

**FALMOUTH TOWN COUNCIL  
REGULAR MEETING  
FALMOUTH TOWN HALL  
Tuesday, July 17, 2007  
MINUTES**

The meeting was called to order at 7:00 PM.

**ROLL CALL**

Present and answering roll call: Councilors Libby, Payne, Breen, Rodden, Wrobleski & Goggin.

Arriving late: Councilor Armitage arrived at 7:55 PM.

**PUBLIC FORUM**

**Chair Breen opened the Public Forum.**

**Bridget Douglas**, owner of Patti's Restaurant spoke regarding business lost during the Soccer Tournament. She hopes something can be done net year to encourage local business. She was overstaffed & ordered too much food, etc.

**ITEM 1 - CONSENT AGENDA**

- A) Order to approve the minutes of the organizational meeting of June 18, 2007.**
- B) Order to approve the minutes of the regular meeting of June 18, 2007.**
- C) Order to approve the minutes of the special meeting of June 20, 2007.**

On motion (Libby), duly seconded by (Wrobleski), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

"To amend the minutes of the organizational meeting to reflect that Councilor Dave Libby was appointed as the representative to the Chamber of Commerce."

"To amend the minutes of the special meeting of June 20<sup>th</sup> to reflect Councilor Bonny Rodden as liaison to Metro. The meeting adjourned at 5:50 PM."

On motion (Libby), duly seconded by (Wrobleski), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

"To approve the consent agenda with the above mentioned amendments."

**ITEM 2 - Report from Council Committees and liaisons regarding updates on assignments.**

**Councilor Wrobleski** reported on the School Building Committee. He stated that various sites are being investigated for the new elementary school, and asked “should the Plummer Motz site be abandoned?” He reported from the Community Development Committee (CDC0 and the Comprehensive Plan Advisory Committee (CPAC). The report is included in the council packet. The Conservation Zoning Ordinance was discussed with different options and scenarios. The recommendation is for the council to choose option #5.

**Councilor Goggin** disagrees with option #5 and is opposed to option #3. The discussion continued with Councilors Payne, Breen, Rodden and Libby.

**Councilor Rodden** suggests continuing the discussion after the CBI Report. She announced that curbside recycling would begin in August on the 15<sup>th</sup>. She explained that postcards will be mailed, with instructions and bins will be dropped at every house. Also noted: ECO – Maine – Green Expo on November 15<sup>th</sup>, & looking for sponsors who provide a green service. Cost is \$750.00, & this is good publicity.

**Councilor Libby** reported on the Cable TV. At the end of August, cameras in the council chambers will be replaced. The Cable TV Committee is fully staffed. The Harbor/Waterfront Committee met last week with the consultant. Nothing on Shellfish, nothing on Falmouth/Cumberland Chamber.

**Councilor Goggin** reported that the Ordinance committee will be meeting soon.

**Councilor Breen** reported that the new council orientation was held, and reported on soccer tournament information.

**Councilor Wrobleski** would like to discuss at the retreat.

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

It was reported that the Appointments Committee met at 6:00 PM. tonight. Appointments will be made next month. Each applicant will be invited for an interview. The committee expects to meet for one hour before each council meeting.

**ITEM 4 - Presentation from Harvest Development LLC regarding a proposed Retirement Community Development near Route 1 and initial request to develop a contract zone.**

Councilors **Rodden** and **Goggin** had questions.

**Councilor Goggin** spoke regarding the narrow and crossing Wetlands issues and mapping vernal pools. MDOT is looking at configuring the ramp system to the highway.

**Councilor Breen** asked Town Manager, Nathan Poore to talk to MDOT and Maine Turnpike.

**Councilor Libby** referred HP to GPCOG.

**Councilor Payne** asked questions about number of entrances, etc.

**Councilor Rodden** would like to see a bus stop at the facility.

**Councilor Wrobleski** would like to know the next steps. HP is looking to uncover info tonight – access issues, environmental, etc. HP is looking for some town support. Once group has done some homework, come back to the Council.

Dave motions to allow comment by citizen. Cathy seconds. A man from Yarmouth owns property across the street and read about it in the paper. He is an abutter and thinks he should have received notice. Nathan note after meeting – CDC supports option 4. He wanted something included in the minutes.

On motion (Libby), duly seconded by (Breen), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To allow citizen comment.”

A man from Yarmouth stated that he owns property across the street and read about this in the paper. He is an abutter and thinks he should have received notice.

Town Manager, **Nathan Poore** noted after the meeting that the Community Development Committee (CDC) supports option #4, & this should be included in the minutes.

**ITEM 5 - Discussion with the Conservations Commission’s Subcommittee on Open Space relative to long term land acquisition funding including a possible land bond referendum question in November.**

A presentation by the Open Space Committee related to land acquisition. The group wants a land bond on the November ballot. OSIC recommends 5M in public support.

**Councilor Payne** said to send 5M to referendum.

**Councilor Goggin** agrees.

Councilor Libby agrees. He mentioned the need for Workforce Housing and is concerned about limiting land.

**Councilor Armitage** would like the Finance Committee to evaluate the bond. There are other issues out there – school, library. We have to look at all looming bond issues.

**Councilor Rodden** said there are political questions – what happens if we lose it all? There is a state bond question for Natural Resources on the November ballot.

**Councilor Wrobleski** thinks 5M is a substantial amount. He is on the fence. Are municipal uses included? How would money be spent?

**Councilor Breen** would like a public hearing in August with rough draft of language at that time.

**Councilor Goggin** talked about the money the town has in reserve funds. Maybe townspeople would say to spend out of reserve and not borrow. A public hearing must be scheduled for August based on the Finance Committee recommendation.

**ITEM 6 - Order to authorize the sale of excess town owned land with a presentation from Bob Shafto.**

**Bob Shafto** presents town owned land aka “tidbit lots.” Proceeds from sold land could go to Open Space Plan.

**Councilor Breen** would like to take recommendations under advisement and put on workshop agenda. No decisions will made tonight.

**ITEM 7 - Order to authorize the Town Manager accept a parcel of landlocked real estate, with no financial compensation, from Dr. Maurice and Patricia Hothem, such lot is identified on the Falmouth Tax Maps as R06 – L26 and located near Hadlock Road, Falmouth Country Club and the Cumberland town line. This 5 acre lot is undeveloped and the conveyance is conditioned upon the Town of Falmouth granting a conservation easement to the Falmouth Conservation Trust with \$1,000 for ongoing property maintenance and conservation enforcement.**

Nathan explains landlocked parcel for donation. Ann motions and Dave seconds on item 7 to accept landlocked parcel. Everyone agrees.  
On motion (Goggin), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To move item six to item eight.”

Town Manager, **Nathan Poore** explained the donated landlocked parcel.

On motion (Goggin), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To accept the landlocked parcel such lot is identified on the Falmouth Tax Maps as R06 – L26 and located near Haldock Road, Falmouth Country club and the Cumberland town line.”

- ITEM 8 - Order to authorize the Town Manager convey with \$1,000 to the Falmouth Conservation Trust a conservation easement on land identified on the Falmouth Tax Maps as R06 – L26 and located near Hadlock Road, Falmouth Country Club and the Cumberland town line. This 5 acre lot is undeveloped.**

On motion (Goggin, duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To authorize the Town Manager convey with \$1,000 to the Falmouth Conservation Trust a conservation easement on land identified on the Falmouth Tax Maps as R06 – L26 and located near Hadlock Road, Falmouth Country Club and the Cumberland town line.”

- ITEM 9 - Order to approve an agreement with the Falmouth School Department, Falmouth Education Foundation d/b/a Game On, and the Town of Falmouth relative to the design, construction, use, and maintenance of a new artificial turf field.**

On motion (Goggin, duly seconded by (Armitage), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To approve paragraph one and paragraph 1E.”

Town Manager, **Nathan Poore** explained this item. Town Attorney, Bill Plouffe has reviewed the agreement. There is one major change in the agreement involving Falmouth Soccer and exclusive rights. All athletic teams at the school have signed off on the change construction will not begin until Game On has secured funding. If the price exceeds 650,000 the town renegotiates the contract.

- ITEM 10 - Discussion relative to a proposed sewer service rate increase per Code of Ordinance, Section 18-160.1**

Town Manager, **Nathan Poore** introduced this item. The public hearing is scheduled for next Monday, the 23<sup>rd</sup> of August. There were questions regarding the absence of the information in the council packets and who introduced the issue. The council thinks the sewer users need to receive notice in bills about the rate increase.

**Councilor Goggin** thinks the public hearing should be in August; however the notice is already out to the paper. In the future, all the council agrees that notice should be given.

**ITEM 11 - Discussion relative to a proposed amendment to the Zoning and Site Plan Review Ordinance which will increase fees for development applications.**

**Councilor Armitage** introduced this item. A public hearing will be held on July 23<sup>rd</sup>.

**ITEM 12 - Discussion relative to proposed road construction projects and the need for a referendum question in November. (Road projects include: Ledgewood Drive, Johnson Road & Middle Road)**

Authorizations were made to spend money for Ledgewood, Middle and Johnson Road. However, no motions were made.

**ITEM 13 - Discussion about developing criteria/policy for how land is purchased and sold by the town.**

On motion (Wrobleski), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To move this item up.

**Councilor Rodden** led the discussion and would like criteria, checklist, etc. She questioned who should be involved – the CDC?

**Councilor Goggin** discussed a policy and who makes it. How does the town keep institutional memory?

**Councilor Armitage** would like a “basic” framework and make sure it is kept that way. He wants flexibility.

**Councilor Wrobleski** agreed that the CDC would “take up” the situation.

**Councilor Goggin** suggests that this topic is discussed at the retreat.

**ITEM 14 - Introduction relative to proposed amendment to place the parks division within the Public Works Department.**

**Councilor Goggin** introduced this item and the discussion was lengthy.

There was discussion concerning the August meeting, workshop/regular meeting? One or the other?

**Councilor Wrobleski** would like to attend the retreat and then decide.

**ITEM 15 - Order to go into executive session for the following:**

- **Discussion pertaining to economic development and TIF District negotiations – 1 M.R.S.A. § 405 6.(C) (It is anticipated that a public hearing will be scheduled in August)**

- **Discussion regarding possible real estate acquisition – 1 M.R.S.A. § 405 6.(C).**

On motion (Armitage), duly seconded by (Goggin), it was VOTED (6 Ayes: 1 dissenting: Rodden) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

- “To go into Executive Session at 10:55 PM for Discussion pertaining to economic development and TIF District negotiations – 1 M.R.S.A. § 405 6.(C) (It is anticipated that a public hearing will be scheduled in August)
- Discussion regarding possible real estate acquisition – 1 M.R.S.A. § 405 6. (C).

On motion (Armitage), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To come out of Executive Session at 11:45 PM.”

On motion (Wrobleski), duly seconded by (Payne), it was VOTED (7 Ayes) as follows:

**BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**

“To adjourn the meeting at 11:45 PM.”

**ADJOURN**

Respectfully submitted,

*Kathleen W. Babeu*

Kathleen W. Babeu

As recorded by Amy Lamontagne.