

**Town Council Meeting
DRAFT Minutes
August 23, 2010**

The meeting was called to order at 7:00 pm

Roll Call

Councilors Chase, Breen, Armitage, Pierce, Payne, and Varney were present and answering roll call.

Councilor Rodden was absent.

Public Forum

Michael Doyle of Shady Lane asked residents who have information on ways the Town is wasting taxpayer money to call him. He spoke about crosswalks on Route 1 and how they were a waste of money on an inferior product.

**Item 1 (a) Order to approve the minutes of the July 12, 2010, Town Council
(Consent Agenda) Special Meeting and Workshop.**

**Item 1 (b) Order to approve the minutes of the July 26, 2010, Town Council
(Consent Agenda) Meeting.**

**Item 1 (c) Order relating to the abatement of uncollectible personal
(Consent Agenda) property taxes.**

Councilor Breen moved to adopt the consent agenda; Councilor Varney seconded.
Motion carried 6-0.

**Item 2 Report from Council Committees and liaisons regarding updates
on assignments.**

Councilor Chase said the Harbor Committee will meet in October.

Councilor Armitage said the One Falmouth Committee has been having conversations on process and procedures around Freedom of Access requests. A draft language statement has been signed by the Chair. The next meeting is in October.

Councilor Varney said the School Board met August 16 and recognized Megan Tammaro, a Falmouth Middle student. Megan was congratulated for being named a National Semi-finalist in the Discovery Education 3M Young Scientist Challenge. PACPAC met; the fall brochure is out and is posted online. They are investigating building a volleyball court at Community Park.

Item 3 Report from the Appointments Committee and order relative to filling various vacancies on Boards and Committees.

Councilor Armitage presented the recommended appointments:

Peter Thornton – Harbor Committee

William Brogan – Planning Board as a regular member

He encouraged anyone interested in serving on a committee to apply.

Councilor Pierce moved to adopt the appointments as presented. Councilor Breen seconded. Motion carried 6-0.

Item 4 Public hearing on, and second reading of, draft language of the proposed November 2010 referendum question that will ask voters to approve and fund a project that will convert the Plummer-Motz and Lunt School property into a library, town hall and community center.

Note: Formal Council approval of the referendum language is required and will be scheduled at a later date.

Theo Holtwijk, Director of Long-range Planning made a presentation on the committee's work to date. The recommendation is to renovate Plummer and use it as a Town Hall, renovate the Mason gymnasium and Motz wing into a community center, and renovate the Lunt school for the Falmouth Memorial Library. The Committee proposes to sell the existing Library, Town Hall, Pleasant Hill Fire Station and 5 acres in the rear of the Plummer-Motz-Lunt property. The committee felt it was important to create a Town Center. He spoke about the Land and Water Conservation Fund (LWCF) grant money given to the Town in 1981-82 for recreational improvements on the property, and the restrictions on that property as a result. Land sale or external improvement on the site would trigger the need for a conversion or amendment. Conversion to another town-owned site is possible, but may involve a large amount of acreage. A November referendum is preferred to allow for time to hire an architect and prepare construction documents for bidding in late spring 2011. This would take advantage of the current competitive bidding environment and prevent the school buildings from standing empty after they are vacated in June 2011.

Nathan Poore, Town Manager, presented the updated numbers. The estimated renovation costs for the scaled back renovation of the school buildings is \$8 million. The updated estimate for the sale of Town properties was \$3.69 million dollars. They anticipate \$750,000 in fundraising from the Library, \$100,000 from the Community Center Capital Reserve Account, and using \$500,000-\$1 million in Undesignated Fund Balance. All together, this leads to a net project capital cost of around \$2.5 million. The sale of 5-10 acres at the site would average \$43,000/year in tax revenue; private development at the other sites targeted for sale would average at \$13,000/year in tax revenue. The cost of a

bond for the \$2.5 million would average \$187,575/year over 20 years. He said that the additional operating costs for the school buildings would average \$230,000/year, which was averaged over the next 20 years. Based on the figures for year 1, the tax impact of this plan would be \$20.52/\$100,000 of value. Over 20 years, the tax impact would average out to be \$18.08/\$100,000 of value. He discussed all the different options currently being considered, labeled options A-G, including the costs and tax impact of each option which range from zero impact to \$27.70/\$100,000 of value.

Sean Joyce, one of the Town appointees to the Falmouth Library Board of Trustees, spoke on behalf of the Trustees and said they have voted twice to support the Facilities Committee's recommendation at various stages. He read the resolution adopted by the Trustees at its July meeting, in which they recommend pushing the referendum to June 2011. They are committed to a fiscally responsible way to provide more space for their users, but they are concerned about the details. He urged the Council to come to a unanimous vote on this issue.

Councilor Payne opened the public hearing.

27 people spoke at the public hearing. Approximately half of the people who spoke were in favor of the proposal, and half were against.

Councilor Payne closed the public hearing.

The Council discussed what the next steps in the process might be, including whether to have advisory questions only on the November referendum, or advisory questions along with a binding question on the plan. They also discussed their views on the proposal.

Councilors Chase and Armitage wanted to go with advisory questions; Councilor Pierce wanted a binding vote with an advisory question as well. Councilors Breen, Varney and Payne supported Councilor Pierce's suggestion.

The Council will hold a special meeting on Tuesday, September 7 to consider the wording of the referendum questions.

Councilor Breen left the meeting.

**Item 5 Public hearing on an amendment to the Zoning and Site Plan
Review Ordinance regarding the Resource Conservation
Overlay District and Net Buildable Area.**

Councilor Payne opened the public hearing; there was no public comment.

An order will be scheduled for September 13.

Item 6 Order to abate property taxes assessed to the Mussel Cove Association.

Nathan Poore explained that the Town did not have all the information about waterfront access in this subdivision. The abatement request is for the Association, which was assessed for the waterfront property.

Councilor Pierce moved to grant the abatement. Councilor Chase seconded. Motion carried 5-0.

Item 7 Discussion on adoption of wind power generation and development of a wind energy system ordinance.

Nathan Poore said that the Town has received a request from someone that wanted to put up a turbine, and if the Council is interested in moving forward on an ordinance, staff could begin work on it.

Amanda Stearns, Community Development Director, said the State has developed a model ordinance and other communities have adopted ordinances around this issue. She thought there were some fundamental policy questions that would need to be answered, maybe at the committee level, before an ordinance could move forward.

The consensus of the Council was to move forward on this issue.

Item 8 Discussion about reducing the number of street lights.

Nathan Poore said that the staff now recommends that this project be shelved, outside of those few neighborhoods that have been in touch with staff regarding their preference to turn off some of their lights.

The Council agreed with the staff recommendation.

Item 9 Order to set a date for the October Special Meeting and Workshop.

There will be no workshop meeting held in October.

Item 10 Order to go into Executive Session pursuant to the Laws of Maine to discuss the possible sale of town owned land, pursuant 1 M.R.S.A. § 405 (6) (C).

Item 11 Order to go into Executive Session pursuant to the Laws of Maine to discuss negotiation parameters associated with labor contracts between the town and two unions - Teamsters Local 340 and Maine Association of Police, pursuant 1 M.R.S.A. § 405 (6) (D).

Councilor Varney moved to enter executive session; Councilor Armitage seconded. Motion carried 5-0.

Councilor Armitage moved to exit executive session; Councilor Pierce seconded. Motion carried 5-0.

Item 12 Order to authorize the Town Manager to enter into agreement on the successor Teamsters Local 340 collective bargaining agreement on behalf of the Town Council.

Councilor Armitage moved to adopt the order; Councilor Pierce seconded. Motion carried 5-0.

Item 13 Order to authorize the Town Manager to enter into agreement on the successor Maine Association of Police collective bargaining agreement on behalf of the Town Council.

Councilor Armitage moved to adopt the order; Councilor Pierce seconded. Motion carried 5-0.

Councilor Armitage moved to enter executive session to discuss Item 10, Councilor Pierce seconded. Motion carried 5-0.

Councilor Payne announced that there would be no action on this item.

Adjourn

Meeting adjourned 11:20 pm.

Respectfully submitted

Melissa Tryon
Recording Secretary