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COMMONWEALTH OF MASSACHUSETTS

TOWN OF FALMOUTH

ANNUAL TOWN MEETING

**Lawrence School
Lakeview Avenue
Falmouth, Massachusetts**

MODERATOR: David T. Vieira

TOWN CLERK: Michael C. Palmer

Wednesday, November 12, 2008

7:00 p.m.

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ANNUAL TOWN MEETING

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PROCEEDINGS

THE MODERATOR: I want to remind all Town Meeting Members that we're being televised again by FCTV-13. Make sure you identify yourself by name and precinct each time you speak.

Our tellers this evening in the first division will be Mrs. Tashiro, in the second division it'll be Mr. Dufresne, and in the third division it'll be Mr. Hampson.

Would all Town Meeting Members present please rise for the establishment of a quorum and the tellers will return a count.

[Pause.]

THE MODERATOR: The third division Mr. Hampson.

MR. HAMPSON: 61.

THE MODERATOR: 61.

In the first division, Mrs. Tashiro?

MRS. TASHIRO: 50.

THE MODERATOR: 50.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 81.

THE MODERATOR: 81. By a counted vote of 192 we have a quorum and I call the Town Meeting back into session.

At this time, Would all members and guests present please rise for the presentation of the colors by Junior Girl Scout Troop 261, Brownie Troop 793 and Daisy Troop 1521.

[Colors presented.]

THE MODERATOR: Will you please follow me in the Pledge of Allegiance?

[Pledge of Allegiance taken.]

THE MODERATOR: At this time, our invocation will be presented by Greg Pinto.

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

THE MODERATOR: Remain standing for a moment of silence.

[Pause.]

THE MODERATOR: Colors post.

[Colors posted.]

THE MODERATOR: Let's have a round of applause for three of our girl scout troops, 261, Brownie Troop 793, and Daisy Troop 1521.

[Applause.]

THE MODERATOR: The girls are welcome to stay in the back of the room if you'd like to watch our meeting tonight.

[Laughter.]

THE MODERATOR: Thanks again, girls. I just don't want any of them to get the idea that the seat of moderator is going to open soon.

Okay, last night we left off with Article 16. Ms. Siegel. Microphone for Ms. Siegel.

MS. SIEGEL: Deborah Siegel, precinct 6. Thank you, Mr. Moderator. I hope this isn't out of line, but given that we just had a very smoothly run election in Falmouth and I know that Michael Palmer and his staff put a tremendous amount of hard work into making that happen, I would like to thank him --

[Applause.]

MS. SIEGEL: -- I assume on behalf of the entire town, for linking our democracy and Town Meeting. Thank you, Michael.

[Applause.]

THE MODERATOR: He makes a pretty good moderator,

too.

Article 16, Mr. Chairman.

CHAIRMAN ANDERSON: Mr. Moderator, I move Article 16 as recommended.

THE MODERATOR: As recommended. This is to appropriate a sum of \$992,000 as an additional sum for the installation of a wind energy facility at the Wastewater Treatment Facility. Mr. Fox held this one. And you'd like to release your hold? Okay, is there any further discussion on Article 16? Ms. Murphy.

MS. MURPHY: Thank you, Mr. Moderator. Carol Murphy, precinct 9. I would just like to know if the company's been chosen to erect or put up this wind turbine and if we have visited a project that this company has completed, and if so, have we spoken to the people who have this project, how has it benefit?

THE MODERATOR: Ms. Harper.

MS. HARPER: Yes. The company has been selected through a competitive bid process. The first low bidder, Loomis Construction, was passed over for not having the correct experience. The second low bidder, D&C Construction, participated in the Hull wind turbine project. We have the firm of Westin and Sampson as our consultants who have visited their site and done a great deal of research into their capacity to carry out the project.

Secondly, there was a bid protest by Loomis Construction on their being passed over as the low bidder and D&C being identified as the lowest responsive and responsible bidder. That was reviewed by the Attorney General's Office who determined that A) the Town's passing over Loomis Construction was appropriate because they indeed did not have the appropriate requirements established by our invitation to bid, and furthermore they went a second step and determined that D&C did have the appropriate qualifications and recommended that the Town proceed.

THE MODERATOR: Ms. Murphy.

MS. MURPHY: I also just wanted to know if this wind turbine is up, the projects that they have completed and how much of a savings. Had the people been questioned how much savings they've had per kilowatt hour?

THE MODERATOR: Ms. Harper.

MS. HARPER: The Hull project is a very substantial project. They have multiple wind turbines and they run their own electric utility program. This particular project, and I have some slides if anyone's interested and I can go through some of the project pro forma, but this project is expected to offset over \$500,000 a year in direct energy-related costs for the Town of Falmouth, and that's based on both the financial and technical feasibility of the project. We had an anemometer up at the Town's wind site at Blacksmith Shop Road for over a year where they

established the wind production capacity, and that capacity factor establishes what we anticipate we will generate in renewable energy. And that ranges anywhere from \$530,000 to \$750,000 a year offset for this project, and that's not related to the company that's erecting the turbine. That has to do with a turbine that has been proposed. This particular bidder, D&C Construction, is proposing a Vestus 1.66 megawatt turbine. Vestus is the leading manufacturer of wind turbines in the world and they come very strongly recommended.

MR. MURPHY: But, again --

THE MODERATOR: Ms. Murphy.

MS. MURPHY: – is there wind turbine that D&C has completed and that someone can verify that this in fact is saving the owners of this turbine money and how much?

THE MODERATOR: Ms. Harper.

MS. HARPER: I can answer the question is: yes, the community of Hull has multiple turbines. D&C erected one of their turbines and I can't tell you what their savings, but I can tell you what a Vestus 1.65 will save you.

MS. MURPHY: Can that information please be released so we can see exactly about the wind turbine that are in Hull that D&C completed?

MS. HARPER: Certainly.

MS. MURPHY: Thank you.

THE MODERATOR: Okay, Mr. Smolowitz.

MR. SMOLOWITZ: Ron Smolowitz, precinct 8. I'm strongly in support of this project. I just want to make sure that it doesn't get stopped because of a cost increase that was unexpected and we have to come back to Town Meeting. Is the turbine that we're going to get manufactured already and ready for delivery?

THE MODERATOR: Ms. Harper.

MS. HARPER: Yes, this is a very unique set of circumstances. The Vestus turbine is one of two turbines owned by the Massachusetts Technology Collaborative. They are available and ready to deliver upon contract by D&C for those turbines. Any other turbine, whether a GE or another model, would have anywhere from an 18 month to a 2 year delivery window. So this an extremely unique set of circumstances which will have the Town generating renewal energy as early as next fall.

MR. SMOLOWITZ: Sounds good, thank you.

THE MODERATOR: Further discussion on Article 16? Mr. Herbst.

MR. HERBST: Ralph Herbst, precinct 8. Could you please review for me whether or not explanations are part of a – are binding when an article is passed? Because at precinct 8 of the last line, under

“Explanation” which is on page 7, there were questions about where it says the value of the surplus energy can be used to offset the costs of Town departments and utility expenses. And there was concern that any--any surplus should definitely go to the Town for the utility expenses and not to some other area of the Town.

So, if that’s the case, then I Would ask whether or not the Finance Committee would consider an amendment to change that word from “can” to either “will” or “shall”.

THE MODERATOR: Okay, the Explanation is for the convenience of the Town Meeting Members. It’s not binding. Only the motion before the Town Meeting is binding and the main motion is as recommended.

Any further discussion on Article 16? Hearing none, the question will then come on the main motion as recommended. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: It is the opinion of the Chair that the Ayes have it unanimous.

Article 17 is our capital budget. We will begin by putting a main motion on the floor, then we’ll have a presentation on the capital

budget, and then we'll take a look at it line item by line item. We do allow more than one amendment on the omnibus budget, and we will again go line item by line item. It won't be a blanket, we'll just get into each one after the presentation.

Mr. Chairman of the Finance Committee for the main motion on the Capital Budget.

CHAIRMAN ANDERSON: Mr. Moderator, I move that the Town vote to appropriate the sum of \$781,041 to fund the Capital Improvement Plan as set forth in Article 17, and for this purpose the Town shall be authorized to transfer the sum of \$30,000 from the Reserve Waterways Fund, the sum of \$100,000 from the AFCEE Fund, and the sum of \$651,041 from Certified Free Cash to be expended under the jurisdiction of the Board of Selectmen.

If I may, I'd quickly like to point out two changes in the warrant book. If you look at item #17, Sandwich Road Parking, originally the Finance Committee had recommended zero there. The new amount is \$36,000. Previously the bid for this project had expired. The engineering department was able to get the bid deadline date extended to November 15th, and so the Finance Committee has at this point in time come back, reconsidered, and is recommending that this project be completed.

The second item is item #19, the Marina Expansion. Originally the dollar amount proposed was \$600,000; the Finance

Committee had voted that. This project was originally recommended to be funded by borrowing the \$600,000, but new information since the warrant went to print has caused the Finance Committee to change its recommendation and to delay consideration of this project until a later date.

First, there are problems with the bulkhead in the harbor which have to be resolved before this project could begin. Second, the project is being appealed to the Mass. Department of Environmental Protection and the appeal process would likely delay the start of this project for several months. Third, since the proposed 29 new slips would have electric power to them, it makes sense to upgrade the power to the whole marina at the same time. And at this time we don't have a firm bid on the cost of this effort.

Once these issues are resolved, the project will be presented with current cost estimates at a later town meeting. We have consulted with the harbormaster and he concurs with this.

THE MODERATOR: Okay, Mr. Whritenour.

MR. WHRITENOUR: Thank you, Mr. Moderator.

Ladies and gentlemen, I have a few remarks on the overall capital improvement planning process that leads to the capital budget that you have today. In fact, it's the parent document for the capital budget. We go through every year, as you know, a capital improvement program,

which is a complete update of not only the annual capital budget that you'll see before you this evening, but also the plan for all Capital improvements over the next six year period, and this is a major financial planning tool for the Town. And I want to just take a moment to acknowledge the efforts of our Assistant Town Manager Heather Harper, who is one of the key architects of the capital plan, as well as, in the back of the room we have all of our department heads. It is a partnership that we go through with each department to plan all of the capital improvements that we're going to need during that planning process. And this lays out all of the spending, all of the sources of the funds. And the Town of Falmouth has been extremely fortunate to have a long history of capital planning. I know Mr. Boyer, before me, was a very strong proponent of capital planning. He always seemed to find those windows of opportunity to move forward the priority projects, and to this day this community has benefitted extremely from that high level of capital planning.

An additional component of the capital plan is we study not only the six year period but we do lay out an analysis of all of the debt service and the debt levels of the community for a 35 year period, right out to the end of the plan until all of the debt is paid for. So, it really is quite a comprehensive analysis that leads to that, you know, two pages of recommendations that are in the middle of the book.

If we can go to the next slide. And one of the key benefits of

this coordinated planning process were very strong to make sure that we construct the CIP that now in the town we've got a very detailed strategic plan; it was adopted by the Board of Selectmen. We have financial policies that we've worked in conjunction with the bond rating agencies to safeguard the financial position of the Town, and that capital improvement program is there, constructed to carry out these other plans of the Town so all of the Town's finances work towards one goal.

And one of the major themes – and I wanted to make sure that we connect very strongly with Town Meeting on this because last April you will recall we had some detailed discussions about this, and a major theme of our financial policies, the strategic plan and the CIP is what we're trying to do is make the capital spending here in Town more sustainable. What we're trying to do is reduce that over-reliance on only free cash and the reserves of the community to meet our capital needs. And, if you remember, in last April and into the May election of 2008, we put on two consolidated debt exclusions that took items directly from the Capital Improvement Program and placed them outside of Proposition 2 ½. And that was for the purpose of doing the infrastructure, roads, bridges, sidewalks, and the DPW, some of the heavy equipment that we need, and also public safety apparatus. And that was a critical piece, to try to reduce our over-reliance on the free cash.

And some of the benefits that we've had from that move that's

been fundamental to this Town. First of all, we've been able to reduce this capital spending, and you'll see how this comes together from Free Cash in the short term. It was absolutely imperative for the financial health of this Town in these difficult economic times, we needed to take the pressure off of these Town reserves and we've done that.

Now, moving forward, all major capital spending, and this is kind of a key point that you're going to see, we're not going to consider just the need for a project, just the priority. Those funding sources are going to be just as important, where the money's going to come from, how the money's going to come, in addition to meeting the needs.

If we can go to the next slide. We're calling this because of the pressure that's been relieved by some of the debt exclusions that we approved in the spring, referred to as Town Meeting Lite. It certainly is a Capital Improvement Program Lite. The Capital Budget that you see in front of you is comprised – we've got the Free Cash with the addition of the 36,000 that the Chairman of the Finance Committee mentioned that Free Cash number is actually \$651,041, not 615. That's down from the approximately million and a half that we would traditionally spend on the Capital at this Town Meeting. So, we've been enormously successful in reducing the amount of money that is coming from Free Cash this year to support that.

We also have the Nitrogen Funding in there to support the

Comprehensive Wastewater Management Planning process which, in a couple of minutes I just want to touch on briefly. And there's 30,000 coming from the Waterways.

And, can I get the next slide? I don't want to cover the detail – I know it's too small to read. I – we know it's too small to read, but one of the things that you need to know, that – and it kinda — it reminds me that there's a funny story. One of our Town officials, who should absolutely know better, had a project and he was going for, you know, the funding for a project that he thought was a high priority, and I said, "Well, where are we going to get the money for this project?" And he said, "Well, Town Meeting." So, I guess what that means, a little bit later in the meeting we're going to pass around a can and we're going to ask everyone to put in five dollars.

But, what the purpose of this slide and in the next slide, we just want to show you that it's not just one source, the Free Cash. This really lays out, and we're going to get into the detail. We've had some public hearings and things on this.

[Laughter.]

MR. WHRITENOUR: Of the next four – you know, all through FY14, but it just goes to show you the numbers, what we have in terms of the various funding sources that go into funding a Capital Improvement Program. The piece that you see every year is one small portion, and we

wanted to show a slide that's so dense like this. And this really is only, you know, a summary slide. And go to the next one and maybe just – skip over this and let's go to --

[Laughter.]

MR. MORELAND: Mr. Moderator.

THE MODERATOR: Mr. Moreland.

MR. MORELAND: Are we supposed to be able to read this?

THE MODERATOR: I think Mr. Whritenour knows that nobody can read it.

[Laughter.]

THE MODERATOR: So, let's listen to his comments rather than look at the slide –

MR. WHRITENOUR: Let's show, on this particular slide – what the benefit of this slide that we're trying to show here is, in the Department of Public Works, what we want to show is not necessarily the numbers, but as you can see from this slide, this blank portion here. And this is very important. What this represents is for Fiscal Year '09, '10 and '11, what we've sought to do is buy the Town some time to reduce our over-reliance on using the Free Cash in these next three years. And what the purpose of this slide is really to show, when we get into these later years of the program, we're still going to have to come back. These numbers, you know, it's over a million dollars a year, they begin to fall like

rain. And we know that we have a scenario coming up over the next six years that we've bought the first half of this through the debt exclusion process to give us a little piece of mind while we can initiate the planning to determine whether these debt exclusions are going to have to be permanent or whether we're going to have to do another temporary stop-gap measure.

But the purpose of this really is to show the first beginning part of this, we've got all of our infrastructure needs met and we don't need to come to the Town for this. But when we get into these years, we're going to have to come back and we're going to be talking about this and the numbers are going to be a lot larger on the screen for you to see when we come back in the later stages.

Let's go to a slide that we can see and everyone can relate to the numbers. There is an additional item that we need to talk about tonight before approving the Capital Budget. There is a major new focus of the Capital Improvement Program that we need to begin the dialogue with Town Meeting Members around our wastewater planning process and the wastewater financing.

Now, everyone knows that the water quality in our coastal embayments is threatened because of nitrogen loading. We've had the presentations at Town Meeting, we've had presentations at public hearings throughout the community. We know the comprehensive wastewater

planning process is well underway. There is an additional \$100,000 that's going into this Capital Budget to move forward and finish the wastewater planing project. And we also know that this will eventually be the largest project to be undertaken by the Town. The base will be over \$250 million estimated.

All of the numbers that we're dealing with at this point are rough estimates for an order of magnitude. But because we have the luxury of embarking on a six year financial planing process, we need to begin the process now of taking a look at at what major issues that this community is going to confront when we get to the position of funding some of the wastewater. And we've done some of the initial financial analyses that are included in this Capital Improvement program, and some of the key financial considerations, and then I just want to show you a couple of numbers and then get to the Capital Budget, is first of all, there's an Environmental Bond Bill that's been recently passed that provides for an extension of zero percent financing. You need to know that that Environmental Bill's zero percent financing is a critical piece to making the wastewater affordable for us. It's roughly equivalent to a 50 percent grant. And that's true over a 25 or 30 year financing period the interest alone on a project such as this is equal to the amount of the construction costs. So, without the zero percent loans, it would be very difficult for any community to do the wastewater.

The second key item that folks need to know about is the property tax financing will absolutely be required for any project of this size to supplement betterments. And I'll show you some of the numbers how that comes together, but it's simply the numbers are too large for only betterments to cover the financing on. And I think that what we're going to ask you to do, and we just want to plant the seed today so people understand and we can frame the discussion as we move forward: a major issue will be what exactly is that appropriate mix of betterments and property tax contributions that we're going to put in place to make this fit for the Town of Falmouth.

And maybe we can go to the next slide and the green area, and we're not going to – again, this is not a detailed analysis of our wastewater planning process, but just to orient folks. This green area, in addition to the West Falmouth area and the areas in red, are the areas in the community that we know have to be sewered. Where this line is that is the limit of the sewerage service area, right here, it is just estimated. As the planning process is finished, this may migrate north, incorporate a larger service area to meet the water quality goals that we have. But this is the area of the community that we're looking at, anything that is with this yellow and the green.

And maybe let's take the next slide and see if we can see a couple of these numbers. Are these big enough to see? What we have

are just the rough estimates on a project such as this for the phase one of it, and this isn't the entire phase, but this is just what's included within the next six year planning period. Design costs of roughly \$17,300,000. And we call it the western, southern – the collection system is \$190,000,000. And the treatment and recharge, \$48,000,000. For the total budget that we have now of \$255,300,000.

And if we can see the next slide. Is this big enough to see? This is a little more information. But I could take you through it just a little bit. This is what one of the keys to the discussion is going to be in the coming years. You've got the 255 million that you need here. The service units in the area that we showed on the map, there's roughly 4,250 units that the cost would be spread among. And to give you a sense for what that would cost in terms of property taxes and betterments, if you had a hundred percent betterment for this amount of money, you would see that the design is 4000 and so on for a total betterment cost for those 4,250 homes and business of \$60,000 for a betterment.

And just to show you and give some options what happens to that if the Town takes on a share: if it was a 70 percent betterment, that 30 percent was taken on by property taxes, you would have \$42,000 has a betterment. And, as a third option, if the Town also were to take, as in the last treatment plant, the treatment be done on th property tax and the design be done on the property tax, that would create a betterment of

\$31,294. So, what that represents is I think what a lot of the discussion will be that we'll be looking for the leadership of the Board of Selectmen and the Finance Committee and Town Meeting to analyze this range of anywhere between 100 percent betterment financing for \$60,000 betterments, down to you could to the 70 for 42 or the 70 percent with the property tax taking care of design and treatment for a \$31,000 betterment.

And, one more slide. I just wanted to show you that what this shows is a portion of a bond payment schedule that if you had the Town take care of the design, treatment, discharge, plus 30 percent of the collection system, what that represents, if you use your for interest here zero, the zero percent financing interest, that would be a principal on a bond for 122 million, which would be a 4.9 million payment per year, which equals 40 cents on the tax rate or, for a \$400,000 home approximately \$160. So, the one principle that that does show is that for a small increase on the tax rate is equal to a much larger increase on the betterments, and that is just simply Because the value of the Town is so high compared to the low number of people in the service area.

So, these are some numbers that we wanted to just put up today. It is the – at this point, moving forward, in terms of capital planning, it will be the single most compelling item that you're going to face. What we've been able to do is carve out that dark spot for this year that I showed you on that chart that the numbers were too small to read. So we've got

Town Meeting Lite now. We've bought ourselves three years of flexibility to plan for the infrastructure improvements that we're going to need to come back and talk about. And, in addition to this, when the comprehensive wastewater plan is complete, we're going to be looking at numbers of this magnitude. We're going to initiate this discussion. And, as I say, we do have the luxury now that we wanted to introduce these topics years in advance of having to make the final or any decisions on them. And I hope you find this information useful; we'll be talking about it a great deal more. And I want to stop here and maybe get back to the lighter portion of the Town Meeting.

I can take any questions if there are any.

THE MODERATOR: Questions for Mr. Whritenour?

Mr. Boyer and then Mr. Dufresne.

MR. BOYER: Mr. Moderator, Peter Boyer, precinct 5. I really have some observations rather than question. I've reflected at some length about this whole business, and I can share some of the opinions presented by the Town Manager and I think this is a good starting point.

It's clear that in fact in the spreads that he's offered the using a 30 percent of the collection costs plus 100 percent of the design and the wastewater treatment and disposal is about half of the total project. You've seen his projections suggest that that's the range, and I agree with that idea.

There is something, however, that I think needs to be another ingredient that I'd like to share with you for our future thinking and discussion. And that's the value and power of time. You know — or I did when I first had to get a mortgage, I thought, "Boy, I'd love a 15 year mortgage on my house. Less interest payment. And really I'd be over and done with it fast." The difficulty was I couldn't pay for it, the annual cost — the monthly escrow and the annual cost of that, and so that led me to a 30 year mortgage. Well, the municipal financing is very much the same proposition. In fact, the next wastewater legislation provides for a dare I say window of opportunity that the Town Manager has not really given I think enough emphasis on at this point because I think it is a crucial — as he indicates, a zero interest loan is crucial.

Another feature of that particular wastewater bill, and as it happened I was a party to crafting that bill and inserted in it was the 50 year term. I think that particular opportunity is as important as the zero percent financing. Look at these numbers. These numbers are based on the capital improvement plan of a 25 year bond. And I understand that reasonable, very conservative, and that that's an approach that needs to be made. I would suggest, however, that the Town, either in consultation with other Cape communities, with our legislative delegation and perhaps with the County Wastewater Collaborative, the Executive Director Andy Gottlieb, try to verify with the state officials responsible for the zero interest

loan program, the revolving fund, to see if in fact we can get a 50 year term on these bonds. It's by no means a guarantee, but I think a highly aggressive effort should be made to try and convince them that that was the intent of the legislation because the legislation authorizes 50 year term.

Think what that does. If, for example, we were to say, "Gee, I can't have a 15 year mortgage, but I can do a 30 year mortgage", and then we were to say: zero interest. I think I'd like to use your money for 30 years rather than 15. In the same way, I would like to have a 50 year pay-back for the State Revolving Fund. I think that those managers of that fund would be not eager, but maybe willing to extend us that immensely valuable benefit, because by extending it to 50 years from 25, all those numbers are cut in half. Instead of \$4,900,000, it's \$2,450,000 per year. A much easier pill to swallow.

I have some differences and I won't get into them about the ratio of betterment to Town-supported proportion, but if there was a 50 year term, then the property owner subject to betterments also has a much, much longer term in order to pay off the particular betterment. And if it's a zero interest betterment for 50 years as opposed to 25 years, then the impact is halved and the potential for allowing for that expense is much greater.

So, I believe that a very aggressive, concerted effort needs to

be made to try and capture that particular 50 year amount of term for both a bond that the Town would have to pay and for the betterments.

A couple of other suggestions. I think in the face of and in all those numbers that you couldn't see, there's a very significant jump when we start paying for this when the full high school debt comes into play, plus the wastewater, the increase in budget for debt service, and that happens in about 2013, is about ten million dollars above what it is now. That's a hefty, hefty jump.

The numbers that the Town Manager has presented to you are based on that term of 25 years. And at this point there's certainly no guarantee that a 50 year term would be available under the zero interest loan, but it should be aggressively explored.

As a side note, I also think that in order to not be – create as much of a squeeze, I think what'll happen is that all of the other discretionary projects that are on tap in the five year, six year capital plan, over and above the high school that is really in being, and wastewater, will probably have to be foregone, that cannot happen. The reason I believe that happens is because of that enormous increase in the debt if everything were funded. So, the water projects, the senior center, maybe the fire station, all of those that we look at now, sequentially will have to be looked in terms of this large, large project facing us in the future.

Some years ago, I alluded to education costs as the elephant

in the living room. Peter Clark after that had to suffer a number of peanut jokes. I like to think of this as perhaps the wastewater plan as gorillas in the bathroom. Maybe gorillas in the misty bathroom, I don't know.

In any event, I think that I think that they are extraordinarily important issues that face us and need to be addressed now. As the Manager suggests, they can't be let drift because the ability to capture zero interest loans is a key ingredient for how these projects will be financed. Thank you.

THE MODERATOR: Mr. Dufresne.

MR. DUFRESNE: Adriane Dufresne, I'd like to speak as a member of the Rules and Procedures Committee. What we witnessed tonight was a great presentation on some very, very important numbers that we will be facing in the future. And, with the acceptance and vote of this body on Article 2, we would not have to face the kind of visuals that we had to face tonight where at least I couldn't see some of the crucial numbers that we would have. For the benefit of this Town Meeting, I hope this never happens again. Thank you.

THE MODERATOR: Further discussion before we get into the line items?

Ms. Grant. If you'd use the podium up front.

MS. GRANT: There's a couple things that are worrying me about the wastewater. The whole presentation we had tonight was on

4,000-some projects – parcels, and I know that's not the whole thing. We have 26, 27,000 parcels in the town; if you do the math, we might have to do that eight times over, seven times over. I know not every area in the town needs to be sewerred, but you certainly could go up the coast.

I know from doing studies on the New Silver Beach and all the money it's cost us, when it's all said and done it's – I'll get it wrong, whatever I say – it's 370 parcels for all that money. So, that's just a comment.

My second comment is my favorite subject: maintenance. There's always some costs related – I know there's something in the budget for sludge removal and I never know in presentations like this where all that maintenance comes up. You know, the electricity, their computers, there's machines that run all these plants. But, just a question, that we'll have to pay for that, too.

THE MODERATOR: Okay, further discussion, questions?

Ms. Bothner.

MS. BOTHNER: Mr. Moderator, Elizabeth Bothner, precinct 2. Before we go any farther this evening, I would like you to please clarify: is it a requirement for Town Meeting Members to identify themselves and give their precinct? That would be very helpful as the discussion goes along.

THE MODERATOR: Okay.

MS. BOTHNER: Thank you.

THE MODERATOR: Yes, Town Meeting Members should be identifying themselves by name and precinct each time they speak, you are correct.

Further discussion? Or further questions before we get to the line item discussions?

Okay, why don't we start off with the Department of Public Works. Number 1, Department of Public Works Organizational Improvements, Management System Software and Server.

The AutoCAD Software Replacement.

Facilities Maintenance. Building Maintenance.

MR. YOUNG: Hold.

THE MODERATOR: No, there's no hold. Just stand up, Mr. Young. Microphone for Mr. Young.

MR. YOUNG: Bob Young, precinct 5. I must say I'm bowled over by this conversation on the wastewater. I was going to ask about that Comprehensive Wastewater Plan. A plan didn't belong in a Capital Budget, but I'm not even going to touch that.

However, on number 3, Routine maintenance of of all Town owned buildings, all the capital budgets that I've ever worked with or seen, this does not fit the definition of a capital budget item.

THE MODERATOR: Okay. Anybody want to address that?

Or are we going to move on? Yes, Mr. Whritenour.

MR. WHRITENOUR: We've incorporated the building maintenance into the capital budget. It is one of the most critical items that we do. And these are projects that are go in – there is a portion in the operating budget for the smaller projects, but if a project is more than \$10,000 by our rules it goes into the Capital Budget and we make sure that we pay attention to the Maintenance of the Town buildings and it is provided for in the CIP.

THE MODERATOR: Further discussion on Facilities Maintenance?

Okay. Utilities Division - Water. Mains, Meters & Fixtures. Utilities Division - Wastewater. Collection System Repair & Maintenance. Replace boiler. CWMP.

Let's start back there and then we'll come up.

MS. VALIELA: Virginia Valiela, precinct 5. Through you, Mr. Moderator, to the Town Manager, could you tell me whether this 100,000 is for a follow on contract with Sterns & Wheeler? It says to complete an existing contract. Exactly how does it play into the planning that is currently underway? And if it's not for Sterns & Wheeler, what is it for?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: Yes, you were correct. This is additional services for Sterns & Wheeler, the firm that is

completing the comprehensive planning process to do some of the additional work that we need to finish the plan.

THE MODERATOR: Mr. Patterson.

MR. PATTERSON: Sam Patterson, precinct 6. I share the same concern that Mr. Young does, and I would like the justification for why we put the cost of a plan under a capital budget.

MR. WHRITENOUR: The Planning Process for the wastewater is included in the Capital because it's the first part of a major Capital project. This just allows us to track this entire project from this is a portion of the design, just like if you were doing the design work for a building, we would include that under capital and just because of the major scope and size and importance of this project for the Town, we wanted to keep it under the CIP, under the planning process and it helps us track and control it.

THE MODERATOR: Any other questions on Comprehensive Wastewater Management Plan?

Beach Improvements. New Storage Tombs.

Police Department. Soft Body Armor Replacement. Cruiser Replacement. Yes, Mr. Kingwell.

MR. KINGWELL: Jay Kingwell, precinct 1. I'd just like to suggest that when I don't know who it is that sends out the bids, whether it's the Police Department or somebody else, but they look not just to replace the

cruisers, these five cruisers, with what we've got now, but they look to replace them with more fuel efficient, dare I even say green, equipment? And also to think out of the box and not just four door sedans, but something like a small SUV, the Toyota Rav 4 comes to mind, but certainly I think we need save money wherever we can. Thank you.

THE MODERATOR: Okay, any other comments on cruiser Replacement?

Fire Department. Ambulance Lease. Chief. Don't hurt yourself before we lease the ambulance.

CHIEF BRODEUR: Mr. Moderator, I'd like to talk about – I appreciate the ambulance payment, but I'd like to go on to the next.

THE MODERATOR: Okay, Fire Inspection Vehicle.

CHIEF BRODEUR: Thank you. Paul B. Brodeur, precinct 4, Town Meeting Member, Falmouth Fire Rescue Department, Chief of Department and also AARP Member in Good Standing.

[Laughter.]

CHIEF BRODEUR: I say that for Mr. Boyer. 2014 on the waste management; I'm retiring in 2010, good luck.

Now. Now, also as a segue, I know now how Sir Edmund Hillary felt the first time he climbed Mt. Everest.

The issue with the Fire Inspection vehicle for \$22,500 – and zeroed out so we won't receive one – is the fact that the Fire Rescue

Department needs a voice. It needs a leader. One that's a unifier, incisive and decisive in decision making. That's what we've been doing here. We've laid this plan out successfully, spread it out over six, seven years, so that other things fall into place. We appreciate the debt exclusion and the ballot question. We were successful. The 1300 spread on votes wasn't bad.

My point with this fire inspection vehicle is the fact that, seeing I'm retiring in 2010, I've been holding the Fire Chief's vehicle off until that time. Not because I need a new car, it's just that the new chief may not want the one that I would be driving. One driver, one vehicle, lasts a long time. That's number one.

In this plan, which I worked on since February of this year, and it was submitted in August, watching the economic decline of the country and the financial section all summer – if you recall, gasoline was four bucks a gallon. You can get it for \$1.98 now. The fact of the matter is we made a decision to alleviate one of the requests for a second Fire Inspector's vehicle at this time. \$22,500 is the bottom line. We dress up the old one before we put it up for a sealed bid. We're recognizing 2,000, maybe \$2,500. So, if we're lucky, the car costs \$20,000.

The one this replaces is a 1999 Ford Contour. Very economical vehicle at the time. In 1999, I believe we were in the forefront for green machines – although they're painted red. The Ford Escape that

we're looking at now, 24 miles to a gallon around town, 26 on a trip, good driver 28, and Ford Motor Company according to the New York Times this weekend had designed this vehicle in the year 2000. They're going to go with it as long as they're solid economically. This is a state bid vehicle. As I said, \$22,500. The money that we make on the sale of the other vehicle, if I'm successful tonight, will go into the General Fund so the car's about \$20,000.

The one we purchased in 1999 cost the Town \$16,000, has roughly 94,000 miles on it. The other vehicle has almost 100, but with our Maintenance division, I said, "Which one should we let go first?" This was their decision, not mine.

So, I guess what I'm asking for is \$22,500 because if not, this reminds me of the I Love Lucy show where the chocolate drops stayed on the conveyor. I can't eat 'em fast enough, and all the stuff that is in this Excel program keeps going to the right, to the right, to the right, and we never get it done.

So I think with this plan that we put together, I thought Town Meeting should at least know that the Department has been thinking, it has the leadership in the unification of the Department for a capital plan, and I think that's what we're talking about tonight. Before the precursor to the wastewater management.

Any questions?

THE MODERATOR: Chief, so you're moving \$22,500 for line 12 from Certified Free Cash?

CHIEF BRODEUR: Yes, because if you look at what was submitted to the Finance Committee by the Executive Committee, in your booklets, it reflects in the Capital plan two fire inspection vehicles. We got the ambulance payment for \$55,000, the third of four payments. We have one more year to go for two ambulances, and the – it's coming to me, I'm getting old – the issue was – let me go back a minute. Two to one. Right, because when you get to the plan that was submitted to my boss, the Town Manager, when it went over to Finance – thank you, Lynn – it went from two vehicles to one plus the ambulance payment.

THE MODERATOR: Okay, so the amendment on the floor is –

CHIEF BRODEUR: And the Finance – excuse me, Mr. Moderator. And the Finance Committee – while I got this thought – they said, I understand – and we're team players over there – I understand the fact that they said because of the economic hard times. But I also understand that we have to keep moving forward – as slow as possible but at least moving forward in the Department. And with economic hard times, fire prevention is the key that's been working in the Fire Department for several years now. Our fires are small, people don't get burned as often, or have fatal fires. And the other issue is our people can do our other jobs

just as well.

I respect the Finance Committee, I think I'll need them next April, as well as Town Meeting. I respect their concerns, but some members wanted to know if I was going to speak on this, no PowerPoint; not after Article 2. I thought I was in line for the Steven Spielberg Award, but I guess not.

THE MODERATOR: Okay, so we've got Article 12, the amendment is for \$22,500, funding source to be Certified Free Cash.

CHIEF BRODEUR: Correct.

THE MODERATOR: Mr. Anderson.

CHAIRMAN ANDERSON: The Finance Committee doesn't doubt that the Fire Department could use a new fire inspection vehicle. However, in an effort to conserve the financial assets, we are suggesting to all departments, including the DPW and the Police Department, that they attempt to extend the useful life of all equipment which is not what would be called "Mission Critical". Unlike fire trucks and ambulances, a fire inspection vehicle may not be possibly a Mission Critical, and we would hope that the Department would postpone this request.

THE MODERATOR: Okay, further discussion on the amendment. Mr. Crocker.

MR. CROCKER: Harold Crocker, precinct 3. We're talking about a vehicle that we can use for fire prevention, to go around checking

things that have to be done. Now, if they don't have a vehicle to go and check the buildings and the inspections and they have to go out and rent another vehicle to do it, we're going to pay money the other way.

I think what's going on in here, if we nickle and dime and we thinking not to finance this vehicle, and we don't have a vehicle to work with, what do we do? I mean, it's like your old car, when it breaks down, what do you do? You sit there and you hope that somebody's going to lend you a car, to you know use in your own best interests. I know we want to save money, and I like to save money, too, but let's not go overboard and not give the Department what he needs. You have a chief that's worked hard over the years, and I've seen what he's done to the Fire Department and how it's come up over the years. I think it's about time, when we look at the point of the business, itself, I want vehicles that are going to run. I don't want to keep nickle and dime, having to pay more money to repair vehicles when we can have vehicles updated.

You see what happened in Provincetown with the fire truck down there. They're out of a fire truck. We can't afford to be out of other vehicles. Thank you.

THE MODERATOR: Chief Brodeur. Chief, did you have something you wanted?

CHIEF BRODEUR: No.

THE MODERATOR: Okay. Any further discussion? Mr.

Dufresne.

MR. DUFRESNE: We probably won't ruin this one, but Adriene Dufresne as a member of the Finance Committee. We probably won't ruin this one, but the car that we're talking about, I happened to observe it the other day. It has four brand new tires, it's got 98,000 miles. The interior is in excellent shape, it's got a great paint job. And I think it was the Finance Committee's decision that maybe we could hold off another year on this \$22,000 investment. It is a fire inspection vehicle, it's not an emergency response vehicle. My comment to the Fire Chief is, "If you wanted a new car, you deserve it, I'd be more than glad to give you one", but I truly believe in the observance of this automobile – I happen to drive a '95 automobile with a similar amount of mileage, and I intend to keep it for several more years.

The decision is yours. \$22,000 is not going to break the bank. FinCom made a decision; you people have to make the vote. We still feel that it can be used for another year and come back at a later date for the \$22,500. Thank you.

THE MODERATOR: Okay, further discussion on the vehicle. Hearing none, then the – something else? No. Okay, the question then will come on the amendment to add \$22,500 to line 12, funding source Certified Free Cash. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, NO.

[No.]

THE MODERATOR: It's the opinion of the Chair that the No's have it by a majority.

Information Technology, line 13 Annual Maintenance. IT Networking. IT Telephone Systems. GIS, Equipment Upgrades.

Recreation Department, Sandwich Road Parking/Irrigation.

Mr. Netto.

MR. NETTO: Joe Netto, precinct 9. Mr. Moderator, I'm a little confused and wonder if somebody would clarify some figures for me. Earlier tonight, we added \$36,000 to the FinCom recommendation or Sandwich Road parking and Irrigation. Last night on the blanket, we passed 21 Article – excuse me, Article 32 for \$21,000. If I read from my CPC book, the Recreation Department requested CPA funding to complete the installation of an irrigation system and parking lot surfacing for the Sandwich Road athletic fields. CPC recommendation of \$21,000 is for irrigation only.

I happened to be at that CPC meeting that night, as we were requesting money for them from another project, and I think Town Meeting needs some clarification, obviously. Can you tell us why we added \$36,000 tonight under Article 17 for the – excuse me, line item 17 for the Recreation, which seems to be paying for what we did under CPC funds?

Does this irrigation going to cost 42, 21 from both places? I know I'm confused and I don't think I'm the only one. Town Manager like to show me a slide that I could see to explain this, please?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: Just to clarify, keep in mind the total budget on this project was I believe \$485,000, so this evening this is the wrap-up for it and there is a detailed slide. They're additional funds of the 56033 that were needed. 21,000 of that was under Article 32 from the CPC, and that was for the irrigation and the additional 36,000 is under the Capital Improvement for the parking alone. So we split up the balance, that 56 and change that was needed. 21,000 came from the CPC, 36 from CIP. And that would finish the project.

THE MODERATOR: Mr. Netto.

MR. NETTO: Okay, so then do I take out my pen and is the article description wrong, so are you requesting \$36,000 for the parking lot, shouldn't we be erasing the word "Irrigation"?

MR. WHRITENOUR: Yeah, I think you can amend that to take "Irrigation" right out. It's not for the irrigation under this one; it's for the parking lot.

MR. NETTO: Okay, I'd like to make the amendment that we erase the word "Irrigation" on line 17. And I wish that we had been presented that earlier in the night and I wouldn't have had to get up and

stand up and waste Town Meeting's time. Thank you.

THE MODERATOR: Okay. Amendment has been moved for line item 17 to remove the word "Irrigation". Discussion on the amendment? Ms. Schneider.

MR. SCHNEIDER: Barbara Schneider, Chair, CPC. I just want to say that the reason it's worded the way it is, it is one contract, but two funding sources. So, while you may feel the need to amend it so that it seems more understandable, just please do understand it's one contract and even though it says Irrigation, we are offering to fund or asked you to fund the \$21,000 for irrigation and the 36 from Capital Budget. I hope that in the future if there are questions like that ahead of time, please feel free to call the office and ask.

THE MODERATOR: Okay, Article 17 amendment to strike the word "irrigation". Any further discussion on the amendment? Hearing none, the question will come on striking "Irrigation". All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

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

[Pause.]

THE MODERATOR: In the third division, Mr. Hampson.

MR. HAMPSON: 34.

THE MODERATOR: 34.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 51.

THE MODERATOR: 51.

In the first division, Mrs. Tashiro.

MRS. TASHIRO: 33.

THE MODERATOR: 33.

All those opposed to the amendment, signify by standing and
the tellers will return a count.

[Pause.]

THE MODERATOR: In the first division, Mrs. Tashiro.

MRS. TASHIRO: 21.

THE MODERATOR: 21.

In the third division, Mr. Hampson.

MR. HAMPSON: 24.

THE MODERATOR: 24.

And in the second division, Mr. Dufresne.

MR. DUFRESNE: 37.

M: 37.

By a counted vote of 118 in favor and 82 opposed, we strike

out the word "Irrigation" in line item 17.

Any further discussion on line item 17? Microphone in the back, there.

MR. FRASER: Caleb FRASER, precinct 5. Mr. Chairman, not a question, but when you called for a voice vote, there was quite a few people way up in the back voiced their opinions on that, so. I thought only the Town Meeting people could voice vote.

THE MODERATOR: That is correct. Folks that are not Town Meeting members in the back, are you voting? Would the constable please come forward to where the "No Town Meeting Members" sign is? And during voice votes, if you could just kind of keep an eye on the back, there.

[Laughter.]

THE MODERATOR: I told George we were going to use him one night.

[Laughter.]

THE MODERATOR: But, that's correct, if there's anyone that is not an elected Town Meeting Member, seriously, folks, if there's anyone who is not an elected Town Meeting Member, you should not be voting on voice votes. The only way to clearly control that is to not allow you access to the auditorium, and we don't want to do that. Falmouth has a tradition, we have a rule in this town that allows non-Town Meeting

Members but residents or taxpayers, to speak before the representative Town Meeting. The Supreme Judicial Court last year ruled that if you are not considered a legislature, you do not have a First Amendment Constitutional right to speak before a legislative body. The ruling specifically was at an open town meeting, saying that if you're not a registered voter, you're not in the class of legislator. We're waiting for the court case where somebody votes and is thrown out of a representative Town Meeting, because clearly if you're not elected, you're not a legislator of the body.

So, we welcome your attendance and we ask you to withstand the quorum -- the decorum of Town Meeting and not vote unless you're duly elected.

Waterways. Line 18 for the Work Boat.

MR. ROWITZ: Mr. Moderator, point of order.

THE MODERATOR: Yes, Mr. Rowitz.

MR. ROWITZ: Ray Rowitz, precinct 5. Does the \$36,000 for line item 17 have to be included at this time, or is it after we vote th whole Capital Budget?

THE MODERATOR: The main motion included the addition of the 36,000.

MR. ROWITZ: Thank you.

THE MODERATOR: Yes, that was the

main motion that the Finance Committee had put on the floor. So, the \$36,000 should be in the FinCom column. Make the adjustment. Okay.

Waterways, line 18. Line 19, the Marina Expansion, which the new recommendation is zero.

Any further questions on the Capital Budget? Hearing none, the question will come on the main motion of the Capital Budget as presented by the Finance Committee, with one amendment, removing the word "Irrigation" from line item 17. All those in favor of the main motion, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

The next article I have is Article 26. The recommendation of the Finance Committee for Article 26 was indefinite postponement. Do you have a main motion to put on the floor? Go ahead.

MR. DUBOIS: I just have a clarification, but if you need to make the main motion –

THE MODERATOR: You could do name and precinct, because Ms. Bothner is sitting right behind you, she's going to get mad at me. And she's right, she's very right.

MR. DUBOIS: Dave Dubois, precinct 9. I just had a

clarification; it looks like a typo in this article. Under Grade M-10, there are two different –

THE MODERATOR: Yes, the two M-10's. The Finance Committee wants to let us know the beginning of the scale of the M-10 was typed incorrectly.

CHAIRMAN ANDERSON: Yes, I would call your attention to the Police Captain- Operations and Police Captain - Special Services under Grade M-10, the bottom rate, rather than \$33.52, should read \$33.88. The same holds true for the Police Captain - Special Services Grade M-10: rather than \$33.52, it should be \$33.88.

THE MODERATOR: Is there any positive motion on the floor? The recommendation is indefinite postponement for Article 26. Hearing no positive motion, the Chair would entertain a main motion from the Finance Committee.

CHAIRMAN ANDERSON: I move Article 26 as recommended.

THE MODERATOR: Okay, Article 26, indefinite postponement; all those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

Article 28. Mr. Chairman.

CHAIRMAN ANDERSON: Mr. Moderator, I move Article 28 as printed.

THE MODERATOR: Okay, Article 28 as printed. This is Business Systems Manager in the Town Classification Plan. Any discussion on Article 28? Mr. Rhodes.

MR. RHODES: Scoba Rhodes, precinct 8. I guess I'm looking for some clarification. A few years back, we voted in this body that we would not be looking at new positions at our Fall Town Meeting. That new positions would only be considered seriously at our Annual Meeting in April. Why are we now getting this position recommended to us?

THE MODERATOR: Mr. Whritenour.

MR. WHRITENOUR: I do want to point out that I believe this is the third Town Meeting that we've put this particular position forward and, at this time, it is not being put in for the funding. What we're trying to do is add this position now to the Classification Plan to help us retool the Department of Public Works to implement – as you recall, we did that major study of the internal workings of the Department, the best management practices that we hired the company to develop a roadmap, and this was one of the number one recommendations to change the flow of work through this business systems manager. And what we want to do

is work with Mr. Jack in the Department of Public Works create this position within the Classification Plan and allow him the flexibility. We're working on the budgets now, and he's already submitted to us the recommendation for a budget that we're going to see in the spring, and we want to give Mr. Jack an opportunity to try to fit this position within the overall context of the department. And it's going to be a difficult thing to do. We know that the funding for the next fiscal year is going to be very tight, but we feel by creating this position this establishes the priority of this community to carry out those recommendations of that study, to modernize the Department of Public Works and to empower this department head to try to put that business systems manager within the context of what he has available for the funds.

So, what we're trying to do is allow him to come back with the funding for this position at the April Town Meeting, but give him the tools that he needs now.

THE MODERATOR: Okay, further discussion? Mr. Rhodes.

MR. RHODES: I think you can create a position and put a salary on it at the same time. This was one of the positions that we talked about at our Annual Town Meeting that did not get approved at the Annual Town Meeting. And I'd like to see us vote it down so therefore it can come back at a regular Annual Town Meeting along with the dollars that are

going to take to fund it, and see if Town Meeting buys it.

THE MODERATOR: Okay, any further discussion on Article 28? Ms. Whitehead.

MS. WHITEHEAD: I agree with Mr. Rhodes. Several years ago there were five positions I think, I can be corrected about this, that were vacated and they were never filled for the DPW. And then, the town department agreed to freeze one position due to the tight money situation this fiscal year, so that' one more from the Highway Department, one more from the Park Department.

If we were going to have any money for this DPW or otherwise, I would think it would be for the personnel that are going to need to help with this Department. We don't have very many people already working there that need to be there. So I would think if you were going to spend any money, which we're not going to do anyway because of the economy – I hope. I hope we vote this down. But if we really wanted to do something, I would think we would put more people on to help these guys who are trying to do their best that they can do. That's my only comment. Thank you.

THE MODERATOR: Mr. Jack.

MR. JACK: Thank you, Mr. Moderator. Raymond Jack, precinct 9. First I think I'd like to commend our Finance Committee Chairman Mr. Anderson for his very thoughtful and eloquent presentation

last evening regarding the Finance Committee's views and essentially the Town's views in these difficult economic times. The reason that this is being presented tonight is Because of those economic times.

Town's handle difficult economic times in different ways. Some lay people off; some freeze positions; some cut the budget; some defer capital spending. Some raise revenues by raising taxes; some raise fees, some raise rates. Probably the most important thing, however, during the most difficult economic times, which we are currently in, is becoming more efficient. And seeking ways in order to do that.

If you look at the Department of Public Works overall, we are the second largest Department in town next to the school. With over 90 employees, a capital budget of \$2.8 million, a capital project budget that runs between \$5 and \$15 million annually, and the operating budget which we're currently working on is ten and a half million dollars. The one area of major improvement is the result of not only the Matrix study but my own determination is that there are a lot of things that we can probably do more efficiently and be able to save the Town more money.

When you're dealing with very large sums of money like that, even small savings anywhere can become very significant savings. They can reduce the need for manpower. Five of the nine positions that are currently frozen in Town belong to the Department of Public Works. A key difference here is that those positions are service related. Without those

positions, service levels drop. This position is efficiency related. It's purpose and its goal is to make the Department more efficient, which can take some of the burden of the lost service levels and restore some of those services and reduce our costs and spending.

I would not stand before you nor did I recommend to the Finance Committee or to Town administration or Board of Selectmen that we would hire a position during times like this. I understand it seems totally contradictory to what everyone is experiencing. But knowing where we are as a Department and knowing what we can do when we implement a management Software system which is a suite of systems designed to analyze every single thing that we do every day of the week to make sure that we're being efficient and to make sure that when I come before you, as I did last year, that I have a complete analysis of every request that is being made. If I stand before you and ask for a position, I should have all the facts and figures that support that, as well as all the vehicles and all the other Capital items that we're going to need over the next several years.

So, please understand: it is not a request that was taken lightly, but it was taken in context of these difficult economic times and our attempt as a Department to become as efficient as possible. Two things are needed, however. The \$65,000 under the Capital Plan for the systems, and two, the position that is going to perform the analysis and the management under those systems, thank you.

THE MODERATOR: Okay, further discussion on the article?

Ms. Flynn.

MS. FLYNN: Thank you, Mr. Moderator, Pat Flynn, precinct 5. I felt compelled to say something about this and I certainly appreciate the comments made by Scoba Rhodes. Normally, that would take place. But, as was mentioned, this is simply to create the position and not to fund it. This is not a stand-alone position, as Ray Jack explained. The job responsibilities and the activities of this position have a major impact on the way other position are performed and how those jobs relate to each other. And in building a budget, if you're trying to build the budget with the position, then it makes it a lot easier to make all those adjustments in functions and responsibilities. If you don't the commitment to fund the position in the future, then building a budget becomes extremely difficult because you're building it based on the status quo and not on the what will be. And, in trying to achieve the efficiencies that the changes in other people's work responsibilities will ensue from that.

So, I think it's really important that we vote this tonight so that when Ray builds his budget for next year, that all of those changes can be incorporated at that time. Thank you.

THE MODERATOR: Mr. Chairman.

CHAIRMAN ANDERSON: There are at least three people in this room that have been involved in discussions on no less than three

occasions that the members of the Finance Committee have had with Mr. Jack and the Town Manger. This position was discussed considerably at considerable length and as Mr. Whritenour had indicated, this position as well as other concepts of the Matrix plan, have been brought before Town Meeting on two other occasions. At some of the meetings, and we have taken up a lot of Mr. Jack's time and he's been very gracious in giving it and giving his ideas about the Department and specifically about this position. The one thing that all of us in the rooms in all of those occasions agreed upon was that this position is very critical to where this department is going in the near future. And so I would strongly suggest, along with the Finance Committee, that you support this position, thank you.

THE MODERATOR: Further discussion on Article 28?

Hearing none, then the question will come on the main motion Article 28; the recommendation is as printed. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: The opinion of the Chair is that the Ayes have it by a majority.

Article 30 was held by Mr. Shearer. This is a Community Preservation Committee article. Madame Chairman for the main motion.

CHAIRMAN SCHNEIDER: Mr. Moderator, I move Article 30 as recommended.

THE MODERATOR: Okay, as recommended. This is to

appropriate the sum of \$20,000 from the Community Preservation General Budgeted Reserve for the restoration of the Highfield Hall Ice House. Mr. Shearer.

MR. SHEARER: Dan Shearer, precinct 6. Highfield Hall has done a marvelous job, or the Committee for Highfield Hall. Everybody there, anybody that hasn't been there certainly should go through it and look at it very, very carefully and enjoy everything they've done. I have nothing against Highfield Hall and I salute the people who have run it and done all the work in there.

However, when it came before Town Meeting, we were promised that they would not use taxpayer's money. This is the second request they've had for taxpayer's money and in times like this, I think we have to look that there are a lot of items in the town which also need this same amount of money or more, and Highfield Hall has been able over the years to raise more money than anyone except the hospital. They're good at raising money, they have a good background and I think they can afford to do this on their own.

They are also a business in town that's competing with other people for weddings, banquets, parties and so forth. And they're making money that way. And I'm sure if one of the private hotels here came and asked for money, it would be very hard to give it.

So, I would like this \$20,000 to be put back in the fund and go

to somebody else. Thank you.

THE MODERATOR: Discussion on Article 30? Mr. Fox.

MR. FOX: I agree with Mr. Shearer. Jim Fox, Precinct 2. I don't know if anyone's been up there, but this is basically I think an estimated 10 by 20 hole in the ground with a little roof on it that at one time was used to store ice. You don't even know it's there unless you come up next to it.

I agree that we could make it nice sometime in the future, but in these hard times I think it's not right to do it. They're spending \$240,000 to renovate this. That's \$1200-plus a square foot for a building that the Town -- that no one's ever going to look, use or anything, just to look at. It might be the right thing to do sometime, but I certainly think in these hard economic times that that money could be deferred to housing, which I believe these funds could actually be postponed to another year and used more appropriately.

THE MODERATOR: Ms. Schneider.

CHAIRMAN SCHNEIDER: Mr. Moderator, I just would like to clarify please don't believe that the ice house is using \$250,000 to be restored. It is the entire landscape at Highfield that is being restored for that amount of money. And if you have taken the time to go up there, you will note that there are incredible acres and beautiful trees and gardens and so on that they're working on.

The ice house itself is asking --

Highfield is asking us for -- they asked us for \$42,000. We eliminated \$2,000 of those dollars right off the top, because it was for educational signs that don't come under our jurisdiction, and then we cut it in half again and said we felt we should be a partner in the ice house, but not completely pay for the ice house.

Yes, Highfield's been great at leveraging funds. The CPC is committed to working with people who try to leverage other funds, and we don't want to penalize them for being good fund-raisers. We want to work with them. This is a town-owned property. It is at the head of the Beebe Woods Trail. It is noticeable to everybody who walks the trail. There were 15,000 visitors to this area in Year 1 and I think that one thing to remember about postponing historic preservation, the longer you postpone it, the more it decays and is destroyed, and in many cases you lose it.

Yesterday, I was happy to take part in the ribbon-cutting ceremony for the veterans monument. Had we said in -- and these are hard times and we should delay this, those names would have only deteriorated more, cracks would have gotten worse. We have to think of what we're trying to save from further disrepair, and I hope you will support this.

THE MODERATOR: Mr. Putnam.

MR. PUTNAM: Thank you, Mr. Moderator. Brent

Putnam, Precinct 9. I don't know if Mr. Shearer intended to mention a

hotel or not, but it is ironic that the owners of Mostly Hall, which is a bed and breakfast on the Village Green, did in fact go to the CPC and requested, I believe, \$5,000 to replace a deteriorating iron fence in the front of their historic building.

When we talk about visibility, when we talk about tourists, numbers being seen, I think it's fair to say that more people are going to see Mostly Hall, given its prominent position on the Village Green, than might see Highfield Hall.

It is, I think, appropriate to deny this request given the amount of funds that Highfield Hall has and can raise, given the fact that we were told -- promised even -- that public funds would not be used for this. And I've heard people say that the CPA funds are not taxes, but it's a line item on my real estate bill and I'm sure everybody looks at it as a tax, just as I do.

These funds should be reserved for Town projects. And while this may benefit the Town, I think we can put this aside for a more worthy project when funds are scarce. Again, as Mr. Shearer noted, what if a hotel came to us? Well, a B & B did and they were denied.

CHAIRMAN SCHNEIDER: Mr. Moderator?

THE MODERATOR: Further discussion? Ms. Schneider.

CHAIRMAN SCHNEIDER: Two responses to Selectman Putnam. First, when Highfield came to Town Meeting the CPA was not at

that time passed in the Town of Falmouth.

Had it been passed, I would doubt that they would have made a promise to not be a burden to the taxpayer, as this is a perfect fit for the intention of the Act.

Secondly, in response to a private B & B coming to us and our denying that request, we did so for two reasons. Contrary to what you've been told tonight, it was not to replace the fence that goes along the road facing the Village Green, but rather it was the side fence that is nestled among the bushes going down the side of the property, and it is difficult to see from the road. It's only seen by those who walk down the driveway.

More importantly, we felt as a committee that we were not prepared to entertain private party requests without first having a subcommittee to put in place a procedure for how we should handle those kind of requests, and we simply declined to act on this at this time until we do something that would be fair across the board in the future. So, I hope you will understand our reasons for that.

THE MODERATOR: Okay. Further discussion on Article 30? Mr. Moreland.

MR. MORELAND: Ben Moreland, Precinct 4. I've heard one person say that they're competing with the commercial for business, and I heard somebody else say that it's Town-owned property. At any time, will any of this money start coming back to the Town?

The income from the rentals of this building; at any time, will that money start coming back to the Town since it's Town-owned property?

THE MODERATOR: Not under the existing lease agreement, no.

CHAIRMAN SCHNEIDER: That is not my understanding. It's a lease situation.

THE MODERATOR: That's correct.

CHAIRMAN SCHNEIDER: May I ask Ms. Harper for some input on that?

THE MODERATOR: Yeah, it's a lease and we're not going to get the money from that. Mr. Latimer. Then Ms. Shephard.

MR. LATIMER: Richard Latimer, Precinct 2. I don't have any problem with the Town spending money on an appropriate historic preservation project, no matter what the owner is and no matter how much money the organization may get from it or who they're competing with.

But I do have a concern with the amount of money. And I would just like an explanation. What we're talking about is an outbuilding that originally probably cost something like less than \$100 to build way back when. And I would like an explanation of why it costs \$40,000. I haven't seen it, but I would need some more information as to what the material is and what the elements of that cost are. Thank you.

THE MODERATOR: Ms. Schneider.

CHAIRMAN SCHNEIDER: If you take a look at the slide, there is actually -- it's a small stone entrance with a wooden door, which they hope to be able to put an -- either a half door with plexiglass above or a window that you can look in so that you'll be able to always see into it at the times when they can't have it open.

It is actually a step down into this ice house, and the top slide that you're looking at shows you what the interior looks like at this point.

There is actually a carpenter's signature and a date. It's over 110 years old, I believe. And it's one of the few -- there are only a handful of ice houses that remain and none of them are public or interpreted, as this one intends to be.

So, there are -- as you can see, it's in pretty bad repair, but there are a lot of original elements and they intend to use as much of the original element as possible, including the hardware and some of the beadboard and so on, or else it will be replicated.

And if you have visited Highfield, the one thing that you know when you go to Highfield is that whatever they take on as a project, they do top notch.

THE MODERATOR: Ms. Shephard, you're next on the list.

MS. SHEPHARD: Susan Shephard,
Precinct 1. This ice house is actually an ingenious structure. It has

numerous signatures on boards inside, mostly I think from -- signed by people once they had packed the ice in, in any given season, but their names well-known to the town. H. Lawrence, January 1888. B. Gifford, Shiverick's Pond, February 14th, 1913. J.P. Carlson, 1915. O.A. Potts, 1887. T.J. McLaw, 1892. And Carl Jacobsen, 1911. Those are ones that I had taken note of years ago.

This little building -- it would be a shame to let this building go, but it has a very short life if it's not funded.

To those of you who think that Historic Highfield is somehow getting rich off of this wonderful project, think again. Go up and talk to the executive director. Running any kind of nonprofit is a constant struggle for funds.

Yes, they host weddings and other events, but the income from that helps put on all of the other things that they do up there that are available to the public. They still have to do a great deal of fund raising, and they, like every other nonprofit organization on the Cape, is going to have a -- you know, going to have a very tough time this year with their annual fund. Everybody is. We all personally are going to have a very tough time.

So, I think this is a really appropriate use of CPA funds and I urge you to pass this article. Thank you.

THE MODERATOR: Ms. Flynn and then Ms. Poole,

you're on the list.

MS. FLYNN: Thank you, Mr. Moderator. Pat Flynn, Precinct 6, to be correct. I just wanted to add onto what Susan said, and the question asked about would any of the money from Highfield ever go to the Town.

When the Board of Selectmen back in 2000 voted to take the six acres at Highfield and the house by eminent domain, it was done with the intention that there would be a friendly taking with the Cape Cod Conservatory, which actually happened. And the idea was to create this cultural center for the benefit of the community. And so Highfield constantly strives to find more ways, as Susan said, to offer programs to the community that would help build that, because the more successful Highfield is, the better the Town is because of it, and this project itself will just enhance the ability of Highfield to do that. And it's important that Highfield stay competitive and attractive because it is a Town-owned property and it would be a terrible thing if Highfield were to fail and the Town ended up with a building that would be a huge burden to the Town. Then it would be a burden to the Town, which now it is not.

THE MODERATOR: Ms. Poole.

MS. POOLE: Diane Poole, Precinct 9. However the Town decides to vote is up to them, but I for one volunteer my time at Highfield Hall, and for anyone who has not seen it, I think you should get up there and -- this place has been turned from a crumbled mess into an

outstanding gorgeous building.

And I will say that when they have weddings and other events there, it does bring people into town who are not -- it's not just Falmouth people that come.

When I work there, there are people from off-Cape that come all the time just to visit. And I don't think that people should condemn this building or this -- it's like a park. The gardens are gorgeous. They finished those last year. And anybody can go up there at any time and go through the gardens and the building for free. And it is food for the soul. And I just want to mention that the Town should do everything they can to support this very positive situation.

THE MODERATOR: Mr. Latimer.

MR. LATIMER: Richard Latimer, Precinct 2. Again, I have no doubt about the value of restoring and preserving this building. And certainly not any question about Highfield Hall itself. My son worked on it as a carpenter's helper a couple of years ago, and I'm very familiar with what went on in there.

And I understand in terms of the work that had to be done to restore that very complex building and very large building, that were significant costs. But what I don't see here and I haven't had explained yet is something about the scope of the work, the nature of the work that accounts for \$40,000. That's my only question here. I mean, I don't have any question that it should be done, and if that's what it's going

to take, I don't have any question about that. But I would like to get some understanding of what are the issues, the construction issues, the material issues, that would account for that much of an expenditure. Thank you.

THE MODERATOR: Ms. Schneider.

CHAIRMAN SCHNEIDER: Is Barbara

Milligan here? Barbara, would you come down? I'm going to ask Barbara Milligan to address that part with you, and I want to point out in the slide, while she's walking down, you'll notice in the bottom slide that there is a green tarp. The condition of this right now is such that it is completely -- the roof of this is covered with the green tarp to keep it from further decay and destruction. And that is very noticeable. As you drive in to Highfield, this ice house is actually in your eyesight just up behind the garden that they put in last summer at the back of this area of parking.

So, I just wanted to point out to give you a little bit of idea of - - that this is in view, it is something lots of people see even on a daily basis, and it's in that kind of bad repair. Barbara.

MS. MILLIGAN: Thank you.

THE MODERATOR: Ms. Milligan.

MS. MILLIGAN: We did prepare a scope of work for this project that was very specific and we did solicit three bids.

The bid that we submitted to Community Preservation was the lowest bid. There were bids as high as \$60,000.

Part of what has to be done here is prepare the site,

because the earth has been built up around the ice house over the years, and so the ends of the rafters are actually sitting in the dirt and that's why they've rotted.

So, there is about \$5800 in the budget of site preparation, which includes drainage all the way around. Foundation repair estimate is \$4500. There is electrical wiring, because we wanted to wire it so that we could have lights in, so that when you look into the building we're going to stage it as an ice house, and that way people will be able to see what's in the building. And there's also a lighting allowance.

Materials, \$7,000. Labor, \$17,000. And that includes cleaning it out, because right now it's just full of debris.

Roof shingles, we actually already have on-site. So, we don't need to pay anything for that. And then we have painting and finishes. So, that was a total budget of \$40,000, half of which has been recommended here tonight.

THE MODERATOR: Mrs. Botelho.

Microphone to the left over here.

MS. BOTELHO: Cynthia Botelho, Precinct 4. There's something that hasn't been said. This is public property and I think that we should vote for this, because there's a safety factor involved here. You know, if we have all kinds of people up there, which we do and we should, and people walk around and they wander around and everything. And if you have something like this -- you know, I'd

hesitate to think what would happen if somebody got hurt. A building like that on a piece of property like this needs to be taken care of. Thank you.

FROM THE FLOOR: Question, question.

THE MODERATOR: Okay. Mr. Dick.

Something -- Mr. Dick. I only had one more on my list; then I think we're ready for the question on this.

MR. DICK: I'm sorry that so many of you want to [inaudible] on this. I'm amazed they did it. I didn't think they'd be able to do it. I gave a little bit of money, I gave a little bit of time, but not a whole lot because I was involved in other things. But they did it.

Historic renovation is an investment in a community. It's a basic resource. Of course they didn't foresee when they made their promise that there would be a CPC which provides that a certain percentage of the money should be spent on historic preservation. And this is pretty much the best project in town. It has contributed a huge amount to us.

The other thing I'm amazed at is how little they've come to us for; despite their promise, I expected to see a lot more. It's been very small. We haven't had to worry about this very much. It's just proceeded ahead. And I think they deserve the money because they need a pat on the back, if nothing else, for what they have done for this town with this beautiful project. Thank you.

THE MODERATOR: Okay. The question will come on

Article 30, the main motion as recommended by the Community Preservation Committee.

All those in favor of Article 30, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: It's the opinion of the Chair that the Ayes have it by a majority.

Article 31. This is another Community Preservation Committee article. Madam Chairman for the main motion.

CHAIRMAN SCHNEIDER: Mr. Moderator, I move Article 31 as recommended.

THE MODERATOR: As recommended. This is to appropriate the sum of \$25,000 from the Community Preservation general budgeted reserve for the purpose of conducting a shellfish habitat assessment of Eel River.

Who held this article? Ms. Johnson.

MS. JOHNSON: I'm Patricia Johnson, Precinct 5. I held this. Although I went to the precinct meeting and got an answer, I felt that when I held it, that the entire Town Meeting would benefit and people watching would benefit by the explanation that Barbara Schneider will give

on why this is open space -- qualifies for open space funding with CPC money.

THE MODERATOR: Ms. Schneider.

CHAIRMAN SCHNEIDER: I'm going to start by saying that both your Town Counsel and Department of Revenue have stated that open space does include ponds; and with that said, we have on several occasions funded and discussed saving and restoring and helping our waterways.

But what is important about this study, I think you should hear from George Hampson, who can speak not with his vote counter hat, but with his Coastal Pond Management hat, and give you a little insight into why this study will provide the baseline that we need to help us in the future.

THE MODERATOR: Mr. Hampson.

MR. HAMPSON: George Hampson, Precinct 5. I'm sorry I didn't identify myself last night when we built the home -- my future home -- retirement home.

[Laughter.]

MR. HAMPSON: This is a Selectmen's- appointed committee. The name of the committee is the Falmouth Coastal Ponds Management Committee. That's the key word: management.

My life work has been spent studying ponds and estuaries at the Oceanographic, over 40 years. The animals which live beneath the

ocean tell a story. They tell how the habitat quality is, and it's reflected by what we put in the water.

The diversity of life that's present under the ocean tells the story. Each one of these ponds are different. Bourne's Pond is an excellent one. The rest differ. They're not all the same.

The Massachusetts Estuaries Project does not go into detail about the habitat of shellfish and the reason why the shellfish are in good condition. That's what this money is for. We started with each and every pond, the south-facing ponds, as we applied to the Selectman to do so; so, are following our plan. Little is known about what occurs under the ocean. We know quite a bit what occurs on the land, but not so much.

That's what this does. It's different than the Estuaries Project. It's unique. Thank you.

THE MODERATOR: Mr. Apicella, microphone in the front. And then Ms. Lowell.

MR. APICELLA: Thank you, Mr. Moderator. Joe Apicella, Precinct 7, and I'm also a member of the Falmouth Coastal Pond Management Committee.

I'd just like to put things in perspective a little bit. I think it was Article Number 29 we passed with no discussion whatsoever \$48,500 for a window in a library. \$48,000 for a window, okay? What does that say -- I'm not saying we shouldn't do that, okay? But what does that say about our priorities if we don't come up with \$20,000 to protect our most valuable

asset in Falmouth, which is our estuaries.

If you've followed the reports that are in the Enterprise every Friday on the health of the estuaries, you'll find out that Eel Pond is the most hypoxic of all the estuaries that we have, both the south and the west coasts. So, it's very important that we come up with a management plan for each of these ponds. And we've had some money for some other ponds, and we really need to do this for the benefit of the Town. Thank you.

THE MODERATOR: Ms. Lowell in the back.

MS. LOWELL: Vicky Lowell, Precinct 1. I am certainly not opposed to this effort at all, but I do -- I'll need clarification. Something that's bothered me for a long time about these studies and the CPA is I believe under the original Cape Cod Land Bank Act, which this is a follow-on, only three percent of the money could go to management and it had to be for land that had been acquired with the Cape Cod Land Bank Funds.

So, obviously something's changed and I just don't know -- it wasn't my impression when this change came that we could spend money on things like this. Not because they're not worthy projects, just because of the limited nature of the funds -- of how the Act was written and circumscribed certain activities.

For example, you couldn't pay for certain kinds of -- you couldn't put bike racks at recreational facilities that already exist. And so I would just -- it would help me and maybe other people wonder how does

this qualify not as a good project, but as a project under the constraints of the Act. Maybe Ms. Schneider could help me out on that.

THE MODERATOR: Ms. Schneider, do you want to answer that and then --

CHAIRMAN SCHNEIDER: Yes, I'd be glad to. When we sent this booklet out to all the members of Town Meeting, we included in it this time a chart that tells you where we can spend money under this act. And you'll notice that it says that you can definitely help to preserve open space; and this has been deemed preservation of open space. Ponds count.

And I hope that answers your question.

And Mr. Hampson, would you like to add to that? And it's up on the -- yes, it is. There's the slide. And I hope you'll all keep this chart, because I know those questions come up on what we can and cannot do.

The bike racks, for example, we can spend money on recreation in places where there wasn't recreation before, and that's the differential.

Any time you have questions like this, please feel free to call the planning office and talk to Jessica and -- or me, and we gladly would go through it.

But I hope that answers your question. And I might add --

THE MODERATOR: Microphone --

CHAIRMAN SCHNEIDER: -- that in the back you can also

pick up this other booklet that we have in the back, and it's also online for those of you who don't like to have a lot of paper, and it gives you an update on all the projects that we have -- as Town Meeting, we have funded under CPA funds and where they stand today. And it's done by category, so you can see where we've spent money on open space, recreation, historic resources and community housing.

THE MODERATOR: Okay. Microphone over here on the right.

MS. GLADFELTER: Betsy Gladfelter, Precinct 6, and I'm also Vice Chair of the Coastal Ponds Management Committee, which I've just learned actually has a new -- the Selectman gave us a new title, but I read that in the proposal we just put out today for the Town.

But I just want to point out that the management plans that we're preparing for these coastal ponds, and we're almost -- we're about 75 percent complete with the plan we're doing for Green Pond, and we've finished the shellfish study for -- shellfish habitat study for West Falmouth Harbor and we'll be working on the plan early in the year, require the participation of all of you in Town Meeting and all the citizens who are interested in the preservation of these areas. And so we'll be holding public meetings. We'll have one in probably January or February for West Falmouth Harbor and we look forward to your suggestions as to how we as a community can best deal with the conflicting uses and maintain healthy environments.

THE MODERATOR: Okay. Are we ready to vote on this one?
Okay. The question will come on Article 31 as recommended by the
Community Preservation Committee.

All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: It's the opinion of the Chair that the Ayes
have it unanimously and this meeting will stand in a 15-minute recess and
we'll come up and wrap this Town Meeting up.

[Recess, 9:00-9:20 p.m.]

THE MODERATOR: Town Meeting members, please come
forward so we can establish the quorum. We're coming back on Article 37.
Article 37.

Okay. Back from the second division, we'll take the quorum
count. All right. Would all Town Meeting members present please rise for
the establishment of the quorum and the tellers will return a count.

[Pause.]

THE MODERATOR: In the first division, Mrs. Tashiro?

MRS. TASHIRO: 53.

THE MODERATOR: 53.

In the third division, Mr. Hampson.

MR. HAMPSON: 60.

THE MODERATOR: 60.

And in the second division, Mr. Dufresne.

MR. DUFRESNE: 88.

THE MODERATOR: 88.

We've got more than we had at the beginning of the night. By a counted vote of 201, we have a quorum and we're back in session.

Article 37, Mr. Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MUSTAFA: Mr. Moderator, I vote -- I recommend that the Town vote Article 37 as printed in the warrant.

THE MODERATOR: Okay. The main motion on Article 37 is as printed. Mr. Murphy.

MR. MURPHY: Good evening, ladies and gentlemen. Thank you for your indulgence; and as you will see, I got the memo. My presentation will be a little bit larger.

I'd like to bring you to how we got here this evening and bring you through a little bit of a time line, and then we will go through the process of where we are tonight and why I think we're at this location and why at this point in time I think Article 37 should be passed as printed.

I want to remind you that a committee was formed years ago with representatives from the Planning staff, the Affordable Housing Committee and folks from the village of Woods Hole.

The charge of that committee was to see if a site located at

419 Woods Hole Road was suitable for affordable housing. It was specific what that committee was to look into.

Town Meeting funded a consultant to specifically look at the 419 Woods Hole road site feasibility for again for affordable housing.

The committee's two recommendations to the Board of Selectmen were to develop housing next to the fire station or develop housing at the northern section of the site. The committee's preferred location was in the northern section of the property.

The proposal was 15 units and five buildings, three triplexes. There was a public meeting last year that was held on January the 7th at Morse Pond School. It was evident at that meeting that a majority of those in attendance were against this site location.

As Chairman of the Board of Selectmen, I proposed that we look at an alternative that will not cost the taxpayer any money, could produce the same number of units, and would save what the village of Woods Hole refers to as Webster Woods.

A working group was formed and in the past year we've looked at a transfer of development rights as well as redevelopment of other parcels in Woods Hole.

After exploring the transfer of development rights, we found that this alternative was impossible to accomplish.

The village then was charged -- and when I say the village, the folks who live in the village of Woods Hole -- was charged with coming up

with some suitable alternative that could replace the 419 Woods Hole property, provide the same number of units, and again at no cost to the taxpayers. Their job was not easy.

Next came along Chris Wise, who'd been working closely with the village of Woods Hole to put together a project at the Nautilus that all could be proud of.

Mr. Wise had put under agreement the Oshman property, which is located on Woods Hole Road, for his mitigation for the Nautilus project; he needs five units for his mitigation at the Nautilus project.

The village of Woods Hole asked Mr. Wise to help them save Webster Woods. It was determined that 17 to 20 units would need to be created, again at no cost to the Town, to supplement the Webster Woods development, as well as the mitigation for the Nautilus project.

Giving you the math: Five units for the Nautilus project mitigation and 12 to 15 units to supplement the Webster Woods project. Keep in mind, five units for the Nautilus mitigation, and 12 to 15 units for the Webster Woods project.

The working group, in cooperation with WHOI, wanted to save the property and identified some property, specifically the Pennekeese house in the village, as a site they would be willing to sell if it meant helping to save Webster Woods.

Mr. Wise, holding true to his commitment to the community, put the property under agreement, again at no cost to the Town. Mr. Wise

would develop four units on the Pennekeese house property, turn over the Oshman property to Robert Murray, and this is a typo, at the Falmouth Housing Corporation, who would develop 12 to 16 units on the Oshman property, again with no acquisition cost to the taxpayer.

Only after all of this was accomplished would a conservation restriction be put on all but three acres that would be located around the fire station and to be determined at a later date which specific three acres, but they would be contiguous to the fire station, would be put on by then the current Board of Selectmen.

Before I go on to the conclusion, folks, I've said at some Town Meetings -- precinct meetings that I have no dog in this fight. I have no horse in this race. The bottom line is that a community -- one of the villages in this town asked for us, the Board of Selectmen, to take a pause to ask us to come up with a solution to what they considered was a problem.

I know that some of you sitting here tonight feel that your particular village is under siege by affordable housing. It is something that is important to every one of us. I don't shirk that responsibility. We all know folks, people who work with us, people who teach our kids, firefighters, schoolteachers, policemen, who would qualify for affordable housing. But we also know that each one of us has a specific village that is near and dear to us, and that what happens in that village is very important to us.

In this case, it is not specifically a NIMBY because what's happened here is they've gone out and worked to find the same number of units, brought that back here to Town Meeting and want you to give them an opportunity to show you that they can put these units on the ground.

That's what the Board of Selectmen charged that group to do. We voted at that January 7th meeting to look at alternatives. They've come back with these alternatives. I will tell you all through these meetings that I have said that if they cannot come up with viable alternatives, I will support the Webster Woods project. And I think that they've come up with a viable alternative.

I will tell you that I looked them all in the eye and I said to them, "You cannot merely just hope this goes away, because this is Town property and you need to help find a solution to your problem."

I charge each and every one of you to continue to do this kind of thing in your own village. Come up with an alternative for things. This is not a private developer doing a 40B. This is a Town-owned parcel, and they've come back to you with an alternative.

My conclusion tonight is the Town would get 11 to 15 units of affordable housing as a replacement for the Webster Woods project. Chris Wise would also develop four units at the Pennekeese site, plus one additional unit at the Oshman site, for a total for his five units of mitigation.

We would have and save a large wooded area and have a parcel available for the Town to -- if it ever needed future municipal use.

People say to me, well, what is that? I don't know. It could be my daughter's generation or my daughter's daughter's generation that might need that. All's we know is that any time we go to earmark municipal properties in this town, it gets harder and harder to come up with them.

All this incidentally at no cost to the taxpayer. I will say, and I surely do not want to get into a cranberry bog situation here, I want this group to be civil and I want us to move forward. The key to our successes in the town, now and in the future, is coming up with solutions to the problems, solutions that can make us all happy. As a big guy, I love that term. You can have your cake and you can eat it, too.

I need to show -- go on to what some questions are that you will ask tonight, and I want to address them right up front.

When will Mr. Wise transfer the property to the Falmouth Housing Corporation?

He'll transfer that property after he obtains all his permits and his financing for his project.

How long will this take? Well, I can tell you that he is already through three-quarters -- or two-thirds to three-quarters of the permitting process. He's already got the zoning change for the Nautilus project. He has plans in place and is already before the Cape Cod Commission.

Many folks say well, financing won't be available. It might take a while. I'm going to have Mr. Murray come up here and let you know that financing for first-time home buyers will also be hard to come by. So, that's

why someone like Bob Murray developing the Oshman property as the Falmouth Housing Corporation as rental units could see to get these property -- this property on the ground quicker.

When will the Board of Selectmen put the conservation restriction on the property? This is the major issue. People say why do anything? I'll tell you why, and the only reason is that, you know, if you challenge somebody, you can't pull out the carpet underneath from their feet. If you ask them to do something, you can't say, "Hey, good job, but you know what? We'll take that and we'll take the other part, too." It all goes together. We challenged them. The impetus is there to make sure these units get up and running.

It won't be until the units get on the ground and are available for affordable housing units, not until after that time will the Board of Selectmen enter into a conservation restriction on that property. Why? Because if the units go away -- as I've said all along folks, if the units go away and there is no viable alternative, we'll turn back to doing an affordable housing project on Webster Woods.

But I don't think that's going to happen, and you still have your ace in the hole in the fact that the Board of Selectmen won't put that conservation restriction on the property until we actually have units on the ground.

Why not develop both projects? Well, I think it's in the issue of fair play. The issue of fair play is the Board of Selectmen challenged them

to find an alternative. Fair play is that they found the alternative and now everyone wants to change the rules of the game.

The people I know in this room aren't like that. I think there's a sense of fairness in this Town Meeting. I think that you should give it an opportunity to see we can get some affordable housing units on the ground.

Brevity is the soul of wit. I'm not going to keep talking up here, but I will ask -- I will answer any questions after we get going. But I would like to invite -- if it's all right through the Chair -- Mr. Murray to come down and explain a little bit about the process of what the units would be on the Oshman property and his thoughts on how we could develop that further. Thank you. Is that all right?

THE MODERATOR: Mr. Murray.

MR. MURRAY: Thank you very much, Mr. Moderator, Town Meeting members. I've been involved with some of the discussions around the Oshman property and the potential for developing a parcel of land that's already been disturbed versus a parcel of land that's not been disturbed, and the merits of both and the cost of doing everything.

But before I start, I want to just say something about -- because we've all heard, "Oh, this is Woods Hole, they're getting away with something." Let me tell you that I have heard ever since I've come to Falmouth that the people in Teaticket hate affordable housing. I want to stand here tonight to dispel that.

We brought a project, the VFW project, to the Teaticket Village Association. They not only think it's a good project, but I have heard them speak publicly about their support for the project. So, that's a whole myth about the people in Teaticket. I'd like dispel that myth tonight.

You know, we have a President Elect who made famous the words that we are not a nation of red states and blue states, but we're the United States. And we're not a community of villages that it makes sense to pit one against the other. We're a community first, and we should be doing things that are in the best interest of the community, the overall community. So, that said, that's enough pontificating and I'll stop there.

But when Chris Wise asked me to look at the Oshman property, I said yeah, you can put some housing here. There's already a 6,000 square foot frame there that's been framed and tight to the weather, studded inside.

But the beauty of that building is that it's only been studded. It's not wired and it's not plumbed, so you can move those studs around and create in that 6,000 square foot footprint whatever you want to create in there.

So, you're not -- you know, you're not limited to what you can do with that building.

I've always believed that you could create six two-bedroom apartments in that building. We then looked and said -- we met with Brian Curry at one of the meetings and Brian said that he thought that the parcel

could only really support about 20 bedrooms.

So, if you put six two-bedroom units in the house that's existing there, that means you can only get eight more bedrooms. And we came up with a design for eight -- one building with eight one-bedroom units in it.

When we were looking at the Woods Hole Inn, gosh, it seems like two or three years ago now, we thought that you could probably put eight to ten studio apartments in that building, because we thought that was the kind of unit that the work force in Woods Hole needed. Mostly single people, some couples, but mostly single people. So, we think that that one-bedroom units are an important mix in any development.

I can tell you, as the director of the Housing Authority and the president of the Housing Corporation, that that is the size unit that I am most in need of. That is the size unit that people have the longest wait for. So, there aren't enough one-bedroom units available in the Town of Falmouth today.

Now, I've been asked a lot of questions about why does it make sense to build on Oshman and maybe not as much sense on Webster Woods. Development's about numbers. The housing business is no different than any other business. If you don't make a profit, you don't stay in business and you don't help anybody.

So, you have to look at -- and when I looked at what Mr. Wise paid for the Oshman property, I said, "Unless you give it to me, I'm not

interested, because you can't make the numbers work.”

We know that the bank bought that property back at auction for \$850,000. You can't put 14 units and pay that kind of money for the site costs. It just doesn't work. So, I said if you're going to give it to me, that's a whole other story. We can make that work.

But things have changed, things have changed in the past six months in the affordable housing business. And I see Jim Fox there. He's a developer. He can tell you better than I can that it's really tough out there. It's tough to get stuff financed. The state has already indicated that there was no money at all for ownership projects. There is some money for rental projects. However, let me give you an idea of the problems with rental projects.

When we built 704 Main Street project, we financed that primarily with tax credits, low income housing tax credits. We sold those tax credits for 99 cents on the dollar. Today those tax credits, you're lucky to get 72 or 73 cents on the dollar. So, that's a drop of 26 percent in value. We had five and a half million dollars in subsidy from those tax credits in Main Street, and if you lose 26 percent of that, you're losing about a million and a half dollars in subsidy. So, it becomes much more difficult to finance projects.

And I'll also tell you that it takes as much effort to build six or seven units as it does to build 50 units. And the Town has submitted an action plan and we have had discussions with the Town Administrator, with

Brian. If you're ever going to get to the numbers that the Town is trying to get to so that they can meet their ten percent or meet their half of one percent every year, which is 73 units, you're only going to get there if you do it on areas of the community where the shoreline is. You're not going to do it by building five or six units here or there. You might as well as forget it.

And the other problem with those few units, very hard to make the management work. You don't have enough of a base to make your cost of management be successful.

So, I don't know if I've answered any of your questions or created more for you. The Oshman property is going to be developed because we think that Chris Wise is going to go through with it. And the benefit of developing that is that in that process all of the things that have been done to that property that were wrong will be fixed and, as I said, you are building affordable housing, all of the units will count towards the Town's ten percent, and you're doing it on land that's already disturbed.

THE MODERATOR: Discussion on Article 37?

MR. HAMPSON: George Hampson, Precinct 5. Bob, I noticed there's a wetland on this property. Could you please address that and how that's going to be handled? Thank you.

MR. MURRAY: Yes, and the engineers who have been working on the site and who have been doing a site plan have one corner of the building that sticks into about 80 percent off the wetland. I mean 80

feet off the wetland.

We can put that building on the site and be totally beyond the 100-foot setback. However, you will disturb much more of the site by doing that. So -- you know, and we haven't gone through any of the permitting process, but at first blush it looked like it made more sense to have that little corner of the building and leave the rest of the site alone, because anything we don't need we were going to put a conservation restriction on. And we think we can get a conservation restriction on at least the two acres at that site.

THE MODERATOR: Mr. Putnam.

MR. PUTNAM: Brent Putnam, Precinct 9. Through you, Mr. Moderator, a question for Mr. Duffy. The implications of passing Article 37 and 41, is there any conflict if both are passed?

MR. DUFFY: Okay. First of all, every article on the warrant has to be resolved in some way, so they have to both be heard and we have to have a vote on both of them.

As I look at these, you can pass Article 37, you can pass Article 41, and if there is a conflict, the Selectman will have to figure out how to resolve it.

MR. PUTNAM: Thank you, Mr. Duffy.

THE MODERATOR: The question that came up at some of the precinct meetings, and just to be clear for all Town Meeting members, Town Meeting authorizes or doesn't authorize the Board of Selectmen to

take action. It does not compel the Board of Selectmen to take action. You might remember the cranberry bog issue for a number of years.

So, we authorized the Board of Selectmen to take action and the check and balance is that they're independently elected Executive Board, which chooses whether or not to utilize that authorization.

Next on my list was Mrs. Augusta.

MRS. AUGUSTA: Susan Augusta, Precinct 9. I have a question for clarification, please. Could someone please respond as to what is the status? Has Mr. Wise taken possession of the Oshman property or is the foreclosing bank still in possession of it?

THE MODERATOR: Mr. Murphy.

MR. MURPHY: We've been shown that Mr. Wise has the Oshman property and the Pennekeese property both under agreement. The Oshman property is the subject of some enforcement issues for conservation. And the bank will be making good on all of those enforcement issues before the property passes papers. So, it is under agreement. He has not taken title because the property still has some enforcement issues based on the original development.

THE MODERATOR: Mr. Herbst, I had you next on the list.

MR. HERBST: Ralph Herbst, Precinct 8. A couple of questions. Earlier this evening, I asked the Moderator whether or not anything in the explanation would be binding for an article, and you said that it would not be. Is that correct?

THE MODERATOR: That's correct. The motion is what Town Meeting votes on.

MR. HERBST: Right. So, Mr. Kevin Murphy, Selectman Kevin Murphy, stated that, in the last sentence under the explanation, that the Board of Selectmen would execute the restriction determined on the affordable housing alternatives. So, that's really not binding. What he's -- what is binding is in the last section of the article, which says, "and upon such terms and conditions as the Board of Selectmen deems appropriate."

So, those are -- that's a much wider, more gray statement in the thing that's binding than what Mr. Murphy alluded to, which is in the explanation. So, if the language in the explanation was in the article, then I think it would be much easier for Town Meeting to vote on this.

Secondly, for Mr. Murray, if Mr. Wise paid \$850,000 for this property, this Oshman property, I don't know when he did that, but I'm wondering whether it would be appraised for that today, considering all the issues around it, and whether or not if he could get it for less, considerably less, whether or not it might make the construction of those units on Oshman Way more viable.

And lastly, just as a point of personal opinion, I think it's obvious that both of these -- both properties need to be developed. It's not a matter of fairness. It's a matter of trying to reach the goal of 73 units a year, something which as a member of the Planning Board I feel is almost

impossible to reach. And what it is, it's a carrot out in front of us to continue to work towards that one half of one percent of affordable housing every year. Thank you.

THE MODERATOR: Mr. Murray.

MR. MURRAY: No, it doesn't matter to the Housing Corporation what Mr. Wise pays for the land. To us, it's free. Free is free.

THE MODERATOR: Okay. Mr. Dick, you were next on my list.

MR. DICK: Henry Dick, Precinct 8 out in Hatchville. I have a 40B down the end of Boxberry Hill Road that I drive by all the time, and I pass through many others on my way to work.

And I was really very rabidly in favor of developing this parcel. And I've thought about that for quite a while now, as so many people in this room, and particularly my friend Mr. Duffany, who talked to me one day about it.

And the essence of his conversation was how much do you value the green belt that goes through our town? And that green belt is going to consist of basically the Town-owned property that we retain, plus the lands that are in trust by land-holding trusts. And that's going to be it, because the private land is all going to be houses.

And I thought about that really hard and I thought about the fact of how zealously we defend the Coonamessett Reservation out in Hatchville, which was taken for conservation. And I realized that, you

know, the bitterest fights we have in this town are when somebody decides to change the purpose. They have a better idea for a piece of parcel or land that has a traditional use or has a dedicated use like the cranberry bogs and how bitter that becomes.

And I think it's a mistake to take these parcels for other purposes. I think when we go for affordable housing, we should be trying to redevelop existing land or buy private land for that affordable housing, because otherwise we're going to continuously split the town.

But more so, I think that this open space is invaluable, and as much as I was in favor of developing it, I am now opposed to that. I would really like to see this supported because I think it's in the best interest of the entire town.

This is a gateway. We have a gateway coming into town. It's pretty wooded as we come down off of Route 28 and into town, and that's nice. This is the other gateway. This is the other place the tourists all go down and this is the impression they have of Woods Hole and of the Town of Falmouth is they have this beautiful wooded road leading from Falmouth down to the village. And that benefits every single person in this room. So, I urge you please support this motion.

THE MODERATOR: Okay. Mr. Johnson next on my list and then Mr. Freeman.

MR. JOHNSON: Leonard Johnson, Precinct 5. I'm going to speak tonight as President of the 300 Committee on behalf of our --

THE MODERATOR: Excuse me, Mr. Johnson, one moment. Ms. Perry, I'll put you on my list. You can have a seat.

MR. JOHNSON: What was that?

THE MODERATOR: I was just letting Ms. Perry know she's on the list, so she didn't have to stand the whole time.

MR. JOHNSON: Okay. I'm going to speak in favor of the conservation restriction on Webster Woods that is part of Article 37. I should also mention that Margaret Russell, our administrator at the 300 Committee, and I, have participated in the informal working group discussions that Kevin Murphy described.

The 300 Committee has never advocated a no-growth approach. We have never suggested that all open space should be saved. What we have done is we have put together a ranking system that evaluates the overall conservation value of different parcels.

We use this approach to set priorities and to create an objective method of selecting properties that have significant value as open space.

Following this ranking system, Webster Woods has a score right up there with Beebe Woods, Peterson Farm and Sea Farms on Davisville Road, three of the crown jewels of open space in Falmouth.

You might ask what is so unique and valuable about Webster Woods? Webster Woods is one of the two largest and most significant beach forests on Cape Cod. The other is in Mashpee. The trees in

Webster Woods are relatively even in age and date from the 1860s when there was a severe hurricane in this area.

This forest of American Beech is an indication of what much of Cape Cod looked like a century and a half ago. So, these woods are unique and have a historic significance.

In their presentation to the affordable housing subcommittee, the consulting engineers from the firm of Horsley Witten indicated that there are a great many landmark trees in this forest. A landmark tree is defined as a tree that has a diameter of 18 inches or more.

Consequently, in order to have a small an impact on this forest as possible, our informal group has agreed, as Kevin Murphy has indicated, that we would recommend that the three acres that would not be included in the conservation restriction and that will be set aside for municipal purposes should be located, as Kevin says, adjacent to the fire station.

We believe that development at any other location in Webster Woods seriously diminishes the conservation value of the entire parcel.

To begin with, the sites proposed for affordable housing by the Horsley Witten engineers on the north end of the property would have involved cutting down from 18 to 30 landmark trees.

Also, the frontage on Woods Hole Road in the northern end of the property not only has many landmark trees, but is also quite uneven and hilly. Development of these locations at the northern end would

involve additional expense and the removal of a great deal of dirt.

However, any future development of the three acres at the south end of the property next to the fire station would have a much easier -- excuse me -- have a much smaller impact on this forest. This location is next to the fire station, which means that the disruption would be located in just one place and that the rest of the forest would not be disturbed. That terrain is essentially flat and easily accessible.

We ask you to support this article which balances the critical needs of both affordable housing at Oshman Way and open space at Webster Woods.

Green space and clean water are as important as affordable housing to our economy and to our quality of life. This requires planning for smart growth that includes redevelopment, as Mr. Dick has just said, as well as the preservation of special natural places. We believe that we have demonstrated that Webster Woods is one of those special natural places. Thank you.

THE MODERATOR: Mr. Freeman.

MR. FREEMAN: Through you, Mr. Moderator, Michael Freeman, Precinct 8, to Mr. Murray. Bob?

THE MODERATOR: Go ahead, Mr. Freeman.

MR. FREEMAN: You mentioned two things, mainly concerning costs. You mentioned \$850,000 is what that piece of property was being sold for -- had been sold for to the bank. According to an article

in the newspaper, that property was sold on October 6th by David Oshman to Harbor One, which is Wise, for \$500,000. Which is the correct figure to base your costs on the property?

MR. MURRAY: I only know what I've been told, and I've been told that the bank bought that at the auction for 850. And if that was the case, then Mr. Oshman could not have sold it to Mr. Wise because he didn't control it any longer.

MR. FREEMAN: I didn't think so, but that's what was in the paper and identified October 6th. So, I'll look into that further in Town Hall.

The other question I have is your concerns that you had mentioned to the press when you gave an interview with regard to the mitigation costs which you were concerned about. Would that eliminate the possibility of considering Oshman to be developed?

THE MODERATOR: Mr. Murray.

MR. MURRAY: You know, houses are not that much different a business than any other business. And there's economy of scales in housing, not only in the building of it, but in the management of it. And if you put in a relatively small project, and it's out there hanging out there by itself, and you haven't got enough income from that to pay the management costs, you can't -- you can't survive.

So, you know, we started the Falmouth Housing Corporation buying one house, and that was in May of 1998. We didn't have any money. Ron Garcia is here. He attended the meeting when I went and

asked Santo if he would fund our first four purchases at 100 percent. And he was there, so he can attest to that.

So, we've taken this organization from nothing to where it is today. But we don't buy single-family houses anymore because you can't make the numbers work. And it's very difficult to make small developments work of -- anything under 24 units, it's very hard to make the numbers work.

THE MODERATOR: Ms. Abbott, you were next on the list.

MS. ABBOTT: Jayne Abbott, Precinct 7. I have a question about the article and I have a comment about the article. The question is does municipal use include affordable housing and where in the article does it say where those three acres to be left out of the conservation area exist?

THE MODERATOR: Mr. Duffy.

MR. DUFFY: Yes, Mrs. Abbott. Within the concept of municipal purposes, it includes affordable housing.

THE MODERATOR: The article doesn't place it on a particular location. Okay. Mr. Netto, next on the list.

MR. NETTO: Joe Netto, Precinct 9. This is a very troublesome article in the extent of when you look at this article in 41 and whenever we have, no matter what the subject matter is, whenever we have competing articles.

I think we have to -- no one's said anything so far about 41,

and maybe I'll venture to it and try to stay within the scope of this.

The answer that Mr. Putnam got from Town Counsel makes me want to -- just made me decide to stand up and I wasn't going to speak on this article. As it was said about me before, that I didn't appreciate and people have told me it was somewhat in a jestable way about East Falmouth versus Woods Hole. And I think that those of you that know me know I'm not looking at this problem this way. I'm looking at this problem from the answer that I got that the Board of Selectmen now will decide on the use of the land.

Well, I have a difference of opinion on that and feel that Town Meeting, as it always does, should determine what is done with the land in the Town of Falmouth. I think we're better suited for it. We have a cross-section and represent the Town of Falmouth. A lot more representative than five people sitting up there. No deference to any one of them, but I feel that that is our responsibility.

So, therefore, that leads you, after hearing that answer, I say we have to defeat one of these and pass the other. Let's not go down that road of confusion that was mentioned earlier. I've been involved in that, and for the last five years, it hasn't been fun, I'll be honest with you. Because no matter what you do, 50 percent of the people think you're wrong and 50 percent think you're right. It's not fun.

We should decide that, what is to be done on this parcel of land known as 419 Webster Road, not circumventing it by mentioning

Oshman and Pennekeese. Let's talk about affordable housing on Webster Woods, and that's what I'm going to do, because what I think we can do, Mr. Murphy, is taking everything that I'm going to say now from what you presented to me. Yes, we can do both and we should do both, because by doing both, as Mr. Herbst brought up, we are going to try to obtain the goal -- the exact figure I think is 72 or 73 units of affordable housing which represents, you know, what is it, a half a percent? Don't hold me to the particulars, Mr. Latimer. I'm just -- but if we don't -- if we only do one of these, then we're falling short and we're intentionally falling short.

So, let's do both. And fair play -- fair play was directed to the community group that was formed. But what about the group that we formed and spent \$40,000 to study 419 Webster Woods and the recommendation, sir, that they came back with? Again, that's fair play to them, too. These people spent years of their time and came up with a recommendation.

I have always stood before you and asked you to buy and preserve open space. And I believe in that. And yes, Mr. Johnson, to build -- it's a beautiful piece of land. I think all the land in the Town of Falmouth is beautiful land. I'd like to think where I built my house on my uncle's farm is a beautiful piece of land. It grows the best crops in Falmouth. That's my belief and that's my feeling. And any time we build a house, no matter where it is, we're going to cut down a tree and we're going to dig a hole of dirt, and that's in any village.

So, let's -- in conclusion, I would ask you to do both, and to do both, I would ask you to defeat this article and pass 41. Thank you.

THE MODERATOR: Ms. Perry, next on the list.

MS. PERRY: Thank you, Mr. Moderator. Jane F. Perry, Precinct 8. This article and also 41 has had much discussion and, you know, it's kind of sad to say that we have interest group against interest group, neighbors against neighbors. And why should someone who lives way out in Hatchville speak on this article?

You know, we need affordable housing. We need open space. We need a fire station, maybe, expansion. We need a school. We need a place for a pool and a rink that we keep talking about; it hasn't happened.

But you know something? When you talk about affordable housing, I live out in Hatchville and the people that I represent in the Goletta area, there are five affordable housing projects. We don't have a village, we don't have a fire station. We live on 151, which is a big traffic issue, which I keep hearing, and we don't have public transportation.

For someone who uses public transportation, Woods Hole and East Falmouth and Waquoit and Teaticket are very lucky. Because affordable housing and public transportation go hand in hand. That is the solution to traffic and to everything else. Because no matter what else you're going to put on that property, they have access to public transportation. That is the missing link to the puzzle.

So, I hope that if this does pass, which -- or Mr. Netto just said, that we probably should do both, because you know, Woods Hole has a very unique community, it has the scientific community down there, and they need to have people come and live there because it is the number one scientific community in the United States, if you ask me.

But again, we have to think about the needs of our town and the motto of our town, which is Falmouth is Nice. Let's make it even nicer, and hopefully we can continue and be on a civil idea and get things accomplished and bring people to live in our town. Thank you very much.

THE MODERATOR: Ms. Peterson, you were next on my list.

MS. PETERSON: Laura Peterson, Precinct 3. I promised my mom I wouldn't say anything tonight, but here I go.

The Webster Woods, I think the key -- and the thing that I think is unfair and speaking to Mr. Murphy -- Selectman Murphy about it, is that this is municipal land. This is 15.7 undeveloped acres that belong to all of us. And the fact that a village association group was able to use it in negotiations, I don't think that's fair.

And we don't know what the future holds for us. Things are always changing. And so to have a chunk of land that big undeveloped, but not constrained by conservation so that nothing can ever be done with it, regardless of the circumstances or no matter what the Town needs it for down the road, this was given as a gift for all of us as municipal land and I think we should keep it that way and bring it back to Town Meeting if

somebody wants to do something with it, but not tie the conservation restriction onto it so that we can't do anything with it. Thank you.

THE MODERATOR: Ms. Siegel, you were next on the list.

MS. SIEGEL: Deborah Siegel, Precinct 6. You know, I hate to see affordable housing and conservation being at odds like this, because many of us appreciate the urgency of both things. To constrain us because of something -- the conditions that something were given under many years ago is to forget that things have changed.

I keep on hearing that people are more important than trees. And that is exactly the sort of attitude that has gotten the human race into the pickle that we're in right now.

We have the opportunity to save a very, very special piece of land that is very important to the human race, and if we don't start saving these pieces of land as much as we possibly can, we are going to increase our problems. The fact that we can save this piece of land with this conservation restriction and have affordable housing at another location in the same village is a unique opportunity and I urge you to support this article so that we can accomplish both things. Thank you.

THE MODERATOR: Ms. Lichtenstein, you were next on the list.

MS. LICHTENSTEIN: Leslie Lichtenstein, Precinct 9. I so rarely find myself on the same side as Joe Netto and if I had 50 percent of the people that agreed with me, boy, I'd be happy.

But some things have been said here that I don't necessarily agree with. It has been said we have to pass one article or the other. I'm not sure that we do.

There's an old aphorism that says act in haste, repent at leisure. I am for conservation. Those are beautiful beech trees, I agree. However, I would like to see both of these articles wait. If the Oshman property goes through, if the Pennekeese houses are built, this article can come back at next Town Meeting and I think people are going to be a lot more willing to support it.

Right now, as Joe said, turning this over -- turning our right to decide what to do with that land as Town Meeting Members -- turning that over to the Board of Selectmen, no aspersions on the Board of Selectmen, but there is that old saying, "I'm from the government, trust me", bothers me, okay?

I don't think we have to pass both of them. I really would like to see the Oshman property go forward. I would like to see the Pennekeese property go forward. If these do go forward, this can come back next time at Town Meeting and maybe it will alleviate a lot of our fears at that time. Thank you.

THE MODERATOR: Mr. Latimer, next on the list.

MR. LATIMER: Richard Latimer, Precinct 2, and I apologize, I really hadn't meant to speak on this article at all. But I cannot -- I cannot help but respond to Mr. Netto, who I often do agree with, but on this

instance I can't.

Instead of talking about fair play, let's talk about hardball and let's talk about Mr. Wise, who is a developer who has shown some willingness to work with the Town. But I think in respect to that, he's shown some willingness to work with the Town because he has gotten a re-zoning of a parcel that he owns that would allow for market units in Woods Hole, which in itself would help alleviate the housing problem in Woods Hole. But his penalty for that is -- what is it, five units someplace else?

So, I'm Mr. Wise and now I'm going to play hardball, and I don't see anything coming here -- any kind of commitment from this Town Meeting to go through with the deal that he has generously agreed to work with the Woods Hole community for. And so we say, "No, we're going to talk about doing both", you know?

Well, what's the point? What's he doing this for his Woods Hole community for? Why should he? All he needs to do is to say, "Okay, I've got the Oshman property under agreement, I'm going to buy it, I'm going to put one market -- I'm going to use the existing building as market unit. I'm going to make a deal, you know, to permit the five units on the other parcel on the Oshman property. Meanwhile, if I can get the Pennekeese house in Woods Hole, I'm going to develop that myself." Or if the -- if the Pennekeese deal will go through anyway, he just puts his five units there, Oshman goes out to maybe a 40B. Who knows?

But you know, he's not talking about fair play unless we're talking about fair play. So, I think what we need to do is we need to realize that both of these aren't necessarily going to happen if we don't put this into conservation right now, or we don't authorize the Selectmen to do that.

Because if we give any indication to Mr. Wise that we might do something else, and not engage in fair play, well, then he doesn't have to engage in fair play and we might wind up with only the Webster Woods property. Yeah, without any in the village affordable units, which are very important, and at the same token -- by the same token we would have needlessly ruined what is a portion of what is otherwise a pristine woodland that is of very valuable historical and ecological significance.

So, I think we ought to go forward with this. We ought to go forward with indefinite postponement on Article 41, and let's get the affordable housing built according to the plan that's on the table. Thank you.

THE MODERATOR: Mr. Martin in the back was next on my list. And then the gentleman in the center in the back will be after Mr. Martin.

MR. MARTIN: Thank you, Mr. Moderator. Craig A. Martin, Precinct 9. I truly wanted to like this article when it first came out. I tried, and I thought I was sold on it. But more recent information, especially information that the moderator presented to us tonight, has changed my mind. And as the Town Meeting Member across the aisle had mentioned

just a little bit ago, there is no reason why we can't say indefinite postponement to both. And I think that is the wise way to go, for several reasons.

It disturbs me that -- I've just learned the difference tonight between "authorize" and "compel". I suspected that when we're making an agreement for the 75 percent it was done. It bothers me that no, that's still up to choice after we have that vote -- after we have that vote.

Another factor that bothers me is that if perchance Mr. Wise's proposal didn't come through, although it certainly looks like it's going to, and I predict it will -- but if it didn't, we -- according to the article, the Selectman will rescind the 75 percent conservation restriction, but they're not going to rescind the three acres half, and this was negotiated between parties in good faith. That 75 acres -- that 75 percent was always going with the three acres. It didn't -- it wasn't an opportunity to pick and choose.

A major factor that I've recently learned, and I learned it from a letter to the local paper there, the Falmouth Enterprise, and the author was a long-time former Planning Board member, Ms. Janet Hand, explained the complications with this article in that this article refers to a fire station parcel, but she's learned that there is no fire station parcel.

What are we adding those three acres to? It just seems to be so haphazard, the thought of passing this article. If there is no lot lines to the fire station -- I've seen Town Meeting be so diligent and vigilant when they're doing land deals, and to assign three acres to nothing, being that

there are no lot lines, just seems so careless.

So, I'm hoping that we can go indefinite postponement, and I'd prefer that if it comes back down the road -- the option comes up back down the road, that we actually have an idea for the municipal use.

There's no reason why we have to get this done tonight. It seems to me like people are afraid Webster Woods is going to vaporize if the decision isn't made tonight. Or perhaps maybe CVS or a Walgreens is going to come up and take it from us.

No, it's always been there and I predict we're going to protect it and it always will be. Do we have a real choice for it? And I'm certainly going to -- when I have an opportunity, to have a couple more reasons why I don't believe Article 41 should pass tonight, either.

THE MODERATOR: Okay. The gentleman in the center in the back.

MR. FINNERAN: Hi, my name is Mark Finneran, from Precinct 6. First off, to address Mr. Latimer's last statement, Mr. Wise's funding on that is contingent on him getting his permitting for the Nautilus. If the Nautilus doesn't go through, nothing goes through. So, I don't really think that had a great deal of bearing on it.

And then on this -- I hear people say that 15 units is a fair alternative, when Woods Hole's allotment of affordable housing should be 135 units. I think that if you develop the 15 units on Webster Woods, as well, and they still get 70 percent of Webster Woods under conservation

restriction, I think that's more than fair.

The opposition to the affordable housing has been loud and constant, but the opposition to the Town taking the land for their personal use has been nonexistent. I really don't understand that.

And also, the 300 Committee, isn't that kind of redundant? Don't they have like 1300 acres now? I mean aren't they as much of a competitor for this affordable housing land as anybody else?

And just finally, as my own statement, I think that everyone should take off their Woods Hole hates and put on their Falmouth hats and, on of the sake of fairness and equity, vote this down and vote 41 up. That's all. Thank you.

THE MODERATOR: Okay. Mr. Putnam, next on the list.

MR. PUTNAM: Brent Putnam, Precinct 9. Were it not for Mr. Netto's eloquent speech, I probably wouldn't be standing here. I would prefer to argue in favor of something, as opposed to argue against something. But I think there's some clarification that needs to be had here. A lot of statements have been made about what Webster Woods is, 419 Woods Hole, and what it represents.

When I was campaigning earlier this spring for the office of Selectman, I was going door to door in Woods Hole and talked at length with one gentleman who said that Webster Woods is our cranberry bogs. And I can empathize with that, as you all know.

The reality is that whether 37 or 41 or both pass, we are going

to be setting aside no less than 70 percent of this parcel. And the reason why, and it hasn't been said tonight but I'm sure you've all heard it by now, for the edification of the folks at home, box turtles were found here. They are considered a threatened species. And so the state has said whatever happens to this parcel, no more than 70 percent can be -- or excuse me, no more than 30 percent can be developed. 70 percent must remain protected as habitat. So, consider that, please.

It's the reason why the fire station in part hasn't been carved out, to answer that question. Because to do so would reduce the overall acreage here and that's why we're also not talking about taking a parcel and carving it out for municipal purposes or for affordable housing or both, is because by doing that we're playing with that 70 percent number. Then every parcel that we carve out of here, 70 percent of that parcel would have to be set aside as habitat. So, it's all going to remain as one parcel.

The conservation restriction would be placed here to protect that 70 percent. So, when we talk about developing Webster Woods, remember that no matter what happens here, 70 percent of it at a minimum will always remain protected.

In any case, whether we pass 37, 41 or both, more than 70 percent will be protected. In each case I think -- and there was an amendment that was passed out last night with respect to 41, and in each case we're looking at perhaps three acres which may be developed. 37 or 41, three acres may be developed, and that's another important point to

remember here, folks, because as was said tonight and as was clarified, municipal use can include affordable housing. And this is where I'm going to advocate for something and I'm going to say yes, we should do both.

Because the reality is is that if we're going to set aside three acres for development at some point in the future, why not use that three acres or some portion thereof -- I don't think we need all three acres for the affordable housing plans and we'll probably see that when 41 comes up. But let's use it now for affordable housing.

Selectman Murphy said at a joint meeting a few weeks back that we don't have an open space crisis in this town, we have an affordable housing crisis. And indeed we do. Some parts of town have no affordable units; and Woods Hole is not the only one, folks. The reality is is that housing on Cape Cod is very expensive. It hits home for me, because when I first tried to buy a house, I actually applied for one of those homes, my wife and I, on Teaticket, right across from the Teaticket Elementary School, the first 40B development in the Town of Falmouth. We literally won the lottery and we got one of the houses. But I had so many student loans and I was still in school at the time that we couldn't afford the mortgage. Which is another point I'd like you all to remember, that when we talk about affordable housing, we're not talking about welfare. We're talking about giving people the opportunity to buy or to live in housing at a rate that they can afford.

The people who buy an affordable house have to afford a

mortgage like you and I do. The only benefit that they get is that because they may only make -- or as the rules say they must make less than 80 percent of the median income on Cape Cod, the benefit is that they get to buy it at a reduced rate.

We were able a few years later to build a house in Seacoast Shores, another area that at one point was affordable in Falmouth, and we had an \$80,000 mortgage. I don't know too many people who could get an \$80,000 mortgage these days.

There is a 32-acre parcel and you can see it on this map. It's immediately adjacent to 419 and north of it. 32 acres. So, when we talk about preserving a beach forest, folks, there's a parcel right there that perhaps the 300 Committee could look into purchasing.

But again, remember, we're only going to develop three acres at 419 Woods Hole, whether 37 passes or whether 41 passes or whether they both pass. Remember we have a crisis of affordable housing here.

This parcel was never donated to the Town for open space. It was donated for municipal development, for a school. And when we found we did not need a school in this part of town, we asked for the restriction to be lifted and we were able to put a fire station or some other municipal use there. And because we have a crisis of affordable housing we need to be focusing on that issue right now. And I think it is very important that we do both.

I would also remind you that while I very much appreciate

what Mr. Wise is trying to do, there are a lot of conditions to get us there. And I have a copy of the purchase and sale for the Pennekeese property here. And in addition to Mr. Wise having to get his permits for the Nautilus, before the Pennekeese property can be turned into affordable housing, it is currently a dormitory for the Woods Hole Oceanographic Institution. And in this purchase and sale, it says that they must find and build a dormitory to replace that.

And so before Mr. Wise could take possession of the Pennekeese property, we have to see a dormitory built for WHOI. And in here it says they have to get their permits and their financing and it has to be constructed. And oh, by the way, if there is not sufficient community support -- and I quote this -- if there is not sufficient community support for its construction of such housing, they don't have to sell Pennekeese to Mr. Wise.

There are a lot of convoluted conditions and dependencies to make the Oshman Way idea work. And it's a wonderful concept, and I do not want to shoot that down. Like I said, I'm not standing here to argue against something. I want to argue for something.

But if we're going to sit here and talk about either/or, the reality is the road is a lot smoother on 419. And the terrain is, too, right around the fire station.

I walked that property just this past Sunday, because somebody said if you're going to make a decision here, you should be

walking it, so I did. And we could put affordable housing near the fire station.

It's relatively level right there. In other parts of the property, it is convoluted. It is a beautiful piece of property, it really is. But again, we're going to be developing three acres anyway, so let's use it for affordable housing. Thank you for your time.

THE MODERATOR: Okay. We're rounding out on an hour here. I do have a list. I'm going to ask speakers to: anything new. Anything new. Mr. Young. Mr. Young, something new?

MR. YOUNG: I'll be brief. Ms. Peterson said that we could develop these 15 acres. That we own it. We do own it. And we own it because Mrs. Webster gave us that property. That was I think her intention to give us as open space with the possibility of building a small village school, as Brent said. The school isn't needed. Open space should be honored in her bequest to the Town and I think that should be left as an open space area with a conservation restriction and the three acres of possible municipal use next to the fire station.

THE MODERATOR: Okay. Mr. Netto, Mike Netto, anything new?

MR. NETTO: Mike Netto, Precinct 9. I urge you to defeat this article and pass 41 for the simple fact that I feel much more comfortable as a Falmouth taxpayer developing Town-owned land. Everything's up front. We know what's black and we know what's white.

I don't feel comfortable at all getting involved in side deals with private developers on private parcels. Thank you.

THE MODERATOR: Mr. Murphy. Kevin Murphy.

MR. MURPHY: Yes, Mr. Moderator. I just need to clarify a couple of issues before we move on. One issue was in fact, as Brent had said, that only 70 percent of that parcel could potentially be developed. So, when you speak that we're only taking three acres out, that is about the maximum amount that we could ever develop on that property.

Another issue that came up is why -- why don't we have specifics on where the municipal purposes would be? You know, the devil is in the detail, folks. We bought the golf course. It was one of the major capital projects in this community. It took us three years after we bought it to specifically define where the conservation restriction was going to be on the property and where we were going to need to expand the clubhouse or keep property for our municipal use.

Two other issues. One issue is that Mr. Putnam said that there were some contingencies involved with the sale on the Pennekeese house. That's correct. And that's why you need the public will down there, and the will of the community, to make sure that the Oshman project and the Pennekeese project move forward.

Again, if you don't give them a carrot at the end, that's what I say to you, that's why you can't have both. Because there won't be any public will, there won't be any drive to have both projects.

As Mr. Putnam said, there is in fact some contingencies on there. And all of those folks in Woods Hole are embracing this project and this solution, why? Why would WHOI want to give up a dormitory? They want to give it up because they want to provide an opportunity for a solution to a problem. We're not looking at the trees in the forest. And that's what it is.

Will that go away? There are a lot of contingencies. If you're not going to give them the conservation restriction or the potential for it, where is the drive left to come up with an alternative? It no longer is an alternative, is it?

I will make one last question, or one last statement to this group. You know the statement that you come out with that, you know, Town Meeting needs to decide, I will agree that it doesn't spell out what the Board of Selectmen has to do and what they can't do. That's just not the way democracy works. But I don't know -- you know, there are a lot of things that happened during the cranberry bog situations that the Board of Selectmen was instructed. And again, they cannot force anyone. And reluctantly, I voted for those, many of those situations, because that was the will of this body.

I take exception that you don't trust your Board of Selectmen. If you don't trust them, vote them out. You have that opportunity. Because I will tell you that, you know, coming down the line, you know, as we move forward, you know, the Board of Selectmen answers to you folks, not only

as Town Meeting, but as to the voters. And I would hope that you would understand that we wouldn't violate that trust. At least I know that I wouldn't violate that trust. And I surely know the folks that I serve with wouldn't do that. So, I'm not going to belabor this. Please pass this article as printed.

THE MODERATOR: Ms. Grant.

MS. GRANT: Lynn Grant Major, Precinct 5. Got that in. I'd -- like Mrs. Peterson, I don't like to speak at Town Meeting much, but -- and it's not that I don't trust the Selectman, but we're voting on an article based on something, and in neither article is Oshman mentioned or the Nautilus or Pennekeese. There's all these options on the table, but we're voting for something that doesn't even have those words in them. So, that kind of bothers me a little bit.

THE MODERATOR: Okay. Mr. Martinho, something new? Go ahead.

MR. MARTINHO: Joseph Martinho, Precinct 9. Also the President of the Falmouth Housing Trust.

Basically, I just want to say as the President of the Falmouth Housing Trust, I can't support something that does not include affordable housing. Municipal use does include affordable housing, and if there was some kind of guarantee that that municipal use could be used towards affordable housing, then I would say fine, we move on with this.

As far as the location goes, that was brought up earlier.

Whether that location -- whatever location is best suited for affordable housing, well, that's where it should be built anyways. Let's face it. We have a lot of need for affordable housing. We need to move forward in getting as much affordable housing throughout the Town of Falmouth. That's our primary purpose. And I'd like to see us do that.

Whether you vote for this one or against this one, you have to make that conscious decision. Are you voting against affordable housing? Because to have affordable housing on 419 Woods Hole Road and have affordable housing at Oshman Way and have affordable housing in other locations at that end of town will benefit the Town of Falmouth. And that goes on to say in other areas of the town.

So, whatever we can do to move affordable housing forward is very, very important. Number one. And last, because I don't want to belabor this, but for us to just turn around and not look at the big picture of all of this is not good. For us not to have more land available to us, like Town-owned land that, let's face it, Mr. Murray brought up the factor that free, free means something. In building affordable homes, it needs to be as cheap as possible. It doesn't get any cheaper than free. And that's what it's all about, in order to keep those costs down. Thank you.

THE MODERATOR: Okay. Mr. Murphy, Carey Murphy. Something new?

MR. MURPHY: Carey Murphy, Precinct 7. Everybody in this room knows where I stand on this project. I was the lone Selectman at the

Morris Pond vote that wanted to move this forward, and basically I wanted to move this forward at that time because I believed that that extensive process that was put together with the \$40,000 in CPC funds was -- with the extraordinary public outreach was going to satisfy both quotients. And I've talked to Leonard Johnson and Margaret Huff-Russell on this issue, where we are going to create needed affordable housing and we are going to put land into conservation restriction, which currently doesn't enjoy it. All of that has been said.

But I'll be brief. You know, WHOI has an inventory of their own apartments and they have an inventory of housing that they use now. They don't need to be doing what they're doing, and even though it's nice that they are engaged in this issue, and it's -- the other issue is Mr. Wise. If he wasn't doing the Nautilus project, where would we find the kind of mitigation that he is seeking through the Cape Cod Commission permitting process to do this would be interesting.

I believe that, in closing, that I think this should be in addition to -- and I applaud Kevin Murphy and the others for looking at the Oshman property, but that should be in addition to and not a substitute for this project.

You know, affordable housing is a basic human right. In our community, we should exercise that human right and extend to people who want to live in Woods Hole or want to live in North Falmouth or West Falmouth and Hatchville and East Falmouth, that basic human right of

affordable housing.

And I would ask the Town Meeting vote down this article and vote up Article 41, because I believe that we're smarter than that and we should be extending them that basic human right of affordable housing and putting a roof over someone's house and giving them an opportunity to invest in all parts of this community.

So, I would ask that we defeat this article and move to 41 and pass it. Thank you.

THE MODERATOR: Okay. Mr. Dufresne, anything new? No, okay. Then Ms. O'Connell. Ms. O'Connell.

FROM THE FLOOR: Question, question.

MS. O'CONNELL: Maureen O'Connell, Precinct 4. Very briefly, I think we're -- I'm not comfortable with language such as public support for dorms and with the Pennekeese purchase and sale agreement. That's not the kind of language that anyone who's -- well, I wouldn't sign that contract.

And this, Mr. Murphy, I don't think is really about trusting the Selectmen as kind of a separation of powers, Legislative Branch, Executive Branch; we decide, you execute.

And thirdly, for the point of clarification, as someone pointed out or it's been pointed several times, this is one lot with no parcels divided upon it. Is there any chance that the fire house already developed, that area of the parcel already developed could be considered as part of the

three acres down the road so they say, "Wait a minute, you've already got, you know, one acre here as a fire department. There's no line around -- there's no lot line around it." So, would there be any chance that that would be counted against a possible development and part of the three acres permissible? Maybe Mr. Duffy through you, Mr. Moderator, or --

THE MODERATOR: Mr. Duffy.

MS. O'CONNELL: I mean could someone construe that the --

MR. DUFFY: I think the intent is to create three acres in addition to what is currently in use as the fire station.

MS. O'CONNELL: Well, that might be the intent, but could a case be made if we're only permitted to develop three acres on this plot of land, could someone say wait, there's already been a municipal development in the footprint of this acreage?

MR. DUFFY: Well, someone could always say it, but I think we're going to wind up with four acres.

MS. O'CONNELL: Then I would say we should wait on this article and vote against it at this time.

THE MODERATOR: Okay, Mr. McNamara, is --

MS. O'CONNELL: Thank you.

THE MODERATOR: -- there something new? Mr. McNamara?

MR. MCNAMARA: Matt McNamara, Precinct 7. Mr. Moderator, I move to place this article on the table and take up Article 41

out of order.

THE MODERATOR: Okay.

FROM THE FLOOR: No, no. Question.

THE MODERATOR: We've got a question to lay this article on the table and move on to Article 41. The question to lay on the table requires a two-thirds vote.

All those in favor of tabling this motion, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: It's the opinion of the Chair that the No's have it. Mr. Pinto. Next on my list.

MR. PINTO: Greg Pinto, Precinct 3.

THE MODERATOR: Something new, Mr. Pinto.

MR. PINTO: Ladies and gentlemen, this is my riding crop. It's now in my pocket, because this horse is dead. Let's take a vote.

THE MODERATOR: The question will come on the question: closing discussion on Article 37.

All those in favor of closing discussion, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: The opinion of the Chair is that the Ayes

have it by the necessary two-thirds and the question will come on the main motion, Article 37, to authorize the Board of Selectmen to grant the conservation restriction. This is as-printed. This requires a two-thirds vote.

All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

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

[Pause.]

THE MODERATOR: In the third division, Mrs. -- the first division, Mrs. Tashiro?

MRS. TASHIRO: 13.

THE MODERATOR: 13, okay.

In the second division, Mr. Dufresne.

MR. DUFRESNE: 45.

THE MODERATOR: 45.

And in the third division, Mr. Hampson.

MR. HAMPSON: 31.

THE MODERATOR: 31.

All those opposed, signify by standing and the tellers will return the count.

[Pause.]

THE MODERATOR: In the third division, Mr. Hampson?

MR. HAMPSON: 28.

THE MODERATOR: 28.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 34.

THE MODERATOR: 34.

And in the first division, Mrs. Tashiro?

MRS. TASHIRO: 42.

THE MODERATOR: 42?

By a counted vote of 89 in favor and 104 opposed, the article does not pass.

Article 39. Article 39 was held by Ms. Fenwick. Mr. Chairman of the Board of Selectmen for the main motion.

CHAIRMAN MUSTAFA: Leslie, believe me when I say, Mr. Moderator, I respectfully request that the Town vote Article 39 as printed in the warrant.

THE MODERATOR: Okay. Article 39, the main motion is as printed. This is dealing with the Code of Falmouth for obstructions at intersections. Ms. Fenwick.

MS. FENWICK: Judy Fenwick, Precinct 1. I did some homework about this article because no one was present at our precinct meeting to answer questions, and I can't support the article as printed, but

I'm not offering an amendment.

Instead, I'd like to raise some questions that if answered would possibly yield a better article.

I understand that development within the town has caused some growing pains, especially at corners and intersections. The Town codes current Chapter 199 Article Roman Numeral II is called Obstructions at Intersections and it was adopted in 1963 and hasn't been changed since then.

It has three parts. And what you have in front of you in your Town Meeting article warrant book is a substantive revision of Section 199-2. It's on trimming or removal of obstructions. And what you have before you expands the process for trimming, altering, removing and moving of an expanded list of things that may obstruct views.

Are there dangerous intersections in Falmouth that this more aggressive proposal would improve? I say yes, there are. In fact, we know of one instance. But they aren't covering in this process that's laid out in the revised article the attempt to remove hazards to vehicular or pedestrian traffic, and I want to take you through a couple of examples of what I consider dangerous intersections in Falmouth.

If you come out of Town Hall Square and take a left turn onto Main Street, can you see traffic that's coming to your left? I suspect you can't. If you take a right or left turn out of the Shore Street Extension onto Katherine Lee Bates Road, can you see traffic coming from your left? I

suspect you can't.

And if you take a right or a left turn out of Post Office Drive onto Main Street, can you see traffic that's coming to your left? If there are cars parked on any of those corners, you cannot see traffic. And vehicles that are in parking places -- would parking places be removed from where they obstruct a sight line?

There are two other sections to this article, 199-3, which lays out dimensions of unobstructed views, and 199-4, which is the Exceptions section that states that trunks of trees shall not be considered as obstructions.

Now, neither of these two sections are referenced in the proposal that you have, but instead it negates both of them.

I do have concerns about corners and intersections in historic districts that don't appear to have any protection under this revised code. And there's a statement in the proposed article that states, quote, that the view shall be unobstructed within an area known as a site triangle that conforms to the standards of the 2006 Massachusetts Highway Department Project Development and Design Code.

Now, I can't envision the extent of possible clear-cutting of corners that Subsection 1 and 2 would entail, and that gives you some very specific language on site lines.

Our residential and village corners, highway department projects, I'm just very concerned about the heavy-handedness, you know, the chainsaw

approach.

So, although I'm not objecting to what's here, I just think there are some things that are not mentioned that could result in a very substantial change in the character, especially of residential corners and intersections.

So, that's why I would say not to support this article and ask it come back with some clearer language. Thank you.

THE MODERATOR: Okay. Further discussion on Article 39?
Ms. Shephard.

MS. SHEPHARD: Susan Shephard, Precinct 1. My first question when I read this article was how many corners in town, how many obstructions do we have in mind to be addressed by this? I think before I would support this article, I would want to know, you know, are we talking about half a dozen, are we talking about 20, are we talking about 300? I think we need to know that. And I share a lot of Judy's concerns.

THE MODERATOR: Okay. Who can answer the question about the corners? Mr. Latimer, are you going to answer the question? Okay, well.

Mr. McConnarty [sp?].

MR. MCCONNARTY: Thank you, Mr. Moderator. My name is Peter McConnarty. I work with the Town of Falmouth Engineering Department.

I'm going to step back and take a basic look at the revision to

this article. It's an engineering look and a personal safety look.

Basically, the existing article, as it is right now, it deals with geometry of the roadway. The way the roadway comes together at intersections could be 90 degrees, 60 degrees, 30 degrees perpendicular. They don't really have too much -- we don't really have -- it doesn't deal with too many intersections as it is written in town. The edited version is based upon the posted speed limits of the roadway, and all the reference to speed limits refer to the 2006 Massachusetts Highway Guide Design Recommendations.

This article has already been through -- the Town Engineer has reviewed it, members of the police station, the Traffic Advisory Committee has looked into it for applicability and to form. And the primary purpose of this revision is for public safety. What -- and it is stated in the article is that affected abutters will be notified and will have a chance to speak about this in an open hearing.

And as Ms. Fenwick said, this is -- this article was passed in 1962. It is an old article. We're talking 45, 47 years, and it did need some revising. And basically what happens in the Town is that we have a lot of complaints that come into the engineering department and DPW. And basically what happens is the engineering department will come out and review the site intersection. And the first thing we're looking at is we work from the center of the street outwards. We're looking for maybe -- see how we can do with signage, additional signage, traffic markings. We're not

looking to clear-cut -- the intention of this article is not looking to come in and to clear-cut someone's property. Not only would that create a -- it wouldn't be too good for the -- let's say it just wouldn't be too good for the property owner, but it would also take away from the aesthetics of the roadway, and we're not looking to do that.

The primary purpose of this article would just be to -- is for public safety. And I do not have a list of current intersections in town that - - that goes with the town. We do have them come into the engineering office and the Department of Public Works.

So, I would like to see that this article is voted on as written, please. Thank you.

THE MODERATOR: Mr. Latimer, then Mr. Herbst.

MR. LATIMER: Thank you. Richard Latimer, Precinct 2. I'll be real quick. I'm a personal injury lawyer. Auto accidents are a big part of my business. So, if you want to help maintain my income, please vote this article down. Otherwise --

[Laughter.]

THE MODERATOR: Okay. Mr. Herbst?

MR. HERBST: That's hard to beat. Ralph Herbst, Precinct 8, also a member of the Planning Board. I just wondered is the use of convex mirrors considered at all? As a member of the Planning Board, I have suggested that when we have certain intersections the use of convex mirrors can help with the visibility of people entering intersections without

cutting down trees and shrubs. I just wondered if the use of convex mirrors was considered.

THE MODERATOR: Anyone from engineering want to address that? Go ahead, Mr. Hampson.

MR. HAMPSON: Mr. Moderator, I'd like to continue Town Meeting past 11 o'clock so we can finish?

THE MODERATOR: Okay. There's a motion to stay after 11:00. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The opinion of the Chair is that the Ayes have it unanimously.

Do we have an answer to the mirror question? Mr. McConnarty.

MR. MCCONNARTY: Yes, convex mirrors were not -- were not looked at under this existing article. It is an option that can be taken, and I do want to let the Town Meeting and the people in the room here tonight know that it is not for clear-cutting property and it is not looking for cutting trees down. It is basically if you are at an intersection and you're at a stop line, a driver's eye above the ground is 42 inches, and for a vehicle - for a truck, the eye above the ground would be seven foot six inches.

So, in the area of three foot six and seven foot six is the area

that we would be looking at for opening up so you could see obstructions and opening up the roadway for site distance. Thank you.

THE MODERATOR: Okay. Mr. Pinto.

MR. PINTO: Greg Pinto, Precinct 3. I have two questions on this. Number one, if -- I sympathize with the engineering department. I know what they're trying to get at here, but it does specifically say here, you know, the Town Engineer and Chief of Police would jointly determine that the view was obstructed by a hedge, trees, brush, fence or similar unnatural growth.

I don't see a fence as a natural growth, but what do I know?

If a tree is determined to be an obstruction, does the tree warden have a say in whether or not that tree comes down? Question number one.

Question number two: is the DPW being asked to do that work?

THE MODERATOR: Mr. McConnarty.

MR. MCCONNARTY: Answer to the question number one as far as trees, yes, the three warden would be consulted if it is a large tree or [inaudible] tree.

And answer to the Department of Public Works will work with the affected abutter owners to work out the situation and clear the street intersection. Thank you.

THE MODERATOR: Any further discussion on Article 39?

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

All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

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

[Pause.]

THE MODERATOR: In the third division, Mr. Hampson?

MR. HAMPSON: 32.

THE MODERATOR: 32.

In the first division, Mrs. Tashiro?

MRS. TASHIRO: 39.

THE MODERATOR: 39.

In the second division, Mr. Dufresne?

MR. DUFRESNE: 54.

THE MODERATOR: 54.

All those opposed, signify by standing and the tellers return a
count.

[Pause.]

THE MODERATOR: First division, Mrs. Tashiro?

MRS. TASHIRO: 11.

THE MODERATOR: In the second division, Mr. Dufresne?

MR. DUFRESNE: 28.

THE MODERATOR: 28.

And in the third division, Mr. Hampson?

MR. HAMPSON: 27.

THE MODERATOR: 27?

MR. HAMPSON: Yeah.

THE MODERATOR: Okay. By a counted vote of 125 in favor and 66 opposed, the article passes.

Article 41, the recommendation of the Board of Selectmen is indefinite postponement. We're looking for a positive motion on the floor.

MS. THOMPSON: Good evening. Diane Thompson, Precinct 2. I would like to put a positive motion on the floor by asking Town Meeting to adopt Article 41 as printed with the exception that 12 acres be placed under a conservation restriction instead of 13 acres.

THE MODERATOR: Okay. So, the main motion is as printed except for we're switching the acreage.

MS. THOMPSON: Yes.

THE MODERATOR: That's the main motion. Go ahead.

MR. GALASSO: Good evening. I'm Michael Galasso, Precinct 1, and I'd like to introduce Trish Hurley, who is a recipient of an affordable home here in Falmouth. Trish.

MS. HURLEY: Thank you, Michael. Thank you for lending me your ears tonight and I'm here really to put a face to what really

affordable housing means in a less than abstract way. And I won't go into the reason I ended up in affordable housing. It's more or less the when bad things happen to good people story, and that happens to a lot of people in our community. But this community really came forward to help my family.

I'm a single mom with three children and the neighborhood that I am living in is a neighborhood of what I would call worker bees. People get up in the morning and they go out to work. Many work more than one job. Often their children are getting up and if they're not in school they are working, as well.

In my neighborhood, it is -- all of the people in the neighborhood are people that you are in touch with every day. We have lab technicians at Falmouth Hospital. We have several teachers. We have auto mechanics in many of the auto shops in town. We have waitresses. And we have people who work at the fisheries in Woods Hole.

So, I love my neighborhood. It is a very diverse group of people. We celebrate birthdays and anniversaries and children's graduations, just like other neighborhoods in this town.

So, really what you're voting for tonight is really an investment in your community, because my neighborhood is full of people who are going to help this community to be a better place.

I am also concerned for the children that we are raising so well in this town, and many of my children's friends are off in college or have

just returned from graduation and they are going to be the teachers, the social workers, the artists, the musicians. And they came from this community and they would like to come back, and they would like to give back.

And when you create a place where there are affordable apartments and homes for them to start off their life in a way that they can afford, you are helping and investing in this community so that all that you put into raising these wonderful, creative people is going to come back.

So, I really implore you to look at these options and move on voting for more affordable housing wherever we can come up with it in this community. I think that you will realize the investment that you are making and it will come back to this community threefold.

So, I thank you for helping my family and I know that there are so many others out there that need the same help and they will in turn give back to this community and we'll all be better off for it. Thank you.

MR. GALASSO: Thank you, Trish. Again, I'm Michael Galasso with Precinct 1 and I'm one of the petitioners of this article. And for those of you who may not know me, I grew up here in Falmouth. My family owns that little house on the corner as you drive into the Lawrence School, and over the last 20 years I've been developing, owning and managing affordable housing units. We've built over 1200 units in that 20-year period.

I currently work part-time over on the Vineyard administering a

program for nonprofit that provides no interest and no payment loans to people in Oaks Bluff and Vineyard Haven to help them renovate their homes. And it's a program that with the help of the Town Manager here and the Assistant Town Manager and the Selectmen, we're hoping to bring to Falmouth, too.

So, we are here tonight, as Trish said, in support of all those single moms who may not -- who have to decide whether or not they have enough money to pay the rent or to put food on their table for their children. That's what Article 41 is about.

It's about those people who are working tonight at Paul's Pizza, if it's still open, the 99, Dunkin' Donuts, Stop & Shop, the Falmouth Hospital. It's for all those teachers and construction workers, the carpenters, the painters, the landscapers, who will get up tomorrow morning, mow our lawns, paint our houses, deliver our papers, make our coffee, take care of our children. And for our seniors, too; many are on fixed income. That's why we're here tonight, for all these hardworking low and middle-waged earners in our community. So, let's begin.

It's Affordable Work Force Housing for our community. Many of you are familiar with the site now. I don't want to repeat a lot of things that you heard under Article 37. But you noticed the site and the large amount of green space and undeveloped land that's still around the property, it's the Woods Hole golf course, there's also the ball park in Woods Hole, too. Diane.

MS. THOMPSON: As many people know, I was the former chair of the 419 Woods Hole Road Subcommittee. I was the chair of the Affordable Housing Committee, and now I'm an active member of the Affordable Housing Committee, but I am also speaking to you tonight as one of the petitioners.

I think it's very important for Town Meeting to know some of the history as it relates to Article 41. And given the lateness, I will skim over some of what you see on the slide before you.

But it's very important to keep in mind we've heard different comments about how the Town received this particular piece of property. In 1970, the Trustees of the Will of Edwin S. Webster gifted to the Town 16.2 acres at 419 Woods Hole Road for the purpose of constructing a school. It was not gifted to the Town of Falmouth as open space.

In 1974, the Webster Family Trustees executed a release of restrictions on the property. That permitted the Town of Falmouth to construct the Woods Hole Fire Station, and at the same time it transferred the jurisdiction of the property from the School Committee to the Board of Selectmen.

This whole process started in September of 2003 when the School Committee met with the Board of Selectmen to talk about developing affordable housing on 419 Woods Hole Road. The Town Administration contacted many of its department heads who deal with land use to see if anything came out that would indicate that construction of

affordable housing on this site would not be proper. Nothing came back.

The Board of Selectmen and the School Committee jointly agreed to move forward with a further analysis of what could be done on this particular piece of property. And in November of 2003, the Board of Selectmen asked the Affordable Housing Task Force, which is now the Affordable Housing Committee, to conduct a study -- a feasibility study on the property to see if affordable housing could be constructed.

The Affordable Housing Task Force created the 419 Woods Hole Road Subcommittee. It wanted involvement from the community and there were residents from the Woods Hole village, two members from the School Department and there were three members from the task force that made up this committee.

Early on, in July of 2004, the subcommittee had a report from the 300 Committee. It was titled, "Evaluation of Natural Resources of Webster Woods." It was shortly after receiving that report that the subcommittee voted to consider developing only a portion of this property for affordable housing. Many of us saw this as a perfect opportunity for the open space community and the Development of Affordable Housing Committee to partner and to work hand in hand.

And I said this sort of kiddingly at some of the precinct meetings, I think open space proponents went out in this deal. We're looking at three acres of land that could be developed and 12 acres of open space that would be set aside.

In April of 2006, that's when Town Meeting authorized the expenditure of \$40,000 from CPA funds so that the Woods Hole Road Subcommittee could hire an engineer to further conduct its analysis on a portion of the property. And it was in mid 2006, after receiving that money, that the Horsley Witten Group was hired.

MR. GALASSO: So, after many meetings the subcommittee came up with five different scenarios, and they found that the property could accommodate up to 26 units on five acres. Five different scenarios were developed, and the subcommittee actually came up with design guidelines so if a project did proceed in the future on the property, that there would be design guidelines that would include green design features, solar panels, so that the project would be sustainable from the ground up.

Here are four of the concepts that were debated and looked at. And you can see that some of the concepts also include access that comes close to the Fire Department and the Fire Department at that time thought that it was probably not a good idea, that there would be some conflict there.

So, the concept that was chosen was Concept Number 4. And one of the interesting things about Concept Number 4 is that only 14 large dimensional trees, those were trees greater than 18 inches, only 14 trees would need to be removed in order to implement Concept Number 4. And so that was a big -- one of the reasons why that concept was chosen. So, we're talking about preserving everything except for 14 trees that are

greater than 18 inches.

Well, one other point, too, I'd like to make, is that 419 is not in a Water Resource Protection District or a Coastal Pond Overlay District.

That's one of the benefits of this property.

MS. THOMPSON: After the completion of the Horsley Witten studies, the 419 Woods Hole Road Committee -- Subcommittee made a recommendation to the Affordable Housing Committee. And, shortly thereafter, the Affordable Housing Committee took a vote and made its recommendation to the Board of Selectmen in January of 2008.

At that time, the Selectman asked the Affordable Housing Committee to wait to -- the recommendation to the Board of Selectmen in January was that two articles be placed on the warrant very similar to what you see here tonight. As I said, the Selectmen asked the Affordable Housing Committee to wait until this Town Meeting, November 2008 Town Meeting, so that other options could be explored.

The Affordable Housing Committee waited, and you may recall I made a statement at April 2008 Town Meeting. We noted and basically stated that the Affordable Housing Committee noted to Town Meeting that certainly it would respect the wishes of the Board of Selectmen and wait until November 2008 Town Meeting, but we noted that more affordable housing is needed than what is proposed at 419 Woods Hole Road.

In the spring/summer of 2008, the informal group met, as you

heard reports of. In August of 2008, early August, by letter to the Board of Selectmen, the Affordable Housing Committee asked to meet with the Board of Selectmen so that we could discuss how we would be moving forward with the Affordable Housing Committee's recommendations, the recommendations that the Selectmen heard back in January.

A meeting never took place, so the Affordable Housing Committee as individuals and other concerned members in the community submitted a petitioner's article for this Town Meeting.

MR. GALASSO: Just a couple more slides and we can wrap up. This is a very interesting chart. This is a chart that shows the number of housing units in each one of the districts in town, and the number of affordable units that are in each district. And you know, we agreed, this is not an issue of one part of town versus another. But really it's about building affordable housing for the folks who need it.

So, this is a chart that shows you. And Bob, if you'd go to the next slide, we've put together a little map that you can see where the affordable housing is currently located in Falmouth, you know, from the left-hand corner where Woods Hole is all the way up to, you know, to Hatchville. So, that just gives you an idea where it is currently all located.

Next slide, please. Now the Town and the Selectmen, the Planning Committee, recently adopted the Affordable Housing Production Plan. And it has been mentioned here earlier tonight, we've heard the number 72 or 73, those are the number of units that we need to produce

each year annually. And by doing that, one of the positive aspects of doing that, besides providing all that housing, is that any year that we produce that number of housing units, we do not have to accept any 40Bs.

So, it's a good incentive for us to try every year, and I know how tough it will be, but to try every year to try to reach that goal of 72 units.

Next slide, please, Bob. So, 72 is the number and in 2008 we didn't do any. So, we really have our work cut out for us.

So, you know, we live in a great community. Falmouth is a great town. The Land Bank, the 300 Committee, and the CPC have all done a great job conserving and acquiring open space in Falmouth. Now we need to turn our attention -- our energy, our resources and our commitment to today's pressing issue: developing, acquiring and renovating more affordable housing.

Tonight you can send a message to the youth of our community. Tell them you can have both in Falmouth, ample open space to enjoy and affordable work force housing. Tell them to stay here in Falmouth and we will help them achieve their goals, help them achieve their dreams. To our senior citizens and our workers, we appreciate all the hard work that you have done, and we're here to support you.

That's the message you can send by voting yes on 41 tonight. 15 units of affordable housing, 12 acres, conservation, now? Creates jobs for our construction industry. This project will probably cost somewhere around three million dollars to construct. That's a lot of jobs for our

construction industry. So, this is not just about housing, but it's also about jobs and it's about now.

Create future property tax revenue. Affordable housing homes, they pay taxes. Trish pays taxes every year. So, we can reap some tax benefit from the project, too. Meets the goals and the objective of the production plan. And will also for allow future expansion of the fire station.

So, in closing tonight, I'd like to leave you with two quotes. Again, these are the people why we're here tonight, up on the screen. These are the people in our community that we need to provide more affordable housing for. All our workers in restaurants, and our senior citizens, too.

So, here are the two quotes I'd like to leave you with tonight. "The American people need our help," from our President-Elect, just this week. And, "We don't have an open space problem in Falmouth. We have an affordable housing problem." That's from our Selectman.

So, thank you very much. I appreciate your time this evening and appreciate your vote yes on Article 41. Thank you.

THE MODERATOR: Okay. Mr. Latimer.

MR. LATIMER: Richard Latimer, Precinct 2. I'm going to try to keep this brief, but I want to make two quick points.

First of all, I'm not a Woods Hole person. I don't wear a Woods Hole hat. In fact, I'm a Falmouth townie from way back in the '50s

when the village differences were much more acute than they are now.

So, I'm speaking not as a Woods Hole person.

Secondly, I kind of resent the attempt here to characterize this as a conflict between affordable housing and the environment and open space, because certainly I don't think anybody here who is proposing the alternative, Article 37, is against affordable housing. I certainly am not, and I don't know of anybody on the 300 Committee who is against affordable housing. That is false dichotomy, and it is especially a false dichotomy because the question here is how is the best way to get affordable housing into this community? It is certainly not but why acting upon a crisis mentality, such as we're being given by the Affordable Housing Committee.

And I appreciate the fact that they did a lot of work. You know, we on the Planning Board, we do a lot of work and a good portion of our articles get shot down, too, because they're just not the best solution. And we can admit that.

But this is not the best solution because to say we're going to have both is pie in the sky.

I mentioned before about hardball. Well, that's what we just did Article 37. And if you're a member of the WHOI Board who is willing to say well, we can put affordable housing in the village, you know, as well as out on Woods Hole Road and meet the exact same number as we would get with the other proposals that are on the board, well, basically what

we're doing here, first shooting down Article 37 and then adopting this one, well, they're going to tear it right up.

And so, number one, it's much better to have affordable housing that's included in village as opposed to all of it remote out of village.

But that Pennekeese house project will not go forward, especially if we vote for this project. It's just not going to be there. So, what you're going to have is -- yeah, 15 units out on Woods Hole Road.

Now, you look at Mr. Wise's project, yes, he needs to get permits, and what Article 37 would have done would have given the Selectmen the authority to put the land into conservation if, if, he gets his permits.

What this does is this sends a message. This sends a message that we're not dealing in good faith with WHOI or with Mr. Wise. And we're playing hardball so they will play hardball.

Mr. Wise can just say okay, I have my zoning here, I can just tear up all these other plans, I'm going to be a 40B out on Woods Hole -- out where the Nautilus is. I'm going to put maybe a 40B on the Oshman property. And you know what, Town? You play hardball, I'm playing hardball. That's not the way to do it.

And finally, the most important thing is what we're talking about here is we're not going to get both. We're going to get one or the other. And the one on the plan with the Oshman property is a much better

plan because that is redevelopment, as is the Pennekeese house, redevelopment of land that is already developed.

That is zero trees versus only 14 valuable trees. No, that's not the best way to do it. That's not a good way to do it. We're not going to get both. If you think we're going to get both, it's pie in the sky. What you're going to get is the worst of two alternatives. So, I would definitely vote indefinite postponement on this article. Thank you.

THE MODERATOR: Ms. Williams, you're next on the list. In the back there, Ms. Williams.

MS. WILLIAMS: Cheryl Williams, Precinct 3. It's very interesting when you talk about affordable housing and you talk about numbers, and I really take exception with the fact on one slide that you had up there as to where Falmouth actually stands today, and affordable housing as it sits or as it's stated on the subsidized housing inventory.

The question came up at our Precinct 3 meeting, and somebody raised the question, where does Falmouth stand? How many affordable housing units do we have? And I believe Ms. Thompson, at that time you used the same figures that were used tonight. And I did point out to you that I had just that day called DHCD. The figures once again that you showed this evening were wrong.

Currently, the correct percentage for the Town of Falmouth that the Department of Housing and Community Development has on the subsidized housing inventory is 5.44 percent, 785 dwelling units.

So, I believe you had 700 units, so that's 85 units less than what we currently have. And that was as of October the 29th.

Bearing in mind the number of dwelling units that are affordable, I firmly believe that any housing that the Town of Falmouth is going to produce that is affordable should be 100 percent affordable. Case in point, the project that Bob Murray is working on at the VFW site in Teaticket, 39 units he is proposing to build and 39 of them will be affordable. And as such, Mr. Moderator, I would like to put forth an amendment to this article that all 15 dwelling units at this site will be produced as affordable. And if I may, I have -- I have it in writing that I can give to you.

All dwelling units will be produced as affordable housing in accordance with the subsidized housing inventory eligibility requirements of the Department of Housing and Community Development in order to be counted on the state's subsidized housing inventory.

And let me just break that down for you, folks, because in the past in the town, we have had many affordable units, where people have said yes, we will deed restrict them; yes, you know, they want them to be affordable. And for whatever reason, they never get placed -- or they never have been placed on the inventory, for whatever reason.

So, I put forth this amendment so that all of the requirements of the state are met so that if we build them, we might as well be able to have them counted in this town. Thank you.

THE MODERATOR: Okay. Could the microphone carrier bring up the written copy that Ms. Williams has of that amendment? And let's have discussion on the amendment. Would the committee like to address it?

MS. THOMPSON: I support that amendment and I can tell you that the 419 Woods Hole Road Subcommittee made the recommendation to the Affordable Housing Committee, and the Affordable Housing Committee to the Board of Selectmen, that all 15 units, the entire number of houses that are built on that site, be affordable housing. So, I totally support that amendment.

THE MODERATOR: Okay. So, the amendment again is all dwelling units will be produced as affordable housing, in accordance with the subsidized housing inventory eligibility requirements of the Department of Housing and Community Development in order to be counted on the state's subsidized housing inventory.

Further discussion on the amendment? Mr. Herbst.

MR. HERBST: Yes, and I hope you will recognize me when the -- after the amendment is --

THE MODERATOR: Yeah, you're on the other list after Mr. Rowitz.

MR. HERBST: Thank you. Don't take me off of that list. I'd like to remind Town Meeting members that when the Town gives land to any organization, as far as I have been aware of, and this includes the

three units that have been recently completed in North Falmouth, on Ward Street, Chester Street and -- help me out, Jessica -- Cloverfield. Three unit -- three pieces of property were given by the Town to the Affordable Housing Committee, who then entered into a contract with the -- help me out, Diane.

MS. THOMPSON: Housing Corp.

MR. HERBST: Housing Corporation. We built three -- the three houses were built there. Money was given towards that by the Community Preservation Committee, and this body approved that. All three of those homes were affordable; so, that was 100 percent affordable, which is what is being proposed here.

The Town also gave money to Habitat for Humanity, which I happened to participate in. And those four units were built on Sam Turner Road, 100 percent affordable. So, when I think about Town land being given out for affordable housing, I'm absolutely adamant about making sure that it's all 100 percent affordable.

THE MODERATOR: Okay. Is there anyone who'd like to speak against the amendment?

[No response audible.]

THE MODERATOR: Hearing none, then the question will just come on the amendment. All those in favor of adding the language that Ms. Williams gave us, to make it 100 percent affordable, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No response audible.]

THE MODERATOR: The opinion of the Chair is that the Ayes have it unanimously, and that is now part of the main motion.

Mr. Rowitz, you were next on the original list.

MR. ROWITZ: Thank you, Mr. Moderator. Ray Rowitz, Precinct 5. I'd just like to know how much is the rent on a one-bedroom or two-bedroom or three-bedroom house if it's not subsidized that would be considered affordable housing, as all of these are rentals and not being sold. Thank you.

MS. THOMPSON: I don't have the figures of what the rent would be. I can tell you what the price of a home is at this point in time and I'd like to add that it's the recommendation of the Affordable Housing Committee that two-thirds of the units be home ownership and one-third be rentals. So, they're not proposed, at any rate, to be all rental or all home ownership.

The homes on Ward and Chester and Cloverfield Way that Mr. Herbst just referred to just sold for \$155,000. I'm sorry I can't answer the rent question.

THE MODERATOR: Mr. Rowitz, follow-up?

MR. ROWITZ: Ray Rowitz, Precinct 5. Is there anyone that can answer that question, that's here? How much is rent for affordable

housing?

MS. THOMPSON: I'm looking to see if Mr. Murray is still here, but --

THE MODERATOR: Mr. Murray, do you want to --

MS. THOMPSON: He'd just love to help me out.

MR. MURRAY: Some of that will depend on the funding source. The funding sources will often say, "We'll give you this money, but we want a certain number of rents at 30 percent of median income, a certain amount of rents at 50 percent of median income, a certain amount of rents at 65 percent of median income, and then the rest are up to 80 percent of median income." So, it depends on where that family will fall in that particular unit.

And the way you figure -- I think you asked about a one-bedroom, did you?

MR. ROWITZ: One, two and three.

MS. THOMPSON: Mr. Murray, at 80 percent of the median income, if you would, that's typically what --

MR. MURRAY: Well, a family of four at 80 percent is somewhere around 57, \$58,000. I don't have the chart in front of me that breaks it down, you know, for the -- but how you figure the rent, you take the area median income at 30 percent for -- and you multiply that by one and a half people for a one-bedroom apartment. And you take that number and you multiply that by 30 percent and then you take -- divide that

by 12, and that says what the family can pay.

[Laughter.]

MR. MURRAY: It's really not that complicated. It just sounds complicated. But that's how the rent is calculated.

THE MODERATOR: Okay.

MR. MURRAY: Okay.

THE MODERATOR: All right.

MR. MURRAY: But without having the --

THE MODERATOR: So, it's dependent on the funding source, we got that. And there are some complicated formulas that --

MR. MURRAY: Right. And then --

THE MODERATOR: -- the funding sources use.

MR. MURRAY: Right.

THE MODERATOR: All right. Mr. Herbst. Something on the main motion?

MR. HERBST: Thank you. Ralph Herbst, Precinct 8. I've already mentioned the houses that were -- that had been built recently that are 100 percent affordable.

Now, Mr. Murray, in a conversation I had with him during the break, reminded me that there's economies of scale that always take place, not only in the construction of units but also in the management of the units.

However, we can't always find properties. We can't always

give properties that will support large developments. There's always been a philosophy out there that spreading around affordable housing in your town is the best way for your town to operate.

So, even though we can't build a lot of units on this parcel, it still makes sense to me.

Now, Diane, I have to ask you a question. In your presentation, you used the word work force housing?

MS. THOMPSON: Correct.

MR. HERBST: Now, there are three definitions that I think this Town Meeting needs to understand. And I would like to tell -- I would like you to correct me if I'm wrong.

80 percent of the area mean income is called affordable housing.

MS. THOMPSON: Correct.

MR. HERBST: And that is the housing that will count towards the ten percent of the Town or the one half-percent per year towards the state's requirement?

MS. THOMPSON: That's what we are talking about here, yes.

MR. HERBST: Right. However, you used -- you and your colleague, used the word work force housing.

MS. THOMPSON: Same thing.

MR. HERBST: Now, in my understanding, if 80 percent is affordable housing, 100 percent AMI is referred to as community housing,

and that is housing that is eligible for CPC funds. We can go up to 100 percent of AMI and give Community Preservation funds towards that, but that wouldn't count towards the state. Is that right?

MS. THOMPSON: Anything above 80 percent at this point would not count.

MR. HERBST: Right.

MS. THOMPSON: We're talking about 80 percent or below of the median income and --

MR. HERBST: I know, I know that's what you're talking about, but --

MS. THOMPSON: If I may, Mr. Herbst, if you look at discussions about affordable housing these days and perhaps over the past two years, to give affordable housing another more politically correct name, it became work force housing.

The CPA talks about community housing. It's all the same thing except for there are different income levels. And please don't confuse Town Meeting by talking about CPA issues.

THE MODERATOR: Mr. Herbst, are you for --

MS. THOMPSON: It's work force --

THE MODERATOR: Mr. Herbst, are you for or against it, and why?

MR. HERBST: Am I for or against what?

THE MODERATOR: Are you for or against Article 41 and tell

Town Meeting why.

MR. HERBST: I'm for it.

THE MODERATOR: Okay.

MR. HERBST: But I think that the presenters may have confused Town Meeting. And because 110 -- according to what I know, work force housing is defined a 110 percent of AMI. That's what -- I mean -- that's why I want to make sure that these folks understand that the terms that you're using are compatible with what is affordable housing 80 percent AMI.

MS. THOMPSON: Thank you. It is.

MR. HERBST: Thank you.

MS. THOMPSON: I appreciate that.

THE MODERATOR: Mr. Magniani. No? Go ahead, Mr. Waasdorp. He's just stretching, sorry.

MR. WAASDORP: Peter Waasdorp, Precinct 1. Mr. Murray said that the most crying need for affordable housing in town was for single bedroom apartments, and I wonder if you could tell us how many single-bedroom apartments in the Webster Woods development versus the Oshman property. Thank you.

MS. THOMPSON: Your question is what is the recommended breakdown of units; correct? What was recommended as far as one, two and three bedroom?

MR. WAASDORP: How many single-bedroom units in

Webster Woods versus how many single-bedroom units in the Oshman property?

MS. THOMPSON: Well, I don't believe there's been a real development plan that could definitively tell you how many bedrooms or units there would be on Oshman. I haven't seen that, so I can't answer that question.

I can tell you that our bedroom breakdown of one bedroom, two bedroom and three bedroom units was a result of a lot of communication by the subcommittee and the Affordable Housing Committee with housing experts who came in and told us what this community needed.

We also heard at April Town Meeting from Town Meeting members that they wanted families to be able to live in some of these units and not just be one-bedroom units. So, there is -- as you can see, there are varying sizes of units that are being recommended.

THE MODERATOR: 15 units on this parcel. Ms. Shephard, something new?

MS. SHEPHARD: I seem to be full of questions tonight, and I do have one comment, and that is that I would be utterly unable to support this article if concept design number 4 is linked to it, because that's the northern end of the property where there's a lot of topography and so on. I feel that it would be much better located down near the fire station.

My questions are: The article says to enter into a lease

agreement in excess of 20 years, a lease agreement with whom, what kind of entity, and what happens when that lease period is up, and how long would these units remain affordable after that time.

I asked this question once before and asked Mr. Duffy what “in perpetuity” meant, and he said it means in perpetuity. But actually, under the law, that in perpetuity is a specific number of years which varies according to what you're talking about.

So, I'd like to know about the lease agreement, how long it would be, what happens to it after that, and how long the units would be affordable.

THE MODERATOR: Okay. Ms. Thompson.

MS. THOMPSON: First, I'd like to just say that the Selectmen would decide where the housing would be located. So, they would have the opportunity to take everything into consideration.

But the lease would be a long-term lease. Anything longer than ten years, we've been advised by Town Counsel requires a vote from Town Meeting.

So, it's expected that it would be a 99-year lease, very similar to other lease agreements with outside parties.

If this article is passed, it would authorize the Board of Selectmen to issue a request for proposals. And you asked who would build these houses or what would come next is what I heard from your question. And the Selectmen would issue a request for proposals. Within

the requests for proposals, they would identify how they wanted the houses constructed. Did they want green technology? Did they want advanced treatment?

So, there are a lot of issues that can be in there. It could be tailored so that the respondent to the RFP would be a not-for-profit developer. That is the most likely respondent to building affordable housing.

But the respondent to the RFP would have to meet the criteria as set out by the Board of Selectmen. Did I answer all of your questions?

THE MODERATOR: Yes. Ms. Shephard.

MS. SHEPHARD: Mostly. I had been told at one point that the --

MS. THOMPSON: Oh, in perpetuity?

MS. SHEPHARD: Well, that is another question. I also had been told that the Town did not in fact issue 99-year leases, that there was an upper limit on the number of years that the Town would issue leases. This came up back in Highfield days, and it may not -- may not pertain here, but yes, I still want to know about how long units would remain affordable --

MS. THOMPSON: In perpetuity.

MS. SHEPHARD: Well, that's easy.

MS. THOMPSON: Forever. Forever.

MS. SHEPHARD: Even after the lease period was up? I

mean --

MS. THOMPSON: Forever. And Mr. Duffy would -- would have to help with the lease information.

THE MODERATOR: Mr. Duffy, what does in perpetuity mean? So we can stop this back and forth.

MR. DUFFY: Well, it means the same thing it meant a couple years ago, in perpetuity.

THE MODERATOR: Thank you, Mr. Duffy. The next one on my list is Mr. Rhodes.

MR. RHODES: Scoba Rhodes, precinct
8. This issue has been kicked around by us for a couple of years, now. And in my opinion, I think everybody sitting here knows how they're going to vote. So let's do it. I call the question.

[Applause.]

THE MODERATOR: The question will come on closing discussion. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: It's unanimous, discussion's closed. The question will come on the main motion as printed with the change from 13 to 12 acres, and the amendment, "All

dwelling units will be produced as affordable housing,” da, da. All right?

Any question on what we’re voting on before we do this?

FROM THE FLOOR: No.

MR. LATIMER: I have question.

THE MODERATOR: You have a question about what we’re voting on, Mr. Latimer?

MR. LATIMER: [Inaudible, no microphone.]

THE MODERATOR: No, that number is the 12 acres.

MR. LATIMER: No, no, I mean this is by a two-thirds –

THE MODERATOR: Oh, no, this requires a two-thirds because there is a conservation restriction.

MR. LATIMER: [Inaudible.]

THE MODERATOR: Yes. The quantum of this vote will be two-thirds. Are there any questions on what the motion is before we vote?

Okay, hearing none, the question will come on the main motion. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

THE MODERATOR: All those in favor, signify by standing, and the tellers will return a count. Again, this is a two-thirds vote.

[Pause.]

THE MODERATOR: In the third division.

MR. HAMPSON: 31.

THE MODERATOR: 31.

In the second division.

MR. DUFRESNE: 45.

THE MODERATOR: 45.

And in the first division?

MRS. TASHIRO: 40.

THE MODERATOR: 40.

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

In the first division.

MRS. TASHIRO: 12.

THE MODERATOR: 12 in the first division.

In the third division, Mr. Hampson.

MR. HAMPSON: 27.

THE MODERATOR: 27.

Second division?

MR. DUFRESNE: 34.

THE MODERATOR: 34.

By a counted vote of 116 in favor and 73 opposed, we do not
have the necessary two-thirds.

Article 42. Article 42, the recommendation of the Board of

Selectmen is indefinite postponement. Do we have a positive motion to be placed on the floor?

Yes, microphone.

MS. FINNELL: Margo Finnell, precinct 8. I'd like to make a positive motion and I'd like to ask Mr. Putnam to make a presentation on that.

THE MODERATOR: So, Article 42, your motion is as printed? Okay. Article 42 as printed. Mr. Putnam.

MR. PUTNAM: Thank you, Mr. Moderator, precinct 9. I have five slides. Article 42, as printed, or as – yeah, as printed. This came out of a desire by a number of constituents here in the Town of Falmouth to find out more about what's going on with the high school renovation project.

If we could go to the next slide, please. Oh, we are already there, there we go. Oftentimes when we ask about an investigation, the question is why. And I would suggest that the question is not why, but why not. We are two years behind schedule. We are approximately 30 percent over budget, and there are a lot of unresolved questions. One of which came up over the summer is how, of course, did we manage to overpay the contractor by \$2 million. That is a fair question that deserves an honest answer.

And those of us who ask why deserve not to be brushed off and accused of having a witch hunt. The reality is is that there is nobody

out there in the Town of Falmouth who wants to set up a bonfire on the Town Green and burn people at the stake; we're just asking for answers.

And, yes, accountability. Because if some entity, some part of this project failed to fulfill their responsibility, we all have a duty to make sure that we know who failed to do their responsibility and act accordingly. It's the way the world works.

We have lost the public trust. And, as our governor recently said, in a successful democracy, the currency of government is not money, it is integrity. And you rebuild integrity, ladies and gentlemen, by opening the doors and letting the light shine on the situation.

Next slide, please. Truth be told, the Selectmen had no role in this process, and I hate to disappoint a lot of detractors out there because I've heard a lot of people complain about the Town Manager and the Selectmen and their role in this process, and the reality is that until the Memorandum of Understanding was signed earlier this year, the Selectmen had no real, day to day, role in the management of this project.

But they do have a role, and it is part of the checks and balances that we have established for our Town government. Within the Town Charter, we are the Ombudsman. We are who the people turn to to find answers. It is a difficult role to be sure, because whenever you say the word "investigation", of course wrongdoing is assumed. No one is suggesting that there may be wrongdoing here. Simply that we need an

in-depth review of this project in order to answer the questions that have been asked. And many questions, which remain unanswered. Which is why this article is on the warrant and why we seek your support for it.

Next slide, please. So what would an investigation, a review, what would this include? Well, there's all sorts of things that might be in there. The state audit as required by this project, or as required by the state for this project, that has been suggested as a part of this whole process, as would a lot of this other information. We look, for example, at the litigation information. We'll talk about when in a minute, but obviously these are the things that would be important for the people to know and understand. For example, the review by an independent cost estimator. We'd all like to know if we got our bang for the buck, or if we were taken to the cleaners at some point.

Something under the "and more" category might be a review of the payment process, that \$2 million question again: how is it that we managed to do that?

Cost is a question, and honestly, I don't have a good answer for you right now. And I would remind you all that we're not asking for money this evening. The petitioners of this article simply would like your support for this process. At some point, we would have to come back, presumably the Selectmen would come back, and ask to put a money figure on this. But, it has been suggested that this sort of thing may cost tens of thousands of dollars. Now, before we brush that off,

let's put it in perspective. This is what may end up being an \$86 million project. If we spent \$50,000 to tie up these loose ends, to provide the public with this information, to answer these questions, it would still represent only 6/10ths of one percent of the entire project's budget. Which, when you're trying to rebuild trust with the people, is a pretty small price to pay. I bet we spent more on those infamous showers the other night that we talked about.

Next slide. When? This is the sticky one because there are a lot of folks – and I was in this category at one point, I'll be honest with you – there are a lot of folks who want it done now. But the reality is that this is the sort of thing, and I've talked to various consultants about this, this is the sort of thing that isn't going to happen until the project is over, and part of the reasons are up here. We are still in the middle of mediation with the contractor, TLT. And of course the litigation, that would have to be finished. There are a lot of questions that may be answered by that litigation. And on January 20th, I'm sure there are going to be a lot of people from Falmouth packing that courthouse trying to find out what exactly may have happened here.

It is a moving target at this point, and to ask for an investigation now would be premature. But why talk about it now? It's a fair question. Because this is the oversight process, ladies and gentlemen.

As I said a few slides ago, this is part of the responsibility of the Board of Selectmen as Ombudsmen. And as long as the people involved in this

project know that this is coming down the road, it does help with this process. It lets them know that, yes, your work will be reviewed. The people deserve that. As Ronald Regan said, "Trust, but verify."

Next slide, please. So, I don't want to diminish the progress that's being made, ladies and gentlemen. A lot of hard work has come into play here over the last six months. We are now inhabiting that part of the high school. Phase one is largely done. We are in mediation with the contractor to resolve the outstanding issues from phase one so that we can move ahead with phase two. The litigation, as previously noted, is moving ahead with ARCAD, and we will hopefully resolve that sooner than later. However, while things have improved, there are still the loose ends to tie up. There are other capital projects on the horizon, ladies and gentlemen, we heard it tonight: \$250 million, as much as half a trillion dollars for a sewer system in this town. Do we really believe that the taxpayers of the Town of Falmouth are going to approve that kind of expense if we cannot give them honest answers about what happened here at the high school?

What message do we send if we don't wrap this up, if we don't put this all together, get the answers for the public, provide them with what they're looking for? As I stated before, the question is not why do this, but why not.

And I leave you with this quote, a letter writer to the Enterprise, who said, "For a democracy to actually function, the people's

representatives must work together and support one another's call for oversight, regulation and transparency, instead of seeing it as a threat or an insult." All we're looking for here, ladies and gentlemen, all the petitioners and the citizens in Falmouth out there, they just want answers. They want transparency. And so I ask for your support on this article and I thank you for your time.

THE MODERATOR: Okay, further discussion on Article 42?
Any discussion on Article 42?

FROM THE FLOOR: Question.

THE MODERATOR: Mr. Freeman.

MR. FREEMAN: Thank you, Mr. Moderator. Michael Freeman, precinct 8. The continuing controversy over whether or not we should investigate goes on. One thing that wasn't brought up was the fact that we had a superintendent of schools who quit in the middle of this whole thing. We had his assistant who withheld or did not confer with other people about what his negotiations were with the state and the state is now holding \$3 million. I think there's an awful lot of background to this and I think there's an awful lot of investigation that should be done at this time, lacking our interfering with any litigation. Thank you.

THE MODERATOR: Okay, any further discussion?

FROM THE FLOOR: Point of order.

THE MODERATOR: Point of order?

FROM THE FLOOR: [Inaudible - no mic.]

THE MODERATOR: Yes, he did. Actually, Ms. Finnell put the main motion on the floor for Mr. Putnam.

Any further discussion? The question will come on the main motion as printed. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[No.]

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

[Pause.]

THE MODERATOR: In the third division, Mr. Hampson.

MR. HAMPSON: 20.

THE MODERATOR: 20.

In the first division, Mrs. Tashiro.

MRS. TASHIRO: 37.

THE MODERATOR: 37.

In the second division, Mr. Dufresne.

THE MODERATOR: 45.

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

[Pause.]

THE MODERATOR: In the first division. Folks, I can't hear Mrs. Tashiro.

MRS. TASHIRO: 15.

THE MODERATOR: 50?

MRS. TASHIRO: 15.

THE MODERATOR: 15.

MR. DUFRESNE: 30.

THE MODERATOR: 30.

MR. HAMPSON: 32.

THE MODERATOR: 32.

By a counted vote of 102 in favor and 77 opposed, Article 42 passes.

If you can hold on with us for one moment just so we can wrap this up properly. Mr. Chairman.

CHAIRMAN ANDERSON: Mr. Moderator, I move that all articles considered in this Town Meeting be funded as voted, for a total of \$3,053,465.22.

THE MODERATOR: Okay, you've all heard the main motion: \$3,053,465.22. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

Mr. Chairman of the Board of Selectmen for notification of the next Annual Town Meeting.

CHAIRMAN MUSTAFA: Mr. Moderator, April 6th, 2009.

THE MODERATOR: Okay, our next Town Meeting will be April 6th, 2009. Mr. Chairman.

CHAIRMAN ANDERSON: Mr. Moderator, ladies and gentlemen, I move the November, 2008, Town Meeting be closed.

THE MODERATOR: Okay, you've all heard the main motion to close this meeting. All those in favor, signify by saying Aye.

[Aye.]

THE MODERATOR: All those opposed, No.

[None opposed.]

THE MODERATOR: The Ayes have it unanimous.

[Whereupon, Town Meeting adjourned at 12:00 Midnight.]

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE

I, Carol P. Tinkham, a Professional
Court Reporter and Notary Public in and for the
Commonwealth of Massachusetts, do hereby certify that the
foregoing transcript represents a complete, true and accurate
transcription of my audiographic recordings
taken in Falmouth Town Meeting, November 12, 2008 to the best of
my knowledge, skill and ability.

Carol P. Tinkham
Notary Public
My Commission Expires
May 14, 2010

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