

**Town Council Meeting**  
**December 14, 2009**  
**DRAFT Minutes**

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

**Roll Call**

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

Councilor Payne was absent.

**Item 1                      Resolution in recognition of the 2009 Falmouth Youth Varsity Football team and its recent accomplishments.**

Councilor Armitage read the resolution and moved to approve the resolution; Councilor Rodden seconded. Motion carried 6-0. .

**Item 2                      Discussion with Senator Gerald Davis and Representative Mary Nelson regarding matters of mutual interests to the Town of Falmouth and the State of Maine.**

Representative Joan F. Cohen was unable to attend the meeting. The Councilors had an opportunity to ask questions of Senator Davis and Representative Nelson.

**Item 3                      A resolution to recognize the 2009 Championship Falmouth High School Boys Soccer Team.**

Councilor Pierce read the resolution. Councilor Armitage moved to approve the resolution; Councilor Rodden seconded. Motion carried 6-0.

**Public Forum**

Councilor Breen opened the Public Forum.

Charlie Hebson spoke on behalf of the Nordic Skiers of all ages in Falmouth. Due to the construction of the new elementary school the Nordic skiers have been displaced from the trails where they had previously skied for many years. Mr. Hebson thanked the Town and in particular Jeff Mason. Mr. Hebson asked for cooperation with the Town and others to respect the different types of trails in Community Park.

Sarah Abramson, captain of the Falmouth High school team shared Mr. Hebson's concerns and explained the advantages for the students to ski in Falmouth as opposed to an off site location.

Richard Frost echoed the two previous speakers and asked for continued support from the Town to groom the trails. Frost spoke of the work done on the trails by many volunteers

and their equipment. Mr. Frost would like to see additional cooperation by the Town in the way of training and approving volunteers to use the Town's equipment to help groom the trails. Mr. Frost read a letter written by Jeff Walker, Falmouth Trail Advisory Committee's chair.

Councilor Breen closed the Public Forum

- Item 4(a) Order to approve the minutes of the September 14, 2009, Town Council Special Meeting and Workshop.**
- Item 4 (b) Order to approve the minutes of the September 30, 2009, Town Council Meeting.**
- Item 4 (c) Order to approve the minutes of the October 7, 2009, joint meeting of the Town Council and School Board.**
- Item 4 (d) Order to approve the minutes of the October 13, 2009, Town Council Special Meeting and Workshop.**
- Item 4 (e) Order to approve the minutes of the October 26, 2009, Town Council Meeting.**

Councilor Armitage moved to approve the consent agenda; Councilor Chase seconded. Motion carried 6-0.

- Item 5 Report from Council Committees and liaisons regarding updates on assignments.**

The Councilors gave updates on their committees.

- Item 6 Report from the Appointments Committee and order relative to filling various vacancies on Boards and Committees.**

Councilor Pierce recommended the following appointments for 3 year terms;  
Nancy Lightbody, Art Fredriksen, to the Conservation Commission  
Savas Gunduz and Fred Masciangelo to FTAC.

Councilor Libby seconded. Motion carried 6-0.

Councilor Piece explained that there had been a request from a Councilor to review the applications the committee received. The Town Clerk will forward future applications to all of the Councilors for their review.

- Item 7 Public Hearing regarding 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.**

There was no public comment. An order will be scheduled for January 11, 2010

**Item 8 Public hearing concerning an amendment to the Falmouth Code by adding a section, to be numbered 18-133, which prohibits connection of septic tanks to the public sewer.**

There was no public comment. An order will be scheduled for January 11, 2010

**Item 9 Report from the Fire Chief regarding the status and effect of closing the Pleasant Hill Fire Station.**

Chief Rice summarized the agreement and the status of Pleasant Hill Fire Station. Chief Rice recommended to permanently close the Pleasant Hill Fire Station. A public hearing will be held on January 11.

**Item 10 Continuation of the Green Ribbon Commission presentation to the Town Council regarding a portion of its final report on Energy and Climate Protection.**

Ann Goggin presented a set of recommendations:

**Part I Alternative Energy and Fuel Switching**

Recommendation # 1: Natural gas line pipeline at Wyman Station which is located on Cousins Island in Yarmouth.

Recommendation # 2: Wind power adopting an ordinance permitting and regulating wind power generation facilities. Offshore wind power is stronger and more consistent than onshore wind.

Recommendation # 3: Wind power – sea. Monitor State’s plans for offshore wind power facilities.

Recommendation # 4: Municipal renewable energy supply.

**Part II Waste and Recycling**

Recommendation #1: Source reduction

Recommendation # 2: Continue curbside pick up of recyclable trash.

Recommendation # 3: Business recycling.

Recommendation # 4: Recycling containers in public places.

**Item 11 Order to approve a letter that encourages the State Legislature to consider a program known as PACE and Smart Meters, as presented by the Green Ribbon Commission on November 23, 2009.**

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

Chair Breen read the PACE letter and explained the letter did not commit the Town to any action. The letter is the first step in opening up discussion.

Ann Goggin stated this program is a voluntary action by the Town and the homeowner.

Motion passed 4-2 (Libby, Chase opposed).

Chair Breen read the letter detailing Smart Meters. Ann Goggin stated the sooner this is in place the sooner the residents should see some savings. Ann Goggin asked the letter to be re-addressed to the Public Utilities Commission.

Motion passed 4-2 (Libby, Chase opposed).

**Item 12                    Order to adopt an amendment to the Coastal Waters Ordinance, Chapter 9 Article IV.**

Councilor Libby moved to adopt an amendment to the Coastal Waters Ordinance, Chapter 9 Article IV. Councilor Armitage seconded. Motion carried 6-0.

**Item 13                    Order to adopt a new Falmouth Harbor Fee Schedule.**

Councilor Armitage moved to adopt a new Falmouth Harbor Fees Schedule. Councilor Libby seconded. Motion carried 6-0.

**Item 14                    Order to adopt 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.**

Councilor Libby moved to adopt 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.

Councilor Armitage seconded. Motion carried 6-0.

**Item 15                    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). Possible action to authorize the Town Manager to execute a purchase and sale agreement.**

**Item 16                    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 Libby seconded. Motion carried 6-0.

Town Manager Nathan Poore announced for the viewing public this portion of the meeting was over. If there is any action then the results will be announced at the next meeting.

The Town Council came out of Executive session. Councilor Pierce moved the following:

**Be it ordered by the Town Council of the Town of Falmouth, Maine in Town Council assembled:**

That the Town purchase a lot or parcel of land with any improvements thereon located on Blackstrap Road currently owned by Bruce Stillings and Suzanne L. Stillings (collectively, the "Seller) and shown as Lot 21 on Tax Map R08 for a purchase price of \$200,000; that the Town finance not more than \$175,000 of the purchase price through a promissory note secured by a mortgage of the premises given by the Town to Seller, said promissory note to be payable without interest over a term not to exceed four years; that the Town Manager be authorized to execute and deliver in the name and on behalf of the Town a purchase and sales agreement for that purpose substantially in the form presented to this meeting with such changes not inconsistent with this Order as the Town Manager may approve, a promissory note in favor of the Seller in the principal amount of not more than \$175,000, and a mortgage of the premises to secure said promissory note; and that the Town Manager be further authorized to execute and deliver in the name and on behalf of the Town such other documents and instruments and to take such other actions not inconsistent with this Order as may in the Town Manager's judgment be necessary to effectuate the acquisition and financing of said premises, including without limitation the incurrence of related costs, including survey, appraisal, title search/insurance, legal, recording, property inspection, insurance and other reasonable due diligence and closing costs.

Councilor Chase seconded, Councilor Payne was absent. Motion carried 6-0

After the vote, Councilor Rodden asked that the minutes include the street location of the site and the funding mechanism and payment timeline. The property is on Blackstrap Road across from Babbidge Road. The purchase was authorized by the voters at a referendum in November, 2007, and the payment schedule is \$25,000 in the first two years, \$50,000 in the third and \$100,000 in the fourth year.

**Adjourn**

Councilor Pierce moved to adjourn the meeting; Councilor Chase seconded. Motion carried 6-0.

Meeting adjourned at 9:25 pm.

Respectfully submitted,

Ellen Planer  
Town Clerk