

**Town Council Meeting  
Minutes  
August 22, 2011**

**Roll Call**

Councilors Payne, Rodden, Varney, Pierce, Orestis and Armitage were present.  
Councilor Chase was absent.

**Pledge of Allegiance**

Chair Pierce led those present in the pledge of allegiance.

**Public Forum**

Mike Doyle of Shady Lane spoke about Chief Tolan taking the Police Boat to Harpswell for the Lobster Races. He accused Chief Tolan of committing a felony. He made accusations of nepotism at the police department. He recommended that the Town change the policy about hiring relatives of employees.

Julie Rabinowitz of Muirfield Road thanked the Council for their work researching the impact of the expansion of the Downeaster. The increase in traffic will increase the train whistles. She would like the Town to investigate the possibility of keeping the quiet zone and expanding it.

Jimmy Ascanio of Birkdale Road agreed with Ms. Rabinowitz and said there is a lot of support for this in the community. He did a lot of work on this issue 11 years ago when they got the whistle ban on Muirfield. He didn't think the train needed to blow the whistle at 3am. He said one is more likely to be hit by lightening than hit by a train. He hoped the Council would help them with the quiet zones.

**Item 1 (a)                      Order to approve the minutes of the July 11, 2011, Town Council  
(Consent Agenda)        Special Meeting and Workshop.**

**Item 1 (b)                      Order to approve the minutes of the July 25, 2011, Town Council  
(Consent Agenda)        Meeting.**

Councilor Varney moved to approve the consent agenda; Councilor Armitage seconded.

Councilor Varney amended the July 11 minutes.

Motion carried as amended 6-0.

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

Councilor Rodden spoke about a recent article in the paper regarding the Town's recycling rate, which reported that the rate has decreased since the silver bullets were removed. She said was concerned that, while the tonnage of recycling collected at curbside went up, the trash tonnage went up as well. The REAC committee is working on a workplan and planning some events in the fall around weatherization



Kathy Smith of Lunt Road asked the Council to strike the entire "Civic Considerations" paragraph from the RFP. She felt the vote was a clear "no" vote. She didn't want a community center and felt they should put the property up for sale and get some tax revenue.

Bob Hunt agreed with Ms. Smith; in June the voters said no to the proposal on the ballot and the call for offers should not require developers to consider civic use. Calls for offers should provide the developers a free and unencumbered hand to draft proposals. He made an alternate proposal for the property.

Judith Currier of Hardy Road, a member of the Parks and Community Programs Advisory Committee and a former member of the Facilities Committee, spoke about her hope that a community center will be built at the location and the potential benefits to the senior population.

Mike Doyle of Shady Lane thought the Council needed to discover what the value of the property would be without a community center and the cost to a developer to build a community center. If that difference exceeds \$1 million dollars, he thought they should hold another referendum.

Lisa Preney of Middle Road was disappointed that the Council didn't take public comment after their deliberations. She thought the Council should take the Library as a Town department. She thought the outcome of the vote was a clear no and felt the Council was predisposed toward building a library.

Jason Ronco of Middle Road spoke about the vote. He wondered why OceanView hadn't come forward and said they would like a community center next to their property. He felt Falmouth needed a community center and that it would improve the quality of life for the citizens.

Bill Lunt of Lunt Road said that, while his mother helped get the D.W. Lunt School built, he wants the Town to be able to afford the things they have. The vote said no, and the voters meant no. In order for the developers to have a chance to give a proposal that makes sense, they have to take the handcuffs off. This community needs taxes and jobs. He didn't think the Town could afford a recreation center.

Public Hearing closed.

Chair Pierce disclosed that the Council has received email communications from the public regarding this issue as well.

Chair Pierce clarified which draft of the RFP will be discussed at this meeting. It is identified as the "Council clean", or "Council redline" version on the web agenda.

Councilor Orestis moved to adopt the order with the Call for Offers drafted as of 8/19/11, referred to as the "Council clean" or "Council redline" version. Councilor Rodden seconded.

Councilor Payne moved to amend the order by changing the words "*is a need*" in the Civic Considerations paragraph with the phrase "*is a desire*". Councilor Armitage seconded. Motion carried 6-0.

Councilor Rodden moved to add language under the title "Financial Analysis and Capacity" as follows: *The financial package to the Town will be an important factor, but not the overriding factor.* Councilor Orestis seconded.

Councilor Armitage felt that language confused the RFP. He felt those bullet points assess the financial capacity of the developer, not the package the Town is getting. Councilor Rodden suggested a different location for the language, but Councilor Armitage didn't feel they needed to say it at all. Councilor Payne felt the point was inherent in the entire proposal. Councilor Orestis said he wants to get the best possible economic and community use outcome for Falmouth out of this project. There needs to be a balance. Councilor Rodden said this amendment makes it more clear what they are doing. Councilor Varney pointed out that on page 9 it says the Council has the right to reject any offer.





