

Town Council Meeting

February 23, 2009

Minutes

The meeting was called to order at 7:03 pm.

Roll Call

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

Councilors absent: none

Public Forum

There was no public comment

Item 1 (a) **Order to approve the minutes of the December 8, 2008 Town Council Special Meeting and Workshop.**
(Consent Agenda)

Item 1 (b) **Order to approve the minutes of the December 22, 2008 Town Council Meeting.**
(Consent Agenda)

Item 1 (c) **Order to approve the minutes of the January 12, 2009 Town Council Special Meeting and Workshop.**
(Consent Agenda)

Item 1 (d) **Order to approve the minutes of the January 26, 2009 Town Council Meeting.**
(Consent Agenda)

Councilor Breen moved to approve the consent agenda; Councilor Libby seconded.
Motion passed 7-0.

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

Councilor Libby reported that the Harbor Committee will be giving a report this evening. The Workforce Housing Committee met this evening at 4:30 pm and plans an upcoming workshop meeting with the Council on April 13 to answer follow up questions, followed by a public hearing. The Cable Committee is moving right along with their work plans.

Councilor Pierce reported that the Green Ribbon Commission has been working on their final report for the Council. The School Committee will meet on Tuesday, February 24 to vote on the calendar. Councilor Pierce stated she would be attending a Library Committee meeting in the future.

Councilor Wrobleski reported that the Ordinance Committee had met as instructed by the Councilors concerning the Street Acceptance Policy, specifically pertaining to dead end roads. He expects an ordinance to be drafted for Council review. The Community Development Committee met about the Falmouth Shopping Center Charrette and is looking to have the Charrette sometime in mid-May.

Councilor Rodden spoke about the Recycling Committee's plans to submit a list of recommendations for the Council concerning curbside recycling and the use of silver bullets. The Open Space Committee has met with a forester and is considering the impact of managing Falmouth's forests. The Mass Transit Committee has been very busy marketing the new bus route; there are plans for a celebration involving the new route.

Councilor Breen would like to encourage anyone who has any thoughts or questions about the presentation which was given on February 9 by Neil Allen and Godfrey Wood concerning Regional Economic Development to contact her or any other Councilor. There will be a Town Council Finance Committee meeting on Tuesday, March 24 starting at 4:00 pm. The School Board Finance Committee will be joining the meeting at 5:30 pm and the public is welcome to come to both. The Community Facilities Planning Committee will be having a community event on March 12 at 6:30 pm at Plummer-Motz School. Councilor Breen encouraged everyone to come to this event. The Governance Committee met on the same day as the Ordinance Committee and they are working on a revised work plan.

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

Councilor Payne recommended Jonathan Berry as an alternative member on the Board of Zoning Appeals and Mark Porada to the Board of Assessment Review and Sewer Appeals. Councilor Rodden seconded. Motion carried 7-0.

Item 4 Public Hearing and order to approve a new liquor license for the Portland Yacht Club.

Councilor Armitage opened the public hearing.

William Richards, manager of the Portland Yacht Club was present to answer questions from the Councilors and the public.

There was no public comment.

Councilor Armitage closed the public hearing.

Councilor Pierce moved to approve the order; Councilor Wrobleski seconded. Motion carried 7-0.

Item 5 Discussion with the Harbor Committee regarding implementation of the recent Harbor Master Plan Study. The discussion will focus on tasks and a timeline. (Public comment is welcomed and encouraged.)

Steve Archambault spoke about the Comprehensive Report addressing three basic items, the number of boats in the harbor, parking and dinghies. The projected time line is a guide and, if the plan is implemented, would have a completion date of 2015. Steve Archambault answered the Councilors' questions about the projected time line. He said there has been tremendous growth and no long range management in the past.

Chief Tolan suggested the Harbor Committee make a bullet point list of items that impact the public, with recommendations for the Council.

The Council asked the Harbor Committee to have the recommendations ready for the May 11 Council meeting.

David Murray, resident, boat owner and former Councilor, stated that this is an item that creates a lot of passion and the issue is one of access. He suggested that the public have the opportunity to access the plan so they may be better informed.

Councilor Wroblewski suggested paring the plan down to a more manageable short term plan.

Councilor Libby suggested linking the reports and presentations to the Harbor Committee webpage; currently it is linked to the Marine Unit from the web site.

Chief Tolan suggested to address in the recommendations what is short term and what are the long term guidelines.

Councilor Rodden suggested getting email addresses from mooring holders in order to communicate with the mooring holders more effectively.

Steve Archambault said next year's mooring application will implement the email addresses.

Nathan Poore stated that he understood that the following would be done: on May 11 the Harbor Committee would submit recommendations to the Council on all elements of the plan, identifying the implantation steps that are needed and whether or not they are conditional on other implementations. Examples should be given on the outcomes if the implementations are not taken. The short and long term solutions need to be identified. The documents need to be added to the Harbor Committee webpage.

Item 6 Discussion about the findings in a report regarding the condition of a former residence, now owned by the Town and located at 260 Foreside Road, tax map U16-015.

Councilor Breen wants the Council to remember that this is a buildable lot.

Councilor Wrobleski suggested a site walk after the building is demolished sometime in the spring.

Nathan Poore will put the order on the March 9 meeting agenda.

Item 7 Public hearing regarding an amendment to the Shoreland Zoning Map, from Limited Residential to Limited Commercial in the Tidewater Master Plan Development District.

Councilor Armitage opened up the meeting for public comment.

There was no public comment.

Councilor Armitage closed the public hearing.

Item 8 Order to approve amendments to Planning Board Rules of Procedure.

Councilor Libby moved to approve the order to amend the Planning Board Rules of Procedure. Councilor Wrobleski seconded. Motion carried 7-0.

Item 9 Order to authorize the Town Manager to sign an easement on behalf of the Town.

Councilor Breen moved to approve the order to authorize the Town Manager to sign an easement on behalf of the Town. Councilor Pierce seconded. Motion carried 7-0.

Item 10 Discussion and Order regarding the regulation of motor vehicle weight on posted ways.

Councilor Wrobleski moved to approve the order as follows:

Order to approve the Town Manager or his designees to post seasonal weight limits of 23,000 lbs (listed GVW) on certain local roads, per the authority granted in Falmouth Code of Ordinances Chapter 17 Article IV section 17, such roads to include: Mountain Road, Woodville Road (Woods to Winn), Lunt Road (Falmouth to Middle), Merrill Road, and Johnson Road (Route 1 to Foreside). Be it further ordered that such limits may be posted and lifted, at the discretion of the Town Manager or his designees, anytime between February 24, 2009 and April 30 2009, and such discretion shall be based on road condition, weather conditions and temperature.

Councilor Pierce seconded. Motion carried 7-0.

Item 11 Order to seek membership in the Greater Portland Transit District and to authorize the Town to enter into a Memorandum of Understanding relating thereto.

Councilor Wrobleski moved to table this item to the March 9 meeting for further discussion: Councilor Breen seconded. Motion carried 7-0

Item 12 Discussion about the process for development of a Route 100 vision.

Nathan Poore explained that the reconstruction project for Leighton and Mountain Road was being looked at by the Economic Stimulus and MDOT. He suggested taking a look at the vision because of the amount of work that would be needed such as curb work, drainage, sidewalks, street lights and landscaping. The second project would be the replacement of the bridge over the railroad tracks and river, near exit 53. Nathan Poore asked for direction from the Council if they wanted him to advocate to the DOT to accommodate for potential growth in that area.

Councilor Libby and Town Manager Nathan Poore both disclosed that they are property owners in the area. Nathan Poore stated that he was a part owner of a home located on Mountain Road and Route 100 and that the property has not had the right of way issues resolved. He stated that he asked his brother as part owner to represent him in any DOT or Council meetings concerning his property.

The Council would like the Town Manager to advocate for potential future growth.

Item 13 Order to go into executive session to discuss a hardship abatement of taxes pursuant to 36 M.R.S.A. 841(2) (E).

Councilor Wrobleski moved to go into executive session to discuss a hardship abatement of taxes pursuant to 36 M.R.S.A. 841(2) (E). Councilor Pierce seconded. Motion carried 7-0

Nathan Poore stated that it is possible that the Council will take action after Executive Session, and if there was any action then it would be reported at the next meeting.

Adjourn

Meeting adjourned at 9:06 pm.

Respectfully submitted,

Ellen Planer
Town Clerk