

AGENDA
FREEPORT TOWN COUNCIL MEETING #10-20
TUESDAY, APRIL 28, 2020

This meeting will be held online/virtually, using Zoom teleconferencing.

To participate with video and audio, please use the following link from your computer or smartphone:
<https://us02web.zoom.us/j/86830064436>

If prompted, enter the following meeting ID: 868 3006 4436

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When prompted, enter the following meeting ID: 86830064436

FROM: Peter E. Joseph, Town Manager

TO: Council Chair, John Egan, 38 Curtis Road
Council Vice Chair, Tawni Whitney, 56 Baldwin Road
Councilor Chip Lawrence, 93 Hunter Road
Councilor Sarah Tracy, 2 Pettengil Road
Councilor Daniel Piltch, 25 Quarry Lane
Councilor Douglas Reighley, 2 Harbor Ridge Road
Councilor Eric Horne, 62 Pine Street

FIRST ORDER OF BUSINESS: Pledge of Allegiance

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #09-20 held on April 7, 2020 and to accept the minutes as printed.

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes)

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes)
(Non-Agenda Items Only)

SEVENTH ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson:

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ITEM # 67 -20 To consider action relative to adopting the April 28, 2020 Consent Agenda.

BE IT ORDERED: That April 28, 2020 Consent Agenda be adopted.

(Council Chair Egan) (5 minutes)

CONTINUED FROM MARCH 17, 2020 TOWN COUNCIL MEETING:

ITEM # 53-20 To consider action relative to the addition of Section 617 “Municipal Tree Task Force” to the Freeport Administrative Code. PUBLIC HEARING

MOTION: To open the public hearing
MOTION: To close the public hearing

BE IT ORDAINED: That the addition of Section 617 “Municipal Tree Task Force” to the Administrative Code be approved.

(Council Chair Egan) (15 minutes)

CONTINUED FROM MARCH 17, 2020 TOWN COUNCIL MEETING:

ITEM # 55-20 To consider action relative to amendments to Chapter 34, Section 16(a) “Camping Reservation System” of the Winslow Park Administrative Policies Ordinance. PUBLIC HEARING

MOTION: To open the public hearing
MOTION: To close the public hearing

BE IT ORDAINED: That amendments to Chapter 34, Section 16 (a) “Camping Reservation System” of the Winslow Park Administrative Policies Ordinance be approved.

(Town Manager, Peter Joseph)(15 minutes)

ITEM #68 -20 To consider action relative to various amendments to Chapter 49, Section 7 & 10 of the Freeport Towing Ordinance. PUBLIC HEARING

MOTION: To open the public hearing
MOTION: To close the public hearing

BE IT ORDAINED: That amendments to Chapter 49, Section 7 & 10 of the Freeport Towing Ordinance be approved.

(Town Manager, Peter Joseph)(15 minutes)

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ITEM # 69-20 To consider action relative to various amendments to Chapter 15, Street Regulation Ordinance. PUBLIC HEARING

MOTION: To open the public hearing

MOTION: To close the public hearing

BE IT ORDAINED: That various amendments to Chapter 15, Street Regulation Ordinance be approved.

(Town Manager, Peter Joseph)(15 minutes)

ITEM # 70-20 To consider action relative to proposed amendments to Section 507.H.2 of the Freeport Zoning Ordinance and the Official Zoning Map of the Town of Freeport pertaining to the identification of coastal bluffs. PUBLIC HEARING.

MOTION: to open the public hearing

MOTION: to close the public hearing

BE IT ORDAINED: That proposed amendments to Section 507.H.2 of the Freeport Zoning Ordinance and the Official Zoning Map of the Town of Freeport pertaining to the identification of coastal bluffs be approved.

(Interim Town Planner, Caroline Pelletier)(15 minutes)

ITEM # 71-20 To consider action relative to the proposed establishment of the Concord Gully Brook Tax Increment Finance (TIF) District. PUBLIC HEARING

MOTION: to open the public hearing

MOTION: to close the public hearing

(Council Chair Egan)(60 minutes)

ITEM #72-20 To consider action relative to the establishment of the Concord Gully Brook Tax Increment Finance (TIF) District and the approval of the relevant District Documents.

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a Tax Increment Financing District and adopt a related Development Program; and

WHEREAS, the Town has identified certain property within its commercial zoning district that is centrally located, underutilized and in need of redevelopment, and has received a proposal for the

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development and expansion of said property by an existing commercial property owner; and

WHEREAS, designating the proposed District and adopting and implementing the Development Program will

- Maintain existing tax revenues;
- Enhance future tax revenues generated by new development throughout the Town;
- Install storm water improvements and other environmental improvements;
- Maintain existing jobs;
- Assisting established construction businesses in the Town, thereby retaining existing employment opportunities;
- Construct new recreational trails that have a significant potential to promote economic development;
- Provide long-term, stable employment opportunities for area residents; and,
- Attract businesses and promote the economic viability and sustainability of the general economy of the Town.

WHEREAS, the Town has held a public hearing on the proposed Concord Gully Brook Development District and Tax Increment Financing District #6 (the “District”) in accordance with the requirements of 30-A MRSA § 5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and,

WHEREAS, the Town desires to designate the proposed District and adopt the proposed Development Program as presented to the Town Council this day and as has been on file in the Town Clerk’s Office at Town Hall; and

WHEREAS, it is anticipated that the Commissioner of the Maine Department of Economic and Community Development (“DECD”) will approve the designation of the District and adoption of the Development Program;

NOW THEREFORE, the Town Council hereby Orders as follows:

BE IT ORDERED:

Section 1. The Town Council hereby finds and determines that:

- (a) Adoption and implementation of the District and the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and
- (b) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that adoption and implementation of the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the District and the Development Program on

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any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby designates the Town of Freeport Concord Gully Brook Development District and Tax Increment Financing District #6 (the "District") as presented to the Town Council.

Section 3. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the Development Program for the District in the form presented to the Town Council.

Section 4. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon approval of the District and Development Program by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

Section 5. Pursuant to the provisions of 30-A M.R.S. § 5227, the percentage of the Increased Assessed Value to be retained as Captured Assessed Value in the District and the term of said District is confirmed as set forth in the Development Program and related Credit Enhancement Agreement.

Section 6. The Town Manager be and hereby is authorized and directed, on behalf of the Town of Freeport, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S. § 5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of this District and the Development Program. The Town Manager is further authorized and empowered, at his or her discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and Development Program by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

Section 7. The Town Manager be and hereby is authorized, empowered and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the Town, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the Town Manager may approve, the Town Manager's approval to be conclusively evidenced by his or her execution thereof.

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This Order shall take effect immediately upon adoption.

(Town Manager, Peter Joseph)(30 minutes)

ITEM # 73-20 To consider action relative to establishing the Freeport Covid-19 Relief Fund and accepting donations totaling \$8,750.00.

BE IT ORDERED: That the Freeport Covid-19 Relief Fund be established and donations totaling \$8,750.00 be accepted.

(General Assistance Officer, Johanna Hanselman)(10 minutes)

ITEM # 74-20 To consider action relative to the annual appointment of Nicholas Adams as Freeport Code Enforcement Officer, Electrical Inspector, Plumbing Inspector and Building Inspector.

BE IT ORDERED: That the annual appointment of Nicholas Adams as Freeport Code Enforcement Officer, Electrical Inspector and Plumbing Inspector effective through June 30, 2021 be confirmed.

BE IT FURTHER ORDERED: That the annual appointment of Nicholas Adams as Freeport Building Inspector effective through April 30, 2021 be confirmed.

(Town Manager, Peter Joseph)(5 minutes)

OTHER BUSINESS:

1. Discussion of request for waiving Shellfish License fee. (Council Chair Egan)(10 minutes)
2. Continuing workshop on FY2021 Capital Program. (Finance Director, Jessica Maloy)(60 minutes)

END OF AGENDA (Estimated time of adjournment 11:50 PM)