

**Town Council Meeting**  
**August 25, 2008**  
**MINUTES**

**Roll Call**

Present and answering roll call: Councilors Rodden, Wrobleski, Armitage, Pierce & Libby.  
Absent: Councilors Breen & Payne

**Public Forum**

There was no public comment.

**Consent Agenda**

Items 1(a), 1(c) and 1(d) were removed from the consent agenda and therefore opened for discussion. The order of the agenda was not changed.

**Item 1 (a) Order to approve the minutes of July 28, 2008.**

The Council discussed several amendments to the minutes.

Councilor Rodden moved to approve the minutes as amended. Councilor Pierce seconded the motion. Motion carried 5-0.

**Item 1 (b) Order to approve the minutes of the special Council meeting of August 5, 2008.**

Councilor Libby moved to approve the minutes. Councilor Pierce seconded the motion. Motion carried 5-0.

**Item 1 (c) Order to adopt the Town Council's 2008/09 workplan.**

Councilor Wrobleski wondered whether the issue of economic development was more appropriate to the comprehensive plan or the Council's workplan. Councilor Libby advocated keeping it on the workplan. Councilor Rodden wanted to see it as a workshop item soon, if not on the next agenda.

Councilor Wrobleski moved to adopt the Town Council's 2008/09 workplan. Councilor Pierce seconded the motion. Motion carried 5-0.

**Item 1 (d) Order to sign the October 7, School Construction Project Referendum election warrant.**

Nathan Poore explained that there was a transposing error, brought to his attention just this evening around 5pm, on the local portion of the elementary school construction project. It was incorrectly listed as \$5,337,326 when it should have been \$5,377,326. The change has been made on the warrant that the Council has before them to approve tonight. However, due to the lateness of the change, in order to approve this amended warrant the Council will have to waive its rule requiring an item to be posted by noon on the Thursday before the meeting. This waiver will allow the Council to amend the bond order and the warrant and approve them tonight. Nathan Poore suggested that the Council first vote to waive its rules in order to allow the amended bond order, and then vote to approve the warrant as amended August 25, 2008.

Councilor Pierce moved to waive the Council rule requiring the order to be posted in the week prior to the meeting. Councilor Wrobleski seconded. Motion carried 5-0.

Councilor Pierce moved to accept the amendments to the bond order; Councilor Wrobleski seconded. Motion carried 5-0.

Councilor Pierce moved to accept the special referendum election warrant as amended August 25, 2008. Councilor Wrobleski seconded. Motion carried 5-0.

## **Regular Agenda**

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

Councilor Libby stated the Harbor Committee was present tonight. The Cable TV Committee had not met for a month or two, and Falmouth on the Green also had not met. Workforce Housing would be meeting tomorrow. They have two finalists and have made field trips to developments by the finalists.

Councilor Pierce stated that on September 4<sup>th</sup> the Facilities Committee of the School Board will hold a meeting on the sustainability concept, based on public comment. The Green Ribbon commission is also having a meeting that night, and will have a presentation before the Council on September 8<sup>th</sup>. The Community Facilities Committee is in the process of deciding whether they will be meeting prior to the October 7<sup>th</sup> referendum or after.

Councilor Wrobleski stated the CDC has not met to discuss amendments to zoning for retail establishments for Falmouth Corners. The Committee should be meeting next week.

Councilor Rodden stated that the Mass Transit Committee was working on a report and would have a public hearing in October. Councilor Rodden thanked Councilor Libby and Councilor Payne for joining her on the committee. The Open Space Committee has several upcoming events with the Conversation Corps. Councilor Rodden reported that the Recycling Committee had been very busy questioning residents and nonresidents on their use of the silver bullets vs. curbside recycling. A report will be forthcoming. She mentioned that the curbside recycling calendar is on the Public Works website.

Town Manager Nathan Poore inquired about the recycling calendar. After council discussion regarding the best manner of distributing the calendar, Nathan Poore stated he would make a decision about whether they would distribute the calendar on stickers or an insert in the tax bill after he did some research into the cost. The Council was satisfied with that.

Later in the meeting, Councilor Wrobleski reported that the Charter Commission would be holding a public hearing tomorrow night at 7pm at the library. Their preliminary report is on the website.

Councilor Pierce also added that on September 2<sup>nd</sup> and September 8<sup>th</sup> the school board would be meeting to discuss school consolidation.

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

Councilor Rodden encouraged people to apply for the Conservation Committee, Harbor Committee, Workforce Housing Committee and the Recycling Committee. The Council discussed the Adhoc Governance Committee, but decided to address it at a subsequent meeting.

**Item 4            Public Hearing and order relative to a renewal food service establishment license/victualer's license for Wal\*Mart.**

Councilor Libby moved to approve a food service/victualer's license for Wal\*Mart. Councilor Pierce seconded. Motion carried 5-0

**Item 5            Presentation from the Harbor Committee and its consulting engineering firm relative to the Long Range Harbor Management Plan.**

Andrew Manning from Milone & McBroom Inc. presented the report. The Council gave the Committee feedback to move forward.

**Item 6            Introduction of an amendment to the Zoning and Site Plan Review Ordinance to allow keeping of poultry in all districts for household use with certain standards to be met.**

A public hearing on this item will be held in September.

**Item 7            Introduction of an amendment to the Zoning and Site Plan Review Ordinance and the Code of Ordinances to provide for appeal to the Board of Zoning Appeals for a Conditional Use Permit for Misplaced Single- Family Dwellings and further to authorize the Town Council to grant a Consent Agreement for such misplaced dwellings.**

Council Wrobleski noted that he had discussed some non-substantive wordsmithing with Amanda Stearns, Community Development Director, and he would work on redlining those changes before passing them along.

**Item 8            Designation of Municipal Reviewing Authority pursuant to 30-A M.R.S.A.**

Councilors had discussion on the merits of LPAC or the Planning Board serving as the Municipal Reviewing Authority (MRA). Councilor Wrobleski suggested the Planning Board draft amendments to their rules for the Council to review if they want to take this on. Councilor Rodden emphasized that the time limit proposed by the Planning Board should be changed from two to five minutes. Councilor Wrobleski stated that they could continue to use LPAC. There was some discussion as to which Board would hold the public hearings on the upcoming ordinance amendments. Chair Armitage suggested they use the Planning Board and Councilor Libby agreed.

**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 Libby moved to go into Executive Session. Councilor Pierce seconded. Motion carried 4-0 (Rodden not present).