

**Town Council Meeting
September 8, 2008
DRAFT MINUTES**

Roll Call

Present and answering roll call: Councilors Rodden, Breen, Armitage, & Pierce.

Absent: Councilor Libby

Councilors Wrobleski and Payne arrived late to the meeting.

Item 1 Order to appoint Councilors Wrobleski, Breen and Libby to an ad hoc Governance Committee.

Councilor Breen moved to appoint Councilors Wrobleski, Breen and Libby to an ad hoc Governance Committee. Councilor Pierce seconded. Motion carried 4-0 (Payne, Wrobleski absent).

Item 2 Order to consider a referendum election on November 4, 2008, including a ballot question and election warrant, such election to include a question to adopt a plan that will consolidate the Falmouth School Department and SAD 51.

Councilor Pierce moved to approve the order; Councilor Breen seconded.

Councilor Wrobleski commented on several amendments to the consolidation plan that were made just today. One was to Exhibit 6A (state approved debt), and one was to Exhibit 5A (real property interests that will not be transferred to the RSU, but remain with the Town). The intention of these amendments was to clear up the language only – these were not substantive changes. Councilor Wrobleski explained the changes to both exhibits. The Reorganization Planning Committee wanted to make sure School Board approved these amendments before the Council vote tonight, and that has been done.

The Council discusses a turf field at the elementary school, bond financing, and the turn over of real property to the RSU.

Motion carried 5-1 (Armitage). Councilor Armitage clarified that the reason for his dissenting vote was that he was didn't like the fact that these additions/amendments were brought so late.

Councilor Breen moved to approve the town warrant, Councilor Wrobleski seconded. Motion carried 6-0.

Item 3 Order to consider a referendum election to revise the Council-Manager Charter of the Town of Falmouth such order to be considered as follows: BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF FALMOUTH, MAINE, IN TOWN COUNCIL ASSEMBLED - To direct the Town Clerk to submit to the voters at the November 4, 2008, election the referendum questions relative to revision of the Council-Manager Charter of

the Town of Falmouth proposed by the Falmouth Charter Review Commission.

Councilor Wrobleski moved to approve the order, Councilor Rodden seconded.

Councilor Wrobleski asked if the final report is complete.

Nathan Poore replied that it will be complete and posted to the website on September 12. The Charter Review Commission would like a final public hearing on Monday, September 22.

Motion carried 6-0.

Item 4 Order to establish an interim Municipal Reviewing Authority, and discussion about a Municipal Reviewing Authority (MRA) and a hypothetical schedule required for public hearings to be held by the MRA in coordination with the Council public hearings.

Nathan Poore explained that they are looking at an order to appoint an interim MRA.

Councilor Wrobleski thought that LPAC should be appointed for a brief period of time.

Councilor Breen was concerned about adding this issue to Planning Board.

Amanda Stearns, Community Development Director, explained the pros and cons of choosing LPAC, formally CPAC, or the Planning Board.

Councilor Wrobleski moved to appoint LPAC to be the MRA on a temporary basis until the Council receives a report from the Planning Board detailing how they would fulfill this role. Councilor Breen seconded.

Councilor Armitage was not comfortable with LPAC as the MRA; he thought it should be the Planning Board.

Councilor Payne asked if putting in a sunset provision would make Councilor Armitage more comfortable. He suggested a Dec. 31 deadline. This would provide time to process everything.

Councilor Payne amended the motion to include that the Planning Board shall prepare and present a recommendation to Town Council because the interim MRA shall expire on Dec. 31 unless reappointed.

Nathan Poore said he would like the Planning Board to submit by Dec. 1.

Councilor Rodden wanted them to address in that report how long the public can speak.

Original motion carried 6-0.

Amended motion carried 6-0.

Item 5 (Workshop Item) Update and report from the Green Ribbon Commission regarding their work, charge and sub-committees.

Item 6 (Workshop Item) The Community Development Department is presenting recommendations for an update to the fees and guarantees that the Town collects for review, inspection, and guarantee of development projects.

Item 7 (Workshop Item) Discussion about creating economic development policies.

Item 8 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).

Councilor Wroblewski moved to go into executive session, Councilor Payne seconded. Motion carried 6-0.

The Council came out of executive session at 10:15 pm. There was no action taken on Agenda Item 8.

Item 9 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).

Councilor Wroblewski moved to go into executive session, Councilor Payne seconded. Motion carried 6-0.

The Council came out of executive session at 10:15 pm.

Councilor Rodden moved to approve the order:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED: To authorize the Town Manager to execute a purchase and sale agreement to purchase land, owned by Fred W. Chase and Diana L. Chase, and identified as Tax Maps R08-073; R08-069, R08-070, and part of R08-39, for an amount not to exceed \$500,000 with \$200,000 due at closing and \$50,000 per year for six additional years, with conditions and other considerations as may be deemed in the best interest of the town.

Councilor Pierce seconded. Motion carried 6-0.

Councilor Rodden moved to approve the order:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED: To authorize the Town Manager to execute a purchase and sale agreement to purchase land, owned by William C Stiles, Thomas F. Terison, and Old Route 202 Associates, and identified as Tax Map R06-14, for an amount not to exceed \$102,000 with conditions and other considerations as may be deemed in the best interest of the town.

Councilor Pierce seconded. Motion carried 6-0.

Councilor Rodden moved to approve the order:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED: To authorize the Town Manager to execute a purchase and sale agreement to purchase land, owned by Charles P. Harriman, and identified as a portion of Tax Map R03-76-A, for an amount not to exceed \$245,000 with conditions and other considerations as may be deemed in the best interest of the town.

Councilor Pierce seconded. Motion carried 6-0.

Item 10 Order to go into Executive Session pursuant to the Laws of Maine to discuss the Town Manager's annual performance evaluation, pursuant 1 M.R.S.A. § 405 (6) (A).

Councilor Pierce moved to go into executive session at 10:30pm.
The Council came out of executive session at 10:40pm. There was no action taken except to reschedule the Town Manager's performance review to October.

Adjourn

Councilor Rodden moved to adjourn; Councilor Pierce seconded. Motion carried 6-0.

Meeting adjourned at 10:40 pm.