COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

APRIL TOWN MEETING

Memorial Auditorium
Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR:   David T. Vieira
TOWN CLERK:   Michael Palmer

Tuesday, April 9, 2019

7:00 p.m.

Tinkham Reporting Service
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PROCEEDINGS

[7:00 p.m.:]

THE MODERATOR: Okay, all Town Meeting members present please come forward, take your seats. Don’t forget to sign in and get your electronic voting device. We’re going to establish a quorum and reconvene the Annual Town Meeting.

[Pause.]

THE MODERATOR: Okay, all Town Meeting members present please come forward, take your seats.

[Pause.]

THE MODERATOR: We completed Article 25 last night.

Okay, let’s cue up the quorum slide.

All Town Meeting Members present please press 1A for the establishment of a quorum. All Town Meeting members present please press 1A for the establishment of a quorum.

[Pause while electronic vote scrolling.]

THE MODERATOR: I know last night there were some questions relative to the recycling, what can go in the recycling bin. And I just
want to call everyone’s attention to the little brochure that has an overview; they’re out in the lobby. As well as on the back is a URL for a website that has more detailed information. And last night the Solid Waste Advisory Committee had mentioned that the plastic water bottles cannot be put inside of plastic bags and then put in the recycling bin. And some folks thought she said that you couldn’t put the plastic bottles in the recycling bin. It is being put in the plastic bags because they get into the machines and they get caught up and shut the assembly line down.

So, your single use water bottles are recyclable; you just can’t put them in a plastic bag and then put the plastic bag in the recycling bin.

By a counted vote of 169 members, we have a quorum and I call the Annual Town Meeting back into session.

All Town Meeting members present please rise for the presentation of the colors by the Girl Scout Service Unit of Falmouth.

[Pause.]

THE MODERATOR: Please follow me in the
pledge of allegiance.

[Whereupon, pledge taken.]

THE MODERATOR: At this time I’ll recognize Terri Medeiros for the invocation.

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

THE MODERATOR: Colors post.

[Pause.]

THE MODERATOR: Ladies and gentlemen, the Girls Scouts from the Falmouth Service Unit.

[Applause.]

THE MODERATOR: As they came in, they were asking where the state flag was, so I showed them where the state flag was. And then we
looked at the actual flag, itself, with the state motto. And they had not heard the Commonwealth’s motto before, so we had a little civics lesson about, “By the sword we seek peace, but peace only under liberty”. So hopefully the girls will be able to spend at least one article with us to learn a little bit about how Town Meeting works, and maybe one day one of those young ladies will be sitting up here instead of me.

Okay, we have Article 27 is the next article after the closure of Article 25 last night.

Mr. Callahan held this.

Mr. Chairman for the main motion.

CHAIRMAN SCHWEGEL: Mr. Moderator, I move Article 27 as printed.

THE MODERATOR: As printed is the main motion for Article 27.

Yeah, microphone, please.

MR. CALLAHAN: Are we on?

THE MODERATOR: Yes.

We haven’t had a leader, a director for
the Senior Center previously?

THE MODERATOR: This is a program
coordinator. This would work under the
Director.

MR. CALLAHAN: Okay. And we don’t
feel that we should sort of see what the traffic
will bear first? We’ve got a beautiful new
Senior Center. I was just curious in terms of
traffic bearing, and do we put a position in
before we know what the whole thing’s going to
entail?

I’m just curious, frankly.

THE MODERATOR: Yeah, we’ll actually
have our Senior Center Director address that.

MR. CALLAHAN: Thank you.

MS. BISHOP: Good evening. Jill
Bishop, Director of the Senior Center.

This position actually is currently
needed, not necessarily just for the new Senior
Center. The growth in the senior population,
the growth in the programs and services we’ve
been offering at the Senior Center has done
nothing but increase, and this need is – this
position is desperately needed at this point in
time. And we can foresee in the new center, in
the growth of other centers in other towns that
have created new Senior Centers, the growth in
the traffic has tripled, if not quadrupled, for
them.

So I expect our new Senior Center to
have a great deal of foot traffic, so. And our
goal is to create these programs, the ones that
we have now, and expand upon them in this new
Senior Center because we are serving the
generations of seniors and the needs of those
seniors.

So, we’re looking forward to it and I
would greatly appreciate you supporting this
position.

THE MODERATOR: Okay, further
discussion on Article 27?

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

All those in favor, signify by saying
aye.

[Aye.]

THE MODERATOR: All those opposed no.
[None opposed.]

THE MODERATOR: The ayes have it unanimous.

MR. HEYLIN: [No mic:] Mr. Moderator.

THE MODERATOR: Yes?

MR. HEYLIN: [No mic:] I would like to put a motion to take Article 24 off the table.

THE MODERATOR: Okay. We have a motion to take Article 24 off the table.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it and we will take Article 24 off the table.

So, Article 24, last night we had the main motion on the floor and we had two subsidiary amendments. One amendment was under the Definition section to add the words “for the alcohol or drug addiction”. And the second amendment was to add the word “only” between “where” and “people”.

Mr. Heylin.
MR. HEYLIN: Mr. Moderator, I have brand new definitions that I request from the Town Meeting for a Substance Abuse Treatment Center and I would ask the Town Meeting to vote down both amendments on the floor. And, after they do so, hopefully, I would like to motion to suspend the rule which limits an article on two amendments.

THE MODERATOR: Okay, why don’t we take that procedural motion first to suspend the rule, allowing only two amendments. And if Town Meeting votes by a two-thirds to suspend the rule, we can go through and remove the two amendments that are on the floor by no votes and place this amendment that Mr. Heylin’s been passing out on the floor.

That’s a two-thirds vote to suspend the rule. All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: Let’s cue up a slide, here.
[Pause.]

THE MODERATOR: All right, this requires a two-thirds vote to suspend the rule for only two amendments. All those in favor, signify by pressing 1A when the poll opens. All those opposed, signify by pressing 2B.

The polls are now open.

[Pause while electronic vote scrolling.]

THE MODERATOR: By a counted vote of 129 in favor and 61 opposed, the motion to suspend the rule passes and the discussion is on the second amendment, which was adding the word “only” in Substance Abuse Clinic.

All those in favor of that amendment, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It’s the opinion of the Chair that the nos have it and the first amendment is dispensed with.

The question will come on the second amendment, to add the words for the alcohol or drug addiction.
All those in favor, signify by saying
aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It's the opinion of the
Chair is that the nos have it and the second
amendment is dispensed with.

Mr. Heylin, would you like to place
another amendment on the floor?

Oh, yes, we need a Town Meeting member
to make the motion.

MR. LATIMER: [No mic:] I will.

Yes, okay, Mr. Latimer.

So, the new amendment is to change the
definition that you see in the printed article,
Substance Abuse Clinic, to the definition that's
been handed out, and I know we have a slide for
this. To be termed "Substance Abuse Treatment
Center". Oh, there it is.

Okay, Mr. Heylin.

MR. HEYLIN: Thank you very much, Mr.
Moderator.

Just so everyone knows, before this
article was sent to be put on this Town Meeting warrant, I researched this extensively. There are a number of cities and towns in Massachusetts that have this language or similar language in their zoning bylaws.

I made the mistake of trying to simplify it for Town Meeting and I now realize that you all like a lot of words and information. So I have went back to my original article and I am presenting to you same intention, only this time I want to insert the following: “Substance Abuse Treatment Center is a facility licensed by the Commonwealth Department of Public Health to provide substance abuse treatment services, included but not limited to counseling services, therapy services and or/dispensing of medication or paraphernalia to treat substance abuse, including but not limited to alcohol, legal and illegal drugs, opiates or other similar substances.

“If the facility is to operate an opioid treatment program, the facility must be licensed by the Substance Abuse and Mental Health Service Administration of the United States Department of
Health and Human Services, as well as the Commonwealth of Massachusetts DPH. This definition shall exclude: hospital, medical clinic and substance abuse counseling center."

Now, that language is in here because Select Person Braga and the lawyer from the Waquoit Congregation had questions about the hospital visits, etcetera.

Now, substance abuse counseling centers, on the flip side, is any facility that provides substance abuse counseling, practiced by a Mass. licensed professional on an outpatient basis. A Substance Abuse Center shall not include dispensing of medication or paraphernalia to treat substance use disorders.

I’ve got a couple things to say about this. If I may?

THE MODERATOR: Yeah, so that’s going to replace the definition. And then in 24-48B, the term Substance Abuse Clinic is used; so that would be replaced with the Substance Abuse Treatment Center language.

SELECTMAN JONES: And is Article X still going to remain as part of the Article?
Part of the amendment?

THE MODERATOR: Article ten.

SELECTMAN JONES: Talking about the 500 feet.

MR. HEYLIN: This is only, if I may, Mr. Moderator, this is only –

THE MODERATOR: Yeah, this –

MR. HEYLIN: – a discussion of the definition.

THE MODERATOR: So, so you – but you still want the 500 foot setback language?

MR. HEYLIN: I do, yes.

THE MODERATOR: Yeah. Yeah.

MR. HEYLIN: I’m just trying to amend the definition, yes.

THE MODERATOR: So in the Article X Business District, it says “Substance Abuse Clinic”; that would also be changed to the term that we just defined, “Substance Abuse Treatment Center”.

MR. HEYLIN: Yes, thank you so much.

SELECTMAN BRAGA: Mike, before you -- I’m sorry, Mr. Moderator, may I ask a question about this definition?

SELECTMAN BRAGA:   Can you tell me where
the substance abuse counseling center, where does
that go in here?   Just so I understand.

MR. HEYLIN:   So, on the bottom of
Article 24, Definition, it says it’s excluding
the Counseling Centers.

SELECTMAN BRAGA:   Yeah.

MR. HEYLIN:   And –

SELECTMAN BRAGA:   That’s how you’re
defining it.

MR. HEYLIN:   Exactly.   So –

SELECTMAN BRAGA:   Thank you.

MR. HEYLIN:   – this is a continuation
of the definition.

I received a lot of phone calls today in
support of what I did.   A lot of people told me
that I didn’t do this right, and I would ask you
all to not, you know, vote this down because of
the way I followed the process.   Because this
right here is something that is very much needed
in town and I would hate that, you know, the
process that I went about this would cause this
to be defeated.
And then, another person called me and they wanted to make sure that AA and NA weren’t, you know, involved in this. And the way this is written now is that AA and NA will not be part of this definition, and that was never my intention and I apologize to anyone who did think that was true.

I myself have been sober for, I don’t know, almost 15 years, now, and I would hate to, you know, upset, you know, anyone here who had themselves or family or friends in AA or in NA. This is all about, you know, protecting our children and our community, and that’s it.

I have a couple more slides, if I could. These are some of the cities and towns with similar language definition: Malden, Everett, Woburn. There’s more, but the slide’s only so big.

Wait, go back a couple. There we go; thank you.

I called all these places today. Some reached out to me. They’ve had this law with this similar wording on the books for many, many years. There’s been no issues. So, as far as
it going to the AG’s Office, there shouldn’t be an issue with that.

We'll go to the next slide.

That right there is the 500 feet, which we talked about yesterday.

And the next slide.

Someone else last night asked about potential areas where these could go if this does pass, and I just grabbed a few. There’s some Business on Central Ave., Jones Road by the hospital there’s Business zoning. There’s a lot on Main Street that does not fall into this category. All of these zones, all these locations are on bus routes, easily accessible. So this is not a way to, you know, stop needed programs from coming to town. This is just a way to zone them in the appropriate places.

And then once again I have slides from last night with the Business zones and next to the schools. And that’s all I have.

THE MODERATOR: Okay, discussion.

Yeah, go ahead.

MS. BISSONNETTE: Karen Bissonnette, Precinct 2.
I’m a little confused. So the VNA Child Care Center is on Ter Heun Drive. Do you know how far it is from Gosnold?

THE MODERATOR: Yeah, Mr. Heylin.

MR. HEYLIN: So this right here would be, Gosnold is an in-patient facility. So this is for out-patient facilities only, it would not apply.

MS. BISSONNETTE: Okay. That’s not true, they do day care there. They do day services there.

MR. HEYLIN: Okay.

MS. BISSONNETTE: So is the VNA Child Care Center supposed to move? So there’s no grand-fathering in any of this, as well?

So automatically that just - this passes, and they have to close down as soon as this going into effect, if they’re 500 feet?

MR. HEYLIN: I’m not sure what the grand-fathering clause would be.

Mr. Moderator, if you could help me with that.

THE MODERATOR: Mr. Duffy. If we pass this, would the VNA Child Care within 500 feet
have to close?

MR. DUFFY: Frank Duffy, Town Counsel.

There are grand-fathering provisions in zoning bylaws, but they protect existing uses, not the new use.

MS. BISSONNETTE: The other thing is, too, I don’t understand how, because a church is not a public entity, a church is I think a private entity and I don’t know how you can put churches in this, because I think that’s up to the church, themselves, what they want to do with their parish. Does that not make sense to you?

So you’re telling churches that they can’t do certain things?

MR. HEYLIN: No –

THE MODERATOR: Mr. Heylin.

MR. HEYLIN: Not at all. This article is to protect schools, churches, playgrounds from these possible facilities moving in within 500 feet and, as we all know last winter, the needle exchange tried to move in less than 25 feet from St. Anthony’s and the parishioners there, as well as the Father Steve, came out and said that they were not in favor of that.
MS. BISSONNETTE: So that means all churches feel the same way?

THE MODERATOR: I think we're getting speculative on all churches. The prohibition would be on the church property, itself, so this prospectively says a 500 foot setback from a church. Which would include the church.

MS. BISSONNETTE: So, Mr. Moderator, if a church decides that they wanted to do a needle exchange at their parish, they would not be able to do that?

THE MODERATOR: As currently written, that's correct.

MS. BISSONNETTE: Okay. And so, are we talking about people who use illegal drugs, or is this alcoholics, as well?

THE MODERATOR: Mr. Heylin.

MR. HEYLIN: Thank you. The way this article is written is any facility which is handing out, distributing medication or drug paraphernalia.

So I, myself, have been to AA. I don’t know if you have. But, in AA, they do not hand out drugs or drug paraphernalia. So, an AA
meeting would be completely exempt from this. This is only for locations that are handing out drugs and drug paraphernalia.

So I want to – so, so everyone knows that AA is not affected in this in any way.

MS. BISSONNETTE: No, I understand that. But do you know that there are healthcare providers that provide medications to help people stop drinking, as well? Are you aware of that?

THE MODERATOR: Mr. Heylin.

MR. HEYLIN: And if these locations are a – now this type of location that hands out medicine for someone to stop drinking, that’s in a hospital or a medical type clinic?

MS. BISSONNETTE: It could be, or it could be at a physician’s office.

MR. HEYLIN: Okay, so that is a provision on the bottom of the article that says this definition shall exclude hospitals, medicals clinics and substance abuse counseling centers.

MS. BISSONNETTE: Okay. I would vote this down. I just think it has a lot more work and I personally don’t think that church parishioners are a vulnerable constituency, like
children are. And, you know, I think that maybe
some of the churches in town would maybe have a
problem with this and I don’t think you can speak
for them.

Thank you.

THE MODERATOR: Okay, Ms. Braga. Ms.

Braga.

You’re on the list.

SELECTMAN BRAGA: Okay, thank you.

THE MODERATOR: You’re number 12 on my

list.

Ms. Braga.

SELECTMAN BRAGA: So, I there’s
probably a - I think people know where you’re
coming from, Mike, with a lot of people with
concerns around this. I think the challenge is
that we know that that, you know, law has already
come down that you can’t make it what the concern
is about, which really is about a needle
exchange. We can’t write a bylaw like that.

That has already gone to the SJC; that’s already
been struck down.

So, it does make it challenging to write
something that’s going to address the concern
that people have in the community, while not
being so general that it’s scooping up some of
these issues that we’re hearing about.

When you and I communicated earlier
today via email, you sent me an entire bylaw from
a community that was much more extensive than
this. And I understand what you’re doing.
You’re trying to make it simple because, you
know, you just want it to be something that
people can take a look at and understand. But
what I think is, if you want to make this - if we
want to make this effective to address the
concerns that people have, I think it needs some
more - some more work.

And it may need - I mean, we’re talking
about creating a bylaw, right? So it’s
something pretty weighty. And we don’t want it
to be something that’s struck down. I know
you’ve talked to the other communities and those
have already gone up to the AG’s Office, but I
don’t think we have in front of us what those
towns - they’re entire bylaw.

So, I guess, you know, I think there’s
lots of support for this, but I think that it’s
not – we need to take a step back and draft it fully, correctly, have the Planning Board look at it. Have Town Counsel look at a whole bylaw. Because, even when I read this now – and I thank you, because I know you worked on this all day trying to fix what was brought – the concerns that were brought to you yesterday at the Town Meeting. But this, even inserting it, doesn’t sort of fix some of the concerns that I think we’re hearing.

And when I look at that one example that you shared of that other community’s bylaw, it was very expansive. And it had – I think it sounds like it could be wordy, but it’s not. I think it’s really important language that’s required and it talks about special permitting. And I think that’s the type of thing that would be appropriate if we’re really going to draft a bylaw.

So, I guess I just want to – I want to, you know, commend you for doing a lot of work last night and today, but I don’t think – it’s just my opinion, I don’t think this bylaw is where it needs to be for us to be able to vote on
it and know, number one, it’s going to have the positive effect that we want it to have, and number two, that it’s not going to have a negative effect that some people have raised concerns about around other access to care.

THE MODERATOR: Okay, I just want to mention that that reference to the full bylaw was shared with me by the petitioner, and because it talks about special permit uses and everything, it was beyond the scope of the public hearing and the article, and so I told him that it would be beyond the scope.

Just, I want everybody to know that, that we’d been working all day with the petitioner to try to come up with a way to move forward, here.

Ms. Kerfoot.

MS. KERFOOT: The Planning Board met at 6:30 and I had a vote to be able to read this to you. It’s something that I emailed out earlier today.

If my memory is correct - and it was determined my memory is correct - when the Planning Board was working with the marijuana
bylaw, from which the 500 foot exclusion was
taken for this petition, our former Town Planner
had GIS draw 500 foot circles around each of the
mentioned exclusion entities and found only three
places that anything to do with marijuana could
be placed.

There needs to be much more work to
understand unintended consequences before
anything like this is added to our bylaws.
Therefore the I.P. recommendation of the Planning
Board.

Emotional heat, instead of rational
consideration, is a bad reason to pass anything
of this consequence.

THE MODERATOR: Okay, Mr. Fox.
I’ll add you to the list.

CHAIRMAN FOX: I don’t remember the
exact date, but it was a month or so ago, we
advertised for two weeks in a row about this
hearing, public hearing, the process to deal with
this bylaw. And then – and we also posted it on
our – the Town’s website, and we had a hearing
and no one came. Not even the applicant.

So, we were there, posted hearing,
advertised. It’s all in the newspaper, the town’s all alive about it, and no one shows up at the hearing. We really had no other alternative other than to vote indefinite postponement. And we strongly believe in our process of having hearings and notices. When we pass bylaws, we work on it for sometimes years. We do videos, we do outreach. None of that happened here.

This is a social media, bring it up in the newspapers, but don’t even come to your own public hearing. We were dumbfounded by that and I just don’t understand it. We think this is absolutely the wrong way to do it.

I think it’s a great idea. There’s something really needs to be done, but the process is totally wrong. And if we adopt this as a new process in the future, God help us.

THE MODERATOR: Mr. Netto.

MR. NETTO: Joe Netto, Precinct 9.

I would ask you to support this petitioner’s article for a couple of reasons. First and foremost are the legality. Anything we pass here as a bylaw goes to the Attorney General’s Office. And if it’s not
correct, it gets sent back.

To answer a statement that was just made, we passed the petitioner’s article on a bylaw last night. I think this is a great example of democracy at its best. You put ten words down in a sentence and you’re not going to get two people to agree on all ten words.

As a parishioner of St. Anthony’s, I was very vocal about the needle exchange. And one of the reasons I was very vocal about it is, when we went to Town Hall, we found that we had no tool to fight it. Nothing. So this is a first step.

If it’s not a hundred percent correct, you’re telling me that everything we always do is a hundred percent correct? Then you better look at the Constitution because it has amendments to it.

Times change.

But we at St. Anthony’s, in the interests of the children of our community, of our town – I’m not here to speak against the program. But when you as a citizen have no tool by government to fight something that you believe
in is wrong -- and this gives us a tool. Again, if it’s not correct, the Attorney General will tell us that.

And as far as the 500 feet goes, I know in the past you couldn’t open up a liquor establishment - a liquor establishment within 500 feet of a church, and you’re questioning the right of us to legislate to churches about drugs? Stop and think about that one.

Thank you.

THE MODERATOR: Okay, Ms. Long.

MS. LONG: Mr. Heylin, I want to thank you for doing the work and listening and making a valiant attempt.

I wish I could support it as it is. And I would love to work with you on this. But I think when we - we have to take a couple of things in mind. Number one, when the A.G. looks at these things, she’s looking at it to insure that we’re not violating our constitution or the law. She’s not going to tell us whether it’s going to work or not.

And the devil’s in the details.

One - if the only tool you have is a
hammer, that tool’s going to break everything.

And there are 22 faith communities in
this town, which is the other thing I want to
say. I said 21 earlier. There’s 22; I was
corrected. Twenty-two different churches, faith
communities, synagogues. We all have a
different position on this. One of the concerns
we have is we might want to open up our parking
lot to a moving needle exchange, something they
do, I believe, in Portugal. If necessary.

Maybe not. But we’d like to. But we
can’t the way this is written.

So, we all have a different position,
here. But I think we have to have something
that works. I kind of like the special permit.
I was actually thinking about that earlier today.
If there’s a process for that and you have that,
then you’ve got your tool. Nobody can just open
it; they’re going to have to go through the
special permitting process.

Perhaps what we can do tonight is get a
commitment from the Selectmen or from the
Planning Board to go slowly on anything new that
comes forward while we work this. I don’t know
how to do that officially, but, you know, we’re
not a huge city, we’re a town. And make sure
that people are getting their concerns met and
work on this.

Because, I think we can do it. I think those other towns have done it. But I am
concerned about ramming something through when we know there’s a better way to do it. And
hopefully I think everything you guys have done – we have done – everything we have done has gotten
the attention of your government. You’ve got their attention.

So I think – I think we can do this right. I think we can bring it back in November
and have something that will be workable and
everybody can sign on – well, not everybody,
right? There’ll always be some people that
don’t, but most of the people can sign on.

That’s my feeling, Mike.

THE MODERATOR: Okay, Ms. Segal.

MS. SEGAL: Debra Segal, Precinct 6.

I am very concerned about a couple of
things and one is the fact that the petitioner
did not appear in front of the Planning Board.
But the bigger concern is this whole topic of bypassing the Planning Board. And what is the point of having a Planning Board if they’re not the ones — with the expertise -- who are going to do the crafting, use their expertise and know who to reach out to in order to make something like this work. And I hope that we vote this down.

Thank you.

THE MODERATOR: Mr. Waasdorp. You’re all set, okay.

Mr. Patterson.

MR. PATTERSON: Yes, I guess I have a question about a substance abuse counseling center. Where do pharmacies fit in here? Because it doesn’t quite fit into any of the categories that you have mentioned, and yet my pharmacy has a consultation window and whenever I get a prescription that’s new to me, I’m required to go talk to a pharmacist.

So it seems like that’s a category that could get caught up in this thing and excluded.

THE MODERATOR: Mr. Heylin.

MR. HEYLIN: I don’t — thank you, Mr. Moderator.
I don’t know which medication you’re getting at a pharmacy, but according to the Substance Abuse Counseling Center, it says medication or paraphernalia to treat substance use disorders. So, I don’t know if that would apply to you, but a pharmacy would not fit in either of these categories; these are two separate things.

THE MODERATOR: All set, Mr. Patterson?

MR. PATTERSON: [No mic: inaudible.]

THE MODERATOR: You all set?

MR. PATTERSON: I don’t agree with your comment. In fact, I believe pharmacists do counsel their clients about substance abuse, because they do prescribe opioids for pain relief and they do counsel them on the risks associated with it.

THE MODERATOR: Okay, Mr. Clarkson. You’re on the list. It’s a big list.

MR. CLARKSON: Thank you, Mr. Moderator. Troy Clarkson, Precinct 5. I am not a Town Meeting member but am a longstanding member of this community and served this town for a very long time.
I rise tonight to just make two points. One is on process and one on content.

The one on process has partially been made but I think it’s important enough to be restated. We are a community that embraces process, and it’s for a reason. It’s so that our residents have the opportunity to understand and to comment and to be heard on issues that are important to the community.

So, I would respectfully disagree with my good and longtime friend Joe Netto. The petition article that was discussed last night, that petitioner followed the process and went to the Planning Board and went to the Board of Selectmen. And people, the people that sit in this room, were able to ask questions.

This petitioner chose deliberately to ignore that process, and then asked the Town Meeting members assembled here tonight to do the work that would normally be done over several weeks to analyze and understand the language, and then expect all of you tonight to absorb all of that. And, with all due respect, based on the say-so of someone who is not an attorney and
doesn’t have expertise - admittedly - he said it
himself - in this area.

So, from a process standpoint, it seems
to me the best way to go about this is to have
some more community input, to take the time to
develop language that the lawyers say won’t
outlaw AA or won’t outlaw treatment in churches.
Or won’t outlaw Gosnold because they are within
500 feet of a daycare. And I don’t think anyone
would want to do that.

Now, there is no grand-fathering
language here. Attorney Duffy himself said that
it was for existing uses. But let’s say Gosnold
partnered with another agency, or that land is
actually owned by Cape Cod Healthcare, if they
wanted to initiate some treatment. This
proposal would not allow that. Think about
that.

But we need to take the time to
understand and answer those questions. And so,
from a process standpoint, on the face of it, it
seems to me the best step is to vote this down
and to bring it back when we can be more
deliberative.
From a content standpoint, very briefly

I’d just like to say we haven’t heard any

information, never mind any compelling

information, from the petitioner about why this

is a good idea, and what threat people suffering

with substance use disorders pose to our

children.

I mean, the whole premise of this is to

protect our children from those people.

Remember that those people sit among us tonight.

[Applause.]

THE MODERATOR: Okay. Okay, folks.

Let’s go. Okay, hold on. I’ll put you on the

list.

MR. CLARKSON: And I’m very open about

my own struggles, and I’ll repeat here tonight

for those who may not know that I am one of those

people. So, to simply ask us to pass a bylaw to

protect our community from people we should be

serving and opening our arms to help is not only

to me bad public policy, it’s repugnant.

But, we’re here tonight because you’re

elected to make that decision on your own. I

would ask you, as a member of this community for
most of my life, as someone who has served both
in elected and appointed capacities for this
community that I love so deeply, to please be
deliberative and take your time and understand
the implications of what you’re being asked to do	onight. Because somebody’s life, some
alcoholic or addict’s life may depend on the vote
you take tonight.

Thank you.

[Applause.]

THE MODERATOR: Mr. Alphonso.

MR. ALPHONSO: Just for the record: Mr.
Clarkson, you’re a paid consultant for Gosnold,
is that –

THE MODERATOR: Okay, we did this last
night.

MR. ALPHONSO: Okay, okay, okay.

THE MODERATOR: We’re going to choose
not to do that again.

MR. ALPHONSO: So I’m going to go back
to where we went with Mr. Fox. Mr. Fox said he
publicly advertised –

THE MODERATOR: Okay, yeah. So, the
Planning Board – we’re going to try to stay out
of the personality so that I don’t get a bunch of
phone calls during the day that you all can’t
behave yourselves –

MR. ALPHONSO: Okay, okay, okay. So –

THE MODERATOR: – okay.

MR. ALPHONSO: – the Planning Board had
just told us all that they properly advertised
it, right? Can I see a show of hands who saw
that advertisement?

[Pause.]

MR. ALPHONSO: Now, does that look, by
looking around the room, does that look like it
was properly advertised to anybody?

FROM THE FLOOR: Oh, no, no, no.

MR. ALPHONSO: So the answer is no, and
that’s the overwhelming two-thirds majority that
you’re going to hear, is no, because it wasn’t.

So, to say that –

MR. LOWELL: [No mic:] Point of order.

THE MODERATOR: Mr. Lowell.

Well, we have a point of order.

Mr. Lowell.

MR. LOWELL: [No mic:] Are we talking
about the amendment or the main motion? We’ve
gotten off track.

THE MODERATOR: I’m – yeah, the amendment.

MR. ALPHONSO: Right. So, the Planning Board has just as much authority as you and I do. We were elected by the people. The Planning Board did not come out of college and they wanted to be on Planning Board for their entire life. They were elected by the people because they ran for that position, like every one of you as well as myself, we ran for these seats.

The people have spoken outside of this room.

And, Mr. Moderator, I’d just like to remind you that last night we did call for a roll call vote, and there’s a lot of people paying close attention to this vote specifically. And I ask you to join me in voting this up.

Thank you.

THE MODERATOR: Okay, Mr. Donald.

MR. DONALD: Yes, I’d like to offer an amendment: to strike the word “church” and replace it with – “churches”, and replace it with
religious institutions.

THE MODERATOR: The words “churches” doesn’t appear in the motion. “A place of worship” is what is in the motion.

Mr. Donald, the motion is “a place of worship”.

MR. DONALD: [No mic:] Okay, I was wrong, then.

THE MODERATOR: Okay.

Okay, Ms. Schneider. Where is she at?

Over here.

Yeah, microphone to my right, please.

MR. SCHNEIDER: Mr. Moderator, I’d like to call the question.

[Applause.]

THE MODERATOR: We have a motion to move the previous question. This requires a two-thirds vote.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The opinion of the
Chair is that the ayes have it by a two-third and
the question is called.

So we’ve got to cue up a slide, here.

This will be a recorded roll call vote.

CHAIRMAN JONES: This is on the
amendment, Mr. Moderator?

THE MODERATOR: Oh, yeah, we’re on the
amendment. All right. So, the amendment is a
majority vote. The underlying article is a two-
thirds vote.

All those in favor of the amendment, the
new definition, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It’s the opinion of the
chair is that the nos have it by a majority and
the amendment does not pass.

The question will come on the underlying
main motion.

All those in favor will signify by
pressing 1A. All those opposed, 2B. So we’re
back to the original language that was printed in
your warrant booklet. And this will be a
recorded roll call vote.

MS. LICHTENSTEIN: Mr. Moderator.

Point of order.

THE MODERATOR: Yes? Point of order?

Yeah.

Microphone, please.

MS. LICHTENSTEIN: The question was called on the amendment, not on the main motion.

THE MODERATOR: Yeah, so by –

MS. LICHTENSTEIN: We were discussing the amendment –

THE MODERATOR: Yeah.

MS. LICHTENSTEIN: – and she called for a vote on the amendment. A vote was not called for the main motion.

THE MODERATOR: Okay. The chair will put to the body the question of whether to continue debate on the main motion.

All those in favor of continuing debate,

signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: It’s the opinion of the
Chair is that the nos have it by a majority, and we’ll cue up the slide. This requires a two-thirds vote for the original language printed in the warrant.

Going to turn it on? Yeah.

All those in favor, signify by pressing 1A; all those opposed, 2B.

[Pause while electronic vote scrolls.]

THE MODERATOR: By a counted vote of 37 in favor and 153 opposed, the necessary two-thirds is not met, and the article fails.

We’ll go on now to Article 28.

Article 28. Madame Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MORAN: Mr. Moderator, I move that the town vote Article 28 as printed in the warrant, with an effective date of January 1, 2020.

THE MODERATOR: Okay, the main motion is as printed, with an effective date of January 1st, 2020.

Discussion on Article 28? Hearing none, the question will come on the main motion.

All those in favor, signify by saying
aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 29. Article 29, the recommendation of the Board of Selectmen is indefinite postponement.

Mr. Finneran.

MR. FINNERAN: Marc Finneran, Precinct 6.

Mr. Moderator, I’d like to put a positive motion on the floor.

THE MODERATOR: As printed?

MR. FINNERAN: As printed.

THE MODERATOR: As printed. Mr. Finneran.

MR. FINNERAN: And also I’d like to ask for a roll call vote on this.

THE MODERATOR: Recorded roll call vote on this.

All those in favor of a recorded roll call vote, signify by standing.
THE MODERATOR: A sufficient number having arisen, when we take a vote on this it'll be by recorded roll call.

MR. FINNERAN: Thank you.

This is Article 29; you've seen it before. Shall Town Meeting vote to authorize the use of a second water meter at properties in the sewer service area for irrigation and other outside purposes? The second meter would be paid for by the property owner, installed by the town and billed at the non-sewer rate. Or take any other action on this matter.

First slide.

You've seen some of this before. It's the same presentation I brought last year. And it just shows you how it's done. Actually, that's about to go up to 337; for all intents and purposes it's about the same.

But, the people in the sewer service area who irrigate are paying over double – or, it's actually double now – to irrigate their properties, wash their cars, and they're being charged for the sewer service but it doesn't --
it’s going into the ground. And I say that’s just not fair and equitable.

These are used not only all over the country, they’re used all over the world. They’re known as exclusion meters or deduction meters, and it’s just for that purpose: so you do not get charged an excessive rate for the water that does not go into the sewer. It’s a pretty simple concept.

These are the Cape towns, as you know, and we went through this before. Barnstable uses a second meter, Chatham does. Provincetown has no irrigation allowed whatsoever; only wells. So, it doesn’t really apply.

And these are the towns I went to last time. I just took all the L’s, as you saw before, and every one of them either uses a second meter or they have – one of them has a formula which goes – use a winter consumption and a summer consumption and they make some kind of an allowance for it. You’re not paying for the water that goes into the ground and not into the sewer.

And, again, it’s the basic question: is
it fair to charge different prices for the same product depending on where you live in town? I certainly say that it’s not.

On the 25th, the Water Department or DPW gave a presentation on water rates. They used these towns as an example. They showed where we stood in relationship to these towns on what our water meter – our water charges were. And Falmouth was somewhere north of center. Or actually south of center, if you look at it. But I also like to point out, if you look at all these towns, none of them come close to the somewhere near 40 percent seasonal properties that we have. So it definitely skews that.

But, anyway. I took all these towns and I counted them and I spoke with them. Again, they all either use a second water meter or they charge a separate sewer rate – or, they charge the sewer rate separately and everyone pays the same for water.

And I found out a little bit about water prices.

Plymouth, which was actually the median in this graph – I couldn’t put the graph onto the
slide, I’m not real computer literate, sorry.

But Plymouth came out to be the median town and I
was very interested to find out: they only have
one water rate. Well, actually, it goes up as
you use more, but theirs is $1.52. The people
in Maravista are paying $6.70. That’s a serious
difference.

And I also found out that Martha’s
Vineyard has very cheap water, but it kind of
makes sense. They’re just a sand bar out there
and all they – you drill a well anywhere, you’re
going to get water. But, as I say – and decent
water, too.

But, of all the towns I researched, I
could not find one that does it the way that
Falmouth does.

It’s not fair to charge these people in
that one specific area, less than ten percent of
the population of the town, twice as much for
water. It’s just – it’s not equitable. And,
as I said last time, I think it’s against the 14th
Amendment, equal protection for all.

There’s some more – I couldn’t fit it
all on one slide, but – and the last one was

Tinkham Reporting
Marion. You can’t get an answer there, anywhere. Even on their website –

[Laughter.]

MR. FINNERAN: – the number they have for Town Hall on their website is disconnected

[laughs].

[Laughter.]

MR. FINNERAN: But, I must say, I called the Town Manager’s cell phone several times; his name is Pickle.

[Laughter.]

MR. FINNERAN: And he actually called back this afternoon, but I was busy and it was too late, anyway. But.

And that’s it, it’s pretty straightforward. I – I think that all our friends and neighbors should be treated equally. If there’s a burden, we need to share it equally. All other towns share it equally. I’m sure if you researched it, you probably found that somebody sued somewhere along the way, because it’s pretty much done universally. And, like I said, not all over the country, all over the world.
That’s basically it. Any questions you got or any? Yeah, I think it’s a simple question.

THE MODERATOR: Okay, Ms. Schneider.

MS. SCHNEIDER: Barb Schneider, Precinct 4.

Worlds are colliding because I’m going to stand here and agree with Marc Finneran.

[Laughter.]

MS. SCHNEIDER: And –

[Applause.]

MS. SCHNEIDER: [Laughs.] Back in 2001 when I moved here full-time and I went to a precinct meeting -- I think Mr. Bidwell was in charge of it at that point -- FACES was working on this whole issue of trying to improve our water quality here, and trying to get everyone in Falmouth to understand it is a Town asset. And it needs to be the burden of the Town to fix that.

And, we didn’t go that direction. A lot of reasons. Mainly because I think we were afraid the town wouldn’t bear it at the polls.

This is a start to correcting that. It isn’t
fair that we’re putting the burden of improving
water quality on small groups of people around
this town. And if we can do this now, perhaps
we can start to wrap our heads - our heads around
this whole issue of what we get when we have
horrible water in our ponds and what we get when
we have good water. And the sewers are what’s
helping that.

Please support this.

THE MODERATOR: Mr. Donahue.

MR. DONAHUE: Bob Donahue, Precinct 3.

Is the Water Commissioner here, or? My
question is: has the Town looked at giving a
discounted rate to those who are on the sewer
system for the summer months?

In the town that I previously came from,
that was the procedure for sewering. You got, I
don’t know, 30 percent off for June, July, August
and September, and you paid the full rate the
rest of the time.

Then the issue of putting in irrigation
came in and that really got everybody to the
point where they had to issue new - a second
water meter, because of the large amount of water
you use when you go into irrigating a half an acre of land.

And I’d also like to ask: is there – of the Commissioner: how will this affect the whole system financially? I know – I agree with Marc, this isn’t fair. But I also feel that if you don’t – if you do give these people a break, then you’re going to throw the numbers of the Water Department and the sewer, both, both of them are going to be thrown off. Or one of them’s going to be thrown off.

And I’d like a little truth in where we stand and what we’re doing.

THE MODERATOR: Okay, why don’t –

MR. DONAHUE: Thank you.

THE MODERATOR: – we get that.

Ms. Lowell.

MS. LOWELL: I have a couple of quick slides on this.

My name is Amy Lowell. I’m the Town of Falmouth’s Wastewater Superintendent. This is the third time that we have discussed this at Falmouth Town Meeting and it was voted down the previous two times.
The basic issues here really haven’t changed. I think there is some misinformation or misunderstanding out there about a couple of things. I’ll just start with the two – I’ll summarize. The two big picture issues are the conservation goals and then the effect of what this would really accomplish in terms of cost distribution.

FROM THE FLOOR: [No mic: Inaudible.]

MS. LOWELL: I’m sorry?

FROM THE FLOOR: [No mic:] You heard me.

FROM THE FLOOR: Point of order.

THE MODERATOR: Who’s – what do we got, here? Where’s the constable?

FROM THE FLOOR: [No mic:] Bullshit!

THE MODERATOR: Sir, I’m going to ask you once to refrain from yelling and swearing on the floor of my Town Meeting or you’ll be removed.

FROM THE FLOOR: [No mic:] Yes, I will, thank you.

THE MODERATOR: Okay. Thank you.

Ms. Lowell.

MS. LOWELL: So, the first issue is
A second meter is contrary to the Town's conservation goals. Treated water, as you all know, is a precious and a costly resource. Irrigation is—it's not like drinking water, it is a discretionary water use. You are not—you don't need to irrigate. That is something that people do as—as they desire.

There are ways of reducing irrigation water use and decreasing cost without this second meter. For example, subsurface or drip irrigation and plants that require less water.

Many towns, including Mashpee, no longer allow spray irrigation because of the conservation goals of the community.

The state is applying increasing pressure on towns to reduce water consumption. Mention in the Town Warrant booklet on this issue was that the state has mandated towns to reduce water consumption, and the town's current average water use is actually slightly above that number.

So the town is really needing to, over time, reduce the water consumption per capita.

We lost the slides, there, but that's all right.
The - the - adding a second meter and in order to reduce cost for irrigation and, as someone just suggested, reducing costs in the summer, for example, would both be contrary to the goals of conservation.

The second main issue that we wanted to bring up in a summary response was that this would not have the desired effect. If the goal is to reduce costs for individuals, what you do is, for all - for the larger number of individuals that are envisioned, what happens if you allow a second meter and a lot of people take you up on that, particularly the largest water users, the Town’s revenue from the sewer rate and from the water rate goes down, and you would need to increase the sewer revenue to cover the costs.

Excuse me, increase the sewer rate again to recover any lost revenue.

So, in the end, you would end up raising the sewer payments for the individual customers -

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: Sir, would you please leave the auditorium.

[Person is escorted out by constable.]
THE MODERATOR: Ms. Lowell.

FROM THE FLOOR: Your slides are back.

MS. LOWELL: That’s it. That’s all I have for slides.

I think I’ll sit down for a moment.

Thank you.

[Laughter.]

THE MODERATOR: Okay.

Let’s see, where was I on my list, here?

Mr. Brown.

SELECTMAN BROWN: Hi, Doug Brown.

Well, I’m not sure I can support just using good quality drinking water for irrigation. What I would like to see us consider is some sort of a town-wide program for installing wells for irrigation. Maybe there could be some sort of low interest loan or some program like that, because, especially in the Maravista peninsula where, if we were extracting the water from that ground, we’d be that much cleaner, cleaning up the peninsula.

The other question I - one question I have, though, is for the water superintendent to just give us a little reminder of why their water
rate has to be doubled. Why can’t we share that
town-wide?

THE MODERATOR: All set?

SELECTMAN BROWN: Yeah, sorry.

THE MODERATOR: Mr. Latimer.

SELECTMAN BROWN: I think Mr. Rafferty

is coming.

THE MODERATOR: Oh, okay, you asked a

question. I was talking to the Clerk, I didn’t

hear what you said.

MR. RAFFERTY: Steve Rafferty, Water

Superintendent for the Town, Precinct two.

I want to just try and understand your

question properly. The water rate is one

number; the sewer rate is a different number.

SELECTMAN BROWN: Okay, I thought from

Mr. Finneran’s slide that the water rate was also
double, is that not so?

MR. RAFFERTY: Correct. It just

happens that the water rate currently is 330. It

will go to 337. The sewer rate is currently --

SELECTMAN BROWN: 670.

MR. RAFFERTY: – 670. 670?

So, when – if you’re on the sewer
system, the bill you get bills you for the use of
water at the 330 rate, and bills you for the
sewer usage at the 670 rate. And the way they
calculate it is on the amount of water through
your meter.

SELECTMAN BROWN: Okay, thank you.

THE MODERATOR: All set?

SELECTMAN BROWN: Yes.

THE MODERATOR: Okay. Mr. Latimer.

MR. LATIMER: Thank you, Mr. Moderator.

Richard Latimer, Precinct one.

As the gentleman just said, there are
two aspects to this. One is the sewer rate,
which is actually a fee. A user fee for
discharge of water. The other, the water rate
that everybody pays, is the price that we pay for
the product. The sewer rate is a fee for the
discharging of the product.

Now, if you want to use pricing to limit
water use, the way to do that is to raise the
cost of water across the board. Because what Mr.
Finneran is saying right now is there are many
people who are not on the sewer who are
irrigating their lawns, washing their cars, and
they’re paying a lower rate for doing that than
the people who are on the sewer, who just happen
to have to pay a sewer fee.

So I would support this idea and let’s
look at, if we want to, you know, promote
conservation of water, look at water pricing as
the better way to do that, separate from the
sewer fee. And if the sewer needs more revenue
to run, then look at the sewer fee, as well.

But this is a question of fundamental
fairness and I have to agree, for once, with Mr.
Finneran on this.

Thank you.

THE MODERATOR: Okay, Mr. Finneran and
then Ms. Braga.

MR. FINNERAN: All the points that were
brought up by the Water Department are valid
except the issue which is the crux of this
article. It still puts it on a very small
percentage of the people when it should be shared
across the board. We should be looking at every
- if there’s a water usage problem, excessive
water use, we should be looking at an every other
day thing.
Most people irrigate wrong, anyway.

You’re not supposed to irrigate every day. You’re supposed to irrigate once a week for a long period of time and make the roots chase the water down, and towards the end of the year you hardly have to irrigate at all.

In California, for instance — and I’m not advocating we do this, but this is an option — they evaluate your irrigation system. If it’s efficient, you pay a low price for water. If it has spray irrigation, which Mashpee has banned, you pay a very high price for your water.

But it’s just a fundamental question of fairness, and we’re not treating each other fairly. The people on Maravista are sharing an undue burden, and I’d like to ask: do they know anywhere in this state? Because I was not able to find a place that does it the way we do. I — you know, I can’t call all 351 towns. But I didn’t find any. I showed it to you there. I — believe me, that’s what I found out.

And, I mean, as I said, this is not only nationwide, it’s worldwide. We’re just not treating each other fairly. And equally.
THE MODERATOR: Okay, Ms. Braga.

SELECTMAN BRAGA: I just wanted to first apologize to Ms. Lowell. It’s hard to get up and give a presentation and then to be interrupted in that way. And to then also not have your slides work, which just was bad luck. But you really always present, you know, the facts and you present yourself in such – at such a high caliber level of professionalism, and I hope that, you know, you recognize that this Board and this Town Meeting always appreciates you bring a lot of information to the table.

This is a complicated subject. And I think you shed a lot of light on something that I certainly – this is not in my wheelhouse and I know for a lot of folks that haven’t done, maybe, some of the research that – that Marc has done, they appreciate the information you’re sharing.

[Applause.]

SELECTMAN BRAGA: So, sorry.

But, to the point of this particular article. I agree with Marc that I – my hope was – we talked about this at the last Town Meeting and my hope was that we could maybe get a little
creative about thinking about how we do – you know, I do agree with Dr. Schneider that the whole town does benefit from the sewering project. I mean, that is to the betterment of all of us. And, you know, particularly in that area, yes, I mean, it’s an area of great disparity, where there is really significant wealth, where you could make water as expensive and sewering as expensive as you want and it’s not going to impact some of the folks who live there. But then, at the other end of the spectrum, it is, you know, there are folks who are trying to stay in pretty humble places and in a beautiful location, and I think that this – we’ve heard from individuals that this has been a challenge.

So, I don’t know if this is the right way to address it, but if it turns out that Town Meeting doesn’t support this, my feeling is I really hope we take a deep look at how we can equalize some of that burden. Because I do think everyone in this room and everyone in the town has benefitted from that sewering project.

And certainly we pay through it, because
it’s a tax that, you know, we’re going to pay back and we’re going to pay back those loans. But I think there’s a very specific burden that’s on the individuals that live there; they are paying for something that we’re benefitting from, so.

THE MODERATOR: Okay, Mr. Rafferty.

MR. RAFFERTY: So, I’d like to try to help understand the bigger picture or what we’re really talking about, here, a little better, if I can.

So, before the Little Pond Sewer Service Area was put in place, there were approximately 800 users on the sewer system who were charged, as we are charging everybody now that we’ve done Little Pond Sewer Service Area, for their use of the sewer based upon the water through their meter. The argument in front of you is: people shouldn’t be paying for water that doesn’t get back to the sewer, and the proposal is to put in more meters, more pipes, more whatever, to reduce the amount of water that is used to calculate the sewer bill.

Could be a lot of work, could be a lot
of effort. Probably won’t get what you want. Let me try to put it into real terms for the people that are living in Maravista. We looked at, for three years, the water consumption for all 1400 users that were put onto the Little Pond Sewer Service Area. Fifty-three percent of all the people that live in the Little Pond Sewer Service Area use less than 40 units of water. Forty units of water is the magic minimum number. So they get charged the minimum for the sewer and the minimum for the water. That’s 53 percent of the people.

So, putting in a second meter reducing the amount of water that they’re being charged won’t change their bill, because they’re already on the minimum.

Close to 83 percent of all the people that are in the Little Pond Sewer Service Area only use twice the minimum. Because they’re folks that are already being reasonable and conservative with their water. They’re not wasting water, I don’t believe, and yes, some of the water doesn’t go back to the sewer. Some of it probably goes to the outside rinse station.
also known as an outside shower.

And then, to the right-hand side of that graph, for those of you that are graphical, you’ll see you get into 15 percent of the people in that area - and I lop off some at the top end because we have a few businesses and a couple of hotels down there - but you have some people that do like to have a green lawn, do like to have an irrigation system, and they use a fair amount of water. They use three, four, five times the minimum amount. So these are the folks that would benefit the most from this proposal.

As Amy explained, the cost of running the sewer system will not change, and so therefore the rate will have to be revised to make sure you recover the costs. So those folks that are using between more than the minimum and roughly twice the minimum are likely to see a 50 to 150 dollars a year increase in their bill over time, while those folks with the lawns who are irrigating might see 150 to 600 dollar a year decrease.

There is a little bit of unfairness to this.
I wear two hats in this town. I also sit on the Board of Health. And the Board of Health took it upon themselves to look at a rule we had that said you have to have a well 50 feet from your property line; if you’re going to put a well in for irrigation, you’ll realize that in a sewered area that rule didn’t make sense in the sense that you didn’t want to foul the ability for your neighbor to put in a septic system. And that setback limit has been moved to ten feet.

So, if you want to reduce your bill because you’re irrigating your lawn, you do have the option of putting a well in. We do not allow spray irrigation on the Board of Health so you’d have to change part of the irrigation system as well as put a well in.

For pricing, the town put a well in at the Police station for about $3300? $3500. We have well drillers that come before the Board of Health; they’re numbers are between 3200 and 3600 dollars to put a well in.

So it’s a little bit of an economic decision for folks to the right-hand side, there,
that are irrigating their lawns. And that is
how I see the facts in this matter and the issue
before you.

THE MODERATOR: Okay, Mr. Murphy.

MR. MURPHY: I understand your plight, here, Marc, but I will also say that — and when
we originally did this sewer system I remember
that this town made a major investment because we
wanted to save our estuaries. Not only did the
folks in Maravista invest in this, but the town-
wide invested in this. We have a debt service
because we invested in that.

I understand what Marc is saying, it
doesn’t seem fair. But there’s been 1200 users
who have paid that same scenario for the entire
time that they’ve had sewering. So what’s going
to happen is the widow that we talk about all the
time in Maravista, we talked about last night,
the person that’s in her property that we want to
be able to give her an opportunity to rent a room
or rent an apartment, is now going to end up
having her sewer rate increased. Her minimum
increased, because it’s going to have to be
spread out over the entire group.
Unfortunately, by doing that, you know, it seems like you’re not going to be charged. But someone’s got to be charged for anything. There’s no free lunch in this world. The money’s going to have to come from somewhere. And, quite candidly folks, it sounds like a good idea but it just can’t work.

I owned a restaurant in Woods Hole and you would not believe the sewer charges that I paid. But, on the same property, there was a marina, and the person at the marina, you wouldn’t believe the sewer charges that he paid. But, all those years we’ve gone along with those sewer charges because it was part of the big picture. Now we’re going to change the rules, you’re going to change the rules for the entire town, not just Maravista. So you’re going to change the rules around Falmouth Harbor. You’re going to change the rules around Main Street. You’re going to change the rules in New Silver Beach. And you’re going to be changing the rules, again, wherever else we sewer.

And keep in mind when we go to the ballot box the next time -- if you’re going to go
and ask the folks to pick up the rates, we go to
the ballot box the next time we go to sewer
something, and we want to ask folks to
participate in this town and not benefit –
because, remember, everyone else still has a
septic system that they have to maintain, they
have to continue to upgrade.

I agree that there is a betterment
there, but that betterment is once. And it goes
over 30 years, I’ll agree with that. But after
that 30 years, that $600 is done.

My septic system is not going to last 50
years. So, it’s just the – you know, we talk
about fairness? We have to put it all on the
table. It’s a balancing act, folks.

As much as I understand what Marc is
saying, I don’t think it’s something that the
town can afford to do.

Thank you.

THE MODERATOR: Okay, Mr. Donald.

MR. DONALD: Yes, a couple of points
here.

It seems like we’re getting really
confused. We’re talking about water
conservation and that’s kind of mixing apples and oranges, here. We’re not talking about water conservation, we’re—Marc is asking that we not discriminate against people on the sewer system.

Now, what—you can look at this a different way. We’re really not overcharging the people on the sewer system for their water. We’re just overcharging them for their sewer.

Now, I’d like a show of hands from Town Meeting members: how many people like to be overcharged? Well, that’s what we’re doing to these people on the sewer.

Now, if people want a second meter and they want to put in a second meter, let them put in a second meter. If they want to incur that charge.

I have a question for Marc Finneran, please. How much is it going to cost to put in a second meter?

THE MODERATOR: Mr. Finneran.

MR. FINNERAN: The second meter itself I believe is in the neighborhood of 200 or two and a quarter. And it’s quite a simple process to install it. All you do is use the cutters,
put in a T, run a short line over to the new
meter and then whatever your plumber charges you
to hitch it up to your irrigation. But it’s a
relatively simple process.

MR. DONALD: So, you’re talking about
maybe $500, maybe?

MR. FINNERAN: Oh, no way. I mean, I
could do one in 15 minutes.

MR. DONALD: Well, if you have a
plumber. Okay, so let’s just say $500 just for
- for laughs.

Now, Mr. Rafferty says, well, instead of
paying $500 for the second meter, they could pay
$3500 and put a well in. Well, well. That
sounds like a bargain to me.

Now, there are people all over town that
are not on the sewer and they like green lawns,
too. People in Penzance, people in Chappaquoit,
people in West Falmouth, people in Craggy Ridge
where I live. They like green lawns and they
like to water them. Now, that’s a different
issue. But we should not be discriminating
against people on the sewer who want to - who
aren’t using this all the - we’re over-billing
them, that’s.

Now, we need to pass this and then the
town needs to figure out how to make up the
revenue.

Thank you.

I vote - I hope everyone votes for this.

Thanks.

THE MODERATOR: Okay, Ms. O’Connell.

MS. O’CONNELL: I’m Maureen O’Connell,

Precinct 4.

I think we’ve heard a lot about this and
I’d like to call the question, please.

THE MODERATOR: All right, we have a
motion to move the previous question.

FROM THE FLOOR: [Inaudible.]

THE MODERATOR: Yeah, I’ve got seven
people on the list and we have a motion to move
the previous question. It’s your decision.

All those in favor, signify by saying
aye.

[AYE.]

THE MODERATOR: All those opposed no.

[NO.]

THE MODERATOR: I’m going to have to do
this with the machine. Yeah, let’s do it.

Going to do a slide on this one.

Yeah, it’s a two-thirds vote to move the previous question.

[Pause.]

THE MODERATOR: All those in favor of closing discussion, signify by pressing 1A; all those opposed, 2B.

[Pause while electronic vote scrolling.]

THE MODERATOR: By a counted vote of 136 in favor and 54 opposed, the question has been moved and the question will come on the main motion as printed. This is going to be a recorded roll call vote.

So if we could cue up another slide.

This requires only a majority.

[Pause.]

THE MODERATOR: All those in favor of the main motion, signify by pressing 1A; all those opposed, 2B.

[Pause while electronic vote scrolling.]

THE MODERATOR: By a counted vote of 81 in favor and 114 opposed, the motion fails.

Article 30. The recommendation of the

Tinkham Reporting
Finance Committee on Article 30 is indefinite postponement.

Ms. Lowell held this article.

Ms. Lowell, would you like to place a positive motion on the floor?

MS. LOWELL: Vicki Lowell, Precinct one.

No, my object -

THE MODERATOR: Yeah, I just need you to place a positive motion on the floor for discussion, and then you can tell everybody how you want them to vote no.

MS. LOWELL: Okay, I wasn’t prepared to do that, but I just wanted to make sure we didn’t vote indefinite postponement without an explanation, although a very short explanation of the article. So -

THE MODERATOR: Okay, so Article 30, we’ll just say as printed.

Ms. Lowell.

MS. LOWELL: Okay. But, but I’m – I do agree to accept the recommendation of indefinite postponement, so I’m not going to ask you to vote for this positive motion.
But I just wanted to give you a brief
update about how we got to this article and then
I’ll tell you what I think’s going to happen from
here on out.

Three years ago, the Community
Preservation Committee provided a $10,000 grant
to the Conservation Commission to have an
environmental baseline study done for the
Shivericks Pond improvements. That’s what the
study was called. I’ve been a member of an ad
hoc working group which was formed this fall to
put together a plan to implement the
recommendations of the study.

If you would all turn to your page 52 in
your warrant book. I’ll give you a second to do
that.

You’ll have a summary of the
recommendations, a visual summary of the
recommendations of – we’d like to – you’ll see
that the proposal was for having a sidewalk along
the edge of the pond. Now there’s only one on
the other side of the street. A viewing
platform, so that people could sit in comfort and
enjoy the ambience of the pond. And, very
importantly would be vista pruning and invasives control, so in the summer that you might be able to see the pond. Now you can’t see the pond in the summer.

The only missing improvement in that visual presentation is that we would also went and proposed when Katherine Lee Bates Road will be redone, which is in the – it’s in the pipeline – would be to improve the drainage so there’s less drainage going directly into the pond.

The whole idea of this proposal is to make Shivericks Pond the asset that it should be in the center of town, more visible and have access. The only access now to the edge of the pond on the Town’s side is a little tiny platform that you have to climb over a guardrail to get to.

In the process of this working group, we’ve got a lot of enthusiasm expressed for this project from – we had letters of support from the Selectmen – not, no, they didn’t send a letter, I’m sorry, but they verbalized support. The DPW, the Conservation Commission, the Recreation Committee and the School Department. They all
want this, they all think this is a really good idea.

But. There’s always a but. The Finance Committee and the administration believes some aspects need further consideration and suggest that the improvements return as a capital budget item for Fall Town Meeting.

As a working group, we’re a little disappointed with the delay but we’re very optimistic that you will have a very positive motion in the fall for the Fall Town Meeting. It was suggested that it come back as a capital project and I think with all the verbal support and encouragement we’ve gotten we will have a very good proposal for you to vote on in the fall.

So, I’m not going to go against the Finance Committee recommendation at this time, so please vote down the positive motion. But when you’re in town this summer and you can’t see the pond, just think about how nice it will be when you can see it.

THE MODERATOR: Okay, The question will come on the main motion.
All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it - I mean, the nos have it and the article fails.

[Laughter.]

THE MODERATOR: Article 35. This is a Community Preservation Committee article.

Madame Chair for the main motion.

CHAIRMAN CUNY: Sorry our chairman couldn’t be here tonight. I’m Sandy Cuny, Precinct 2. Vice-chair of the Community Preservation Committee.

I’d like to move Article 35 as recommended.

THE MODERATOR: Okay, the recommendation is $614,500 from the Undesignated Fund balance for the amphitheater at the Coonamessett Greenway Heritage Trail and Gateway Park.

Who held the article? Yeah, go ahead.

Can we get a mic.
MR. LEMAY: Joe Lemay, Precinct nine.

On this article, the warrant was printed in the paper and three of my constituents came up to me in the public and asked me what this thing was and why are we paying for an amphitheater. And I’ve never had anybody do that to me before. So, I was like, “Wow, there’s something going on, here.”

When I get my warrant book in the mail, I take it around my neighborhood and discuss important the articles with my neighbors. So I did think that, since these people had come up to me in public that this was an important article.

I need my clipboard.

Okay. So, in going around to my neighborhood, I don’t bias my people. I hand them the warrant book and let them read the warrant article, and they can ask me questions like, “What’s this fund? What’s this?” And then they tell me what they think of it.

My constituents are 28 percent for this project and 72 percent against.

So I held the article because I feel with that kind of numbers I need to vote against
THE MODERATOR: Okay. Do we have a – do you want to make a presentation or continue the discussion?

THE MODERATOR: Yes, Ms. Gladfelter.

MS. GLADFELTER: I’m Betsy Gladfelter. I’m with the Conservation Commission.

And we requested these funds from the Community Preservation Committee and the funds – I described yesterday that we’re building a gateway to the Greenway and it’s part of the Coonamessett Greenway Heritage Trail. And the gateway will have a parking area that’s off John Parker Road and then it’ll have trails, it’ll have wheelchair accessible trails down to the river level.

There’ll be a one mile loop around the river level, and tucked into a borrow pit that still exists will be a stepped amphitheater made of the blocks that have been preserved. There are blocks from the 1700s mill and they’ve – then they were at the southern part of the lower dam. And now that has been taken away and a walkway’s been put there, a boardwalk, and we’ve saved.
those so that we can make this amphitheater.

So that’s what this project is about.

THE MODERATOR: Okay, further
discussion on the main motion?

Mr. Latimer.

MR. LATIMER: Thank you, Mr. Moderator,
Richard Latimer, Precinct one.

I just want to add some positive
comments on this.

The Coonamessett River runs from
Coonamessett Pond up in Hatchville all the way
down to Vineyard Sound, through the estuary. It
is perhaps the major river that we have in our
town, and it had been over the centuries
deteriorated, damaged by many projects, and
specifically the cranberry growing that went in
that large bog area that is being restored.

This is a prime area for the migration
of herring species, and also for those of us who
enjoy flyrodding. It’s a brook trout habitat
and sea run brook trout habitat. It’ll be a
major attraction for the Town, a great
recreational area.

I’m voting for it and I hope you all do,
as well. Thank you.

THE MODERATOR: Mr. Goulart.


I was just listening to Mrs. Gladfelter saying that we were going to construct this out of some of the blocks and stuff that were preserved from there already. So what are we paying $600,000 for?

THE MODERATOR: Ms. Gladfelter.

MS. GLADFELTER: We had a conceptual study and we have a landscape architect and engineer who will be working on this project, and any projects in town that require engineering, require money for design and then money for construction.

MR. GOULART: This is an open air amphitheater similar to like maybe what the band shell is up at Scranton Avenue?

MS. GLADFELTER: Yeah, well, actually it’s more like Teaticket Park.

MR. GOULART: Okay. It seems like a – I understand the engineering fees. It seems like we’re spending an awful lot of money.
MS. GLADFELTER: I can assure you if we
don’t need to spend it all, we won’t, and it’ll
go back into C.P.C. And that’s what we’ve done
with other projects.

MR. GOULART: Oh, Mr. Moderator, could
I ask another question?

THE MODERATOR: Yes, Mr. Goulart.

MR. GOULART: I went down there last
Sunday, took a walk down there, see what it all
looked like. So, as you come down John Parker,
if you came directly in on the road across from
Clark Street –

MS. GLADFELTER: Right.

MR. GOULART: - and came down and that
area opens up to the right-hand side down at the
bottom, is that where we’re speaking about –

MS. GLADFELTER: Right, that’s the –

MR. GOULART: - putting it in?

MS. GLADFELTER: - borrow - that’s the
borrow pit.

MR. GOULART: Is it going to butt right
up to the houses that are there?

MS. GLADFELTER: I doubt it’ll be that
high. There –
MR. GOULART: Because that area right back there I noticed was pretty wide open and there’s like three or four yards.

MS. GLADFELTER: No, no, no, it’ll be past where those houses are.

MR. GOULART: It’s going to go past that?

MS. GLADFELTER: Yeah, yeah. And halfway between—halfway up the river for the restored area of the river, there’s a cut that was—it’s called a borrow pit. It’s where you took the sand and put it on the river. And now that river sand has been taken off and put in some of the borrow pits. And there’ll be additional—actually there’ll be additional sand put in that borrow pit before the amphitheater is built.

MR. GOULART: So the entrance or the access to the amphitheater is going to be—

MS. GLADFELTER: There’ll be a parking lot above that borrow pit.

MR. GOULART: Okay, all right, thank you.

MS. GLADFELTER: Yeah. The parking —
where you went down, Clark Street, I mean, that’s
where most people go now. And most of you —
well, those of you who have gone there and most
of us who go regularly realize that it’s very
dangerous coming up. It’s very steep and it’s
hard to see along there. So we’re going to make
a safer parking.

We do a lot of school trips there, too.

THE MODERATOR: Ms. Lichtenstein.

MS. LICHTENSTEIN: Leslie Lichtenstein,
Precinct 8.

I just want to make one comment on Mr.
Latimer’s comment about cranberry bogs. There
is something going on here for years if you say
something that’s not true over and over and over
and over and over again, people believe it. The
cranberry bogs did not add nitrogen to the river.
Nitrogen fertilizer was never put on the river.

In fact, the bogs actually were — the
bogs were removing it.

So, let’s not demonize the bogs. We
have a nice project going on, but it is time to
stop making the bogs an enemy.

THE MODERATOR: Okay, the question will
come on the main motion.

All those in favor of the main motion,

signify by saying aye.

[aye.]

THE MODERATOR: All those opposed no.

[no.]

THE MODERATOR: The ayes have it by a majority.

Article 37.

Madame Chairman.

CHAIRMAN CUNY: I’d like to move Article 37 as recommended.

THE MODERATOR: As recommended. This is to appropriate the sum of $604,384, of which $258,610 is from the Historic Preservation Reserve and $345,774 is from the Fiscal 2020 Community Preservation Fund Estimated Revenues to the Friends of Nobska Light.

Who held this one? Yes, Mr. Lemay.

Can you stand so the microphone carrier can see you, thank you.

MR. LEMAY: Joe Lemay, Precinct nine.

Same thing, when I’m going around to my constituents and sitting in their dining rooms or
in their foyer, depending on how far they’ll let me in their house.

The numbers are 37 percent for funding the lighthouse and 63 percent against. So that’s my little straw poll. It’s just that’s the way my constituents feel.

THE MODERATOR: Okay, Ms. Borden.

MS. BORDEN: Meg Borden, Precinct 7.

I just wanted to ask on your straw poll how many people that entailed.

THE MODERATOR: Mr. Lemay, how big was the sample size?

MR. LEMAY: Okay, I had the three people who attacked me in public and 27 in my neighborhood.


Further discussion on Article 37.

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

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]
THE MODERATOR: The ayes have it by a majority.


CHAIRMAN CUNY: I’d like to move Article 39 as recommended.

THE MODERATOR: Okay, this is to appropriate the sum of $125,100 from the Historic Preservation Reserve to the Falmouth Historical Society for the Dr. Francis Wicks house.

Who held this one? Mr. Lemay. What were the results of your survey?

[Laughter.]

THE MODERATOR: You gotta give him credit, he’s going door to door with a warrant, Man. I wouldn’t let him in, either.

[Laughter.]

MR. LEMAY: I wish you would all do that. Okay, Joe Lemay, the warrant walker.

[Laughter.]

MR. LEMAY: And my neighbors are very upset. They want us to stop having Town Meetings so I’ll stop going to their homes.

However, on this one, when people read the article, I was watching their faces and it
was a complete blank stare. They did not understand this at all, except for three of my neighbors who were contractors, and one of my neighbors who has worked at Falmouth Lumber for 12 years. And their first question was, “How big is this roof?” And I told them – well, I took my tape measure down there and I measured it; it’s about 600 square feet.

So I’m looking for a description of this project that explains how we get to $75,000 to repair a 600 square foot roof and flash a couple of chimneys. That’s almost $130 a square foot.

Now, it’s historic, I agree, but it’s – I want an explanation why that – I did my roof on my house; it was $12,000. Not historic, but if I had used historic materials, I don’t think I could have gotten to 75,000.

So my constituents were either a blank stare, didn’t know what it meant, or the three contractors were like, “How do I bid on this contract?” And the guy at Falmouth Lumber said, “Wow, that’s some really expensive material.” So I bring that to us to just say I need to know why it would cost 75,000.
They also asked about the $50,000 study. I have no idea why it should cost 50,000, what the study is, so.

THE MODERATOR: Madame Chairman, do you want to address that?

CHAIRMAN CUNY: Well, if you look in your explanation, the historic structure report is estimated to cost 50,000. The roof or related repairs are estimated to cost $72,600, and that remaining balance is for a preservation restriction.

Now, when they put their applicant into the Community Preservation Committee, they have to have um –

FROM THE FLOOR: Estimates.

CHAIRMAN CUNY: – estimates, thank you. [Laughs.] And they have to have more than one. So, we take – we take every application, we go through it, we take a tour of the property.

This is an amazing house. If you’ve never been there, really you should go visit it. It’s just absolutely a gem on the Museum on the Green.

So I stand by our recommendation.
There probably will be more articles.

This is a very old house. It is in dire need at this time probably for some repairs, inside and out. And that’s why we wanted the historic structure report so that they know where to start to try to preserve this house.

THE MODERATOR: Yes, Mr. Schmidt.

MR. SCHMIDT: Good evening. I’m Mark Schmidt; I’m the Executive Director for the Falmouth Historical Society.

And for the Town Meeting member who was so gracious enough to go around and ask people about this –

THE MODERATOR: Yeah, Mr. Schmidt, if we could just real quick. You live in Plymouth, correct?

MR. SCHMIDT: I do live in Plymouth and I’m –

THE MODERATOR: Okay.

All those in favor of allowing Mr. Schmidt to speak, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[None opposed.]
THE MODERATOR: The ayes have it.

Mr. Schmidt.

MR. SCHMIDT: Thank you.

There’s two parts to this warrant article, in case you’re not sure. That—a historic structures report, which we got multiple estimates, cost about $50,000, and essentially that’s a DNA report on a building. So what it will do, the 1790 Dr. Francis Wicks house was owned and occupied from 1790 until 1934, and what this will produce will show all the changes and everything that was added to the house in that course of time before the Historical Society obtained it in 1934.

So, as Ms. Cuny pointed out, when the time comes for more restoration and renovation work, we can then give a full report as to what the house looked like at a certain period of time so we can restore it and renovate it in the proper manner.

The remainder of the monies, the $72,000, is for restoration and renovation to the roof area, what’s called the rear L, and there’s actually original fabric that a structural
engineer came and looked at.

The roof needs to be removed, taken off.
The actual original fabric needs to be repaired and then replaced. Because of the delicate nature, because we have, you know, 15,000 people visit our facility every summer, because of the nuances involved with historic preservation and restoration, that’s why it’s not the same cost as a regular roof.

THE MODERATOR: Okay.

MR. SCHMIDT: I hope that – does that help?

FROM THE FLOOR: Yes.

THE MODERATOR: Mr. Netto.

MR. NETTO: Joe Netto, Precinct 9.

Mr. Moderator, through you a question to the Town Manager, please.

THE MODERATOR: Yes.

MR. NETTO: Mr. Suso, are these Community Preservation Act projects, do they come under the state bidding guidelines of 30B or are they exempt?

THE MODERATOR: Mr. Suso.

MR. SUSO: My understanding is they

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would be exempt if it’s going through a private
party, but I’m not an expert on that.

THE MODERATOR: Ms. Petit.

MS. PETIT: Yes, that’s correct. When
we allocate funds from the C.P.C. as a grant to a
private party, then it is exempt for procurement
because we’re giving it to them as a grant. If
it’s a public project and done on public
property, then it would be subject to the bidding
laws.

MR. NETTO: Well, okay, I think you
people know I feel this is interesting. There
may be some questions down the road should be:
what type of bidding process does the Community
Preservation Committee do. Because these are
taxpayers’ dollars. And 30B, the competitive
bid process by the state, was to protect those
dollars.

Ms. Cuny, Mrs. Cuny, I think at the next
Town Meeting when we have funds like this – and,
you know, an elected Town Meeting member brought
up an exorbitant –

THE MODERATOR: I see you. He’s
talking, okay, relax.
Go ahead, finish up.

MR. NETTO: You know, an exorbitant account. I think there's some explanation should be as how these costs are derived, that's all. I mean, that's two of them in a row, now, that we've had.

Again, these are tax -

CHAIRMAN CUNY: I can answer that.

MR. NETTO: - this is what we pay.

Thank you.

THE MODERATOR: Okay --

CHAIRMAN CUNY: I can answer that, because when -

THE MODERATOR: And then we'll go back.

MS. CUNY: - somebody applies, an application, they have to have two or three different estimates. They don't want to have to spend any more money than they have to because they're raising the rest. I mean, almost every person that comes before us, we ask them, “What kind of funding do you have?” And they have to go out and raise funds. Many times over.

So, by getting two or three estimates,
they try to get the best one they can. This just happens to be historic and so those are always higher. And you saw, there was only 18 historic—no, there was 18 community projects, never mind.

Anyway, that’s the reason.

THE MODERATOR: Do you have more to add? Yeah.

Can we get a microphone. Yeah.

Then Ms. Connolly.

MS. SUTHERLAND: My name is Carole Sutherland and I’m the Community Preservation Coordinator.

There is another standard that has to be met for historic restoration. Any project has to meet the Secretary of the Interior standards for the treatment of historic properties. If it doesn’t meet those standards, the CPA funding can’t be used. So we employ a preservation consultant, who gives the property a visit at the outset; determines that the property qualifies for historic preservation. He visits the property during project implementation. And then, at the conclusion, he performs a site visit.
and certifies that the restoration work was done according to the Secretary of the Interior standards.

So the procurement process for a normal capital improvement would not apply here. This is an entity that it has applied for funding. This is a project reimbursement. The Town will not pay the vendor directly, but the Historical Society pays the bills. We review the invoices. We make sure that they pass muster, and then we pay the bills accordingly.

THE MODERATOR: Okay, Ms. Connolly.

MS. CONNOLLY: Thanks. Anne Connolly, Precinct six.

So, my family used to have a really neat old house in West Falmouth, built in 1840. We also had to do a roof. It was much bigger than 600 square feet. It was $48,000 in 2003 for architectural asphalt shingles. And it was because every time you rip something up, there was something rotten.

This is par for the course with old houses. And certainly historic structures are important enough.
The Wick’s facility is a treasure and we should take every opportunity to preserve it, and I hope you’ll support this article.

THE MODERATOR: Any further discussion on the main motion as printed? Hearing none, The question will come on the main motion.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[No.]

THE MODERATOR: The ayes have it by a majority.

Article 41. Madame Chairman.

CHAIRMAN CUNY: I’d like to move Article 41 as recommended.

THE MODERATOR: This is to appropriate the sum of $40,000 from the Undesignated Fund Balance to develop a conceptual plan for the Falmouth Community Play Space located at 67 and 81 Davisville Road.

Mr. Netto, you held this article.

MR. NETTO: Joe Netto, Precinct nine.

I would have put the positive motion on
the floor, Sandy.

I held this article not to speak against it, by no way, just for some information. And some background.

I was a member of the Emerald House Committee that the Selectmen formed, and one of the goals of the Emerald House Committee obviously was to restore the house, which we did. And the Falmouth Service Center did a wonderful job in the years that they were there, and hopefully the Town can replace that great organization with another great nonprofit.

But one of the other goals that we never did accomplish on the Committee and was to bring in a community garden. And that never materialized, obviously, a community garden for the people of East Falmouth to use, and it would be in conjunction with a school project with the East Falmouth school. If you drive by the village school tonight and go down the road, you’ll see that this elementary school downtown has a garden for their children to see the benefits of putting the seed in the ground and watching something grow.
So, I held the article to remind Town officials that in the planning of this handicap playground – which, adult playground as we saw in the presentation last night, which is very needed – that we not forget, and leave room for the community garden, which was one of the reports that we brought back to the Town as a member of this committee.

So, in the planning for the playground I would hope that the Town remembers that there’s a community garden to be put there.

And, Mr. Moderator, the Chairman of the Committee, Mr. Kendall’s here and I think he would like to have something to say, too.

Thank you.

THE MODERATOR: Mr. Kendall.

MR. KENDALL: Town Meeting members, Mr. Moderator, the 1995 Falmouth Annual Town Meeting voted to purchase land now or formerly belonging to Manuel Emerald, consisting of 4.67 acres more or less, located off Davisville Road in East Falmouth. The purchase placed into Town ownership a two story home and several acres of farm land. No one was living at the site in
1995 and no farming has taken place for many years.

The family generously sold the property to the Town at a price below what they could have received from a private buyer. In its vacant state, the house has drawn different views as to appropriate use. Members of the Emerald family had owned the home from 1906 to 1995. Their years lived in the house are a representative chapter of Portuguese immigration history. The Manuel Emerald story in the American began in the 1890's and is recalled by his daughter in anything that's written, if you read the Falmouth Enterprise, and what Ms. Russell did and the Spritzer [sp?] publication.

Like Joe, we are for the article. We are delighted to see the proposal in bringing something to Falmouth long since needed, and it will be a great asset.

What I hope to do is to double-down and find it. Because we're not mutually exclusive. I think my goal would be to see if we can continue to provide the historic importance of the Emerald family and strawberry growing.
Because strawberry growing in this town was big time.

Manuel immigrated to Falmouth from the Azores in 1898. His brothers John, Frank and – had arrived also in the same period. They were all experienced farmers. And they knew that crops could be grown, hard work rewarded, and families could thrive and enjoy the fruits of their labor.

They had a vision of what could be harvested and large red strawberries have been the landmark of Falmouth growers for over a hundred years.

The New Bedford Times wrote in a front page article in 1930, “Two and a half billion quarts of berries with a value of $400,000". That’s in 1930 money. The paper reported that Falmouth was the largest berry producing area north of Maryland.

What I would like to see, if – if we can continue to have, as the Service Center did, some sort of recognition, it could be photographs of the family, of pickers, of what the strawberry industry represented. It was a huge industry.
And I think we are not mutually exclusive. And then when the planning – when the grant comes or the planning document comes before the Town, if we could just have -- and it would not be expensive, just as the Service Center did, some pictures, some kind of plaques, something that would tell a story of what was here in those days, when everybody, if you drove down Davisville Road or Sandwich Road, or any other streets that grew strawberries, there would be strawberry stands out front of the house.

It has that kind of significance. It was the - that moneymaker for those short weeks that we have on the town. So if we could combine the historical significance of that. Because that’s the last house on Davisville road that shows what it was like. They raised eight children in that home. Not today; code would never allow it, but in those days you did what you had to do.

Just some other stories that go with the family that should be remembered. They, during World War II, the troops, they were going to do the invasion of Normandy and go through Europe.
with bivouac at the end of Davisville Road. And
those soldiers would be bivouacked and they would
march down Davisville Road to the Vineyard Sound
for a practice landings on Washburn Island and
other beaches. And the little kids along the
road would bring out their strawberries; the
soldiers put out their helmets, the kids would
throw the strawberries in and they would march
off down to the beach with strawberries and many
of those fellows never came back.

I think it happened – I had another case
of a family on Sandwich Road who had a large
strawberry farm. He had been drafted. Most of
the men and women were involved in the war
effort. He was stationed in Germany and through
Europe for a year of combat. He had a leave
coming to him. He took his leave, hopped a
military flight, got back in the U.S., back to
Falmouth, stayed his 30 day leave picking
strawberries because nobody was around to do it.

And just to tell you how big this was,
if you were a school kid in Falmouth, you could
skip school a week and you could pick
strawberries and you’d get a nickel a box and all
you could eat.

So there’s a story there that we should not lose. It was important. I think the historical significance would be easily merged with the safe play area and we’re looking for a two for one. And I hope that when a plan comes back to the Board of Selectmen that you will consider how we might incorporate some sort of recognition of what strawberry growing represented to the Town of Falmouth in those years.

Thank you, Mr. Moderator.

THE MODERATOR: Thank you, Mr. Kendall.

[Applause.]

THE MODERATOR: Mr. Herbst.

While we’re waiting for a microphone for Mr. Herbst, I’ll also mention that the Ramiza [sp?] family, in a house just slightly larger than the Emerald family, raised 22 children. And the German prisoners of war from Otis used to come and pick the strawberries and get paid to pick the strawberries on Brick Kiln Road.

Mr. Herbst.

MR. HERBST: Thank you. Ralph Herbst,
Precinct eight.

I’m a member of the Board of Directors of a new organization in Town called Farming Falmouth. We’re currently working towards becoming a 501C3 tax exempt organization. Our number one priority this year, we’re just starting, is to assist the gardeners who are being displaced from the garden, the community gardens over by the Service Center and moving them to Tony Andrews Farm. And one of the future endeavors that we’re planning is to have a community garden at the Emerald facility.

THE MODERATOR: Okay, excellent.

The question will come on the main motion as recommended.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[None opposed.]

THE MODERATOR: The ayes have it unanimous.

At this time I’ll recognize the Chairman of the Finance Committee for notice of how much
money we spent at this Town Meeting.

CHAIRMAN SCHWEGEL: Thank you, Mr. Moderator.

This Town Meeting has appropriated for FY20: $143,177,524.

THE MODERATOR: Okay. At this time I recognize the Chairman of the Board of Selectmen for the notification of the Fall Annual Town Meeting.

CHAIRMAN MORAN: Fall Town Meeting will be November 12th.

THE MODERATOR: Okay, Tuesday, November 12th because of the Veteran’s Day holiday on the Monday, will be our next Town Meeting.

At this time, the Chair would entertain a motion to dissolve the meeting. So moved.

All those in favor, signify by saying aye.

[Aye.]

THE MODERATOR: All those opposed no.

[None opposed.]

THE MODERATOR: This meeting is dissolved.

[9:02 p.m., Whereupon, the meeting ended.]
CERTIFICATE

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 Night Two of the Falmouth Spring Town Meeting, taken by me on Tuesday, April 9, 2019. To the best of my ability the within transcript is a complete, true and accurate record.

In witness whereof, I have hereunto set my hand and Notary Seal this 6th Day of May, 2019.

/s/ Carol P. Tinkham
Carol P. Tinkham, Notary Public

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