

AGENDA
FREEPORT TOWN COUNCIL MEETING #17-21
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JULY 20, 2021
6:30 PM

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 Daniel Piltch, 25 Quarry Lane
Councilor Douglas Reighley, 2 Harbor Ridge Road
Councilor Jake Daniele, 264 Pownal Road
Councilor Edward Bradley, 242 Flying Point Road

FIRST ORDER OF BUSINESS: Pledge of Allegiance

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #16-21 held on July 6, 2021 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:

ITEM # 125-21 To consider action relative to adopting the July 20, 2021 Consent Agenda.

BE IT ORDERED: That the July 20, 2021 Consent Agenda be adopted.

(Council Chair Egan) (5 minutes)

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ITEM # 126-21 To consider action relative to Adoption of a Remote Participation Policy for the Town of Freeport. Public Hearing.

MOTION: To open the public hearing

MOTION: To close the public hearing

BE IT ORDERED: That a Remote Participation Policy for the Town of Freeport be Adopted.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 127-21 To consider action relative to setting a public hearing to discuss Redistricting of the Freeport Municipal Voting Districts.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss Redistricting of Freeports Municipal Voting Districts.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Clerk, Christine Wolfe)(10 minutes)

ITEM # 128-21 To consider action relative to setting a public hearing to discuss an order authorizing the issuance of \$634,000 of bonds and notes (approved by the voters on March 9, 2021) to finance the local share of the construction of bicycle and pedestrian pathways at the Exit 20 & 22 overpasses; and to discuss entering into a local cost sharing agreement with MDOT to provide for the construction of the same.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss an order authorizing the issuance of \$634,000 of bonds and notes (approved by the voters on March 9, 2021) to finance the local share of the construction of bicycle and pedestrian pathways at the Exit 20 & 22 overpasses; And to discuss entering into a local cost sharing agreement with MDOT to provide for the construction of the same.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Manager, Peter Joseph)(15 minutes)

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ITEM # 129-21 To consider action relative to setting a public hearing to discuss proposed amendments to Section 32-601 (K) of the Shellfish Conservation Ordinance.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss proposed amendments to Section 32-601 (K) of the Shellfish Conservation Ordinance.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 130-21 To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 2 Administrative Code, Section 509. Inspections Division of the Freeport Town Ordinances.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss proposed amendments to Chapter 2, Section 509. Inspections Division of the Town of Freeport Ordinances.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 131-21 To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 13, Fire Prevention Code of the Freeport Town Ordinances.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss proposed amendments to Chapter 13, Fire Prevention Code.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 132-21 To consider action relative to setting a public hearing to discuss proposed amendments to Chapter 17, Electrical Code Ordinance of the Freeport Town Ordinances.

BE IT ORDERED: That a public hearing be set for August 3, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street, Freeport to discuss proposed amendments to Chapter 17, Electrical Code Ordinance.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 133-21 To consider action relative to A Resolution regarding the Maine Department of Transportation's unused freight easement on the St. Lawrence and Atlantic (SLA) Rail Corridor.

WHEREAS, the Casco Bay Trail network envisions an off-road bicycle and pedestrian trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and

WHEREAS, the Casco Bay Trail Alliance vision is consistent with and complimentary to Freeport's "Connect Freeport" vision; and

WHEREAS, the Connect Freeport vision and activities are consistent with and complimentary to Freeport's Complete Street Committee Ordinance and Complete Street Policy; and

WHEREAS, the Casco Bay Trail network includes in its vision a 26-mile, disused rail corridor (hereinafter "Casco Bay and Royal River SLA Corridor") from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010; and

WHEREAS, the Casco Bay and Royal River SLA Corridor is integral to the Connect Freeport vision to establish an off-road trail the connects Freeport to Portland; and

WHEREAS, an off-road connection between Freeport and Portland will impact Freeport's economic development through bicycle tourism, regional recreational use, and commuting; and

WHEREAS, the Casco Bay Trail Alliance, formed in 2019, created a vision, and is leading the effort, to convert the Casco Bay and Royal River SLA Corridor to a multi-purpose "trail-until-rail" to be included in an off-road multi-use trail network connecting Portland, Lewiston-Auburn, and Brunswick, Maine; and

WHEREAS, the Casco Bay Trail network is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

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WHEREAS, long-distance multi-use trails are a key recommendation of a 2010 report “Improving Maine’s Quality of Place Through Integrated Bicycle and Pedestrian Connections” by the Maine Dept. of Transportation, State Planning Office, Dept. of Conservation, and Center for Disease Control and Prevention; and

WHEREAS, a freight operator, Genesee and Wyoming, holds an operator easement, but is not currently operating freight service on the rail line; and

WHEREAS, the contract between MaineDOT and the Genesee and Wyoming freight company allows for the abandonment of the freight easement by November 2021; and

WHEREAS, abandonment of the freight easement will enable a decision-making process to be led by MaineDOT about the future best use of the Casco Bay and Royal River SLA Corridor; and

WHEREAS, it is recognized that some part of the rail corridor is potentially also suitable for future passenger rail service, but that a 2019 study commissioned by the Maine Department of Transportation (“Lewiston Auburn Passenger Rail Service Plan”) recommended that any future passenger rail between Portland and Lewiston-Auburn should avoid the Casco Bay and Royal River SLA corridor south of Yarmouth; and

WHEREAS, there is an alternative corridor that could also be used to extend passenger train service between Portland and Lewiston-Auburn that is still actively used by trains, including Amtrak, thereby allowing both public purposes, trains and trails; and

WHEREAS, it may be worthwhile for the Town of Freeport to express its interest in the Casco Bay and Royal River SLA Corridor to MaineDOT

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FREEPORT ASSEMBLED THIS _20_th DAY OF _July_, 2021, THAT:

The Freeport Town Council hereby petitions the Department of Transportation to

1. accept the abandonment of the above-referenced freight easement,
2. to the extent the Department is considering any extension or amendment to the above-referenced freight easement, provide a notice-and-comment procedure to ensure that all voices are considered before granting a benefit at no cost to a single company, and
3. create a Rail Corridor Use Advisory Committee to consider future use of the Casco Bay and Royal River SLA Corridor as a multi-use “trail-until-rail.”

(Town Engineer, Adam Bliss)(10 minutes)

ITEM # 134-21 To consider action relative to approving a contract agreement between the Town of Freeport and the Freeport Police Benevolent Association.

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BE IT ORDERED: That the proposed contract agreement between the Town of Freeport and the Freeport Police Benevolent Association for the period of July 1, 2021 –June 30, 2024 be approved.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 135-21 To consider action relative to contracting with Freeport Community Services, Inc. for the provision of the Town of Freeport's General Assistance Program.

BE IT ORDERED: That the proposed agreement between the Town of Freeport and Freeport Community Services, Inc. be approved.

(General Assistance Administrator, Johanna Hanselman)(15 minutes)

ITEM # 136-21 To consider action relative to the waiving of interest of \$15.49 on the delinquent tax payment for 20 Lookout Dr.

BE IT ORDERED: That the waiving of interest of \$15.49 on the delinquent tax payment for 20 Lookout Dr.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 137-21 To consider action relative to participation in MPERS Special Plan 3C for certain Police employees.

BE IT ORDERED: That the Town of Freeport participate in MPERS Special Plan 3C for certain Police employees.

BE IT FURTHER ORDERED: That the Town Council agrees to:

- a) Provide Special Plan 3C to its permanent, full-time police officers who work 20 or more hours per week, 52 weeks per year for service rendered after July 31, 2021. Service for police officers rendered before August 1, 2021 remains under Special Plan 2C.
- b) Continue to provide Special Plan 2C to all other permanent, full-time employees who work 20 or more hours per week, 52 weeks per year.
- c) Continue to exclude all other employees who are not permanent and full-time (ie who work less than 20 hours per week and/or less than 52 weeks per year) and its elected officials from participating in the plan.
- d) To authorize Peter Joseph, Town Manager to sign the Amended Agreement between the Town and the Maine Public Employees Retirement System.

(Town Manager, Peter Joseph)(15 minutes)

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ITEM # 138-21 To consider action relative to Town of Freeport endorsement of the Energy Innovation and Carbon Dividend Act of 2021 (EICDA).

BE IT ORDERED: That the Town of Freeport endorse the Energy Innovation and Carbon Dividend Act of 2021 (EICDA).

(Council Chair, John Egan)(15 minutes)

OTHER BUSINESS:

1. Continued discussion regarding request to waive civil penalty with Consent Agreement at 250 Wolfes Neck Road (Town Manager, Peter Joseph)(15 minutes)
2. Discussion regarding FEMA Flood Map appeals (Town Manager, Peter Joseph)(30 minutes)
3. Discussion of Principle Group Funding for Phases 2 & 3 (Councilor Whitney)(30 minutes)
4. Discussion of next steps for Town consideration of Cannabis Cultivation (Council Chair, John Egan)(15 minutes)

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