

Town Council Meeting Special Meeting and Workshop

March 9, 2009

Minutes

The meeting opened at 6:02 pm

Roll Call

Councilors Payne, Rodden, Wroblewski, Armitage, Pierce, and Libby were present and answering roll call.

Councilor Breen was not present at roll call, but arrived later in the meeting.

Item 1 Public hearing and presentation on whether to close the Pleasant Hill Fire Station.

Fire Chief Rice gave a detailed power point presentation on the Pleasant Hill Fire Station and what the impact would be to close the station. Chief Rice acknowledged how important the Station is to the community and the long history of Pleasant Hill Fire Station

Councilor Armitage opened up the meeting for public comment.

Freeman Cleaves a seventy year resident of Falmouth, who began his volunteering at age ten, complimented Chief Rice on his presentation. He spoke of the dedication of the volunteers and stated that would not change. He encouraged the Council to take a real hard look at the impact of closing Station 3.

Steven Winn of 15 Aster Lane, expressed his concerns over Portland's response time and possible budgetary changes, as well as the possible impact on the Insurance Service Organization ratings.

Michael Baumann, of 16 Goldenrod, stated he was also a Falmouth Volunteer and the EMS Medical Director. He spoke of the history of Engine 3 and its many volunteers over the years. Mr. Baumann also had I.S.O. concerns and questions. He stated that Portland is staffed at night as well as Central Station, so they are off and running when the page goes off and that makes a big difference in response time.

Audrey Grassman of Stonecrest Drive indicated her first response to Station 3 closing was concern. She appreciated the detailed presentation from Chief Rice and how many of her questions were answered and how the cost savings would be used. She stated she had called her insurance company to inquire how this would affect her rates, she was told this probably would not impact her rates because the fire hydrant was not moving and there was still a station within five miles of a station. She also wanted the Council to know that if the decision was made to close the station she would not panic because her questions and concerns had been answered by Chief Rice's presentation.

Sally Barrows of 71 Ledgewood Drive stressed that there is a value in a volunteer fire department and that has to do with community, knowing these people are working

together. We are living in a time when community is undone in old ways and trying to put it back together in new ways and we have to consider that value.

Councilor Breen arrived to the meeting at 6:52 pm.

John Vatulas of Hamlin Road, a member of Engine 3, declared he had been a volunteer for almost twenty years. Mr. Vatulas spoke of the upgrades to the other stations. He said he felt that Station 3 had been passed by for other expenditures for the town. He reminded the Council of the upgrades that had been done by inmates and volunteers in the past.

Fred Bopp of 6 Mayflower Road would like the Council to consider the feasibility of the projected cost savings, projected savings on capital improvements and the deferred list of maintenance and if those savings factor in all the possibilities for the future of the station.

Karen Lucas of Stapleford Drive expressed appreciation for the work and the data Chief Rice put forth into the presentation. Ms. Lucas inquired about response time and wondered if Central was responding to accidents on 295 or Route 1 who would be serving Pleasant Hill area or Oceanview.

Jay Hallett an Oakland Road resident and a firefighter for 34 years living in the Pleasant Hill area spoke about the history and tradition surrounding Station 3. Lt. Hallett cited that he is very at ease with the decision and the response time. He feels the response time will even be better from the two Portland stations.

John Harrington of 11 Surrey Lane inquired about the response time and the relationship with Portland, and if there was any potential for a contraction service level type relationship. Volunteers should still be responding, even without the fire station.

Scott Richardson of 111 Ledgewood Drive said he has been a Falmouth resident for 13 years and a member of the Falmouth Fire Department for 12 years. He was not sure how he feels about working with Portland as they are union. He is worried about neighborhood coverage and the availability of volunteers.

David Murray of 69 Allen Avenue, and a former member of Engine 3, thought that we may not loose a building, but will lose a sense of the community and may lose some of our manpower. He spoke of the history of the Pleasant Hill neighborhood and the Union Dance Hall.

John Beryl of Ledgewood Drive stated that he trusted Chief Rice and Jay Hallett, but he hoped that Pleasant Hill would not be closed. He questioned where the money has been spent over the years and why it was not spent to benefit Station 3

Councilor Armitage closed the public hearing

Councilor Breen apologized for being late and took the opportunity to remind everyone that the Pleasant Hill Fire Station would be one of the properties discussed at the Community Facilities Planning Project Thursday March 12, at 6:30 and the public will have a chance to weigh in on what other potential uses the building could be put to if the decision was made to close the station.

Chief Rice recapped his presentation and answered questions from the Councilors. Chief Rice will be gathering more information to answer all of the remaining questions.

Councilor Armitage stated that any decision to close or not to close the Pleasant Hill Fire Station would be made through the budget process and the final determination would be when the budget is adopted.

On behalf of all the Councilors, Councilor Armitage thanked all the volunteers for their service and their volunteering. Councilor Armitage thanked everyone for attending and reiterated that a decision had not been reached yet and the Council heard what everyone came to say about the sense of community and what station 3 meant to everyone. He acknowledged that it was not going to be an easy decision. He encouraged everyone to email any questions or comments to the Councilors.

Item 2 Presentation of a video promoting the upcoming Community Facilities Planning Project's Community Event.

Councilor Breen introduced the video.

Item 3 Public Hearing regarding an amendment to the ordinance titled "Ordinance Concerning the Terms of Members of Boards, Commissions and Committees.

Councilor Armitage opened the public hearing.

There was no public comment.

Councilor Armitage closed the hearing.

Item 4 Discussion and possible Order for the approval of a consent agreement for the violation of setbacks of the primary residence at 21 Hedgerow Drive.

Attorney Terry Snow was present and available for questions as representative for resident Dawn Keller.

Amanda Stearns will be amending the order and refunding the applicant \$50.00 of the fees that have been paid

Councilor Wroblewski moved to approve the consent agreement for the violation of setbacks of the primary residence at 21 Hedgerow Drive including the penalty of \$1,900.00 to the Town as the balance due. Councilor Pierce seconded. Motion carried 6-1 (Councilor Breen opposed).

Councilor Libby moved to amend the agreement to reduce the penalty by 50%, or \$950.00 total. Councilor Pierce seconded. Motion carried 7-0.

Item 5 Order to adopt an amendment to the Shoreland Zoning Map, from Limited Residential to Limited Commercial in the Tidewater Master Plan Development District.

Councilor Wrobleski moved to approve the order; Councilor Pierce seconded. Motion carried 6-0 (Councilor Breen not present).

Item 6 Order regarding an amendment to the conditional zoning district for 234 Middle Road to accommodate limited retail use because of the unique properties of the building and lot.

Councilor Wrobleski moved to approve the order; Councilor Libby seconded. Motion carried 6-0 (Councilor Breen not present).

Item 7 Discussion regarding a schedule for a School Department Budget Validation Referendum in accordance with 20-A M.R.S.A. §§ 1486 and 2307.

Councilor Breen returned to the meeting. The Council discussed the option of a May or June election.

Councilor Libby moved to waive Council Rules and take Item 12, a workshop item out of order and move it to Item 8 and to allow public comment. Councilor Pierce seconded. Motion carried 7-0

Item 8 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 take this item off the table; Councilor Pierce seconded. Motion carried 6-0 (Councilor Libby not present).

Councilor Libby returned to the meeting.

Councilor Breen moved to approve the order with the amended M.O.U. Councilor Wrobleski seconded. Motion carried 7-0.

Item 9 Order to authorize the Town Manager to sign a contract to demolish a former residence, now owned by the Town and located at 260 Foreside Road, tax map U16-015.

Councilor Pierce moved to amend the order to authorize the Town Manager to sign a contract to demolish or salvage a former residence, now owned by the Town of Falmouth and located at 260 Foreside Road, tax map U16-015. Councilor Wrobleski seconded. Motion carried 7-0.

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

**Item 10 Discussion regarding parking to support the use of the Public
(Workshop) Landing.**

The Councilors, Town Manager Nathan Poore and Police Chief Ed Tolan discussed the need for parking and possible solutions.

**Item 11 Discussion of Village Mixed Use District and Permitted Uses.
(Workshop)**

Amanda Stearns discussed the VMU with the Councilors and answered their questions. After a lengthy discussion it was decided to “push off” this item until this summer.

**Item 12 Staff presentation on ideas for increasing temporary sign
(Workshop) allowances for new businesses without road frontage.**

This item was taken out of order after Item 7.

Jim and Holly Galante of 97 Brook Road came to the meeting to represent the Maine Audubon Society. Mr. Galante asked the Councilors to consider allowing non profit organizations to allow a banner to hang across the road as temporary signage during their annual art fair fundraiser.

**Item 13 Discussion about developing a Council e-newsletter.
(Workshop)**

Councilor Armitage will be happy to make this monthly newsletter with hyperlinks and send to current agenda subscribers.

**Item 14 Discussion about future Council Agendas.
(Workshop)**

The Councilors would like a recommendation from PACPAC on Family Ice. The Councilors requested the Boards and Committees chairs present their annual reports at the March 23 Council meeting.

**Item 15 Order to go into executive session to discuss a hardship abatement
of taxes pursuant to 36 M.R.S.A. 841(2) (E).**

Councilor Breen moved to go into executive session to discuss several hardship abatements of taxes pursuant to 36 M.R.S.A. 841(2) (E). Councilor Libby seconded. Motion carried 7-0.

The Council went into executive session at 10:47 pm.

The Council came out of Executive Session at 11:50 pm. Council Breen moved:
Councilor Breen seconded. Motion carried 7-0

Councilor Breen moved to approve the following orders; Councilor Libby seconded.
Motion carried 7-0.

Pursuant to Title 36 M.R.S.A., Section 153(2), to authorize the Town Manager to execute a waiver of foreclosure of the tax lien mortgage filed against the property at Eureka Road Ext. (described on the Assessor’s maps

as Map R03, Lot 002, Block 00C) on September 14, 2007, and recorded in the Cumberland County Registry of Deeds in Book 25469, Page 336. Said waiver shall be filed in the Cumberland County Registry of Deeds.

“Pursuant to Title 36 M.R.S.A., Section 153(2), to authorize the Town Manager to execute a waiver of foreclosure of the tax lien mortgage filed against the property at Longwoods Road. (described on the Assessor’s maps as Map R03, Lot 054, Block 007) on September 14, 2007, and recorded in the Cumberland County Registry of Deeds in Book 25470, Page 39. Said waiver shall be filed in the Cumberland County Registry of Deeds.

Pursuant to Title 36 M.R.S.A., Section 153(2), to authorize the Town Manager to execute a waiver of foreclosure of the tax lien mortgage filed against the property at 4 Kelley Road (described on the Assessor’s maps as Map U01, Lot 210) on September 14, 2007, and recorded in the Cumberland County Registry of Deeds in Book 25469, Page 245. Said waiver shall be filed in the Cumberland County Registry of Deeds.

Pursuant to Title 36 M.R.S.A., Section 153(2), to authorize the Town Manager to execute a waiver of foreclosure of the tax lien mortgage filed against the property at Longwoods Road. (described on the Assessor’s maps as Map R03, Lot 054, Block 006) on September 14, 2007, and recorded in the Cumberland County Registry of Deeds in Book 25470, Page 40. Said waiver shall be filed in the Cumberland County Registry of Deeds.

Pursuant to Title 36 M.R.S.A., Section 153(2), to authorize the Town Manager to execute a waiver of foreclosure of the tax lien mortgage filed against the property at 31 Eureka Road Ext. (described on the Assessor’s maps as Map R03, Lot 002, Block 00B) on September 14, 2007, and recorded in the Cumberland County Registry of Deeds in Book 25469, Page 335. Said waiver shall be filed in the Cumberland County Registry of Deeds.

Adjourn

Respectfully submitted,

Ellen Planer,
Town Clerk