

**Town Council Meeting
Minutes
February 28, 2011**

The meeting was called to order at 7:04 pm

Roll Call

All Councilors were present and answering roll call.

Pledge of Allegiance

Chair Payne led those present in the pledge of allegiance.

Item 1 Resolution to recognize the 2010 Falmouth High School Debate Team.

Councilor Varney read the resolution.

Councilor Varney moved to adopt the resolution; Councilor Pierce seconded. Motion carried 7-0.

Public Forum

John Anderson of Lunt Road spoke about the speed limit on Lunt Road and how it is not enforced.

Lisa Preney of Middle Road said the plan to move the library to Lunt will not be a “net zero”. She spoke about the operating costs for the library. She argued for a modest addition to the current library building.

Jane Andrews of Woods Road was concerned about the library project. She spoke about the debt carried by the State of Maine and the possibility of that trickling down to the municipalities. She spoke about the bad economy, and was concerned about the projected revenues and expenses around the project.

Bob Hunt of Foreside Road spoke about the referendum language. He understood that this project would have zero impact on the tax rate, but didn’t feel that the referendum language supported that. He suggested changes to the referendum language.

John Graustein of Waites Landing Road felt the referendum language was unclear and confusing. He said there was an option for a bond in the language and he asked why the Town was bonding. He felt nothing should be approved until all the costs and revenues were certain.

Chris Orestis of Winn Road thanked the Councilors for their work on the library/community center project. The net zero option preserves the Town’s options on this property while increasing its value.

Julie Rabinowitz, vice-president of the Library Board of Trustees, said the Trustees have been actively working on the space needs issue since 2003. The Board has extensively investigated expanding on site, but based on the advice of architects and engineers they have determined that the best solution to the space needs of the library is to relocate the library to a different building.

Fred Leighton of Bayside Lane was glad that people were going to have the opportunity to vote on the school site issue in June. He spoke about the availability of \$3 million in the undesignated fund balance and how utilizing that would not affect the Town's AAA credit rating.

John Winslow of Gray Road was concerned about the referendum language because it includes anticipated revenues. The costs already incurred in staff time and consultants should also be included in the cost of the project. He wondered why they couldn't vote on selling the properties and using the proceeds to pay off the cost of the new elementary school.

Chantal Walker of Payson Road is on the Library Board of Trustees. The Board has committed to raising \$1.5 million towards the new facility. She spoke about the issues surrounding public use of the school libraries. Use of the library goes up during a recession. Technology drives library use, instead of replacing it.

Mike Doyle of Shady Lane spoke about changes in technology. He felt that e-readers signified a major shift, and that there would be a collapse in the printed book industry. He felt the future of libraries was in question as a result, and that if this goes through they would put the Town in debt for 20 years for an empty building.

Marna Miller of Phillips Road said publishers earn more money from e-books than they do from printed books. Some publishers have said they will not license e-books to libraries; others have set limits on the number of times an e-book can be checked out before the library has to pay for it again. She spoke about the referendum language; she felt it was confusing. She was concerned that the language was too restrictive; what happens if some of the revenue doesn't come in, or comes in higher than expected. She wanted the Council to have flexibility.

Bill Gardiner of Town Landing Road didn't understand why this plan was still alive. He was in favor of selling the property altogether. He suggested letting a real estate developer take the risk and make a profit. He didn't think residents wanted the Town to be a commercial landlord and lose money doing it. He felt the properties would generate a lot of taxes every year if they were put on the tax rolls. He suggested taking the money from selling the property to build a new library and community center.

Marsha Clark of Lincoln Farms Road asked if the Council could simplify the language for the referendum. The question needs to be clear to the voters.

Rowan Morse of Foreside Road didn't feel they could afford this plan in the current economic times. She felt the needs are met right now; the community center and a new library are "wants".

Councilor Rodden moved to amend the agenda, moving Item 8 to before Item 6; Councilor Breen seconded. Motion carried 7-0.

Item 2 (a) Order to approve the minutes of the January 10, 2011, Town Council (Consent Agenda) Special Meeting and Workshop.

Item 2 (b) Order to approve the minutes of the January 24, 2011, Town Council (Consent Agenda) Meeting.

Item 2 (c) Order to authorize the Town Manager to execute a quit claim deed for (Consent Agenda) Tax Map and Lot R05-036.

Item 2 (d) Order to authorize the Town Manager to execute a quit claim deed for (Consent Agenda) Tax Map and Lot HL3-015.

Item 2 (e) Order to authorize the Town Manager or his designees to post seasonal (Consent Agenda) weight limits of 23,000 pounds (listed GVW) on certain local roads, per the authority granted in Falmouth Code of Ordinances Chapter 17, Article IV, Section 17.

Item 2 (f) Order to amend the Ambulance fee schedule. (Consent Agenda)

Councilor Armitage moved to approve the consent agenda; Councilor Breen seconded. Motion carried 7-0.

Item 3 Report from Council Committees and liaisons regarding updates on assignments.

Councilor Chase said the Harbor Committee won't meet again until sometime in May, but they are working on the float extension. The money has been appropriated from the Harbor fund.

Councilor Pierce said the map of the trail system and open space is available at the Town Hall for purchase, as well as online.

Councilor Varney said most of the attendees at the School Board's February budget workshop favored full-day kindergarten and the retention of foreign language studies, and were willing to pay the extra tax for that. She hoped to hear from the other side at the next budget hearing.

Councilor Rodden said that ecomaine is having a contest to decorate the silver bullets. The deadline for submitting designs is Friday.

Chair Payne said that the Council met with the Town's elected officials earlier this evening.

Item 4 Report from the Appointments Committee and order relative to filling various vacancies on Boards and Committees.

Councilor Armitage discussed the slate of recommendations.

- **Conservation Commission:** Eileen Beasley
- **Falmouth Economic Improvement Committee (FEIC):** Mike Skillin
- **Falmouth Trails Advisory Committee (FTAC):** Steve Hendry
- **Recycling and Energy Advisory Committee (REAC):** Craig Baranowski, Isabella Borrero, Greg Bowden, David Gagnon, Clifford Gilpin, Claudia King, Jed Wright

Councilor Armitage moved to adopt the slate of recommendations; Councilor Breen seconded. Motion carried 7-0.

Councilor Breen thanked all those who have come forward to serve on committees. Councilor Armitage said there are still a couple vacancies.

**Item 5 Public Hearing regarding amendment to the Zoning Ordinance
 regarding digital submission of plans.**

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

An order was scheduled for March 14.

**Item 8 Review and discussion about a proposed referendum question
 regarding the renovation of the Plummer-Motz and Lunt School
 complex into a community center, rental space and town library.**

Councilor Breen clarified that the Council is not proposing a bond question but a referendum. A referendum is required for the Council to spend \$1 million, but there is no bond included in this as they are not proposing to borrow money.

Town Manager Nathan Poore presented the work staff has done to draft the referendum language and explained that there are three options for language because of the various methods to cover the upfront money needed for the Plummer building. He discussed the adjustments that have been made to the projected numbers since the last meeting.

Councilor Armitage explained his rationale for the changes he suggested. Improvements to Town Hall were removed from these figures; he suggested that they address Town Hall with a separate 3-5 year plan after this project is settled.

Mr. Poore said that there were only a couple of things that have to be done to Plummer in order to prevent the building from falling into disrepair. The other improvements could wait until they have a tenant for it.

Councilor Varney was bothered by including the move of the library to Lunt and the Community Center together in one referendum.

Councilor Rodden said they have other options, if the referendum fails.

Councilor Chase felt all the numbers were confusing and it would be confusing to the voters. He didn't feel that they had a good plan.

Councilor Rodden agreed that they need a simple question on the ballot. She felt this project was a solution they should be proud of.

Councilor Breen observed that throughout the process it was not a case of the library people versus the community center people, and was in support of one ballot question. She thought it would be easier to lease Plummer once the project gets moving, and agreed with spending as little as possible on it now.

Councilor Armitage asked Mr. Poore if the question could be simplified.

Mr. Poore said he had to check with the Town Attorney, but the Council is looking at the order tonight; the referendum language would be simpler than what they are reviewing tonight.

Councilor Chase was in favor of a new library building instead of renovating the Lunt building.

Councilor Pierce said it was time to move this forward to a referendum question. She felt the public would get excited around the project, both for and against, after the Council makes their

decision. She would like to have some flexibility with the numbers, perhaps ranges of numbers instead of set numbers for the revenue projections.

Chair Payne asked staff to determine what the trigger for starting construction would be.

Mr. Poore suggested that the Council work on the language at this meeting. He distributed a handout with simplified language. His understanding was that everything had to be lined up before they proceeded with the project.

Chair Payne asked about permitted uses for the Plummer school. If they are looking for a commercial tenant, he wondered what zoning would allow, or if a future Council would have to consider a contract zone. He asked about the timeframe for selling the properties and what happens to the project if one doesn't sell. He asked if the Council wanted guidance from the public, perhaps an advisory question on the ballot that asks "if you voted no, do you want to sell the whole property".

Councilor Breen didn't feel that would be all that informative; it would raise a whole bunch of new questions.

Councilor Rodden felt asking a question like that makes it too simplistic.

Councilor Pierce felt that a new Council picks up unfinished business all the time.

Councilor Armitage wanted to clarify the numbers before working on the language of the question. He asked if the Council wanted to include the carrying costs in the operating budget for the first few years.

The consensus of the Council was to include it.

Mr. Poore said they didn't need to do that in the referendum, as that is part of the budget.

Councilor Armitage wanted it to be clear to the voters that this is what has to happen. This isn't a net zero project until Plummer is rented out. He asked about the library number.

Chair Payne suggested a maximum number that the Library has to meet for revenue; this would capture if the building didn't sell for the amount projected and they had to fundraise to make up the difference. If they were to receive more than that amount, they would get to keep it.

Mr. Poore said this would be covered in the Memorandum of Understanding (MOU).

Councilor Rodden asked what would happen if the Library received a large donation. She thought if they raised more money, it should reduce the amount paid by the taxpayer.

Councilor Pierce agreed with Councilor Armitage's suggestion to lump together all the projected revenues.

The Council discussed what number should be included in the ballot. Councilor Breen said all they have to do is ask for permission to spend the maximum amount of money, with a note that it would be tax neutral. It wouldn't specify the revenue sources.

Mr. Poore said that would allow flexibility.

Chair Payne asked where the revenue sources would be outlined.

Mr. Poore said they would be included in the order and listed as sale of surplus property, gifts and pledges, and grants.

Councilor Armitage asked if they should list out what properties they are contemplating selling.

Councilor Breen suggested adding the list with the caveat “including, but not limited to...”

Councilor Rodden agreed with that suggestion.

Chair Payne asked to add the language “not to exceed” before the number in the first paragraph.

The Council discussed what was in the \$5.65 million number, and whether the “not to exceed” clause restricted them from doing the abatement and the fit up costs, even if they were 100% covered by other sources of income.

Councilor Pierce and Councilor Varney felt it should be clarified in the language that the library was being moved to a renovated Lunt building.

The Council discussed a time limit on gathering all the revenue sources. The consensus was four years.

The Council discussed phasing the project and starting the community center before the library. They decided that this discussion could wait for a later date.

Item 6 Order to go into Executive Session pursuant to the Laws of Maine to discuss the possible acquisition of land, pursuant 1 M.R.S.A. § 405 (6) (C) and immediately proceeding the executive session, order to authorize the Town Manager to submit an application to the 2011 Land for Maine's Future program.

Councilor Breen moved to enter Executive Session; Councilor Varney seconded. Motion carried 6-0. (Payne absent)

Councilor Breen moved an order to authorize the Town Manager to submit an application to the 2011 Land for Maine’s Future program; Councilor Pierce seconded. Motion carried 7-0.

Item 7 Early presentation and discussion about preliminary budget projections for FY2012.

Mr. Poore and Randy Davis, Budget Analyst, presented the preliminary budget projections.

Adjourn

Councilor Armitage moved to adjourn; Councilor Pierce seconded. Motion carried 7-0.

Meeting adjourned 11:00 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary