

**Town Council Special Meeting and Workshop**  
**January 11, 2010**  
**DRAFT Minutes**

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

**Roll Call**

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

**Item 1                      Order to go into Executive Session pursuant to the Laws of Maine to discuss renewing the franchise agreement between the Town of Falmouth and Time Warner Cable, pursuant to 1 M.R.S. secs. 405(6) (C) and (E).**

Councilor Armitage moved to go into executive session pursuant to the Laws of Maine to discuss renewing the franchise agreement between the Town of Falmouth and Time Warner Cable, pursuant to 1 M.R.S. secs. 405(6) (C) and (E). Councilor Pierce seconded. Motion carried 7-0.

Councilor Armitage moved to go out of Executive Session. Councilor Pierce seconded. Motion carried 7-0.

Chair Breen wished everyone a happy new year and explained they had returned from Executive Session. She reported that a public hearing would be held when an agreement was drafted.

Chair Breen acknowledged the passing of resident and volunteer Jay Moody. On behalf of the Town Staff and all the volunteers she offered condolences to Jay's family and friends.

**Item 2                      Public hearing regarding the status and effect of closing the Pleasant Hill Fire Station and order to support permanently closing the station.**

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

Councilor Pierce moved an order to accept the closing of the Pleasant Hill Fire Station permanently as supported by the memo dated December 9, 2009 from Fire Chief Howard Rice. Councilor Armitage seconded. Motioned carried 7-0.

**Item 3                      Consideration and order to authorize the Town Manager to accept an easement from property owners of Foreside Place for public use and maintenance of sidewalks on private property**

Town Manager Nathan Poore complimented the land owners on their partnership and willingness to work with the Planning Department.

Councilor Payne moved to authorize the Town Manager to accept an easement from the property owners of Foreside Place for public use and maintenance of sidewalks on private property. Councilor Pierce seconded. Motion carried 7-0.

**Item 4                      Consideration and order to accept Arborside Drive, Wisteria Circle and Ledge Rock Circle in Foreside Arbors as public streets.**

Amanda Stearns will discuss the consideration and drafting of the order with Town Attorney Bill Plouffe for the January 25 council agenda.

**Item 5                      Consideration and possible order to reverse Settlement Agreement for restrictions on 105 Drive.**

Councilor Libby moved the settlement agreement between Citicorp Mortgage and the Town of Falmouth dated June 19, 1997 and recorded in the Cumberland County Registry of Deeds at Book 13159 Page 170 be amended to remove items 1 & 2 listed under the document Deed Restrictions, removing restrictions being placed on the property known as 105 Sunset Road and referenced in the Assessor's records as HL3 – 029. The Town Manager, Nathan Poore is authorized to execute any necessary legal instruments and the property owner is responsible for any associated costs for preparing and recording all such instruments. Councilor Tony Payne seconded.

Councilor Armitage motioned to amend the motion to have the owner acquiesce to a site visit by the Assessor to review the site conditions of the property; Chair Breen seconded. Motion carried 7-0.

First motion carried 7-0

**Item 6                      Order to endorse an application for PACTS funding related to two proposed projects.**

Interim Public Works Director Jay Reynolds discussed two applications for PACTS (Portland Area Comprehensive Transportation System) funding on two proposed projects.

1. Gray Road Sidewalk Project
2. Route 1 Streetscape Project

Councilor Pierce made a motion to endorse an application for PACTS funding related to two proposed projects the Gray Road Sidewalk Project and the Route 1 Streetscape Project. Councilor Libby seconded.

Councilor Pierce withdrew her motion.

Councilor Rodden made a motion to endorse the Gray Road Sidewalk Project application to PACTS from Leighton Road to Portland North. Councilor Pierce seconded. Motion passed 6-1. (Councilor Payne opposed).

Staff will withdraw the Route 1 Streetscape Project.

**Item 7                      Review and discuss options for the future use of the property located at 260 Foreside Road, known as the Brown Property.**

Chair Breen summarized the future options for the property at 260 Foreside Road:

- Create, or do not create, parking;
- Sell, or do not sell, a front lot;
- Add or enhance, or do not add or enhance, recreation opportunities adjacent to the existing Underwood Park;
- Leave (remainder of) property “as is.”

The Council took a 12 minute break.

**Item 8                      Presentation and discussion pertaining to the 2010 – 2011 Capital Improvement Plan Budget.**

Nathan Poore, Randy Davis and John McNaughton presented the CIP Budget and answered questions from the Councilors.

**Item 9                      Discussion about municipal services and categorization of essential or core services and those services that can be defined as beyond core or essential services.**

Finance Committee Chair Pierce asked the Council to evaluate the municipal services and suggest services that may need to be looked at creatively.

Chair Breen referred back to her statement last year during the budget season concerning solid waste, that Falmouth has the “Cadillac” of services for their residents. Breen suggested investigating every other week for curb side and recycling pick up and the possibility of less silver bullets.

Councilor Rodden asked when the updated information the Recycling Committee had gathered would be presented to the Finance Committee.

Councilor Pierce explained that the Finance Committee would be gathering information when a plan is developed and they would be analyzing data from the Committees at that time.

**Item 10                      Discussion about the development and distribution of a citizen budget development for selected municipal services and programs.**

Councilor Pierce explained the survey is another avenue for information gathering to receive feed back. The survey will be available on the web site as well as paper copies.

Councilor Rodden suggested changing the dispatch question by adding a definition to what the service is.

**Item 11                      Order to adopt 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.**

Councilor Libby moved to adopt 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. Councilor Armitage seconded. Motion passed 7-0.

**Item 12                      Order to adopt 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.**

Councilor Libby moved to adopt 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. Councilor Pierce seconded. Motion carried 7-0.

**Item 13                      Discussion about future Council agendas.**

Town Manager Nathan Poore reviewed the January 25 and February 8 upcoming agendas.

**Item 14                      Order to go into Executive Session pursuant to the Laws of Maine to discuss a hardship abatement of taxes pursuant to 1 M.R.S.A. § 405 (6) (C).**

The Executive Session was cancelled by the taxpayer and rescheduled for February 22, 2010.

**Adjourn**

Meeting adjourned at 9:55 pm.

Respectfully submitted,

Ellen Planer  
Town Clerk