

August 1979

Councilor Mayhew felt it is important for the Council to receive an interim report early to find out how the funds will be guaranteed and what the arrangements are for the design changes. Chairman Vail agreed with Councilor Mayhew.

467. On motion, duly seconded, it was VOTED (7 Yeas) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To go into executive session to discuss the appointment of a Town Manager."

The Council met in executive session for 15 minutes.

37. Chairman Vail explained that the full Council served as the Search Committee and reviewed 109 applications that were received for the Town Manager's position. Of the 109 applicants, 6 were interviewed and one was invited to return for a second interview. This man is from the State of Kansas, is 30 years old, has been a successful Assistant Town Manager of a town larger than Falmouth, and has been the Town Manager for a town smaller than Falmouth. The Council is pleased and amazed on the references received from a number of sources and is unanimous in their feeling that he will do an excellent job for the Town.

On motion, duly seconded, it was VOTED (7 Yeas) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To appoint John D. Harris as Town Manager effective October 1, 1979 at a salary of \$25,000."

460. Acting Manager LeClair explained that according to the recent Charter amendment, this is the second reading of the proposed amendment to Chapter 702, Traffic Ordinance, that would limit truck traffic on Brook Road between Blackstrap and Mountain Roads.

Councilor Harmon moved and Councilor Feeney seconded the motion to adopt the proposed amendments to Chapter 702, Traffic Ordinance, of the Municipal Code.

Councilor Chenell felt adequate signing at the intersections of Leighton Road and Blackstrap Road and enforcement of this ordinance is important. Acting Manager LeClair pointed out that it is also important for the people living in the area to support the Police in the prosecution of any violators. He explained that signs will be placed on Gray, Mountain, Leighton and Blackstrap Roads, but they have not been ordered at this time. The area will be policed as much as possible.

Councilor Harmon asked if letters will be sent to the companies who regularly use the road. Acting Manager LeClair explained that these companies are called rather than letters sent because if someone is missed, legally it can predicate the success in prosecuting a violator.

Councilor Benoit stated that the residents on Brook Road are pleased with the limitation of truck traffic and felt they would be supportive of the prosecution of violators.

Councilor Chenell asked what the penalty would be for violators. Acting Manager LeClair explained that the penalty is included in another section of the Traffic Ordinance.

Marguerite Smith asked if all of Brook Road will be restricted. Chairman Vail explained that the Town is not allowed to restrict truck traffic between Blackstrap Road and the Westbrook line because in Westbrook, Brook Road is state aid.

George Ballard asked if there is a weight restriction. Acting Manager LeClair explained that the Town could not limit weights because there are no facilities to weight trucks.

On motion, duly seconded, it was VOTED (7 Yeas) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To adopt amendments to Chapter 702, Traffic Ordinance, of the Municipal Code as follows:

WHEREAS, numerous complaints have been received from residents of Brook Road regarding truck traffic on that roadway; and

WHEREAS, Brook Road between Blackstrap Road and Mountain Road is located in a zone designated as Residential B and has a single family residential character; and

WHEREAS, the aforesaid Brook Road is narrow and curving; and

WHEREAS, the presence of truck traffic on Brook Road presents a hazard to the health, safety and welfare of the citizens of the Town of Falmouth, and more especially to the residents in the area of Brook Road including, without limitation, considerable noise, dust and road damage; and

WHEREAS, it is in the best interests of the Town to limit certain types of vehicular access to the aforementioned portion of said Brook Road.

NOW, THEREFORE, BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

To amend Chapter 702 (Traffic Ordinance) of the Municipal Code in the following manner:

- 1. By amending SECTION 14 so that it reads as follows:

SECTION 14. Movement of Traffic

The stopping, standing and/or parking of vehicles and movement and types of traffic are hereby regulated on the streets or parts of the streets set forth on the Traffic Schedule annexed hereto and made a part of this ordinance and, when signs are erected giving notice thereof, the stopping, standing and/or parking of vehicles and movement and types of traffic shall be regulated as set forth on said Schedule for such streets or parts of streets.

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2. By amending the Traffic Schedule contained in Chapter 702 by adding the following new subsection F:

F. PROVISIONS RELATING TO PROHIBITION OF CERTAIN VEHICLES FROM CERTAIN STREETS.

No truck or bus other than an emergency vehicle, or a local passenger bus picking up and discharging passengers along designated routes at specified stops shall travel over the following streets or parts of streets except when necessary to render service to or to deliver supplies to persons residing adjacent thereto where other means of access to such residences are not reasonably convenient:

Brook Road, between Blackstrap Road and Mountain Road.

453. Councilor Russell asked if the purpose of the mail ballot is to advise the Maine Municipal Association (MMA) of the items to work for in the next session of the Legislature. Acting Manager LeClair confirmed this, and explained that as part of this, there would be an investment of \$.01 or \$.02 per capita to support initiation of a particular referendum.

Councilor Chenell felt the dues that are paid by the Town should cover this.

Councilor Mayhew felt many of the items listed do not apply to Falmouth since there is very little tree growth, there are few large churches, there are no airports, etc. She felt if the Town votes for the state to reimburse municipalities for tax losses due to the Tree Growth Law, then the state taxes will pay for another town's tree growth allowance.

Councilor Mayhew moved to check nothing under Section 1, check Section 3 as financing nothing, and to list the order of priority for changes in state law or regulations that the municipality desires. Councilor Mayhew's motion was not seconded.

Councilor Feeney agreed with Councilor Mayhew as far as many of the items listed not applying to Falmouth. He felt state reimbursement for tax losses on tax exempt properties has been a long time desire of the large cities in the state. Regarding tree growth tax losses, he felt the large paper mills up north control most of the tree growth in the state and it would be advantageous for these small towns up north to be reimbursed by the state for tree growth losses. Therefore, he could not support state reimbursement to municipalities for tax losses due to the Tree Growth Law and Tax Exempt properties because it would not benefit the Town.

Councilor Mayhew moved to include the consideration of another method of assessment of property on the order of priority under Section 5. She felt assessing property on current sales is unfair to those who have no intention of selling their property and yet their taxes increase according to sales in the neighborhood.

Councilor Russell found it difficult to take a municipal position on this kind of question on such short notice. If the Council is in agreement with Councilor Mayhew's suggestion, he suggested presenting a specific alternate proposal.

Councilor Mayhew's motion was not seconded.