriching an
18 already great school system so it is recognized
19 as an exemplary place of learning for all.

20 We have already taken steps toward
21 achieving this year's strategic planning goals.
22 Example: we rolled out the Tools of the Mind
23 curriculum in all kindergarten classes. This
24 involved, and will continue to involve,

1 professional development for all kindergarten
2 teachers and educational assistants, and it
3 compliments our pre-K curriculum. It also
4 involves providing full-time educational
5 assistant support in each K class.

6 Tools of the Mind is a research-based
7 early childhood program that builds strong
8 foundations for school success by promoting
9 intensional and self-regulated learning in pre-
10 school and kindergarten aged children.

11 Because of the generosity of citizens,
12 our 2014-2015 budget was able to support the
13 addition of a director of curriculum and
14 instruction for elementary, Zack Waddicor. This
15 position is proving significant as it provides
16 enhanced leadership relative to curriculum work,
17 professional development, grant writing,
18 assessments and more across our four elementary
19 schools. This has allowed us to enhance efforts
20 to support the elementary level by instituting a
21 grade level leader model across the four schools
22 and, under this model, 16 teachers meet regularly
23 with Zack to work on curriculum, develop model
24 units and lessons, review teacher feedback, and

1 prepare to provide professional development to
2 their colleagues.

3 And the model is building leadership
4 capacity and providing a comprehensive,
5 consistent approach to curriculum development,
6 alignment, instruction and assessment across the
7 district.

8 With the adoption of Rubicon Atlas, a
9 web-based curriculum mapping management system,
10 we continued our work developing or refining
11 curriculum according to a backwards by design
12 approach. This method requires teaching for
13 understanding, and emphasizes the practice of
14 looking at desired outcomes in order to design
15 curriculum units. The work is significant. It
16 is producing an aligned curriculum that
17 establishes rigorous expectations for all
18 learners across the entire district. And it
19 also builds upon the other expectations to
20 provide vertical transitions as well.

21 Renewed focus on science, technology,
22 engineering and math, or STEM, teaching and
23 learning began this year as we look to expand
24 opportunities throughout the district. With the

1 purchase of 3D printers, high school STEM and art
2 courses have been equipped with exciting tools to
3 bring design and engineering to life. Providing
4 students with authentic learning experiences.

5 Plans are in place for summer work as we
6 focus on enhancing science and STEM at the lower
7 grades as well.

8 We are excited about expanded course
9 offerings that include AP Psychology and
10 Mandarin. These will provide students with more
11 opportunities to graduate prepared for a global
12 economy. And we have also developed an Applied
13 Technology program of study to include
14 programming, web design, computer science and
15 application development. And we embarked on a
16 Chromebook initiative in Grade 6 and, through
17 grant funding, plan to expand this initiative for
18 other grades.

19 Teachers participate in a variety of
20 professional development experiences, including
21 Google Hangout, where they shared ideas and
22 learned about the technology and how it could be
23 used in the classrooms. In their words, the
24 device has been transformative. It supports

1 creativity and inspires students to create their
2 learning, problem solve and think critically.

3 The Instructional Leadership team, which
4 includes department chairs, assistant principals
5 and central office staff, strengthened its
6 professional learning through intense focus on
7 educator observation and feedback, as well as a
8 book study about enhancing leadership capacity to
9 improve schools. Curriculum director Sonia
10 Tellier and Zack Waddicor have been outstanding
11 facilitating this work.

12 The district successfully managed a
13 rigorous round of computer based PARK [sp?]
14 testing in all schools. Foresight and planning
15 supported this effort. Our PARK steering
16 committee, affectionately called the PARK
17 Rangers, are to be commended for efforts in
18 supporting the assessment session.

19 We also adopted management tools that
20 are providing us with improved ability to
21 recruit, interview and hire qualified candidates,
22 as well as began an electronic database of
23 employees. And we adopted Teach Point, a fully
24 customizable teacher evaluation system which is

1 intended to increase efficiencies and allow our
2 leaders to spend more time as instructional
3 leaders.

4 In collaboration with the Police, Fire,
5 Department of Works, we signed, sealed and
6 delivered a comprehensive Emergency Management
7 Plan. This document contains policies and
8 procedures to follow before, during and after an
9 emergency, such as losing a building, an accident
10 or a hurricane. Our partnership with the Town
11 extended beyond the development of the plan to
12 situational practices and debrief sessions and
13 teamwork during this very stormy winter.

14 Many thanks to Patrick Dillon, our Morse
15 Pond principal, and Safety Liaison Robert Griffin
16 for leading this effort.

17 And with the help of a strong VIPS
18 program, our community engagement continued in
19 full force. For the second year in a row we
20 partnered with the Falmouth Police Department,
21 Gosnold, Falmouth Human Services and others to
22 host a forum on the substance abuse crisis.

23 The 37th annual Science Fair celebrated
24 our connection with the science community, and

1 students' desire to explore.

2 We also continued a strong partnership
3 with the Rotary Club, undertaking two
4 initiatives: a pen pal project between our Grade
5 4 students and Guatemalan students, and a Walk
6 for Water event which will take place this Friday
7 at Morse Pond in support of providing clean water
8 to Kenya.

9 And we invited the Senior Center to a
10 music event at the Lawrence School and
11 experienced another outstanding Credit for Life
12 Fair.

13 And, later this month, Falmouth Eats
14 Together will be hosted by the High School.

15 We also engaged in the Red Sox
16 Foundation's Home Base program, an initiative to
17 support children of military families.

18 Throughout the year, I have participated
19 on the Southeast Collaborative Regional
20 Organizational Virtual Learning Committee in an
21 effort to develop the SCRO Virtual Learning
22 Academy. Falmouth became one of the pioneering
23 districts in this venture, and as such we have
24 provided two teachers to participate in

1 appropriate professional development to be
2 certified to facilitate students' learning in an
3 online learning environment. This venture will
4 provide students with courses that many may not
5 otherwise have had access to, and we look forward
6 to being able to access this learning environment
7 to provide diverse options for our many different
8 learners.

9 Lastly, ongoing efforts to improve
10 Special Needs programs and services resulted in
11 the district contracting with Educational Support
12 Systems. The firm performed a thorough review
13 of service delivery for struggling students and
14 students eligible for Special Education. The
15 administrative team will discuss findings and
16 what actions the district might be inclined to
17 take to enhance its programs.

18 I am confident that the work that is in
19 motion will continue to strengthen the Falmouth
20 Public School System, providing essential support
21 to move Falmouth Public Schools from good to
22 great to exemplary and remain a beacon of
23 educational excellence.

24 Thank you for your time.

1 [Applause.]

2 THE MODERATOR: Are we going to do a
3 video, or?

4 MS. GIFFORD: [No mic:] Oh, I'm
5 sorry, I'm sorry. [Inaudible.]

6 [Video played.]

7 [Applause.]

8 THE MODERATOR: All right. Next up, I
9 have the Falmouth Economic Development Industrial
10 Corporation. Mr. Galasso.

11 MR. GALASSO: Good evening Mr.
12 Moderator, Members of the Board, Members of Town
13 Meeting and guests, my name is Michael Galasso.
14 I'm the Chairman of the Falmouth Economic
15 Development Industrial Corporation and I want to
16 thank you for allowing us to present a short
17 presentation this evening, a little bit on the
18 history of the EDIC and some of our recent
19 projects.

20 So the EDIC was formed by Town Meeting
21 in 1981 to develop 106 acres off Thomas Landers
22 Road. I'm sure that some of the members who
23 were here in 1981 are still here with us this
24 evening. And the EDIC is a 501 C 3 nonprofit

1 corporation. A lot of folks think we're a
2 committee, but we're actually a separate 501 C 3
3 nonprofit corporation operating under Chapter 121
4 C.

5 The Board of Directors that are selected
6 by the Selectmen include myself as Chairman; Dave
7 Eldredge, Vice Chairman; Steve Spitz, Treasurer;
8 Jay Zavala as our Clerk; Brooks Bartlett; our
9 Selectman Representative Susan Moran; and Jim
10 Fox. All these folks are versed in finance,
11 real estate and business lending experience.

12 The first project that the Falmouth EDIC
13 undertook was the development of the tech park,
14 which created over 80,000 square feet of research
15 development space. It's home to more than 16
16 new businesses and created over 400 jobs,
17 including corporations such as the Woods Hole
18 Group, Ocean Imagining, and NOAH.

19 Since there is a direct link between
20 creating jobs in our community and housing, the
21 EDIC has been involved in two affordable housing
22 projects: 704 Main Street and Edgerton Drive.

23 We also act as a small business loan
24 agency. We have provided, in partnership with

1 Coastal Community Capital, over \$100,000 in
2 capital to small businesses in Falmouth to expand
3 and grow. We also provide loans to non-profits
4 as we did with Historic Highfield and Cape
5 Conservatory to re-pave Highfield Drive.

6 One of our recent projects that you may
7 have read about is the Falmouth Station project.
8 I'm pleased to announce this evening with the
9 help of our Representative Madden, Representative
10 Vieira and many other folks here in this room,
11 that we have signed the lease with Mass. DOT
12 today for 99 years at a rate of ten cents a year
13 to acquire the station under a long-term lease,
14 and the three acres surrounding the station.
15 Mass. DOT will also be providing us with
16 \$1,400,000 grant to renovate the station and the
17 surrounding grounds. We anticipate starting
18 this fall. I think it'll be a great project for
19 our community. This is the entrance to our
20 community for many folks and it's taken a lot of
21 hard work by many people, as I said in this room,
22 in order to get to the point today where we
23 finally signed the documents.

24 Thank you.

1 [Applause.]

2 MR. GALASSO: One of the other projects
3 which we're working on which you'll be hearing
4 more about in the coming months is the
5 redevelopment of the closed landfill on Thomas
6 Landers Road.

7 Back in June of 2003, the EDIC entered
8 into a Memorandum of Understanding with the
9 Selectmen to study the potential redevelopment
10 opportunities of the landfill. We issued a
11 request for proposal to select a consultant
12 experienced in studying and planning the
13 redevelopment of closed landfills and we selected
14 Weston and Sampson as our redevelopment
15 consultant. They provided the EDIC with a list
16 of possible reuse opportunities and the
17 constraints that went along with those
18 opportunities.

19 In January of 2014, we conducted an open
20 public meeting to solicit input of potential
21 reuses and redevelopment of the landfill, and we
22 provided, shortly after that, a report to
23 Selectmen on our progress to date. And, based
24 on the input from the public and the analysis by

1 our consultant, we then directed the consultant
2 to prepared an economic feasibility study of the
3 redevelopment of the landfill for solar energy
4 production. The consultants and the EDIC then
5 submitted an application to NSTAR to determine
6 the cost for the opportunity to connect the
7 energy created by the landfill to the power grid.

8 In November, the EDIC provided a
9 progress report back to the Selectmen and we
10 asked for a six month extension of our Memorandum
11 of Understanding. And shortly after that, NSTAR
12 notified us that there is capacity within the
13 grid to accept power from the redevelopment of
14 the landfill for solar energy.

15 So, that gives you an idea of where the
16 solar panels would go and how much energy it
17 would produce. This is enough energy to power
18 about 500 to 600 homes. All the power from this
19 redevelopment of the landfill will go to power
20 municipal buildings in town, which would reduce
21 our cost of powering those buildings.

22 So, what are some of our next steps?
23 During the summer and fall, early fall, late
24 summer, we'll be holding a number of public

1 forums in order to continue to discuss the
2 project with the public and all the abutters and
3 anyone who has an interest. So I will urge
4 anyone who has an interest in the redevelopment
5 of the landfill, those folks here, the folks at
6 home, to please keep an eye out for the
7 announcement of all those public forums that will
8 be coming up to discuss the redevelopment.

9 We'll be issuing a Request for Proposal
10 to select a potential developer and we will start
11 negotiations with the town for the EDIC to enter
12 into a long-term land lease, and we will also be
13 back in front of you hopefully this fall because
14 time is short. As many of you might have seen
15 in the Standard Times, there's only so much power
16 that NSTAR will take into the grid from
17 municipalities and from solar panels.

18 So this fall we hope to be back in front
19 of you to ask for two things. One, it looks
20 like we're going to have to rezone the landfill
21 in order to permit solar panels on there. And
22 then we'll also have to ask you for your approval
23 of a long-term ground lease to EDIC.

24 So our goal is that by the end of this

1 year we would have had your approval for those
2 two items and that we would move on quickly from
3 there to actually have the solar park developed.

4 So I want to thank you for your time
5 this evening and please, again, look forward to
6 the upcoming public meetings that we'll have and
7 urge you all to attend. We really want your
8 input. Thank you very much.

9 [Applause.]

10 THE MODERATOR: Thank you, Mr. Galasso.

11 Next I have the Council on Aging. Mr.
12 Vieira.

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

14 I'm Jim Vieira, precinct 6 and Chairman of the
15 Falmouth Council on Aging.

16 This is an update on the progress on our
17 quest for a new senior center. When I last saw
18 you in November, I reported on the four potential
19 sites that were voted by the Board of Selectmen
20 for further review. At a late December meeting,
21 the Board of Selectmen discussed and voted an
22 overall time line, which calls for the review and
23 final site selection to be completed in time for
24 construction funding at the April, 2016 Town

1 Meeting. If approved, the project would be on
2 the ballot in May of 2016.

3 Also at that meeting a Request for
4 Proposals was approved seeking a consultant to
5 review the final sites. The consultant will
6 prepare a conceptual design and cost and
7 operating estimates. Eight firms submitted
8 proposals for the work and an evaluation team was
9 chosen. The team consisted of: the assistant
10 town planner Marlene McConnell; Town Engineer
11 Peter McConarty; Library Director Leslie
12 Morrissey; former Town Building Chairman Sally
13 Geffen; and myself. The Assistant Town Manager
14 Heather Harper and the Senior Center Director
15 Jill Bishop participated.

16 After a thorough review of the
17 proposals, the review team voted unanimously to
18 recommend to the Board of Selectmen that the firm
19 of Barkman, Hendrie and Archetype of Boston be
20 awarded the contract. I'm pleased to announce
21 that that contract was recently executed.

22 Heather Harper has some more information
23 on the details of the study and the time line
24 that that's going to be completed.

1 THE MODERATOR: Ms. Harper.

2 MS. HARPER: Thank you, Jim.

3 First, I do want to recognize both Jim
4 Vieira, the Chairman, and Jill Irving Bishop, our
5 Director on the Council on Aging. They both
6 provide stable and caring leadership, along with
7 a responsible advocacy towards a new Senior
8 Center, and it's my pleasure to work with Jill,
9 especially, as my teammate on this project.

10 This just gives you an outline of what
11 we've been up to since December.

12 If I could have the next slide, please.

13 Really this is to inform you about
14 what's next. What will happen with this study
15 is we'll go into a phase over the next month of
16 so which will be a little bit quieter, with a lot
17 of assessment by the consultant, initial
18 feasibility, working with the Council on Aging to
19 develop and quantify the program needs,
20 evaluating the sites, doing some site visits,
21 reviewing the building code, any of the zoning
22 codes, and a general cost evaluation.

23 Once all that material is gathered and
24 synthesized for each of the sites, we will hold a

1 community forum. Following that community
2 forum, the sites will be narrowed and that vote
3 will be taken by the Board of Selectmen to move
4 on to a more robust conceptual design for site or
5 sites. Following the presentation of that
6 conceptual design, there will be another
7 community forum, and following that there'll be a
8 refinement process to finalize the conceptual
9 design for one or two sites, and that will
10 culminate with a final report presented at a
11 public meeting.

12 Within the next week or so we'll be
13 narrowing down the dates for those. But we
14 expect all this to happen within the months of
15 May, June, July and August. So we hope that you
16 all follow the process, become engaged in it and
17 provide your feedback as the community makes
18 decisions about the new Senior Center.

19 I'm going to move on to the next slide,
20 please.

21 And before I review the sites, I do want
22 to take an opportunity to thank School
23 Superintendent Dr. Gifford, Chairman of the
24 School Committee Susan Augusta, and the School

1 Committee for allowing the Town to pursue two
2 school sites. And it gives us an opportunity -
3 and I know I can speak for the Board of Selectmen
4 in relaying that gratitude for allowing us to
5 give a really robust look at both an adaptive
6 reuse site and a vacant land site.

7 And so I'll review a couple of those for
8 you.

9 The downtown site, if you're not
10 familiar, is the Gus Canty Center site. There
11 will be some assumptions made about that site
12 which may mean current activities may not
13 continue there.

14 The next one. The Teaticket Center
15 site, which is the School Administration
16 Building. And there really will be three options
17 looked at there. The first option would be to
18 reuse the building as is. The second is to
19 reuse it with an addition. And a third is an
20 alternative to build a new building on the same
21 site.

22 The Brick Kiln Road site is in the area
23 of the PAL parcel.

24 And lastly - moving rather quickly, here

1 - the Gifford Street site, which is the second
2 School Department right behind the high school.

3 And that is the end of my report.

4 Thank you.

5 THE MODERATOR: Okay, we'll see you at
6 the next meeting.

7 All right, any other committees for
8 report? Hearing none, the question will come on
9 the main motion to - oh, yes. Yes, come on
10 down.

11 Sorry about that, Bikeways Committee.

12 MR. LINDELL: Okay, great. Thank you
13 very much. I'm Scott Lindell, the Chair of the
14 Falmouth Bikeways Committee, and I'm just going
15 to give you a very brief presentation of some of
16 the work we've done over the last year, my first
17 year as Chairman here.

18 So how do I advance this - I should have
19 been here earlier. Is there a - this next
20 slide, please? Okay.

21 Well, as you all know, Falmouth is
22 growing in stature as a bicycling destination.
23 The Shining Sea Bikeway we've had the pleasure of
24 having in our back yard for a long time now, and

1 it's expanded very recently. And it's really a
2 strong economic engine that we often forget
3 about. And on a summer weekend, if you stand in
4 one place, you'll count a hundred to two hundred
5 cyclists passing every hour. That's quite a
6 bit. And it's frequently cited as one of the
7 top ten bicycling paths in Eastern U.S.

8 So the next step, really, is to bring
9 those tourists and those dollars into downtown,
10 into commercial districts, so making it easier
11 for tourists to get into town on their bikes from
12 the bikeway. Help reduce congestion, relieve
13 some of our parking issues, improve public health
14 and air quality, too.

15 So, I think all round our goal, now, is
16 to push beyond the bikeways and try to make
17 biking throughout town a higher priority and
18 improve people's quality of life.

19 Next slide, please. So in this we are
20 starting a basically a bicycling transportation
21 plan. We've joined forces with the help of the
22 Cape Cod Commission and their transportation
23 planners. We're trying to increase this better
24 access between the bikeway, eastward. We want

1 to connect villages and beaches, commercial
2 districts. We want to have our parks and our
3 schools connected by safe and accessible roads
4 and bikeways.

5 So we're coordinating with the Downtown
6 Transportation Plan, the route 28, Main Street
7 corridor that the Planning Board and planners are
8 working on, the Regional Transportation Plan and
9 the Cape Cod Bike Plan. All these three things
10 will come to dovetail together to create a better
11 biking environment for Falmouth. And I think a
12 better biking environment also makes a better
13 driving environment because it takes some
14 congestion off the roads.

15 So, if you'll go to the next slide,
16 please.

17 Yes, our recent accomplishments, for
18 instance, is this new crossing at Kathy Lee
19 Bates, which really helps have a safer access to
20 downtown and the commercial Main Street.

21 Also we've got some new parking dotted
22 around Falmouth, 30 units of these parking
23 fixtures. You'll see one here right next to
24 Town Hall.

1 And we've got, due to generous funding
2 from the CPC, we've got another 30-plus units
3 being installed this year.

4 Next. Yes. So, I want to give a big
5 shout-out and a thank you to DPW. They've done
6 an excellent job of maintaining the margin of the
7 bike path. It really looks like a beautiful
8 linear parkway. Keeping the margin cleared has
9 been a real high priority for them and for us and
10 I'm glad we're on the same page, there.

11 Quickly, now, just some results of a
12 Falmouth Bikeway survey we did last summer.
13 This was to lead up to sort of a summit we had
14 last August. Some of these findings will not be
15 surprising. Eighty percent of the respondents -
16 - we had about almost 400 respondents - they live
17 year round in Falmouth. Two-thirds of them are
18 over 50. More than 50 percent ride their
19 bicycles at some point year round.

20 Sixty percent find cycling unnerving,
21 dangerous, in Falmouth. Most respondents site
22 two things: lack of shoulders and speeding
23 traffic as the main impediments to feeling safer
24 and doing more cycling on Falmouth roads. And

1 almost 90 percent felt that certain small but
2 significant road improvements would lead to
3 better and more safer bike use.

4 So where do we go from here?

5 Next slide, please. Next slide.

6 Examples of future improvements that are
7 likely to be integrated into our planning with
8 the Cape Cod Commission are these east-west
9 corridors, as I mentioned; safer crossings at
10 major roads, particularly trying to get across 28
11 where there aren't lights.

12 Roads with additional sharrows. These
13 really help remind drivers and cyclists that they
14 need to share the road. You'll see them on
15 Kathleen Lee Bates and down Shore Street, Shore
16 Drive, right now. Additional signage and way
17 finding signage so that tourists can find their
18 way safely to the beaches and to the village
19 centers along those roads that are more adequate
20 for cycling.

21 Wider shoulders and bike lanes on major
22 roads. Sometimes the shoulders are enough, but
23 if we can actually create bike lanes that are
24 signified as such, that will be even better.

1 And last, we have two new members on our
2 committee that are educators by profession, and I
3 think bicycling education is something that we
4 need throughout town. Not just for the cyclists
5 but also for drivers and basically so that each
6 party can sort of understand the care and
7 courtesy that's needed. Drivers need to be more
8 courteous; bicyclists certainly need to be more
9 courteous and take care.

10 It's all about patience, really. Being
11 more patient, trying to catch each other's eye
12 and work it out at those intersections, et
13 cetera.

14 Last - oh, the next slide. Yeah, this
15 is it.

16 So this is an example of an east-west
17 connector that we're really trying to foster.
18 It's a lot of it is off-road, which is safer for
19 cyclists. I'd feel safe if my kids were doing
20 this route, if it was actually to come about.
21 So we'd like to see eventually a crossing from
22 the bike path into Goodwill Park, connecting the
23 bike path, through Trotting Park. The Town owns
24 a right of way there - it's circled on this graph

1 - that would take you over into Trotting Park
2 Road and eventually you could make your way all
3 the way over to East Falmouth and Teaticket Park.

4 So that's one vision of connecting a
5 nice necklace of connecting parks and recreation
6 areas and potentially schools, too, which are all
7 dotted around there, too.

8 Finally - this is my next to last slide.
9 We're privileged to be in line for this
10 environmental bond bill fund to re-pave and take
11 out some of these nasty root barriers - or, we
12 need root barriers for these nasty root bumps
13 that are on the bike path, the current old bike
14 path. So that's nearly a million dollars that
15 we really have to go after. We're not
16 guaranteed it at any given time, but our town
17 leaders, if they are assiduous, will be up for
18 that in the next year or two and hopefully we can
19 make this Shining Sea Bike Path really even more
20 shining than it is already.

21 And lastly, my contact information. You
22 can always reach me at bikeways@falmouth.us.
23 I'm always happy to answer any citizen's
24 questions about the bikeway or biking in

1 Falmouth. Thank you very much.

2 [Applause.]

3 THE MODERATOR: Thank you, Mr. Lindell.

4 Okay, another report? What's that?

5 Go ahead, stand up and get a mic.

6 MR. FINNERAN: Hi. Marc Finneran,

7 precinct six.

8 The report from Article 29 of last year
9 that Attorney Duffy made, he was kind enough to
10 give me a copy beforehand. It's very nice, very
11 concise, very open.

12 There's only one point, here. It's the
13 amount of attorney's fees representing the Town
14 for each claim and lawsuit. If you look on page
15 21, you can see it's only outside counsel and
16 labor counsel and they're not aggregated as per
17 the article.

18 I was wondering if it would be possible
19 for him to amend this and put a page on the
20 website and then make sure in the future that
21 that requirement is also met.

22 Thank you very much.

23 THE MODERATOR: Okay, thank you.

24 Any other Town board or committee?

1 Hearing none, the question will come on
2 accepting the reports. All those in favor,
3 signify by saying aye.

4 [Aye.]

5 THE MODERATOR: All those opposed no.

6 [None opposed.]

7 THE MODERATOR: The ayes have it
8 unanimous.

9 Article 3, is to authorize the Board of
10 Selectmen to settle claims and suits. Madame
11 Chairman for the main motion.

12 CHAIRMAN MAGNANI: Mr. Moderator, I
13 move Article 3 as recommended.

14 THE MODERATOR: As recommended. Any
15 discussion on Article 3?

16 Hearing none, the question will come on
17 the main motion. All those in favor, signify by
18 saying aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [None opposed.]

22 THE MODERATOR: The ayes have it
23 unanimous.

24 Article 4. Madame Chairman for the

1 main motion.

2 This is to authorized the Board of
3 Selectmen to apply for and accept state or
4 federal grants.

5 CHAIRMAN MAGNANI: Mr. Moderator, I
6 move Article 4 as recommended.

7 THE MODERATOR: As recommended. Any
8 discussion on Article 4?

9 Mr. Shearer.

10 MR. SHEARER: Dan Shearer, precinct
11 six.

12 I would like to make an amendment to
13 this article and change one word. Where it says
14 - further - I can't say that word, I'm sorry.
15 What the Board of Selectmen may advise. I would
16 like that changed to "will advise".

17 It is very important that any new idea
18 we have that is going to cost the Town money over
19 the last - the future, must be okayed by the
20 Finance Committee.

21 I hope you'll vote for this, thank you.

22 THE MODERATOR: Okay, the amendment is
23 to change the Board of Selectmen may advise the
24 Finance Committee to the Board of Selectmen will

1 advise the Finance Committee.

2 Any discussion on the amendment?

3 Hearing none, the question will come on
4 the amendment. All those in favor, signify by
5 saying aye.

6 [Aye.]

7 THE MODERATOR: All those opposed no.

8 [No.]

9 THE MODERATOR: The ayes have it by a
10 majority.

11 Any discussion on the main motion as
12 amended?

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

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [None opposed.]

19 THE MODERATOR: The ayes have it
20 unanimous.

21 Article 5. This is to fix the salaries
22 of elected officials.

23 Madame Chairman.

24 CHAIRMAN MAGNANI: Mr. Moderator, I

1 move Article 5 as recommended.

2 THE MODERATOR: As recommended. Any
3 discussion on Article 5?

4 MR. MURPHY: Mr. Moderator.

5 THE MODERATOR: Mr. Murphy.

6 MR. MURPHY: Yes, Mr. Moderator, I'd
7 like to speak with regard to this article. A
8 few years ago Town Meeting was generous enough to
9 adjust the salary of the Town Clerk. It's been
10 quite so many years. As a matter of fact, it
11 was 2000 the last time the Board of Selectmen got
12 a raise in this community.

13 Now, my ship has come and gone. This
14 is not about Kevin Murphy. But it's about
15 providing opportunity that whomever we elect -
16 and we have five great representatives there now
17 - will be a face of this community. Quite
18 candidly, the job as a member of the Board of
19 Selectmen is ten minimum hours a week; 15 to 20
20 if you do the job properly. I must say that
21 someone who's a working person, who's trying to
22 get ahead, who has a family, will find it very
23 hard to commit to that position without the
24 remuneration of even being able to pay for a

1 babysitter.

2 My amendment would be that the Board of
3 Selectmen would each receive the sum of \$5,000
4 and the Chairman would receive an annual stipend
5 of \$6,000. Folks, this represents a hundred
6 dollars a week.

7 I do have to say that when I served on
8 the Board of Selectmen – you all know that I'm in
9 the restaurant business – I had to hire a
10 manager. That was my choice. But there are
11 many people who can't afford to give up a night's
12 work, can't afford to be able to provide the
13 leadership in this community.

14 I think that we all want an opportunity
15 that those folks can be a face of our community,
16 both young and old, who can actually afford to do
17 the job.

18 Now, the Town of Barnstable, there is a
19 different form of government, but their
20 counselors all receive over \$9,000 a year. I
21 think the Town of Falmouth can't be compared
22 against towns like Bourne which, quite candidly,
23 are very comparable to what we receive now.

24 We have well over a hundred million

1 dollar budget. These folks need to work hard.
2 They do put in the hours which are day in and day
3 out. This would be a total increase, a total
4 increase of \$10,500 per year, but it would
5 provide an opportunity.

6 If I can give you a -- facts. In 2000
7 was the last time that this was changed. The
8 current salary for the Town Clerk, which is set
9 by Town Meeting, is currently \$86,000. In the
10 year 2000, it was \$33,000. We're talking
11 roughly over \$50,000 increase. He deserves
12 every penny of it. But I'm just saying that we
13 have to stay with the times.

14 The Board of Selectmen have worked
15 through this year in and year out. Anybody that
16 has served in this position understands.

17 So, Mr. Moderator, I make that motion to
18 adjust the elected officials, members of the
19 Board of Selectmen to \$5,000 and the Chairman
20 would be \$6,000. The last time that this was
21 made, a motion was made by Mr. Antonucci in the
22 year 2000.

23 Thank you very much.

24 THE MODERATOR: Mr. Putnam.

1 Discussion on the amendment, Mr. Putnam.

2 MR. PUTNAM: Thank you, Mr. Moderator.
3 Brent Putnam, precinct 9, former Selectman and
4 Chairman of the Board.

5 I apologize for coming down here; I like
6 to be able to see you all and also have you see
7 me without craning your necks backwards.

8 I rise to speak in opposition to this
9 amendment. Very briefly, there's no amount of
10 money that could make a volunteer position -- and
11 essentially, the Board of Selectmen are
12 volunteers. The small stipend that I received,
13 personally, I gave it away to local charities.
14 It's - whether it's 3,000 or 5,000, it really
15 doesn't make a considerable difference. It's a
16 volunteer position.

17 I think - I don't think it's going to
18 make a difference and quite frankly I think we
19 have this debate from time to time from year to
20 year. It's worth noting there are other
21 communities in Massachusetts that pay their
22 Selectmen less, some that pay them more. Some
23 that don't pay their Selectmen at all.

24 The reality is that the job is one that,

1 as Mr. Murphy notes, it takes 15 to 20 hours a
2 week if you're really committed to it. And if
3 you want to start adding up dollars in that case,
4 then we're getting into a whole different
5 category of a discussion.

6 It is worth noting, however, that the
7 Selectmen as employees of the Town do have the
8 option to sign onto State Retirement. If they
9 work long enough, they can receive retirement
10 from the state. They also have the option of
11 signing onto health insurance from the town.
12 Personally I didn't do this. Some Selectmen
13 did; some Selectmen didn't.

14 There are benefits that, if we're going
15 to talk about monetary compensation, those
16 benefits do exist and they are an option for
17 those who feel that they should be compensated
18 for this position.

19 So, thank you for your time.

20 THE MODERATOR: Mr. Dufresne.

21 MR. DUFRESNE: Fellow Town Meeting
22 members, Adrien Dufresne, precinct two.

23 I'd like to really thank Mr. Murphy for
24 his presentation. He said it a hell of a lot

1 easier and smarter than I could.

2 I have to absolutely disagree with
3 former Selectmen Putnam. The other night, one
4 of the meetings, it lasted until eleven o'clock.
5 And in my address to the Board of Selectmen I
6 says, "You people are not paid enough. This job
7 is worth at least 5,000 a year."

8 I would hope that you will support the
9 amendment. The salaries of 3,000, we ask these
10 people through their elected position to lead us,
11 the Town of Falmouth, to set the policies of the
12 Town of Falmouth that guide Mr. Suso and Mrs.
13 Harper in this beautiful town that we live in.
14 And, in order for us to get people to stay awake
15 until eleven o'clock at night, I think 5,000 is a
16 very, very reasonable amount of money.

17 As far as the Moderator, well, that's
18 marginal. But anyway.

19 [Laughter.]

20 THE MODERATOR: This is an easy job.

21 MR. DUFRESNE: As far as the Moderator,
22 the Moderator's salary has been set at \$1500 for
23 I can't remember how many years. I don't know
24 how many moderators most of you people have sat

1 through, but I think he's probably my fourth or
2 fifth moderator since I've been a Town Meeting
3 member, and I have to say that he addresses this
4 body and keeps us under control and he should
5 have some reconsideration.

6 I ask you to support the amendment for
7 the increased salaries. We're not talking a lot
8 of money and we could probably get it out of
9 chump change somewhere in the budgets. And
10 thank you.

11 THE MODERATOR: Okay, any further
12 discussion on the amendment?

13 Hearing none, then the question will
14 come on the amendment. This is to increase the
15 four Selectmen to \$5,000 each and the chairman of
16 the Board of Selectmen to \$6,000.

17 All those in favor, signify by saying
18 aye.

19 [Aye.]

20 THE MODERATOR: All those opposed no.

21 [No.]

22 THE MODERATOR: It's the opinion of the
23 Chair that the ayes have it. Do you want to
24 count it? No. Okay.

1 So the majority vote.

2 Any further discussion on the main
3 motion as amended?

4 Hearing none, the question will come on
5 the main motion as amended. All those in favor,
6 signify by saying aye.

7 [Aye.]

8 THE MODERATOR: All those opposed no.

9 [No.]

10 THE MODERATOR: The ayes have it by a
11 majority.

12 Article six, this is to authorize the
13 continued use of revolving funds.

14 Madame Chairman for the main motion.

15 CHAIRMAN MAGNANI: Mr. Moderator, I
16 move Article six as recommended.

17 THE MODERATOR: As recommended. Any
18 discussion on Article six?

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

22 [Aye.]

23 THE MODERATOR: All those opposed no.

24 [None opposed.]

1 THE MODERATOR: The eyes have it
2 unanimous.

3 Article seven. This is a Planning
4 Board article. At the end of the article, it
5 says, "on the request of the Planning Board".
6 That's a typo. This was on the request of the
7 Board of Selectmen.

8 This is to amend the zoning map so as to
9 change the existing Agricultural double A zone by
10 rezoning from double A Agriculture to Public Use
11 Land at Zero Thomas Landers Road.

12 Madame Chairman for the main motion.

13 CHAIRMAN KERFOOT: Pat Kerfoot,
14 Chairman of the Planning Board.

15 I move Article 7 as printed and I would
16 defer to the Selectmen for any question or
17 explanation.

18 THE MODERATOR: Okay. Discussion. Is
19 there a presentation or questions or?

20 Yes, Ms. Lichtenstein.

21 MS. LICHTENSTEIN: Leslie Lichtenstein,
22 precinct 8.

23 I'm going to support this. I hope you
24 do. It's important for the plan we have going in

1 the town.

2 But I would like to address changing
3 Agricultural zoning. Most of the years since
4 I've been a Town Meeting Member, we've been asked
5 to take land out of Agricultural zoning and move
6 it to something else. The rationale we've
7 always been given is it's rocky, there's no
8 topsoil, you can't grow anything. This is the
9 21st Century, folks. Especially in New England,
10 waving fields of grain is not the major
11 agriculture. Greenhouses and hydroponics are.
12 There isn't an AA zoning in this town you can't
13 put a greenhouse on.

14 Stan Ingram of the Ag Committee has
15 suggested that maybe if we take land out of Ag
16 zoning we put some more back in to replace it.
17 And that might not be such a bad idea.

18 Right now, locavore, local food is a
19 choice. It might not be in the future. If
20 you've been out to California, you're going to
21 see thousands and thousands of acres that aren't
22 being planted because they don't have the water
23 for it. We may not be able to get our food from
24 somewhere else.

1 All those tourists that feed our
2 economy, they might want to have something to eat
3 when they get here, okay? I mean, just a kind
4 of a, you know, of a thought.

5 If - we really should vote for this
6 tonight. But, in the future, I really hope that
7 our Selectmen and our Town committees think
8 really long and hard about moving land out of
9 Agricultural zoning.

10 I'm a microbiologist, not a planner. I
11 didn't know how much Ag land we had or how much
12 we need. I went to the Town Planner's office and
13 I was very disappointed to find out that our Town
14 Planner doesn't know how many Agriculturally
15 zoned acres we have in town. How can we plan
16 for the future if we don't know what we've
17 already got? Okay?

18 I hope the Board of Selectmen think
19 about this before they bring it to us again, and
20 at least they give us a better rationale than we
21 can't grow anything on it, because we can put a
22 greenhouse anywhere. And I really hope the Town
23 Meeting Members maybe remember the words to an
24 old Joni Mitchell song - I know I'm dating

1 myself, but - "They're paving paradise to put in
2 a parking lot. You don't know what you've got
3 'til it's gone." Thank you.

4 [Applause.]

5 THE MODERATOR: Okay, in the back on
6 the left. Yeah, back left.

7 MR. HANLEY: Good evening, ladies and
8 gentlemen. My name is Matthew Hanley, precinct
9 six.

10 I just want to speak - I spoke about
11 this piece of parcel or property three years ago
12 at Town Meeting. I cautioned this Town Meeting
13 against purchasing this - doing the land swap and
14 taking over this piece of property. Not because
15 it's in my back yard and I don't want it in my
16 back yard; because it's in my back yard and I'm
17 familiar with the conditions.

18 I brought up three years ago that the
19 site topography was extreme. And that there was
20 boulders as big as Volkswagens. And the soil
21 conditions weren't ideal.

22 I understand we need wastewater
23 treatment in this town, but we need to look at
24 options that make sense for this town. And

1 we're all paying for this. We're all taxpayers.
2 And, being a young person in this town, having a
3 home, having a business in this town, I want to
4 know where my tax money is going. And this -
5 this sewer expansion has not been planned very
6 well.

7 I have 15 years in the buildings trades.
8 I work as a project manager in Boston. I worked
9 on Merck Pharmaceutical, Harvard Institute of
10 Medicine, Novartis, Amgen. I worked on \$30
11 million houses in Greenwich, Connecticut. I
12 know what I'm talking about when it comes to
13 construction, and this property's not being
14 developed properly.

15 If - I think a few of you have seen the
16 article that was put in the Falmouth Enterprise
17 in rebutting to Stan Ingram's concerns about
18 Agricultural property. The vice-chair of the
19 Wastewater Committee openly admitted the site
20 conditions, the topography. These are her words
21 from the article: the topography is un-ideal for
22 agriculture. There's boulders. Yes, there is
23 boulders. And when you're developing a site like
24 this, boulders are expensive.

1 I went up to the Mass. D.E.P. office in
2 Lakeville and reviewed the plan drawings myself
3 for the Wastewater Discharge Permit. In bed 15
4 there's a 27 foot change that needs to be made.
5 They need to take the top of the mountain off.
6 Twenty-seven feet worth of dirt needs to be
7 removed.

8 In bed 14, there's an 18 foot hole that
9 needs to be filled. When you fill areas in, you
10 make impervious surface area. I was standing
11 next to the Mass. D.E.P. inspector when he said,
12 in quotes: "I don't know where you got these
13 numbers, but these perc tests aren't even
14 performing close to where they're supposed to
15 be." This site is not going to pass and we don't
16 have any other options in this town.

17 So, I seriously caution all of you here
18 to not pass this to Public zoning. Under
19 Agricultural AA, municipal uses are already
20 allowed. So why is the Town pushing for Public
21 Use?

22 My property directly abuts this parcel
23 to the north and the Mass. D.E.P. guaranteed my
24 family a hundred foot buffer. The town cannot

1 develop within 100 feet of our property boundary.
2 So the 8.8 acres that the Town of Falmouth is
3 telling you they can use? They cannot. They
4 can only use 4.4.

5 And three years ago I brought up the
6 fact that there was Indian stone monuments in
7 this area. The facts are: they were discovered
8 in that area. And they were found on the Route
9 28 side. So out of 4.4 acres that there are
10 left after the 100 foot buffer, they only have
11 2.2 acres they can use. And they can't expand
12 towards the waste treatment plant because of the
13 Buzzards Bay Watershed line. So, they've
14 painted themselves into a corner.

15 And the fact is I don't want to -
16 there's unlimited use for Public Use property.
17 Let's just keep it Agricultural AA. If this
18 project moves forward, the infiltration beds will
19 be allowed and because it's municipal use, but
20 the uses will be limited. If this parcel does
21 not move forward for infiltration beds, the Town
22 of Falmouth can build anything they want there,
23 and they don't have to come back here to get
24 approval for it. And the residents around this

1 property will have diminished rights.

2 The residents around the other side of
3 the waste treatment plant have been in litigation
4 with the Town of Falmouth for years. The number
5 one argument that the Town of Falmouth uses
6 against the residents on the other side of the
7 waste treatment plant is this is Public Use
8 property and this is for the greater good of the
9 municipality.

10 So let's just leave it Agricultural AA
11 because it's already allowed.

12 The Board of Selectmen should have had a
13 meeting about this. The frivolous use in change
14 of zoning is - these people up here are our Town
15 leaders, and when they decide to change use when
16 it's already allowed inside that zoning? I'm
17 worried about that. Because you should know
18 that you have to change to meet that zoning.

19 So, thank you very much for your time.
20 I leave it in your capable hands. You have a
21 good night.

22 THE MODERATOR: Further discussion on
23 Article 7? Mr. Shearer.

24 MR. SHEARER: Dan Shearer, precinct

1 six.

2 I have a question before I say anything
3 to whoever's answering questions. Do we have
4 permits from the DEP?

5 THE MODERATOR: Mr. Potamis. Can we
6 have a microphone down here for Mr. Potamis,
7 please.

8 MR. POTAMIS: Gerry Potamis, Wastewater
9 Superintendent and Town Meeting Rep from precinct
10 two.

11 We have permits from the D.E.P. to
12 permit this site. We have approval from the
13 Mass. Historical Commission for this site. The
14 Planning Board had a special meeting on this site
15 in December. D.E.P. had a special hearing on
16 this site 45 days ago. So, this Town has done
17 due diligence in designing this site.

18 The plans and specs clearly show that we
19 are not within the 100 foot buffer. They're on
20 file at the DPW office and I think it's a little
21 long-winded, but I needed to get it in.

22 Thank you.

23 MR. SHEARER: While you're there -

24 THE MODERATOR: Mr. Shearer.

1 MR. SHEARER: - are you sure this
2 won't ruin Crocker Pond and so forth?

3 MR. POTAMIS: All our studies to date
4 say it will not ruin Crocker Pond. The state
5 would not issue us a permit. There's no
6 absolutes in life. This building could fall
7 down on us tonight.

8 MR. SHEARER: What?

9 THE MODERATOR: Okay. Mr. Shearer.

10 MR. SHEARER: Don't make us run,
11 please.

12 THE MODERATOR: Let's go.

13 Mr. Shearer.

14 MR. SHEARER: Yes.

15 THE MODERATOR: Go ahead.

16 MR. SHEARER: We traded this piece of
17 property without permits. We gave the Steamship
18 Authority a piece of land that they're going to
19 make millions of dollars on that we could have,
20 as parking lot. And it is not certain and it's
21 not uncertain when you start digging, where the
22 water's going to go.

23 We have a very nice pond there. We
24 have a brook beyond it. Last time we were told

1 nothing would happen was West Falmouth Harbor and
2 we polluted it and it's been in bad shape and
3 it's cost us millions of dollars to try and clean
4 up. And I think a lot of studies should go into
5 this more than has been now.

6 The Coalition For Buzzards Bay is going
7 to - I am told, is going to object to this and
8 probably sue us. I hope. And I'd like you to
9 vote no on this and let's work from here. Thank
10 you.

11 THE MODERATOR: Mr. Noonan.

12 MR. NOONAN: John Noonan, precinct six.

13 Under the explanation, does that
14 explanation become part of the article?

15 THE MODERATOR: No, it's just an
16 explanation.

17 MR. NOONAN: In the explanation, it
18 talks about for all municipal purposes.

19 THE MODERATOR: That's what a Public
20 Use District is.

21 MR. NOONAN: Could we restrict that to
22 wastewater treatment and/or a solar field only?

23 THE MODERATOR: We'd have to create a
24 new zoning district category, which would be

1 beyond the scope of the article.

2 MR. NOONAN: Thank you.

3 THE MODERATOR: Mr. Latimer.

4 MR. LATIMER: Thank you, Mr.

5 Moderator. Richard Latimer, precinct one.

6 I wasn't paying a whole lot of attention
7 to this one at the precinct meeting we had the
8 other night. I read the explanation and it said
9 to ensure that the land can be used for all
10 municipal purposes, including the expansion of
11 the Wastewater Treatment Facility, and that led
12 me to just believe that, without this rezoning,
13 it couldn't be used for that expansion.

14 Now Mr. Hanley has raised a question in
15 my mind: is that so? So I would like an
16 explanation of that - answer to that question
17 from Town Counsel. I would like it from Town
18 Counsel. This is a legal question: can the
19 property be used for the planned expansion of the
20 wastewater treatment facility without this
21 rezoning?

22 THE MODERATOR: Mr. Duffy.

23 MR. DUFFY: Mr. Latimer, I'm going to
24 defer to the Planning Board on that. I have not

1 participated in the preparation of this article.

2 MR. LATIMER: Okay, well then, the
3 Planner -

4 THE MODERATOR: Mr. Curry.

5 MR. CURRY: Richard, the zoning
6 article, in my opinion, is necessary. It helps
7 protect your investment here for all the money
8 you're spending on this treatment plant because
9 in an Agricultural AA zoning district, we don't
10 find the words, anywhere, under the use
11 categories of a municipal wastewater treatment
12 facility. It's silent.

13 In a Public Use District you have the
14 words "all municipal purposes". And so I'm far
15 more comfortable recommending to this Town
16 Meeting and to the Board of Selectmen and others
17 this zone change.

18 Could we make an interpretation to move
19 the project forward? Yes, we could. My sense
20 is you wouldn't want to do that because it just
21 opens up fodder for anything else that may come
22 down the line.

23 So our recommendation is the zone change
24 to protect your investment. It adds the words

1 "all municipal purposes" so there's no room for
2 doubt that you can have a wastewater treatment
3 facility on this location and its accessory uses.
4 Whereas, in an Agricultural zoning district, it's
5 silent.

6 THE MODERATOR: Mr. Latimer.

7 MR. LATIMER: Well, if I may address
8 that, Mr. Moderator.

9 That gives me a lot of pause, because -
10 and I would ask another question, then; perhaps
11 Mr. Duffy can answer this one. To what extent
12 could the Town simply go to the Zoning Board and
13 seek a variance, a use variance for this, under
14 the existing zoning?

15 THE MODERATOR: Mr. Duffy, Curry, where
16 do we go? Mr. Curry.

17 MR. CURRY: Town Meeting disallowed use
18 variances I believe back in 1975. So that
19 avenue's not available.

20 MR. LATIMER: Okay. I am not
21 comfortable with this the way it is because I
22 would just as soon see this land remain open to
23 agricultural use and take our chances with
24 somebody complaining about the use under the

1 existing zoning.

2 I think - I agree that it is most
3 important that we maintain as much agricultural
4 by right use that we can. The drought
5 conditions in California don't look like they're
6 going to get better. I read someplace recently
7 it takes something like 500 gallons of water to
8 grow one walnut? No, seriously. That's over
9 the course of the life of the tree, the amount of
10 yield you get out of it.

11 We've got water. We can apply water to
12 the land. We may, like as one said, we might
13 have to become locavores. We don't want to be
14 just taking land out of agricultural use. So I
15 would take the chance that we can do what we need
16 to do with the Wastewater Treatment Facility
17 under the existing zoning. I would vote against
18 this. Thank you.

19 THE MODERATOR: Mr. Curry. Then Ms.
20 Lowell.

21 MR. CURRY: Yeah, I just want to make
22 sure the Town Meeting Members understand -
23 Leslie, I wasn't in the office when you posed
24 your question. But we have all that

1 information; it's been online for quite some
2 time.

3 There are about 11,000 - about 11,000
4 acres, so you know, of the Town is zoned for
5 agricultural purposes. Either Agricultural AA,
6 A, or Agricultural B. There are approximately
7 29,000 acres in the Town of Falmouth in total.
8 So I just want to make sure - apparently there
9 was a disconnect there and I apologize for that,
10 Leslie, but we do have this information for you.
11 I thought you wanted it tonight. Otherwise I
12 would have gotten it to you in advance of this.

13 It's been online. It's been online for
14 about ten years. And you can see it there: all
15 our zoning districts and their land areas. And
16 there is a narrative at the bottom for you, for
17 your information tonight so you have it. And I
18 apologize for that disconnect, Leslie.

19 But there are about 11,000 acres out of
20 the 29,000 total zoned for agricultural purposes.
21 The Town Selectmen and your Planning Board
22 recommends you take a certain percentage out for
23 this municipal purpose to make sure that your
24 investment is protected because, in permit world,

1 we try to limit uncertainty to the best we can.
2 We've been trying to do it - we've been doing it
3 for 30 years, now, here, and I recommend it to
4 you to protect your whatever it is, \$25 million
5 investment so we all know what this land could be
6 used for.

7 Could we make an interpretation,
8 Richard? I'd rather not. That's just fodder
9 for litigious situations.

10 THE MODERATOR: Ms. Lowell.

11 Got you on the list, yeah.

12 MS. LOWELL: Vicky Lowell, precinct
13 one.

14 I am very comfortable with making this
15 zoning change. I think if we go to municipal
16 use, Town Meeting is the one who would control it
17 if it's something other than wastewater. And I
18 think Brian Curry's made a very good explanation
19 of why we should make the change.

20 So, I hope you'll join me in being
21 comfortable with this.

22 THE MODERATOR: Okay, Ms. Siegel.

23 MS. SIEGEL: Deborah Siegel, precinct
24 six.

1 Mr. Moderator, could we hear from
2 somebody from the Water Quality Management
3 Committee to explain why it's important to do
4 this? Thank you.

5 THE MODERATOR: Does someone from that
6 Committee want to speak?

7 Mr. Turkington.

8 MR. TURKINGTON: Eric Turkington,
9 precinct one. Chairman of the Water Quality
10 Committee.

11 I was hoping this would be the first
12 Town Meeting in a while where I would not have to
13 talk to you about anything to do with wastewater.
14 But I guess it isn't.

15 This parcel is the last piece in the
16 puzzle that we've been dealing with in this town
17 for the last half a dozen years around
18 wastewater. The Town Meeting and the town
19 voters approved millions of dollars for planning
20 the sewer service area around Little Pond. That
21 money has largely been spent, the planning money.
22 The plans have been designed. The bids have
23 gone out. The bids have come back. The bids
24 are very good.

1 This project will come in on time and on
2 budget, which is not always the case with Town
3 projects.

4 The key element, though, is after you
5 collect the wastewater and after you treat the
6 wastewater, you have to have a place to put it.
7 This is the place. It can't be any further
8 south, because that would impinge on West
9 Falmouth Harbor, which we're trying very hard not
10 to do. It can't be north. It can't be
11 anywhere but here if you want to have a practical
12 disposal site.

13 The question of once you put the treated
14 wastewater into the ground - and by the way, it's
15 treated to three parts of nitrogen per
16 milliliter. That is one-third of the EPA
17 requirements for drinking water. So it's pretty
18 clean when it goes into the ground there.

19 We've spent a lot of money and a lot of
20 time and a lot of experts answering the question:
21 what happens to it after it goes into the ground
22 there? Fifteen hundred feet down to the west
23 it goes toward Crocker Pond. Crocker Pond, if
24 phosphorus went to Crocker Pond, Crocker Pond

1 would have problems. It's a freshwater pond.
2 No phosphorus will get to Crocker Pond. That's
3 been established by a number of cases, most
4 particularly the monitoring wells around the
5 existing sewer treatment plant which was been
6 there for 30 years and no phosphorus has headed
7 west. So Crocker Pond will not be impacted by
8 phosphorus.

9 If there's any possibility that Crocker
10 Pond would be implemented by anything else,
11 there's going to be monitoring all around this
12 site so we will know right away if there's a
13 problem. The best expertise that money can buy
14 has said there will not be a problem. It will
15 not impact anything beyond and it will not impact
16 West Falmouth Harbor.

17 The reason it's come up in Town Meeting
18 now and not before now is because the Town didn't
19 own it until now. They had this swap
20 arrangement with the Steamship which has only
21 been consummated and title has been taken in the
22 last couple of months. That's why it's here.

23 If you don't change the zoning, as Brian
24 has suggested, maybe somebody could argue that

1 it's still okay to use the site for this purpose.
2 But you can be darn sure that somebody will bring
3 a lawsuit to test that question and the Town
4 hasn't done too well with these lawsuits.

5 So, if you want the Little Pond project
6 to continue, if you want the millions of dollars
7 that you have already invested in it to not be
8 totally wasted, I strongly recommend you vote
9 this by a two-thirds majority tonight. And
10 after that, I will promise never to come before
11 you with any more wastewater projects.

12 [Laughter.]

13 THE MODERATOR: Okay, Ms. Putnam.

14 MS. PUTNAM: Good evening, Rebecca
15 Putnam, precinct nine.

16 Through you, Mr. Moderator, to Mr.
17 Curry, I have a question. He mentioned that in
18 the zoning regulations that Agricultural did not
19 state that there was use for this wastewater
20 treatment on this property. My question is:
21 does it say if it stays zoned Agricultural you
22 cannot use it for wastewater management?

23 And, second question, how does the
24 D.E.P. give us the rights to do this if this land

1 is not zoned properly for it?

2 THE MODERATOR: Mr. Curry.

3 MR. CURRY: The answer to your first
4 question, there's no categorical prohibition in
5 the Agricultural zoning district for a wastewater
6 Treatment plant. Just the opposite: it's
7 silent. It makes no mention.

8 I can't speak with authority about what
9 they do at Southeast Region or in Boston D.E.P.,
10 but my understanding is that they have their
11 areas of jurisdiction they're looking at under
12 the Clean Waters Act. There are federal
13 jurisdictions and there are state jurisdictions.
14 And they leave it to the locality to make sure
15 that a local permitting is provided.

16 MS. PUTNAM: Just one more comment.

17 MR. CURRY: Sure.

18 MS. PUTNAM: Someone had mentioned
19 going on the Town website and looking up how much
20 land we have zoned Agricultural AA, revised in
21 2005 - it's nice having smart phones now.

22 MR. CURRY: Right.

23 MS. PUTNAM: It states that there is
24 approximately 3,000 acres of AA Agricultural

1 land. There is 3200 acres of Public Use land,
2 according to that report.

3 MR. CURRY: Right. And AA, A and B
4 Agricultural zones total the 11,000. There's
5 three zoning classifications for Agricultural.

6 MS. PUTNAM: Right, but we're looking
7 to change a double A, not a B, not an A -

8 MR. CURRY: Okay.

9 MS. PUTNAM: - a double A.

10 MR. CURRY: Okay.

11 THE MODERATOR: Okay.

12 MR. CURRY: And the numbers are fairly
13 correct, because the last time we made the change
14 was up on route 151, Town Meeting took a piece of
15 the AA land and zoned it for Senior Care; I think
16 it was a total of seven acres. So the
17 percentages are still valid.

18 THE MODERATOR: Okay, Ms. Lichtenstein.

19 MS. LICHTENSTEIN: Mr. Curry, but when
20 I went into your office I spoke to the young lady
21 and I explained I wanted to know what the total
22 acreage in AA zoning was.

23 MR. CURRY: Okay.

24 MS. LICHTENSTEIN: She went in back,

1 she conferred with I don't know who; she came
2 back and said, "This office does not have that
3 information. You can go to G.I.S. and ask them
4 to get a program and look at the land map use and
5 try to graph out and maybe they will be able to
6 tell you how many acres you could have in AA
7 zoning." I said, "I'd like it by Town Meeting."
8 And she said, "Well, I don't know if they can do
9 it by then."

10 MR. CURRY: Okay, well, I'm sorry for
11 any disconnects, Leslie, but the information is
12 available to you. Call me directly. I get
13 phone calls from Town Meeting Members all the
14 time and if we don't have it available instantly,
15 we'll find it for you.

16 THE MODERATOR: Okay, Mr. Latimer.

17 MR. CURRY: Okay? Thank you very
18 much.

19 THE MODERATOR: Almost ready, here.

20 MR. LATIMER: Yes, again thank you, Mr.
21 Moderator. Richard Latimer, precinct one.

22 In reply to Ms. Siegel and Mr.
23 Turkington, I don't oppose the project. I
24 support the project. My concern is why do we

1 have to - have to rezone in order to do that.

2 And is it wise to rezone without knowing that we
3 have to do it?

4 Just as a matter of governance and
5 general principle I oppose the rezoning; not the
6 project. Thank you.

7 THE MODERATOR: Mr. Netto. And then
8 I've got one more in the way back if you can come
9 down to get a mic.

10 MR. NETTO: Joe Netto, precinct nine.

11 A point of clarification to I think Mr.
12 Potamis could answer the question. It was
13 brought up when the abutter spoke, Mr. Hanley,
14 that the way the article's written, we're looking
15 to transfer 8.86 acres. So I'm under the
16 assumption that we're going to use all 8.86 acres
17 to extend the water filtration.

18 In Mr. Hanley's presentation he said
19 because of restrictions of 100 foot setback, some
20 other artifacts, that basically we only have two
21 and a half acres. Mr. Potamis, could you verify
22 that? That's my first question, please. How
23 much of this land that we're asking to rezone is
24 changing from the 8.86 acres?

1 THE MODERATOR: Neither here or there,
2 we're missing a mic tonight; I don't know what
3 happened.

4 MR. POTAMIS: Joe, you weren't going to
5 say anything today.

6 [Laughter.]

7 MR. POTAMIS: I don't have the exact
8 numbers in front of me, but we are asking for
9 what we need. In addition, you have a fence
10 around it and there's other clearing you have to
11 do. So that that is the amount of acreage we
12 could use.

13 Ask anybody to come down and we can go
14 over the numbers. I don't keep these numbers in
15 my head, but this is designed and we have the
16 appropriate acreage. There's an appropriate
17 buffer. We have a road that needs to go to the
18 Wastewater Treatment Plant. We have a road that
19 needs to go out to Research - Triangle Park, the
20 road - Research Drive. That's not a lot of
21 land, but yes, I will assure you that's the
22 correct number.

23 MR. NETTO: Okay, thank you very much.
24 I'm somewhat amazed - not amazed, but

1 how the process takes place that was brought up
2 by a previous speaker. You would think that we
3 would have changed the zoning, and then the
4 engineering would have gone out.

5 So now I'm sitting here as a Town
6 Meeting Member who's affected by this zoning with
7 a gun to my head, and don't think that that's the
8 way we write proper decisions, make proper
9 decisions, that's all. I think we really have
10 to think about this: could this project go
11 through, should we re-look at it again, and put
12 some hesitation here?

13 And it's tough when you get up and it's
14 a volunteer committee who's put in probably
15 thousands of hours, not hundreds of hours. But
16 it's very hard to make a decision when I've heard
17 the information that's been presented tonight.
18 I thought this was a no-brainer. Okay, thank
19 you.

20 THE MODERATOR: Okay, in the aisle,
21 there. Is it Ron?

22 MR. ZWEIG: Good evening, thank you,
23 Mr. Moderator. Ron Zweig, precinct one and
24 member of the Water Quality Management Committee.

1 And, as Mr. Turkington has pointed out,
2 there is - with regard to impacts to Crocker Pond
3 and phosphorus loading, there is a monitoring
4 program that we put in place.

5 But one other thing is that there were
6 two independent reviews of the discharge of the
7 wastewater at that site. One by Professor
8 Maureen McBride at Cornell University, who said
9 that there were inconsistencies in the analysis
10 and that it could be high risk to do that. And
11 then a second one was done by Professor Dean
12 Hesterberg in North Carolina State University who
13 came up with the same conclusion. And they
14 recommended a soil test to be done that wasn't
15 done.

16 Now, with the monitoring program we will
17 be able to detect if there's a problem. But the
18 one thing that's missing in the plan is that
19 there is no plan to address that problem should
20 it arise. In other words, we don't have a time
21 frame, like within six months action would be
22 taken or something would be done, and there's no
23 budget set aside should there need to be an
24 investment to mitigate the phosphorus - potential

1 phosphorus impact to Crocker Pond.

2 So I think that these are important
3 things that the meeting might consider in its
4 consideration of this vote. But these are
5 things that would be a great help to assuring the
6 neighbors in the area over the issue.

7 Thank you.

8 THE MODERATOR: Okay, Mr. Allegro.
9 Mr. Allegro in the center.

10 MR. ALLEGRO: Mark Allegro, precinct 7.

11 We seem to be debating two different
12 issues on this article that really only has to do
13 with rezoning. So if a challenge is made to the
14 project based on something else like the quality
15 of the water, that's another issue.

16 So I'm going to ask through the
17 moderator a question I suppose Mr. Curry would be
18 the best to answer. If a challenge is made to
19 the project because of the rezoning issues, or
20 rather a lack of rezoning, can we deal with the
21 rezoning post-facto?

22 So my question really is, again, must we
23 rezone now? Or if there's a challenge to the
24 project made based on the zone, can we deal with

1 it later, rather than commit to rezoning?

2 THE MODERATOR: Mr. Curry.

3 MR. CURRY: I'm going to tell you now,
4 yes, it's technically possible. You could move
5 along tonight, wait for someone to challenge your
6 \$20 million project, and return here and think it
7 over again. Do we recommend it? I don't
8 recommend you do that.

9 My sense is you can dispose of the issue
10 here tonight and leave no uncertainty as to
11 whether or not you can have a Wastewater
12 Treatment facility and its accessory uses on the
13 parcel.

14 THE MODERATOR: Okay, Mr. Finneran.

15 MR. FINNERAN: Marc Finneran, precinct
16 six.

17 I had heard two things, basically
18 second-hand, and I wanted to find out if they
19 were true. I just heard from Mr. Zweig that
20 there were actually studies that said the
21 phosphorus wouldn't bind in the soil. So, for
22 whatever it's worth, that part is true. Or.

23 And I also heard many times that this
24 water was supposed to flow under Crocker Pond,

1 and then I've heard, again, second-hand or
2 anecdotally, supposedly that it's spring fed.
3 Now, is there anyone that lives near the pond
4 that's familiar with it that can allay those
5 concerns?

6 THE MODERATOR: Okay, Ms. Karplus. If
7 you can answer that, as well.

8 MS. KARPLUS: Hi, Sia Karplus,
9 precinct 2 and Technical Consultant to the Water
10 Quality Management Committee, and there are
11 numerous studies on Crocker Pond. We've come
12 before the Town Meeting several times and
13 presented the scientific information.

14 The reports that came from those third
15 parties were not reports. They were email
16 exchanges where they looked at the scientific
17 reports and had questions.

18 The authors on the scientific reports on
19 the phosphorus did a point by point rebuttal,
20 explaining exactly why it's a hundred years or
21 more for phosphorus to be mobilized. Or more.
22 A thousand years, by some estimates.

23 The phosphorus issue, frankly, has been
24 put to bed. And we don't need to be concerned

1 that phosphorus is going to go into Crocker Pond
2 with any sense of practicality.

3 As far as the groundwater flow, much of
4 it looks like it goes under Crocker Pond. Some
5 may go into Crocker Pond. But, in any event,
6 the monitoring wells are going to show how much,
7 and nitrogen is not a problem in Crocker Pond,
8 regardless.

9 So the environmental analyses have been
10 done and redone and vetted and presented. And
11 the Town Meeting before that has voted two times,
12 and this is the main point that I wanted to make.
13 The land swap was approved by Town Meeting in
14 2012? I don't have my notes in front of me, but
15 there was a Town Meeting vote that approved the
16 land swap for the purpose of a discharge site
17 here.

18 Then, because of the Great Rock, the
19 next Town Meeting, and I believe that was in
20 2013, again approved the land swap with the Great
21 Rock provision being a local Historic District
22 control, not Mass. Historic. So Town Meeting
23 has seen this property for this purpose two times
24 and voted positively.

1 This, in many ways, is a perfunctory
2 step because the Town owns the land. The Town
3 didn't own the land before so it couldn't ask for
4 it to be rezoned. This is the last in a number
5 of steps where this site is being used for a very
6 well understood purpose and I think we should
7 vote to rezone it.

8 THE MODERATOR: Okay, Mr. Swain.

9 FROM THE FLOOR: Move the question.

10 THE MODERATOR: Yeah, we're almost
11 ready, here.

12 MR. SWAIN: Charlie Swain, precinct
13 one.

14 If this land cannot be used for disposal
15 of the wastewater, what will the Town do? Who
16 can answer that question, the wastewater
17 superintendent?

18 THE MODERATOR: Mr. Turkington.

19 MR. TURKINGTON: I would like to assure
20 Mr. Swain and everyone in this room this land can
21 be used for disposal of this treated wastewater.
22 The D.E.P. says so; all the consultants our Town
23 has hired say so; the EPA says so. Everybody
24 who has looked at this has come to the same

1 conclusion: that this is a perfectly fine site
2 for this intended purpose and this intended
3 volume of treated wastewater.

4 There is no debate about that, there is
5 no question about that.

6 The debate you are hearing tonight are
7 from many people who, with good motivations,
8 oppose the whole project. If this goes down,
9 they will have succeeded in throwing a monkey
10 wrench into the works that you would not believe.

11 Right now, the Town has a zero percent
12 loan to do all this work. That is a key element
13 in making it affordable for all the folks in the
14 Heights and Maravista who are going to hook up to
15 it. All these pieces that have been put
16 together by you and by the Town over the last
17 four years depend on this parcel being rezoned
18 tonight.

19 THE MODERATOR: Mr. Shearer -

20 MR. SWAIN: Mr. Moderator, I move the
21 question.

22 THE MODERATOR: No. Mr. Shearer.
23 You can't move the question after you speak.

24 Mr. Shearer.

1 MR. SHEARER: [No mic: inaudible.]

2 THE MODERATOR: No, you're all set.

3 Ms. Valiela.

4 MS. VALIELA: [No mic:] All set.

5 THE MODERATOR: You're all set, okay.

6 The question will come - Mr. Latimer, is
7 it something new?

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

9 THE MODERATOR: Just yes or no, is it
10 something new?

11 MR. LATIMER: [No mic:] It's new.

12 THE MODERATOR: It's new?

13 Give him the mic and then we're going to
14 vote.

15 MR. LATIMER: Thank you, Mr. Moderator.

16 Mr. Turkington just mis-characterized my
17 opposition. I do not oppose the project, Eric.

18 THE MODERATOR: Okay, okay -

19 MR. LATIMER: I oppose the rezoning.

20 Thank you.

21 THE MODERATOR: Mr. Latimer, he wasn't
22 necessarily talking about just you.

23 All those in favor of Article 7, the
24 main motion by the Planning Board, all those in

1 favor signify by saying aye.

2 [Aye.]

3 THE MODERATOR: All those opposed no.

4 [No.]

5 THE MODERATOR: It's the opinion of the
6 chair is that the ayes have it by a two-thirds
7 majority and I so declare.

8 [Applause.]

9 THE MODERATOR: Madame Chairman,
10 Article 8.

11 Article 8 is to amend the official
12 zoning map of the Town of Falmouth by rezoning
13 from Marine District to Business 2 District the
14 land at 56 Scranton Ave. The recommendation -

15 CHAIRMAN KERFOOT: I move Article 8 as
16 recommended: indefinite postponement.

17 THE MODERATOR: Okay, so the
18 recommendation is indefinite postponement. Is
19 there anyone who would like to make a positive
20 motion on Article 8?

21 Hearing none, the question will come on the
22 main motion of indefinite postponement. All
23 those in favor, signify by saying aye.

24 [Aye.]

1 THE MODERATOR: All those opposed no.

2 [None opposed.]

3 THE MODERATOR: The ayes have it
4 unanimous.

5 Article 9. This is to amend the
6 official zoning map of the Town so as to extend
7 to existing Business 1 District by rezoning from
8 Business 3 to Business 1 the land known as 65
9 Town Hall Square.

10 Madame Chairman for the main motion.

11 CHAIRMAN KERFOOT: I recommend Article
12 9 as recommended.

13 THE MODERATOR: Okay, the
14 recommendation for Article 9 is as printed.

15 Is there any discussion on Article 9?

16 Mr. Dufresne.

17 MR. DUFRESNE: Adrien Dufresne,
18 representative of precinct two and I speak
19 against the recommendation of this article.

20 I don't see where the Town benefits by
21 changing a B3 zoning on a residential street that
22 abuts Town property. B3 zoning is protected -
23 the Town is protected or the residents or the
24 taxpayers are protected by the fact that B3

1 requires Zoning Board of Appeals approval for any
2 changes; B1 does not.

3 1964, when the Town Hall was built,
4 there was a buffer strip of I want to say 15 feet
5 that bordered Town Hall Square to separate it
6 from Glenwood Place. The owners of this
7 property, when they bought the residential
8 dwellings, consolidated the accessory buildings,
9 the barns in the back yard, and created a
10 professional building, and somewhere between the
11 years of -

12 FROM THE FLOOR: Can you speak into
13 mic, sir?

14 MR. DUFRESNE: Say again?

15 THE MODERATOR: Yeah, they're asking if
16 you could speak a little closer to the mic.
17 They're asking to speak a little closer to the
18 mic, please.

19 MR. DUFRESNE: Okay. In 1964, when
20 Town Hall was built, there was a buffer zoned
21 that buffed the residential area of Glenwood
22 Place from Town Hall. I don't know what
23 happened to that buffer strip, but in the years
24 1984 to '87 at some point the Board of Selectmen,

1 which I was one, granted permission of the land
2 owners to put a stairway because he had leased
3 one of the parcels of property to I believe it's
4 the Housing people.

5 But, anyway, B3 zoning, if you change it
6 to B1 and he separates this, we're talking a
7 15,000 square foot lot with five apartments on
8 Glenwood Place, and I'd like to get the answer
9 from the Planning Board: what is the layout of
10 Glenwood Place? My recollection is it's about a
11 25 foot layout, which will now be B1, which you
12 can do anything with.

13 I just don't understand how the Planning
14 Board can recommend something where we already
15 have the insurances of the Board of Appeals under
16 B3 to grant B1; that would isolate this piece of
17 property, it would have no frontage on Town Hall
18 Square, no frontage on Glenwood Place.

19 Look at it very carefully, and I just -
20 I have a hard time believing that we're best
21 served. We're already congested in that area
22 and I don't think another B1 is in our best
23 interest.

24 THE MODERATOR: Okay. Madame

1 Chairman.

2 CHAIRMAN KERFOOT: I am going to defer
3 to the petitioner on this article. There are a
4 lot of issues that Andy has brought up that I
5 don't feel comfortable answering.

6 THE MODERATOR: Okay.

7 CHAIRMAN KERFOOT: So I would defer to
8 the petitioner, Mr. Ament.

9 THE MODERATOR: Mr. Ament, do you want
10 to come down and.

11 MR. AMENT: Thank you, Mr. Moderator,
12 and thank you Pat.

13 I'm Bob Ament. I'm an attorney but I'm
14 actually speaking for myself and for Tom Rackley
15 of North Falmouth. The two of us own the
16 property in question.

17 Tom does the hard work like replacing
18 roofs and I do the easy work, trying to convince
19 Town Meeting to change zoning.

20 Much of what Andy said is simply not
21 correct. Rezoning the property from Business 3
22 to Business 1 does not give anybody a free hand
23 in the future use of the property. I actually
24 put together at the suggestion of the Assistant

1 Town Planner a comparison of Business 3 and
2 Business 1 zoning, so let me run through that and
3 then explain to you why this rezoning would be
4 helpful.

5 The by-right uses permitted in the
6 Business 1 District are exactly the same as the
7 B3 District by-right uses, except that in a B3
8 District each service use or retail use is
9 limited to 4,000 square feet.

10 Both districts can have restaurants.
11 The restaurants that are allowed in a Business 3
12 District are actually broader than in a Business
13 1 District. So Business 1 District is more
14 limiting with regard to restaurant use. We have
15 classes of different types of restaurant in
16 Falmouth and I won't go into the details.

17 The permitted accessory uses are exactly
18 the same.

19 What is different is that in the B1
20 District as opposed to the B3 District there are
21 a number of special permit uses that will be
22 allowed, none of which are likely to happen here
23 and none of which we're interested in doing. So,
24 in the Business 1 District you can have various

1 trades, like a blacksmith shop. A builder can
2 have a shop there. An undertaker can be there.
3 And there are theaters and bowling alleys are
4 allowed in a Business 1 District, but not in the
5 B3 District. And motor vehicle service stations
6 and parking facilities are allowed by Special
7 permit. Only by special permit, all of these
8 uses, otherwise the uses are identical.

9 Now, some people have said that parking
10 isn't required in a Business 1 District. And
11 that isn't the case at all. There is a
12 provision in the zoning bylaw that allows a
13 waiver, by special permit, of parking
14 requirements, but that only applies - even if you
15 got that special permit - for uses that are
16 allowed by right, certain of the uses. Doesn't
17 apply at all with respect to the special permit
18 uses.

19 The present uses on this site: a duplex,
20 a triplex, and a 4,000 square foot commercial
21 office building Right on Town Hall Square that
22 houses Falmouth Human Services. Those uses
23 would require, under the zoning bylaw, 25 parking
24 spaces to comply. At best, we have nine parking

1 spaces on this site. It's all non-conforming
2 without a special permit, without a complete
3 waiver of parking requirements, which I see no
4 reason to expect to get. None of those – the
5 property can't be changed, essentially. It's
6 already fully developed.

7 The commercial building is two feet from
8 Town Hall Square, and right on the property line
9 behind the Odd Fellows Hall. And both of the
10 residential buildings on the site are within the
11 setback required today from Glenwood Avenue.

12 So why are we asking to change the
13 zoning? For one reason and only one reason: in
14 order to be able to divide the property. We
15 have three buildings on the property now. And
16 this is the only property that's on the Town Hall
17 Square parking lot and uses the Town Hall Square
18 parking lot that's not Business 1 zoned. By
19 having it be Business 1 zoned, we can divide it
20 into two, and keep the residential use on
21 Glenwood Avenue residential, and be able to
22 separate and perhaps convey the commercial
23 building that is right on Town Hall Square.

24 We can do that because in a Business 1

1 District there isn't a minimum lot size and there
2 are no applicable side yard requirements, or
3 front yard requirements. We would still have
4 the same obligations with regard to parking.

5 The upshot is we're not proposing and I
6 don't think anybody would propose and be given
7 permission to change the uses at all. We're
8 simply trying to be able to separate commercial
9 from residential uses to keep the residential
10 uses and realizing that there are purchasers of -
11 potential purchasers of the commercial property
12 who don't want to own residential buildings, and
13 vice versa.

14 So that's really all there is to it.
15 The Planning Board did recommend this article,
16 though by a split vote. And I hope that you'll
17 go along with it and I think it will help us to
18 be able to better deal with the property in the
19 future. Thank you.

20 THE MODERATOR: Mr. McNamara.

21 MR. MCNAMARA: Thank you, Mr.
22 Moderator. Matt McNamara, precinct 7.

23 If I might just acknowledge Bob Shea,
24 our coordinator of G.I.S. who overcame some major

1 technical difficulties this evening to allow us
2 to have some PowerPoint presentations. So,
3 thanks a lot, Bob.

4 This is a troubling article. I think
5 we have to remember that when we look at zoning,
6 that the purpose of zoning is for the benefit of
7 the public at large, not the individual property
8 owner. In fact, I can remember on several
9 occasions Mr. Minasian on Route 151 came to us to
10 rezone his property so that he could use it in
11 the way that he intended, although the subsequent
12 owner might not use it in the same way. Or to
13 assist Mr. Minasian in selling his property.
14 And Town Meeting rejected that on all counts.

15 What I think in listening to Mr. Ament,
16 we have to be cautious of the fact that when Bob
17 says that "nothing we are interested in doing".
18 Well, Bob and his partner may not be interested
19 in doing it but the subsequent owner might want
20 to do something that we hadn't thought about at
21 the time.

22 Now, Bob also said that the Planning
23 Board didn't approve this unanimously. In fact,
24 of the seven Planning Board members, only three

1 were in favor. It was a three to two vote.
2 The Planning Board couldn't even muster the two-
3 thirds requirement that we're being asked to
4 consider. So I think we need to look at it.

5 There are some differences, and I put
6 this up here from our zoning bylaw. And right
7 now the Business 3 zone, although it's already
8 approved, the property is already developed, and
9 I think it's important to look at the
10 recommendation of the Planning Board. The
11 Planning Board says that this change will
12 eliminate the non-conforming status of the
13 structures that are existing on the lot.

14 Well, 85 percent of the property in the
15 Town of Falmouth is non-conforming. We don't go
16 about rezoning everyone's property simply because
17 it's non-conforming.

18 It goes on to say in that recommendation
19 that the property owner - it's to allow the
20 property owner to divide the land for the purpose
21 of conveying the property. Again, our goal
22 should not be what's in the best interest of the
23 owner, but in the best interest of the community.

24 Now, there's the possibility that that

1 property could be condominium-ized without
2 subdividing it, so somebody could own the
3 residential structures, although part of a
4 condominium complex separate from the business or
5 commercial use.

6 But take a look at the differences in
7 B3, right -- if it were a new piece of property
8 in B3, it would need 40,000 square feet of a
9 minimal lot area; 100 foot width, 100 foot
10 frontage. There are no such requirements in B1.

11 Now, Bob, if you go to the next slide,
12 please.

13 Also in B1 there are absolutely no
14 setbacks required from the street frontage.

15 And the last slide, and just quickly, is
16 to also show that if you go from a B3 District to
17 a B1 District, you can actually double the amount
18 of structures, double the amount of the size of
19 the structures, and you can go from 65 percent to
20 90 percent lot coverage for everything:
21 structures, paving and parking.

22 Now, Mr. Ament and his partner may want
23 to keep things just as you see them right now,
24 but if I buy the property, I might turn around

1 and say, "You know, I'm not interested in selling
2 three different parcels. I want to take that one
3 parcel and develop it so that 70 percent of it
4 has structures and 90 percent of it covered with
5 structures, parking and paving."

6 I think the final question is: what's
7 really in it for us?

8 THE MODERATOR: Okay, Mr. Latimer.

9 MR. LATIMER: Thank you, Mr. Moderator.
10 Richard Latimer, precinct 1.

11 I'd like to just augment on Matthew's
12 comments, here.

13 I read this Planning Board's explanation
14 and it said this change will eliminate the non-
15 conforming status of the structures and would
16 allow the property owner to divide the land to
17 convey the buildings separately. And my
18 question was: how does that benefit the Town?
19 What public interest is there in that kind of
20 rezoning?

21 Well, I heard something from Mr. Ament
22 that gave me an inkling that there might be a
23 public interest in there, where he said, "Well,
24 it would allow the new owner to maintain the

1 existing residential structures." And I said,
2 "Oh, that would be a public interest, I could see
3 that." But then, I don't see any guarantee that
4 that would be the case. And that's why I would
5 oppose this.

6 There'd be no guarantee when we rezoned
7 this that those existing residential structures
8 would remain residential by a successor in title
9 to the property. So I see this as just simply a
10 bad case of rezoning for a private interest, with
11 no public interest as Matthew has said.

12 Thank you.

13 THE MODERATOR: Any further discussion?

14 Yes, in the center. Mr. McCaffrey, with a
15 microphone, please.

16 MR. MCCAFFREY: Charles McCaffrey,
17 precinct five.

18 I think there is a public interest.
19 I'm not concerned with Mr. Ament's objectives.
20 But it seems that this parcel is in the central
21 business district of the Town. All of the land
22 around it is - that is commercial is zoned B1.
23 It's desirable, I think, from the Town's point of
24 view that this be a commercial use on the Town

1 parking lot; therefore it should be B1. If it
2 would be in the Town, it should have been zoned
3 that way to begin with.

4 THE MODERATOR: Okay, further
5 discussion? Mr. Latimer.

6 MR. LATIMER: Thank you, Mr. Moderator.

7 The property is now being used for mixed
8 use. Selling the property to a buyer would
9 continue the use. What's the issue? The only
10 difference is that the - as the commercial use
11 could not be expanded, the coverage on the lot
12 could not be expanded.

13 Mr. Ament and his partner bought the
14 property knowing the zoning that it was. He
15 took that risk. We should not absolve him of
16 that risk by creating a situation where the
17 existing residential units can be torn down,
18 depending only on the supposition that somebody
19 might not want to do that, might want to keep
20 them. Well, that's a risk I don't think the
21 Town should take. Thank you.

22 THE MODERATOR: Okay. Mr. Ament.

23 MR. AMENT: Thank you.

24 Well, my partner and I have owned the

1 property since - well, more than 20 years. You
2 know, we're happy to continue to own it or to
3 sell it, regardless of what Town Meeting does.

4 The property is already non-conforming.
5 We have no interest in building closer to the
6 lines. Even under the Business 3 zoning we
7 can't build to the percentage of coverage that
8 would be allowed. You can't provide the parking
9 that's required on the lot for the present uses,
10 let alone new uses.

11 Our goal is simply to be able to divide
12 the property because we think that's - that's
13 appropriate. And this is property that's
14 already in the nature of Business 1. It's right
15 next to the Business 1 District. It's not spot
16 zoning, it's extending the existing building -
17 Business 1 District, using the existing parking
18 that serves the other Business 1 Districts.

19 And all the uses which Mr. Latimer and
20 others are concerned about, it can be done if it
21 was Business 3. I could tear down the
22 residential buildings and build business
23 buildings there. Those uses are allowed.

24 Last year the Town considered but didn't

1 - wasn't interested in purchasing the commercial
2 building. But even then the Town, whom the
3 administration we dealt with recognized and the
4 Town Planner suggested that, "If you're going to
5 sell the commercial building separately you'd
6 need to partition it."

7 Yes, a condominium is conceivable, but
8 there, it's just not as good a way to own the
9 property if you just wanted to own one building.

10 What we would have needed, if Town
11 Meeting had decided to buy the commercial
12 building, we would have needed to divide the
13 property just like we're doing now and it was as
14 suggested by the Town Planner back then. It was
15 a good suggestion to make that a possibility.

16 I don't have any thinking that the Town
17 is going to want to buy that property again. I
18 think it would be a good idea, but that's not why
19 we're asking for this.

20 What we're proposing doesn't harm the
21 interests of the Town in any way. No, you
22 shouldn't rezone the property because it might
23 help my partner and myself to sell the property.
24 You shouldn't do that. But there isn't any harm

1 in it and it's an appropriate extension of the
2 Business 1 District to encompass a piece of
3 property which is already like a Business 1
4 District.

5 Thank you.

6 THE MODERATOR: Mr. Finneran and
7 then I think we're ready to vote.

8 MR. FINNERAN: Marc Finneran, precinct
9 six.

10 Just one question: this is the same
11 property that the Town declined to purchase last
12 year. I would like to ask what effect would the
13 changing of the zoning have on the value of the
14 property?

15 THE MODERATOR: Mr. Ament, do you want
16 to talk about that?

17 MR. AMENT: Well, I'm not an appraiser
18 and also I have a bias about the value of the
19 property. But I would just tell you that the
20 Town's appraisal of the property last year, which
21 was the basis for an agreement with the Town, was
22 based - it would assume that the commercial
23 building would be separated.

24 Frankly, we think that there are, you

1 know, more potential buyers for the property if
2 one can buy either half of the property as
3 opposed to having to buy the whole property.
4 But if Mr. Finneran's question has to do with
5 whether it would make it more or less likely that
6 the Town could buy it, I think the Town would
7 only want to buy the commercial portion of the
8 property, so I don't think it would make a
9 difference.

10 I didn't come here tonight thinking we
11 were at all going to be talking about the Town's
12 acquisition of the property. That was, you
13 know, voted on last year. But I hope that helps.

14 THE MODERATOR: Mr. Finneran.

15 MR. FINNERAN: Perhaps could somebody
16 from the Assessor's Office answer my question?

17 THE MODERATOR: What will happen to the
18 property if it gets rezoned in terms of value?

19 FROM THE FLOOR: The zoning right now
20 is based on the income generated from the rental
21 properties in the back and the business use. If
22 the change was going to a residential use and
23 there was no income produced from the property,
24 that would change the value based on that. If

1 the Town was to take it over, it would stay the
2 same assessed value based on a business use.

3 THE MODERATOR: Okay, so the question
4 will now come on the main motion as printed.
5 All those in favor signify by saying aye.

6 [Aye.]

7 THE MODERATOR: All those opposed no.

8 [No.]

9 THE MODERATOR: it's the opinion of the
10 Chair that the no's have it and there is not a
11 two-thirds majority and we will take a 15 minute
12 recess.

13 [Whereupon, recess taken.]

14 THE MODERATOR: Okay, folks, here we
15 go. We're going to re-establish a quorum.

16 I had the opportunity.

17 [Pause.]

18 THE MODERATOR: Okay, folks, we're
19 going to reestablish the quorum. During the
20 break I had the opportunity to be in the back and
21 chat with the winner of the Best Seat in the
22 House. And he says he has become the envy of
23 his row. And he has become more excited about
24 Town Meeting, as if this wasn't excited enough.

1 But that's our little commercial for The Best
2 Seat in the House.

3 Okay, all Town Meeting Members present
4 please stand for the establishment of the quorum
5 and the tellers will return a count.

6 [Pause.]

7 THE MODERATOR: We're coming back in on
8 Article 10.

9 In the first division.

10 MR. NETTO: 41.

11 THE MODERATOR: 41, Mr. Netto.

12 In the third division, Mr. Hampson.

13 MR. HAMPSON: 54.

14 THE MODERATOR: 54.

15 In the second division, Mr. Dufresne.

16 MR. DUFRESNE: 92.

17 THE MODERATOR: 92.

18 By a counted vote of 187, we have a
19 quorum and the Town Meeting is back in session.

20 The next two articles, Articles 10 and
21 11, in your warrant book there is an explanation
22 after Article 11 that refers to both of the
23 proposed changes.

24 So Article 10, which obviously we'll

1 take up first, is to add a section E, and that
2 Section E is at the end of the Recommendation -
3 excuse me, the end of the Explanation on Article
4 11. And then Article 11 looks to strike out some
5 language or a word, and that strikeout is also in
6 the Explanation that appears after Article 11.

7 So I know there was some questions about
8 that at the precinct meetings.

9 So Article 10 is looking to add a
10 section E. If you look at the Explanation of
11 Article 11, you'll see where within the whole
12 zoning bylaw the addition would be made.

13 So, Madame Chairman of the Planning
14 Board for the main motion on Article 10.

15 CHAIRMAN KERFOOT: I move Article 10 as
16 printed in the warrant.

17 THE MODERATOR: Okay, Article 10 as
18 printed.

19 This is to add a Marine zoning district.
20 E. The Board of Appeals may waive the floor
21 limitations for non-marine related uses in §240-
22 44B, C and D, and in §240-45A and D for those
23 lots that as of January 1, 2015, do not border a
24 water body.

1 CHAIRMAN KERFOOT: And Mr. Moderator, I
2 will defer to Mr. Ament for any questions or
3 explanation of this. It's a petitioner's
4 article.

5 THE MODERATOR: Okay, is there any
6 questions, discussion?

7 Mr. Netto.

8 MR. NETTO: Joe Netto, precinct 9.

9 Dear fellow Town Meeting members: this
10 is somewhat of a unique Town Meeting. We seem
11 to have the same articles that we voted down a
12 year or two ago come and re-appear. This is
13 just one of few that we'll see in the next couple
14 nights.

15 I apologize to you for having to get up
16 to speak and to basically say the same thing that
17 I've done twice before. The last time this
18 article appeared was two years ago, and we again
19 voted not to change the zoning.

20 So I went home and I took my notes on
21 the article and threw them away, thinking that
22 that was it. But lo and behold, here we are
23 again.

24 So what's changed? This has a little

1 bit of a change to it.

2 Again, I will repeat myself. In 1984 -
3 - some of us are still here -- we voted this
4 Marine District around Falmouth Harbor. I must
5 remind you, again -- I think that's the correct
6 date - I must remind you that that vote was
7 unanimous. The same three pieces of property
8 that were zoned under the Marine District that
9 did not touch the water or abut the water were
10 there. That hasn't changed.

11 So now, the wrinkle is, if we vote this,
12 the owners can now appeal to the Zoning Board of
13 Appeals for an exemption. And it's only 50
14 percent of the property.

15 Nothing has changed and why did we
16 create a Marine zone? We created a Marine zone
17 to protect the beauty of the Town of Falmouth,
18 especially on the waterfront.

19 I just returned from a trip to Florida.
20 I do not want to see Falmouth look like parts of
21 Florida with the high-rise condo and the
22 proponents of this article who say, "We're not
23 talking about that, Joe, that's not what we're
24 doing." If it isn't broken, why are we trying

1 to fix it?

2 In the previous article, Mr. McNamara
3 reminded us that we zone for the benefit of
4 public use. We do not zone or rezone for the
5 benefit of the landowner. Remember that,
6 please.

7 Eighty-five percent of the Town of
8 Falmouth has non-conforming zoning. I was
9 shocked when I heard that. That's why the
10 Zoning Board of Appeals is so busy.

11 In closing, I would like to remind you
12 of the two functions that you have as a Town
13 Meeting Member. We have only two absolute
14 functions. We determine financially what money
15 to the penny is spent in the Town of Falmouth.
16 That is our responsibility as a Town Meeting
17 Member. Except for the Proposition 2 ½
18 overrides, which the voters - and which by the
19 way as much time as we spend debating them, only
20 the Selectmen have the right to put those
21 articles on the warrant.

22 The second area is zoning. We have
23 absolute control of the zoning in the Town of
24 Falmouth. Why do we want to give up that right

1 as Town Meeting Members and hand it over to the
2 Zoning Board of Appeals?

3 I see no benefit - no public benefit in
4 changing this zoning. I would hope that you
5 would support what we have done in '84 and what
6 you have done twice already in turning down any
7 change of zoning in the Marine District.

8 Thank you.

9 THE MODERATOR: Okay, further
10 discussion?

11 Mr. Ament.

12 I'll take the opportunity right now,
13 too, to introduce our microphone carriers. I was
14 remiss to do that at the beginning of the
15 meeting. Tonight we have Jim Driscoll and
16 Corrine McGillicuddy. Doing a good job tonight.

17 [Applause.]

18 MR. AMENT: Thank you, Mr. Moderator,
19 again. And again, I'm Bob Ament.

20 This time I'm representing a paying
21 client, and that's Falmouth Heights Marina, which
22 owns the property which most of us still remember
23 as Gun and Tackle.

24 Mr. Netto's argument pre-supposes, it

1 assumes, that the zoning bylaw can't be improved.
2 It presumes that what was passed in the Marine
3 District previously was just right, and that even
4 if over time we see that there is a flaw that can
5 protect it without any adverse impact on the
6 Marine Zone, we shouldn't deal with it. And
7 even if it harms local business, at least those
8 three properties that are in the Marine District
9 which aren't on the water at all.

10 They're shown on the map in front of
11 you, or on the screen. There are three circles
12 you'll see, and one is at the corner of Robbins
13 Road and Scranton; that is the building my client
14 owns. The circle below it, 98 Scranton Avenue,
15 is where Park Cleaners is. It's been owned for
16 many years by David Viale [sp?]and his wife.
17 And the third property is down in the center at
18 the bottom of the plan; it's 141 Falmouth Heights
19 Road, and that is a small lot with an office
20 building behind McDougall's.

21 Those are the only three properties in
22 all of the Marine Districts in Falmouth, not just
23 around the harbor. There are no other Marine
24 zone properties that are not in fact on the water

1 where access to the water is an issue for use and
2 where the activity would have an impact on the
3 water.

4 In 2008 and in 2013, Town Meeting was
5 asked to consider rezoning of these properties.
6 But at that time the request was to rezone the
7 property to Business. I think last time around
8 it was proposed Business Redevelopment. And the
9 Planning Board at that time recommended in favor
10 of the article but Town Meeting didn't vote it.

11 This is not a request to change the
12 zoning district. This is a request to tweak
13 some language in the Marine zoning District, and
14 there's a big difference.

15 We're not proposing to introduce any new
16 uses. Residential use is still prohibited in
17 the Marine district and with respect to the lots
18 that would be affected by it.

19 One of the biggest concerns of the
20 Marine District was avoiding residential use
21 because it can drive up dramatically the value of
22 the property and restrict the access for - to the
23 private owner of the residential property.
24 We're not asking for that change and the

1 properties in question aren't on the water.

2 I wouldn't be here again on behalf of my
3 client asking you to consider rezoning if there
4 wasn't a problem with the language in the Marine
5 District as it applies to properties which offer
6 nothing to really attract the marine dependent
7 user. We don't have access, immediate access
8 that can be controlled to the water from this
9 particular property, or the other two that are
10 involved.

11 So. The existing Marine District
12 language disproportionately burdens a few
13 properties. The change simply allows the Board
14 of Appeals to allow the same uses that are
15 allowed now, but can only be in 50 percent of the
16 building. It would allow the Board of Appeals
17 in the case of these lots, which are different
18 from the other lots in the Marine District, to
19 seek a special permit where the Board of Appeals
20 could make sure there was adequate parking.
21 It's not that the space isn't supposed to be used
22 for some purpose, but the Board of Appeals can
23 review the proposed use and the need for parking
24 and whether there are adverse impacts on the

1 neighborhood or the town.

2 Thank you.

3 THE MODERATOR: Mr. McNamara.

4 MR. MCNAMARA: Good evening, Matt
5 McNamara, precinct 7.

6 I would agree completely with Mr. Ament
7 that we should always be looking at our Zoning
8 Bylaws to see what improvements we can make.

9 However, this is a problematic request
10 before this Town Meeting. In many ways one
11 could actually characterize that this is
12 accomplishing the same B2 zoning request, but in
13 a different manner. And there probably isn't a
14 better body in town than the Zoning Board of
15 Appeals that could address this, particular since
16 I'm no longer on that board.

17 However, I want to just point out and
18 I'm going to read to you very briefly a statement
19 made by Pat Kerfoot, who was also Chairman of the
20 Planning Board back in 2008 when these same very
21 three properties were being considered for
22 rezoning. And what Pat said was we have a
23 planning district, the East Main Street
24 Redevelopment District. You all voted that and

1 it's been quite successful. We would like to
2 look at either changes to the Marine District
3 that would continue that sort of feeling, or
4 perhaps even more specifically the creation of a
5 Harborside District.

6 Pat went on to say: This, I believe, is
7 more appropriate for the area than to just rezone
8 three small lots. As you're being asked to do.
9 It takes this into a District sort of concept and
10 what can be possible in that district. So we
11 would appreciate the opportunity to be looking at
12 that as a Harborside District or as a
13 continuation of the Redevelopment District to
14 make it more beneficial, we believe, for the town
15 as a whole.

16 Now, that made a lot of sense in 2008,
17 and unfortunately for whatever reason the
18 Planning Board has not carried that forward in
19 terms of looking at a Harborside District and the
20 overall benefit.

21 So, I think it's just as important seven
22 years later, or nearly seven years later, that we
23 ask the Planning Board to look at this entire
24 district for the reasons that Joe Netto mentions,

1 so that we can make sure that it's not just a
2 Waterfront District, but really a Marine District
3 or, as Pat said at the time, a Harborside
4 District.

5 And also for the very reasons that Mr.
6 Ament said: an improved zoning bylaw. Right now
7 we don't know what the improvements are if we
8 laser beam only in three properties, thank you.

9 THE MODERATOR: Mr. Dufresne.

10 MR. DUFRESNE: Adrien Dufresne,
11 representative of precinct two.

12 The two speakers against this article
13 spoke very well. So I'm not going to add too
14 many comments.

15 The original building, which was a
16 totally marine-oriented business, was moved
17 across the street by the present owner and, in
18 the meantime, over the course of the years, we've
19 turned it into a restaurant and a real estate
20 office and a small portion that they can't - that
21 they can't - or that they're not renting. But
22 that should not be the burden of this body to
23 rezone because he has a problem. He created the
24 problem.

1 The Marine District is a very precious
2 thing for the Town of Falmouth. The aesthetics
3 of Falmouth Harbor are bar none. I go by there
4 every day; I just can't get enough of it.

5 I would hope you would vote this article
6 down.

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

9 Mr. Ament.

10 MR. AMENT: I'll say again that we're
11 not changing the District out of Marine.
12 Allowing more of a building in the Marine
13 District not on the water to be occupied by uses
14 that are already approved doesn't adversely
15 affect aesthetics. It doesn't affect the beauty
16 of the town. It doesn't adversely affect any of
17 the interests of the Marine District.

18 It is not in the public interest to have
19 bylaw provisions that in their application to a
20 number of lots make it difficult to rent the
21 properties.

22 Thank you.

23 THE MODERATOR: Mr. Heath.

24 MR. HEATH: Austin Heath, precinct 8.

1 I've traveled the coast in a small boat
2 from the Bahamas all the way up into Maine and
3 seen a lot of Marine Districts. Usually when a
4 Marine District is formed, and it doesn't much
5 matter where it is, it's to encourage marine use.
6 This does not mean only the - having a marina
7 with direct access, it also means to encourage
8 other uses of the property.

9 One of the purposes is by restricting it
10 to marine use, the skills like canvas workers,
11 sail makers, and so on, have access to property
12 that they can rent for their activities, and
13 usually at a lower rate of rental, because
14 otherwise they're forced out by restaurant,
15 retail and a number of other uses that draw
16 crowds to the area.

17 I would like to see this preserved as a
18 marine use district in its entirety.

19 Now, this means that some owners who
20 maybe had a good tenant who went out of business
21 for one reason or another, can't get the rents
22 that they would like to get. But it does mean
23 that with a marine use other people can come in,
24 albeit at a lower rental. But this is the

1 zoning that was there when they often acquired or
2 when they had a higher paying tenant.

3 I've seen people like the waterfront
4 district of Beaufort, which was all Marine
5 District on both sides of the street, change much
6 like the change that's requested here. Now the
7 most prominent use is Hooter's restaurant. It
8 used to be a charming place to visit in cruising.
9 Today, it's all built up and it's nothing but car
10 tourist people.

11 I think we need to preserve the Marine
12 District as it now stands, and unfortunately if
13 people cannot replace a lost tenant, that then
14 they're going to have to accept lower rents. But
15 this is part of the reason of having a Marine
16 District. Basically they can lower their taxes
17 because assessors have to take into account the
18 fair rental value of a commercial property, and
19 if the fair rental value has gone down, then they
20 have to lower the assessments. So there is an
21 abatement procedure that can be followed, an
22 appeal to Boston.

23 Therefore, I oppose the change.

24 Thank you.

1 THE MODERATOR: Okay, Mr. Latimer.

2 MR. LATIMER: Richard Latimer, precinct
3 one.

4 It comes to mind the music industry in
5 Nashville is hurting because the small studio
6 space that was traditionally available to country
7 musicians whose names are very familiar is now
8 disappearing through development for condominiums
9 and things like that. And that's a valid
10 concern for the Marine District, but I don't see
11 that this particular change really involves that
12 kind of threat.

13 We're talking about three properties, a
14 relatively small portion of the district. We're
15 not talking about changing any use that those
16 properties are already being devoted to, and
17 they're not being at present used by sailmakers
18 or small boat-builders. I think this is one
19 that comes a lot closer to being in the public
20 interest, being fair, and making some sense.

21 I think the fears about what this could
22 lead to aren't that well founded. I think I
23 would support this one.

24 Thank you.

1 THE MODERATOR: Okay, Mr. Swain.

2 MR. SWAIN: Charlie Swain, precinct
3 one.

4 I might remind Town Meeting, some might
5 not remember that, prior to the current uses on
6 the corner of Scranton and Robbins Road, there,
7 that that was Gun and Tackle and they had a
8 thriving outboard repair business and they were
9 not on the water.

10 So I would say to maintain the current
11 situation the way it is and not change it.

12 Thank you.

13 THE MODERATOR: Okay, the question is
14 going to come on the main motion. All those in
15 favor, signify by saying aye.

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [No.]

19 THE MODERATOR: It's the opinion of
20 the Chair that the no's have it by a majority and
21 there is no two-thirds.

22 Article 11. Madame Chairman for the
23 main motion.

24 CHAIRMAN KERFOOT: I move Article 11 as

1 printed in the warrant. And again, for any
2 questions or discussion I would defer to the
3 petitioner.

4 THE MODERATOR: Okay, this is to amend
5 Chapter 240 zoning of the Code of Falmouth by
6 deleting the word "professional" where it appears
7 in Section 240-28E. Any discussion on Article
8 11?

9 Hearing none, then the question will
10 come on the main motion as printed.

11 All those in favor, signify by saying
12 Aye.

13 [Aye.]

14 THE MODERATOR: All those opposed no.

15 [No.]

16 THE MODERATOR: This requires a two-
17 thirds. All those in favor signify by standing
18 and the tellers will return a count.

19 [Pause.]

20 THE MODERATOR: Mr. Netto, first
21 division.

22 MR. NETTO: 29.

23 THE MODERATOR: Third division, Mr.
24 Hampson.

1 MR. HAMPSON: 36.

2 THE MODERATOR: 36.

3 Mr. Dufresne, the second division.

4 MR. DUFRESNE: 62.

5 THE MODERATOR: 62.

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

8 [Pause.]

9 THE MODERATOR: Mr. Netto, first
10 division.

11 MR. NETTO: Nine.

12 THE MODERATOR: Nine.

13 Mr. Hampson, third division.

14 MR. HAMPSON: 18.

15 THE MODERATOR: 18.

16 Second division?

17 MR. DUFRESNE: 24.

18 THE MODERATOR: 24.

19 By a counted vote of 127 in favor and 51
20 opposed, the necessary two-thirds passes.

21 Article 12. Article 12 is actually the
22 Operating Budget and we have an Article that is
23 related to the Operating Budget that appeared
24 later in the warrant, Article 24.

1 So, by a call of the Chair, I'm going to take
2 Article 24 out of order because it may or may not
3 have impact on the numbers that are in the Budget
4 recommendation.

5 So, at this point, I'd recognize the
6 chair of the Finance Committee for a main motion
7 on Article 24 and then a brief explanation of the
8 relationship.

9 CHAIRMAN MAGNANI: Mr. Moderator, I
10 move Article 24 as recommended.

11 THE MODERATOR: Okay, Article 24 as
12 recommended. This is to raise and appropriate
13 \$275,000 for the purpose of funding cost of
14 living adjustments within the established wage
15 pattern.

16 Ms. Petit.

17 MS. PETIT: Thank you. Good evening.

18 This amount was typically seen in the
19 Operating Budget. We've pulled it out and are
20 requesting that it's voted as a separate article.
21 And this is really the cost of living adjustments
22 that will be - or are being negotiated with the
23 unions within the established wage pattern of one
24 and a half percent.

1 We did this for a couple of reasons.
2 One is to really highlight, you know, what the
3 cost of living adjustments are. And also, when
4 we have it in a warrant article, we can leave it
5 open just a little bit longer and when we do have
6 the settlements come in.

7 THE MODERATOR: Okay, any discussion on
8 Article 24?

9 All those in favor of Article 24 as
10 recommended signify by saying aye.

11 [Aye.]

12 THE MODERATOR: All those opposed no.

13 [No.]

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

16 I just want to thank the Finance
17 Director and the Selectmen/Administration for
18 finding ways like that for us to be more
19 transparent about those things that sometimes
20 were hidden in the budget and we voted on and
21 then you didn't really know what they were.

22 And so I think a theme over the last few
23 Town Meetings has been to work on that level of
24 transparency between the training and what's

1 printed in the warrant booklet and it acts like
2 that.

3 So I just want to thank the
4 administration for taking the spirit of the last
5 few Town Meetings and being proactive in that
6 way.

7 Article 12. Article 12, Madame
8 Chairman for the main motion.

9 [Pause.]

10 THE MODERATOR: Okay, so the main
11 motion, if you go to the yellow pages in your
12 book, we're going to make some changes, here, to
13 the main motion.

14 So the main motion will be as
15 recommended, with the following changes.

16 CHAIRMAN MAGNANI: Line L, the new
17 number is -

18 THE MODERATOR: Whoa, whoa, whoa,
19 before we get to that, let's do the expenditure
20 changes. So we've got some expenditure
21 changes, Selectmen/Manager.

22 CHAIRMAN MAGNANI: Okay, line 9 is now
23 \$433,976. And the total budget for the
24 Selectmen/Town Manager is \$530,406. And those

1 were the - that is the other raises given to the
2 Selectmen.

3 Line 161, we need to change that to
4 Bourne Contract, as we don't do business with
5 SEMASS anymore.

6 FROM THE FLOOR: Can't hear you.

7 CHAIRMAN MAGNANI: Sorry.

8 THE MODERATOR: So that contract will
9 be with Bourne, not with SEMASS.

10 CHAIRMAN MAGNANI: Right.

11 FROM THE FLOOR: Can't hear you.

12 THE MODERATOR: You can't hear me?

13 That's with Bourne, not with SEMASS, number 161.
14 So the amount of money's the same, it's just the
15 explanation.

16 CHAIRMAN MAGNANI: And line 265,
17 Retirement payroll, that number now is
18 \$6,748,310. And the total budget for Retirement
19 is \$6,763,310.

20 [Pause.]

21 CHAIRMAN MAGNANI: The total budget is
22 now \$119,267,916.

23 THE MODERATOR: And then any
24 adjustments to the Revenue category?

1 CHAIRMAN MAGNANI: The motion for
2 Article 12 now reads: line L. \$115,449,771, and
3 the Total Operating Budget again is \$119,267,916.

4 THE MODERATOR: Okay, so that's the
5 main motion. We're going to do a general
6 presentation on the budget and then we'll go
7 through the budget department by department.

8 Mr. Suso.

9 MR. SUSO: Thank you, Mr. Moderator.
10 Thank you, Madame Chairman of the Finance
11 Committee. Julian Suso, Falmouth Town Manager,
12 good evening.

13 We have a PowerPoint presentation that
14 I'll be sharing in with Finance Director Jennifer
15 Petit.

16 The first slide, summarizing budget
17 increases. They fall in the areas of Health
18 Insurance, Retirement Assessment, Contractual
19 Employee Increases - thank you for your action a
20 moment ago on Article 24; that's what's referred
21 to by that notation separate article.

22 And in Town Insurance, which includes
23 both Worker's Compensation and Property and
24 Liability.

1 New and renewed initiatives in the
2 proposed FY '16 budget. It includes one new
3 full-time custodian, the restoration of seven and
4 a half hours per week in the Engineering
5 Department, part-time to a full-time clerical
6 position in the Fire Department with the
7 implementation of the Consolidated Communications
8 Department, a minor increase in hours for the
9 library, enhanced summer patrol in the Police
10 Department. And to retain the services of
11 Domestic Violence Advocate, partially funded by a
12 grant and fully funded by a grant in the past,
13 but that grant is not forthcoming in the same
14 amount as in the past. Very important program
15 which we want to continue.

16 Now I'll defer to Jennifer Petit for
17 some additional comments and PowerPoint slides.
18 Jennifer.

19 MS. PETIT: Thank you and good evening.

20 So when we approached the budget, as
21 I've stated in the past, our reoccurring
22 revenues, we want them to fund our reoccurring
23 expenses. And our reoccurring revenues are:
24 your property taxes; state aid; estimated local

1 receipts, which would include motor vehicle
2 excise, building permits, departmental fees, and
3 other available funds. These are funds that are
4 set aside in separate funds to transfer into the
5 budget, and I'll get to that in a moment.

6 We look at one time revenues to fund one
7 time expenses, and that's really a one time
8 revenue would be free cash or your reserves.
9 But that is not part of this Operating Budget
10 recommendation.

11 And so this is a little bit of a pie
12 chart and this will tell you exactly how much of
13 the revenue, where it's coming from. You know
14 the property tax is about 74 ½ percent. You have
15 state aid is about eight percent. Your local
16 receipts 14.4, and your other available funds are
17 3.1 percent.

18 And I just want to point out that in the
19 appendix in the back of your warrant booklet, all
20 these numbers, there's probably four pages, and
21 it tells you how we calculate the tax levy and it
22 really shows you how we balance the budget with
23 all the revenue sources. So it's a really good
24 exercise if you look at this and you want to

1 follow along in the back; it really gives you a
2 lot more information.

3 Next slide, please.

4 And our sources of revenue. So, which
5 our property taxes is - we have the 2 ½ percent
6 levy increase and we have a projected new growth.
7 So when we enter into the next budget year we
8 look at our levy increase and we project new
9 growth. Our projected new growth nets about
10 600,000; we're looking at that right now. We
11 have to be really conservative with that number.

12 Our state aid includes our Chapter 70
13 funding, our unrestricted government aid, which
14 is really the old lottery aid, and some
15 reimbursements that we get from the state.
16 School choice, which actually gets redirected
17 directly to the School Department. But, Charter
18 School and some Veteran's Benefits and property
19 tax exemptions.

20 And in the back of your warrant booklet
21 you'll see all the estimates laid out there for
22 you.

23 Next slide, please.

24 And our estimated local receipts include

1 our motor vehicle excise; it's our hotel, motel
2 and meals. Per the budget, the Board of
3 Selectmen's budget policy, 100 percent of the
4 meal tax is allocated to the Capital and your
5 General Stabilization Fund to take some
6 reoccurring revenue and put it towards our
7 reserves.

8 And our Departmental Revenue is your
9 water and sewer, your beach licenses and permits,
10 and ambulance revenue, as well.

11 Next slide, please.

12 Our other available funds, and you'll
13 see that also in the back of the booklet and
14 you'll see it as part of the motion of the budget
15 when you vote your motion. We have some parking
16 meter funds that we transfer in to support the
17 Public Safety in the Operating Budget, Police
18 Department. Embarkation Fees that we get from
19 the Steamship Authority, that supports our Public
20 Safety.

21 Wetlands and Waterways supports
22 conservation and some debt service that's
23 directly related to our waterways improvement.
24 Energy receipts what's supports the debt on the

1 wind turbines.

2 We have golf revenues that supports the
3 debt on the golf course. And the Community
4 Preservation, which was the old Land Bank, that
5 supports the debt in the Operating Budget.

6 And our Bond Premiums. Now, I could
7 spend two hours talking about Bond Premiums but
8 you probably don't want me to. But it really
9 just offsets our Excluded Debt.

10 Next slide, please.

11 So this is our - take a look at our
12 Operating Budget. And I just want to point out,
13 you know, this is really, you know, general
14 government, public safety, and in the back of the
15 warrant booklet you'll see that I do break it
16 down by function. So you'll see all the line
17 items and then you'll see it broken down by
18 function.

19 So you have General Government, Public
20 Safety, Public Works, Community Development,
21 Community Services, Education - which includes
22 the School Department and Upper Cape Voc Tech.
23 We have Employee Benefits and Insurance in
24 reserve.

1 I put the Insurance in reserve in there.
2 A lot of times we'll vote those as separate
3 articles, but it is supported by your reoccurring
4 revenue, which is part of your Operating Budget.
5 And we also have our debt service.

6 The Insurance in Reserve is really your
7 - is your property and liability insurance. And
8 then the Funding Reserves is the last one down
9 there.

10 Next slide, please.

11 So, in conclusion, when we approach, you
12 know, the budget every year, the Board of
13 Selectmen, they vote a budget policy and then -
14 and when we put the budget together and we meet
15 with all the department heads and make
16 recommendations to the Board of Selectmen, it's
17 all within their five year strategic plan and the
18 vision that they have for the Town, and that
19 really - you know, using those key goals in mind
20 really makes up, you know, what you have in front
21 of you, which would be a balanced budget.

22 THE MODERATOR: All set to open it up.

23 Okay, so we're going to go through each
24 department. No hold or anything. Just if you

1 want to - have a question or you want to make an
2 amendment -- we allow more than two amendments on
3 the omnibus budget so we don't have a bunch of
4 separate articles. So this is one time where
5 you're allowed to have more than two amendments
6 on an article.

7 So the first section, Town Meeting.
8 Town Moderator. Selectmen/Town Manager.
9 Finance Department. Town Accountant.
10 Assessing Department. Town Treasurer. Town
11 Collector. Personnel Department. Legal
12 Department. Information Technology. Town
13 Clerk.

14 Under Community Development,
15 Conservation Commission. Planning Department.
16 Zoning Board of Appeals. Building Department.
17 Health Inspection.

18 Under Public Safety, Police Department.
19 Fire Department. Emergency Preparedness.
20 Marine and Environmental Services.

21 Under Department of Public Works,
22 Facilities Maintenance. Administration and
23 Engineering. The Highway Division. Snow and
24 Ice Control. Street Lighting. Vehicle

1 Gasoline. Waste Management Facility. Solid
2 Waste Collection. DPW Wastewater Utilities.
3 DPW Water - yes.

4 Ms. Allegro, in the center.

5 MS. ALLEGRO: Hi, Mary Ann Allegro,
6 precinct seven.

7 The DPW Wastewater Utilities, it looks
8 like almost half of the budget are Other
9 expenses. That's a lot of money; I just
10 question what that means.

11 THE MODERATOR: Mr. Potamis.

12 MR. POTAMIS: Gerry Potamis, Wastewater
13 Superintendent.

14 That has probably been the split for the
15 last ten years. Half of the budget goes
16 directly to salaries, the other half goes to
17 sludge removal, communications and a variety of
18 other things that are spelt out - if you want I
19 can take a few minutes and go through them. But
20 there's no change, there.

21 It's a poor term to say miscellaneous,
22 but it's maybe a half a dozen items. Sludge
23 disposal's probably the biggest line item within
24 the miscellaneous. Phone is small. Education,

1 professional education, travel is relatively
2 small.

3 Does that answer your question?

4 THE MODERATOR: Okay. Any other
5 questions on the Wastewater Utilities?

6 Water Utilities. Renewable Energy.
7 DPW Parks. School Department.

8 Mr. Shearer.

9 MR. SHEARER: Dan Shearer, precinct
10 six. I'm not asking for any changes. I just
11 want some information.

12 One thing, in the School budget, who is
13 paying for the health and retirement? Is that
14 the School Department or is that the Town?

15 THE MODERATOR: Madame Chairman.

16 MR. SHEARER: I mean, is this in the
17 School budget or is it in the Town's budget?

18 THE MODERATOR: Ms. Petit.

19 MS. PETIT: The health insurance is not
20 in the School Budget; it's in the Town side.

21 And the retirement, Mass. Teachers
22 Retirement, isn't in their budget and it's not in
23 our budget. It's funded through the state. But
24 the Retirement for non-union, I mean, for the

1 employees that aren't in the Teacher's Union,
2 custodians, they are a member of our Retirement
3 and that is in our Retirement assessment. It's
4 not in their budget.

5 MR. SHEARER: Is that true in the other
6 towns that we have comparisons here on our
7 student cost or cost per student? Do all towns'
8 health insurance get not in the school budget?
9 I thought we were going to change this, but.

10 THE MODERATOR: Ms. Petit.

11 MS. PETIT: Yeah, most towns do have
12 the health insurance not in the school budget.
13 Some towns do, but most of the towns do not.

14 MR. SHEARER: Thank you.

15 My next question is the one I've brought
16 up for years, and we had a vote a few Town
17 Meetings ago that we would make all overrides and
18 so forth of knowledge.

19 I've got grandchildren now in the school
20 system, which is very nice. They're doing very
21 well and I like the schools. However, we keep
22 getting letters saying, "We don't have enough
23 paper. We don't have enough pencils and pens."
24 And we have an override for that, which used to

1 be in this little book that came out on the
2 schools every year where it goes. And most of it
3 goes to the things that we didn't vote for in
4 that override.

5 And the last superintendent said he was
6 going to slowly change that and he would put it
7 back so that teachers could get their supplies
8 and we wouldn't hear this, "We don't have any."
9 And now I see it's gone completely and I'd like
10 to know what that money is being used for.

11 THE MODERATOR: Dr. Clark.

12 MR. SHEARER: It was just stolen from
13 each of our pockets. We voted for something to
14 go to a place, a special amount of money, and it
15 goes up 2 ½ percent a year and all of a sudden it
16 vanishes and nobody here can tell me -

17 THE MODERATOR: Okay, Mr. Shearer,
18 there's somebody - Mr. Clark behind you is going
19 to answer the question.

20 MR. CLARK: My name is Peter Clark,
21 precinct one.

22 I stood here, it was probably ten years
23 - twelve years ago, to argue for that override.
24 And I have not gone back, but I'm sure I can go

1 back to the transcript and remind everybody that
2 I stood here and said, "These are the ways that
3 money will be used as long as this community can
4 continue to support the budget, the basic budget
5 at a reasonable level." And I think I used 2 ½
6 percent at the time, I'm not sure.

7 But I do want to remind the town that,
8 with the restricted budgets that you've had and
9 with the impacts on state aid, the Town has not
10 been able to do that. And we stood here when we
11 described what that money was going to be used
12 for and said, "We will be able to sustain that as
13 long as it isn't eaten away by an inability of
14 the Town or the state to support our budget in
15 other ways".

16 And so when those increases got pinched
17 - and you can go back and look at the history of
18 increases. You'll see that there are several
19 years it was zero, basically the level-funded
20 budgets. Those things begin, therefore, to
21 affect the balance between the percentage of
22 money that goes to salaries and wages and the
23 percentage that goes to other support mechanisms.

24 Now, I can't tell you how that shifted

1 in the percentages, but every year Mr. Shearer
2 gets up here and claims that the Town is being
3 cheated because that money isn't going to the
4 places it was originally delineated to go, he is
5 forgetting a part of the discussion. And so I'm
6 here simply to remind him - and others - that
7 there was a caveat at the time we passed that
8 override.

9 Thank you.

10 THE MODERATOR: Okay.

11 MR. SHEARER: I don't believe that's in
12 writing someplace 'cause I've never found that,
13 and I've brought this up many times. And that's
14 why I would like to see the Town talk about its
15 overrides over and over again, because we'd like
16 to know. An override is a gift you gave the
17 Town. It's not a tax, it's a gift, and you give
18 that gift for a reason, and I think that reason
19 should be followed.

20 Thank you.

21 THE MODERATOR: Okay, further
22 discussion?

23 Did you want to? No.

24 Mr. Netto.

1 MR. NETTO: Joe Netto, precinct 9. 1-

2 I think the question Mr. Shearer is
3 asking, and for next year's school budget
4 presentation, is maybe the School Committee
5 should give us the figures on how they determine
6 net school spending, because that's basically,
7 Danny, I think, what you're asking for.

8 The net school spending, the state has a
9 very intricate form that all 351 cities and towns
10 in the state of Massachusetts have to follow.
11 The state sets a threshold for net school
12 spending, and in a budget presentation that we as
13 Town Meeting Members should get should be how
14 those figures are attained.

15 The other part of the budget is non-net
16 school spending. Areas such as transportation,
17 which the state considers not a cost accrued to
18 educate your child.

19 But I think that's the presentation.
20 I'm glad Mr. Shearer brought the point up. It
21 tells the citizens of the Town of Falmouth how
22 their money is being spent to educate the
23 children in the town, and it removes all
24 ambiguity.

1 So if we could have a presentation next
2 year on the school budget that shows how the net
3 school spending is achieved, I also would
4 appreciate that.

5 Thank you.

6 THE MODERATOR: Any further
7 discussion?

8 Mr. Donahue.

9 MR. DONAHUE: Bob Donahue, precinct 3.

10 I've mentioned this before about the
11 Police Department and Police cruisers, that they
12 be in the budget so that we know what the total
13 cost of running the Police Department is. The
14 same with the School Department.

15 If you're paying janitors' insurance,
16 health insurance, out of the pocket over here but
17 it's getting credited to that pocket over there,
18 we have no idea of what the real number is to run
19 the School, or any other department.

20 Now, I don't care if you put an asterisk
21 and say "Paid by the Selectmen, out of the
22 Selectmen's budget". But it should be said so
23 we know what the total amount of money is for any
24 department at any given year.

1 Thank you very much.

2 THE MODERATOR: Okay, any further
3 discussion?

4 Upper Cape Vocational School.

5 Community Services, Clinics and Nurses.

6 Council on Aging. Veterans services.

7 Commission on Disabilities. Human Services.

8 Falmouth Public Library. Recreation Department.

9 Beach Department. Bikeways.

10 Town wide Expenses, Retirement.

11 Mr. Finneran.

12 MR. FINNERAN: Marc Finneran, precinct
13 six.

14 I attended the financial seminar you had
15 at the library a couple of Saturdays ago; it was
16 pretty interesting. I certainly learned some
17 things.

18 We were talking about retirement there
19 and I learned that the Retirement Board will be
20 fully funded in 2034, which is also kind of nice.

21 I also learned that the auditors were
22 requiring us to pay down on our Retirement, hence
23 we're putting \$100,000 a year into that fund.
24 But I see here that it's rising by \$321,000 a

1 year. So, first off, how could that be
2 construed as paying down?

3 And if the Retirement Board, which
4 there's two separate things, is going to be fully
5 funded in 20 years, basically, how many years
6 before our portion of the Retirement budget is
7 going to be fully funded?

8 THE MODERATOR: Ms. Petit.

9 MS. PETIT: Thank you. A couple
10 different issues here.

11 The retirement assessment, where it says
12 Retirement Payroll in the Operating Budget, that
13 number comes from PERAC, which is the Public
14 Employee Retirement Assistance Commission. And
15 every two years an actuarial study is done and
16 they look at, you know, retirement age and they
17 look at investing and in all of that. And then
18 a portion of that is funding our unfunded
19 liability.

20 So the Retirement Board voted last
21 November to take our schedule; instead of being
22 fully funded by 2038 they moved it back to 2032.
23 And so what that did is it's about a five percent
24 increase every year. And that will probably

1 change a little bit when they perform the
2 actuarial study every two years. So that's why
3 you see the increase here. There's a portion of
4 it that's the unfunded liability.

5 And you did bring that up a couple
6 Saturdays ago, and again, I just don't have that
7 number. I have to go through the actuarial
8 report, which is available online, to get the
9 number of what portion is the unfunded liability.

10 The second issue is that \$100,000.
11 That's Other Post Employment Benefits. That is
12 not in this line item. That is another study
13 that we are required to do every two years and
14 it's done through the Cape Cod Municipal Health
15 Group. Well, with the assistance of the Cape
16 Cod Municipal Health Group.

17 And really what Other Post Employment
18 Benefits is your retiree health insurance.
19 Nothing to do with this line item. And that
20 liability is about 88 million.

21 Now, the requirement to fund it, there
22 really isn't a legal requirement to fund it, but
23 what the issue is is there are other communities
24 that do fund it and we really should have it as a

1 plan and part of our operating budget to fund it
2 a little bit every year. To let the bond rating
3 agencies know that we are making headway. And
4 so every two years they will come in and do an
5 actuarial study on our Other Post Employment
6 Benefits. But that is completely different from
7 the retirement assessment.

8 THE MODERATOR: Okay, any further on
9 Retirement?

10 Unemployment - oh, Retirement? Yeah.
11 Mr. Mustafa.

12 MR. MUSTAFA: Ahmet Mustafa, precinct
13 four.

14 Non-contributory pensions, could you
15 explain that?

16 THE MODERATOR: Ms. Petit.

17 MS. PETIT: Well, I'll try. A number
18 of years ago, I think we have one -

19 THE MODERATOR: A little closer to the
20 mic.

21 FROM THE FLOOR: Can't hear you.

22 THE MODERATOR: Just a little closer.

23 MS. PETIT: Oh, I'm sorry, can you
24 hear me now, is that better?

1 FROM THE FLOOR: Yeah.

2 MS. PETIT: Okay, thank you.

3 We have one person that's not part of
4 our retirement system, and that's the non-
5 contrib. This person doesn't contribute to the
6 retirement. So they draw a small pension and
7 it's funded separately. One person from a long
8 time ago.

9 MR. MUSTAFA: Yeah, the reason I ask
10 that question is because that's a real old, old,
11 thing. Non - it goes back, like, you'd have to
12 have been working back in 1937 to be eligible for
13 that.

14 MS. PETIT: I don't know if that date's
15 correct, but you're right, it is - it's been
16 there for a while. You won't see it again once
17 we - we're not paying that anymore.

18 MR. MUSTAFA: Thank you.

19 THE MODERATOR: We'll give that person
20 a citation, here. They've been around for a
21 while. [Laughs.]

22 MR. HAMPSON: Mr. Moderator.

23 THE MODERATOR: I think we're going to
24 be able to do it before then.

1 MR. HAMPSON: Okay.

2 THE MODERATOR: Let's see.

3 MR. HAMPSON: All right.

4 THE MODERATOR: If not, I'll call you
5 up.

6 Unemployment. Health Insurance. Life
7 Insurance. Medicare Tax. Other Employee
8 Benefits. Court Judgments. Town Insurance.
9 Debt Service, Long Term Excluded Debt.
10 Long Term Unexcluded Debt. Short Term Excluded
11 Debt. Short Term Unexcluded Debt.

12 Oh. Ms. Allegro.

13 MS. ALLEGRO: Mary Ann Allegro,
14 precinct seven.

15 And, through the Moderator, I just have
16 a question about the debt in general. So we're
17 supposed to be carrying a balanced budget all the
18 time and this looks like this is very long term.
19 Is this something that each year we're going to
20 be in more debt and then this number is going to
21 build each year?

22 In other words, as we're paying it,
23 we're still accruing it at the same time?

24 THE MODERATOR: Ms. Petit.

1 MS. PETIT: Yes, I mean, yes, that's
2 correct.

3 This is your principle and interest
4 payment on your long-term debt. The Unexcluded
5 Debt did go up a little bit, excuse me, but that
6 money - some of that money is coming in from
7 another funding source that you'll see in your
8 other available funds as I discussed before.

9 What we try to do with the Excluded Debt
10 -- it's been talked about many times,
11 particularly when we're proposing major capital
12 projects -- is we try to keep the levy steady so
13 as the debt drops off we do infuse new debt in
14 there to keep the debt payments the same. But
15 that's on the Excluded Debt, so we don't spike
16 the levy at any time.

17 There are debt schedules in the back of
18 your warrant booklet and it details exactly what
19 we're paying.

20 MS. ALLEGRO: Okay, so in a sense we
21 actually aren't working under a balanced budget
22 because we're always in debt. I just came from
23 an organization that was doing this; it ended up
24 getting bought out -

1 THE MODERATOR: It's like having a
2 mortgage on your house. You are always in debt
3 but you pay your bills every year. These are
4 debted exclusions. Some under the levy, some
5 over the levy. So the Operating Budget's
6 balanced.

7 I mean, if you vote this number, it will
8 be balanced.

9 [Pause.]

10 THE MODERATOR: Anything else on
11 Excluded Debt, Short Term? Unexcluded Debt?
12 Anything on the sources of revenue,
13 which are A through L on the last page?

14 Any further questions on the amendment -
15 on the budget as a whole? Yes, Mr. Young.

16 MR. YOUNG: Like Dan, I've gotten up on
17 this subject before.

18 Bob Young, precinct five.

19 If I look at page five in the warrant
20 booklet under Article 12, it says under the
21 recommendation that we're discussing and going to
22 vote on the 2016 Operating Budget. Then, when I
23 go through this budget, I find Capital Budget in
24 seven different locations for \$550,000, more than

1 half a million dollars of Capital items that I do
2 not believe belong in this budget.

3 And then, furthermore, two of those
4 items are below the \$25,000 threshold to be a
5 Capital item. In the back of this warrant
6 booklet it says it has to be 25,000 to be
7 considered a Capital item and we have seven items
8 in here that don't belong, and of those seven,
9 two don't qualify for another reason.

10 And I hate to belabor this point, but
11 these things belong in a Capital Budget, not an
12 Operating Budget.

13 THE MODERATOR: Okay. Ms. Petit.

14 MS. PETIT: Yes. As we stated in the
15 last couple years, we're trying to put some more
16 cap - a number of years ago, and let's take
17 police cruisers for example, were in your
18 Operating Budget. Because we have to fund
19 Police cruisers every year. And so we've been
20 working that back into the budget and that is
21 part of the Capital. We have some facilities
22 money in there, too, that I think we've
23 identified as come Capital money in order to
24 assist our facilities.

1 So the goal here is to try to work some
2 reoccurring Capital expenses back into the
3 budget.

4 There might have been a couple items
5 where there was a request of 25,000; we brought
6 them down to 15. But it's just really the
7 footnote in the back and, you know, just trying
8 to work it back into the Operating Budget like it
9 was a number of years ago.

10 THE MODERATOR: Okay. Anything else?
11 Mr. Finneran.

12 MR. FINNERAN: Last year was the last
13 year we paid off on the high school and a few
14 other things and it left us with 10.9 million in
15 expired debt. This may be a stupid question,
16 but can you tell me where that money is?

17 MS. PETIT: Yeah, the debt exclusion.
18 So you're talking about expired debt.

19 MR. FINNERAN: Yeah, the retired debt
20 last year, the 10.9 million that we supposedly
21 had; is that in Free Cash now or?

22 MS. PETIT: No, we didn't retire \$10.9
23 million. The debt drops off. It wasn't that
24 high. What we try to do is we keep it around

1 \$10 million. As the debt drops off we put in
2 new debt and really where you'll see it is your
3 Short Term Excluded Debt. That's what we're
4 appropriating to keep the levy up.

5 It's not, you know, money that we, you
6 know, we spend. It's just a capacity that we're
7 able to put new debt in in order to put in new
8 projects and not spike the tax levy.

9 MR. FINNERAN: Thanks.

10 THE MODERATOR: Okay, the question
11 will come on the main motion as presented by the
12 Chair of the Finance Committee. All those in
13 favor signify by saying aye.

14 [Aye.]

15 THE MODERATOR: All those opposed no.

16 [None opposed.]

17 THE MODERATOR: The ayes have it
18 unanimous and we will be back tomorrow at seven
19 o'clock for the Special Town Meeting.

20 Don't forget: if you'd like to take a
21 tour of the windows in the building between 6:00
22 and 6:30 tomorrow, they'll meet here in the
23 auditorium.

24 [11:00 p.m., Whereupon, meeting adjourned.]

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing is a true and accurate record of Falmouth Annual Town Meeting, taken by me on Monday, April 13, 2015. To the best of my ability the within transcript is a complete, true and accurate record of said Town Meeting.

In witness whereof, I have hereunto set my hand and Notary Seal this 18th day of May, 2015.

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

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