### Town Council Meeting November 23, 2009 DRAFT Minutes

The meeting was called to order at 7:04 pm.

#### **Roll Call**

Councilors present and answering roll call: Libby, Rodden, Armitage, Payne, Breen, Chase and Pierce were present and answering roll call.

#### **Public Forum**

Councilor Breen opened the Public Forum. There was no public comment. Councilor Breen closed the Public Forum.

### Item 1 Resolution to recognize Richard Meserve, REAL School instructor, for his recent recognition by the Milken Foundation.

Councilor Rodden read the resolution. Councilor Armitage moved to approve the resolution; Councilor Pierce seconded. Motion carried 7-0.

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

The Councilors gave updates on their Committees.

# Item 3Report from the Appointments Committee and order relative<br/>to filling various vacancies on Boards and Committees.

Councilor Pierce moved to re-appoint the following for three year terms: Kevin Browne to Falmouth Trails Advisory Committee Bill Oliver to Harbor Committee Mel Dickenson, John Adelman, Tim Vandermel, to Open Space Committee Stan Given to Zoning Board of Appeals as a regular member Sally Bitan to Recycling Committee Frank Ruch to a one year term on Conservation Committee.

Councilor Rodden seconded. Motion carried 7-0.

### Item 4Public Hearing on an amendment to the Coastal<br/>Waters Ordinance, Chapter 9 Article IV.

Chair Breen opened the public hearing. There was no public comment. Chair Breen closed the public hearing.

### Item 5 Public Hearing regarding an amendment to the Traffic and Motor Vehicle ordinance, Chapter 17, such amendment would restrict parking on Woodville Road in a location near the Middle School, new Elementary School and Superintendent's office.

Chair Breen opened the public hearing. There was no public comment. Chair Breen closed the public hearing.

Item 6 Green Ribbon Commission presentation to the Town Council regarding a portion of its final report on Energy and Climate Protection.

Committee Chair Ann Goggin presented eight recommendations to the Council. Chair Breen will be working with Ann Goggin on two of the recommendations. A continuation of the report will be on the December 14 meeting.

# Item 7Consideration by Council to accept Sherman Drive as a public<br/>street.

Community Development Director Amanda Stearns explained the application and memo from Interim Public Works and Parks Director Jay Reynolds. Stearns stated that the deed has been prepared as an easement for the paper street portion. Town's attorney, Bill Plouffe recommends that it be redrafted as a fee.

Councilor Chase moved to accept Sherman Drive as a public street and post a performance bond of \$6,451.17 until 11/23/2011 and refer out to the submitted draft deed description of the streets meets and bounds. Councilor Libby seconded.

Councilor Armitage moved to make an amendment to Councilor Chase's motion to include a fee interest in the paper street. Councilor Libby seconded. Motion to amend carried 7-0.

Councilor Libby moved to make an amendment that the Town as part of the street acceptance does not accept the maintenance or ownership of the two street lights as identified by the Town Manager as the one at the end and one at the intersection of Middle Road. Councilor Rodden seconded. Motion to amend carried 7-0.

Councilor Rodden moved to table the motion until all the documents are completed and submitted to the Town. Chair Breen seconded. Motion failed 2-5. (Libby, Armitage, Payne, Chase and Pierce opposed)

Original motion, as amended passed 5-2. (Rodden and Breen opposed)

### Item 8 Town Council Ad-hoc Committee on Mass Transit report to the full Town Council regarding the performance of the new and expanded Metro Bus route.

Council Rodden presented the report from the Mass Transit Committee. Rodden reported the Ad-hoc Falmouth Mass Transit Committee unanimously concluded at its meeting on Nov. 16, 2009 to recommend that the Council continue its membership in Metro for another year. To withdraw from Metro, the Council must give one year's notice by Jan.1.

Item 9 Introduction of an amendment to Chapter 6, Article 6, Section 6.68, Appendices A- C of the Falmouth Town Ordinance that will change maximum levels of income and expenses for the General Assistance program.

A public hearing will be held on December 14.

Councilor Rodden left the meeting.

Item 10 Order to disband the Ad-hoc Workforce Housing Committee.

Councilor Armitage motioned to approve the order to disband the Ad-hoc Workforce Housing Committee. Councilor Libby seconded. Motion carried 6-0.

Chair Breen thanked the past and present members for all their hard work and dedication.

Item 11 Order to go into Executive Session pursuant to the Laws of Maine to discuss negotiation parameters associated with labor contracts between the town and two unions - Teamsters Local 340 and Maine Association of Police, pursuant 1 M.R.S.A. § 405 (6) (D).

Councilor Armitage moved to go into Executive Session; Councilor Payne seconded. Motion carried 6-0.

Town Manager Nathan Poore announced for the viewing public this portion of the meeting was over.

### Adjourn

Meeting adjourned at 9:25 pm.

Respectfully submitted,

Ellen Planer Town Clerk