

**Town Council Meeting  
Minutes  
August 28, 2017**

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

**Roll Call**

Councilors Farber, Kitchel, Hemphill, Jones, and Ferrante were present and answering roll call.

Councilors Svedlow and King were absent.

**Pledge of Allegiance**

Chair Hemphill led those present in the Pledge of Allegiance.

**Item 1            Public Forum**

No one spoke at public forum.

**Item 2            Consent Agenda**

- **Order to approve the minutes of the July 10, 2017, Town Council Special Meeting.**
- **Order to approve the minutes of the July 24, 2017, Town Council Meeting.**

Councilor Farber moved the consent agenda; Councilor Kitchel seconded.

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

Motion carried 5-0.

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

Chair Hemphill announced that ecomaine's annual open house is being held on September 30 at their facility from 8-11 am. Food, recycling bins, electronic waste collection, and tours will all be available for free.

Councilor Farber said the CDC will meet on the second and fourth Tuesdays of each month. Meeting times will vary and she encouraged people to check the Town website for those.

Mr. Poore said the Ordinance Committee is planning to meet at the end of September.

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

There was no report.

**Item 5            Ordinance to amend the Code of Ordinances to establish residency requirements for certain boards, committees and commissions.**

Councilor Kitchel moved the ordinance; Councilor Ferrante seconded. Motion carried 5-0.

**Item 6            Order to set FY18 real and personal property tax due dates.**

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

Mr. Poore said the projected mil rate for this year has changed since the budget was approved. The School Department committed the monies they received back from the State to offset the increase in the mil rate. That combined with some increased valuation brings the currently projected mil rate to \$15.62. It was \$15.09 last year.

Councilor Farber moved the order; Councilor Ferrante seconded. Motion carried 5-0.

**Item 7                    Order to authorize the Town Manager to execute a quit claim deed for Map U19, Lot 019.**

Mr. Poore explained that the Town goes through the same collection process for delinquent sewer fees as delinquent property taxes. In this case, the sewer fees have now been collected in full.

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

Councilor Kitchel moved the order; Councilor Farber seconded. Motion carried 5-0.

**Item 8                    Update on the Town Landing float replacement project.**

Mr. Poore said the Council approved a grant application last year to replace the floats at Town Landing. The design presented has been vetted by, and received public comment at, the Harbor Committee.

Barney Baker of Baker Design presented the proposed float design. He said the entire grant will be applied to Phase 1: replacing the floats that are in poor condition. There isn't enough money in the grant to do everything they want, so they have asked both the Brunswick and Portland technology schools to build some floats. The proposed master plan (Phase 2) will require a permit from the Army Corps and is based on feedback from the Harbor Committee and Town staff. The plan includes making the gangways longer and reducing the number, connecting the dinghy float run, extending the boat ramp, extending both the boat ramp float run and the main float run, and moving the dinghy float run into deeper water. It will take several years to implement. They are ready to go to bid for the first phase which does not require any permitting.

Councilor Kitchel asked if any existing moorings would be lost with the redesign of the float runs; Mr. Baker said three moorings would be impacted. One belongs to the Town, but the other two are private moorings which would have to be reassigned.

Councilor Kitchel said the main pier was redesigned 17 years ago; he wondered what the lifespan of that pier is. Mr. Baker said the facility is in good shape; the floats are at the end of their useful life at 20 years. The new floats will have a longer life expectancy since they have less timber in the water and can be lifted rather than dragged.

Chair Hemphill asked if the pitch of the new gangway would be ADA compliant at all tides, or only at certain tides. Mr. Baker said the existing gangways are only 30 feet or so, and are very steep. There have been problems with access at very low tides. The ADA gradient in a building is 12%, but due to Maine tides that is not possible on a gangway, so the requirement is an 80-foot gangway, which would provide gradient of 18%. The master plan proposal is for a gangway that will provide the 18% gradient to the boat ramp float run but it is not 80 feet long. An 80-foot gangway would be a huge expense.

Councilor Farber asked what the cost of Phase 2 would be, if they wanted to move ahead sooner. Mr. Baker said it is roughly \$200,000.

Councilor Farber asked about shared use and function on the floats, fishing vs. swimming vs. boating. She wondered if this design addresses that.

Police Chief Edward Tolan said the Phase 1 improvements will not create more square footage. The Harbor Committee is currently looking at the shared use issue and are hoping to have a plan for next year. There was less fishing this year, so it wasn't as much of an issue.

Chair Hemphill asked if there is a physical connection between the dock and boat ramp floats. Mr. Baker said the boat ramp floats are only 8 feet wide and they are mostly used by the commercial fisherman. Moving the floats will also allow the eel grass to recover in one area.

Councilor Kitchel asked about the main floats; Mr. Baker said they are 10 feet wide and 20 feet long.

Councilor Kitchel asked about how to increase the dinghy field. Mr. Baker said master plan design would increase the dinghy landing space by 40-50 feet.

Councilor Farber asked for more detail about the ADA compliance; Mr. Baker said the gangways have all the features of ADA compliance: hand rails, kick plates, plates at the ends of the gangways. Not every location at the facility will have full ADA access all the time; the intent of the regulations is to provide some access.

Chief Tolan said the Phase 1 improvements are scheduled to be ready in the spring of 2018.

**Item 9                    {TABLED} Introduction by Councilor Karen Councilor Farber for conditional rezoning for the construction of a Tier III Personal Wireless Facility on Falmouth Road, Map-Lot R04-022.**

This item was tabled at the request of the applicant. It has been tentatively scheduled for September 11, 2017.

**Item 10                  Approve a supplemental appropriation and transfer in the amount of \$6,800 from the Undesignated Fund Balance for the Falmouth Mural project.**

Mr. Holtwijk described the painting that hangs on the wall in Town Hall. He has been researching its origins. The painter is still unknown. The proposed project includes a complete restoration of the painting, an educational booklet, and community engagement. The Town has received a grant from the Morton Kelley Charitable Trust, a local trust, and a corporate sponsorship from Southworth Inc., a locally based international company. This is an opportunity to honor a piece of art, honor Falmouth's history, and create an educational opportunity for Falmouth students. He said the painting used to hang in the library of Plummer School; that fact was uncovered by an architectural historian working for Oceanview on the history of the Plummer building. It was spotted in a photo included in the 1944 high school yearbook.

Councilor Farber asked if there were any terms and conditions on the funds that have been pledged. Mr. Holtwijk said Southworth's monies are conditional on the Town raising the remaining funds. They have also asked for their contribution to be recognized on any plaque that might be hung along with the mural after its restoration. There are no conditions on the funds from the Trust.

Councilor Farber asked what the in-kind contribution from school staff and volunteers is and what is included in the budget line associated with it; Mr. Holtwijk said the \$500 was an estimate of the materials that might be needed to support any curriculum that is prepared to go along with the project.

Councilor Ferrante asked if the copy-editing line was for the vignettes; Mr. Holtwijk said yes. He said Julie Rabinowitz, a Falmouth resident and professional copy editor, has offered to be a part of the project to provide some continuity of voice.

Councilor Ferrante asked if the design and printing firms were both Falmouth firms; Mr. Holtwijk said no, but they have both been recommended to him and they have experience with art history work. He received specific price quotes from both of them.

Councilor Ferrante asked if the mural was framed; Mr. Holtwijk said it is framed now but the frame is bolted to the wall. He proposed reframing it, as well as researching installing museum quality glass. The painting is currently uncovered.

Councilor Ferrante wondered about posting the text alongside; Mr. Holtwijk said he envisioned a digital version, with the text available when each vignette was clicked on.

Chair Hemphill asked how Mr. Holtwijk scaled back the project from the original. Mr. Holtwijk said this budget represents the core elements of the project.

Councilor Farber felt that 1000 copies of the booklet are too many. Mr. Holtwijk said this is an opportunity to spread the booklet widely through the community. Most of the cost is not in the printing, but in the design. Cutting the number of booklets down to 500 will not reduce the cost that much. He said they can develop a more detailed distribution plan later on.

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

Councilor Farber moved the order; Councilor Ferrante seconded. Motion carried 5-0.

**Item 11                    Discussion about the 2017-2018 Town Council Work Plan.**

Mr. Poore said there are two changes to the work plan that were made after the council retreat. The CDC asked that the Ordinance Committee take on the review of abutter notification requirements throughout the ordinances. Mr. Poore added an item relative to the algae bloom in Highland Lake; he has met with representatives from the Town of Windham as well as members of the Highland Lake Association. This is a big item that has emerged since the retreat, and he felt it should be on the Council work plan.

**Item 12                    Order to authorize the Town Manager to execute such documents and to take all such further actions as may be reasonably necessary to close on the acquisition of property located on Route One, being approximately 50' wide and located in the same location as a portion of an existing Portland Water District easement.**

Mr. Poore explained that, when Foreside Estates proposed some infill development on their property last year, CDC recommended finding a way to provide interconnectivity between Clearwater and Route 1. Stantec was contracted to do a feasibility study on developing this connection. The study determined that the connection was possible, but expensive. Foreside Estates has since withdrawn its proposal but staff feel it is still important to secure the rights to develop this strip in case of future development.

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

Councilor Farber asked about the easements on the property; Mr. Poore said the only easement is the water district.

Chair Hemphill said Portland Trails has a trail through there and he wondered if they would be able to keep it. Mr. Holtwijk said he spoke with Portland Trails. Since it would become town property, the Town would not restrict any access and it will remain in its current condition for the foreseeable future. Chair Hemphill explained that this trail was an extension of the Tidewater network; the developer of Tidewater asked Portland Trails to come in and create a trail network from the neighborhood all the way to Pine Grove Park.

Councilor Farber moved the order; Councilor Jones seconded. Motion carried 5-0.

**Adjourn**

Councilor Ferrante moved to adjourn; Councilor Jones seconded. Motion carried 5-0.

The meeting adjourned at 8:19 pm.

Respectfully submitted,

Melissa Tryon  
Recording Secretary