

**Town Council Special Meeting
Minutes
April 11, 2011**

The meeting was called to order at 6:00 pm.

Roll Call

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

Item 1 Site walk and discussion concerning the future of the River Point Bridge.

Councilor Pierce arrived at the site.

Item 2 Public Hearing on amendments to net residential area requirements, Section 5.31 of the Zoning and Site Plan Review Ordinance.

Ethan Croce, Senior Planner, said that the amendment in January switched a percentage based calculation to a flat square footage calculation. Staff has discovered the unintended consequence that lots created by the Planning Board under conservation zoning were less than the underlying minimum lot size in the district, as well as nonconforming lots in the district were rendered nonconforming or illegal. He said that was not the intent of the amendment. The amendment for item 2 would clarify lots created by the Planning Board that were created after 1996 in the conservation zone would maintain their legal status by allowing them to meet the lesser of the 50%, which was in effect prior to the amendment passed in January or the flat square footage amount listed in the amendment in the packet.

Mike Doyle, of Shady Lane, said that he agreed with Councilor Chase, saying that there have been so many amendments and changes to the zoning ordinances that it should be scrapped and started over. He also wanted the Council to consider the fact that their property could be zoned into somewhere else and the property would lose value.

The Order is for April 25.

Item 3 Review and discussion regarding the proposed Fiscal Year 2012 budget.

Councilor Breen arrived at the meeting.

Analiese Larson, of the School Board, provided a brief recap of the budget.

Dan O'Shea explained the operating budget increase. The budget was decreased by \$680,000. The expenditures were not driving the mil rate increase; the loss of State revenue was the cause. He went on to talk about how it affected the mil rate and the rest of the budget.

Barbara Powers, Superintendent, said they looked at some personnel and scheduling changes. She spoke to all day kindergarten. They finally had space to a program that should have been extended 5-6 years ago. National research and trends supported moving to all day kindergarten. They had been seeing kids who hadn't gone to preschool were behind. More time was needed.

Analiene Larson explained that this was the third year in a row where they have decreased operating expenditures. This also happened with State funding. They can no longer absorb the loss without severely cutting programs. She also said they tried to anticipate what will happen over the year. They also looked at what will need to be addressed for FY13 as well.

Councilor Rodden said that she had talked to parents and said that the kids were being crammed with work in kindergarten. She said she remembered when she took naps during kindergarten and was wondering if that would be worked in to the all day kindergarten and would they expect more achievement.

Barbara Powers said she had a better grasp of what the day would be like for the all day kindergarten since speaking with the teachers. The teachers wanted to have a down time after break for the kids to recuperate so they wouldn't be in class all day. She also explained how other schools in the area saw as a benchmark for all day kindergarten having some abilities to read, so she said they did expect more achievement.

Councilor Varney wanted to know how many kids were in school this year opposed to next year.

Barbara Powers told her that they were at about 2107. The numbers were projected to be about the same, but weren't sure exactly if the kindergarten would move to all day.

Councilor Varney wanted to know whether kids could stay at the school after 3:00 pm or if they had to go to daycare, assuming they would be picked up at 5:00 pm.

Barbara Powers said they would not impact the daycare at that time.

Councilor Varney asked if the daycare would be the same if they had the Play and Learn program.

Barbara Powers said yes, they have the same model.

Councilor Varney also wanted to know if they would have a rest time.

Another school guy said they asked not to have mats because models now had children put their head down and play music or have some sort of rest time. Mats were becoming less popular. The afternoon would be when scheduled unified arts would happen.

Councilor Varney asked if unified arts would be offered to the other classes in the morning in that case.

The man said that there wouldn't be any changes. Most of the unified arts happen in the afternoon for kindergarten and first grade. He said there were a couple exceptions because slots wouldn't fit.

Councilor Chase wanted to say that he didn't mean to get into all day kindergarten at the previous meeting; he was concerned with the mil rate.

Councilor Rodden wanted to know what the School Board was planning on doing based on the discussion that was held at the previous week's meeting. She was wondering if the School Board was going to go back and revise it and possibly revote.

Chair Payne said, for him, they were trying to give the School Board a clear direction and possibly a census as to next steps from the Council. He wanted to ask about the Common Core of Learning.

Barbara Powers said it was an initiative from numerous people like school officials and governors to try and move US education into a more competitive position internationally. Maine applied for that and was rejected. States needed to show they would adopt the common core. 44 states have accepted, and the schools will likely use it by 2013-14.

Chair Payne asked about school readiness.

Barbara Powers said they were fortunate in having a lot of kids ready to learn who had good experiences in preschool. It was easy to pick up and go from there. Now, through benchmark assessments, they have information saying how prepared kids are coming into school. For whatever reason, they have found that kids were coming to school with less preschool experience they have had in the past and are identifying more students that are not as school ready as previously thought. They were doing a good job finding kids who were having problems, which sent up a red flag for them that they needed more time with kids.

Chair Payne wanted to know at what point the schools would know it was working and asked specifically about world language. He said that he was wondering about the fluency of language, and hoped that it would be their goal to graduate students who were able to fluent to go into an international world.

Barbara Powers said, on the first point, they would be doing a full program evaluation, even after one year, although the data would be more telling after a couple of years. They had found, in terms of language, which many students going to college were placing in second and third level French courses. They had tried a year with Chinese in the high school. They found that students liked to continue for more than one year with a language and were adding AP Spanish and another French course.

Chair Payne asked what sorts of things were on the table to for next year. He wanted to try and tease out the fact that the Town will be facing financial struggles and wanted people of the community to contemplate what that meant.

Dan O'Shea said that they were hoping to get the woodchip boiler installed in the middle school. A fairly substantial electricity contract will run out next December, and they are trying to find better solutions. There was \$44 million planned by Governor LePage for FY13 which should help. They were looking at contracted services to save money. Transportation was being looked at as well. There will be some savings from the other debt service they had. They also were looking into insurance options in terms of self-insurance and other sorts.

Chair Payne asked if there was a consensus among the Council.

Councilor Pierce said they were at the tipping point and couldn't afford to cut programs. Expenditures weren't going up significantly, the problem was coming from the lack of State funding. She thought that kindergarten was important to give every kid the opportunity to succeed.

Councilor Chase said that he appreciated the fact that people had been dealing with the lack of money and the economy but also said that real estate had taken a big hit as well. He wanted to know if they could use the fund balance to try and make the mil rate better.

Councilor Pierce said they can't take the fund balance to help offset operating costs.

Councilor Chase said it was an emergency and asked if that would still prevented them from doing that. He wanted to ask Virtual High School. He said that can't keep continue raising the property taxes. He said if the School could meet them half way he would vote for the budget.

Councilor Armitage said the all day kindergarten was a good thing, but it wasn't the right time. He asked what the Council recommended on the BVR.

Nathan Poore said that the BVR can not have a Council recommendation on it.

Councilor Armitage said he didn't like the budget and was struggling with it. He was concerned that the BVR had a chance of not passing and that was worrisome.

Chair Payne said he was worried about the cliff. He wanted to make an appeal to people to talk to their legislatures for the issue of healthcare for teachers. The insurance provider for the teacher's union, which covers over 90% of teachers in Maine, was not required to release information by law. This meant that other insurance companies were blind to their competitor when making an offer. A competitive bid could drive down insurance costs and help a lot. He said he favored the school budget as proposed. Next year will be much tougher.

Councilor Varney wanted to say that in terms of insurance, it wasn't all teachers, it was all educators. It was a state law, if a town backs out of insurance contract, the town must take their retirees with them. She said that if Falmouth decided to do its own insurance, it would probably work for a few years and something catastrophic would happen. As far as the budget was concerned, she didn't support it, but felt the Falmouth taxpayers needed to vote on it.

Councilor Rodden said she supported the budget. She said the increase in taxes was due to a lack in State funding. She blamed the State for not increasing revenues when it could so it put the burden on local government. She thought Falmouth had done very well to not raise the tax for 4 years, but they were forced to make a decision.

Councilor Armitage said there was no way to not increase the budget. Cutting sports or all day kindergarten wouldn't help; there would still be a tax increase.

Item 4 Discussion of a proposed project schedule regarding the renovation of the Plummer-Motz and Lunt School complex into a community recreation center, leasable space, and town library.

Nathan Poore said this was a discussion to talk about what might happen should it pass. He said he had talked with Theo Holtwijk and Councilors Pierce and Payne, with the MOU in minds, about getting started on that before June 15 if the Council was agreeable. The four of them would work together with people from the library on the MOU.

Council Rodden said she hoped the MOU would be done before the election.

Councilor Payne said it was really a discussion if the other Councilors wanted to continue in that direction.

Councilor Varney said it was fine with her.

Councilor Breen asked when the Pleasant Hill fire station bids were due.

Nathan Poore said they were due that previous Friday and that they were reviewing the proposals.

Councilor Breen said her understanding was the more land they use for recreation at the new school, the less they had to mitigate. She wanted people to keep the dollar amount in mind over the long term use of that.

Councilor Armitage asked if they should be operating under the assumption that all of the land will be built out, at worst-case scenario. He said they should know all of the details in case things don't go as planned.

Nathan Poore said he and Theo Holtwijk had talked to the appraiser dealing with the project and thought they would need a yellow book appraisal of the entire property regardless. He said they will look into what Councilor Breen was saying.

Councilor Breen wanted to echo Councilor Armitage's point in having as much information as possible.

Councilor Armitage asked Nathan Poore if there would be a building or design committee. He had suggested one previously to oversee the process.

Nathan Poore said absolutely they would put that in. It depended what happened with the plans, there might be less discussion on the design of the library. The schedule was pretty aggressive.

Councilor Varney wanted to know what the term yellow book appraisal meant.

Nathan Poore said that it was a type of appraisal that was commonly used in land mitigation projects and conservation efforts.

Councilor Rodden wanted to point out that one scenario might be, if the referendum fails, they might decide they don't want to sell the park area and they want to sell the buildings. She didn't want to do anything that precluded that option. She felt that they had not made a decision on the building committee.

Councilor Breen agreed about the lack of decision regarding the building committee.

Councilor Rodden said there was another committee overseeing the police project. There were concerns between conflicts between Town staff and the committee.

Councilor Breen thought that they didn't need a building committee, but there might be benefit from resident expert input in the leasing and property management. In terms of renovating the buildings, she thought they had the competence within the staff. They had done it with two schools and the fire station. She was not in favor of a committee to oversee the building project. If they wanted a building committee that looked at all of the buildings all of the time then that wouldn't be a bad thing.

Councilor Armitage asked, if the referendum didn't pass, would there be continued use of the facilities and access to the facilities.

Nathan Poore said they had discussed that and said they would continue to use the buildings.

Councilor Pierce asked if they could be utilizing the buildings while fundraising was going on.

Nathan Poore said it depended on the use.

Item 5 Order to schedule the public hearing for the referendum regarding the renovation of the Plummer-Motz/Lunt school complex, in accordance with M.R.S.A 30-A § 2528 (5), for April 25, 2011.

Councilor Armitage moved to order; Councilor Breen seconded. Motion carried 6-0. Councilor Rodden was absent.

Item 6 Discussion regarding referendum placement on the June 14 ballot.

Nathan Poore said technically they wouldn't make the decision until the election warrant, but people were out there wondering what the question would be. They were looking for somewhat of a consensus of what the language would look like.

Councilor Pierce felt strongly that they should have a consensus going forward. Her consensus that the Town center be number one, the BVR number two, and the woodchip boiler, if they got to that, would be three.

Councilor Breen agreed.

Councilor Pierce said she thought the two school items should be linked.

Councilor Armitage wanted the BVR to be first because they always had it first. He wasn't going to block it.

The other three Councilors agreed with Councilor Pierce.

Item 7 Order to schedule a Public Hearing on the FY12 Municipal and School Department Budgets for April 25, 2011.

Councilor Pierce moved; Councilor Armitage seconded.

Nathan Poore said May 9 would be the warrant for the election and the last possible date to talk about the wood boiler. A special meeting would be on May 16 to talk about the BVR.

The motion carried 6-0. Councilor Breen was absent.

Item 8 Discussion about future Council agendas

Nathan Poore said April 25 will have two public hearings.

Councilor Armitage asked if since the facilities was question one, could they do that item before the budgets.

Nathan Poore said they could do that. He said an order on election workers was needed. There was also an order needed to schedule the BVR meeting.

Councilor Armitage asked why they don't push the May 9 meeting to May 16.

Councilor Varney said she wouldn't be at the May 16 meeting. There were also a lot of groups being recognized.

Councilor Armitage asked about the 25th.

Nathan Poore said the problem with that was it would be very difficult to do that with all of the students there too.

Councilor Rodden asked if they had the order for the net residential.

Nathan Poore said yes. On May 9 they would have all of the resolutions. Bob Shafto was working on a potential property issue. There was recent news about Highland Lake being off the watch list and possibly an update on the Martin's Point Bridge.

Councilor Breen asked if they could add the Unitil natural gas update.

Nathan Poore said that depended on Unitil.

Chair Payne asked if they had anything regarding the Indian Point Bridge.

Nathan Poore said that they probably wanted to get moving on that to get access back to the property. Lieutenant Kilbride had returned Washington DC with the FBI.

Councilor Breen wanted to check on the status of the Town Manager review.

Councilor Armitage said that Appointments hadn't met but they would discuss that. He said Appointments also need to meet on something else.

Councilor Breen said in the past the Appointments Chair had circulated sheets to the Council, so a meeting wouldn't be required, unless the Committee wanted to meet.

Chair Payne wanted to say there were two new commercial residents, ACE Hardware and Gorham Savings Bank.

Adjourn

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

Meeting adjourned at 8:52 pm.

Respectfully submitted,

Jon Planer

Recording Secretary