



September 3, 2019 - *News for You*



## TOWN OF FREEPORT

MUNICIPAL BULLETIN

### Upcoming Town Council Meetings:

September 17, 2019  
District 1 & 2 Workshop &  
Regular Town Council Meeting (*follows workshop*)  
**Freeport Community Services**  
6:30 p.m.

A full listing of upcoming Town meetings and agendas is available on the Town's website at: [www.freeportmaine.com](http://www.freeportmaine.com)



**2019 Election  
Absentee Ballots  
will be available  
beginning  
October 8th,  
2019**



### Freeport Public Safety Open House

Wed., Sept. 18, 2019  
4:30PM – 7:00PM  
4 Main Street



Join the Freeport Police and Fire Departments, along with many community public safety partners, for an evening of family friendly education and entertainment.

### Volunteer Recognition

**Tuesday, October 1<sup>st</sup>, 2019  
6:00 p.m. – 6:30 p.m.  
Town Council Chambers**

As a way of recognizing each of the Town's dedicated and valued board and committee members, the Town Council cordially invites members of all Town Boards and Committees (both current and recently resigned or termed out), to attend a brief reception at the Freeport Town Council Chambers. This evening will provide the Town Council with an opportunity to show their appreciation of your commitment and contributions to the Town of Freeport.

Please RSVP to Johanna Hanselman at [jhanselman@freeportmaine.com](mailto:jhanselman@freeportmaine.com) or 865-4743 x120

## Town Manager's Report September 3, 2019

### Watercraft Noise Update

On Thursday 08/22/19, Town officials met with representatives of the Maine Attorney General's Office, the Department of Inland Fisheries and Wildlife (DIF&W), the Department of Marine Resources (DMR), staff from Speaker Gideon and Senator Carson's offices, and the State Representative and Town staff from Harpswell (where there have been complaints recently as well, to a lesser extent than in Freeport). The intent of the meeting was to try to clarify the limits on municipal regulation contained in the current law, and the status and current interpretation of existing state laws on watercraft noise by the various state enforcement agencies.

From the outset of the meeting, it was apparent that the state officials in attendance were well aware of the extent and the scope of the issue and the complaints that airboat noise have generated recently in Freeport and elsewhere, which they have also been receiving.

The following key pieces of information were determined after discussion and generally agreed to by all present:

- 1) Municipalities do not have the ability to regulate boat noise by ordinance at the local level. Municipal police can enforce existing state laws on the operation of boats, including noise laws.
- 2) State law (Title 12, section 13068-A (10)) establishes a noise limit for motorboats of 90 decibels under a stationary test and 75 decibels under an operational test. Both levels require the measurement of noise levels to be performed according to testing protocols established by the Commissioner of DIF&W through administrative rulemaking procedures.
- 3) DIF&W has established, earlier this summer, a testing protocol for stationary noise tests. Due to the fact that an airboat creates the majority of its noise through the use of its "fan" or propeller while underway, even an extremely loud airboat would be likely to pass the stationary noise test at a level of 90db.
- 4) DIF&W has not established an operational testing protocol for measuring noise while a boat is moving. Absent the establishment of this testing protocol, it is not practically possible to cite any motorboat for violation of this 75db operational noise level.
- 5) Both DMR and DIF&W expressed concern at the meeting that an operation noise test, if enacted for the existing 75db

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## TOWN OF FREEPORT - MUNICIPAL BULLETIN

### **The Town of Freeport Appointments Committee is looking for volunteers to serve on the Active Living (District 2 Rep), Shellfish and Cable TV Committees**

The **Active Living Committee** serves as a resource to the Town of Freeport citizens for initiatives outlined in the Active Living Plan. The Active Living Plan provides a roadmap for achieving a wide variety of interrelated community goals through active living. The Active Living Plan seeks to increase quality of life for all Freeport residents and strives to make sure active living choices are the easiest, safest, and most attractive choices for citizens young and old. Meets the third Thursday of the month at 7:30AM.

The **Shellfish Commission** administers the Freeport Shellfish Conservation Program for the Town. Duties include maintaining current information on shellfish resources, managing the number of shellfish digging licenses, recommending conservation closures and openings with area biologists, recommending long-term management goals, identifying conservation projects for renewal of commercial licenses, and identifying and addressing water quality issues. The Shellfish Commission typically meets on the second Thursday of the month at 6:30PM.

The **Freeport Cable TV Committee** is looking for new members to get involved in local community television, FCTV 3, and help guide the town channel and programming into the digital age. You will monitor the cable TV company for franchise compliance, customer complaints, recommend and suggest programming, and participate in the FCTV 3 budget process. The Committee meets as needed.

Applications are available at the Town Hall and on the Town's website at [www.freeportmaine.com](http://www.freeportmaine.com) under "Boards".

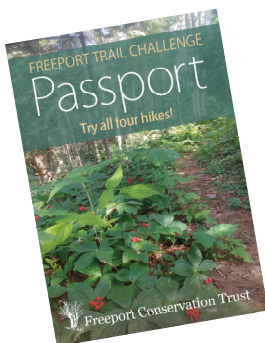
### **Town Manager's Report September 3, 2019**

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operational noise level established in the current statute, could have the effect of putting all airboats (including properly operating airboats) out of legal operation. Therefore, a statutory change to establish separate permissible operational noise level specific to air boats may need to be considered.

Representatives of DIF&W who were present at the meeting did not have the authority to commit the Department to a specific course of action, but did agree to take the information they had received back to the Commissioner's Office and discuss whether the Department would be willing and able to either 1) undertake a rulemaking procedure to establish an operational noise testing protocol, which would be applicable to all motorboats, or 2) research and/or suggest the consideration of a new statutory mechanism to specifically regulate noise created by airboats.

Earlier today, I received a follow-up communication from the Commissioner of the DIF&W that indicated that her Department intends to work with the Department of Marine Resources to start an administrative rulemaking procedure, which is intended to include a public hearing in the Freeport/Brunswick area (copy attached).



### **Freeport Trail Challenge**

The 5th annual Freeport Trail Challenge is underway. If you have not participated before, now is the time to see what you have been missing.

Hike four specific trails in September and October and win a prize. Passports are available at Town Hall, the Community Center, Casco Bay Y, and Wolfe's Neck Center. Or you can find out more at: [freeportconservationtrust.org](http://freeportconservationtrust.org).

### **Welcoming New Mainers Volunteer Opportunities**

Freeport Adult Ed is looking for volunteer tutors to help with ESL adult learners. Dates and times for tutoring sessions are set up on an individual basis. Volunteer babysitters may be needed when adult learners have young children.

Freeport Adult Ed may also have future volunteer babysitting needs during their ESL classes at the Community Center on Mondays and Wednesdays from 8:00AM-9:30AM and 9:30AM – 11:00AM.

There is also a need for people who are fluent in French, Portuguese, or Lingala and are interested in volunteering to work with families. Even if you aren't fluent in any of the above languages but would like to spend time with new Mainers primarily as conversation partners to improve English skills, please contact Kelli Park at [parkk@rsu5.org](mailto:parkk@rsu5.org) or 865-6171 at Freeport Adult Education to find out more about any of these volunteer opportunities.