

**THE ANNUAL FALL TOWN MEETING
HELD IN FALMOUTH
NOVEMBER 13, 2007 AT 7:00 PM**

ANNUAL TOWN MEETING INDEX	
NOVEMBER 13 and 14, 2007	
1	Hear High School Building Committee Report
2	Unpaid Bills
3	Amend Zoning Bylaw - Article XXXVIII Search and Rescue Corridor Overlay District
4	Amend Zoning Bylaw - Article XIII.1 Senior Care Retirement District
5	Petition – Rezone 339 Gifford Street (Glynn)
6	Petition – Rezone 533-539 Woods Hole Road (Ferris)
7	Petition – Rezone County Road (Bagarella)
8	Petition – Article VII Zoning Board of Appeals (McNamara)
9	Petition – Article XXI Coastal Pond Overlay District (Kozens-Long)
10	Petition - Article XXXVI Transfer of Development Rights (Costa)
11	Land Transfer - Mares Pond
12	Revolving Fund - Affordable Housing
13	Fiscal Year 2008 Capital Improvements Program
14	Fund - Wind Energy Facility
15	Fund - Library Construction Completion
16	Fire and Police Department Line of Duty Injury
17	Workers Compensation
18	Accept Chapter 291D Acts of 2004 - Roads
19	Contractual Services for MassDEP Compliance
20	Fund - Administrative/Management/Technical Employee Raise
21	Fund - Superior Officers' Association Contract
22	Fund - Police Federation Contract
23	Fund - International Association of Firefighters Local 1397 Contract
24	Fund - American Federation of State, County and Municipal Employee Local 1636 (AFSCME) Contract
25	Fund - Laborer's International Union of North America, AFL-CIO Local 1249 Contract
26	Fund - Public Library Association, Massachusetts Laborers' District Council Contract
27	Classification Plan - DPW Administration (Management Analyst)
28	Classification Plan – Information Technology
29	Fund - M.G.L. Ch.51 §37A Inactive Voters List
30	Fund - Historic Districts/Historic Commission Professional Services
31	Purchase Government Access Channel Equipment & Robotic Camera System
32	Accept Adjustments to the Debt Budget
33	Community Preservation Committee – Community Preservation Open Space Reserve
34	Community Preservation Committee – Community Preservation Fund Balance
35	Community Preservation Committee – Rescind United Methodist Church Historic Restriction
36	Amend Falmouth Code - Chapter 1 §1-2D General Provisions (Non-criminal Disposition)
37	Amend Falmouth Code - Chapter 184 §24C Signs (For sale, rent or lease)
38	Amend Falmouth Code - Chapter 184 §25A Signs (Freestanding)
39	Amend Falmouth Code - Chapter 213 §4 Handicapped Parking (Reserve Parking Spaces Required)
40	Amend Falmouth Code - Chapter 213 §7 Handicapped Parking (Violations and Penalties)
41	Petition - Amend Town's Classification Plan (Mustafa)
42	Petition - Letter of Request to Congressional Delegation and US President regarding Iraq War (Tork)
43	Funding Article

ARTICLE 1: To hear a report from the Falmouth High School Building Committee and act thereon. On request of the Falmouth High School Building Committee.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to accept the report of the Falmouth High School Building Committee.

ARTICLE 2: To see if the Town will vote to appropriate a sum of money for the purpose of paying unpaid bills from a prior fiscal year, 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 a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to transfer the sum of \$31,135.01 from Certified Free Cash to be expended under the jurisdiction of the Board of Selectmen for the purposes of paying unpaid bills from a prior fiscal year as follows:

Assessing	Sprint	\$ 31.74
	Staples	29.98
Beach	Bound Tree Medical	151.80
	Eastman's Hardware	161.35
Conservation	Cape Cod Times	119.80
	Sprint	52.80
DPW - Engineering	Barnstable County Health Laboratory	2,854.60
DWP - Wastewater	Eastman's Hardware	42.03
	NSTAR Electric	8,588.25
DPW - Water	Eastman's Hardware	122.04
	NSTAR Electric	15,208.53
Legal	Roster & Antine	550.00
Library	C.H.Newton	936.85
Natural Resources	Nextel	316.67
Police Department	Sprint	1,000.69
Recreation	Atlantic Elevator South	260.00
	Kipp Brothers	200.00
Streetlighting	Republic ITS	507.88

ARTICLE 3: To see if the Town will vote to amend Chapter 240 – Zoning – of the Code of Falmouth by adding the following:

**ARTICLE XXXVIII
SEARCH AND RESCUE CORRIDOR OVERLAY DISTRICT**

240-186 Purpose

The purpose of this district is to preserve three thousand (3000) foot wide helicopter flight corridors for the USCG Air Station Cape Cod, when responding to distress calls during inclement weather.

240-187 Establishment

For the purposes of this Article there is hereby established in the Town of Falmouth the Search and Rescue Overlay District, which is an overlay district superimposed on the zoning districts. This district is depicted on a map entitled: "Search & Rescue Corridor USCG Air Station Cape Cod Emergency Visual Routes" dated June 5, 2007, scale 1" = 2000' on file with the Town Clerk.

240-188 Height limitation

Anything in this chapter to the contrary notwithstanding, no building or structure, or part thereof or accessory thereto, shall be constructed, erected, converted or maintained that exceeds 100 feet in height above the ground.

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

VOTED: By a declared two thirds majority, a quorum being present on Tuesday, November 13, 2007 the Town voted Article 3 as printed.

ARTICLE 4: To see if the Town will vote to delete Article XIII.1 – Senior Care Retirement District – of the Zoning Bylaw and insert in its place the following:

ARTICLE XIII.1

Senior Care Retirement District

§ 240-65.1. Purpose.

The purpose of this district is to allow for alternative housing for senior citizens in a setting that provides them with personal and health related services and programs and allows for their maximum independence.

§ 240-65.2. Permitted residential uses.

None.

§ 240-65.3. Permitted community service uses.

- A. Churches.
- B. Schools.
- C. Libraries.
- D. Museums

§ 240-65.4. Uses allowed by special permit from the Planning Board

A. Senior Care Retirement Community (SCRC), under the following standards and requirements:

- (1) A SCRC contains one or more residential buildings with living units described below, which provide residences exclusively for persons 62 years of age or older (except their spouses and surviving spouses, and also except for staff housing), and which includes common areas and community dining facilities, and which provides personal services such as social, psychological, educational and health-related programs and services, designed to allow residents to safely "age in place" with maximum independence and with skilled caregivers available continuously on-site.
- (2) A SCRC may include independent living units (ILUs) for persons who may not require regular assistance with daily living, as well as assisted living units (ALUs) for persons in need of daily assistance from skilled caregivers, and may include skilled nursing rooms, as defined by the Massachusetts Department of Public Health. A SCRC may also include staff housing units, provided that the number of staff units shall not exceed 10% of the SCRC units. The total number of units in the development, including ILUs, ALUs, skilled nursing rooms and staff housing, shall be determined by the Planning Board, but in no case shall the number of units exceed ~~six~~ eight per acre. No unit may contain more than two bedrooms. Assisted Living Units shall be no less than 350 but no greater than 1000 square feet in size. Each skilled nursing room may contain no more than two beds.
- (3) The total area of the tract incorporated in an SCRC development shall be a minimum of 15 contiguous acres. In calculating the total area of the tract the provisions of § 240-124A shall apply. At least 65% of the tract must be set aside as open space consistent with § 240-129 of the Zoning Bylaw.
- (4) Front yard building setbacks shall be a minimum of 50 feet. Side and rear yard building setbacks shall be a minimum of 25 feet from the perimeter of the development. The Planning Board may require greater setbacks, up to 100 feet for front yard and up to 50 feet for rear and side yard setbacks where needed to provide screening and buffer from the street or adjacent properties.
- (5) The maximum building height of any SCRC building shall be no more than three stories, not to exceed 45 feet, as defined for community service uses.
- (6) The development may incorporate within a residential building accessory facilities intended solely for the use or benefit of the residents and staff of the development, such as banking and recreational facilities, as limited and approved by the Planning Board.
- (7) The Planning Board, in order to approve the special permit for a SCRC, must find that the cumulative impacts of the SCRC shall be no greater than the cumulative impacts associated with other uses allowed as a matter of right or special permit within Single Residence or Agricultural Zoning Districts on the lot(s). Speculative uses, such as applications made under M.G.L. c. 40B, shall not be considered in making the comparison of cumulative impacts. The Planning Board may require the applicant to provide specialized studies or information as necessary in order to make such a finding.
- (8) The Planning Board shall not approve a SCRC unless tertiary treatment of wastewater is provided.

- (9) The Planning Board may require the applicant to reduce the size including the height of any residential structure or to adjust its placement on the lot to reduce impacts on neighborhood visual character, including views or vistas. The Planning Board, in order to approve the special permit for a SCRC, must make a positive finding under § 240-122G, of the Planned Residential Development Bylaw and four or more of the purposes of § 240-122.
- (10) SCRC units allowed under this section shall be exempt from § 240-7 (Building permit limitation) and shall not be counted in computing the building permit limit, but the Planning Board may require or allow that the development be constructed in phases if necessary to minimize neighborhood impacts or to meet financing or regulatory requirements.
- (11) Parking shall be located in side or rear yards behind the front façade line of the building, except that parking dedicated for handicapped, guest, pickup, drop off or deliveries may be allowed in front of the building line at the discretion of the Planning Board up to ten (10) percent of the total number of required spaces. The number of parking spaces shall be determined according to the following: One space per Independent Living Unit; One-half space per Assisted Living Unit; One space per employee.

§ 240-65.5. Minimum lot dimensions for uses allowed under § 240-65.3.

Permitted community service uses shall be as follows:

- A. Minimum lot size: 80,000 square feet.
- B. Lot frontage: 150 feet.
- C. Lot width: 200 feet.

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

MOTION: (Planning Board) To see if the town will vote to delete Article XIII.1-Senior Care Retirement District-of the Zoning Bylaw and insert in its place the following:

ARTICLE XIII.1

Senior Care Retirement District

§ 240-65.1. Purpose.

The purpose of this district is to allow for alternative housing for senior citizens in a setting that provides them with personal and health related services and programs and allows for their maximum independence.

§ 240-65.2. Permitted residential uses.

None.

§ 240-65.3. Permitted community service uses.

- A. Schools.
- B. Libraries.
- C. Museums.
- D. Churches.

§ 240-65.4. Uses allowed by special permit from the Planning Board

A. Senior Care Retirement Community (SCRC), under the following standards and requirements:

- (1) A SCRC contains one or more residential buildings with living units described below, which provide residences exclusively for persons 62 years of age or older (except their spouses and surviving spouses, and also except for staff housing), and which includes common areas and community dining facilities, and which provides personal services such as social, psychological, educational and health-related programs and services, designed to allow residents to safely "age in place" with maximum independence and with skilled caregivers available continuously on-site.
- (2) A SCRC may include independent living units (ILUs) for persons who may not require regular assistance with daily living, as well as assisted living units (ALUs) for persons in need of daily assistance from skilled

caregivers, and may include skilled nursing rooms, as defined by the Massachusetts Department of Public Health. A SCRC may also include staff housing units, provided that the number of staff units shall not exceed 10% of the SCRC units. The total number of units in the development, including ILUs, ALUs, skilled nursing rooms and staff housing, shall be determined by the Planning Board, but in no case shall the number of units exceeds six per acre. No unit may contain more than two bedrooms. Assisted Living Units shall be no less than 350 but no greater than 800 square feet in size. Each skilled nursing room may contain no more than two beds.

- (3) The total area of the tract incorporated in an SCRC development shall be a minimum of 15 contiguous acres. In calculating the total area of the tract the provisions of § 240-124A shall apply. At least 65% of the tract must be set aside as open space consistent with § 240-129 of the Zoning Bylaw.
- (4) Front yard building setbacks shall be a minimum of 50 feet. Side and rear yard building setbacks shall be a minimum of 25 feet from the perimeter of the development. The Planning Board may require greater setbacks, up to 100 feet for front yard and up to 50 feet for rear and side yard setbacks where needed to provide screening and buffer from the street or adjacent properties.
- (5) The maximum building height of any SCRC building shall be no more than three stories, not to exceed 35 feet, provided however, the Planning Board in its discretion may increase this height to 45 feet, upon good cause shown by the applicant, as defined for community service uses.
- (6) The development may incorporate within a residential building accessory facilities intended solely for the use or benefit of the residents and staff of the development, such as banking and recreational facilities, as limited and approved by the Planning Board.
- (7) The Planning Board, in order to approve the special permit for a SCRC, must find that the cumulative impacts of the SCRC shall be no greater than the cumulative impacts associated with other uses allowed as a matter of right or special permit within Single Residence or Agricultural Zoning Districts on the lot(s). Speculative uses, such as applications made under M.G.L. c. 40B, shall not be considered in making the comparison of cumulative impacts. The Planning Board may require the applicant to provide specialized studies or information as necessary in order to make such a finding.
- (8) The Planning Board shall not approve a SCRC unless tertiary treatment of wastewater is provided.
- (9) The Planning Board may require the applicant to reduce the size including the height of any residential structure or to adjust its placement on the lot to reduce impacts on neighborhood visual character, including views or vistas. The Planning Board, in order to approve the special permit for a SCRC, must make a positive finding under § 240-122G, of the Planned Residential Development Bylaw and four or more of the purposes of § 240-122.
- (10) SCRC units allowed under this section shall be exempt from § 240-7 (Building permit limitation) and shall not be counted in computing the building permit limit, but the Planning Board may require or allow that the development be constructed in phases if necessary to minimize neighborhood impacts or to meet financing or regulatory requirements.
- (11) Parking shall be located in side or rear yards behind the front façade line of the building, except that parking dedicated for handicapped, guest, pickup, drop off or deliveries may be allowed in front of the building line at the discretion of the Planning Board up to ten (10) percent of the total number of required spaces. The number of parking spaces shall be determined according to the following: One space per Independent Living Unit; One-half space per Assisted Living Unit; One space per employee.
- (12) A density bonus maybe allowed, at the sole discretion of the Planning Board as part of the special permit process for a Senior Care Retirement Community, up to eight units per acre, if the applicant provides one or more of the following:
 - (a) fifteen (15) percent of the units as affordable units that are eligible for the subsidized housing inventory, or;

- (b) tertiary treatment of wastewater that achieves an annual average nitrogen reduction to a level of 9 mg/l or less, or;
- (c) The SCRC is tied into the municipal sewer system.

§ 240-65.5. Minimum lot dimensions for uses allowed under § 240-65.3.

Permitted community service uses shall be as follows:

- A. Minimum lot size: 80,000 square feet.
- B. Lot frontage: 150 feet.
- C. Lot width: 200 feet.

AMENDMENT: (Patterson) By a counted vote of 89 in favor and 122 opposed, failing to receive the required two thirds vote, a quorum being present on Tuesday, November 13, 2007, the amendment to change one to two in section (12) line 3 did not pass

AMENDMENT: (Siegal) By failing to receive a majority vote, a quorum being present on Tuesday, November 13, 2007, the amendment to change 15 to 25 in section (12) subsection (a) line 1 did not pass.

VOTED: By a counted vote of 126 in favor and 89 opposed, failing to receive the required two thirds vote, a quorum being present on Tuesday, November 13, 2007 article 4 did not pass.

ARTICLE 5: To see if the Town will vote to amend the Official Zoning Map to rezone 4.8± acres of the southerly portion of the property located at 339 Gifford Street, Falmouth, shown on Assessors Map 38, section 09, Parcel 002C Lot 001 now zoned AGB, as depicted on a plan entitled “Plan of Proposed Rezoning to Senior Care Retirement District prepared for Atria Woodbriar September 2007” on file with the Town Clerk, to Senior Care Retirement District (SCRD). Or do or take any other action in this matter. On request of Paul C. Glynn and others.

MOTION: (Planning Board) Indefinite Postponement

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 5.

ARTICLE 6: To see if the Town will vote to amend the Official Zoning Map by rezoning from Residential C to Business Redevelopment that certain parcel of land at 533-539 Woods Hole Road (the site of the Nautilus Motel and the building known as the Dome Restaurant) containing 5.39 acres, more or less, being shown on the Assessors Map as Parcel No. 51-05-000-002B. Said parcel is shown as Lot B2 on a plan entitled “Plan of Land of E. Gunnar Peterson et ux Woods Hole, Mass.” dated Nov. 15, 1952, which plan is recorded in Barnstable County Registry of Deeds Plan Book 107, Page 129, and is presently owned by Nautilus Partners LLC (Barnstable County Registry of Deeds Book 15165, Page 319). Or do or take any other action on this matter. On request of Paul Ferris Smith and others.

VOTED: By a declared two thirds majority, a quorum being present on Tuesday, November 13, 2007 the Town voted to amend the Official Zoning Map by rezoning from Residential C to Business Redevelopment that certain parcel of land at 533-539 Woods Hole Road (the site of the Nautilus Motel and the building known as the Dome Restaurant) containing 5.39 acres, more or less, being shown on the Assessors Map as Parcel No. 51-05-000-002B. Said parcel is shown as Lot B2 on a plan entitled “Plan of Land of E. Gunnar Peterson et ux Woods Hole, Mass.” dated Nov. 15, 1952, which plan is recorded in Barnstable County Registry of Deeds Plan Book 107, Page 129, and is presently owned by Nautilus Partners LLC (Barnstable County Registry of Deeds Book 15165, Page 319).

ARTICLE 7: To see if the Town will vote to amend the Official Zoning Map of the Town of Falmouth so as to extend the existing Business 3 zone by rezoning from Residential B to Business 3 that portion of the land shown on the Falmouth Assessors Map 02 03 007 008 and Map 02 03 007 009 and as Lot 8 and Lot 9 on Land Court Plan 11332G located east of County Road (with said Lot 8 identified by address on the Falmouth Assessors Map by 107, 109, 111

County Road and said Lot 9 identified by address on the Falmouth Assessors Map by 0 County Road), and further described as follows:

Beginning at the northerly lot line of said Lot 9 at a point where said lot line intersects the existing boundary of the Business 3 zone and the Residential B zone;

Thence N58°48'00"E, 170.45 feet, by land shown on the Falmouth Assessors Map 02A01 001 000;

Thence S55°01'00"E, 202.87 feet;

Thence S48°37'00"W, 261.13 feet by land shown on Falmouth Assessors Map 02 03 009A 000 and 02 03 008A 000A;

Thence S38°10'00"W, 33.37 feet by land shown on Falmouth Assessors Map 02 03 008A 000A;

Thence in a northerly direction along the existing boundary of the Business 3 zone and the Residential B zone by two lengths totaling 246.5± feet, to the point of beginning.

Said land to be rezoned to Business 3 is shown on "Plan of Rezoning prepared for Francis Bagarella in Falmouth, MA, Plan Date: July 18, 2007, Plan Scale: 1" = 20"', prepared by Falmouth Engineering, 141 Locust St., Unit A, Falmouth, MA 02540.

On request of Francis P. Bagarella, Trustee of Nyes Park Professional Offices Trust u/d/t/ dated January 11, 1989 and Francis P. Bagarella and Carol A. Bagarella as Trustees of The Pharmacy Realty Trust u/d/t dated March 8, 2989.

VOTED: By a declared two thirds majority, a quorum being present on Tuesday, November 13, 2007 the Town voted Article 7 as printed.

ARTICLE 8: To amend Article VII §C7-14. Zoning Board of Appeals to allow for five (5) voting members rather than the current three (3). The amended article would read: "*A Zoning Board of Appeals of five (5) members and two (2) associate members shall be appointed.*" On request of Matthew J. McNamara.

AMENDMENT (Board of Selectmen): That the town vote to amend Article XXXX – Zoning Board of Appeals - of the Zoning Bylaw by deleting the first two sentences and substituting the following: "there shall be a zoning board of appeals of five members and two associate members appointed by the Board of Selectmen as provided in MGL C. 40A, Sec 12. The term of office of each member shall be for five years so arranged that the term of one member expires each year" And further that the Board of Selectmen shall have the authority to select a date within three months of adoption of this amendment to transition from the current three member board to the new five member board.

VOTED: By a majority vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to amend Article 8.

VOTED: By a declared two thirds majority, a quorum being present on Tuesday, November 13, 2007 the Town voted to amend Article XXXX – Zoning Board of Appeals - of the Zoning Bylaw by deleting the first two sentences and substituting the following: "there shall be a zoning board of appeals of five members and two associate members appointed by the Board of Selectmen as provided in MGL C. 40A, Sec 12. The term of office of each member shall be for five years so arranged that the term of one member expires each year" And further that the Board of Selectmen shall have the authority to select a date within three months of adoption of this amendment to transition from the current three member board to the new five member board.

ARTICLE 9: To see if the town will vote to amend Article XXI, Coastal Pond Overlay District, §§ 240-97 through 102, of the zoning by-law, by changing allowable wastewater discharge nitrogen concentrations from 12mg/l or less to 5 mg/l or less. Or do or take any other action on this matter. On petition of Sheryl Kozens-Long and others.

MOTION (Hampson) To see if the town will vote to amend Article XXI, Coastal Pond Overlay District, §§ 240-97 through 102, of the zoning by-law, by changing allowable wastewater discharge nitrogen concentrations which are site specific in accordance with TMDL's (total maximum daily loads) set forth by the Department of Environmental Protection in consideration of the Massachusetts estuaries report.

VOTED: Having failed to receive a majority vote, a quorum being present on Tuesday, November 13, 2007, article 9 did not pass.

ARTICLE 10: To see if the Town will vote the following:

ARTICLE XXXVI – Transfer of Development Rights [Added ATM 4-1-1985, Art.60]

240 – 174

Same

240 – 175

Same

240 – 176. Receiving districts.

A. Receiving districts shall consists of all land currently zoned B3, B2, LIA, RC, RB, AGB, RA, AGA, RAA and AGAA, except that the receiving districts shall not be considered to include any land within a mapped Water Resource Protection District as defined, ~~any land within a mapped water recharge area as referred to in 240-113B of this chapter, or any land referred to in 120-175 of this chapter.~~

B. Receiving districts shall be eligible to “accept” donor lots according to the schedule of 240-177, provided that the locus of the receiving district is the subject of a subdivision plan requiring Planning Board approval under the requirements of MGL C.41 and a special permit under the requirements of Article XXV of this chapter, except that 240-124 shall not apply to plans filed under this Article. No transfer of developments rights shall be approved by the Planning Board into a receiving district locus not requiring subdivision approval. *All transfers into coastal pond overly districts shall be subject to nitrogen mitigation.*

C. [Same]

240-177

Same

240 – 178

Same

On request of Matthew Costa and others.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 10.

ARTICLE 11: To see if the Town will vote to transfer the care, custody and control of a certain parcel of land from the Conservation Commission to the Board of Selectmen which parcel is shown as parcel A on a plan of land entitled “Town of Falmouth, Massachusetts Plan of a Part of Land Acquired Pursuant to Article 1 of the April 8, 1986 Special Town Meeting Showing Jurisdiction of Board of Selectmen and Conservation Commission” prepared for Town of Falmouth Public Works Department, dated January 2, 2002, prepared by William MacKenzie, P.L.S., subject to the provision that it shall be used for water resource protection, water supply, open space and conservation and public access to Mares Pond and Spectacle Pond, and shall not be used for any other purpose and there shall be no further construction or development on said land except for repair and maintenance and with the further provision as set forth in ch. 148 of the Acts of 2005 which requires that if said land is no longer needed for water tower purposes it shall be returned to the conservation commission. On request of the Board of Selectmen.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Article 11 as printed.

ARTICLE 12: To see if the Town will vote to create a revolving fund under the provisions of G.L. ch. 44, § 53E ½, to be known as the “Affordable Housing Revolving Fund Account” said fund to be established and administered as follows:

- a. Excess profits payable to the town by developers of housing projects permitted under G.L. ch. 40B, §§ 20-23 and funds received by the town in repayment of loans from the Community Preservation Development Fund shall be credited to the revolving fund.
- b. Funds may be expended by the Board of Selectmen for the promotion and development of affordable housing within the town.
- c. Expenditures may not exceed receipts during any fiscal year without approval of the Finance Committee.

This fund shall be authorized annually at the April Annual Town Meeting at which time the provisions may be amended by town meeting vote. 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 Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 12.

ARTICLE 13: To see if the Town will vote to appropriate a sum of money to fund the Fiscal Year 2008 Capital Budget and to determine how the same shall be raised and by whom expended. On request of the Board of Selectmen.

ARTICLE 13 FY 2008 CAPITAL BUDGET			
		EXECUTIVE	FINCOM
DEPARTMENT OF PUBLIC WORKS			
1	Road, Sidewalk and Bikeway Maintenance	100,000.00	100,000.00
	Construction and upgrade of townwide roads, sidewalks and bikeways - ongoing.		
2	Bridge Maintenance	75,000.00	75,000.00
	Repairs and Maintenance to town owned bridges - ongoing		
3	Vehicles & Equipment Replacement		
	Highway Division		
	Replace 1988 P/U Truck with 1Ton 4x4 P/U Truck	36,000	
	Purchase (2) Roadside Message Boards	32,000	
	Purchase Pre-wetting Sand Equipment	18,000	
	Total Highway Division	86,000	
	Tree Warden Parks Division		
	Replace 1998 1Ton Truck with 1Ton 4x4 Dump Truck	36,000	
	Total Tree Warden Parks Division	36,000	
	Water Division		
	Replace 1999 1Ton Utility Truck with 1Ton Utility Truck	44,000	
	Purchase 4x4 Truck w/Plow	34,000	
	Total Water Division	78,000	
	TOTAL DPW VEHICLES	175,000.00	200,000.00
4	Road Manager System Maintenance	25,000.00	-
	Computer System to assess conditions and prioritize repairs.		
5	River/Pond Maintenance	50,000.00	50,000.00
	Routine dredging and repairs.		
6	Public Works Organizational Improvements	67,000.00	17,000.00
	Purchase of a Fleet Diagnostic Unit.		
	The \$50,000 Management System Software request to be considered at the April 2008 Town Meeting.		
	Facilities Maintenance		
7	Building Maintenance	90,000.00	90,000.00
	Routine maintenance of all Town owned buildings.		

8	North Falmouth Fire Station Door	22,000.00	22,000.00
	Design to enlarge Fire Station Door		
Utilities Division - Water			
9	Mains, Meters & Fixtures	283,712.00	186,132.28
	Repair, maintenance and replacement of meters.		
10	Water Mains	-	97,579.84
	Funding Available from previous Water Main Articles.		
Utilities Division - Wastewater			
11	Collection System Repair & Maintenance	30,000.00	30,000.00
	System repairs - ongoing.		
POLICE DEPARTMENT			
12	Cruiser Replacement	249,767.00	249,767.00
	Replacement of seven vehicles. All vehicles are to be auctioned when replaced.		
FIRE DEPARTMENT			
13	Ambulance Lease	40,446.00	40,446.00
	This is the second payment on a four-year Ambulance lease/purchase.		
INFORMATION TECHNOLOGY			
14	Annual Maintenance (Equipment & Licenses)	50,000.00	50,000.00
	Maintenance plan to replace and update the most needed IT equipment each year - ongoing.		
15	Servers	11,000.00	11,000.00
	Information Technology Email Server replacement.		
16	IT Telephone Systems	7,000.00	7,000.00
	Voicemail system upgrade.		
17	Fire Department Computer Equipment	21,600.00	21,600.00
	Replace Fire Department Server and (9) Computers.		
18	Police Server	12,000.00	12,000.00
	Replace Police Department Server.		
	Geographical Information Systems		
19	Equipment Upgrades	5,000.00	5,000.00
	Purchase GIS computer capable of handling all GIS programs.		
20	Permit System	60,000.00	60,000.00

	Second payment on the Permit System for the Building , Conservation, Health, Board of Appeals, Assessing, Planning and Engineering Departments.		
SCHOOL DEPARTMENT			
21	Facilities Maintenance	17,000.00	-
HARBOR MASTER			
22	Marina Electrical Upgrade/Engineering	25,000.00	25,000.00
	Power system evaluated and upgraded to prevent disruption of service.		
23	Pump-Out	13,000.00	13,000.00
	Replace Engine on Pump-Out Boat		
TOTAL FY '08 CAPITAL BUDGET		1,429,525.00	1,362,525.12
MOTION (Finance Committee): I move that the Town vote to transfer from the following:			
ORG:			
-	CERTIFIED FREE CASH	\$510,539.63	
-	OVERLAY SURPLUS FUND	455,000.00	
-	RESERVE/WATERWAYS FUND	38,000.00	
01931	PERCH/GREAT PONDS DREDGING	21,041.39	
01935	PROPERTY TAX SYSTEM	3,425.89	
01935	WATER FIXTURES/CONSERV KITS	9,197.42	
01936	DPW ROAD MANAGEMENT SYSTEM	3,202.80	
01936	ASSESSORS ONLINE PROGRAM	10,300.00	
01936	WATER FIXTURES/CONSERV KITS	10,706.87	
01937	DPW NAT'L POL DIS ELIMINATION	7,400.00	
01938	REC VAN	9,999.00	
3340A	DRINKING WATER ACT	5,644.65	
33450	BOXBERRY HILL MAIN - BASE	21,219.62	
33455	CROOKED POND WELL	32,466.73	
33455	CROOKED POND WELL	21,028.07	
33462	RED BROOK/OSTROM WATER MAIN	7,141.72	
33465	MMR CLOVERFIELD WATER MAIN	29,967.99	
33475	MMR GOELETTA WATER MAIN	27,240.22	
33485	SANDWICH ROAD CHEMICAL FAC	48,565.00	

33490	BALLYMEADE WATER MAIN	75,000.00	
33494	WATER MAIN INSTALLATION	15,438.12	
	TOTAL	1,362,525.12	
to be expended under the jurisdiction of the Board of Selectmen for the purposes of Article 13.			

AMENDMENT: (Lowell) By failing to receive a majority vote, a quorum being present on Tuesday, November 13, 2007, the amendment to change line 8 to Zero dollars did not pass.

AMENDMENT: (Shearer) By failing to receive a majority vote, a quorum being present on Tuesday, November 13, 2007, the amendment to change line 12 to 178,405.00 did not pass.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to transfer 1,362,525.12 to be expended under the jurisdiction of the Board of Selectmen for the purposes of Article 13.

ARTICLE 14: To see if the Town will vote to appropriate a sum of money for the purpose of installing a wind energy facility at the Wastewater Treatment Facility and 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 Board of Selectmen.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$4,000,000.00 for the purposes of installing a wind energy facility at the Wastewater Treatment Facility and further that the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under the provisions of G.L. Ch., 44, sec. 7(3B) or any other enabling authority, and to issue bonds or notes of the Town therefor, and further to authorize the Board of Selectmen to enter into any agreements and to execute any and all documents it deems advantageous on behalf of the Town for partial or full reimbursement of the cost of acquisition, said sum to be expended under the jurisdiction of the Board of Selectmen for the purposes of Article 14.

VOTED: By a declared two thirds majority, a quorum being present on Tuesday, November 13, 2007 the Town voted to appropriate the sum of \$4,000,000.00 for the purposes of installing a wind energy facility at the Wastewater Treatment Facility and further that the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under the provisions of G.L. Ch., 44, sec. 7(3B) or any other enabling authority, and to issue bonds or notes of the Town therefor, and further to authorize the Board of Selectmen to enter into any agreements and to execute any and all documents it deems advantageous on behalf of the Town for partial or full reimbursement of the cost of acquisition, said sum to be expended under the jurisdiction of the Board of Selectmen for the purposes of Article 14.

ARTICLE 15: To see if the Town will vote to appropriate a sum of money for the purpose of completing construction of the Falmouth Public Library on Katherine Lee Bates Road and 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 Board of Selectmen.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$406,000.00 for the purpose of completing construction of the Falmouth Public Library on Katherine Lee Bates Road, including costs incidental and related thereto, and to meet this appropriation, the Town Treasurer with the approval of the Board of Selectmen, is authorized to borrow said sum under the provisions of G.L. ch.44, sec. 7(3A) or any other appropriate authority and to issue bonds and notes of the Town therefore: provided that no funds shall be expended under this appropriation unless the Massachusetts Department of Revenue shall approve the addition of \$406,000.00 to the Proposition 2 and ½ debt exclusion approved by the voters in the May 2006 annual town election, said sum to be expended under the jurisdiction of the Board of Selectmen.

VOTED: By a declared two thirds majority, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$406,000.00 for the purpose of completing construction of the Falmouth Public Library on Katherine Lee Bates Road, including costs incidental and related thereto, and to meet this appropriation, the Town Treasurer with the approval of the Board of Selectmen, is authorized to borrow said sum under the provisions of G.L. ch.44, sec. 7(3A) or any other appropriate authority and to issue bonds and notes of the Town therefore: provided that no funds shall be expended under this appropriation unless the Massachusetts Department of Revenue shall approve the

addition of \$406,000.00 to the Proposition 2 and ½ debt exclusion approved by the voters in the May 2006 annual town election, said sum to be expended under the jurisdiction of the Board of Selectmen.

ARTICLE 16: To see if the Town will vote to appropriate a sum of money 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 this matter. On request of the Board of Selectmen.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to appropriate the sum of \$20,000.00 from Certified Free Cash for the purposes of Article 16 to be expended under the jurisdiction of the Board of Selectmen.

ARTICLE 17: To see if the Town will vote to appropriate a sum of money for the purpose of replenishing the Workers Compensation Fund and 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 Board of Selectmen.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to appropriate the sum of \$75,000.00 from Certified Free Cash for the purposes of Article 17 to be expended under this jurisdiction of the Town Manager.

ARTICLE 18: To see if the Town will vote to appropriate the sum of \$963,071.00 under Chapter 291D Acts of 2004, as the state's share of the work under Chapter 90, Section 34 (2A) of the Massachusetts General Laws, and to authorize the Board of Selectmen to execute with the state such contract as may be necessary for said purpose, and 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 Board of Selectmen acting as the Board of Public Works.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Article 18 as printed to be expended under the jurisdiction of the Board of Selectmen.

ARTICLE 19: To see if the Town will vote to appropriate a sum of \$25,000.00 to contract for ongoing engineering and consulting services at the Gifford Street Department of Public Works site for groundwater monitoring and reporting required by Massachusetts Department of Environmental Protection site, RTN 4-729, and 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 Director of Public Works.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to appropriate the sum of \$25,000.00 from Certified Free Cash for the purposes of Article 19 to be expended under the jurisdiction of the Director of Public Works.

ARTICLE 20: 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 an increase for the Administrative, Management and Technical permanent employees for the period commencing July 1, 2007 and 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.

MOTION (Finance Committee): I move that the Town vote to appropriate the sum of \$68,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 20.

VOTED: By a declared majority, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$68,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 20.

ARTICLE 21: 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, 2007, as agreed to by the Town of Falmouth and the Falmouth Superior Officers' Association, and 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.

MOTION (Finance Committee): That the Town vote to appropriate the sum of \$31,000.00_ from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 21.

VOTED: By a declared majority, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$31,000.00_ from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 21.

ARTICLE 22: 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, 2007, as agreed to by the Town of Falmouth and the Police Federation, and 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.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$110,000.00_ from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 22.

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$110,000.00_ from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 22.

ARTICLE 23: 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, 2007, as agreed to by the Town of Falmouth and the International Association of Firefighters, Local 1397, and 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.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$140,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 23.

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$140,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 23.

ARTICLE 24: 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, 2007, as agreed to by the Town of Falmouth and the American Federation of State, County and Municipal Employee, Local 1636, and 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 a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 24.

ARTICLE 25: 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, 2007, as agreed to by the Town of Falmouth and the Laborer's International Union of North America, AFL-CIO, Local 1249, and 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.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$65,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 25.

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$65,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 25.

ARTICLE 26: 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, 2007, as agreed to by the Town of Falmouth and the Falmouth Public Library Association, Massachusetts Laborers' District Council, and 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.

MOTION: (Finance Committee): That the Town vote to appropriate the sum of \$22,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 26.

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to appropriate the sum of \$22,000.00 from Certified Free Cash to be appropriately distributed by the Town Accountant for the purposes of Article 26.

ARTICLE 27: To see if the Town will vote to amend the Town's Position Classification Plan for the Department of Public Works, Administration Office, as follows:

Add: Management Analyst Gr.M-4 (\$20.70 - \$27.00/hr)

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

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 27

ARTICLE 28: To see if the Town will vote to amend the Town's Position Classification Plan for the Information Technology Department as follows:

Delete: (2) Network Computer Technician Gr.M-5 (\$23.79 - \$31.04/hr)
Add: (3) Network Computer Technician Gr.M-5 (\$23.79 - \$31.04/hr)

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

MOTION: (Finance Committee): That the Town vote Article 28 as printed

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted Article 28 as printed

ARTICLE 29: To see if the Town will vote to appropriate a sum of money for the purpose of notification to inactive voters prior to being removed from the voting list as required by Massachusetts General Law Ch.51 §37A 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 Clerk.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to appropriate the sum of \$4,000.00 from Certified Free Cash for the purposes of Article 29 to be expended under the jurisdiction of the Town Clerk.

ARTICLE 30: To see if the Town will vote to appropriate a sum of money for the purpose of funding professional assistance to the Historic Districts and Historical Commissions 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 Manager.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to transfer the sum of \$5,000.00 from Planning Department Budget Line Item 01175-52319 (Prof/Tech Contract Services) and \$2,500.00 from Budget Line Item 01175-51120 (Salary & Wages Temporary) to Budget Line Item 01175-51110 (Salary & Wages Full Time) for the purposes of Article 30 to be expended under the jurisdiction of the Town Planner.

ARTICLE 31: To see if the Town will vote to appropriate a sum of money for the purpose of purchasing equipment for a separate government access channel and robotic camera system to be installed at Town Hall, 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.

MOTION (Board of Selectmen) That the Town vote to appropriate the sum of \$30,000 from Certified Free Cash for the purpose of Article 31 to be expended under the jurisdiction of the Board of Selectmen.

VOTED: By a counted vote of 99 in favor and 111 opposed, a quorum being present on Wednesday, November 14, 2007 the Town voted not to pass Article 31.

ARTICLE 32: To see if the Town will vote to make adjustments to the Debt Service Budgets for the Fiscal Year 2008. Or do or take any other action in this matter. On request of the Town Treasurer.

MOTION: (Finance Committee): That the Town authorize the following adjustments to the debt budgets for the fiscal year ending June 30, 2008:

- Transfer \$6,764.23 from 01756-59925 (Short Term Unexcluded Interest) to 01755-59925 (Short Term Excluded Interest).
- Transfer \$11,793.76 from 01754-59915 (Long Term Unexcluded Interest) to 01753-59915 (Long Term Excluded Interest).
- Transfer \$20,000.00 from 01754-59910 (Long Term Unexcluded Principal) to 01753-59910 (Long Term Excluded Principal).
- Transfer \$66,783.88 from 01755-59925 (Short Term Excluded Interest) to 01753-59915 (Long Term Excluded Interest).
- Raise and appropriate the sum of \$55,945.36 to be applied to account 01753-59915 (Long Term Excluded Debt).

To be expended under the jurisdiction of the Town Treasurer.

VOTED: By a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to authorize the following adjustments to the debt budgets for the fiscal year ending June 30, 2008:

- Transfer \$6,764.23 from 01756-59925 (Short Term Unexcluded Interest) to 01755-59925 (Short Term Excluded Interest).
- Transfer \$11,793.76 from 01754-59915 (Long Term Unexcluded Interest) to 01753-59915 (Long Term Excluded Interest).
- Transfer \$20,000.00 from 01754-59910 (Long Term Unexcluded Principal) to 01753-59910 (Long Term Excluded Principal).
- Transfer \$66,783.88 from 01755-59925 (Short Term Excluded Interest) to 01753-59915 (Long Term Excluded Interest).
- Raise and appropriate the sum of \$55,945.36 to be applied to account 01753-59915 (Long Term Excluded Debt).

To be expended under the jurisdiction of the Town Treasurer.

ARTICLE 33: To see if the town will vote to transfer funds previously appropriated under Article 15 at the Special Town Meeting in April 2005 for the purpose of conducting engineering surveys and placing boundary markers on Land Bank parcels to the Community Preservation Fund Open Space Reserve, under the Community Preservation Act (CPA) category of Open Space, or act in any way relative thereto as allowed under the CPA. On request of the Community Preservation Committee.

MOTION (Community Preservation Committee): That the Town vote to transfer the sum of \$100,000.00 from a previous Land Bank appropriation (Article 15, voted at April 2005 Annual Town Meeting) to the Community Preservation Fund Open Space Reserve for appropriation to specific open space initiatives at a future Town Meeting.

VOTED: By a declared majority vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to transfer the sum of \$100,000.00 from a previous Land Bank appropriation (Article 15, voted at April 2005 Annual Town Meeting) to the Community Preservation Fund Open Space Reserve for appropriation to specific open space initiatives at a future Town Meeting.

ARTICLE 34: To see if the town will vote to transfer funds previously appropriated under Article 34 at the Annual Town Meeting in April 2006 for the purpose of completing final designs for the Town Band Shell new construction to the Community Preservation Fund Balance, or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to transfer the sum of \$20,000.00 from a previous Community Preservation Fund appropriation (Article 34, voted at April 2006 Annual Town Meeting) to the Community Preservation Fund Undesignated Fund Balance for appropriation to specific Community Preservation initiatives at a future Town Meeting.

ARTICLE 35: To see if the town will vote to rescind the historic preservation restriction condition on Community Preservation funding appropriated under Article 30 at the Annual Town Meeting in April 2006 for the John Wesley United Methodist Church's East Falmouth Burying Ground restoration project, or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted to rescind the special condition requiring a preservation restriction for the East Falmouth Burying Ground.

ARTICLE 36: To see if the Town will vote to amend ch. 1. § 1-2 of the Code of Falmouth, General Provisions (non-criminal disposition) by adding the following provision as sec. 1-2.D.

Notwithstanding Chapter 40, section 21D of the General Law, The Town of Falmouth acting through its Board of Selectmen and the clerk-magistrate of the Falmouth District Court subject to the approval of the chief justice of the district court are hereby authorized to establish tracking systems of record keeping procedures other than those required by paragraphs 4, 5, 7 and 9 of Chapter 40, Section 21D in order to enhance the efficiency, processing and collection of noncriminal citations. The procedures adopted shall be written and posted in the Falmouth District Court and the Falmouth Town Hall and may be revised from time to time as necessary for the purposes of this Act. Nothing in this Acting shall alter or amend the right to a hearing as contained in paragraph 6b of Chapter 40, section 21D.

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

MOTION (Board of Selectmen): That the Town vote Article 36 as printed and further that the Board of Selectmen, if necessary, be authorized to petition the General Court for special legislation to carry out the purposes of this Article.

VOTED: By a declared majority vote, a quorum being present on Wednesday, November 14, 2007 the Town voted to amend ch. 1. § 1-2 of the Code of Falmouth, General Provisions (non-criminal disposition) by adding the following provision as sec. 1-2.D.

Notwithstanding Chapter 40, section 21D of the General Law, The Town of Falmouth acting through its Board of Selectmen and the clerk-magistrate of the Falmouth District Court subject to the approval of the chief justice of the district court are hereby authorized to establish tracking systems of record keeping procedures other than those required by paragraphs 4, 5, 7 and 9 of Chapter 40, Section 21D in order to enhance the efficiency, processing and collection of noncriminal citations. The procedures adopted shall be written and posted in the Falmouth District Court and the Falmouth Town Hall and may be revised from time to time as necessary for the purposes of this Act. Nothing in this Acting shall alter or amend the right to a hearing as contained in paragraph 6b of Chapter 40, section 21D.

And further that the Board of Selectmen, if necessary, be authorized to petition the General Court for special legislation to carry out the purposes of this Article.

ARTICLE 37: To see if the Town will vote to amend Chapter 184, § 24C of the Code of Falmouth, Signs, to read as follows:

Section 184-24. For sale, rent or lease signs

C. A maximum of two (2) such signs may be maintained on any property being sold, leased, rented, built or renovated, and they shall be removed by the owner or agent within three (3) days of sale, lease, rental or completion of work.

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

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Article 37 as printed.

ARTICLE 38: To see if the Town will vote to amend Chapter 184, § 25A of the Code of Falmouth, Signs, to read as follows:

Section 184-25. Freestanding signs.

A. Dimensional standards for freestanding signs in different zoning districts, according to use, are specified in the table below. (Only the affected part of the chart is shown.)

Dimension	Business, Industrial Public Use and Marine Districts		
	All Permitted Uses	Shopping Center	Shopping Mall
Area, including all outward sides of signs, maximum (square feet)	16	40	100

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

VOTED: By a declared majority vote, a quorum being present on Wednesday, November 14, 2007 the Town voted Article 38 as printed.

ARTICLE 39: To see if the Town will vote to amend Chapter 213, § 4 of the Code of Falmouth, Handicapped Parking, to read as follows:

§ 213-4. Reserve parking spaces required.

Any person or body, having under his control any public or private way or improved or enclosed property used as off-street parking areas for business, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings or for any other place where the public has right of access as invitees or licensees, shall be required to provide reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by M.G.L. ch. 90, § 2, according to the formula provided in 28 CFR ch. 1, § 4.1.2(5)(a,b), for all parking facilities. This shall apply to restriping of parking facilities.

Or do or take any other action on this matter. On request of the Commission on Disabilities.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 39

ARTICLE 40: To see if the Town will vote to amend ch. 213, § 7 of the Code of Falmouth, Handicapped Parking, to read as follows:

§ 213-7. Violations and penalties.

The penalty for violation of this Article shall be not less than \$100.00 not more than \$300.00. The Chief of Police or his designee shall have the authority to remove the vehicle in accordance with G.L. ch. 40, § 22D.

Or do or take any other action on this matter. On request of the Commission on Disabilities.

VOTED: By a unanimous vote, a quorum being present on Tuesday, November 13, 2007 the Town voted Indefinite Postponement of Article 40

ARTICLE 41: To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Add:	Principal Office Assistant (Full Time)	Gr.08 – Step 4
Delete:	Principal Office Assistant (Part Time)	Gr.08 – Step 4

Or do or take any other action in this matter. On request of Ahmed A. Mustafa, Falmouth Veterans Council and others.

MOTION (Mustafa): That the Town vote to amend the Town's Position Classification Plan as follows:

Add:	Principal Office Assistant (Full Time) Veterans' Servives	Gr.08 – Step 4
Delete:	Principal Office Assistant (Part Time) Veterans' Servives	Gr.08 – Step 4

VOTED: By a declared majority vote, a quorum being present on Wednesday, November 14, 2007 the Town voted amend the Town's Position Classification Plan as follows:

Add:	Principal Office Assistant (Full Time) Veterans' Servives	Gr.08 – Step 4
Delete:	Principal Office Assistant (Part Time) Veterans' Servives	Gr.08 – Step 4

ARTICLE 42: Falmouth residents would benefit directly and indirectly from international cooperation and a diffusion of tensions in the Middle East. Falmouth taxpayers have paid almost \$71,000,000 dollars for the war in Iraq, as of August 20th, 2007. Monies that might have been available for local needs such as education, health care, libraries, transportation, town infrastructure and care for returning Falmouth veterans have instead gone to fund a war that many Falmouth residents do not support. Further, the deployment of Massachusetts National Guardsmen to Iraq leaves both Massachusetts and the Town of Falmouth, dangerously shorthanded should a disaster occur.

Therefore we ask that the Town Clerk join with the 300 U.S. cities and towns that have already voiced their protests and send a letter on behalf of the Town of Falmouth to our congressional delegation and to the President of the United States respectfully requesting that Congress set goals to end the occupation of Iraq and begin a safe, orderly withdrawal of all

our troops. Further, we ask that the letter request that the United Nations monitor the process of military disengagement and de-escalation to ensure that it is conducted in a manner that does not further jeopardize the troops currently in Iraq, and that the UN organize a peaceful reconstruction effort. Finally, the Town of Falmouth respectfully requests that returning veterans are given all the support and care to which they are entitled to repair any physical or mental damage caused by this war, and that Congress support legislation aimed at funding improved physical and mental healthcare benefits to military personnel.

On request of Michael S. Tork.

MOTION (Potter) That the Town vote Article 42 as printed

VOTED: By a counted vote of 103 in favor and 93 opposed, a quorum being present on Wednesday, November 14, 2007 the Town voted to pass Article 42 as printed

ARTICLE 43: To see if the Town will provide funding for any or all of the purposes voted for in the foregoing articles 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 a unanimous vote, a quorum being present on Wednesday, November 14, 2007 the Town voted that all articles approved at this town meeting be funded as voted for a total of \$7,611,518.36.