



WARRANT FOR THE SPECIAL TOWN MEETING
Tuesday, April 6, 2010 AT 7:00 PM

1	Land Purchase - Robert B. Pacheco Property
2	Land Transfer - Thomas B. Landers Road
3	Convey Land - 761 Teaticket Highway
4	Convey Land - 55 Glenwood Avenue
5	Amend FY2010 Operating Budget
6	Fund - Unpaid bills
7	Fund - Financial Audit of Treasurer Department
8	Fund - Town Meeting Budget
9	Fund - Elections Budget
10	Fund - School Department Budget
11	Fund - Cape Cod Regional Library Budget
12	Fund - Veteran's Ordinary Benefits Budget
13	Fund - Unemployment Budget
14	Purchase Election Hardware and Software
15	Demolition of Building - 630 Waquoit Highway
16	Community Preservation Fund - Consolidate Affordable Housing Development Fund
17	Community Preservation Fund - Transfer Funds to Affordable Housing Development Fund
18	Community Preservation Fund - Transfer Funds to Historic Resources Reserve Fund
19	Funding Article

ARTICLE 1: To see if the Town will vote authorize the Board of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN or any other appropriate authority, all or a portion of land in Falmouth, Barnstable County, Massachusetts, for purposes of community housing, open space and/or passive public recreation being described as follows:

Land now or formerly of Robert B. Pacheco, approximately 21.13 acres, more or less, and being shown on Assessors Map 39, Section 15, Parcels 46 and 47 and described in deeds recorded in the Barnstable County Registry of Deeds in Book 5471, Page 115, and Book 4041, Page 203, respectively.

And further to appropriate a sum of money for the acquisition of the foregoing land, including costs incidental and related thereto, and to authorize the Board of Selectmen or its designee to accept any 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 Community Preservation Fund, under the Community Preservation Act, 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 of the Town therefore.

Said land acquired with Community Preservation Funds shall be bound by permanent deed restrictions meeting the requirements of M.G.L. c. 184 and limiting the use of the land to the purpose for which it was acquired.

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

VOTED: By a declared two-thirds majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to authorize the Board of Selectmen to PURCHASE OR TAKE BY EMINENT DOMAIN or any other appropriate authority, all or a portion of land in Falmouth, Barnstable County, Massachusetts, for purposes of community housing, open space and/or public recreation being described as follows:

Land now or formerly of Robert B. Pacheco, approximately 21.13 acres, more or less, and being shown on Assessors Map 39, Section 15, Parcels 46 and 47 and described in deeds recorded in the Barnstable County Registry of Deeds in Book 5471, Page 115, and Book 4041, Page 203, respectively.

And further to appropriate the sum of \$3,000,000.00 for the purposes of Article 1, including costs incidental and related thereto, and that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen, is authorized to borrow \$1,500,000.00 under the provisions of M.G.L. Ch. 44, §7(3), M.G.L. Ch. 44B, §11, or any other enabling authority, and to issue bonds or notes of the Town therefore, and to appropriate the sum of \$1,500,000.00 from the Community Preservation Fund Undesignated Balance; and to authorize the Board of Selectmen to accept any gifts of property, real, personal or otherwise; enter into any agreements; seek funding under M.G.L. Ch. 132A, §11 and execute all documents it deems advantageous on behalf of the town, for partial or full reimbursements of the cost of acquisition; and to authorize expenditure of such funds by the Board of Selectmen or its designee.

Said land acquired with Community Preservation Funds shall be bound by permanent deed restrictions meeting the requirements of M.G.L. c. 184 and limiting the use of the land to the purpose for which it was acquired.

ARTICLE 2: To see if the Town will vote to authorize the Board of Selectmen to transfer or convey to the Twenty Two Acres Realty Trust dated June 19, 2003, David V. Peterson, Jr., Trustee, land owned by the Town of Falmouth located northerly and northwesterly of Thomas B. Landers Road and being a portion of land shown on the Falmouth Assessors Map as Map 16 Section 02 Parcel 002 Lot 000 and shown on a plan of land entitled "Plan Prepared for Twenty Two Acres Realty Trust in West Falmouth, MA, Scale: 1" = 60', Date: July 16, 2009" prepared by Homes and McGrath, Inc., Civil Engineers and Land Surveyors, 362 Gifford Street, Falmouth, MA 02540" as: (1) Parcel C, comprised of 4.22 acres; and, (2) Parcel A, comprised of 3.47 acres, for a total of 7.69 acres, without payment of monetary consideration to the Town of Falmouth, but in exchange for which the Twenty Two Acres Realty Trust and D.T.B, Inc. shall transfer or convey to the Town of Falmouth, without payment by the Town of Falmouth of monetary consideration, land located northerly and northwesterly of Thomas B. Landers Road being: (1) a portion of land shown on the Falmouth Assessors Map as Map 15 Section 03 Parcel 019 Lot 001 owned by the Twenty Two Acres Realty Trust and shown on said plan as Parcel D, comprised of 7.42 acres, together with an easement appurtenant to said parcel D over other land of the Twenty Two Acres Realty Trust for reasonable driveway access to Parcel D from Thomas B. Landers Road; and, (2) a portion of land shown on the Falmouth Assessors Map as Map 16 02 001A 001 owned by D.T.B., Inc. and shown on said plan as Parcel 1A, comprised of 11,986 square feet (.27 acres), for a total of 7.69 acres. 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, April 6, 2010 the Town voted Article 2 as printed.

ARTICLE 3: To see if the Town will vote to authorize the Board of Selectmen to issue a Request for Proposals or otherwise convey one (1) parcel of land at 761 Teaticket Highway in East Falmouth, being land shown on the Assessors Map as Map 34 Section 06 Parcel 015 Lot 001K, subject to an appropriate restriction that the land be used for affordable housing and upon such further terms and conditions as the Board of Selectmen deems appropriate. Or do or take any other action in this matter. On request of the Board of Selectmen.

VOTED: By a counted vote of 139 in favor and 56 opposed, a quorum being present on Tuesday, April 6, 2010 the Town voted Article 3 as printed.

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to sell or otherwise convey one (1) parcel of land at 55 Glenwood Avenue in Falmouth, being shown on the Assessors Map as 47A-08-010-000, subject to an appropriate restriction that the land be used for affordable housing and upon such further terms and

conditions as the Board of Selectmen deems appropriate. Or do or take any other action in this matter. On request of the Board of Selectmen.

VOTED: By a declared two-thirds majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted Article 4 as printed.

ARTICLE 5: To see if the Town will vote to adjust the Fiscal Year 2010 operating budget to amend the appropriations voted in Article 18 at the April 2009 Annual Town Meeting. 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, April 6, 2010 the Town voted to transfer from the following line items:

1)	01122-51110	Selectmen/Town Manager	Salary & Wages	\$2,853
2)	01131-51110	Finance Committee	Salary & Wages	447
3)	01135-51110	Town Accountant	Salary & Wages	1,258
4)	01141-51110	Assessing	Salary & Wages	2,186
5)	01145-51110	Town Treasurer	Salary & Wages	1,386
6)	01146-51110	Town Collector	Salary & Wages	1,390
7)	01150-51110	Legal	Salary & Wages	1,976
8)	01152-51110	Personnel	Salary & Wages	1,329
9)	01155-51110	Information Technology	Salary & Wages	3,782
10)	01156-51110	GIS	Salary & Wages	548
11)	01159-51110	Affirmative Action	Salary & Wages	323
12)	01160-51110	Town Clerk	Salary & Wages	1,559
13)	01171-51110	Conservation	Salary & Wages	1,211
14)	01175-51110	Planning	Salary & Wages	2,021
15)	01176-51110	Zoning	Salary & Wages	804
16)	01198-51110	Facilities	Salary & Wages	3,957
17)	01210-51110	Police	Salary & Wages	5,619
18)	01210-51125	Police	Part Time Summer Patrol	5,560
19)	01210-51134	Police	Addtl Gross-Drug Investigation	18,271
20)	01210-51144	Police	Educational Incentive – Quinn Bill	177,829
21)	01210-51191	Police	Uniform Allowance	1,000
22)	01210-54418	Police	Supply-Community Policing	2,753
23)	01210-54583	Police	Supplies-Uniforms	7,000
24)	01210-54587	Police	Supplies-Range	513
25)	01210-57710	Police	In-State Travel	1,766
26)	01210-57720	Police	Out-of-State Travel	3,800
27)	01210-57787	Police	Othr Charges-Training	9,335
28)	01220-51110	Fire	Salary & Wages	1,518
29)	01220-51140	Fire	Differential-Holiday	22,000
30)	01220-51142	Fire	Differential-Holiday Dispatch	2,000
31)	01220-52242	Fire	Repr/Maint-Vehicles	10,000
32)	01220-54583	Fire	Othr Supplies-Clothing	6,000
33)	01241-51110	Building	Salary & Wages	3,600
34)	01294-51110	Natural Resources	Salary & Wages	2,655
35)	01295-51110	Harbor	Salary & Wages	1,268
36)	01295-51120	Harbor	Salary & Wages Temp	10,000
37)	01300-51110	School	Salary & Wages	100,000
38)	01300-57780	School	Otherwise Unclassified	110,036
39)	01300-57799	School	Prior Year Encumbrances	39,964
40)	01411-51110	DPW Admin/Engineering	Salary & Wages	33,786
41)	01422-51110	DPW Highway	Salary & Wages	8,215
42)	01422-52251	DPW Highway	Repr/Maint-Town Property	10,000
43)	01431-51110	DPW Waste Management	Salary & Wages	1,274

44)	01431-52294	DPW Waste Management	Othr Prop Serv-Recycling	15,000
45)	01440-51110	DPW Wastewater	Salary & Wages	3,878
46)	01440-54535	DPW Wastewater	Pub Wks Supply-Chemicals	30,000
47)	01451-51110	DPW Water	Salary & Wages	47,725
48)	01451-52213	DPW Water	Energy-Natural Gas	5,000
49)	01499-51110	DPW Tree	Salary & Wages	5,264
50)	01499-51120	DPW Tree	Salary & Wages Temp	20,000
51)	01510-51110	Health Inspection	Salary & Wages	1,485
52)	01541-51110	Council on Aging	Salary & Wages	1,497
53)	01543-51110	Veterans Services	Salary & Wages	840
54)	01599-51110	Human Services	Salary & Wages	2,664
55)	01611-51110	Library	Salary & Wages	10,073
56)	01631-51110	Recreation	Salary & Wages	1,978
57)	01632-51120	Beach	Salary & Wages Temp	30,000
58)	01911-51182	Retirement	Fringe Ben-N/Contrib Pension	45,000
59)	01916-51179	Medicare Tax	Employer Contribution	30,000
60)	01919-51142	Other Employee Benefits	Longevity	15,000

For a total of \$888,196.00 to Accounting Budget Line Item 01135-57785 (Reserve for Fiscal Year 2010 Closing).

ARTICLE 6: 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, April 6, 2010 the Town voted to appropriate a sum of \$1,751.60 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:

Legal	Animal Inns, Inc.	\$ 314.50
	Deer Run Veterinary Service	81.00
Treasurer	RBS WorldPay	1,356.10

ARTICLE 7: To see if the Town will vote to appropriate a sum of money to complete a financial audit of the Treasurer function, 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, April 6, 2010 the Town voted to appropriate a sum of \$5,000.00 from Certified Free Cash for the purposes of Article 7 to be expended under the jurisdiction of the Board of Selectmen

ARTICLE 8: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town Meeting Budget Line Item 01113-51120 (Salary & Wages), 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, April 6, 2010 the Town voted to transfer a sum of \$500.00 from Town Meeting Advertising Budget Line Item 01113-52343 to Town Meeting Salary & Wages Part Time Budget Line Item 01113-51120 for the purposes of Article 8 to be expended under the jurisdiction of the Town Clerk.

ARTICLE 9: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Elections Budget Line Item 01162-51120 (Salary & Wages), 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, April 6, 2010 the Town voted to appropriate a sum of \$14,000.00 from Certified Free Cash to Elections Salary & Wages Budget Line Item 01162-51120 for the purposes of Article 9 to be expended under the jurisdiction of the Town Clerk.

ARTICLE 10: To see if the Town will vote to appropriate a sum of money to the Fiscal Year 2010 Falmouth School Department Budget, 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 Falmouth School Committee.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted Indefinite Postponement of Article 10.

ARTICLE 11: To see if the Town will vote to appropriate a sum of money to the Fiscal Year 2010 Cape Cod Regional Library Budget, 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 Library Director.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of \$15,733.00 from Certified Free Cash to Cape Cod Regional Library Budget Line Item (01613-51110), for the purposes of Article 11 to be expended under the jurisdiction of the Library Director.

ARTICLE 12: To see if the Town will vote to appropriate a sum of money for the purpose of funding the Veteran's Ordinary Benefits Account 01543-57770, 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 Director of Veterans' Services.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of \$25,000.00 from Certified Free Cash to Veterans Ordinary Benefits Budget Line Item (01543-57770), for the purposes of Article 12 to be expended under the jurisdiction of the Director of Veterans' Services.

ARTICLE 13 To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town's obligation for Unemployment Compensation benefits, 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 Manager.

VOTED: By a unanimous vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of \$100,000.00 from Certified Free Cash to Unemployment Budget Line Item 01913-51174 for the purposes of Article 13 to be expended under the jurisdiction of the Personnel Director.

ARTICLE 14: To see if the Town will vote to appropriate a sum of money for the purpose of funding the purchase of Election hardware and software, 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, April 6, 2010 the Town voted to appropriate a sum \$9,175.00 for the purpose of funding the purchase of Election hardware and software. To be expended under the jurisdiction of the Town Clerk.

ARTICLE 15: To see if the Town will vote to appropriate a sum of money for costs related to the demolition of a structure located at 630 Waquoit Highway 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 Building Commissioner.

VOTED: By a declared majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to appropriate a sum of \$7,400.00 from Certified Free Cash for the purposes of Article 15 to be expended under the jurisdiction of the Building Commissioner.

ARTICLE 16: To see if the Town will vote to consolidate all appropriations made to the Affordable Housing Development Program under Article 46 of the November 2006 Town Meeting, Article 36 of the April 2007 Town Meeting, Article 34 of the April 2008 Town Meeting, and Article 21 of the April 2009 Town Meeting, and notwithstanding the terms of the votes regarding such articles, to authorize the Community Preservation Committee to recommend and distribute the expenditure of such funds, including any future appropriations into the Housing Development Program, subject to a vote of the Board of Selectmen, in accordance with the Affordable Housing Development Program Guidelines, as such guidelines may be amended from time to time by the Community Preservation Committee. Or act in any way relative thereto as allowed under the Community Preservation Act. On request of the Community Preservation Committee.

VOTED: By a declared majority vote, a quorum being present on Tuesday, April 6, 2010 the Town voted to transfer the sum of \$1,003,016.67 which was previously appropriated under the following articles (\$3,016.67 from Article 46 of the November 2006 Town Meeting, \$292,300 from Article 36 of the April 2007 Town Meeting, \$425,000 from under Article 34 of the April 2008 Town Meeting, and \$282,700 from Article 21 of the April 2009 Town Meeting) into one consolidated appropriation for purposes of the Housing Development Program; and to authorize the Community Preservation Committee to recommend and distribute the expenditure of such funds, including any future appropriations into the Housing Development Program, subject to a vote of the Board of Selectmen, in accordance with the Affordable Housing Development Program Guidelines, as such guidelines may be amended from time to time by the Community Preservation Committee.

ARTICLE 17: To see if the Town will vote to transfer Community Preservation Funds previously appropriated for the Affordable Housing Retention Program under Article 47 of the November 2006 Town Meeting and Article 36 of the April 2008 Town Meeting to the Affordable Housing Development Program under the Community Preservation Act category of Community Housing. 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, April 6, 2010 the Town voted to transfer the sum of \$333,000 (of which \$203,617 was previously appropriated under Article 47 of the November 2006 Town Meeting and \$129,383 appropriated under Article 36 of the April 2008 Annual Town Meeting) to be made available for the purposes of the Affordable Housing Development Program.

ARTICLE 18: To see if the Town will vote to transfer Community Preservation Act Funds previously appropriated under Article 39 of the April 2007 Annual Town Meeting for purposes of the historically appropriate rehabilitation of the Davis House at 3 Water Street in Woods Hole to the Historic Resources Reserve. 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, April 6, 2010 the Town voted to transfer the remaining sum of \$131,809 from the appropriation authorized under Article 39 of the April 2007 Annual Town Meeting and transfer the same to the Historic Resources Reserve.

ARTICLE 19: 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 Tuesday, April 7, 2009 the Town voted that all articles approved at this town meeting be funded as voted for a total of \$5,534,581.27