

**Town Council Meeting
Minutes
April 25, 2011**

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

Roll Call

All Councilors were present and answering roll call.

Pledge of Allegiance

Chair Payne led those present in reciting the pledge of allegiance.

Public Forum

Mike Doyle, of Shady Lane, feels that the Town and the Committee are wasting money. He also announced that he will be running for a position on the School Board.

Jonathan Berry announced that he will be running for Council and his son is his motivation.

**Item 1 (a) Order to approve the minutes of the March 14, 2011, Town Council Special
(Consent Agenda) Meeting and Workshop.**

**Item 1 (b) Order to appoint election workers for the June 14 election.
(Consent Agenda)**

**Item 1 (c) Order to set FY12 real and personal property tax due dates.
(Consent Agenda)**

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

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

Councilor Rodden announced the Falmouth Farewell Festival during the weekend of June 3-4.

Councilor Varney said that PACPAC's major problem was still dogs and Trails has not met.

Councilor Pierce said Open Space met and were trying to find a solution so that pedestrian access can go over the bridge at River Point. She also said that the Energy Committee elected co-chairs Jed Wright and Claudia King. They will be looking at cost saving measures.

Councilor Armitage told the Council that Falmouth Economic Improvement Committee met.

Councilor Breen said that Beauty and the Books auction earned about \$8200 and thanked those involved and bought at the auction.

Councilor Chase said Harbor Committee was going to meet May 5 and they too have a dog problem.

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

Councilor Armitage said they are going to do a survey of existing chairs to maybe do some workshops or other things that need to be discussed. The Committee also talked about the Boston Canes. They've also started discussion of manager's evaluation. Councilor Armitage also asked to wave Council rules for an applicant for the Conservation Commission because her name was not on the agenda; Councilor Breen seconded. The motion carried 7-0. Councilor Armitage then moved to appoint Laurie Johnson to the Conservation Committee; Councilor Breen seconded. The motion carried 7-0. The discussion went back to the Boston Canes since both were available. News had been sent out to recognize the two eldest states people.

Item 4 Order to adopt amendments to net residential area requirements, Section 5.31 of the Zoning and Site Plan Review Ordinance.

Councilor Chase moved order; Councilor Pierce seconded. The motion carried 6-0. Councilor Breen abstained because she did not fully understand the order.

Item 5 Public Hearing on the FY12 Municipal and School Department Budgets.

Catherine Cully, of Maplewood Circle, wanted the Council to consider the effort put into the budget. She felt that the School Board effectively reduced the budget while protecting the quality of education and urged the Council to vote for it. Mike Doyle, of Shady Lane, wanted to say that his position he would be taking in regards to running for a place on the School Board would be to get control of spending. Elwin Hansen, of Woodville Road, wanted to keep kindergarten at school all day. He recognized questions of affordability, but stated that it was something the Town needed to undertake because education is important. Audrey Brassman, of Stonecrest Drive, wanted to ask the Council to be supportive of education efforts in terms of what the budget and numbers mean.

Item 6 Order to schedule the Budget Validation Referendum's (BVR) statutory budget meeting to be held on Monday, May 16, 2011, as required by M.S.R.A.1485 & 1486 (2).

Councilor Breen moved to adopt the order; Councilor Rodden seconded. Town Manager Nathan Poore recommended amending to add the time of 7 pm. Councilor Breen moved to add the time of 7 pm; Councilor Pierce seconded. The motion carried 7-0.

Councilor Pierce wanted to relay a question from a member of the public and asked because the Council had voted on the bonding for the school and that money to be spent, that means it was not part of the BVR numbers. The 6% encompassed part of that spending but it won't be seen in the BVR language.

Manager Poore clarified that it will be seen in the language.

Councilor Pierce also asked if there will be an advisory question.

Manager Poore said, as far as he was aware of, there will not be an advisory question.

Councilor Rodden questioned what the Town or School Board could do to educate the public about the budget.

Manager Poore responded that information was provided on the Town's website and that the Town and School Board can't publish information.

The motion carried 7-0.

Item 7 Discussion and vote on a proposed June 14, 2011 referendum question and order to expend up to \$1.7 million to support the design and construction of a Falmouth Middle School wood-chip boiler facility.

Manager Poore updated the Council saying that the cost had gone from \$1.7 to \$1.95 million based on new estimates and broke down costs and savings.

Chief Payne asked if it were approved by the voters, whether or not it would compel the Council to make the expenditure.

Manager Poore replied that, no it only authorized the Council to make the expenditure.

Councilor Pierce added that it was only contingent upon receiving the money.

Manager Poore confirmed.

Councilor Rodden questioned the amount of money in the School's capital reserve account.

Dan O'Shea said that \$500,000 dollars was in the account.

Councilor Breen said that since interest rates were so low it would make more sense economically to borrow money rather than use existing funds.

Councilor Rodden asked why the decision was made to borrow over 20 years instead of 15.

Manager Poore said that the 20 years gave authority to go for that many years, but it could be moved to shorter term borrowing if interest rates made sense.

Councilor Armitage questioned what would happen if the grant was approved for less than \$500,000.

Dan O'Shea explained that according to indicators the Town was in the top tier, but couldn't guarantee anything.

Councilor Varney pointed out that the Town could use more money from the School's capital reserve account.

Councilor Pierce said that she was comfortable with it because there were funds that can be used from the School, but if the grant money was not received, the project can be aborted.

Councilor Rodden wanted to know about safety and had environmental concerns.

Dan O'Shea explained that they met all regulations and the wood boiler was more efficient and safer. In terms of the environment, the boiler will meet all Maine, Department of Environmental Protection, and Federal regulations.

Public comment was opened and Mike Doyle, of Shady Lane, asked if there will be an air quality control test system. He also filed a freedom of access request about the situation regarding the Life Cycle Analysis. He asked if the LCA would be filed with the Bureau of General Services for the new project.

Elwin Hansen wanted to point out that the boiler was only as efficient as the wood that was put in. He also pointed out that wood prices were comparable in nature to oil, but wood price won't come down as quickly as oil.

Counselor Pierce moved to authorize the bond order; Councilor Rodden seconded. The motion passed 7-0.

Councilor Breen moved that the ballot read Falmouth Town Council recommended passage of the question; Councilor Pierce seconded.

Councilor Rodden was not comfortable with the expenditure of \$250,000 from the school and was worried about the health and safety of students.

The motion carried 7-0 that the Council endorsed the question on the ballot.

The order to send the question to referendum was moved by Councilor Varney; Councilor Pierce seconded. The motion carried 7-0.

Item 8 Order to schedule the Public Hearing, for a referendum regarding a wood boiler at the Middle School, in accordance with M.R.S.A 30-A § 2528 (5), for May 9, 2011.

Councilor Breen moved to order; Councilor Pierce seconded. The motion carried 7-0.

Item 9 Public Hearing on June 2011 Referendum Question regarding the renovation of the Plummer-Motz and Lunt School complex into a community recreation center, town library, and leasable space.

Mike Doyle, of Shady Lane, thought it was highly unlikely that the budget will stay in. He cautioned the Town against voting for it because the project will be much more expensive than anticipated. Janet Dye, of Merrill Road, told the Council that adult classes were limited and that community programs needed to expand. She was in favor of the question. Elwin Hansen, of Woodville Road, wanted the money to be put into other places like putting it back in the School, even though it will not make taxes go up. David Andrews, of Woods Road, liked the goal but believed it was fiscally irresponsible. He said that it was a question of needs versus wants. He believed that times were not good with economic problems and that libraries will become outdated. Mary McRan, of Middle Road, was in favor because the plan will offer multi-generational opportunities. Marta Miller, of Philips Road, was also in favor, because there was a cap on expenditures, and it won't raise taxes. Glen Brand, of Johnson Road, was in favor because community programs needed space, it won't raise taxes, and he wanted more programs for community programs. Martha Elbaum-Williamson, of Mason Street, said that Falmouth lacked a community center. John Anderson, of Lunt road, was against the proposal because the price to put the new library was going to be around \$5.5 million and the library was worth \$4.5 million in a building that was outdated. Bill Gardner, of Town Landing Road, questioned the usage of the community center space. Marsha Clark, of Lincoln Farms Road, said that community programs needed more space. She didn't think that the library will become obsolete. Chantal Walker, of Payson Road, stated that the library was in need of a new building. She liked that community program would be close to the library. Peter Goff, of Lincoln Farms Road, said the library was outdated, and the Town needed to seize the opportunity with the land that it owned. Amy Winton, of McKinley Road, has felt isolated and wanted a community center.

Chair Payne explained a procedural issue saying that the language of the March 28th order on the website said that it should not necessarily be sent to referendum. The Town lawyer advised the Committee to take another vote. An order to wave council rules was needed. Councilor Breen moved to wave the council rules; Councilor Pierce seconded. The motion carried 7-0.

Councilor Pierce moved to motion and read the language; Councilor Breen seconded.

Councilor Armitage wanted to clarify the differences. After a discussion Councilor Breen moved to question. The motion carried 7-0.

Adjourn

Councilor Armitage moved to adjourn; Councilor Pierce seconded. The motion carried 6-1. Councilor Varney dissented because she wanted to discuss something else.

Meeting adjourned at 8:55 pm.

Respectfully submitted,

Jon Planer
Recording Secretary