

**Town Council Meeting  
DRAFT Minutes  
February 25, 2013**

The meeting was called to order at 7:00 pm.

**Roll Call**

Councilors Farber, Pierce, Varney, Mahoney and Orestis were present and answering roll call.

Councilors Payne and Rodden were absent.

**Pledge of Allegiance**

Chair Varney led those present in the Pledge of Allegiance.

**Public Forum**

Mike Doyle of Shady Lane spoke about school security at different systems across the state. He asked for confirmation that drills have been done in Falmouth.

Town Manager Nathan Poore confirmed that there has been extensive training on an annual basis; the Town has chosen not to release any of the details surrounding those trainings to the public, but could provide information to the Council in executive session.

Councilor Pierce said that the School department has safety information on their website for anyone that has concerns.

**Item 1 (a)                      Order to approve the minutes of the January 14, 2013, Town  
(Consent Agenda)        Council Meeting.**

**Item 1 (b)                      Order to approve the minutes of the January 28, 2013, Town  
(Consent Agenda)        Council Meeting.**

Councilor Pierce moved the consent agenda; Councilor Farber seconded. Motion carried 5-0.

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

Councilor Orestis reported that the Veterans Memorial Committee met today. They have made progress and are now looking at a budget and how they would recommend funding the monument. He expects they will come to the Council soon.

Councilor Mahoney said the School committee is meeting tomorrow night; they are in the process of developing the budget. The policy committee has finished their work on the drug and alcohol use policy.

Councilor Pierce reported that Wednesday at 7 pm the CDC will hold a public forum on the infrastructure and zoning changes on Route 1.

Councilor Farber reported that the Finance Committee will meet on Thursday, March 14 from 3-7 pm to review the entire operating budget.

Chair Varney said Councilor Rodden was asked by the Ecomaine Board for the Council to submit a letter opposing a permit application that would allow waste to be sent to the Juniper Ridge Landfill.

Councilor Farber asked what the timeframe on the letter was. Chair Varney said the comment period ends Thursday.

Councilor Mahoney pointed out that Juniper Ridge is a competitor to Ecomaine and is owned by the state. Putting municipal waste in a landfill is the last thing you want to do. He strongly supported the Council as a body sending this letter.

Councilor Pierce, Councilor Farber and Councilor Orestis agreed.

Chair Varney said the Library trustees have met; they have not yet made a decision. They have the financials.

Councilor Mahoney moved to suspend the rules to take up the letter requested by Ecomaine, since it was not posted to the agenda. Councilor Pierce seconded. Motion carried 5-0.

Councilor Mahoney moved that the Council endorse the letter with some minor corrections, Councilor Pierce seconded. Motion carried 5-0.

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

Councilor Pierce announced that there are openings on the FEIC, PACPAC, and Shellfish.

**Item 4                                      Public Hearing on an amendment to the Code of Ordinances that will move parks operations and maintenance from the Public Works Department to the Community Programs Department and to clearly assign the responsibility of open space management to the Community Programs Department.**

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

Mr. Poore specified that hiring a new position for Parks has been cut back at the Finance Committee; they are still looking at adding one seasonal position.

Councilor Farber clarified that moving forward on this ordinance is an organizational decision and not a financial one.

Councilor Mahoney said moving the Open Space program will not change how it is operated, merely which department it is operated from.

Mr. Poore said the proposed change was not an indication that Town management is unhappy with how the parks have been managed since the change was made. Since Community Programs uses the parks the most, they goal is to centralize similar tasks into one department. Public Works has done a fantastic job managing the parks, despite cuts in funding.

An order was scheduled for March 11.

**Item 5                                      Presentation, discussion and resolution regarding a proposal to expand natural gas services throughout Falmouth, Cumberland and Yarmouth.**

Mr. Poore gave a presentation on natural gas, identical to one given to both the Cumberland and Yarmouth Town Councils. He discussed what it is, where it comes from and its benefits.

Councilor Mahoney pointed out that the price of natural gas once tracked with oil, but now has diverged. This is because of the increase in the domestic production of natural gas.

Mr. Poore said that in September 2011, the Town Managers of Cumberland, Yarmouth and Falmouth met with several gas companies. That December they retained consultants to model the financials; they looked at a geographical pricing model as well as forming a municipal gas utility. In October of 2012, the Towns issued a RFP; Maine Natural Gas and Summit Natural Gas submitted proposals. Those proposals were evaluated for previous experience, saturation plan and pricing structure. He discussed the two proposals and the differences between them. Comparisons between the two pricing structures showed a savings between \$785 and \$1,283 per year over oil heat. He stressed that people should also pay attention to energy efficiency. The Town Managers are recommending that the Town Councils endorse the proposal from Summit Natural Gas and authorize the managers to enter a joint memorandum of understanding with Summit to pursue and support PUC approvals. The Town Councils of both Cumberland and Yarmouth have both passed this resolution already. Yarmouth has asked that all three Town Councils meet together soon.

Councilor Orestis asked about timing and impact around the Route 1 project. Mr. Poore said it is perfect timing.

Councilor Pierce thought the locations of gas line is the most significant difference between the two. She asked if they are tapping into the same pipe. Mr. Poore said they are and at about the same location.

Councilor Pierce said this presents a greater opportunity for residential service than they have been expecting. She asked about the differential price between oil and natural gas and whether projections show if that will continue or not.

Councilor Mahoney pointed out that the projection is based on the Henry Hub Spot Price, in Texas. This does not calculate the distribution cost. There is a bottleneck in New England because there is only one line coming up; Maine is fortunate because gas comes both up from lower New England and down from St. John. If the northern supply were to stop, the bottleneck could affect Maine.

Councilor Pierce wondered about the lower saturation plan for Maine Natural Gas.

Mr. Poore didn't know why it was lower. He spoke about the location of the lines; the Summit plan shows more lines in Falmouth, which would lead to \$600,000 in property tax for the town.

Councilor Pierce cautioned that all sources of energy, including both natural gas and oil, have their controversies.

Councilor Orestis asked if the assumption was that the source of natural gas would be fracking.

Mr. Poore said he wasn't sure; they were working on the assumption that the source was from Canada, which is not from fracking but offshore drilling. That isn't to say that it would remain that way in the future.

Councilor Mahoney stressed the importance of energy efficiency. Natural gas may be cheap today, but it is volatile and you can never predict what will happen with a commodity. Fracking is controversial and the regulation of it is not transparent. There is no way to know what chemicals are used in fracking, and there have been concerns about the impact on groundwater. He agreed that the natural gas being proposed

is more likely sourced from offshore drilling. He was leery about making a large investment into the infrastructure for a new energy source that may not be a first choice a few years from now. Natural gas is better than coal, but just barely. He asked about any proposals regarding trucking LNG.

Mr. Poore said no, there was some general discussion, but they haven't looked into it.

Councilor Mahoney asked about the tier structure for small commercial vs. large commercial users presented in the Summit proposal. He wondered how many Falmouth businesses would fall in each of those tiers.

Mr. Poore said it can be hard to predict. The fast food businesses would be larger users; large office spaces don't use that much. He felt the company might be able to make some estimates based on the town's GIS information.

Councilor Mahoney said it would be helpful if there were a number of examples for people to determine what it might mean to them to convert. Mr. Poore said they can draft different scenarios.

Mr. Poore agreed that this is not a renewable resource and there might be another technology down the road. He pointed out that the utility company would be making the infrastructure investment, not the town.

Councilor Mahoney asked to include scenarios other than oil and natural gas as well.

Mr. Poore pointed out that Efficiency Maine has a number of tools on their website to help people determine options for heating and efficiencies, and the costs associated with them.

Councilor Farber was concerned with the tier structure for businesses; she wondered if some commercial users might not qualify for the commercial rates based on their usage.

Councilor Mahoney thought commercial users that used up to the lower number would qualify. Mr. Poore said he would look into it.

Councilor Farber asked what the saturation percentage was for Falmouth, not for the entire area, and also what the saturation was for Falmouth commercial users and Falmouth residential users. She pointed out that MNG's management team located in Maine was more technical, while the Summit management team in Maine is more business development.

Councilor Pierce wondered if a local district office would be located in one of the three towns. Mr. Poore said that is what they are talking about.

Councilor Farber asked what the impact on Town staff would be, and how the collaboration between the three Towns would look like. She pointed out that the utilities could simply do this without the Town.

Mr. Poore agreed, but said the Towns' support of a plan has value.

Councilor Farber asked what staff level involvement would be necessary, besides construction inspections.

Mr. Poore said there would likely be citizen questions. Management might do some oversight, to make sure they are notifying the public where they will be doing the construction. He pointed out that the construction company is not the utility company. He said there may be a need for additional staff for a couple years to oversee the gas line construction and the Route 1 infrastructure upgrades happening at the same time.

Councilor Farber would like to see a road impact plan sooner rather than later.

Mr. Poore said that would happen in the next step, once they commit to working with one of the two companies.

Councilor Pierce was okay with moving forward with this. She felt this was a wonderful example of municipalities working together to benefit their citizens.

Councilor Mahoney asked why the Summit proposal does not put a main line down Route 1.

Mr. Poore said there is a 2 inch line going down Route 1. There a main line down Route 88. He would ask the utility why they think a 2 inch line would be sufficient for that area.

Councilor Mahoney was fine with the resolution as it is, but he would like to have more of their questions answered before they are asked to intervene with the PUC.

Chair Varney opened a public comment period.

Melanie Collins of Middle Road thought that hydrofracked gas would be the largest source of gas in the future. The process causes 4 times the amount of greenhouse gasses than burning other fossil fuels. She pointed out that it would be difficult to go back if people changed their energy source. She worried that the price would go up once people were dependent on it. She had an energy evaluation done on her home, and was told she would reap a \$1200 savings from installing insulation alone. She talked about options for pellet heating and solar water heaters that use renewable energy.

Claudia King of Woodville Road is the co-chair of the Recycling and Energy Advisory Committee. She spoke about the goal of reducing emissions; 43% of emissions in Town are from residential energy use. She stressed the importance of efficiency upgrades to save money and emissions; weatherization measures should be evaluated and installed before changing energy sources. Natural gas is preferable to heating oil; it results in fewer local emissions and is currently cheaper. She said the committee requested that the Town require the gas company to provide information to businesses and homeowners about energy efficiency. They point out that it would be cost-effective to install weatherization measures along with any heating conversion and they suggested the gas company provide an incentive and/or pay for an energy audit for each customer. This program could also provide a minimal amount of air sealing. They request that equipment incentives should be only for the most efficient equipment, and they ask the company to submit voluntarily to the Systems Benefit Charge (SBC) for customers. They do not recommend a TIF for either proposal.

Councilor Mahoney agreed with the point about the SBC; he felt that was something they should go to Summit with.

Jay Chace of Brook Road agreed with the former speakers. He reviewed both proposals and supported the Summit proposal.

Mike Baillergeon of Sunnyfield Lane reviewed both proposals as well. He agreed that the Summit proposal is the best one. He pointed out that the delivery process for natural gas would be easier than that for oil.

Public comment period closed.

Councilor Farber agreed with Councilor Mahoney's comments regarding the SBC, and was also concerned with the portion of the resolution regarding filing for intervenor status. She wondered if that had to be in the resolution tonight.

Mr. Poore said both the other communities have approved it. It is a high-value item; it is worth trying to negotiate that into the MOU's. He recommended they leave that in there to get some of the other things they want.

Councilor Farber asked what the implications would be to intervening with the PUC.

Mr. Poore felt it would include going to Augusta and saying they want this in their community.

Councilor Mahoney felt that was one level; if the intervention was limited to the three towns and legal consultation was not required he was comfortable with that. If it was more of an active role, it might require significant legal costs. If it is contested, as Kennebec Valley was, it would easily rack up a lot of costs and he was hesitant about that.

Mr. Poore felt this resolution was the first step; it is general because it is the building block. The goal is to bring their questions and concerns to the next joint meeting with the other towns. The next phase would be MOU's coming back to the Councils for review and approval.

Councilor Farber asked where they were with the \$15,000 the Council previously approved.

Mr. Poore said they have not spent any of it; the gas companies studied the feasibility.

Councilor Mahoney would like updates on this issue moving forward and he encouraged further negotiation on the requests by REAC. He wanted it to be very clear what the extent of involvement is in regards to the intervener status.

Councilor Mahoney moved to approve the resolution as drafted; Councilor Pierce seconded. Motion carried 5-0.

### **Adjourn**

Councilor Farber moved to adjourn; Councilor Pierce seconded. Motion carried 5-0.

Meeting adjourned 9:20 pm.

Respectfully submitted,

Melissa Tryon  
Recording Secretary