

Town Council Meeting Minutes January 23, 2012

Meeting was called to order at 7:00 pm.

Roll Call

All Councilors were present and answering roll call.

Pledge of Allegiance

Chair Pierce led those present in reciting the Pledge of Allegiance.

Public Forum

Mike Doyle of Shady Lane pointed out that Councilor Orestis was listening to music. He said he has met with Councilor Chase several times. He spoke about a recent RFP for banking services and checking fees paid by the Town. He spoke about the office supply contract with WB Mason. He felt the Town should review contracts, put them out to bid and save taxpayer dollars.

Sean Joyce of Lincoln Farms Road is on the Library Board of Trustees and spoke about their information gathering process in the search find a new Director. All residents and library users are invited to visit the website, or stop into the library, to share their thoughts on the process. They appreciated the opportunity to review the proposals for the library building and are willing to work with the Council in reviewing all reasonable proposals.

Councilor Chase spoke about why he met with Mr. Doyle. He read a letter he wrote regarding Mr. Doyle's activities and his treatment of Town staff. He said Mr. Doyle's requests for hundreds of FOAA documents wastes Town money.

Item 1 (a) Order to authorize the Town Manager to execute a quit claim deed for parcel R01-094-00A.

Item 1 (b) Order to approve the minutes of the November 28, 2011, Town Council Meeting.

Item 1 (c) Order to approve the minutes of the December 12, 2011, Town Council Meeting.

Item 1 (d) Order to approve the minutes of the December 19, 2011, Town Council Special Meeting.

Councilor Varney moved to adopt the consent agenda; Councilor Armitage seconded. Motion carried 7-0.

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

Councilor Varney said One Falmouth didn't meet due to a snowstorm. Finance Committee has met and received the auditor's report. The School department anticipates enrolling 50 more students than they expected next year, which will impact the budget.

Councilor Rodden said the Recycling and Energy Advisory Committee (REAC) is hosting a series of workshops about home energy. There are three consecutive Wednesday sessions, and residents can sign up through Community Programs. The workshops are free and a drawing will be held for a free energy audit, worth \$400.

Councilor Payne reported that the CDC is undertaking the roadside stand re-work, and will have a report for the full Council soon. The Route 1 redesign is moving forward; they are giving direction to consultants regarding what various scenarios will look like in regards to setbacks. All CDC meetings are open to the public and he invited residents and business owners along Route 1 to follow their progress on this item. They also held a public hearing on the water view ordinance. About 25 people showed up to discuss the ordinance; the current language is vague and puts the Board of Zoning Appeals (BZA) in a position of having to do a lot of interpretation. Currently the ordinance speaks only to water views, and the committee wants it to address all views and provide the BZA with clear guidance.

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

Councilor Payne said they are working on a couple vacancies and will have a further report next month. Currently there are vacancies on Shellfish, REAC, FEIC, Conservation Commission, Open Space, and Human Services.

Item 4 Public Hearing regarding (1) the recommendation from the Town Council for the disposition and future use of the Plummer-Motz and Lunt school property and (2) placement of net proceeds of the disposition of such property into a Reserve Account for a future Community Recreation Center.

Councilor Rodden left the meeting due to illness..

Town Manager Nathan Poore and Director of Long-range Planning Theo Holtwijk made a lengthy presentation regarding the history of the project since the referendum in June, the proposals received for the site's redevelopment and the work that the staff and the Council did in reviewing those proposals and coming to their final recommendation. All documents relating to the project are available on the Town's website: www.town.falmouth.me.us. He presented the details of the Council's recommended deal with OceanView to purchase the property and each of the elements of that deal. The hearing tonight is to hear public input on the proposal and the potential for the Council to set aside the net proceeds into a reserve account for a future Community Recreation Center.

14 people spoke during the public hearing. In general comments were in favor of the proposed sale to OceanView. Many questions and concerns were raised about further details of the proposed deal, traffic, nighttime use of the auditorium, onsite parking, how long and how restricted the proposed reserve account would be, preservation and/or changes to the walking trails, the use of the Plummer building and costs of its renovation, and options to mitigate the restricted land and whether that would hold up the deal.

Chair Pierce closed the public hearing and thanked those who spoke. She encouraged people to stay up to date on the issue, and contact the Council and staff with questions, concerns and ideas.

Councilor Varney was supportive of a Community Center.

Councilor Payne agreed, but was concerned with setting aside the net proceeds of the sale, in light of upcoming expenditures of the Town. He felt they should accept the OceanView deal and then address the

money in a subsequent discussion. He and Mr. Poore discussed the \$1.25 million land mitigation; Mr. Poore felt that could be counted toward the \$5 million open space preservation, not in addition to that.

Councilor Armitage clarified that, while there is a \$1 million threshold for the Council to spend without a referendum, there is already approval from the voters for the \$5 million to be spent on open space. If the Council spends \$1.25 million on land, it would be authorized under that previous referendum.

Councilor Chase said that Community Programs is already using the Motz building and Mason Gym. He felt that was people's intent in voting against moving the library.

Councilor Chase left the meeting.

Chair Pierce said that, while they are talking about setting aside net proceeds, they cannot bind a future Council. They need to have a conversation about how they are going to use that money. She cautioned that, while they know why people voted yes in the last referendum, they don't know why people voted no. She felt they have come to an excellent outcome on the use of this land. She thanked Redfern and the Friends School for submitting excellent proposals as well.

Councilor Orestis thought reserving the money would give them the opportunity to pause and think about how best to use it. He didn't want them to decouple the conversation about the deal and the use of the money.

Councilor Armitage wondered about setting a caveat in the order that sets a time limit on the money. He didn't want to put the proceeds into the general fund balance and not allocate them to something. He felt it would be prudent to set them aside and reserve them until they know what they want to do with them. There may be other desires that are out there.

Councilor Payne wasn't averse to setting aside the money but he didn't want them to stipulate that it be used for a Community Center. He pointed out that there are people in Town who expect that this money will go to the General Fund and provide some tax relief.

Chair Pierce stated that the Council would move forward with the OceanView P&S, and would take the issue to set aside the net proceeds as a separate order. The Council will meet next Monday to take a vote on the orders, as the orders attached are in draft form.

Adjourn

Councilor Armitage moved to adjourn; Councilor Payne seconded. Motion carried 5-0.

Meeting adjourned 9:15 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary