

# Town Council Meeting

## Draft Minutes

### October 10, 2018

The meeting was called to order at 5:00 pm.

#### **Roll Call**

Councilors Hemphill, Asherman, Kuhn and King were present.

Councilor Cahan arrived at 5:15pm. Councilor Ferrante arrived at 5:30pm.

Councilor Svedlow was absent.

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

Councilor King moved to enter executive session; Councilor Asherman seconded. 5:05. Motion carried 4-0.

The Council entered executive session at 5:05 pm and resumed public session at 7:00 pm.

#### **Item 2           Order to execute a notice of intent to acquire property rights relating to the Route 100 Project.**

Jay Reynolds, Director of Public Works, said the design for Route 100 is complete. In order to build what is proposed, the Town needs to acquire both temporary and permanent rights to certain portions of land. The Town is following the State's eminent domain process. This notice of intent is the first step in that process. Once it is signed, the notice will be posted at Town Hall, the Library, and the actual property locations. There are 32 subject properties.

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

Councilor King moved the order; Councilor Kuhn seconded. Motion carried 5-0 (Ferrante abstained).

#### **Item 3           Public hearing on referendum question #1: Shall the Order entitled "Order authorizing up to \$500,000 of the Town's Bonds to finance one-half of the additional cost to renovate and expand the Falmouth Memorial Library, to be matched by funds to be provided by the Falmouth Memorial Library Association through a capital campaign and other fundraising efforts" be adopted?**

Michael Doyle of Portsmouth, NH said he donated all his books to the library when he purchased his e-reader. He said the library is a museum for books. He said, according to his son, the new generation doesn't use libraries and won't use them in the future. Things have changed a lot in the last few years. He said they are wasting money to do this.

Steven Knapp of Brook Road, the new president of the Falmouth Memorial Library, urged residents to support the library expansion. The expansion is sorely needed and will benefit the Town for many years to come. Construction costs have increased all over the state. The Board has reviewed all their options and believe that moving forward with the current design is the best option.

Becky Carrier of Sunnyfield Lane felt the library is an integral part of the education-focus in the town. She borrows books but doesn't use the library for just books. She attends community events and scout troop meetings. The kids use the after-school programs there. She has an e-reader but doesn't use it; there is already too much screen time and it hurts her eyes. At first, she didn't believe the library needed to be changed; she

remembers the basement as the old children's library, but she has taken the tour and seen how much needs to be done. She urged people to vote yes.

Maura Denoia of Cedar Drive, a member of the Library Board, said the Board was as stunned as everyone when the costs came back so high. The committee has looked at all options to reduce costs, including weighing the options of a new design, new locations, and delaying the project. They met with John Wasileski from Oceanview to review options, and last week met with the architects to further streamline the design. She spoke about the cost of the \$500,000 in increased borrowing; a home valued at \$400,000 would see a tax increase of \$5/year, less than the cost of a paperback book. Their goal is to use as little of this extra \$500,000 as possible. The oldest portion of the library, built in 1908, is failing and running out of time. She urged the voters to support the Library.

Lisa Joy of Middle Road has questions about what happens if this gets approved. She said if construction is delayed, it is common sense that costs go up. She wondered why it was such a shock that costs were going up. She wondered what kind of stewardship they can expect for this Library when the voters now support almost 80% of its budget. She argued that the Library doesn't have any accountability to the voters. She said there is no question the library needs to be updated. She was concerned that the design is 7 years old and there have not been any further assessments done since then. She asked what the Town's relationship with the Library will be once the new building is complete, to make sure it will be properly maintained.

Michael Boyd of Trolly Farm Way, a member of the Library Board and a teacher at the school, said a student of his brought up the proposal in class. Every student in the class spoke about the benefits of the library, how they used it, how they benefited from it being in town, and said it should be supported. The library is no more just about books than a school is just about books. It fosters an environment of learning and strengthens them as a town.

Chair Hemphill closed the public hearing.

**Item 4      Public hearing on referendum questions 2 and 3 of the November 2018  
Municipal Warrant: Charter revisions as proposed by the Charter Review  
Commission.**

Chair Hemphill opened the public hearing; no one spoke at public hearing.

**Item 5      Public Hearing on amendments to 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 Hemphill opened the public hearing; no one spoke at public hearing.

The order was scheduled for October 22.

**Item 6      Presentation by the Long-Range Planning Advisory Committee  
of recommendations for the *2018 Falmouth Open Space Plan: Honoring Our  
Legacy, Now and for Our Future.***

Sam Rudman, chair of LPAC+, gave a presentation on the work the Committee did to update the 2006 Greening of Falmouth Plan. In general, the Town has made great progress since the original plan. The new plan adds one goal to the original five, to educate the public about the values of open space. Their survey results show that the public is interested in protecting open space in town.

Councilor Ferrante asked if they have any insight into why the second survey didn't have a lot of responses.

Theo Holtwijk, Director of Long-range Planning, said the first survey asked people how they use open space, what issues were important, and how they looked at the accomplishments of the last plan. It addressed a wide

spectrum of issues. Half of the respondents submitted their email address, so the Committee was able to keep track of them. The second survey was to solicit comment on the draft plan. He thought the limited response was because the people that reviewed the draft plan were happy with it and so were not compelled to give feedback to the Committee. The surveys were sent out and publicized exactly the same way. He felt that in this case, silence was approval. They held a public forum on the draft and there was light attendance. This is a continuation of the 2006 plan and did not constitute a drastic change.

Councilor Kuhn asked about separating the discussion on open space from outdoor recreation. Mr. Rudman said the 2006 had a clear definition of open space. He said the Committee felt that recreation facilities (playing fields, etc.) were separate. One of their recommendations was for someone else to consider management of open space not covered in this plan.

Councilor Asherman spoke about his time on LPAC+; he was very impressed with the members of the Committee.

The Council commended the Committee for their hard work on the report. They will consider a resolution to accept the plan at the October 22 meeting.

**Item 7            Order to authorize the Town Manager to execute a purchase and sale agreement to purchase certain land referred to as TF1, TF2, TF3, and TV5 within the Tidewater Master Planned Development District.**

Town Manager Nathan Poore said there has been some work to clarify the boundaries between the parcels of land. He said TF2 and TF3 are actually one lot, and not two. There may be a possibility to use portions of TV-5 for wetlands mitigation in the future. He clarified that TF-2 and TF-3 would be sold to the Trust immediately with a payment plan arrangement put into place, instead of giving them an option agreement. This would allow the Trust to take over management right away.

Councilor Kuhn asked if there would be a MOU drafted between the Town and the Trust to outline all these agreements. Mr. Poore said there would be. He said the TF-2 and TF-3 agreement is more like a mortgage.

Councilor King asked about the view easement on one portion of the land and what the goal would be of modifying that.

Ethan Croce, Community Development Director, said the survey plan shows the two separate view easements. The smaller easement is already recorded at the registry of deeds and benefits one of the property owners in the development. It allows that owner to clear vegetation in that area to preserve the view of the marsh, as well as the ability to veto any construction in the easement area. Both the Town and the Trust have an interest in making sure that the prohibition on erecting structures doesn't impact things such as building or maintaining trail bridges, trail structures, or trail signs. There is a trail there currently. This is all within the shoreland zone, so any clearing or construction would be regulated by the limitations of the shoreland zoning.

Chair Hemphill opened a public comment period.

Michael Vance of Blackstrap Road, president of the Falmouth Land Trust, said the Trust is excited about the project and would like to see it move forward.

Chair Hemphill closed the public comment period.

Mr. Poore said this order authorizes the purchase and sale agreement; it will come back to the Council for appropriation of funds once the appraisal is complete. He said the goal is to break even on this purchase and it is a great opportunity.

Councilor Asherman moved the order; Councilor Cahan seconded. Motion carried 6-0.

**Item 8            Order to appropriate \$100,000 from the Route One South, Route One North, West Falmouth Crossing, and OceanView-Natural Gas Tax Increment Financing Districts for the installation of wayfinding signage in Falmouth.**

Mr. Holtwijk said staff have been fine-tuning the project to meet the Town's needs. Staff contacted 7 sign companies this year and obtained 4 quotes. Bailey Sign was the low bidder. On July 9, the Council requested adding the Library and Community Park to the sign program. Staff met with Bailey Sign to estimate the cost of adding those two additional destinations and have also redesigned the signs to be on a single post. Staff have identified three options for the sign program: Option B, Option E, and Option F. Material costs have gone up, which may impact the large, gateway sign at Route 88. Staff would recommend that the signs be installed in spring 2019; the gateway sign could be installed before the end of the 300<sup>th</sup> anniversary year, but a decision would have to be made soon. The Council could decide to add more destinations, but that would come with more costs; they could decide to add more in the future if they wanted.

Councilor Kuhn asked how long the signs will last; Mr. Holtwijk said the existing signs were installed 30 years ago. These new signs are not wood and will last a long time.

Chair Hemphill opened a public comment period.

Deanna Emery of Bailey Sign said they have done other wayfinding sign programs, including in Scarborough. A sign program gives a sense of community.

Councilor Kuhn asked if the 3-inch font size is standard. Ms. Emery said it is. The Scarborough signs are 3 inches. Mr. Poore said the 4-inch font meets Maine uniform sign standards, but that leads to bigger signs. The blue background with a white font will make the letters stand out as well.

Chair Hemphill closed the public comment period.

Councilor Ferrante supported adding flexibility to the program and increasing the appropriation to \$110,000. She liked Option F. Mr. Holtwijk said if they want to do that, he recommended rounding up to \$115,000, to allow a buffer for unforeseen circumstances such as having to adjust placement of a sign or conduct additional vegetation clearing.

The Council supported that suggestion and said they supported Option F.

Councilor Cahan moved the order, changing the amount of the appropriation to \$115,000; Councilor Kuhn seconded. Motion carried 6-0.

**Item 9            Ordinance to establish a moratorium on medical marijuana caregiver retail stores.**

Councilor King moved the ordinance; Councilor Cahan seconded. Motion carried 6-0.

**Adjourn**

Councilor King moved to adjourn; Councilor Asherman seconded. Motion carried 6-0.

The meeting adjourned at 8:33 pm.

Respectfully submitted,

Melissa Tryon  
Recording Secretary