

Town Council Meeting
August 24, 2009
Minutes

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

Roll Call

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

Councilor Pierce was absent.

Councilor Payne motioned to take item 8 out of order; Councilor Armitage seconded. Motion carried 6-0.

Public Forum

Councilor Breen opened the Public Forum.

David Gagnon announced the second annual meeting of Falmouth High School graduates from the classes of 1940-1957 will be held at Cole Farms on Wednesday August 26 at 11:30 am.

Councilor Breen closed the Public Forum.

Item 1 (a) **Order to approve a designee in the absence of the Town
(Consent Agenda) Manager in accordance with the Town Charter section 303.**

Item 1 (b) **Order to approve the minutes of the June 15, 2009 Town
(Consent Agenda) Council Organizational Meeting.**

Item 1 (c) **Order to approve the minutes of the June 15, 2009 Town
(Consent Agenda) Council Meeting.**

Councilor Libby motioned to approve the Consent Agenda; Councilor Armitage seconded. Motion carried 6-0.

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

Councilor Rodden explained that CDC has decided to have the Falmouth Shopping Center charrette on Saturday November 14 with morning and afternoon sessions. The CDC is continuing the study of the different elements of the Route One study which was compiled in 2005. The next Route One meeting will be held September 22, from 3:00-5:00 pm. LPAC has decided they will not be ready until October to present their findings.

Councilor Payne proposed the following which was agreed on by the Councilors: To accept the recommendations from the Committee that LPAC and the CDC come before the Council and hold a public hearing at the regular Council meeting. If there is any additional work which needs to be followed up on after the presentation then the CDC will rework and the final amendments rework will be brought back to the Council for introduction.

Councilor Rodden referred to an article in the Portland Press Herald which stated that ecomaine has reported recycling is up for the whole region and the disposal of trash is down. Falmouth is number one in recycling in ecomaine.

Councilor Rodden reported that the Metro bus passes are still being requested. The Park and Ride at Shaw's has seen riders. The Committee is working on ideas for marketing.

Councilor Libby reported that the Conservation Committee is down 2 members and looking for a chair; he encouraged the public to apply. The Cable TV Committee did not meet last month.

Councilor Armitage announced that the Finance Committee has three upcoming meetings. On September 15 at 8:30 a.m. there will be a joint meeting with the School Board for initial discussions concerning Tabor 2 and the Excise Tax referendum question slated for the November election. On September 28 at 8:30 there will be a presentation with staff concerning the implications of the November referendums. There will be a special meeting scheduled on October 7 with the Council and the School Board. The Finance Committee will hold a presentation on Tabor 2 and Excise Tax followed by a Q & A session. The One Falmouth Committee is continuing investigating ways to work with the school; the next scheduled meeting is on Sept 21 to discuss the RFP and the IT departments and possible consolidation. On October 6 they will be traveling to Cape Elizabeth to do a site visit.

Town Manager Nathan Poore explained that the October 6 meeting may need to be moved to a Council meeting if the Council will be considering taking action.

Councilor Payne reported that the Ordinance Committee met before the Council meeting and they will be focusing on non land use issues. Wastewater Treatment Facility Superintendent Pete Clark and Town Manager Nathan Poore will be working on the sewer ordinance. The next meeting will be held on September 14 at 5:30 p.m. concerning street acceptance.

Councilor Chase reported that the next meeting of the Harbor Waterfront Committee is scheduled for September 10 at 6:00 in the Police Station Conference room. The Committee regularly meets every other Thursday. There will be a meeting concerning the Brown property on September 21, more details to come at a later date.

Councilor Breen stated the Community Facilities Planning Committee is scheduled to meet Wednesday evening, September 23. Councilor Breen said she attended the Steering

meeting for GPCOG and complimented them on the incredible work that has been accomplished. The membership dues for GPCOG have not increased over the last twenty years.

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

Councilor Libby encouraged the public to apply to a committee.

Item 4 Public hearing and order regarding the adoption of a proposed Forest Management Plan.

Councilor Breen opened the Public Hearing.

Daniel Hildreth, 55 Thornhurst Road, declared that what Falmouth needs is a Forest Management Plan and what was developed by Rene D. Noel, Jr. is a forestry report about the potential for forestry on Falmouth's land, written by a commercial forester. To get a Forestry Management plan the Town needs to do the following:

1. step back and think about the purpose of the Town's forestry land;
2. Have a Forest Ecologist evaluate and make recommendations on the plan; and
3. Better protection for steep slopes, wetlands, particularly vernal pools. Develop a plan to address invasive species.

Mr. Hildreth also recommended that the Councilors tour the Hadlock parcel before any work has been started and 100 ft. buffers be placed around the vernal pools.

Forest Ecologist Josh Royte, Chair of Yarmouth's Parks and Land Committee, spoke about the similarities and challenges between the two communities.

Councilor Rodden asked what the advantage would be of having a Forest Ecologist look at Falmouth's land.

Josh Royte said an ecologist would analyze forest value components in a different way and offer a more detailed report. Some of the areas would be a complete list of invasive species, interior habitats, vernal pools, coarse woody debris, cavities for the wildlife, and types of birds.

Sarah Boudreau, 291 Gray Road, spoke of her concerns as well as her husband's as abutters to the Hadlock Parcel. The vernal pools need to be identified and protected. There is also a deer yard. Ms. Boudreau questioned the impact for potential problems as a result of disturbance in the area and the road access. Ms. Boudreau questioned who will be the overseer of the project making sure the concerns are met.

David Gagnon, 121 Field Road, reflected on the property he has owned which has been ravished by nature and people who were not stewards of the land and the extensive work he has done. Mr. Gagnon confirmed that he is also concerned about the invasive species. Mr. Gagnon suggested helping Mother Nature with proper selective cutting.

Councilor Breen proposed a compromise to the general plan which is currently on the table and includes all of our land; she proposed to use the Hadlock Road site as a pilot project for the forestry management efforts and that between now and November, before any cutting is done, the Open Space Committee and any others who have interest in it put their heads together and get more specific about some of the questions that have come up in the last couple of weeks in respect to how we manage our forests. The plan for Hadlock will get developed over the next couple of months and then come back to the Council for final approval in November.

Councilor Breen moved to table the large forestry management proposal that is in front of the Council that includes all of our Town lands. Councilor Payne seconded. Motion carried 6-0.

Councilor Breen moved to charge the Open Space Committee to develop a more specific plan for the Hadlock Road parcel and use the Hadlock Road parcel as a pilot to ask some more specific questions and take some more specific baseline measurements of the various wildlife and habitat species and we flesh out those details over the next couple of months. Then come back to the Council with a more detailed proposal. In addition once we get that information from that parcel and pilot program we then use those lessons to inform and bring the Forest Management Plan for the whole Town back and inform the plan with those lessons. We will develop a set of questions and measurements to be specifically for the Hadlock site and once we do a year of forestry on the Hadlock site we will figure out what we learned from that process and apply what we learned to management of our other lands and bring the general plan back from the table. Councilor Libby seconded.

Town Manager Nathan Poore asked for clarification on Chair Breen's motion concerning developing a set of questions.

Chair Breen responded the report that would come before the Council in November will contain detailed baseline information on what is out there in terms of wildlife, species, vernal pools, invasive, interior resources and how the wood that is cut is processed.

Councilor Rodden moved to add an amendment to the order to specify a true cost and benefit analysis for the Hadlock site, secondly an order to charge the Open Space Committee to develop a program for invasive species for all the sites. Chair Breen seconded.

After further discussion Councilor Rodden motioned to remove the second part of her amendment. Motion carried 4 ayes, Rodden, Armitage, Breen, Chase, 2 nays Libby and Payne.

Current motion by Chair Breen passed 6-0.

Item 5 Public Hearing for amendments to the Zoning and Site Review Ordinance and the Subdivision Ordinance regarding stormwater provisions.

The Order will be scheduled for the September 14 meeting.

Councilor Chase left the meeting

Item 6 Order to authorize the Town Manager to execute an agreement between the Town and Falmouth on the Green Homeowners Association.

Councilor Armitage moved to approve the order; Councilor Libby seconded. Motion carried 5-0.

Councilor Chase returned to the meeting.

Chair Breen asked for a short break.

Item 7 Request by homeowner for Consent Agreement for property at 26 Oakland Road.

Councilor Armitage motioned to approve the Code Enforcement Officer's recommendation for the application and consent agreement as well as any fines in excess of the fees paid. Councilor Libby seconded. Motion carried 6-0.

Councilor Armitage motioned to authorize CEO Al Farris to execute the Consent Agreement. Motion carried 6-0.

Item 8 Status report from the Center for African Heritage regarding a project at River Point to manage and operate an agricultural job training program.

This item was taken out of order.

Representative Paul Young from the Center for African Heritage reported that, after 8 accident-free weeks, the 10 youth trainees in the Center for African Heritage's summer training in organic farming have cleared and painted the River Point barn, drained standing water and cleared debris from the basement of the site's house, cleared all standing trash and debris from the grounds around the house and barn, identified and cleared invasive flora under the supervision of Falmouth's Open Space Ombudsman Bob Shafto, and learned to cultivate selected organically raised livestock, including to-date goats, rabbits and ducks. Trainees also have received formal training in: safe use of tractors and other heavy farm equipment, use of rototillers and hand tools, basic carpentry, raised bed construction, water conservation, water and soil testing and livestock immunization. They also receive daily classroom training in English as a

second language, composition, interviewing for employment and resume writing and personal financial management. The final details of how the state would administer federal stimulus funding delayed the program startup by two weeks. Unseasonable rains, the condition of the footbridge linking River Point with the Gray Road shopping center, and poor soil quality due to high clay content further delayed the planned land clearance and cultivation. To date trainees have tested and cleared approximately three arable acres of the four acres originally planned. Planting has been restricted to four raised beds that the trainees built from discarded pallets, with two more under construction. Cleared acreage, however, is considered productive for planting next season and is ready for winter preparation. Next month trainees will receive briefings from 10 to 15 select employers on what they are looking for in an ideal employee. These employers have been chosen based on their willingness to provide graduates with at least part-time continuing employment, a primary program goal.

Paul Young explained that the Center for African Heritage would be pursuing the grant 'Pathways Out of Poverty' in which the U. S. Department of Labor has provided \$150 million in recovery funds for "training and placement services that provide pathways out of poverty and into employment". Individual grants will range from \$2 million to \$8 million for two-year projects. The Center for African Heritage will pursue this funding and proposes to include the Town of Falmouth and Hannaford Bros. as partners. Specifically, the Center for African Heritage will request that \$200,000 of its final budget go to permanently repair the footbridge linking River Point with the Gray Road shopping center so that the River Point site may always be accessible to the Town as a nature sanctuary and public open space, and so that River Point may continue over the grant period as an organic farming training site for youth trainees, trainees who are veterans and retraining trainees who have been displaced from previous employment.

Four of the students thanked the Councilors and the Town of Falmouth for the opportunity to use the River Point site. Chair Breen was presented a picture of the students at the site.

Chair Breen asked Paul Young to come back to the next meeting in order to discuss the grant proposal in more detail.

Item 9 Report from the Town Assessor regarding the 2008/2009 revaluation project and the 2009/10 tax rate.

Town Manager Nathan Poore announced the 2009/2010 tax rate of \$12.35 which is unchanged from the previous year.

Anne Gregory gave a presentation and answered questions from the Council.

Item 10 Introduction by Councilor Libby for amendments to the Oceanview Retirement Community Overlay District.

A public hearing will be scheduled on September 30.

Item 11 **Review current Council workplan.**

Councilor Rodden motioned to accept the workplan with the following changes; make an addition to Section 3 to include The Falmouth Shopping Center (IGA) in the Category/Task Column; also in section 3b list LPAC in the “who” column in addition to LPAC+ ; in Section 4 move item 4f to the first position of 4a. Councilor Payne seconded. Motion passed 5-0. Councilor Armitage abstained.

Item 12 **Order to go into Executive Session pursuant to the Laws of
Maine to discuss negotiation parameters associated with labor
contracts between the town and two unions - Teamsters Local
340 and Maine Association of Police, pursuant 1 M.R.S.A. § 405
(6) (D).**

Councilor Libby moved to go into Executive Session; Councilor Payne seconded. Motion carried 6-0.

Town Manager Nathan Poore announced for the viewing public this portion of the meeting was over.

Adjourn

Meeting adjourned at 9:25 pm.

Respectfully submitted,

Ellen Planer
Town Clerk