

**Town Council Special Meeting
DRAFT Minutes
September 13, 2010**

Roll Call

All Councilors were present and answering roll call.

Councilor Rodden announced that ecomaine is holding an Open House on Saturday, September 25 from 8:30 am to 11:30 am.

Item 1 Public Hearing and order for a new food service/victualer's licenses for Mustard's Last Stand.

Chair Payne opened the public hearing. There was no public comment.

Councilor Pierce moved to approve the license, Councilor Breen seconded. Motion carried 7-0.

Item 2 Public Hearing and order for a new food service/victualer's license for Hugs Italian Restaurant.

Chair Payne opened the public hearing. There was no public comment.

Councilor Pierce moved to approve the license, Councilor Breen seconded. Motion carried 7-0.

At Councilor Rodden's request, Beth McKenney, the owner of Hugs Restaurant, spoke about the restaurant. They will serve dinner only from 4:30 to 9pm, 6 days a week. There is another Hugs at Sugarloaf. It is casual, fine dining, with a kids menu.

Item 3 Public Hearing and order for a new liquor license for Hugs Italian Restaurant located at 204 US Route 1.

Chair Payne opened the public hearing. There was no public comment.

Councilor Pierce moved to approve the license, Councilor Breen seconded. Motion carried 6-0 (Chase abstained due to personal reasons).

Item 4 Presentation of the 2010/11 tax rate.

Town Manager Nathan Poore explained that during the budget process they projected \$10 million in new valuation. That number actually came back at \$26 million, keeping the mil rate at \$12.35. They could have lowered the mil rate by 4 or 5 cents, but felt it made more sense to carry it over to the next fiscal year, which promises to be just as challenging as this year, if not more.

Councilor Rodden wondered how they could be off by this much.

Anne Gregory, Town Assessor, explained that when she does the estimate in February they are just starting their work, and there are a lot of unknowns so she tends to be conservative. There is typically a flurry of permit activity in March as most people don't take out permits in the winter.

She and Nathan Poore explained that the State reduced the homestead exemption this year from \$13,000 to \$10,000 which will have the effect of increasing people's tax bill. Since the Town has to cover 50% of that exemption, this adds approximately \$5 million to the Town's valuation. There was also a drop in homestead exemptions this year.

Ms. Gregory urged taxpayers to review their property record card for any errors. They have 6 months from the day she signs the commitment to appeal any errors. She also encouraged people to apply for a homestead exemption; it is not income based and is available to everyone's primary residence. The applications are online.

Item 5 Resolution to accept and approve the Energy and Climate Protection Plan, as revised July 16, 2010.

Councilor Pierce move to accept the resolution; Councilor Rodden seconded.

Chair Payne read the resolution.

Councilor Pierce said there was a typo in the first paragraph of the resolution; the implementation steps are not attached, but included. Nathan Poore said he would fix it.

Councilor Varney said that she did not want to create an Energy Committee. When she read the report she felt they wanted to mandate changes, and she didn't think they should be doing that. She mentioned a requirement in the report for new businesses to have either a green roof (a roof with something growing on it) or a white-colored roof.

Councilor Breen said a change like that would require an ordinance change, which would have to come before the Council for approval. The committee doesn't have the authority to require that.

Chair Payne mentioned that the resolution specifically states that the Council supports the overall plan, but not necessarily each specific strategy. The Energy Committee would become a standing committee and then shepherd through each of those ordinance suggestions as well as any aspect of the report.

Councilor Rodden clarified that the committee would be expected to present the Council with much more detail on each issue than what is included in the report. She would expect that they would hear why something should be mandated rather than remain voluntary.

Councilor Chase was also opposed to creating a committee. He found the information from the Commission to be interesting. He didn't want to spend any money or staff time. His goal was to decrease government, not increase it.

Councilor Armitage had made a suggestion back in the spring on how to assign the steps recommended by the Commission to already existing committees, and leave the education component with the new Energy Committee. This looks to him like the Energy Committee is being created to do a lot of things. PACE and Smart Meters are already in the pipeline, so the committee doesn't have to deal with those. This is different than what he thought they were talking about last spring.

Councilor Rodden was also expecting to see Councilor Armitage's chart along with this.

Councilor Pierce explained that the Commission was asked to pull out specific recommendations to focus on. She isn't interested in creating an additional committee, but either folding the Recycling Committee into this committee, or renaming the Recycling Committee. While PACE is moving forward, other energy issues will be coming up that will need attention, wind for example. She thinks there are opportunities to save money here.

Councilor Armitage felt there was a lot of detail in the report, where the commission already did a lot of work, and felt that wind, for example, belongs with LPAC. He wondered where his suggestion for assignments to the various committees went.

Nathan Poore said that he remembered that two councilors were going to work with the committee to come up with a prioritization list.

Councilor Pierce said the committee did do the prioritization – it is those 5 things.

Councilor Armitage wanted to see what they agreed to, and have a clear understanding of what the committee is taking on, before he votes in favor of this resolution. He would also like to discuss whether they merge Recycling with Energy.

Councilor Rodden said that she met with three members of the Recycling committee last month, and they feel it is time to let go. They all want to be part of the Energy Committee, but not take it over; perhaps recycling could be a sub-committee of Energy.

The Council reviewed the list of recommendations originally drafted by Councilor Armitage and attached to Item 14 of the May 10, 2010 Council agenda.

Chair Payne asked about an implementation step referring to a “self-funding Energy office” and assigned to the Energy Committee and staff. He wondered where the money for this would come from.

Councilor Armitage said he had questions about that item as well. He wondered how far they want to go with that, and if they should change that assignment to the Council.

Chair Payne wondered whether they should amend the resolution, tabling the section that creates the Energy Committee and then workshop that item. This would formally accept the Commission's report. Another option is to table the entire thing. Or, they could review the entire list tonight.

Councilor Pierce would like to find a way to accept the report. Councilor Armitage agreed.

Councilor Varney said if they accepted items 1, 2, and 8 of the resolution that would accept the report and thank the committee.

Councilor Pierce would like to add item 6 as well, which allows LPAC to have full access to the report.

Chair Payne agreed with Councilor Pierce's suggestion. The Committee has done great work.

Councilor Pierce would like to address the Energy committee at another date. Chair Payne agreed.

Nathan Poore thought that discussion could be held at the last meeting in October. He thought they should also have a talk about a prioritization schedule; if they are not going to hand everything over to a committee, they will need to open up the Council workplan.

Councilor Pierce said they wouldn't address that until they discuss whether to have a committee.

Councilor Rodden would like to have that discussion at the October 25 meeting. She didn't feel this should be left up to the chair and town manager which of these items is put on the agenda.

Chair Payne summarized what they would discuss on October 25: do they have an Energy Committee, would the Recycling Committee be folded into that committee and what would a charge to that committee be if they were to adopt it.

Councilor Pierce amended her original motion, that they approve the resolution with the exclusion of items 3, 4, 5, and 7. Councilor Armitage seconded.

Councilor Chase explained that he doesn't want to see another committee work for years and come to the Council with recommendations for implementation. He will never vote under these circumstances to increase the cost of a building permit.

Amendment carried 5-2 (Breen, Rodden opposed).

Councilor Armitage wondered if they should discuss the Energy Committee tonight, as it is still early.

Councilor Breen suggested that they create the Energy Committee and merge it with the Recycling committee, and then one or two councilors work on a charge for the committee to be discussed at the October 25 meeting.

Councilor Pierce called to move the question of the amended motion.

Motion carried 7-0.

Councilor Breen moved to establish an Energy Committee and at the same time merge the existing recycling committee with the Energy Committee; she also volunteered to draft a charge for the Energy committee to be placed on the October 25 Council agenda. Councilor Pierce seconded.

Councilor Armitage was concerned that they couldn't entertain this order, as it was not placed on the agenda prior to the meeting. He wondered if they should be having a vote, or just reaching a consensus.

Nathan Poore said they might want to dissolve or disband the Recycling Committee, which may require an ordinance amendment.

Chair Payne was concerned about forming another standing committee, and the staff resources that would entail. He had personally envisioned that staff would go through the recommendations and assign them. He felt they could fulfill most of the objectives put forth in the original committee's charge; he didn't think that warranted another committee. He felt most of the work was done by a great ad-hoc effort.

Motion failed 3-4 (Chase, Armitage, Payne, Varney opposed).

Item 6 Discussion about amendments to the Zoning and Site Plan Review Ordinance regarding Net Residential Area and Open Space requirements, and consideration to send this matter to the Community Development Committee for further study.

Councilor Rodden moved to send this matter to the CDC. She felt this was a major change to zoning and there hasn't been enough discussion about it. She thought LPAC wants to review it, and the Planning Board voted not to recommend it at the public hearing they held last week.

Councilor Chase agreed with Councilor Rodden and fully supported it going to CDC but he would not support it going to LPAC. He felt the Planning Board voted on policy and not administration as they are supposed to.

Councilor Armitage wasn't necessarily concerned with why the original ordinance was created. Times change, and the policy needs to change along with it.

Councilor Pierce asked the Councilors to email any specific questions they have to the CDC.

The consensus of the Council was to send the item to the CDC.

Item 7 Discussion about future Council agendas.

Nathan Poore discussed the items planned on upcoming Council agendas. There will not be a workshop meeting on October 11.

Adjourn

Councilor Pierce moved to adjourn, Chair Payne seconded. Motion carried 7-0.

Respectfully submitted,

Melissa Tryon
Recording Secretary