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COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

APRIL TOWN MEETING

and

SPECIAL TOWN MEETING

Memorial Auditorium
Lawrence School
Lakeview Avenue
Falmouth, Massachusetts

MODERATOR: David T. Vieira

TOWN CLERK: Michael Palmer

Wednesday, April 15, 2015

7:00 p.m.

Carol P. Tinkham
Professional Court Reporter
321 Head of the Bay Road
Buzzards Bay, MA 02532
(508) 759-9162
caroltinkham@gmail.com

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1 P R O C E E D I N G S

2 THE MODERATOR: Okay, all Town Meeting
3 Members, don't forget to sign in. Attendance is
4 published in the Falmouth Enterprise.

5 [Pause.]

6 THE MODERATOR: Okay, our tellers this
7 evening: in the first division will be Mr. Netto;
8 in the second division will be Mr. Dufresne; and
9 in the third division will be Mr. Hampson.

10 [Pause.]

11 THE MODERATOR: Okay, all Town Meeting
12 Members please rise for the establishment of the
13 quorum and the tellers will return a count.

14 [Pause.]

15 THE MODERATOR: In the first division,
16 Mr. Netto.

17 MR. NETTO: 32.

18 THE MODERATOR: 32.

19 In the third division, Mr. Hampson.

20 MR. HAMPSON: 49.

21 THE MODERATOR: In the second division,
22 Mr. Dufresne.

23 MR. DUFRESNE: 68.

24 THE MODERATOR: 68?

1 By a counted vote of 149 we have a
2 quorum and I call the Special Town Meeting back
3 into session.

4 All present please rise for the
5 presentation of the colors by the Falmouth Girls
6 Ice Hockey Team.

7 [Cheers and applause.]

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

10 [Pledge of Allegiance taken.]

11 THE MODERATOR: At this time I'll
12 recognize Doug Brown for the invocation.

13 MR. BROWN: Lord, we ask your blessing
14 on this Town Meeting. Let each one of us here
15 this evening recognize our differences and our
16 similarities. Let us listen to each other
17 thoughtfully and guide us to vote on the issues
18 before us with an open mind.

19 We ask you to watch over our words and
20 our debates so that the result of our meeting
21 will be beneficial to all.

22 THE MODERATOR: At this point we'll
23 have a moment of silence. As you know, today is
24 the second anniversary of the Marathon bombing in

1 Boston, and we keep those families and officers
2 in our thoughts and prayers this evening.

3 [Moment of silence.]

4 THE MODERATOR: Colors post.

5 [Pause.]

6 THE MODERATOR: So, with us this
7 evening are representatives of the Falmouth Girls
8 Ice Hockey Team. We have Maddie Scavotto,
9 Rachael Curtis, Abby Peterson, Hannah Callahan,
10 Maddi Haberl, McKenzie Haberl, Elizabeth Palmer
11 and Margo Palmer -- and the two Palmers who are
12 actually going to be our microphone carriers
13 tonight.

14 [Applause and cheers.]

15 THE MODERATOR: At this time, the chair
16 would recognize the Chairman of the Board of
17 Selectmen.

18 CHAIRMAN JONES: First off, I'd like to
19 congratulate the team and the coach for being
20 able to come through in a fantastic game, a 3-2
21 victory, to claim the state championship.

22 And particularly, we have the coach and
23 ten seniors. This is their fourth year they've
24 been together. Three of the four years they've

1 made it to the championship game, and for these
2 ten seniors and the coach to end with it, with a
3 final victory, is fantastic.

4 But, in addition to congratulations, I'd
5 like to thank them and give them some gratitude
6 for showing us, the Town Meeting, how well a team
7 can work together and bring joy and happiness to
8 this fantastic Town of Falmouth. Thank you very
9 much.

10 [Applause and cheers.]

11 THE MODERATOR: And their coach, Erin
12 Hunt, was unable to be with us tonight because
13 she's doing what coaches do best: she's coaching
14 another sport.

15 So, hat's off to all of our volunteers
16 and all of our coaches and members of the
17 Athletic Department.

18 Okay, last night we completed Article 20
19 on the Special, and so we will begin on Article
20 21, which is to appropriate a sum of money to
21 make improvements to White Pine Lane. The
22 recommendation was indefinite postponement.

23 Madame Chairman for a positive motion.

24 CHAIRMAN MAGNANI: Mr. Moderator, I

1 move the Town vote to transfer \$142,000 from
2 Certified Free Cash for the purposes of Article
3 21, to be expended under the jurisdiction of the
4 Town Manager.

5 THE MODERATOR: Okay, you've all heard
6 the main motion: \$142,000 from Certified Free
7 Cash.

8 Discussion or presentation on Article
9 21. Ms. Harper.

10 MS. HARPER: Good evening. Is this
11 on? On now? Maybe I'm just not talking loud
12 enough.

13 Good evening. It's a pleasure to be
14 here this evening with all of you.

15 I do want to provide a few comments and
16 my strategy always is only to give a presentation
17 if the article is held. So it was held with a
18 question and I want to provide some background
19 for all of you on the this particular issue.

20 I truly appreciate that Town Meeting
21 members are here to serve. You're here to make
22 the community a better place for everyone in the
23 community, and I recognize that the vote at the
24 last Town Meeting on White Pine Lane was in the

1 interest of improving the quality of life for the
2 residents of White Pine Lane.

3 Sometimes it is the tip of the iceberg
4 and I want to give you a little bit of
5 information so you know what that iceberg is in
6 the future.

7 If I could have the first slide, please.
8 Although it's not very legible.

9 But I can share with you that there are
10 868 private roads in Falmouth. 150 miles.
11 There are more private roads in Falmouth than
12 there are public roads, and probably 50 percent
13 of you live on private roads. Many, many of
14 them are gravel roads with poor conditions.
15 Whether they're drainage problems or simply
16 washboarding out on a regular basis, these are
17 issues that our neighbors throughout our
18 community confront all the time. It's been a
19 challenge for Falmouth. It's not a unique
20 challenge; it's something that every community on
21 the Cape faces and most in the Commonwealth of
22 Massachusetts.

23 The cost to improve all of those roads,
24 as estimated by our Town Engineering Department -

1 thank you - is anywhere between 135 million and
2 191 million dollars.

3 In order to address this issue, almost
4 20 years ago this Town Meeting asked the
5 legislature to create special legislation that
6 allows a town to fund improvements on private
7 roads, and those betterments paid on those roads
8 come back into the fund in a revolving way.

9 In order to participate in that program,
10 the Board of Selectmen required that residents
11 submit taking plans. So plans can cost anywhere
12 from \$1500 to \$3000, depending on your roadway
13 and the complexity of the legal issues. So
14 there's some cost. And that was really
15 established because there was such high demand
16 for people desiring to pay 100 percent of the
17 cost to improve their roads, we couldn't keep up
18 with the demand. So we set this bar that said,
19 if you're really interested, you'll get the plans
20 done. Well, they did. Many, many
21 neighborhoods did that, and in 2002 the program
22 was oversubscribed and the Board of Selectmen
23 said we need to put a moratorium on this program
24 because we can't keep up with the demand.

1 The last road taken since 2002 was
2 Elizabeth Jean Drive, which you all took I think
3 about a year ago. The repairs to that road are
4 expected this spring and those will cost a little
5 over \$300,000. As the betterments are applied
6 to those homeowners, they will pay us back over
7 20 years and we'll use those funds to take
8 another road.

9 So, over 13 miles of road have been
10 taken since that program was instituted. Fifty-
11 two roads have been taken, and 33 roads are -
12 continue to be on file with the Town.

13 Now, I do want to talk a little bit
14 about White Pine Lane and I do recommend and
15 request that you endorse the article as the
16 Finance Committee requests.

17 White Pine Lane came to Town Meeting
18 first, and Town Meeting saw the conditions and
19 you felt compassion and felt the Town needed to
20 address that issue. The Board of Selectmen
21 heard you loud and clear, but they still needed
22 the homeowners to adopt the taking plans which
23 are required to move forward by Massachusetts
24 General Laws. To take the roads, you've got to

1 prepare this taking plan. And the neighbors
2 went out, they raised the funds, they produced
3 the plan and then the Board of Selectmen embarked
4 on what is about a three month long process that
5 goes to the Planning Board, back to Selectmen, to
6 Town Meeting and then back to Selectmen again.
7 It's a long process.

8 That happened this month. The Board of
9 Selectmen held the layout hearing as well as the
10 betterment hearing. They adopted 100 percent
11 betterment for White Pine Lane, but they accept
12 that White Pine Lane is unique and they recommend
13 this expedited process. And the reasons are
14 that there is a public convenience associated
15 with White Pine Lane. It connects Sandwich Road
16 to Lake Shore Drive, and there are about 80 homes
17 that are served by White Pine Lane that other
18 sort of regular neighborhood cul-de-sacs don't
19 provide that community benefit.

20 So the Board was convinced that it's
21 appropriate to move forward at this time, but
22 that that neighborhood needs to fund the
23 improvements like all the other 52 roads that
24 have been taken since 1992 have.

1 Thank you.

2 THE MODERATOR: Okay, discussion?

3 Yes. Yes, with the mic.

4 MS. FAVREAU: [No mic:] Can I go down
5 to the [inaudible] -

6 THE MODERATOR: Sure, if you want to.

7 MS. FAVREAU: Thank you, Selectmen,
8 Moderator. I especially want to thank the Town
9 Meeting members. Without you, I wouldn't be
10 here tonight.

11 I hope that you will make this miracle
12 happen. Evidently step 14 is a miracle. And
13 the presentation that I'm going to show you I'll
14 try to go through as quickly as possible. I
15 know it's the third night, but I just want to go
16 over some of the reasons, if you don't mind.

17 We got together. We've been asking
18 since 1973 and 1978, and for some unknown reason
19 we weren't put on the list. If the road was
20 taken then and we paid for it, it would be
21 costing far less than what it is right now.
22 Especially with it being such public access.

23 But the thing is is that - the next
24 slide, please.

1 The road is - our gas line is within a
2 few - the next slide, please.

3 The road was halfway done. The bottom
4 part of the road was done, but the - the main
5 things that are happening are from the top of the
6 hill, and that's where the Grange Hall is.

7 Next slide.

8 This is some of it. It's far - if you
9 go down the road right now, you'll see that it's
10 far worse than this.

11 Next slide, please.

12 Down the bottom part, they have
13 drainage, but it always clogs with mud.

14 Next slide.

15 Outside some of the driveways it's in -
16 in September that picture was taken. It was 15
17 inches and it's now over 18 inches. So, I have
18 - I asked Mr. McConarty if he would please meet
19 with me Monday because I think the gas line is a
20 lot closer than that, than the six inches that
21 they told him.

22 Next slide, please.

23 I guess at one time it was paved, but
24 they threw gravel and dirt on top of it to fix

1 it. Before I bought the house in 1987.

2 Next slide, please.

3 These are some of the run-off that's
4 going into everybody's driveways.

5 Next slide.

6 And more of the same. You can see that
7 the road conditions are pretty bad.

8 Go on, please. Go on, please. Go on,
9 please.

10 It's heavily traveled, like she said.
11 We can't get - there's trucks.

12 And you can just keep going on while I'm
13 talking.

14 There's special needs busses that are
15 trying to navigate through the road. Dust is
16 everywhere. Our mailboxes are on Sandwich Road
17 and we have less than three feet to get our mail.
18 And with the road being done, we'll be able to
19 have our mailboxes taken off that road and in
20 front of our driveways. That's where the
21 mailboxes are. You can see how close that is.

22 Then little kids have to be watched by
23 their parents when they're up there because it's
24 such a narrow road.

1 You can keep going.

2 I'm trying to go as quickly as possible
3 because I know that you have a lot more to do.
4 I'm hoping that you could please vote for these
5 two articles, and again I thank you for the
6 privilege of being up here.

7 Thank you.

8 THE MODERATOR: Further discussion?

9 Mr. Hargraves.

10 MR. HARGRAVES: I would like to ask two
11 questions, just to clarify my understanding of
12 what we're doing.

13 MS. FAVREAU: Okay.

14 MR. HARGRAVES: Is the only exception
15 to the process for betterment and the taking of
16 streets that this one is being expedited? Is
17 the rest of the process for funding and repayment
18 over a number of years the standard process, or
19 are we creating a new template? I guess this
20 would be through you, Mr. Moderator, to Heather.

21 THE MODERATOR: Ms. Harper.

22 MS. HARPER: The betterment process is
23 the standard. The difference here is that we're
24 raising additional funds to really increase the

1 road betterment fund to accommodate this road so
2 that the roads that are waiting don't get pushed
3 further down the list. But the process of the
4 Town appropriating the funds and the residents
5 repaying those back over 20 years is the
6 standard.

7 MR. HARGRAVES: So the residents have
8 the same responsibility as any other private way
9 residents who are having their street taken by
10 the Town?

11 MS. HARPER: Correct.

12 MR. HARGRAVES: And the last question
13 is I notice that the Finance Committee is
14 recommending indefinite postponement for the lack
15 of enough information -

16 THE MODERATOR: No, no, no, no. That
17 was because they didn't have the numbers. So
18 the main motion is \$142,000 from Certified Free
19 Cash.

20 MR. HARGRAVES: So there's no other
21 reason that they would recommend indefinite
22 postponement, then?

23 THE MODERATOR: They didn't. They
24 made a positive motion for \$142,000.

1 MR. HARGRAVES: Okay, thanks.

2 THE MODERATOR: Okay. Mr. Donahue.

3 MR. DONAHUE: Bob Donahue, precinct 3.

4 I'd like to make an amendment to this
5 and I'd like the amendment to say after the end,
6 "and have no betterment and fees applied to this
7 project".

8 The reason I feel that no betterment
9 should be applied to this, ladies and gentlemen,
10 is that back in 1973 the Selectmen signed off on
11 this and told those people "You will have your
12 street, don't worry about it." Then -

13 THE MODERATOR: Mister -

14 MR. DONAHUE: - it came to Town Meeting
15 -

16 THE MODERATOR: Mr. Donahue, the motion
17 - the amendment to change the betterment
18 construct is beyond the scope of the article.
19 This article is just about appropriating a sum of
20 money for the improvement.

21 MR. DONAHUE: So the betterment is the
22 next article?

23 THE MODERATOR: No, the betterment is a
24 decision that was made by the Board of Selectmen.

1 MR. DONAHUE: But can't -

2 THE MODERATOR: This body is deciding
3 whether or not to appropriate \$142,000 for
4 improvements to the road.

5 MR. DONAHUE: Can't we add -

6 THE MODERATOR: No, we cannot. That's
7 why it's out of order.

8 MR. DONAHUE: You can't -

9 THE MODERATOR: No, you can't.

10 MR. DONAHUE: - add financial -

11 THE MODERATOR: I can say it a third
12 time, if you'd like: no, you can't.

13 MR. DONAHUE: Why can't - why can't you
14 -

15 THE MODERATOR: It's beyond the scope.

16 MR. DONAHUE: It is - no, it isn't.
17 It's financial -

18 THE MODERATOR: Because the article
19 says ---

20 MR. DONAHUE: -- it's a financial --

21 THE MODERATOR: -- to vote to
22 appropriate a sum of money to make improvements
23 to White Pine Lane. Nowhere is there posted
24 that we're going to change the betterment

1 constructs of the Town of Falmouth in this
2 article. Therefore it is beyond the scope. If
3 you'd like to change future betterments, talk to
4 the Selectmen and we've got a Town Meeting in the
5 fall.

6 MR. DONAHUE: No. Read the whole -
7 you said there was going to be betterments in
8 that motion, I believe.

9 THE MODERATOR: No. The residents
10 will pay betterments, but the article before Town
11 Meeting is to appropriate a sum of money for
12 improvements to the road.

13 MR. DONAHUE: Okay, then I'll rescind
14 the amendment, I guess.

15 But I do want to speak on it. This was
16 - these - the Selectmen signed off on this.
17 They went to these people and said, "Here.
18 You're going to have your road." Then they went
19 to Town Meeting and either they said at Town
20 Meeting under the article - they either said no
21 action to be taken, indefinite postponement, or
22 they put no money to it. So it went into limbo.

23 Back in '78, they did the same thing to
24 these people. They signed off on it. "We will

1 support you. We will fight for you." And then

2 --

3 FROM THE FLOOR: Point of order, point
4 of order.

5 MR. DONAHUE: Okay, don't do anything.

6 THE MODERATOR: All right, Mr. Donahue.

7 MR. DONAHUE: I think this is why this
8 road needs to be done.

9 Thank you.

10 THE MODERATOR: Okay. I had a hand
11 over here. Is it Mr. Nickerson?

12 MR. NICKERSON: Brian Nickerson,
13 precinct 2.

14 Mr. Moderator to Ms. Harper. There is
15 a list, there's a waiting list, correct, Heather?

16 MS. HARPER: Correct.

17 MR. NICKERSON: In November, where was
18 White Pine Lane sitting in that waiting list at
19 that time?

20 MS. HARPER: The only roads on the list
21 are those that submitted petitions. I don't know
22 where -

23 MR. NICKERSON: It probably wasn't on
24 the list, right?

1 MS. HARPER: I'm not sure.

2 MR. NICKERSON: All right. Well, I
3 thought it was bad government then and I think
4 it's a bad precedent now. I'll probably vote
5 for it, but I think doing something like this,
6 that means we're going to get flooded with all
7 the private roads in town, and everybody wants to
8 push themselves to the top of the list.

9 And, I'm not questioning you. My
10 question isn't to you. I probably am going to
11 vote for it; but I don't like it.

12 Thank you.

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

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [No.]

19 THE MODERATOR: The ayes have it by a
20 majority.

21 Article 22, Chairman of the Board of
22 Selectmen for the main motion.

23 CHAIRMAN JONES: Mr. Moderator, I move
24 Article 22 as recommended.

1 THE MODERATOR: As recommended. This
2 is to vote to accept the doings of the Board of
3 Selectmen in laying out of White Pine Lane.

4 Discussion on Article 22.

5 Mr. Young.

6 MR. YOUNG: Bob Young, precinct 5.

7 I'm fully in favor of both of these
8 articles. My question is in the laying out of
9 the road. Right now the road is in terrible
10 shape so everybody's driving slow on that road.
11 Once it's paved and there's all these people are
12 driving through there, it'll be probably at a
13 high rate of speed. Is there an anticipation of
14 laying out a sidewalk on the side of this road so
15 people can get to their mailboxes and post office
16 and bus stops?

17 I think it would be a good idea.

18 MS. FAVREAU: There's hardly any
19 traffic. There's only ten houses on the street,
20 and no one goes up - up the street to Lake Shore
21 Drive.

22 There's four children that live on the
23 street, and they live up on - on Lake Shore.
24 Their house is the first one on Lake Shore.

1 THE MODERATOR: Ms. Harper, the layout
2 plan?

3 MS. HARPER: The design for the road
4 improvements to not - does not include a
5 sidewalk.

6 THE MODERATOR: Mr. Bidwell.

7 MR. BIDWELL: Todd Bidwell, precinct 4.
8 Would you mind, Ma'am, just repeating
9 what you had shared with us just a moment ago?
10 Did you say there's hardly any traffic on this
11 road?

12 MS. FAVREAU: No, I said hardly any
13 children --

14 MR. BIDWELL: Children, thank you.

15 MS. FAVREAU: -- that would be using -
16 that would be using the sidewalks. If you go up
17 and down the street, you'll never see anybody
18 walking it.

19 THE MODERATOR: Okay. Any further
20 discussion?

21 Ms. Hayward. With the mic, please.

22 MS. HAYWARD: Nancy Hayward, precinct
23 5.

24 Mr. Moderator, Ms. Harper said

1 something, but I couldn't hear what she said.

2 Now, whether or not it was relevant, I don't -

3 THE MODERATOR: There will be no

4 sidewalks in the layout, is what she said.

5 MS. HAYWARD: Thank you.

6 THE MODERATOR: Yes. No problem.

7 Anybody else?

8 Hearing none, the question will come on the
9 main motion as printed. All those in favor,
10 signify by saying aye.

11 [Aye.]

12 THE MODERATOR: All those opposed no.

13 [No.]

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

16 MS. FAVREAU: Thank you so very much.

17 THE MODERATOR: Article 23, the
18 Community Preservation Committee. This is to
19 authorize the Board of Selectmen to purchase or
20 take by eminent domain a conservation restriction
21 on a parcel of land owned by the Woods Hole
22 Oceanographic Institution.

23 Mr. Chairman.

24 CHAIRMAN HERBST: Thank you, Mr.

1 Moderator. Ralph Herbst, Precinct 8. Chairman
2 of the Community Preservation Committee.

3 Article 23 is a re-do of an article that
4 we did a year ago, where the language was a
5 little bit confusing. And this article does not
6 appropriate additional money to the article that
7 was passed a year ago, it's just a redo with the
8 same dollar figure.

9 Now, if you look in the explanation,
10 there's a reference to \$250,000 for the purchase
11 of the conservation restriction. So that OPET
12 can purchase this land from WHOI. I have been
13 advised that the recommendation for this article
14 needs to be amended.

15 And so, Mr. Moderator, I would like to
16 read the amendment, although it's up there right
17 now. And the recommendation is that the Town
18 vote to appropriate the sum of \$250,000 from the
19 undesignated fund balance for the purpose of
20 purchasing a conservation restriction in
21 perpetuity to be administered by the Conservation
22 Commission for open space and passive recreation
23 purposes, and such other uses as may be permitted
24 under the conservation restriction.

1 So therefore I - the Community
2 Preservation recommends Article 23 as amended.

3 THE MODERATOR: Okay, any discussion on
4 Article 23?

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

8 [Aye.]

9 THE MODERATOR: All those opposed no.

10 [None opposed.]

11 THE MODERATOR: The ayes have it
12 unanimous.

13 CHAIRMAN HERBST: Thank you.

14 THE MODERATOR: Article 24. This is a
15 Community Preservation Committee article to
16 appropriate a sum of \$168,280 from Fiscal 2015
17 Community Preservation Undesignated Fund Balance
18 to fund the preservation of Falmouth Housing
19 Authority's affordable family housing.

20 Mr. Chairman for the main motion.

21 CHAIRMAN HERBST: The Community
22 Preservation Committee recommends Article 24 as
23 recommended.

24 THE MODERATOR: As recommended. Any

1 discussion on Article 24?

2 Hearing none, then the question will
3 come on the main motion as recommended. All
4 those in favor, signify by saying aye.

5 [Aye.]

6 THE MODERATOR: All those opposed no.

7 [None opposed.]

8 THE MODERATOR: The ayes have it
9 unanimous.

10 Article 25 is a Community Preservation
11 Committee to appropriate the sum of \$24,400 from
12 Fiscal '15 Community Preservation Undesignated
13 Fund Balance to the West Falmouth United
14 Methodist Church to fund front entry doorway
15 rehabilitation project.

16 Mr. Chairman for the main motion.

17 CHAIRMAN HERBST: Mr. Moderator,
18 Community Preservation Committee recommends
19 Article 25 as recommended.

20 THE MODERATOR: As recommended. Any
21 discussion on Article 25?

22 Mr. Waasdorp.

23 MR. WAASDORP: Peter Waasdorp, precinct

24 1.

1 I'll make my standard objection.
2 Falmouth should be taking the lead on maintaining
3 a strong wall of separation between church and
4 state by voting articles like this down. Thank
5 you.

6 THE MODERATOR: Okay. Yeah, Mr. Cook.

7 CHAIRMAN HERBST: For the benefit of
8 the Town Meeting tonight -

9 THE MODERATOR: Mr Herbst.

10 CHAIRMAN HERBST: - I happen to be a
11 member of this church and I have recused myself
12 for the entire deliberations and recommendations
13 by the Community Preservation Committee and I
14 will continue to recuse myself at this point and
15 I've asked one of our Community Preservation
16 Committee members, Mr. Peter Cook, to respond to
17 this article.

18 THE MODERATOR: Mr. Cook.

19 MR. COOK: Peter Cook, precinct 6.

20 I just want to note a few things that
21 the article was - hang on. The article was
22 being funded - ten percent is going to be funded
23 by the West Falmouth United Methodist Church and
24 has been approved by the Falmouth Historic

1 District Commission and it is in the category of
2 Historic Preservation.

3 And I would like to include one other
4 point of history from the Spring Town Meeting
5 2012. It helps to work for a library. In
6 Article 21 in Spring Town Meeting 2012, it said,
7 "To see if the Town will vote to appropriate a
8 sum of money for the Community Preservation Fund,
9 Estimated Receipts and Historic Preservation
10 Reserve Account, for the purpose of exterior
11 restoration of the Waquoit Congregational Church,
12 to determine how the same shall be raised, by
13 whom expended, and do not take any action."

14 Town Meeting voted, by majority vote,
15 voted to appropriate a sum of \$136,424 from the
16 Community Preservation Fund for Historic
17 Preservation. So there is a precedent for this.

18 THE MODERATOR: Mr. Shearer.

19 MR. SHEARER: Dan Shearer precinct 6.

20 I want to ask if – how did you come up
21 with the sum of \$24,400? Have you gotten
22 estimates and have you gotten more than one?

23 THE MODERATOR: Mr. Cook.

24 MR. COOK: Yes, we did have an estimate

1 and that was from the firm of Doug Brown, and we
2 did have more than one estimate for that amount.
3 The amount figured in that it was a cost of
4 restoring the doors into their original
5 condition. The doors themselves were leaking
6 water; they were in poor shape and they were
7 historically part of the facade of the building.

8 MR. SHEARER: Thank you.

9 My other comment will be that this is
10 the second time this church has come to us. And
11 I really believe we should spend this tax money
12 on things for the whole community. And I know
13 historic restoration is very valuable to the Town
14 of Falmouth, but we have a lot of it around. I
15 think when someone comes to us for the second
16 time and hasn't tried to raise any money that I
17 know of in West Falmouth, I would say no.

18 Thank you.

19 THE MODERATOR: Okay, Mr. Latimer.

20 MR. LATIMER: Richard Latimer, precinct
21 one. Town Meeting member and a lawyer.

22 Some free legal opinion, here. It's
23 got nothing to do with First Amendment
24 establishment of religion. This is an historic

1 building that has a historic facade. That is
2 the interest of the Town, in preserving the
3 character of the whole neighborhood.

4 I would hate to see, because they
5 couldn't afford it, to an Institution like this
6 to go to Home Depot and buy some ticky-tacky
7 steel door which would be just as good in terms
8 of function, but would kind of destroy the
9 ambience of that neighborhood as well as the
10 character of the building.

11 This is not a First Amendment issue at
12 all. This is simply a secular interest in
13 maintaining the historicity of a very significant
14 historic area of our town. One of the few that
15 remains. So I would support this article.

16 Thank you.

17 THE MODERATOR: Mr. Donahue.

18 MR. DONAHUE: Mr. Moderator, Bob
19 Donahue, precinct three.

20 I am basically in favor of this motion,
21 but I do think the church should have gotten more
22 than one estimate for - for a job. That's all I
23 have to say, thank you.

24 THE MODERATOR: Okay, the question will

1 come on the main motion. All those in favor,
2 signify by saying aye.

3 [Aye.]

4 THE MODERATOR: All those opposed no.

5 [No.]

6 THE MODERATOR: The ayes have it by the
7 majority.

8 Article 26, Mr. Chairman. This is to
9 vote to transfer the amount of \$75,780 from the
10 Community Preservation Undesignated Fund Balance
11 to fund the Community Housing Reserve Account.

12 CHAIRMAN HERBST: Yes, Mr. Moderator,
13 the Community Preservation Committee has a
14 minimum of ten percent to be spent on all three
15 categories. That is Open Space and Recreation,
16 Community Housing and Historic Preservation. We
17 were unable to meet the minimum for Community
18 Housing. We did not have enough applications to
19 cover it for this round. So therefore we are
20 recommending \$75,780 be put into our Housing
21 Reserve Fund so that that will be used at a
22 future date.

23 We have done this several times in the
24 past when we didn't have enough applications to

1 cover the minimum ten percent that the
2 legislation requires. So therefore the
3 Community Preservation Committee recommends
4 Article 26 as recommended.

5 THE MODERATOR: Okay, Mr. Netto.

6 MR. NETTO: Joe Netto, precinct 9.

7 I'm going to abstain on this vote. I
8 know we don't take abstentions. Because I have
9 no idea what the Community Preservation
10 Undesignated Fund Balance is. And I'm standing
11 up and holding this and holding this for talking
12 on this article because we have taxed three
13 percent on our real estate.

14 I spoke against - I firmly believed in
15 the Land Bank. When we voted at this Town
16 Meeting to accept the Community Preservation Act,
17 I got up and I spoke against it because I saw the
18 caveat that was going to happen with the other
19 areas. And I still feel that way.

20 I have seen - I don't completely - it's
21 my ignorance, it's my fault - the financial
22 goings-on of this act. A question I would ask
23 our financial officer, Ms. Petit, through you,
24 Mr. Moderator: Ms. Petit, do we keep track of

1 these funds on the Town's side? Do you keep
2 track of them?

3 THE MODERATOR: Ms. Petit.

4 MS. PETIT: Yes, we do. It's in a
5 separate fund. It's in a special revenue fund
6 and we do track all the votes and the money
7 coming in and the Undesignated Fund Balance is
8 really the balance that's built up over time that
9 hasn't been expended.

10 MR. NETTO: Well, what I would ask is:
11 a month ago, we met at the library and you put
12 on, with the moderator, a very excellent
13 explanation of the budgetary process and the
14 fiscal goings-on of the Town of Falmouth, which
15 as Town Meeting members, I found very, very
16 helpful, and maybe in the future we could have an
17 education for Town Meeting members and to the
18 Board of Selectmen and Mr. Herbst, a public
19 meeting. Because I have no idea what these
20 accounts are and the funds are going.

21 And, is this act coming up to be voted
22 on again, Mr. Herbst, or is it in perpetuity that
23 we voted this?

24 CHAIRMAN HERBST: I'm sorry, you're

1 question again, please?

2 MR. NETTO: The Community Preservation
3 Act, is it in perpetuity or does it have - I know
4 we voted it in, but is it going to be re-voted
5 again at some time?

6 CHAIRMAN HERBST: Well, the Land Bank
7 portion expires in 2020, but the - but if there
8 is no vote to rescind the Community Preservation
9 Act in Falmouth, it continues.

10 MR. NETTO: Okay, so we - 2020, the
11 Town is going to vote again. Here it is 2016,
12 FY 2016; in four years we could be voting on
13 this. Are there any funds that have been
14 expended that the borrowing would exceed 2020?

15 CHAIRMAN HERBST: I'm sorry, say that
16 again?

17 MR. NETTO: Are there any funds that
18 have been voted -

19 THE MODERATOR: Okay, that's - we're
20 getting a little -

21 MR. NETTO: Okay.

22 THE MODERATOR: - far beyond the scope
23 of taking the ten percent required by law -

24 MR. NETTO: All right, yeah.

1 THE MODERATOR: - to spend on housing
2 and putting it into a bank account to spend it on
3 housing.

4 But we can do a training on C.P.C. for
5 Town Meeting members and community members and
6 get more into detail of each category.

7 CHAIRMAN HERBST: The C.P.C. would be
8 willing to make a presentation in the fall
9 concerning some of your questions.

10 MR. NETTO: I appreciate it. Thank
11 you very much.

12 CHAIRMAN HERBST: Sure.

13 THE MODERATOR: Okay, Ms. Hayward.

14 CHAIRMAN HERBST: I would like to say
15 that, although Mr. Netto is not privy to all of
16 the accounting procedures that go on with the
17 Community Preservation Committee, the Community
18 Preservation Committee is made up of nine people
19 appointed by different organizations within the
20 town, and I can guarantee you that the nine
21 people on our committee know exactly where the
22 money's going.

23 THE MODERATOR: Ms. Hayward.

24 MS. HAYWARD: Mr. Moderator and Town

1 Meeting members. Nancy Hayward, precinct 5.

2 I would like everyone here and everyone
3 in town to know that the Community Preservation
4 Committee holds public meetings. The meetings
5 are listed in the Town website. They meet
6 approximately every other week and their meetings
7 are open, as are all public meetings. Anyone
8 and everyone can go to these meetings and find
9 out exactly what the Community Preservation
10 Committee is doing.

11 Thank you very much.

12 THE MODERATOR: Okay, the question will
13 come on the main motion as recommended. All
14 those in favor, signify by saying aye.

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [No.]

18 THE MODERATOR: The ayes have it by a
19 majority.

20 CHAIRMAN HERBST: Thank you, Mr.
21 Moderator.

22 At this time, the chair would entertain
23 a motion to dissolve the Special Town Meeting.
24 Mr. Chairman of the Board of Selectmen.

1 CHAIRMAN JONES: I move that we
2 dissolve the Special Town Meeting.

3 THE MODERATOR: You've all heard the
4 main motion. All those in favor, signify by
5 saying aye.

6 [Aye.]

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

9 THE MODERATOR: The ayes have it. The
10 Special Town Meeting's adjourned.

11 All members please rise for the
12 establishment of the quorum to start the Annual
13 Town Meeting.

14 [Pause.]

15 THE MODERATOR: In the first division.

16 MR. NETTO: 39.

17 THE MODERATOR: 39.

18 In the third division, Mr. Hampson.

19 MR. HAMPSON: 51.

20 THE MODERATOR: 51.

21 In the second division, Mr. Dufresne.

22 MR. DUFRESNE: 80.

23 THE MODERATOR: 80.

24 By a counted vote of 170, we have a

1 quorum and the Annual Town Meeting is back in
2 session.

3 Article 13, to vote to require that any
4 item in the Capital Budget contain more than one
5 legitimate estimate.

6 The recommendation of the Board of
7 Selectmen is indefinite postponement.

8 Mr. Finneran for a positive motion.

9 MR. FINNERAN: Thank you. Mark
10 Finneran, precinct 6, and I'd like to put a
11 positive motion on this article.

12 THE MODERATOR: As printed?

13 MR. FINNERAN: As printed.

14 THE MODERATOR: As printed.

15 Mr. Finneran.

16 MR. FINNERAN: Thank you very much,
17 Mr. Moderator, Town officials, Town employees,
18 Town Meeting members and people of the town in
19 general.

20 Before I present these two articles, I'd
21 just like to state that both of these articles
22 are about money. They're about process.
23 They're not about people -- other than the people
24 of this town, the taxpayers, the citizens, who I

1 base most of my efforts on. I try to give them
2 a voice many of them think they don't have.
3 Thank you for that.

4 Article 13 is shall Town Meeting vote to
5 require that any item in the Capital Budget
6 contain more than one legitimate estimate.

7 Next slide, please.

8 The purpose of this article is to assist
9 both the Finance Committee and this legislative
10 body before the appropriation of funds. It is
11 not sound practice to raise and appropriate
12 either too little or too much. And insufficient
13 appropriation delays a project, requiring
14 subsequent action, positive action from a
15 subsequent Town Meeting, excuse me.

16 An excessive appropriation ties up funds
17 that could be used for other projects. How many
18 -

19 Can you put that back, please.

20 How many times can you recall in the
21 past where something has been denied for five or
22 ten thousand dollars and we debated it at length.
23 I mean, appropriating too much money puts these
24 things in a negative light and they get voted

1 down when they could have done great good simply
2 by better management practices.

3 Next slide, please.

4 Has this been a problem? According to
5 Town officials, yes. We only need to look at
6 tomorrow night's warrant to see examples - which
7 would have been last night.

8 [Laughter.]

9 MR. FINNERAN: These things can be
10 slow.

11 Next slide, please.

12 The first example is Article 20 last
13 night of the Special Town Meeting we're asked to
14 appropriate \$4 million. The town was originally
15 under the assumption that the window replacement
16 costs would be 1.2 million. Where did that
17 number come from? According to the Selectmen's
18 Meeting last week, the vice-chairman of the
19 Finance Committee said it was based on a walk-
20 through. He categorized it as not a real
21 number. Under-funding this project would have
22 delayed the project and increased the cost. And
23 I'd like to add that I went through the minutes
24 and that project was withdrawn in 2013, the

1 evening of Town Meeting.

2 Next slide, please.

3 Example number two: Article 12 in the
4 Special Town Meeting yesterday. Funding a
5 security system. We were asked to transfer
6 \$60,000 from 2013 painting projects that were
7 over-guesstimated by 50 percent. The \$65,000
8 cost on Town Hall, the actual cost was \$35,000.
9 The fire station was \$60,000; the actual cost was
10 30.

11 Will we have a legitimate estimate for
12 the proposed security system? Or is it
13 requested simply based on unexpended paint funds?
14 I think these are all questions that we should
15 ask ourselves.

16 Next slide, please.

17 What other questionable decisions have
18 we made without good information? The
19 November, 2014, Town Meeting we were asked to
20 appropriate \$125,000 for the Police Department
21 roof. Was it based - was the appropriation
22 based on a legitimate estimate? No. We made a
23 decision based on an old cost for the roof of the
24 Gus Canty Center, a completely different

1 building. Will it be enough? Too much?
2 Should we guess?

3 If you people were putting a roof on
4 your own house, would you consider doing it
5 without an estimate? What if you had to go to
6 the bank? Do you think the bank would lend you
7 the money without an estimate? I think not.

8 The taxpayers and the citizens of this
9 town are the bank for this town. Before we make
10 a request from them for their hard earned money,
11 we should have legitimate, solid, sound
12 estimates.

13 And that's basically what I have to say.
14 It's time for debate. I mean, I think it's a
15 simple question, it's a simple fiscal question.

16 THE MODERATOR: Okay, Mr. Lowell.

17 MR. LOWELL: Nick Lowell, Vice Chairman
18 of the Finance Committee, precinct 5 member.

19 I want to clarify that one of the
20 reasons that we pulled the window project, one of
21 the reasons that I recommended pulling the window
22 project from the energy project a year and a half
23 ago was because there were significant questions
24 about whether that was a real number.

1 So, actually, by listing that as an
2 example of what goes wrong, I would say it's an
3 example of what goes right. The Finance
4 Committee looked very carefully at the overall
5 project, didn't like this part, worked hard to
6 try to compromise where we could save much of the
7 project, and leave in the parts that we supported
8 and take out the parts that we didn't at that
9 time.

10 So I'd actually say this is an example
11 of how the process can work just fine the way
12 that it is.

13 I wasn't going to speak on this, but
14 since I was dragged into it, I'll also say that I
15 think that, overall, our process works pretty
16 well. When we do things like purchase vehicles,
17 we get quotes from MHQ - I don't remember what
18 the acronym stands for - but it's a state company
19 that gives us guaranteed pricing so that we don't
20 have to get multiple costs.

21 Adding multiple legitimate quotes -
22 whatever legitimate means - is not always going
23 to be a guarantee that we're going to get what we
24 want, and it can add a lot of effort to things

1 when we know or we have reasonable confidence.

2 So this is trying to do too much.

3 Trying to fix some things that aren't broken.

4 Occasionally there are things that are wrong, but
5 trying to put a one size fits all patch on this
6 is not the way to go.

7 Thank you.

8 THE MODERATOR: Okay, Ms. Newton.

9 MS. NEWTON: Shardell Newton,
10 Facilities Manager.

11 I'd like to address Mr. Finneran's
12 concerns, since most of the stuff that he had up
13 there on the slides apply to jobs that I've done.

14 As far as the rec center is concerned,
15 we have a Capital Plan that we put out. We're
16 projected to make projections over a ten year
17 period. We put the roof on the Capital plan; it
18 got held back for seven years. Seven years is a
19 long time. I can't keep calling a contractor
20 and saying, "Gee, could you give me another
21 estimate on this?" Because do you know what
22 they say: "Really, Shardell? This is like the
23 fifth year in a row you've asked me for an
24 estimate." Costs change; you take time out of

1 their day.

2 We can predict what it's going to be
3 most of the times we hire an architect. When it
4 came down to the fire station painting, I had a
5 legitimate price on that paint job four years
6 ago. It got put back on the capital plan.

7 You look at a building, we're going to
8 paint the facade of it, which is 1936. We're
9 dealing with lead paint, we're dealing with rot.
10 You don't know what you're going to do.
11 Painters in this room, they'll tell you. You put
12 the sander to it, you never know what's going to
13 happen. So you make a projection. If I can
14 save money, well, I save money.

15 We had contractors that bid the job that
16 don't own their own lift. They don't have a
17 lead abatement license. Their prices are a lot
18 higher. Fortunately, when I bid the job, the
19 contractor that came in owns his own lift; he has
20 a lead abatement license; price was a lot
21 cheaper. Well, we saved some money. I don't
22 want to come back to Town Meeting and say, "Gee,
23 you know, I said it was only going to cost 36,000
24 but I really need 50,000." Because I know no

1 one is going to vote for that.

2 As far as the Town Hall goes, same exact
3 thing. No lead paint, there. But the problem
4 is we replaced the whole facade of that Town
5 Hall. After they put the sander to it, it cost
6 us another \$9,000 to replace the facade.

7 So I try to project what's going to
8 happen. I can't guarantee you, like I can say a
9 police cruiser costs 28,000 or 40,000. I can't
10 guarantee you what it's going to cost to paint
11 that Town Hall unless we get some prices.

12 I would personally like to invite Mr.
13 Finneran to come to my office. I'll be more
14 than happy to show you the estimate for the roof
15 at the police station that came in at \$125,000.
16 I'm hoping I can do it for less.

17 As far as the rec center's concerned, I
18 had the original estimate for the \$87,000. I
19 would invite you to come see it. It's very
20 difficult to take old buildings and project what
21 the cost is going to be. And there are several
22 builders sitting in this room who I've asked
23 estimates from who have given me legitimate
24 estimates. Sometimes it comes in higher;

1 sometimes it comes in lower. But I assure you
2 of one thing: this Town tries to get the best
3 estimates that we can provide for you.

4 So, anybody who wants to step into the
5 office, I welcome you all to come in. I spoke
6 to Mr. Netto this afternoon; he had some
7 questions about the paint. I think I resolved
8 his questions. If not, he'll be happy to speak
9 to you.

10 Thank you.

11 THE MODERATOR: Mr. Hargraves. Mr.
12 Hargraves. Then Ms. Harper.

13 MR. HARGRAVES: Thank you. Again, I'd
14 just like to clarify the intent of this article
15 by using the windows as a case study. I think
16 the windows is a great case study.

17 To me, the use of the word legitimate is
18 a bit provocative, because it implies that there
19 are illegitimate and legitimate estimates. But
20 I understand a bona fide estimate or the response
21 to a quotation with a five percent - plus or
22 minus five percent guarantee.

23 So I'd appreciate your clarification
24 about what would the process be that would result

1 in a legitimate estimate, as you define it.

2 And also, in the context of the windows
3 project, I think that Nick did a good job of
4 explaining that the scope was changed and that
5 the windows portion of this project was estimated
6 to be very similar to the previous one that was
7 rejected in 2013. The scope changes were
8 resulted in this number of \$3,947,636, which I
9 think, if this was not a legitimate estimate, it
10 was a pretty bold proposition considering the
11 precision of the numbers. "I'd like your \$4
12 million" if it was truly raised on, you know,
13 kind of a walk-through guess. It sounds like it
14 was more than a guess.

15 And, I mean, another thing you might
16 address is Alden Cook stood up and I would
17 consider, you know, with his expertise, the
18 presentation he did, although it was kind of from
19 the hip, it seemed like it could be used as a so-
20 called legitimate estimate. So, really, I don't
21 understand the standard you're proposing for a
22 legitimate estimate.

23 And you mentioned the windows project
24 and I would appreciate your personal comments on

1 whether you feel that is not a legitimate
2 estimate that we voted on yesterday.

3 MR. FINNERAN: Um --

4 THE MODERATOR: Mr. Finneran.

5 MR. FINNERAN: May I respond?

6 THE MODERATOR: Mr. Finneran.

7 MR. FINNERAN: The window project was
8 reviewed in the Selectmen's meeting the other
9 night. The original \$1.2 million - and I went
10 back and watched the tape - estimate was
11 described by the vice-chairman of the Finance
12 Committee as not a real number. That was stated
13 four times. It was based on a walk-through.
14 That was pulled from the ESCO project the evening
15 of Town Meeting.

16 The paint jobs, I have the minutes right
17 here. They got an estimate: \$72,000 and
18 \$60,000, supposedly. How can something come in
19 at 50 percent? I mean, I've painted numerous
20 buildings.

21 The roof on Gus Canty. If you look
22 back in the minutes, Mr. Donahue asked where the
23 price came from and they responded it was based
24 on an old estimate from Gus Canty. They're two

1 different buildings. I mean, it's not that much
2 more difficult.

3 I've asked numerous contractors in town
4 in the last few weeks what the going rate for
5 roofing is. I've encountered numerous
6 contractors who give bids to the town all the
7 time and never get the work. They also say
8 that, "I gave a bid for AZEK, you know, plastic
9 trim that won't rot." Months later they go
10 back and they see it's done with regular plywood.
11 I mean, it seems that the specs aren't even set
12 out beforehand.

13 You know, and it's the simple question
14 that I said before: when we tie up twice as much
15 money in a project as we actually need, I mean,
16 is it sound policy? Could we spend that money
17 somewhere else?

18 I've painted numerous houses. I've
19 never come off 50 percent wrong. I've had some
20 jobs come in faster, easier, and I've charged
21 people less. But 50 percent is, I mean, would
22 you deal with that in your own house?

23 If somebody gave you an estimate for a
24 roof, would you take the estimate from your

1 neighbor's house? I mean, it just seems that a
2 little bit more work could be put into this.
3 This is taxpayer's money. This is our money.
4 And it's not in unlimited supply. I don't think
5 it's an unreasonable request.

6 THE MODERATOR: Okay, Ms. Harper.

7 MR. FINNERAN: And it has nothing to do
8 with vehicles. I didn't mention vehicles.
9 Vehicles you buy off the state list. I mean,
10 you pay the same price as every other town in the
11 Commonwealth. I mean, they're not comparable.
12 We're not talking apples to apples, here.

13 THE MODERATOR: Okay, Ms. Harper.

14 MS. HARPER: I hadn't planned to speak
15 on this article, and I believe the Lawrence
16 School windows is a very poor example for this
17 particular circumstance. And I'm sorry that it
18 came up, but I think it's important to comment.

19 This project - that project related to
20 the energy services contract that this Town
21 Meeting approved. The scoping assessment that
22 was done by TRANE, by their project engineer, is
23 the same scoping assessment that resulted in the
24 ESCO project that we moved forward with.

1 Following the scoping assessment, under
2 the state statute and the contracting process
3 with the ESCO, you move forward to a full,
4 investment-grade audit. The investment-grade
5 audit is the basis for your contract with TRANE,
6 and they then guarantee that that work will be
7 done within one year, on time and on budget.
8 That was the case with all of the other projects
9 performed under the ESCO that this Town Meeting
10 approved, and recently resulted in \$400,000 in
11 rebates from the Cape & Vineyard Electric Coop.

12 MR. FINNERAN: But that's not what I'm
13 talking about.

14 MS. HARPER: Very successful project.

15 THE MODERATOR: Okay. Mr. Putnam.

16 MR. PUTNAM: Good evening, ladies and
17 gentlemen, Brent Putnam, precinct 9.

18 I think we're getting a little off the -
19 the subject of this article. Mr. Finneran did
20 provide some examples, but I think he may have
21 overlooked some prior examples that we've had,
22 and I don't mean to name names, but I know Mr.
23 Netto has in the past talked about getting bids
24 before we requisition funds here in this body;

1 that we find out what the cost of these things
2 are, automobiles and whatnot; that we get those
3 dollar figures and we have an exact dollar figure
4 when we requisition the funds, as opposed to
5 doing an estimated dollar figure and then coming
6 back and returning money to the kitty.

7 And in fact we did this a few years ago.
8 The number of years slips me, but we had an
9 article, probably at least three, five years ago
10 or so, and it was a very extensive article that
11 included several dozen line items where we had
12 money that was still sitting left out there, from
13 various Town Meeting - from various articles that
14 we had passed these articles and there was money
15 associated with them. And then there was -
16 interestingly enough - money left over. And so
17 it was a housekeeping article of sorts because we
18 had to take all this money that was left over
19 from all these Town Meeting votes that we had
20 taken, and then put them back into the General
21 Fund because they were left over. We had
22 overestimated the amount of money needed or bids
23 had come in under or something to that effect,
24 and there was that money left over that was just

1 sitting there, unused, and we had to vote to put
2 it back into the General Fund before we could use
3 it.

4 So, there is some precedent for this,
5 and for the suggestion that we may want to - I
6 don't know if it's do a better job. And perhaps
7 the language in the article needs a little
8 polishing, but the idea of getting better
9 estimates or getting more estimates so we can
10 better refine the figures before we're asked to
11 requisition the funds. It's not a bad idea,
12 folks.

13 And, as Mr. Finneran noted -- and I'm
14 sorry I heard some folks get defensive about some
15 of the examples that he used, but I don't see any
16 attacks going on here. I simply see a request
17 by Mr Finneran, by the petitioner, to be a little
18 bit more responsible with the funds that we are
19 entrusted with.

20 So, thank you.

21 THE MODERATOR: Ms. Petit.

22 MS. PETIT: Thank you. I just wanted
23 to mention that, I mean, I do put the capital
24 budget together and so I just had a few comments.

1 When we put the Capital budget together,
2 it really isn't a one size fits all. There's
3 several different capital items.

4 Massachusetts, out of the whole country,
5 probably has the most strict procurement rules.
6 And so we have to go a lot of times through a bid
7 process. To go through a bid process before we
8 appropriate the money, people will not bid on
9 that. They will not put everything together and
10 respond to the bid, and it's a lot of work, you
11 know, that we'll put together, but then we won't
12 get a legitimate bid back because we don't have
13 the money to pay for the project; we're just
14 trying to get a quote or an estimate.

15 You know, there are some things that we
16 purchase off the state bid list, which vehicles,
17 but this article says Capital. So there's a lot
18 of times that the state procures this for us, or
19 the county will procure this for us. So they've
20 actually, you know, done the paperwork and
21 they've, you know, they have contracts. So we
22 can, you know, purchase from those lists.

23 The other issue is, DPW, you have roads
24 and sidewalks. Those bids are done yearly and

1 they're pricey materials. So how do you get a
2 legitimate estimate for that? And that's in the
3 capital budget.

4 The Lawrence School windows, I won't --
5 just to talk about about the estimate that we do
6 have now. We actually appropriated money to get
7 a cost estimator to actually do the estimate.
8 And that's only one.

9 We wouldn't, you know, want to pay two
10 cost estimates or do a bid and ask for two
11 architects.

12 So, it really gets - there's a lot
13 involved and it really gets somewhat confusing
14 because there are so many different capital items
15 that go into the budget, and it really isn't a
16 one size fits all.

17 THE MODERATOR: Mr. Netto.

18 MR. NETTO: See as I've been mentioned
19 twice in this article, I suppose I have to get up
20 and speak.

21 And as many of you know, I have a deep
22 interest in the fiscal affairs of the Town and
23 that's because that's what I did for another, and
24 the town was Wareham.

1 First of all, Mr. Finneran has the right
2 intention; it's the wrong article. I support
3 his intention. I won't vote for the article,
4 because it has nothing to do with the estimates.
5 It's the bids, folks. That's where the problem
6 is. That's where our money gets tied up. It's
7 the specifications that the manager puts out in
8 the bid. You spell everything out there.

9 Very quickly, just to help - I know we
10 want to go home, we want to end this. I took
11 over a department; the bid specs of the items
12 that I purchased was one page. When I retired,
13 it was 12 pages long and they were using those
14 specs across the state. It's the bid specs.
15 That's what protects your dollars. And that's
16 where the managers of the town have to come in,
17 the department heads.

18 Mr. Lowell, you brought it up; I'll make
19 the comment. On that state bid list that the
20 Town buys equipment from, a lot of people don't
21 know this and I'll make this public. '91 or '92,
22 and once at the turn of this century, we violated
23 that state bid list. We procured vehicles not
24 correctly.

1 I called the Inspector General, filed a
2 complaint against the Town, the Town received a
3 notice. In 2003 or 2004, sitting here at Town
4 Meeting I heard a conversation of how we were
5 going to do something. I came home from Town
6 Meeting, the next day I called the Inspector
7 General, the Inspector General Office. I think
8 it was Mrs. Harper who - at the time. You can't
9 do this. We never did it. We stopped. The
10 person in charge of it came to see me. Okay,
11 fine.

12 I just want to make sure that we do
13 things in the Town of Falmouth correctly.

14 So, when you take thousand of dollars
15 from projects that have been sitting there, I sit
16 here and say, "Well, how much of that - what
17 percentage of that money - was does it represent
18 in an overestimate?"

19 And it becomes hard when you become
20 critical of people, but if we all work together
21 with the FinCom, with the Town Manager and adopt
22 a better process.

23 Now, a statement made, I have to
24 disagree with, I'm sorry, Mrs. Petit. I

1 purchased school busses for the Town of Wareham
2 with a bid put out before Town Meeting. I've
3 been retired ten years. I can't remember if the
4 30 B provisions say 30 days or 60 days. And the
5 bid went out. The successful bidder will be
6 awarded contingent upon a positive Town Meeting
7 vote. And at that Town Meeting I would be there
8 and I would supply the figure. To the penny.
9 Three-quarters of a million dollars. Half a
10 million dollars. To the penny. Because I had
11 a signed bid that was good for that 30 or 60
12 days.

13 I think we've done this enough. I've
14 spoken. But, thank you, Mr. Putnam. I think
15 this is the third time I've gotten up on Town
16 Meeting floor and asked the Town of Falmouth to
17 do this. It's not that hard.

18 The department head still has to go
19 through the bid process, whether it's before or
20 after. I can - not every small subject, but on
21 some of these it represents thousands and
22 thousands of dollars.

23 And one last parting comment I have. At
24 the gym, I hang around with two retired financial

1 people in private business and we've talked about
2 this. And both of them told me: if you
3 overestimated your budget by more than ten
4 percent, you'd have a resume in the mail. They
5 say, "Joe, you've only worked on the private side
6 - I mean, on the municipal side. But that's
7 what it's like in private government."

8 And I think what Mr. Finneran's trying
9 to do is - is - laudatory because he's trying to
10 protect the taxpayer's funds and that's what
11 we're supposed to do.

12 So let's make it to the pennies, folks.
13 I think that's something; we've spent enough time
14 on this.

15 And thank you very much.

16 THE MODERATOR: Okay, Ms. Vogel. Ms
17 Vogel. Microphone for Ms. Vogel, please.

18 MS. VOGEL: Wendy Vogel, precinct 4,
19 Finance Committee Member.

20 I find it a little disturbing that it
21 seems like the intent of this is to penalize Town
22 departments for having a good buy. Any
23 contractor will tell you that you do your
24 estimate, you get preliminary prices. They are

1 seldom your best price. If ever. When you go
2 back, get the job, you get your subcontractors to
3 re-submit, that's when you get your good buys,
4 they call it.

5 And I would say that if the Town is
6 getting good buys, we should be applauding them,
7 not criticizing them.

8 Thank you.

9 THE MODERATOR: Mr. McNamara.

10 MR. MCNAMARA: Thank you, Matt
11 McNamara, precinct seven.

12 First of all, I applaud Marc's approach
13 to this. I don't think he's attacking anyone.
14 He's not attacking departments, et cetera.

15 And I think there's an important piece
16 here, as I listen to all of you, that what you're
17 talking about before appropriations is different
18 than after you go forward with procurement.

19 We're the appropriating body. I think
20 what Mr. Finneran is asking for is we need a
21 little bit more. Perhaps a scope of the work
22 before we get an estimate. And then, after we
23 appropriate, then you go out to the bid specs,
24 you get your lowest bids and you go ahead with

1 the procurement, and that's where we do applaud
2 people.

3 So I think there are two sides of the
4 process. But I think we only have to look back
5 to last night to talk about whether or not we
6 need to have legitimate estimates before we go
7 ahead and appropriate.

8 And, by the way, Nick, I thought what
9 Marc was saying was that the project you were
10 involved in right now in terms of four million
11 dollars worth of windows was a great example of
12 doing it seriously, as compared with the first
13 one that was done, which was based on a simple
14 walk-through with a couple of people.

15 But last night, as we looked at Gus
16 Canty, as we looked at the Fire Department, I can
17 recall somebody saying at the end of the night,
18 "Mark Sullivan, what's it going to cost us for
19 the third floor? How much could it be?" Well,
20 Mark did what I thought was the appropriate
21 thing: "I don't know." And if Mark had said,
22 "Well, I think it will be \$25,000", that would
23 have been a guesstimate. Whether you call it
24 legitimate or you don't call it legitimate, I

1 don't know.

2 But as I reviewed all of those numbers
3 for you last night on the options and you took
4 Gus Canty with a range of anywhere from \$200,000
5 to whether somebody's saying \$500,000 - by the
6 way, those numbers came to us even prior to the
7 Matrix study being completed - were those done
8 based on legitimate estimates, good estimates,
9 whatever you want to call it? Could Mark
10 Sullivan say it?

11 So we had a whole bunch of numbers out
12 there that were never done by engineers or anyone
13 with a level of expertise just to get this body
14 to appropriate the right amount. And hopefully
15 when the procurement goes out with the right
16 bids, we save money, or if we need more, we get
17 more. But I think Marc's on the right track.

18 THE MODERATOR: Okay, Mr. Wilber. And
19 then I think we're going to be ready to vote.

20 MR. WILBER: Jude Wilber, precinct
21 eight.

22 And I'd just like to support the idea of
23 this and to support Mr. Netto's idea that I think
24 that people that don't do estimates and then

1 provide bid specs don't quite understand this.
2 These are two different things.

3 I do this. In my business I'll give
4 people a rough estimate and then I will go out
5 and I will provide them with a sort of a line
6 item idea of what I'm going to do for each task
7 that's involved in the project.

8 And I think that's some of the things
9 that we're missing when we, for instance there,
10 \$400,000 for the dock - I don't want to keep
11 coming back to the dock, but where are the bid
12 specs on that? \$400,000 is a big fat round
13 number; is that - did that just happen to be the
14 number that the bid specs added up to on that
15 job? You know, I have no idea where that
16 \$400,000 is going to go into that dock. And I
17 would like to know. I would like to know that.

18 And I think that there must be somebody
19 with bid specs on that dock job. And that's the
20 point, I think, that Mr. Netto has been trying to
21 make and I think that Marc is making it. I
22 don't know if the legitimate estimate this is,
23 but I do think we should have an idea of the
24 breakdown of costs in terms of bid specs. Like

1 Mr. Netto's been telling us for years.

2 So, I think this is something we should
3 think of. If the article is flawed in language,
4 then I don't know if it can be amended, but I
5 support the idea.

6 THE MODERATOR: Okay, the question will
7 come on the main motion as -

8 MR. FINNERAN: Can I make a statement -

9 THE MODERATOR: - printed -

10 MR. FINNERAN: - first?

11 THE MODERATOR: Mr. Finneran. One
12 last thing and then we're going to vote.

13 MR. FINNERAN: I didn't grab these
14 things out of the air. I've painted hundreds of
15 houses. I've put in hundreds of windows. I've
16 done dozens of roofs. And ten percent is about
17 as much as you want to be off. Fifty percent is
18 too much.

19 Something should be done, a little more
20 care should be taken, whether it be spec sheets
21 or whatever. But this isn't by any means any
22 kind of an industry standard, being off by 50
23 percent. You can ask anyone who's in the
24 business.

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

4 [Aye.]

5 THE MODERATOR: All those opposed no.

6 [No.]

7 THE MODERATOR: It is the opinion of
8 the chair is that the nos have it by a majority.

9 Article 14. The recommendation of the
10 Board of Selectmen is indefinite postponement.
11 To vote to rescind the funding in Article 28 of
12 the spring, 2014, for the Bourne's Pond Inlet
13 Widening.

14 Mr. Finneran for a positive motion?

15 MR. FINNERAN: Yes.

16 THE MODERATOR: As printed?

17 MR. FINNERAN: Yes.

18 THE MODERATOR: Okay.

19 Mr. Finneran.

20 MR. FINNERAN: Article 14 is shall Town
21 Meeting vote to rescind the funding in Article 28
22 of Spring 2014 for the Bourne's Pond inlet
23 widening, as the benefits appear questionable.

24 Why should we do this? The \$5.5

1 million appropriated could be better used with a
2 greater impact now. We could spend less, save
3 more, and bank the difference by widening the
4 Little Pond inlet, instead. The Bourne Pond's
5 inlet was to be a demonstration but, as a result
6 of the efforts of Dr. Howes and others, we all
7 believe that inlet widening works. In fact, the
8 208 commission and the Cape Cod Commission agree.

9 The MEP report actually modeled Little
10 Pond for a 20 foot opening that would result in
11 30 percent reduction in sewers; that's on page
12 123 of the MEP.

13 Don't turn that yet, please.

14 I heard there was some dissent on
15 whether this Bourne's Pond inlet widening would
16 work, was worth the effort. So, I investigated.
17 I read the MEP report. I read the MEP report on
18 both Bourne's Pond and Little Pond. And I had
19 never read them before. I spend months - years
20 - at all the Wastewater meetings, and shame on me
21 for not reading it. But many other people didn't
22 read it as well.

23 And I read other things, too. Like the
24 oyster report for Little Pond, and also there's a

1 new report that's coming in that I'll tell you
2 about later.

3 Next page.

4 There's a picture of the inlet of Little
5 Pond. I mean, it's fairly obvious that it's not
6 flushing well. I mean, this is where we're
7 going to spend 39 ½ million to sewer 100 percent
8 of the homes when the MEP report says we can cut
9 30 percent of that right off the top.

10 I spoke with some friends of mine who
11 were interested in this issue and -

12 Could you go to the next slide, please.

13 We took the figures from the MEP report
14 and we went to the county. The last 208 meeting
15 they had a thing called the black box. It's a
16 computer program. It's designed with all the
17 data that Brian Howes collected and all the data
18 that other towns in the Cape have collected.
19 This tool is going to be used for all the towns
20 on Cape Cod to sewer, or, according to the 208
21 report, not sewer as much as possible.

22 We went there; we had the guy put in the
23 - Tom Cammaleri [sp?] - I can't think of - he
24 works for the Cape Cod Commission. We had him

1 put these numbers in: 30 percent for inlet
2 widening, as the MEP report; eight percent for
3 storm water runoff; and ten percent for oyster
4 aquaculture.

5 Next page - next slide, please.

6 This is the black box scenario. You can
7 check it on the computer. Every time you go
8 into it, they give it a number and it doesn't
9 disappear. There's actually - this is the first
10 model that they had. They're in the process of
11 tweaking the second model.

12 But he basically force-fed those numbers
13 in. You can see the darker spots on the bottom.
14 That represents all the houses that won't have to
15 be sewerred on Maravista; there's about 500 of
16 them.

17 The price - those 500 homes, 500 lots,
18 or whatever you want to use, the allocation for
19 500 could be used further on in Little Pond. It
20 could be used in Perch Pond. It could be used at
21 the headwaters of Great Pond.

22 Next slide, please.

23 Here's the math. We appropriated 39 ½
24 million to sewer Little Pond. The black box

1 estimate for the three alternatives that we put
2 in -- and within a couple of weeks this thing is
3 going to be out and any one of you can go program
4 that in and more. They came up with sewerage
5 for 18.328 million. That's a savings of 21 ½,
6 or just over 21 million.

7 Those aren't the only options. There's
8 other things that can be put in there, too.

9 The plan in this town is to sewer as
10 little as possible. The plan in the county now
11 is to sewer as little as possible. I didn't
12 make up any of these numbers. These come from
13 the county. I mean, we have an alternative to
14 save some money.

15 Next slide, please.

16 How do we get it done? We're already
17 committed to the oysters, and there's a report
18 that just came out on them and they are doing
19 much better than anybody expected and much better
20 than the county or any of the plans give the
21 oysters credit for.

22 The Water Quality Management Committee
23 already has a grant for road water runoff. If
24 we rescind the 5.5 million inlet widening of

1 Bourne's Pond, shift the funds to Little Pond -
2 at a significant cost reduction, building a 20
3 foot wide opening as opposed to a 90 foot wide
4 opening. I mean, it couldn't cost \$2 million.
5 We could bank the other cash. You can always do
6 the plan later on, but we can save money now.
7 Immediately.

8 I mean, 70 percent of that is on the
9 back of the taxpayer in Little Pond. We deserve
10 - they deserve that we make every effort to keep
11 that betterment as low as possible. There's
12 numerous elderly people that live there in two
13 bedroom homes. I mean, their water bills are
14 going to at least triple. I mean, their
15 betterments - I mean, they all live on fixed
16 incomes. Our taxes are going up 2 ½ percent a
17 year. That's 25 percent in ten years. You
18 think those people on fixed incomes, on Social
19 Security, are going to get a 25 percent raise in
20 the next ten years? I don't think so. That
21 doesn't even begin to cover the cost of the
22 sewers.

23 Next slide, please.

24 If we move forward with the Bournes

1 Pond, it just might demonstrate what the experts
2 now say: it would have worked at Little Pond.
3 However, at that point it will be too late for
4 the taxpayer to reap the savings. Let's apply
5 the adaptive management style that we agreed and
6 save ourselves some honest money.

7 There's new data coming in every day.
8 As I mentioned, the oyster report, they may be
9 doing - the effort of the oysters may be 25 times
10 greater than any of it has been given credit for.
11 And that's in the Little Pond report that just
12 came out.

13 Also, there's also a demonstration
14 project on Acapesket to do Great Pond with
15 permeable reactive barriers. They just did some
16 actual borings there, over 5,000 feet. They
17 came up with 140 kilograms of nitrogen over a
18 5,000 foot area. That whole peninsula is 30,000
19 feet. If you take the 5,000, you multiply it by
20 six, because six times 5,000 is 30,000, that's
21 840 kilograms of nitrogen. The MEP said in that
22 same area there should be 14,400 kilograms.
23 That's an error of 94 percent. We don't know
24 everything yet.

1 There's new data coming in literally
2 every day from all over the Cape and all over the
3 world.

4 The Town of Falmouth, through the
5 efforts of the Wastewater Committee, we're on the
6 cutting edge of all this science, and we should
7 stay on the cutting edge. And if we can cut
8 expenses and taxes at the same time, we should.

9 That's my argument.

10 THE MODERATOR: Discussion on Article
11 14.

12 Ms. Valiela.

13 MS. VALIELA: Good evening, ladies and
14 gentlemen. Virginia Valiela, precinct five.
15 Vice Chairman of the Water Quality Management
16 Committee. With me is Sia Karplus, who's our
17 technical assistant. And we also have Trey
18 Ruthvin, who is a modeler and engineer who has
19 helped us with the Bournes Pond project.

20 THE MODERATOR: Mr. Finneran, do you
21 just want to grab a seat in the front row while
22 they make a presentation, thank you.

23 Ms. Valiela.

24 MS. VALIELA: We have a short

1 presentation.

2 We did try and get in touch with Mr.
3 Finneran to find out what his issues were, and so
4 we thought they had to do with Bournes Pond, but
5 clearly he has - he has covered I would say
6 practically every aspect that the Water Quality
7 Committee is currently involved in. So, I'm not
8 going to spend this evening explaining everything
9 that we have done.

10 But I do want to explain the process we
11 are working through right now with Bournes Pond,
12 and we believe that it is in the best interests
13 of the Town to do that. And then, perhaps in the
14 question and answer we can get in to whatever
15 areas would be more pertinent.

16 So if we could start with the
17 discussion.

18 The Water Quality Committee has been
19 looking at the 15 estuaries in this town that
20 have a problem. The problem is excess nitrogen;
21 it's due to the development that this town has
22 experienced over the last 50 years, and, based on
23 the MEP report that you heard mentioned earlier
24 which has been done for each of the estuaries,

1 the major source is septic systems and that
2 portion can be controlled through a variety of
3 measures.

4 You're familiar with the sewerage for
5 Little Pond and we are looking at permeable
6 reactive barriers as another alternative.

7 Our plan all the way along, as
8 articulated to the Board of Selectmen and
9 endorsed by them and in effect by this Town
10 Meeting, is that we are going to sewer as little
11 as possible. We're going to pursue
12 demonstration projects that are other approaches
13 to handling the nitrogen, and we are going to
14 fund these projects without a tax increase.

15 Next slide.

16 This is the history of Bournes Pond,
17 which is one of about five demonstration projects
18 that we are pursuing. Widening the pond was
19 identified in the original MEP report in 2005 as
20 a cost effective alternative that should be
21 investigated further. In 2011, when the Town
22 Meeting funded the Water Quality Management
23 Committee and basically laid out all of the
24 different aspects that we were going to look at,

1 350,000 was allocated specifically to Bournes
2 Pond inlet design.

3 We have proceeded with that process.
4 It was incorporated into the Comprehensive
5 Wastewater Management Plan which went first
6 through a draft and then a final. It took us
7 over a year to accomplish that document, with
8 many public meetings in the process; finally a
9 vote and approval of the Board of Selectmen and
10 submitted to the state regulatory agencies that
11 must be involved in any plans that we develop
12 regarding these estuaries. And those approvals
13 came forward in 2014.

14 The article in April, 2014, funded
15 design, permitting and construction of the inlet
16 widening. We are proceeding in a very logical
17 fashion with preliminary design and permitting at
18 this stage. We have already signed a contract
19 with G.H.D. to do this widening and the
20 subcontractor, which is the Applied Coastal
21 Research, and Trey is the engineer for that.

22 So we are already underway in looking at
23 the environmental aspects of widening Bournes
24 Pond.

1 The implication of Mr. Finneran's
2 article would be that we would be rescinding
3 funding that we have approved, and so we could be
4 in breach of contract, just to put that out
5 there.

6 The various designs for the bridge were
7 evaluated, and most importantly a lot of specific
8 data was collected. Current data, both depth,
9 bathymetry, they call it, velocity and the
10 currents going in and out. The exact elevation
11 of the land in the area, along with what
12 particular configuration of bridge would be the
13 best solution for maintaining the fast motion of
14 the currents through that bridge now.

15 The modeling came back that the optimal
16 size was 90 feet. And so the bridge that you're
17 looking at has a double span. It is currently
18 50 feet and it will be extended to 90 feet. The
19 extension will move eastward.

20 We are also aware that there is a state
21 program that will help us provide a fishing
22 platform, and so we are mentioning that as we
23 move through the design because it has to be part
24 of the environmental permitting.

1 The bridge that is there now is - was
2 built in 1986 and it is rated as fair by the
3 state Department of Transportation.

4 Next slide.

5 This is a graphic that shows the effect
6 of the modeling going from the best water
7 quality, which is the dark blue at the bottom.
8 As you move up the estuaries you have increased
9 nitrogen and decreased quality of water. If the
10 inlet is widened from 50 to 90 feet, we will be
11 able to remove the equivalent of 1,995, nearly
12 2000 kilograms of nitrogen per year.

13 We have a separate slide that shows the
14 actual math if anyone is interested, and that was
15 developed by Sia.

16 This is about 50 percent of the total
17 nitrogen load that we can control in this pond,
18 and it would therefore appear to be a significant
19 step forward in restoring water quality to
20 Bournes Pond.

21 Next slide.

22 Removing that nearly 2,000 kilograms is
23 the equivalent of sewerage 400 homes. We're
24 trying to reduce sewerage. So if 400 homes

1 produces roughly that amount of nitrogen and we
2 can do it in another way, what are the costs?
3 And the estimates that came from the engineers
4 was that it was about \$19 million if we had to
5 extend sewer lines down there and sewer those 400
6 homes. So it appears to be cost effective to
7 explore this alternative, by a factor of maybe as
8 much as three. Three times the five million
9 that's been approved by the town and by the
10 voters.

11 Next. Whoops. There we go, okay.

12 Next steps. Where we are now, what the
13 engineers are doing under contract, is preparing
14 a document that's called a Notice of Project
15 Change. It is the official statement with all
16 of the technical background that's been prepared
17 to say to the state, "This is the project we
18 would like to move forward on. What are the
19 additional regulatory reviews that we need?"
20 And there is at least a half a dozen regulatory
21 agencies that will be commenting on this project,
22 and it is a very public project process and we'll
23 have public hearings and public comment, input.
24 So, Coastal Zone Management, the Corps of

1 Engineers, our local Conservation Commission, all
2 of these agencies, Division of Marine Fisheries,
3 all of these agencies are involved as this
4 project goes forward.

5 That dialogue will define whether there
6 are any additional environmental assessments that
7 may be required. We believe that this is a cost
8 effective effort for the town; that it clearly
9 addresses an estuary that has a problem. As I
10 said, we have 15 that need to be addressed, and
11 that we're proceeding in a careful and thoughtful
12 manner.

13 One of the things I sort of gleaned from
14 Mr. Finneran's presentation is that he wants this
15 done at Little Pond as well. And Little Pond
16 was considered for inlet widening at the very
17 beginning when the Water Quality Committee was
18 looking at where should we allocate funds for
19 inlet widening. And we held a public meeting.
20 We notified the village associations of both the
21 Bournes Pond area, Davisville, Menauhant. We
22 notified the Falmouth Heights and the Maravista
23 Association, the Teaticket Association.

24 The people that came to that public

1 meeting, the people from Falmouth Heights and
2 Maravista, they were opposed to widening the
3 inlet. The people that came to the meeting from
4 the Bournes Pond area were totally in support.
5 So if you were a committee and you were thinking
6 where should we put our efforts, it was clear
7 that the Bournes Pond area made a lot of sense.

8 We also have to remember George Souza,
9 who I had the very great pleasure of working with
10 when I was first a Selectman. And his original
11 objective for Bournes Pond inlet was a hundred
12 feet. But, politics of the time, he was only
13 able to get 50. But he saw an immediate
14 improvement to the shellfish in that area and the
15 water quality and so did the residents in the
16 area. So it is kind of ironic that we're now
17 back pretty close to George's number, but we are
18 back to that number having carefully modeled and
19 measured. So it's not a number that was his
20 best hunch - and you have to give him credit for
21 how good his hunch was. This is an engineered
22 number that creates enough velocity to keep that
23 inlet opened and scoured.

24 So, that's where the town is, that's the

1 contract we've signed and this is what the
2 committee is doing. To jeopardize the funding I
3 think would be dangerous from a bond point of
4 view. And you have to remember that the article
5 that he's citing also funded the sewer, which is
6 also under contract. And I really think that
7 this is going to be a benefit to the town and it
8 gets us down the road of all the estuaries we
9 have to take care of.

10 I'm going to at this point just step
11 back and let's see what questions there are.

12 THE MODERATOR: Okay, Mr. Dufresne.

13 MR. DUFRESNE: Adrien Dufresne,
14 precinct two.

15 And I would hope this body would
16 recognize the value of Bournes Pond and vote this
17 article down.

18 About 45 years ago I testified in the
19 statehouse to help relocate Menauhant Road and
20 create the deep water to deep water inlet into
21 Bourne Pond. Bourne Pond, which has not been
22 mentioned here tonight, is one of our most
23 prolific shellfish areas and a very valuable
24 asset to the shell fishermen of the town of

1 Falmouth. If the developments of Davisville and
2 that area has caused nitrate loading, this
3 project hopefully and certainly will revitalize
4 Bournes Pond and save it for future generations
5 of the town of Falmouth.

6 Please, do not vote Article 14.
7 Bournes Pond is much too valuable to the people
8 of the Town of Falmouth.

9 THE MODERATOR: Mr. Bidwell.

10 MR. BIDWELL: Todd Bidwell, precinct
11 four.

12 Mr. Moderator, I'm a little confused
13 because the petitioner of this article is asking
14 that this money go to I believe the widening of
15 Little Pond because he sees the benefits.
16 However, the article actually says that the
17 benefits appear questionable.

18 So, before we have a long night of
19 conversation about Little Pond, I urge us to stay
20 focused on whether we believe that the benefits
21 of widening this inlet are either questionable or
22 that we believe what we did in the past as a vote
23 is true to the cause and that we want to see this
24 project continue as contracted.

1 So I want to be sure that we eliminate
2 Little Pond I believe from this conversation
3 because it's out of the scope of this article.

4 THE MODERATOR: Okay.

5 Ms. Kosins-Long.

6 MS. KOSINS-LONG: Cheryl Kosins-Long,
7 precinct eight.

8 Mr. Moderator, through you to Attorney
9 Duffy: would this be another lawsuit? Just
10 before we get into a discussion. If we vote
11 this article up? I just -

12 THE MODERATOR: Mr. Duffy.

13 MR. DUFFY: Well, we've had a number of
14 those over the years. But if you look at this
15 article, Mr. Finneran is asking us to rescind the
16 funding in Article 28 from the Spring, 2014, Town
17 Meeting. And if you look at that article, it
18 appropriates 49 million for the whole sewer
19 project and doesn't specify any amount of money
20 for the Bournes Pond inlet widening project,
21 although it is included.

22 So, I'm not sure what we are rescinding
23 because the Article 28 of the November 2014 Town
24 Meeting didn't specify an amount.

1 The other point that's been brought up,
2 Mr. Finneran's article does not mention
3 transferring any money to Little Pond, so I'm not
4 sure that's the moderator's call, but I just
5 point out it does not.

6 THE MODERATOR: Yeah, it clearly
7 wouldn't.

8 MR. DUFFY: And finally, I did send an
9 email to Mr. Suso a couple of weeks ago about
10 this, and I caution, and this is what I said to
11 him, I caution that if a vote - and by the vote,
12 I meant the Article 28 of the November, 2014 Town
13 Meeting, led to the formation of binding
14 contracts and rescission would adversely affect
15 the rights of third parties, rescission may
16 expose the Town to damages for breach of
17 contract.

18 I do not know if that is the case here,
19 but it is something to be considered.

20 And just a few minutes ago, Mrs. Valiela
21 said we have already let some contracts, so yeah,
22 we are looking at possible or potential breach of
23 contract lawsuits.

24 MS. KOSINS-LONG: That fully answers my

1 question. Thank you.

2 THE MODERATOR: Mr. Smolowitz -

3 MS. VALIELA: Mr. Moderator.

4 THE MODERATOR: I'll come back. I'll
5 put you on the list.

6 Mr. Smolowitz.

7 MR. SMOLOWITZ: Thank you. Ron
8 Smolowitz, precinct eight.

9 Town Meeting certainly knows my opinion
10 on sewers. But regarding this article I would
11 say we really don't have much of a choice other
12 than to vote it down. But I think it's very
13 important in an adaptive way to understand what's
14 going on.

15 I have a quick question: how high is the
16 roadway going to be raised over the current
17 height?

18 MS. VALIELA: The roadway contours stay
19 exactly the same. The height of the bridge is
20 exactly the same.

21 MR. SMOLOWITZ: So this is my major
22 concern. Actually, the first slide really shows
23 it quite well. We're approaching this from a
24 water quality perspective. What we really

1 should be approaching this from is a climate
2 change/coastal sea water level change/estuary
3 shifts - both, you know, all sorts of ecological
4 and environmental shifts.

5 We need to be looking at this in a much
6 more holistic way. Instead of spending \$5
7 million on a project that's strictly one looking
8 at the water quality aspect, we need to look at
9 the entire south shore of Falmouth and consider
10 what we need to protect ourselves over the next
11 100 years.

12 We should be raising that roadway. We
13 should be building living shoreline protection.
14 We should be considering and examining the issue
15 of - of gates on the entrances to the ponds, like
16 they do in other places where they're confronting
17 these types of issues. And it's certainly the
18 suggestion of -- I mean from day one I said open
19 up the inlet to Little Pond. And of course I'm
20 a strong believer that we can solve most, if not
21 all of our nitrogen issues between the shellfish
22 culture, especially surface cages, and using the
23 new techniques that are being developed every day
24 to improve the Title V systems.

1 But I hope - I think we have to vote
2 this down, but we need to take this whole
3 shoreline approach away from the Water Quality
4 and put it somewhere else. We're not proceeding
5 down the right pathway here. We're going to be -
6 we say we're not going to want to put in sewers,
7 but we're going to have some very costly projects
8 along that whole south shore over the next couple
9 of decades and we're not even looking at that.

10 THE MODERATOR: Okay, Mr. Wilber.

11 MR. WILBER: Jude Wilber, precinct
12 eight.

13 I've been a coastal sedimentologist for
14 30 years now. And one thing that's missing on
15 this Comprehensive Wastewater Plan is a coastal
16 sedimentologist.

17 [Laughter.]

18 MR. WILBER: They can be found amongst
19 us in this town. Not just me, but a number of
20 other people are coastal sedimentologists.

21 What has happened to the south shore was
22 outlined and is online in the ten year study done
23 by the Coastal Resources Committee; I urge you to
24 read it. It incorporates what Ron has spoken of:

1 a long-term look at the whole thing, not just
2 these individual ponds, a little patch here, a
3 little experiment there. That plan outlines a
4 vision for the shoreline.

5 What has happened to the south shore in
6 the last 50 to 80 years is it has gone from what
7 it was naturally and what -- there is a direct
8 model for this on the south shore of Martha's
9 Vineyard that is a fully mobile sedimentary
10 shoreline.

11 What we have done is we have built dams
12 across every single one of our ponds. You can
13 call them roads, you can call this - sea walls,
14 they are dams. They have eliminated the
15 response of the sandy shoreline to major flushing
16 events. Tidal flushing is an ancillary flushing
17 event. The ponds flush themselves during major
18 storms when they overflow, when the bottom's
19 stirred up and when that material moves offshore.
20 That's a well-known fact. It's a well-known
21 fact; every coastal sedimentologist in this
22 country will tell you that's how it works.

23 It does not work that way when you have
24 a dam there.

1 So you're going to widen this another 40
2 feet and that's going to be sort of a move toward
3 eventually taking the dam down. A spanner bridge
4 across a mobile strip of sand may work; it may
5 not. But I'm here to tell you that, without
6 considering the whole coastal restoration idea, I
7 see this as a massive waste of money.

8 THE MODERATOR: Okay -

9 MR. WILBER: Particularly -
10 particularly irresponsible of the Comprehensive
11 Wastewater Committee to not have a coastal
12 sedimentologist. I applied for that position
13 and I was turned down directly. And I can
14 recommend other people, too.

15 THE MODERATOR: Mr. Duffany.

16 MR. DUFFANY: [No mic: inaudible.]

17 THE MODERATOR: You're all set. All
18 right.

19 Ms. Valiela and then Mr. Finneran.

20 MS. VALIELA: Okay. A number of good
21 points.

22 When we held the public meeting on the
23 technical report that looks at the coast and
24 sediment transfer -- and we held that meeting in

1 February, as I remember - we have a technical
2 consultant working with us on precisely that
3 issue. We are not looking at the entire south
4 coast at this point. That's, at the moment,
5 beyond the scope of work of the Water Quality
6 Management Committee. But we clearly knew that
7 that was an issue and so we have hired the
8 Applied Coastal Research, an engineering company
9 which is based in Mashpee and has done an
10 extensive amount of modeling of coastal transfer.

11 So, that issue is not being ignored.

12 Second, at the public meeting on this
13 technical report and on the current thinking of
14 the Bourne Pond residents -

15 If you could flip to the last slide that
16 shows - okay, there you go.

17 The residents in the area are also
18 concerned about sea level rise and they are
19 concerned about hurricanes surges. We had
20 specific measurements made of the roadway and the
21 beach in that area and it was compared to about
22 five years ago. The roadway on the more or less
23 middle left side, near where the old inlet that
24 got filled in, is 4.5 feet above mean sea level.

1 So any time there is a major surge, it comes
2 across that road. The bridge is at six and a
3 half feet, so the bridge is higher than the road.

4 Secondly, there is the process of
5 erosion going on at that point. That is
6 documented in this report. It will be part of
7 the discussion as we go forward.

8 The residents at that meeting said,
9 "Please tell the Selectmen that we're concerned
10 about erosion of the road regardless of what
11 happens with the bridge." But they clearly saw
12 widening of the inlet as being a positive for
13 their pond.

14 So, what I'm saying is that the points
15 that have just been raised, they're -- we're
16 aware of it. There is a limit to our charge,
17 and I completely agree that this Town needs to
18 have a conversation with all its south coast
19 residents about the effects of sea level rise.

20 A last thing, just in case there was any
21 confusion. The 49 million for Article 28, we had
22 put a slide up with the help of Jennifer Petit of
23 the items that went into that. And so I didn't
24 bring that slide with me tonight, but Bournes

1 Pond is in it.

2 THE MODERATOR: Okay, Mr. Finneran.

3 MR. FINNERAN: First thing I'd like to
4 start by saying I agree with almost everything
5 Mrs. Valiela said. The same pictures that she
6 showed you about Bournes Pond are also in the MEP
7 about Little Pond. The same studies were done
8 and the same determinations were. I mean, we
9 could save 30 percent. That's money here and
10 now.

11 Now, I asked a few people - I'm not a
12 lawyer, but my understanding is any lawsuit that
13 could possibly be brought against the Town, it
14 would necessitate the contractors to stick
15 shovels in the ground. I may be incorrect, but
16 that's what I heard from several different
17 people.

18 And I'd just like to say we have
19 adaptive management in the plan that we voted
20 for. The whole Cape is going to use adaptive
21 management. That's what the black box computer
22 is for. This is an opportunity to save \$20
23 million in the then and now. Not some years
24 down the road.

1 Also, the \$19 million savings doesn't
2 include the \$5.2 million for the bridge, so
3 you're looking at a thirteen and a half million
4 dollar savings. The \$19 million was done with a
5 calculation from the actual cost of the Old
6 Silver Beach sewer project, per house. There has
7 nothing to do - there's - it requires a new sewer
8 plant. If you remove 500 or 400 homes from it,
9 that's the piping half. There's still the cost
10 of the sewer plant. So actually it's going to
11 raise the betterment. The betterment that
12 you're looking for in Bournes Pond is about
13 \$33,000. If you remove the homes, it's going to
14 go up at least another \$12,000.

15 Also, it was stated that there was a
16 public meeting and the people in Little Pond
17 didn't want the sewerage. First off, I have two
18 houses in that area. I recall of no public
19 meeting. I might have missed it. I went to the
20 majority of the Wastewater Management plans. And
21 during that public meeting, did you tell the
22 people that there was a possibility to cut their
23 betterment in half? This was no kind of a
24 scientific poll or election. I can't find anyone

1 - I have a house on Oak Street and a house in the
2 Heights, and I've asked many neighbors and I know
3 no one that went to that meeting. And it seems
4 to base this whole decision on the fact that some
5 people in Little Pond supposedly didn't want to
6 save 50 percent on their betterment. I just find
7 that to be a little hard to believe.

8 Thank you.

9 THE MODERATOR: Okay, Mr. Rhodes.

10 MR. RHODES: [No mic: inaudible].

11 THE MODERATOR: You move the question?

12 MR. RHODES: [No mic:] Yes.

13 THE MODERATOR: Mr. Rhodes is moving
14 the previous question; it requires a two-thirds
15 vote. All those in favor, signify by saying aye.

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [None opposed.]

19 THE MODERATOR: The ayes have it
20 unanimous.

21 The question will come on Article 14 as
22 printed. All those in favor, signify by saying
23 aye.

24 [Aye.]

1 THE MODERATOR: All those opposed no.
2 [No.]

3 THE MODERATOR: The opinion of the
4 chair is that the no's have it.

5 Article 15. Article 15 is a vote to
6 amend Chapter 180, Section 6 of the Code of
7 Falmouth, connection to sewer required by adding
8 the following sentence.

9 Mr. Chairman of the Board of Selectmen
10 for the main motion.

11 CHAIRMAN JONES: Mr. Moderator, I have
12 a slight change in the motion, which I'll read to
13 you. We also have a slide on this. This is
14 just taking the word "made" and change to
15 "overseen", but I'll read it to you.

16 Article 15: To see if the Town will vote
17 to amend Chapter 180, Section 6 of the Code of
18 Falmouth, Connection to Sewer Required, by adding
19 the following sentence: The connection shall be
20 overseen by a plumber licensed in the
21 Commonwealth of Massachusetts and the work shall
22 be inspected and approved by the Department of
23 Public Works, Wastewater Division, before the
24 connection is activated.

1 THE MODERATOR: Okay, so the main
2 motion is as printed, but changing the word
3 "made" to "overseen".

4 Discussion on Article 15.

5 Mr. Donahue.

6 MR. DONAHUE: Bob Donahue, precinct
7 three.

8 In this, we're talking about a plumber.
9 Plumber means extra cost. Is the Town going to
10 hire this plumber because the Town is putting in
11 at the grinding pumps for the homes that need it?
12 I feel that if this is being done for the homes
13 that need it and it - the requirement is that the
14 Town says they have to have a grinder because of
15 their location, then the Town should supply the
16 plumber to certify that the connections are right
17 and save the people the betterment that the cost
18 of a plumber will incur.

19 I also feel that any plumber would want
20 to bill for the total project hours, not for
21 specifically doing this or that.

22 So, has anybody -

23 THE MODERATOR: Okay, Mr. Potamis can
24 answer the question. Yes.

1 MR. DONAHUE: Thank you.

2 MR. POTAMIS: Gerry Potamis, precinct
3 two. Wastewater Superintendent.

4 These connections, and all connections
5 in town of this nature, including New Silver
6 Beach, needs a plumber. If they have been done
7 without a plumber, they have not been done
8 according to code and they cause the people in
9 those homes possible public health. So we're not
10 adding any more cost to anybody. A plumber
11 needs to oversee this work.

12 He will also oversee any additional
13 contractors that will be on the job. This
14 overseeing will assure that we have a licensed
15 person that the homeowner can look to and hold
16 responsible and the Town can look to and hold
17 them responsible.

18 This requirement is for both people on
19 the gravity sewer as well as people on the low
20 pressure sewer.

21 Thank you.

22 THE MODERATOR: Ms. Putnam.

23 MS. PUTNAM: Thank you. Good evening.
24 Rebecca Putnam, precinct nine.

1 Through you, Mr. Moderator, I'd like to
2 ask our Town Building Inspector Mr. Gore to
3 answer a question.

4 THE MODERATOR: Yeah. He's not with
5 us this evening.

6 MS. PUTNAM: Oh, okay. Is there a
7 plumbing inspector with us this evening?

8 FROM THE FLOOR: [Inaudible.]

9 THE MODERATOR: Yeah.

10 MS. PUTNAM: Okay, well I have a
11 question through - through the Building
12 Department. If we're going to require a plumber,
13 as Mr. Potamis is saying it's supposed to be
14 permitted, how are they being hooked up without a
15 permit in the first place when we know what homes
16 are going to need to be hooked up? If the state
17 is already mandating this in the building codes,
18 why are we here hearing this?

19 THE MODERATOR: Okay, I think Mr.
20 Potamis has an answer for that.

21 MR. POTAMIS: All contractors and all
22 homeowners don't comply with the Town Code, and
23 we can't reasonably expect to oversee 1400
24 connections. We had some serious issues in New

1 Silver Beach with only 200 connections. So this
2 is not a Wastewater Department requirement; it's
3 a Board of - it's a plumbing code requirement
4 that a plumber works on any plumbing that goes up
5 to ten feet on the exterior foundation. So it's
6 - I don't think Eladio could give a permit for
7 that because it is not up to him. The plumbing
8 inspector would give that permit.

9 I will show you the reference, and I
10 said last night - it's not coming down - I cannot
11 guarantee you anything.

12 I can guarantee you that a plumber needs
13 to be involved with the connection of a sewer.

14 MS. PUTNAM: Again, though, we know
15 what homes are being hooked up to the sewer. If
16 it is a state requirement that a permit is to be
17 pulled and Mr. Gore does not - and somebody is
18 being charged for sewerage and they are already
19 getting charged on the water end of it for the
20 sewerage, however we're going to build this, then
21 we know they hooked up. And if there is no
22 permit on file, then we know a plumber didn't do
23 it. Then you need to find them. Then you need
24 to make sure and hold the homeowner accountable

1 at that point.

2 But the Town should also know what
3 houses are being hooked up. You know -

4 MR. POTAMIS: We do know.

5 MS. PUTNAM: - the neighborhoods.

6 MR. POTAMIS: We do know every home,
7 right down to the parcel, that's going to be
8 hooked up. It is my department that issues a
9 permit or a license to connect to the sewer,
10 okay? In my letter, I advised them that they
11 may have to get a trench opening permit. They
12 may have to get - well, now - well even if this
13 doesn't pass - which I hope it does pass - they
14 still need a permit.

15 After a homeowner has put in a lateral
16 connection, God bless the person that goes up and
17 says, "I want you to dig this whole thing up at
18 you expense because I have to see that it's been
19 installed properly."

20 This is a public health and safety
21 issue. It's not a regulatory process issue
22 because the regulations are there. It's to
23 protect you, the taxpayers, in the town. We
24 don't do work on private property.

1 Thank you.

2 MS. PUTNAM: I guess my point is is
3 that someone's not doing their job if we are not
4 making sure that it's done properly in the first
5 place. Because anyone who builds a home has to
6 go before Mr. Gore and fill out a building permit
7 application and receive a permit.

8 So if Mr. Potamis is supposed to issue
9 these permits as he just stated, then he should
10 be the one making sure each of these houses that
11 he already knows are going to be hooked up before
12 we charge them, has their permit with the
13 plumber.

14 Thank you.

15 THE MODERATOR: Mr. Baker to the left.

16 MR. BAKER: Steve Baker, Assistant
17 Plumbing Inspector in the Town of Falmouth.
18 Also a precinct six Town Meeting member.

19 248 CMR dictates from the state Plumbing
20 Board that an envelope around the house - this is
21 a ruling by the state board - an envelope around
22 the house of ten feet is the jurisdiction of the
23 plumber, and he will pull a permit for all work
24 in that envelope.

1 If it's outside that envelope, it's
2 sewer work, or a septic person's work or an
3 excavator's work. Mr. Potamis would be the one
4 to speak on that.

5 If the sewer connection is to be made
6 inside that ten foot envelope, it is indeed a
7 permitted thing that will be taken out by a
8 plumber. It will be inspected by a plumbing
9 inspector. Beyond that inspections I cannot
10 speak to. Only the ten foot envelope around the
11 home.

12 So, in many of the homes that are going
13 to be as an example in Maravista, small lots in
14 Falmouth Heights, you're going to be taking the
15 drain, which is often going out the back side of
16 the house and either turning it around, let's say
17 across the back of the house, and up the sideline
18 of the property to a lateral on the sewer
19 connection and so forth. If it's within that
20 ten foot, again, it's going to be plumber's work.

21 In other cases, it's going to be more
22 effective to turn the plumbing around inside the
23 house and come out the front, probably, to a
24 sewer connection provided by the Town. Again,

1 if it's in the ten foot envelope that the
2 connection is made, plumber's work, permitted,
3 inspected.

4 THE MODERATOR: Okay, Mr. Smolowitz.

5 MR. SMOLOWITZ: Ron Smolowitz, precinct
6 eight.

7 So I was going to ask the difference
8 between an excavator coming in and putting in a
9 Title V system and hooking up to a sewer
10 connection. I assume the sewer connections are
11 going to be further than ten feet from the house.
12 And most of the work that I've seen that's been
13 done with a Title V system is the plumber --
14 pretty much the excavator runs the line into the
15 house and the plumber does all the hooking up,
16 and probably takes responsibility for the piece
17 of PVC outside the house.

18 A plumber's very expensive. The vast
19 majority of the work is basically excavator work,
20 you know, as far as the hookup. Can't we - or
21 are the people that put in Title V systems in the
22 town somehow licensed or permitted, or anybody
23 can put in a Title V?

24 I just don't understand the difference

1 between a gravity system hookup and a Title V
2 system. And I know licensed plumbers can -
3 they're going to add a considerable amount of
4 money on projects like this. So I'm just
5 wondering maybe why this is going forward. What
6 is the difference? Why is -

7 THE MODERATOR: Okay, Mr. Jack can
8 answer the question.

9 Mr. Jack.

10 MR. SMOLOWITZ: We have state plumbing
11 codes. Is this something being added to the
12 state plumbing code?

13 MR. JACK: No. Hopefully I can shed a
14 little light on the subject. I think you've
15 heard a lot about the envelope around the
16 building. The state plumbing code covers ten
17 feet outside the foundation of the house. I do
18 not know why that is. For the Town's purposes,
19 we put in a water or sewer main, we cover all the
20 way up to the property line.

21 So there will be a main in the street
22 and the water service or the sewer service going
23 to a house, that's covered under the Town's
24 authority to make sure that the connection's

1 correct, to make sure that the installation's
2 correct.

3 Then you have the plumbing code itself,
4 which covers the building and ten feet outside of
5 the building. And then you have the netherworld
6 in between the two. That nobody has legal
7 control over, if you will. Theoretically, if a
8 homeowner wanted to, they could install their own
9 line within that zone. The connection would not
10 be allowed under the plumbing code, however,
11 unless a plumber physically made the connection.
12 And that would require the plumbing permit.

13 What's about to be undertaken with the
14 Little Pond Sewer Service Area is going to be a
15 very large and comprehensive and expensive
16 project. In many ways a lot of that is going to
17 be on a homeowner. For each of these homeowners
18 - and there are going to be many - they want to
19 insure and the Town wants to insure that their
20 interests are protected and preserved, so that
21 the nether zone is also covered.

22 A gravity connection means that in some
23 way, shape, or form, the piping for the home now
24 is going to be intercepted and/or replaced,

1 disconnected from the septic system, re-routed
2 and then connected properly - and by properly I
3 mean it has to be set on a specific grade, where
4 it leaves the house and continually slopes down.
5 We're generally at a quarter of an inch per foot
6 of slope in order to be able to be a gravity-fed
7 system.

8 If it's going to be pump system, it's
9 not only going to involve piping coming from the
10 home, reconfiguration of the existing piping of
11 the home, the installation of a pump and an
12 electrical connection in order for the pump to
13 work.

14 A homeowner wants to be sure that that
15 whole installation, when it's done and you flush
16 the toilet, that it works. You do not want to
17 have individual contractors who are going to be
18 able to shift the burden of responsibility across
19 the board somewhere else. So the goal here for
20 the Town is to preserve the interests of all of
21 those homeowners, whether it's on the gravity
22 side or the pump side.

23 The plumber is the person that I think
24 everybody would look to if you're going to be

1 hooking up a sewer line, and the plumber is the
2 one that has all of the experience to know
3 whether or not any and all of these connections
4 are being made properly. So that is the person
5 that is being asked to oversee. They will hire
6 other contractors and that doesn't change,
7 because that's what they do now. The difference
8 here is they're responsible for the oversight.

9 So it's intended to protect the
10 homeowners' interests.

11 Thanks.

12 THE MODERATOR: Mr. Netto.

13 MR. NETTO: [No mic: inaudible].

14 THE MODERATOR: He covered it.

15 MR. NETTO: Yeah, because I was very
16 confused when the Chairman of the Board of
17 Selectmen read the recommendation. I'm glad we
18 put this up, and I'm one of those people that's
19 going to have to pay someone to connect to the
20 sewer.

21 So you're telling me then, Ray, that by
22 deleting the word "made", where the plumber
23 physically did this, by inserting the word
24 "overseen" he's now responsible for the whole

1 bailiwick, so to speak, and that's better
2 protection for the homeowner.

3 I obviously - just use some commonsense,
4 folks. We've had sewers in town for years and
5 yet this is coming in front of us because these
6 gentlemen have to work and see that they didn't
7 have the authority because of the way the laws of
8 the Town of Falmouth were written. And this is
9 a case where we have good government and it's not
10 an added cost, as some speakers have alluded to.
11 It's added protection. And I think we should
12 pass this and thank you for the explanation,
13 because I was getting confused.

14 Thank you, Ray.

15 THE MODERATOR: Okay, Mr. Duffany.

16 MR. DUFFANY: Thank you, Mr. Moderator.
17 Michael Duffany, precinct six.

18 I don't want to belabor this, but Mr.
19 Baker made a good point. The plumber's
20 responsible for the ten feet. Then, from there,
21 it's really the responsibility of the homeowner,
22 if you will, to hire a good contractor. If you
23 see somebody going down the road putting in ten
24 of these a day and you want to hire them because

1 you're going to save \$500, you're probably going
2 to end up with a problem that you're going to
3 shift over to Mr. Potamis.

4 I don't think it's something that you
5 want to or I want to involve ourselves in trying
6 to get the plumber to oversee the excavation
7 contractor, because now you're going to be
8 getting hit twice, and the excavation contractor,
9 they are certified to do this work. It's just -
10 I can't just go out and get a backhoe and start
11 putting in sewer connections.

12 And I don't believe that the Town has
13 its own plumbers. We have plumbers on staffs
14 here in town and it's great that we do, but all
15 of the stuff that's out at the street isn't being
16 done by licensed plumbers that you're going to
17 hook up to, okay? It's engineered, it's done
18 properly and this is the way the whole thing
19 should go. You should hire the right excavation
20 contractor that'll give you the right eighth of
21 an inch per - pitch per foot so the thing doesn't
22 run downhill like crazy. There are certain regs
23 that you've got to uphold.

24 And that's where the commonsense comes

1 in, Mr. Netto. I don't want to have somebody
2 forcing me to have somebody else overseeing
3 somebody that knows what they're doing, okay?
4 It's up to me to make sure that I hire somebody
5 that knows what they're doing. And so I would
6 urge that we don't vote for this. Thank you.

7 THE MODERATOR: Mr. Finneran.

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

10 Many of the houses that are going to
11 hitch up to this sewer are going to have to take
12 a long, circuitous route around to the front.
13 Which has always been the work of the excavator.
14 Would it be possible to amend this to have the
15 ten feet zone from the sewer connection in, and
16 that way from ten feet from the house will be the
17 plumber's responsibility? And ten feet from the
18 sewer would be the plumber's responsibility? And
19 everything in between could be done by an
20 excavator and therefore not add any extreme
21 additional cost to the homeowner.

22 Does that make sense?

23 THE MODERATOR: Well, I'm not an expert
24 here, but I think I just heard that within ten

1 feet it already is -

2 MR. FINNERAN: Yeah, of the home. But
3 within ten feet of the sewer line, I'm talking to
4 add that in. And that way everything in between
5 could still be the realm of the excavator,
6 therefore keeping it cheaper?

7 THE MODERATOR: Mr. Potamis.

8 MR. POTAMIS: Point of clarification.
9 When Mr. Duffany comes in, and I urge as many
10 people to go to him, because he does know what
11 he's doing --

12 FROM THE FLOOR: Repeat that. Can't
13 hear you.

14 MR. POTAMIS: Gerry Potamis, Wastewater
15 Superintendent, precinct two.

16 The issue is we have very little
17 authority from the ten feet to the street. We
18 have good excavators. They don't present any
19 license when they come in. A homeowner could
20 apply to do that. I have no authority to say no.
21 I have very little authority to tell them what to
22 do.

23 What I've done, through Mr. Jack and
24 others and national standards, is we give them

1 traditional engineering standards of what the
2 slope should be. Homeowner doesn't have to do
3 it. The contractor doesn't have to do it. Some
4 of the contractors that I've dealt with in New
5 Silver Beach were nothing more than a person with
6 a backhoe and an - or an excavator.

7 We are now, with this amendment, going
8 to hold one person responsible. It shouldn't be
9 any extra money. The contractors will get their
10 share of it. The plumbers will get their share
11 of it. And we will have one person that will be
12 responsible, one person with a state license.

13 Thank you.

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

16 You got something new? Mr. Noonan.

17 Microphone for Mr. Noonan, please.

18 MR. NOONAN: I can understand - - John
19 Noonan, precinct six.

20 I understand the concern about the
21 costs, the additional cost of a plumber. I can
22 understand Mr. Potamis's concern for overseeing
23 it.

24 In the Town of Falmouth, I believe, I

1 may be incorrect, but I believe you need to be
2 licensed to put in the septic system. In that
3 case, it'd either be a plumber - I'd like to
4 amend it to say it needs to be either a plumber
5 licensed in the state of Massachusetts or a
6 septic - a licensed septic installer in the Town
7 of Falmouth. That will cover all permits being
8 taken out. That will cover what Gerry's trying
9 to be concerned about, is somebody being
10 responsible for the installation, and it won't be
11 just anybody that's coming down the street to
12 install, it'll be someone that's licensed in the
13 town, or the state.

14 THE MODERATOR: Okay, discussion on an
15 amendment to add "or licensed septic installer".

16 Mr. Potamis.

17 MR. POTAMIS: Gerry Potamis, precinct
18 two; hasn't changed.

19 [Laughter.]

20 MR. POTAMIS: A licensed septic
21 installer may be qualified, but he's not
22 authorized to work within ten feet of the house.
23 So now you have a situation where a person that's
24 not allowed to connect to the house - and I don't

1 think Mr. Duffany would connect to the house
2 because I know he knows the regs and he's helped
3 me out on many occasions. But he's not
4 authorized to work within that envelope.

5 Again, this is not intended to be in
6 all; this is to be intended for single
7 responsibility, so we all know whose responsible
8 at no extra cost to the homeowner and great
9 security to the homeowner and the Town.

10 THE MODERATOR: Mr. Noonan.

11 MR. NOONAN: In addition to those words
12 I just gave you, you can put "according to state
13 rules and regulations".

14 THE MODERATOR: You don't have to;
15 that's law. You always have to follow state
16 law. [Laughs].

17 MR. NOONAN: Right -

18 THE MODERATOR: You don't have a
19 choice.

20 MR. NOONAN: If that would make Gerry
21 happy that's -

22 THE MODERATOR: No. You don't need it.
23 You have to follow state law. You don't get to
24 choose which -

1 Mr. Murphy.

2 MR. MURPHY: Yes, Mr. Moderator and
3 Town Meeting. I came here tonight fully
4 prepared to vote for this article, but the longer
5 we discuss it, the more confused I am about it.
6 And we speak a little bit about - about
7 oversight, but quite candidly if we're going to
8 have a plumber oversee the project, I mean I love
9 my plumber and I pay him dearly, but I hate it
10 when he stops and has a coffee.

11 I will say that if he's overseeing the
12 project, that means the excavator's going to be
13 there and the plumber's going to be standing
14 there watching him. So, is it the connection
15 when they put the two pipes together? Or is it
16 in fact the whole project from the street to the
17 house that the licensed plumber has to be there?

18 And I will defer a little bit because
19 Mr. Duffany made a comment at the end, and he
20 said, "Don't support this." Quite candidly, I
21 have a lot of faith in Mr. Duffany. I've worked
22 with him on the high school project. I know him
23 from the Chamber of Commerce. He happens to be a
24 guy who is the head of the Builder's Association

1 on Cape Cod. And I'd like him to elaborate there
2 a little bit on that because I'm not a tradesman
3 like that. But I want the information that's
4 proper.

5 And I don't want to put an undue burden
6 on some homeowners in this particular part of
7 town. They're already going to pay a
8 betterment. They're already going to pay a
9 hookup. But now are we going to burden them
10 with a plumber to oversee the entire project?

11 And what I would consider overseeing it:
12 he's going to stand there while the excavator is
13 excavating the project; he's going to stand there
14 while the pipe is laid, and he's going to stand
15 there when they call the DPW; he's going to wait
16 for the DPW to show up to make up their
17 connection and then he's going to make the
18 connection at the house. That's what a layman
19 would assume, but I'm looking for someone like a
20 Mike Duffany to elaborate. And if I can ask,
21 Mr. Moderator, that he does that.

22 Thank you.

23 THE MODERATOR: Mr. Duffany.

24 MR. DUFFANY: Michael Duffany, precinct

1 six.

2 I would be very comfortable with "and"
3 versus "or", so that you have a licensed plumber
4 doing what he's supposed to do within the ten
5 foot envelope and you have a certified installer
6 doing the rest of the work. Not just - there
7 are great excavation contractors, but for the
8 purposes of this article, here, perhaps we
9 should, as Mr. Noonan said, have it be somebody
10 that's certified with the Town of Falmouth to
11 make the connection.

12 What plumber's going to want to take on
13 the liability, if you will, to oversee that
14 entire project, as Mr. Murphy said, and cost you
15 another thousand dollars because they don't come
16 cheap.

17 So, that's what I would suggest.

18 Number one, you have to do your due
19 diligence and get somebody that's going to do the
20 job right, that has a good reputation. So you
21 don't have a problem. Because, when you have a
22 problem with the sewer, it's pretty deep in the
23 ground; you do not want to have to revisit it.
24 You don't want to have to dig under your cellar

1 floor and you're talking about some serious
2 excavation when you're six feet in the ground.

3 So, I would say that that's how I would
4 address it.

5 THE MODERATOR: Okay, Mr. Hunt.

6 MR. HUNT: Carter Hunt, precinct seven.

7 I'd just like to have everybody look up
8 at the slide and look at the word "the
9 connection". It's not the excavation. It's not
10 the laying of the pipe. It's the connection.
11 And Mr. Potamis is correct: you need someone
12 whose licensed to make the connection.

13 Mr. Duffany's correct: you can have
14 anybody dig the hole.

15 The fact of the matter is it's the
16 connection that the licensed plumber looks at.
17 And that's all he has to do. He looks at it or
18 installs it and that's his work. He doesn't
19 have to drive the backhoe. He doesn't have to
20 supervise the backhoe. He just simply takes the
21 connection and certifies it. Makes it and
22 certifies it.

23 That's what we're talking about here,
24 not digging a hole, not laying the pipe, not

1 necessarily making sure that it's on the right
2 grade. He's making the connection.

3 Plenty of people in Mr. Duffany's field
4 are certified to do all of that other work and
5 they can be part of a team that does it.

6 I went through the town - I lived in the
7 town of West Boylston before I moved to Falmouth.
8 We did all of this; this is exactly what
9 occurred. The plumbers were responsible for the
10 connection. It makes it safe for the Town, it
11 makes it guaranteed for the homeowner and it
12 works that way.

13 We're talking about the connection.

14 THE MODERATOR: Ms. Putnam.

15 FROM THE FLOOR: Question, question.
16 Please.

17 MS. PUTNAM: Sorry, folks. Rebecca
18 Putnam, precinct nine.

19 What I'm wondering is why haven't we
20 instead of saying overseen by a plumber, why
21 aren't we having this overseen by the Health
22 Department?

23 FROM THE FLOOR: [Inaudible general
24 talking.]

1 MS. PUTNAM: Which - which -- which,
2 they over see the septic installations. They
3 sign off on a permit card to say that it's done
4 properly.

5 THE MODERATOR: Okay, Ms. Harper.

6 MR. HARPER: I only held the article to
7 clarify exactly what the last gentleman said,
8 that the Board's change of the word from "made"
9 to "overseen" was to insure that folks like
10 septic installers and licensed contractors could
11 perform the work.

12 THE MODERATOR: Okay, the question's
13 going to come on the amendment to add "or a
14 licensed septic installer". All those in favor
15 of the amendment, signify by saying aye.

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [No.]

19 THE MODERATOR: It is the opinion of
20 the chair that the ayes have it by a majority.

21 All those in favor of the main motion as
22 presented, signify by saying aye.

23 [Aye.]

24 THE MODERATOR: All those opposed no.

1 [No.]

2 THE MODERATOR: It is the opinion of
3 the chair that the ayes have it by a majority.

4 Article 16. Chairman of the Board of
5 Selectmen for the main motion.

6 CHAIRMAN JONES: Mr. Moderator, I move
7 Article 16 as recommended.

8 THE MODERATOR: As recommended. This
9 is updating the goals and policies of the Local
10 Comprehensive Plan relative to the Housing
11 element.

12 Any discussion on Article 16?

13 Yes, Mr. Johnson.

14 MR. JOHNSON: Leonard Johnson, precinct
15 five.

16 I'm going to preface my remarks by
17 saying that I voted for every affordable housing
18 project that's come before Town Meeting.
19 However, I am troubled by the all-encompassing,
20 open-ended language in this article. "Falmouth
21 will accept responsibility for providing housing
22 for people". Does that mean that the Town of
23 Falmouth has an obligation to provide housing for
24 anybody who shows up? I don't like open-ended

1 articles, open-ended statements that are - that
2 you can drive a truck through.

3 We have enough large obligations in this
4 town without getting into something like this. I
5 just think this is way too broad and it needs a
6 lot of clarification, to satisfy me, at least.

7 THE MODERATOR: Okay, Mr. Finneran.

8 MR. FINNERAN: I'd just like to echo
9 everything he said. And if this passes, I want
10 to know when I get my house.

11 [Laughter.]

12 THE MODERATOR: Ms. Hayward.

13 MS. HAYWARD: Nancy Hayward, precinct
14 five.

15 I noticed that Mr. Johnson used the word
16 "will". That's because he was at the precinct 5-
17 6 meeting when we discussed the wording which is
18 actually in Article 16. Am I correct that
19 actually Article 16 as written as "shall"?

20 THE MODERATOR: The posting of the
21 article was "shall", but the motion on the floor
22 by the Board of Selectmen uses the words "will".

23 MS. HAYWARD: Oh.

24 THE MODERATOR: We're voting on the

1 recommendation.

2 MS. HAYWARD: All right, fine. So -
3 so, we are voting on "will".

4 Thank you.

5 THE MODERATOR: Yes. Mr. Latimer.

6 MR. LATIMER: Richard Latimer, precinct
7 one.

8 I'm a lawyer again, I'll say that, and I
9 read this as a lawyer. This is a statement of
10 policy. It's not a rule; it's not a regulation.
11 As a statement of policy, it's an admirable
12 policy. I think it could have been worded a
13 little bit better, but I don't think anyone can
14 claim entitlement to a house based on a statement
15 of policy.

16 Thank you.

17 THE MODERATOR: Okay, any further
18 discussion?

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

22 [Aye.]

23 THE MODERATOR: All those opposed no.

24 [No.]

1 THE MODERATOR: All those in favor,
2 signify by standing and the tellers will return a
3 count.

4 [Pause.]

5 THE MODERATOR: In the first division.

6 MR. NETTO: 25.

7 THE MODERATOR: 25.

8 In the third division.

9 MR. HAMPSON: 22.

10 THE MODERATOR: 22?

11 MR. HAMPSON: Yes, 22.

12 THE MODERATOR: 22.

13 In the second division.

14 MR. DUFRESNE: 40.

15 THE MODERATOR: 40.

16 All those opposed signify by standing
17 and the tellers will return a count.

18 [Pause.]

19 THE MODERATOR: In the first division.

20 MR. NETTO: 14.

21 THE MODERATOR: 14.

22 In the second division, Mr. Dufresne.

23 MR. DUFRESNE: 28.

24 THE MODERATOR: 28.

1 In the third division, Mr. Hampson.

2 MR. HAMPSON: 26.

3 THE MODERATOR: 26.

4 By a counted vote of 87 in favor and 68
5 opposed, the article passes.

6 Article 17. This is to amend the
7 Town's Classification Plan to add a C.P.C.
8 administrative clerk.

9 Madame Chairman for the main motion.

10 CHAIRMAN MAGNANI: Mr. Moderator, I
11 move Article 17 as recommended.

12 THE MODERATOR: As recommended. Any
13 discussion on Article 17?

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

17 [Aye.]

18 THE MODERATOR: All those opposed no.

19 [No.]

20 THE MODERATOR: The ayes have it by a
21 majority.

22 Article 18. This is a Community
23 Preservation Committee; this is vote to
24 appropriate from Fiscal '16 Community

1 Preservation Fund revenues the sum of \$141,140
2 for the purpose of funding Community Preservation
3 Administrative expenses.

4 Mr. Chairman for the main motion.

5 CHAIRMAN HERBST: Mr. Moderator, the
6 Community Preservation Committee recommends
7 Article 18 as recommended.

8 THE MODERATOR: As recommended. Any
9 discussion on Article 18?

10 Hearing none, then the question will
11 come on the main motion, as recommended. All
12 those in favor, signify by saying aye.

13 [Aye.]

14 THE MODERATOR: All those opposed no.

15 [None opposed.]

16 THE MODERATOR: The ayes have it
17 unanimous.

18 MR. HERBST: Thank you.

19 THE MODERATOR: Article 19. This is
20 to appropriate a sum of money to fund the Water
21 Stabilization Fund. The recommendation is
22 indefinite postponement. Is there anyone who
23 would like to make a positive motion on Article
24 19?

1 Hearing none, Madame Chairman for the
2 main motion.

3 CHAIRMAN MAGNANI: Mr. Moderator, I
4 move Article 19 as recommended.

5 THE MODERATOR: As recommended. This
6 is indefinite postponement.

7 All those in favor, signify by saying
8 aye.

9 [Aye.]

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

12 THE MODERATOR: The ayes have it
13 unanimous.

14 Article 20. This is to vote to raise
15 and appropriate the sum of \$440,000 and transfer
16 it into the General Stabilization Fund.

17 Madame Chairman of the Finance Committee
18 for the main motion.

19 CHAIRMAN MAGNANI: Mr. Moderator, I
20 move Article 20 as recommended.

21 THE MODERATOR: As recommended. Any
22 discussion on Article 20?

23 Hearing none, the question will then
24 come on the main motion, as recommended. All

1 those in favor, signify by saying aye.

2 [Aye.]

3 THE MODERATOR: All those opposed no.

4 [None opposed.]

5 THE MODERATOR: The ayes have it
6 unanimous.

7 Article 21. This is to vote to raise
8 and appropriate \$1,032,079 and transfer it into
9 the Capital Stabilization Fund.

10 Madame Chairman for the main motion.

11 CHAIRMAN MAGNANI: Mr. Moderator, I
12 move Article 21 as recommended.

13 THE MODERATOR: As recommended. Any
14 discussion on Article 21?

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

18 [Aye.]

19 THE MODERATOR: All those opposed no.

20 [None opposed.]

21 THE MODERATOR: The ayes have it
22 unanimous.

23 Article 22. This is to raise and
24 appropriate \$100,000 and transfer it into the

1 Other Post Employment Benefits Trust Fund.

2 Madame Chairman, for the main motion.

3 CHAIRMAN MAGNANI: Mr. Moderator, I

4 move Article 22 as recommended.

5 THE MODERATOR: As recommended. Any
6 discussion?

7 Mr. Johnson.

8 MR. JOHNSON: Leonard Johnson, precinct
9 five.

10 I should start by saying that I really
11 applaud the decision that we made on Monday night
12 to really come to grips with funding our pension
13 obligations. Getting on top of that in the year
14 2032, I believe it was.

15 Now we've got this other great elephant
16 in the tent. We're going to put 100,000 towards
17 an obligation of 88 million. We can fund it,
18 therefore, in 880 years. Which suggests to me
19 that we need another plan to come to grips with
20 this. And I've addressed this before; it seems
21 to be an annual event.

22 What is our real policy for dealing with
23 this? This is really kicking the can a long way
24 down the road, and we either have to put more

1 money in here - I think \$100,000 to satisfy the
2 bond rating agency just confirms my low opinion
3 of bond rating agencies.

4 So, I would hope that we could come up
5 with some kind of a plan. I realize there's a
6 lot of collective bargain issues related to this.
7 But just keeping putting 100,000 a year in here
8 and thinking we're doing something is - is not
9 going to get the job done.

10 Thanks.

11 THE MODERATOR: Okay, further
12 discussion on Article 22?

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

16 [Aye.]

17 THE MODERATOR: All those opposed no.

18 [None opposed.]

19 THE MODERATOR: The ayes have it
20 unanimous.

21 Article 23. This is to raise and
22 appropriate \$100,000 and transfer it into the
23 Worker's Compensation Trust Fund.

24 Madame Chairman for the main motion.

1 CHAIRMAN MAGNANI: Mr. Moderator, I
2 move Article 23 as recommended.

3 THE MODERATOR: As recommended. Any
4 discussion on Article 23?

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

8 [Aye.]

9 THE MODERATOR: All those opposed no.

10 [None opposed.]

11 THE MODERATOR: The ayes have it
12 unanimous.

13 Article 24, this is to raise and
14 appropriate \$275,000 for the purpose of funding
15 cost of living adjustments. Oh, we did that one,
16 sorry. No, no, no, we did it. I'm good. 25.

17 Article 25. Madame Chairman for the
18 main motion.

19 CHAIRMAN MAGNANI: Article 25?

20 THE MODERATOR: Yes.

21 CHAIRMAN MAGNANI: Mr. Moderator, I
22 move Article 25 as recommended.

23 THE MODERATOR: Okay, this is vote to
24 amend Article 34 of the 2004 Annual Town Meeting,

1 permitting the expenditure of funds borrowed up
2 to \$750,000. These are funds that were already
3 borrowed and we're just looking for the
4 transfers.

5 Any discussion on Article 25?

6 Hearing none, then the question will
7 come on the main motion. All those in favor,
8 signify by saying aye.

9 [Aye.]

10 THE MODERATOR: All those opposed no.

11 [None opposed.]

12 THE MODERATOR: The ayes have it
13 unanimous.

14 At this time, I'd recognize the Town
15 Finance Director for notification of how much we
16 spent in the Annual Town Meeting.

17 Oh, Madame Chairman, I'm sorry. Madame
18 Chairman.

19 CHAIRMAN MAGNANI: Mr. Moderator, I
20 wish to inform the town that the April, 2015
21 Annual and Special Town Meetings have voted a
22 total of \$121,356,135 and request of the Board of
23 Selectmen place on the May Annual Town Election
24 ballot a capital exclusion question for Special

1 Town Meeting Article 20 in the amount of
2 \$3,947,636.

3 THE MODERATOR: Okay, at this time I'd
4 recognize the Chairman of the Planning Board for
5 notification of our next Annual Town Meeting.

6 CHAIRMAN JONES: Mr. Moderator, our
7 next Annual Town Meeting will be November 9th,
8 with a Special Town Meeting also scheduled for
9 November 9th at 7:10. In the event that if we do
10 finish our Annual meeting we can proceed to the
11 Special Town Meeting that same evening.

12 THE MODERATOR: Okay, November 9th.
13 Ms. Valiela.

14 MS. VALIELA: Point of order, Mr.
15 Moderator, and I may have misheard. Did the
16 Chairman of the Finance Committee say capital
17 exclusion? I want -

18 CHAIRMAN MAGNANI: It's a debt
19 exclusion -

20 MS. VALIELA: A debt exclusion.

21 CHAIRMAN MAGNANI: - excuse me.

22 THE MODERATOR: Debt exclusion, yes.

23 MS. VALIELA: There is a definite
24 difference, okay.

1 CHAIRMAN MAGNANI: Yes, there is.

2 MS. VALIELA: So -

3 THE MODERATOR: Okay -

4 MS. VALIELA: - I just want to make
5 sure.

6 THE MODERATOR: - let it just - yeah,
7 good.

8 MS. VALIELA: Debt exclusion.

9 CHAIRMAN MAGNANI: Right.

10 THE MODERATOR: Yes, yes. And the
11 Selectmen already voted on it anyways, because
12 they had a deadline of yesterday.

13 All right, we have a motion to adjourn.
14 All those in favor signify by saying aye.

15 [Aye.]

16 THE MODERATOR: All those opposed no.

17 [No.]

18 THE MODERATOR: The ayes have it by a
19 majority -- [laughs] -- and we'll dissolve the
20 meeting.

21 [9:34 p.m., whereupon, this meeting ended.]

22

23

24

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Carol P. Tinkham, a Professional Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing is a true and accurate record of Falmouth Annual Town Meeting, taken by me on Wednesday, April 15, 2015. To the best of my ability the within transcript is a complete, true and accurate record of said Town Meeting.

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

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

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