

**SPRING ANNUAL TOWN MEETING
HELD AT FALMOUTH, MASSACHUSETTS
APRIL 12, 2004**

- 1 Choose Town Officers
- 2 Hear Report of Committees and Town Officers
- 3 Authorize Board of Selectmen to settle claims and suits.
- 4 Authorize Board of Selectmen to apply for and accept state and federal grants
- 5 Bond of Indemnity
- 6 Fix salaries of Elected Officials
- 7 Approve revolving fund - Code of Falmouth
- 8 Approve revolving fund - Recreation Department
- 9 Medicaid Services Program
- 10 Fire and Police Department line of duty injury
- 11 Fund AFSCME contract
- 12 Fund Laborers Union contract
- 13 Fund Laborers Union contract (Library employees)
- 14 Fund Firefighters Union contract
- 15 Fund Police Federation contract
- 16 Fund Superior Officers' Association contract
- 17 Fund raise for Technical/Administrative and Management positions
- 18 Amend Town's Position Classification Plan - Assistant Town Administrator
- 19 Amend Town's Position Classification Plan - Detention Attendants (Police Department)
- 20 Amend Town's Position Classification Plan - G. I. S. Coordinator
- 21 Amend Town's Position Classification Plan - Network/Computer Technician (IT)
- 22 Amend Town's Position Classification Plan - Chief/Asst. Chief Wastewater Plant Operator
- 23 Amend Town's Position Classification Plan - Wastewater Plant Laboratory Technician
- 24 Amend Town's Position Classification Plan - add two firefighters
- 25 Fund Fiscal Year 2005 Operating Budget
- 26 Amend Article XXX Section 240- 160B - Accessory and Temporary Uses
- 27 Amend Article XXV Section 240-124 - Planned Residential Development
- 28 Petition - Amend Official Zoning Map 146 Sandwich Road
- 29 Petition - Amend Official Zoning Map 141 Sandwich Road
- 30 Petition - Rezone 450 East Falmouth Highway
- 31 Land purchase - Cooper Road
- 32 D.P.W. maintenance facility - renovation and addition
- 33 Transfer use of land from Conservation Commission to Board of Selectmen - Mares Pond
- 34 Adopt boat safety regulation
- 35 Fund matching grant for "Critical Nitrogen Loading Threshold Reports"
- 36 Fund Workers Compensation Trust Fund
- 37 Appropriate funding for professional tax consultant services
- 38 Accept GL Ch. 148 Section 856 - Licensing of parking lots
- 39 Updated Falmouth Local Comprehensive Plan
- 40 Authorize the Board of Selectmen to grant an easement off Scranton Avenue
- 41 Accept GL Ch. 40 Section 8G - Allow mutual aid agreements for the Police Department
- 42 Funding Article

ARTICLE 1: To choose all other necessary Town Officers for the year in accordance with nominations to be offered at Town Meeting.

VOTED: By a unanimous vote, a quorum being present on Monday, April 12, 2004 the Town elected the following persons to serve as members of the Finance Committee for three year terms: Stephen S. Fassett, Bryan Anderson, Frederic W. Schneider, Jo-Ann M. Lemoine, and Adrian C.J. Dufresene.

ARTICLE 2: To hear reports of Committees and Town Officers and act thereon.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to accept the report of the Planning Board, to accept the report of the Planning Committee, and to accept the report of the Recreation Committee.

ARTICLE 3: To see if the Town will vote to authorize the Selectmen to settle claims and suits which are pending or may arise against the Town. Or do or take any other action in the matter. On request of the Board of Selectmen.

VOTED: By a unanimous vote, a quorum being present on Monday, April 12, 2004 the Town voted to authorize the Selectmen to settle claims and suits which are pending or may arise against the Town for the purposes of Article 3 as requested.

ARTICLE 4: To see if the Town will authorize the Board of Selectmen to apply for and accept state or federal grants they deem beneficial to the Town, provided that the Board of Selectmen shall hold a public hearing prior to the Board's acceptance of any such grant, if said grant requires the Town to meet future conditions or requirements. Or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to authorized the Board of Selectmen to apply for and accept state or federal grants they deem beneficial to the Town, provided that the Board of Selectmen shall hold a public hearing prior to the Board's acceptance of any such grant, if said grant requires the Town to meet future conditions or requirements.

ARTICLE 5: To see if the Town will vote to assume the liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as most recently amended by Chapter 5, Acts of 1955 for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores and shores along a public beach, including Merrimack and Connecticut Rivers, in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Board of Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth. Or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By a unanimous vote, a quorum being present on Monday, April 12, 2004 the Town voted to assume the liability in the manner provided by Section 29 of Chapter 91 of the General Laws as amended for the purposes of Article 5 as printed.

ARTICLE 6: To see if the Town will vote to fix the salaries of the Elected Officials as follows:

Moderator.....	\$1,500
Town Clerk.....	\$52,999

Selectmen (4)..... \$3,000
 Chairman of Selectmen.....\$3,500

Or do or take any other action in the matter. On request of the Board of Selectmen.

VOTED: By a majority vote, a quorum being present on Monday, April 12, 2004 the Town voted to raise and appropriate \$1,539 to fund a salary increase for the Town Clerk as recommended in the wage and classification plan and set the salaries of the Elected Officials as follows. Said funds to be expended under the jurisdiction of the Town Administrator.

Moderator..... \$1,500
 Town Clerk..... \$52,999
 Selectmen (4)..... \$3,000
 Chairman of Selectmen.....\$3,500

ARTICLE 7: To see if the Town will vote the revolving fund for the expenditures of updating the Code of Falmouth under General Laws Chapter 44, Section 53E1/2 as established by Article 3 of the April 1998 Annual Town Meeting and raise and appropriate the sum of \$7,000 for the purpose of the article. Or do or take any other action on this matter. On request of the Town Clerk

VOTED: By a majority vote, a quorum being present on Monday, April 12, 2004 the Town voted approval for continuation of the revolving fund for the expenditures of updating the Code of Falmouth under General Laws Chapter 44, Section 53E1/2 as established by Article 3 of the April 1998 Annual Town Meeting and raise and appropriate the sum of \$7,000 for the purpose of the article 7 as requested.

ARTICLE 8: To see if the Town will vote to authorize continued use of the revolving fund known as the "Falmouth Recreation Department Revolving Account" under General Laws Chapter 44, Section 53E1/2 as established by Article 4 of the April 1998 Annual Town Meeting. Or do or take any other action on this matter. On request of the Recreation Committee.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted approval for continuation of the revolving fund for the purposes of Article 8 as requested.

ARTICLE 9: To see if the Town will vote that any funds received by the Town of Falmouth as part of the Medicaid Medical Services Program (defined in M.G.L. c.44,S72) are allotted to the School Committee for use under its jurisdiction for the benefit of educational programs, or do or take any other action related to this matter. On request of the Falmouth School Committee.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004 the Town voted approval of Article 9 as requested.

ARTICLE 10: To see if the Town will vote to appropriate the sum of Fifteen Thousand Dollars (\$15,000) for the purpose of funding hospital, medical and related expenses incurred by employees of the Fire and Police Departments in the performance of their duties and to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004 to raise and appropriate the

sum of Fifteen Thousand Dollars (\$15,000) to be expended under the jurisdiction of the Board of Selectmen for the purposes of Article 11 as requested.

ARTICLE 11: To see if the Town will vote to appropriate a sum of money to be appropriately distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and the American Federation of State, County and Municipal Employees (AFSCME), to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 12: To see if the Town will vote to appropriate a sum of money to be distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and the Laborers' International Union of North America (DPW) to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 13: To see if the Town will vote to appropriate a sum of money to be distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and the Laborers' International Union of North America (Falmouth Public Library) to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 14: To see if the Town will vote to appropriate a sum of money to be distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and International Association of Firefighters, Local 1397 to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 15: To see if the Town will vote to appropriate a sum of money to be distributed by the Town Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and the Falmouth Police Federation to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 16: To see if the Town will vote to appropriate a sum of money to be distributed by the Town

Accountant to the accounts affected for the purpose of funding the provisions for the contract period commencing July 1, 2004, as agreed to by the Town of Falmouth and the Falmouth Police Superior Officers' Association to determine how the same shall be raised and by whom expended. Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 17: To see if the Town will vote to appropriate a sum of money to be distributed by the Town Accountant, to the accounts affected for the purpose of funding a raise to all non-aligned and Technical/Administrative and Management employees in permanent positions covered by the Plan for the period commencing July 1, 2004, to determine how the same shall be raised and by whom expended. Or do or take any other action in this matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 18: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Assistant Town Administrator	Gr. M-11
Delete:	Assistant Town Administrator	Gr. M-10

Or do or take any other action in this matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 19: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Detention Attendants (Police Dept.)	Gr. 05
Delete:	Detention Attendants (Police Dept.)	Gr. 02

Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 19.

ARTICLE 20: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	G.I.S. Coordinator	Gr. M-06
Delete:	G.I.S. Coordinator	Gr. M-05

Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 20.

ARTICLE 21: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Network/Computer Technician	Gr. M-05
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Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 21.

ARTICLE 22: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Chief Wastewater Plant Operator	Gr. M-07
Delete:	Chief Wastewater Plant Operator	Gr. 12
Add:	Assistant Chief Wastewater Plant Operator	Gr. 12

Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 22.

ARTICLE 23: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Wastewater Plant Laboratory Technician	Gr. 10
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Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 23.

ARTICLE 24: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Delete:	44 Firefighters
Add:	46 Firefighters

Or do or take any other action in the matter. On request of the Town Administrator.

VOTED: By a majority vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend the Town's Position Classification Plan as printed in Article 24.

ARTICLE 25: To see if the Town will vote to appropriate such sums of money as may be deemed necessary to defray the Town's expenses for the ensuing year, to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to appropriate \$1,784,855 from the various sources for the purposes stated in the warrant booklet under article 25 and raise and appropriate \$82,764,555 under the estimated fiscal year 2005 levy limit to be applied to all other remaining balances under article 25 to fund the fiscal year 2005 operating budget for a total of \$84,549,410 and to transfer \$1,931,376 from certified free cash to reduce the Tax Rate.

ARTICLE 26: To see if the Town will vote to amend Section 240-160 B. of Article XXX – Accessory and Temporary Uses – of the Zoning Bylaw by adding the words “**a container for storage and/or**” so as to read:

B. A temporary permit may be issued by the Building Commissioner for the use of **a container for storage and/or** a trailer as a field office at a construction site during the period when construction is actually underway. A

trailer used as a field office is subject to approval by the Board of Health and shall not be used for real estate purposes.

Or do or take any other action on this matter. On request of the Planning Board

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend Section 240-160 B. of Article XXX – Accessory and Temporary Uses – of the Zoning Bylaw as printed in Article 26.

ARTICLE 27: To see if the Town will vote to amend Article XXV – Planned Residential Development – of the Zoning Bylaw by deleting the first and second sentences of §240-124 and inserting in its place the following:

“When the development plan includes multifamily dwellings, the total area of the tract covered by the plan shall be at least 10 acres in RAA/AGAA /PU/RA/AGA Zoning Districts and 5 acres in RB/AGB/RC/GR Zoning Districts. Without multifamily dwellings the total area must be at least the area required for two conforming building lots under the schedule of requirements in §240-67.A for all of the eligible Zoning Districts (RAA/AGAA/PU/RA /RB/RC/AGA/AGB). “

Or do or take any other action on this matter. On request of the Planning Board.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to amend Article XXV – Planned Residential Development – of the Zoning Bylaw as printed in Article 27 .

ARTICLE 28: Amend the official zoning map of the Town of Falmouth to rezone the portion of the property on 146 Sandwich Road zoned Agricultural B to Business 3 shown on Assessors Map 34, Section 2, Parcel 035, Lot 000c including Parcels 10, 11, 12 and 12B. On request of Jayne Drew Flynn, David Drew and others.

MOTION: Amend the official zoning map of the Town of Falmouth to rezone the portion of the property on 146 Sandwich Road zoned Agricultural B to Business 3 shown on Assessors Map 34, Section 2, Parcel 035, Lot 000c by extending the 100 foot-wide Business 3 Zone south approximately 70 feet to within 25 feet of the property line as depicted on the map below.



VOTED: By two thirds majority vote, a quorum being present on Monday, April 12, 2004, the Town voted to Amend the official zoning map of the Town of Falmouth to rezone the portion of the property on 146 Sandwich Road zoned Agricultural B to Business 3 shown on Assessors Map 34, Section 2, Parcel 035, Lot 000c by extending the 100 foot-wide Business 3 Zone south approximately 70 feet to within 25 feet of the property line as depicted on the map below.



ARTICLE 29: Amend the official zoning map of the Town of Falmouth to rezone the portion of the property on 141 Sandwich Road zoned Agricultural B to Business 3 shown on Assessors Map 34, Section 04, Parcel 012, Lot 000A. On request of David Drew and others.

VOTED: Having failed to reach a two-thirds majority, a quorum being present on Monday, April 12, 2004, the Town voted to indefinitely postpone Article 29.

ARTICLE 30: To see if the Town will rezone a portion of Parcel 33 20 001 000 from Residential C to Business 2. Said Parcel is located at 450 East Falmouth Highway and the area to be re-zoned contains 56, 917 square feet bounded and described as follows:

Beginning at the southwest corner of the premises;
 Thence N 22° 47' 46" E, 321.23 feet;
 Thence S 69° 25' 36" E, 232.61 feet;
 Thence S 10° 42' 00" W, 83.10 feet;
 Thence N 82° 37' 46 " W, 114.75 feet;
 Thence S 14° 55' 00" W, 207.11
 Thence along a curve on Route 28 having a radius of 2,000 feet
 And a length of 65.27 feet;
 Thence N 72° 06' 36" W, 102.94 feet to the place of beginning.

On request of Paulino P. Rodriques and Elizabeth M. Rodriques and others.

VOTED: By a counted vote of 58 in favor and 129 opposed a quorum being present on Monday, April 12, 2004, the Town voted to indefinitely postpone Article 30.

ARTICLE 31: To see if the Town will vote to authorize the Board of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN three (3) parcels of land in Falmouth, Bamstable County, Massachusetts, described as follows:

Land now or formerly of Phyllis Chapman and Benjamin Losordo, Trustees of Home Trust being 69 Cooper Road (lot 136) Assessors Map 39 02C 000 136 as described in a deed recorded in Book 5497 Page 310, Cooper Road (Lot 133) Assessors Map 39 02C 000 133 as described in a deed recorded in Book 5497 Page 310; and Parcel 1 Irving Road Assessors Map 39 02C 001 000 described in a deed recorded in Book 5497 Page 310, all located in East Falmouth, Bamstable County, Massachusetts for the purposes of open space, public recreation or other municipal purpose as provided in either G.L. ch. 40, §8C or any other appropriate authority, said land to be under the jurisdiction and control of the Board of Selectmen or the Conservation Commission, as specified.

And, further, to appropriate for the acquisition of the foregoing land, including costs incidental and related thereto, and further to authorize the Board of Selectmen or its designee to accept any further gifts of property, real, personal or otherwise, in relation to the foregoing acquisition and to enter into any agreements and to execute all documents it deems advantageous on behalf of the town, for partial or full reimbursements of the cost of acquisition, and to determine how the same shall be raised, including appropriation from the Land Bank Fund or by borrowing said sum or any part thereof pursuant to Chapter 44, Section 7(3) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes to the Town therefore, and by whom expended, or do or take any other action this matter. On request of the Board of Selectmen.

VOTED: By two thirds majority vote, a quorum being present on Monday, April 12, 2004, to authorize the Board

of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN three (3) parcels of land in Falmouth, Barnstable County, Massachusetts, as described in Article 31.

ARTICLE 32: To see if the Town will vote to appropriate a sum of money for construction of the renovation and addition of the Department of Public Works Maintenance Facility on Gifford Street, including costs incidental and related thereto, and to determine whether to raise this appropriation by borrowing, or otherwise; provided that no sum shall be borrowed unless the Town shall have voted at a Town Election to exempt the amounts required to pay for the bonds or notes issued for the project from the provisions of Proposition 2 ½, so called, or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By the necessary two-thirds vote, a quorum being present on Monday, April 12, 2004 to appropriate the sum of \$5,425,950 for construction of the renovations and addition to the Department of Public Works Maintenance Facility on Gifford Street, including costs incidental and related thereto, and the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under the provisions of G.L. chapter 44 §7(3A) or any other appropriate authority and to issue bonds and notes of the Town therefore; provided, however, that no sum shall be expended under this appropriation unless the Town shall have voted to exempt amounts required to pay the notes and bonds issued for the project from the provisions of Proposition 2 ½, so called, said sum to be expended under the jurisdiction of the Board of Selectmen

ARTICLE 33: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to transfer jurisdiction of land from the Conservation Commission for conservation purposes under G.L. ch. 40, §8C to the Board of Selectmen for water resource protection, water supply and other municipal purposes, as more particularly set forth in a vote of the Board of Selectmen dated May 12, 2003, said land being described as follows:

Parcel "A", containing 16.00 acres as shown on a plan entitled "Plan of a part of Land Acquired Pursuant to Article 1, April 8, 1986 Special Town Meeting showing jurisdiction of Board of Selectmen and Conservation Commission, prepared for Town of Falmouth Public Works Department, 59 Town Hall Square, Falmouth, Massachusetts, date 1-2-02, scale 1" = 100', job no. 99261, William MacKenzie, P.L.S., President, Alpha Land Surveying and Engineering Associates, Inc., 695 Wareham Street, Middleboro, Massachusetts 02343."

Or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Tuesday, April 13, 2004, the Town voted to authorize the Board of Selectmen to petition the General Court to transfer jurisdiction of land from the Conservation Commission for conservation purposes as printed in Article 33.

ARTICLE 34: To see if the Town will vote to adopt the following boat safety regulation to be appropriately numbered by the Town Clerk in Chapter 231:

Operation of Motorboats:

1. Motorboats shall not be operated:
 - a) within 150 feet of shoreline which is being used as a swimming area, whether public or private, or
 - b) within 75 feet of the seaward boundary of a public bathing beach, if designated

by markers, floats or otherwise

2. Motorboats shall not anchor:
 - a) within 75 feet of the seaward boundary of a public bathing beach, if designated by markers, floats or otherwise.

Or do or take any other action on this matter. On request of the Harbor Master,

AMENDMENT: Delete subsection a) of section 1.

VOTE ON AMENDMENT: By a majority vote, a quorum being present on Tuesday, April 13, 2004, the Town voted to delete subsection a) of section 1.

VOTED: By majority vote, a quorum being present on Tuesday, April 13, 2004, the Town voted to adopt as amended the following boat safety regulation to be appropriately numbered by the Town Clerk in Chapter 231:

Operation of Motorboats:

1. Motorboats shall not be operated:
 - a) within 75 feet of the seaward boundary of a public bathing beach, if designated by markers, floats or otherwise
2. Motorboats shall not anchor:
 - a) within 75 feet of the seaward boundary of a public bathing beach, if designated by markers, floats or otherwise.

ARTICLE 35: To see if the Town will vote to appropriate \$73,800 to provide matching funding to the Massachusetts Estuaries Project (MEP) for the preparation of "Critical Nitrogen Loading Threshold Reports" for Little Pond, West Falmouth Harbor and Oyster Pond. And to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to raise and appropriate \$73,800 for the purposes of Article 35 to be expended under the jurisdiction of the Board of Selectmen.

ARTICLE 36: To see if the Town will vote to appropriate \$75,000 to Line 84137-57790 for the purpose of replenishing the Workers Compensation Trust Fund and to determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Town Administrator.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to raise and appropriate \$75,000 for the purposes of Article 36 to be expended under the jurisdiction of the Town Administrator.

ARTICLE 37: To see if the Town will vote to appropriate a sum of money for the purpose of engaging the services of a professional tax consultant to review the Town's obligations under, and compliance with, relevant sections of the Internal Revenue Code pertaining to tax exempt organizations. To determine how the same shall be raised and by whom expended. Or do or take any other action on this matter. On request of the Town Treasurer.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to raise and appropriate \$5,000 to be expended under the jurisdiction of the Town Treasurer for the purposes of Article 37.

ARTICLE 38: To see if the Town will vote to accept the provisions of G.L. ch. 148, §56 regarding the licensing of parking lots in the business of conducting or maintaining open-air parking spaces, or do or take any other action on this matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town to accept the provisions of G.L. ch. 148, §56 for the purposes of Article 38 as requested.

ARTICLE 39: To see if the Town will vote to adopt the Goals and Policies of the Updated Falmouth Local Comprehensive Plan as collaborated and written by the Local Plan Committee.

Or do or take any other action on this matter. On request of the Local Plan Committee.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted Indefinite Postponement

ARTICLE 40: To see if the Town will vote to authorize the Board of Selectmen to grant an easement to Commonwealth Electric Company and Verizon of New England, Inc. on land off Scranton Avenue, being lot 15 as described in Certificate of Title 116931 and part of the Town Marina, for the installation of utility poles or laying of underground utility lines, including appurtenant accessory structures, said easement to be approximately 10 feet in width and upon such terms and conditions as the Board of Selectmen deem appropriate, or do or take any other action on the matter. On request of the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to authorize the Board of Selectmen to grant an easement to Commonwealth Electric Company and Verizon of New England, Inc. on land off Scranton Avenue as described for the purpose of Article 40 as requested.

ARTICLE 41: To see if the Town will vote to accept the provisions of General Laws Ch. 40, §8G to allow the Town to enter into mutual aid agreements with another city or town to provide assistance for the Police Department, or do or take any other action on the matter. On request of the Chief of Police.

VOTED: By unanimous vote, a quorum being present on Monday, April 12, 2004, the Town voted to accept the provisions of General Laws Ch. 40, §8G as described for the purpose of Article 40 as requested.

ARTICLE 42: To see if the Town will provide funding for any or all of the purposes voted for in the foregoing articles by taxation, by transfer from available funds, by borrowing or by any combination of the foregoing. Or do or take any other action on this matter. On request of the Finance Committee and the Board of Selectmen.

VOTED: By unanimous vote, a quorum being present on Tuesday, April 13, 2004, the Town voted that all articles considered in this Town Meeting be funded as voted for a total of \$84,851,749 (Eighty four million eight hundred fifty one thousand seven hundred forty nine dollars) and that the Board of Selectmen place a question on the May 2004 Annual Town Election Ballot as voted in article 32.