

Town Council Meeting Minutes August 22, 2016

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

Roll Call

All Councilors were present and answering roll call.

Pledge of Allegiance

Chair Farber led those present in the Pledge of Allegiance

Item 1 Public Forum

No one spoke at public forum.

Item 2 (a) Order to approve the minutes of the July 11, 2016, Town Council (Consent Agenda) Special Meeting.

Item 2 (b) Order to approve the minutes of the July 25, 2016, Town Council (Consent Agenda) Meeting.

Chair Farber opened a public comment period; there was no public comment.

Councilor King moved the consent agenda; Councilor Hemphill seconded. Motion carried 7-0.

Item 3 Report from Council Committees and liaisons regarding updates on assignments.

Councilor Hemphill reported that he was asked to chair the recycling board at ecomaine. He also said that ecomaine has an open house on Saturday, September 24, from 8-11am including tours, food, children's events, and recycling bins.

Item 4 Report from the Appointments Committee relative to filling various vacancies on Boards and Committees.

Councilor Svedlow said they have held several interviews with candidates for the Harbor Committee, as well as one for LPAC.

Councilor Svedlow moved to appoint Rebecca Casey to LPAC; Councilor Ferrante seconded. Motion carried 7-0.

Item 5 Ordinance to amend the Code of Ordinances, Section 9.92, to change the membership of the Harbor/Waterfront Committee.

Chair Farber discussed the changes made to the proposed ordinance at the last Council meeting, which would allow the representatives from Handy Boat and the Yacht Club to be non-residents.

Chair Farber opened a public comment period; there was no public comment.

Councilor King asked if the Council was comfortable with the ordinance not specifying that residents should be in the majority in order for a vote to pass.

Councilor Svedlow said if they were going to allow two non-residents on the committee, they should trust their judgement. Councilor Hemphill agreed, and said they will be representing two large, waterfront businesses.

Councilor Svedlow moved ordinance 30-2017, Councilor King seconded. Motion carried 7-0.

Item 6 Introduction of amendments to the Zoning and Site Plan Review Ordinance Sec. 19-23.11 Master Development Plan Time Limits, in order to extend the Tidewater Master Development Plan an additional one year.

Councilor Hemphill introduced the proposed amendment and discussed the history of the item. The current 6 month extension expires in October; the subcommittee, consisting of Councilors Hemphill and King, are recommending the proposed 1 year extension in order to allow Tidewater to complete their work on proposed amendments to their master plan.

A public hearing was scheduled for September 12.

Item 7 Introduction to adopt the maximum levels of income and expenses for the General Assistance program, Chapter 6, Article 6, Section 6.68, Appendices A-D of the Falmouth Town Ordinance.

Chair Farber explained that GA maximums are set by the State and the Council is required to make these updates annually.

A public hearing was scheduled for September 12.

Item 8 Order to go into Executive Session pursuant to the Laws of Maine to discuss and consider the acquisition of real estate rights, pursuant to 1 M.R.S.A. § 405 (6) (C).

Councilor McBrady moved the order; Councilor Kitchel seconded. Motion carried 7-0.

The Council entered executive session at 7:20 pm.

The Council returned from executive session at 8:33 pm.

Item 9 Order to authorize the Town Manger to execute a purchase and sale agreement to acquire real estate.

Mr. Poore said the proposed purchase is approximately 3 acres of a larger parcel on Woodville Road. The Town acquired 51 of the original 61 acres with funds from the Maine Natural Resources Conservation Fund. The property owner created two, 5 acre lots out of the remaining 10 acres. One parcel has been sold. The remaining 5 acre parcel has road frontage, river frontage, and an established trail system. If the Town purchases 3 acres of the 5 acre lot, it will help the buyer of the remaining 2 acres. This is a win for all parties; the Town will gain some parking, more river frontage, and access to the other 51 acres. The total amount of the 3 acres is \$30,000.

Chair Farber opened a public comment period; there was no public comment.

Councilor King asked what activities could take place on this property.

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Bob Shafto, Open Space Ombudsman, said the Town will build trails. He said this is the only major conservation property without any access other than canoe or kayak. People would go to enjoy the undeveloped land along the river.

Chair Farber asked if the east branch is deep enough to canoe or kayak. Mr. Shafto said it depends on the rainfall; after a good rain, you can canoe along here.

Chair Farber wondered if there is a way to portage in; Mr. Shafto said there is a portage now along Woodville Road. There are no pedestrian trails on the property, though there is a game trail along the water.

Councilor Ferrante asked where people park now; Mr. Shafto said along Woodville. They plan to widen an area on the shoulder to provide a parking area. This property doesn't connect to anything else, so he didn't think they would need much parking.

Chair Farber asked how long a trail they would build. Mr. Shafto said he thought they would do a lollipop trail, which includes a loop at the end, and it would probably be about 2 miles. This area is in the floodplain and much of the land would be underwater after a large storm, but other than that it is easily walked.

Councilor King asked if hunting or trapping would be allowed; Mr. Shafto said yes. People hunt there now, and there are beaver, mink and otter on the property so people could trap there. He pointed out that the reminder of the property didn't cost the Town anything.

Councilor Hemphill spoke highly of the property; it provides a variety of good habitat and he thought it would be an attractive property.

Chair Farber asked where the \$30,000 would come from; Mr. Poore said it would come from the open space acquisition fund, which has about \$300,000 in it.

Councilor Ferrante was glad to take this action to help resolve the issue of the property owner.

The order was read into the record. Councilor McBrady moved the order; Councilor Hemphill seconded. Motion carried 7-0.

Adjourn

Councilor King moved to adjourn; Councilor Ferrante seconded. Motion carried 7-0.

The meeting adjourned at 8:46 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary