**MINUTES**

**FREEPORT TOWN COUNCIL MEETING #05-23**

**TOWN COUNCIL CHAMBERS, 30 MAIN STREET, FREEPORT**

**TUESDAY, MARCH 7, 2023**

**6:00 PM**

Chair Piltch called the meeting to order.

PRESENT ABSENT EXCUSED

Councilor Chair Daniel Piltch, 25 Quarry Lane X

Council Vice Chair, John Egan, 38 Curtis Road X

Councilor Matthew Pillsbury, 36 Todd Brook Rd X

Councilor Chip Lawrence, 93 Hunter Road X

Councilor Darrel Fournier, 3 Fournier Drive X

Councilor Jake Daniele, 264 Pownal Road X

Councilor Edward Bradley, 242 Flying Point Road X-joined via Zoom from 6:23 pm - 7:30 pm

**FIRST ORDER OF BUSINESS**: Pledge of Allegiance

Everyone stood for the Pledge of Allegiance.

**SECOND ORDER OF BUSINESS**: To waive the reading of the minutes of Meeting #04-23 held on

February 28, 2023 and to accept the minutes as printed.

**MOVED AND SECONDED**: (Lawrence & Fournier) To waive the reading of the minutes of Meeting #04-23 held on February 28, 2023 and to accept the minutes as printed. **VOTE**: (4-Ayes)(0-Nays)(1-Abstain Daniele)(1-Absent)(1-Excused)

**THIRD ORDER OF BUSINESS**: Announcements (15 minutes)

* Freeport Community Library has a terrific lineup of programs in March and April, so please make sure you follow us on Facebook or head to our website and sign up for our monthly newsletter.
* There will be no in-person financial transactions (registrations, taxes, licenses or permits)

on March 9th due to a system upgrade. You can still conduct business online (re-registrations, taxes, licenses) at [www.freeportmaine.com](http://www.freeportmaine.com) Sorry for any inconvenience.

* Please join the Freeport Sustainability Advisory Board at their next lecture series event “FOOD WASTE & COMPOSTING” Monday, March 6th, 6:30 pm, Freeport Community Center, 53 Depot St.
* Freeport has started working on a Climate Action Plan.  To learn more about the project or to sign up for project updates, visit the project website at [www.freeportclimateaction.org](http://www.freeportclimateaction.org)
* The Town of Freeport is always seeking volunteers for all municipal Boards and Committees.  We will have a vacancy on the Project Review Board – the Board that reviews development proposals in Freeport.  If you have an interest and or experience in planning, construction, development, engineering, architecture, landscape architecture and or historic preservation and are interested in applying, please fill out an application.

**FOURTH ORDER OF BUSINESS**: Information Exchange (15 minutes)

Councilor Fournier: Resident contacted him with concern that the fire hydrant in South Freeport has been out of service for nine months. The Town Engineer received that call also and they reached out to the District and the work was scheduled to be completed today. We pay $135 per month per hydrant and we should be able to adjust our bill to reflect. There were 1 or 2 that have been out of service and have been a concern and we can reach out to the Water Company to discuss a rebate.

Fire Chief: He has had a candid conversation with the Water Superintendent about this. The Chief does not like getting phone calls he can’t control. It goes back onto the Water District. He has also addressed with them the shoveling of hydrants. They are in discussions.

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

Announce the hiring of Meddy Smith as the shared grant funded Sustainability Coordinator. That’s a 15-16-month position, so it will be for the entirety of the next fiscal year. She has worked as a consultant on the development of municipal climate action plans across the United States.

In addition, our new Mental Health Liaison position has been filled.

He thanked the snow removal crews for their hard work recently.

**SIXTH ORDER OF BUSINESS**: Public Comment Period – (30 Minutes)

(Non-Agenda Items Only)

Art Dysinger: Was here at the council meeting on January 3rd to talk about a Lighting Nuisance Ordinance. He was told that the council would get back to him, which they haven’t. They have complained about poor communication. His neighbor sent an email to the Manager and they were informed that there were meetings with the attorney regarding this matter. That was on 2/27/23 and until tonight they had not heard anything. Basically, he wants to keep this before the council because it’s actually escalating. All they ask is to be kept in the loop, don’t shut us out.

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

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ITEM # 34-23 To consider action relative to adopting the March 7, 2023 Consent Agenda.

Chair Piltch reviewed the items on the Consent Agenda. It was clarified that item # 40-23 is for Fire/Rescue donations, not the Library. Item 39-23 are the Library donations.

**BE IT ORDERED**: That the March 7, 2023 Consent Agenda be adopted. **MOVED AND SECONDED:** (Pillsbury & Lawrence)**VOTE:** (5-Ayes)(0-Nays)(1-Absent Bradley)(1-Excused Egan)

(Council Chair Piltch) (5 minutes)

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ITEM # 35-23 To consider action relative to the proposed Capital Program for FY2024.

This is just setting the Public Hearing. More discussion will be had at future meetings.

**BE IT ORDERED**: That a Public Hearing be scheduled for April 4, 2023 at the Town Council meeting starting at 6:00p.m. to discuss the proposed Capital Program for FY2024. **MOVED AND SECONDED**: (Fournier & Lawrence )**VOTE**: (5-Ayes)(0-Nays)(1-Absent Bradley)(1-Excused Egan)

(Finance Director, Jessica Maloy) (5 minutes)

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ITEM # 36-23 To consider action relative to an agreement with the Cumberland County Soil and Water Conservation District for stormwater related public education and outreach services.

Town Engineer, Adam Bliss: This contract is not controversial but there is one discussion item. The town has worked with Cumberland County Soil and Water Conservation for 20 years for stormwater related services. The town has a permit from DEP to discharge stormwater runoff from our storm drain system into the streams, wetlands, the ocean, etc. It’s a prescriptive format that’s quite lengthy. There are heavy fines for non-compliance. Freeport has done a great job complying with that permit. Two items out of that permit are public education and outreach. They are lengthy and involved. The town has partnered with 13 other greater Portland municipalities, USM, SMCC and Cumberland County Soil and Water Conservation to fulfill those permit requirements. The agreement is a 5-year agreement with a 12-month advance notice opt out clause. If we want to opt out, we have to give 12 months’ notice. The delicacy of the 12 month notice is we would have to find funds to pay for that continuing period of time. The appropriation of those services is not guaranteed each year. It carries over but could be eliminated, maybe there is a financial crisis or other scenario. The agreement is not controversial, it’s the opt out clause that is a sticking point. The other 13 municipalities, USM and SMCC have signed the agreement. He reached out for their thoughts on this opt out clause and it doesn’t appear to have raised alarms. When we negotiated the agreement, we did have them reduce the period from 18-months to 12-months.

We are asking the council to authorize the town manager to sign the agreement that contains the 12-month advance notice clause.

Chair Piltch clarified that there was currently a 5-year agreement with an 18-month opt out clause that is expiring and being replaced with a five-year agreement with a 12-month opt out clause. The cost changes year to year, but last year this cost $11,000. We are under a new agreement with many more requirements so the contract will go up 5% for FY24. We are negotiating with them now.

The budget for this is set by the 13 municipalities so we all have some motivation which is to not spend a ton of money. This is the soft public education component which all the municipalities together contract with this group to do. It’s not the big projects we are doing on a regular basis that are required by our permit (as well as the inspections the engineer does). He does 4 other MCMs (minimum control measures) in addition with others that are within those four. It’s a lot. These are two of the control measures. Adam is responsible for four that are much more in depth, these are two minor ones that are contracted.

**Councilor Bradley joined the meeting via zoom 6:23 pm)**

**BE IT ORDERED**: That the Town Council authorize the Town Manager to sign an agreement with the Cumberland County Soil and Water Conservation District for stormwater related public education and outreach services. **MOVED AND SECONDED**: (Lawrence & Daniele) **VOTE**: (6-Ayes)(0-Nays)(1-Excused Egan)

(Town Engineer, Adam Bliss)(15 minutes)

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ITEM #37-23 To consider action relative to the Fiscal year 2024 tax due dates and interest rates.

This is an action to set what we will charge for interest rates on the 2024 taxes when they come due. This is set by the State and we have to adopt the language as well as requesting a zero percent interest rate on any over payment of taxes.

**BE IT ORDERED**: That one-half of the fiscal year 2024 committed taxes for real estate be payable on November 15, 2023 with interest at the rate of .66 per month or 8% per annum, to be charged from November 16, 2023 and that the second half of the fiscal year’s 2024 committed taxes for real estate be payable on May 15, 2024 with interest at the rate of .66 per month or 8% per annum, to be charged from May 16, 2024.

**BE IT FURTHER ORDERED:** That the fiscal year 2024 committed taxes for personal property be payable on November 15, 2023 with interest at the rate of .66 per month or 8% per annum, to be charged from November 16, 2023.

**BE IT FURTHER ORDERED:** That an interest rate of 0% per month or 0% per annum be established for overpayment and/or pre-payment of taxes. **MOVED AND SECONDED**: (Daniele & Lawrence) **VOTE**: (5-Ayes)(0-Nays)(2-Excused)

(Finance Director, Jessica Maloy) (10 minutes)

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**OTHER BUSINESS:**

1. Presentation by Freeport High School Scholarship Foundation (Town Manager, Peter Joseph)(20 minutes)

Stephanie Paine, president of the board at the FHS Scholarship Foundation and Fred Palmer one of the founding members.

In establishing the scholarship foundation they spoke with two groups; the Mitchell Foundation and USM Promise Foundation. The Mitchell Foundation each year chooses two high school graduating seniors from the 180 schools in Maine and funds them $2,500 for four years. The USM Project has 7-8 million dollars in it. Its purpose is to provide an opportunity for people who can’t afford college. The key element to both programs was the mentoring that they required their awardees to go through. Each student is assigned a mentor for the period they are in school and their graduation rate is well above the nation graduating rate.

They formed the board and decided to raise some money. Councilor Bradley had identified some funds in the town budget that were not transferred to the RSU when it was formed. The income was going to the school, but the principal stayed with the town. They were assigned that money to manage and they developed the program that Stephanie will go through. With this program we can change people’s lives.

Stephanie Payne: we are a 501c3 established in 2021 to provide significant financial assistance for FHS graduates for a 4-year college program. In 2022 they added vocational schools. The process is easy to apply. It’s online this year and they are trying to remove barriers. Students are selected based on need, academic achievement, community involvement and promise. The center piece is the mentorship, it’s what makes the program effective. They meet monthly with a mentor at a minimum.

Originally, the foundation had a goal of raising one million dollars to fund four students up to $5,000 per year for four years. They had 26 applicants and they realized they had to do more. They increased their goal to 2 million dollars. The plan, once the goal is reached, is to fund eight students annually (four for 4 year programs and 4 for vocational programs). We currently have over one million dollars in cash and pledges from donors. To reach the goal, the development committee members continue to meet with major donor prospects and a mailed annual appeal.

In 2021 and 2022, they provided 2 scholarships to students attending 4-year college. They provided the $5,000 per year for 4 years. In addition, they awarded a technical school scholarship to a student. We are 11 volunteer community members making up the board.

The longer we wait to raise the one million dollars the longer we’ll have to wait to increase the amount of funding we can provide for more students. They are asking for a commitment from the operating budget for this year and also to consider changing TIF language in existing or future TIFs to include the provision to include trades in other schools (technical and job training). They are requesting $100,000.

The scholarships would be available to any students in RSU5 (including Durham and Pownal students). Have they expressed or intend to express an invitation to the other two communities in the District to help support the scholarship as well. They have already done that. They have been challenged connecting with those communities. They are trying to include and engage them, its been challenging but is their goal. This is a tri-town community project, but if it’s going to the kids, the community leaders of those towns should hear the same pitch we are hearing and be asked to participate in it because it’s going to benefit their kids as well.

Changing TIF language: if the money is available from the operating budget, do they really care where it comes from on the line item? No, they don’t care. It’s a lot of work to amend the TIF language. Amending the TIF would limit the scope to technical training and job training, whereas, the scholarships currently are geared towards everything up to four year education. The group has not given, but is committed to giving the first vocational scholarship. Our TIF policy right now does not list technical and job training as one of the things that we can include in new TIFs we make. FEDC is going to look at that anyways (TIF policy).

Councilor Fournier: asked about Federal and State funding to see if that could be a possible funding source. They have looked at private foundations. The pandemic relief funds they have not looked at. They have made a request of the school board in last year’s budget for monies from the extra funds at the end of the year, but the attorney said they could not do that. They are always looking for ways to raise more money.

The town does not currently give to any scholarships that benefit Freeport students. The high school gives out about $100,000 per year, but that comes out in $1,000 to $1,500 increments. Nothing follows that for subsequent years. One of the scholarships each year goes to a junior, it’s been wonderful. These students have exploded in what their options are. Many schools give scholarships but few that cover four years.

Councilor Pillsbury: Do you have ownership of the funds and do you have a fund management policy that dictates how it’s invested, etc. Bath Savings is the institution managing the funds. The policy is 60 percent equities and 40 percent fixed income. The Plan is to create a return of 7% per year and a payout of 4% per year so the fund continues to grow.

They outlined what the student requirements are for subsequent years and how and when they transfer the money to the school.

We can put a place setting on the budget, we should support it even though we don’t know the amount that might be. Councilor Pillsbury would like to hear back from them once they go to Pownal and Durham. They are always looking for mentors, which you can access online. We have established a form for submission of budget requests from outside groups.

1. Discussion of grant funding opportunities identified by Sewer Task Force (FEDC Executive Director, Brett Richardson)( 15 minutes)

Brett Richardson FEDC: Update on the Sewer Committee’s work with the Sewer District to raise money to offset some of the Districts capital needs. The Sewer District has a $20 million dollar capital need for upgrades to a 50 year old system. We’ve been looking from the town’s perspective about how to offset some of that cost with the eye towards lowering connection fees to facilitate the development that we want to see from the Downtown Vision. The recommendation of the committee was to move forward with some grant proposals and joint planning. The first of those is the Congressional designated spending which is an earmark request. The original plan was for the town to put in the request, but new information has come out in the last few days that the District should be the applicant. There would be a $2 million dollar ask. There is a $400,000 match that would be required to access that funding. In this case the district would be responsible for that. What they are asking tonight is just to endorse that earmark request as the town’s top priority in earmarks going forward. He needs a nod of support. There were no objections to the Town Manager writing a letter of support. They now have more identified project needs so it will be more important. We are still exploring other grants that were identified in the sewer program. They may come back and ask for council endorsement as well as an okay to apply if there is a future town match that may be required. Not for this current one. Another recommendation the committee made was that the town should look at establishing a pool of funds that subsidize projects that are a good fit and advanced public benefits. There will be other opportunities to discuss how the town can contribute.

1. Discussion of Town Council Goals (Chair Piltch)(30 minutes)

The Chair asked to bring this item back at the next meeting.

1. Workshop with Department Heads on 5-Year Capital Program. (Town Manager & Finance Director) (60 minutes)

\*\* Councilor Bradley’s left the meeting at 7:30 pm.

The proposed that is before the council tonight is 3.3 million dollars. She does have a list of changes that have come up since the original presentation to the council.

Article I:

Last year we projected for one new patrol car but we’ve been experiencing some significant supply chain issues so we have increased it to 2 patrol cars in anticipation that it will take time to get those units in. They are also looking at taser replacement. That ended up being larger than projected last year after going out for quotes and determining what had to be replaced. The last request is upgrading the Harbor Master boat.

Fournier: What is the service life of those vehicles that are being replaced. He has requested a report of the mileage that we pay employees. Typically, when we replaced vehicles, they went out to bid. There used to be a taxi company from NY that would try to buy them and there was a lot of value bidding those out. Would these vehicles have a 3-4 year life span in non-emergency staff use? There is a savings in fuel costs to the town. He’s not sure if it’s fair to ask employees use their personal vehicles.

Chief Goodman: Any new vehicle that comes online goes to patrol response initially. They typically get three years out of that front line vehicle. At that point the mileage is around 120,000 to 130,000 miles. We don’t like to run patrol vehicles over 120,000 miles due to maintenance issues. When those cars reach 120,000 miles they are relegated to Detective, Lieutenant or School Resource vehicle. They can still respond to incidents but they are not being driven in hard use capacity 24/7. They rotate system for vehicles and get significant use before they are relegated to secondary rolls. The first three years they are going to get 30,000 to 50,000 miles a year. Once they are in a back up roll that number drops to 5,000 to 7,000 miles per year. Most secondary vehicles are 2015-2017 models. They don’t need a lot of upkeep.

Normally, we would ask dealers for a quote for vehicles coming off the secondary line and get a trade in of $500 to $1200. In this request he is asking to keep one of the cars as a secondary administrative car for the new alternative response position. He outlined what the coordinator has done in the two short weeks on the job and all the travel involved with this position. He can now see keeping the cars a few more years after the secondary life to used in this compacity.

Only one car will be rolling out of service because we will keep one for the alternative response. What would be available for vehicles and what would be the condition. As part of the budget process this year, we are looking at mileage. We’ll have to weigh what we would get for the one vehicle if we sold it on the market versus the potential savings and convenience of keeping one as a staff car (mostly town hall staff).

If the market holds, trade-ins should run $3,500. Prior, they used to keep cars longer but it would yield nothing as a trade ($500-$1,000).

New Police Station: The chair asked about money for the study and planning of a new facility. That is in the list of proposed changes the Finance Director has for Municipal Facilities. This is as early as we could put it in the 5-year plan. We might be able to expend those funds next calendar year, but it might take until the beginning of FY25.

Tasers: They could purchase them in small batches or all at once or one at a time. Some of it is a training issue with different models. About half of tasers now are between 12-15 years old and the other are between 6-10 years old. We could be open to any of the options for replacement. Tasers were in stages. When they initially got tasers, they were from Brunswick for free and we used them for 5 years. Once they showed a good track record with their usage, they approached council about purchase. The officers had been sharing tasers which is not a preferred practice. Over the course of ten years they did two installments and replaced 7 or 8. Then they did a second installment 5-6 years after that all going to X26 tasers of different vintage. We now have 3-4 with issues. We’ve been repairing them for the last 3 years.

What brought this forward was correspondence from the company stating that they were no longer going to support the X26 line after June/July 2024. The 50 represents the entire fleet replacement and instructor training, equipment, cartridges (the total package that they need). They have financing plans but not any lease options. They have a 5-year warranty.

Harbor Master Boat: the current boat is a 2006 but the motor is a 2016. The Chief explained the plan to repurpose the current boat as a hybrid between departments for equipment mobility, like out to the islands or water rescues. One of the issues they run into with fire and EMS, the current configuration of the boat doesn’t lend itself well to putting rescue and fire equipment and gear in it. When we do have to use the marine boat, it is not conducive to putting stretchers and personnel and their equipment and trauma packs in the boat. When they met to discuss they wanted to spec out a boat that would cover all needs. The current boat is quite old but it’s still workable. The main issue is that we don’t have room to treat or transport someone laying down. There is not room for a stretcher, there is no place on the boat that is 6 feet. We have run into logistical issues with the current boat trying to cram people onto it and then be safe as well. The replacement boat needs to be able to fit a stretcher. Chief Conley spoke about even having to put a patient on the bow to transport. They don’t have room to treat. The current proposal is to keep the current boat for Bustins Island response and to use to transport items.

Fournier: Does not support two boats. It will be a maintenance nightmare with the salt water and it will be a room issue at the Harbor. He supports one boat that is designed to meet the needs of Police, Harbor Master and Fire/Rescue. Councilor Bradley concurs with Councilor Bradley. We will need to think about the configuration of that boat because you will need a large center cabin or console to get 6-8 feet clear in the back. We would probably only be running one response boat at a time. It makes sense to have one. Maybe in 10 more years we will look at that.

Councilor Daniele: we are proposing $350K. The Reserve balance is $338,000. We’ve got $700,000 of whatever. Can the finance director speak to that?

Jessica Maloy: at the last meeting she asked the council for a transfer of Fund Balance into these reserves to help get them to adequate levels for our immediate short term needs in our Capital Plan 5 year needs for all articles. It was either 200K or 250K that she asked to be transferred into the Police Reserve to cover this adequately and get us to the 5 year mark. That will assist in getting us into that benchmark of between the 5-year and the 20% of the 20-year plan.

Councilor Bradley wants the Harbor Master to weigh in on whether he may need to keep the smaller boat for some of the narrow, shallow water ways. Otherwise, he supports one larger boat. The Harbor Master has been part of this process and has been research companies that build purpose crafted boats for EMS/Police use.

Article II: Fire Department:

We are looking to purchase positive pressure fans ($20,000). These remove smoke and odor from buildings. This will allow us to use battery operated fans making them more portable versus hooked up set structures. They run off 20 amp batteries and not running off gas or electric to remove smoke and gases.

There is no reason to not keep the current electric fans to use in the large commercial buildings for which they were purchased.

Electric chain saws: Their ability to perform was questioned. They are not great at accessing metal roofs. The two battery operated chain saws were designed to go on the two apparatus (the 2 engines) and the gas chain saw will go on the ladder truck. The ladder is typically functional as far as roof venting. We’ve seen some departments using the battery chainsaws and having good luck with them. The other aspect, if we had to go inside they are not dealing with the possible carbon monoxide of a standard chainsaw.

FY2026 has a looming purchase of a ladder truck (replacement). That number will/may get adjusted upward before we get to FY26, something to keep in mind. Councilor Fournier will be asking to have the current apparatus looked at and potentially rehab. The truck is in good shape. We have a question on torque box. The box is what the ladder attaches to, that attaches to the frame. Those are what typically fail. He wants us to look at that option. The Chief pointed out that the industry is expressing that there is a 2-year delivery date on the ladder truck. That means that instead of appropriating for 2026, they may be asked to vote for that in 2025 for delivery in 2026. It doesn’t get expended until 2026. It will be 32 years old when it’s replaced. The best description of the ladder truck is high years, low miles and low hours.

Brush Truck bed replacement: They want to move the pump and the tank into what they call a skid pack so they could pull that off during the winter and utilize the trucks more effectively. Councilor Fournier explained the bed was originally from Public Works and has outlived it’s life. He agrees with the skid pack as it gives the advantage of better use of the truck during the winter and may safe freeze ups and costly pump repairs. Also, this is an aluminum body and cabinetry. Right now, there is no place to put the gear.

Councilor Fournier would like to discuss whether turn out gear belongs in the operating or capital budget. It’s part of the Operating budget now and he’s not sure that’s the right place for it. That’s a recurring amount each year, the same amount. There is a ten-year lifespan on the gear according to NFPA standards. Dep. Sylvain tries to maintain that. There are more active members that go through the gear faster. We try to cycle gear through every 10 years. That’s 5-6 sets a year. Some of the gear gets handed off to new members who are not structural interior firefighters. This gear lasts longer because of the less wear and tear. They have also found out that some of the fire gear is manufactured with pfas chemicals in it. If we are replacing the same amount of turn out gear for the same dollar value every year or we budget the same amount every year, that wouldn’t qualify as a capital expense because it’s not a one time, non-recurring expense by our definition of a capital item. So in theory it shouldn’t spike the budget by spending the same $40,000 or $10,000, or whatever it is, every single year. He thinks it’s $8,000 or $10,000 that’s in there every single year for the same recurring purchase. Historically it was in the capital plan because you were doing a larger bulk purchase. It became more cost effective to be on a rotation where you do five to seven outfits a year and keep it recurring as opposed to an $80,000 appropriation every 10 years. Sizing gear to the person also creates challenges with using used gear, it isn’t one size fits all.

Article III: rescue equipment. They try to have an 8-year life span on the Rescue and rotate them through. This year Rescue 3 is up and he has provided mileage/hours, etc. on the spreadsheet. We are suffering supply chain and microchip issues. We are asking for $400,000 be allocated to replacement of Rescue 3.

They have sent bids out and are looking for response at the end of March. The challenge right now is chassis locations. The dealers are advising it will be 20 months before delivery of a new ambulance. Rescue 3 will see 11 years of service before replacement. We may explore getting onto a wait list without having money down. They are specking a Dodge Ram similar to the Rescue 5.

The dollars cannot be spent before July 1st, but the bid process can be started prior to the appropriation.

Bid awards can be done at the first meeting of the new fiscal year.

We have three ambulances and we try to staff two. The issue with the third truck is we rotate it through. If we have a truck go down for service, we still have an ambulance to fill the front two and we have the revenue for the ambulance call than to give it off to mutual aid. We have gone from 4 to 3 and the manager would recommend going up rather than down. We should never go below 3. When we had four we were doing a lot of transports.

Have we adjusted how we are looking at major equipment purchases in the next 5 years. Have we moved things up knowing we won’t receive delivery, but it’ll fall within expected life we need to have for our equipment? The Finance Director has moved some of the asks up to FY24 and moved others out. It was her call to leave the Ladder Truck replacement in FY26. That is an item she is going to recommend go to bond. However, that is why they put the two cruisers instead of one.

We adopt the Capital Budget Plan at the end of April. It’s not the physical appropriation but your giving guidance that this is what we are agreeing to unless something unexpected comes up. Our departments heads can start asking for bids, RFPs, etc. by the end of April. We have a month to two advantage in our process. It’s important that we are able to order equipment prior to July 1st (we can’t cut the check or receive delivery).

AV Equipment: Our training has taken on a different world. We used to able to get everyone in one room for monthly trainings. They would like a large screen in the meeting room with a cameras, laptop, speaker bar and white boards to be able to record trainings that can be viewed later. The Chair likes the idea but questions the $30,000 request. That was just a number that was thrown out there.

Councilor Fournier: we have accepted significant donations to Fire/Rescue. Is there a possibility of using some of that money to offset this appropriation request. The Chief has some plans for that donation money that he will be reviewing with the Manager and Finance Director. He thanked people for their generosity. The Chief does not have a problem with using some of the donation monies. Future exploration and further discussion needed before that $30,000 is adopted. That number needs adjustment or other funding sources explored.

Changes: There is an additional request of $16,000 for door access controls at Public Safety that will integrate with the existing door locks but expand to the dorm quarters and administrative areas. We did an assessment of public access to town buildings and what areas where behind doors. When they moved the living quarters for the Fire Station they no longer have quick access in and out. You have to lock a large number of doors with keys. For convenience, we would be able to leave a lot more of the fire station open for the public and police department, if we are able to add these doors. You would be able to lock the entire wing of the building (living quarters) when on a call.

Article IV: Public Works. They are asking for Truck 4 replacement. They are using the truck bed off one of the existing trucks and that will save $40,000. They are asking for $235,000. The only thing they did not try to rehab was the hydraulic pump because it was not recommended. With use of existing equipment from Truck 4, the number was originally $285,000 and they got it down to $235,000.

Snowblower: this is the giant snowblower that hooks to the loader. It was one of the first built and was built with gear boxes. They lost the gear box last February and just received the replacement part 3 weeks ago. The new snowblowers are all hydraulic operated, it eliminates all that. They discussed the amount of time that this takes and the savings this provides.

Municipal Facilities:

6. Public Works Expansion project: to expand what is currently the office and training brick area. They are unable to hold trainings at Public Works facility because the training area is too small to hold everyone. When the public visits the facility there is not place for them (no seating area) to reside when there. Could they potentially use other department training areas (such as Rescue). They could do that or use Town Hall. Also, their break room is at full capacity. There may be logistical problems with off site training. The plan also included the office area expansion.

7. Public Works Building repairs-consist of replacing the chimney, installing CO sensors and converting a current air sprinkler system to a wet sprinkler system at Public Works. Councilor Fournier asked why we are converting from dry to wet. The second half of the building was never intended to be used as a heated space. They went to the center of the building and the left side is a wet system and the right is an air system which they come every year and fill it with water to test it. That has started to rust that pipe because it was never intended for that. When they inspected this year, they found it was literally clogged with rust particles. The recommendation of the company doing it was since we are running the other side of the building as heated, we should make both of them the same, so we don’t have that problem. If it does go off it could clog either side with those rust particles.

8. Red light upgrade: This will upgrade so they will work with the emergency notifications. Then all will be done. This is a three-year appropriation (this is year two).

5. Gazebo/Bandstand: that’s a placeholder. If we come up with something more significant than a platform, lets reserve $100,000 to build something grander. We are going to do a pilot as part of our Downtown thing and if it works may do something grander this fall that would allow it to be built before next summer for $100,000 or less.

1. Computer Upgrades: the servers are the majority of the upgrade costs. We try to upgrade 15 computers per year. They are on a 3-5-year replacement schedule. The primary bulk of the $100,000 is for server and firewall upgrades. Our IT gave us a large infrastructure refresh last year and this is phase II of that.

Councilor Pillsbury asked if we had every considered a leasing program that automatically does a three-year refresh on everything and takes that out of our hands. Finance has not done a cost analysis on that. She can definitely look at it again. The two schools of thought, one is you pay for the convenience of having someone help you manage that and everything’s automatic but it’s costlier than using your own equipment for 5-6 years. There is also a time and effort component to staff and he wonders where the break even is.

9. Town Wharf -Float replacement: when we put something in reserve does it still generate income and investment income or are we pulling that out of investments? It does not get pulled out of investments until we spend it.

10. Revaluation process: The assessor does revaluations. Many municipalities gave a large appropriation every 10 years to have a revaluation done. Freeport does small annual appropriations to fund a revaluation reserve which allows the assessor to annually go out and select segments of town to make sure they are where they should be as far as valuation. The assessor is looking at commercial properties over the next year, a complete commercial space revaluation because they are increasing and decreasing at a rate that is not consistent with residential properties. That entails bringing in a commercial specialist that would come out of that appropriation. We have not done it in a while but we have done it historically. This will basically keep us from being out of proportion in those valuations and from losing appeals. We do the other work in house.

There is also an additional request to continue our file digitization process-$15,000 this year. And the net change to the five-year plan is $30,000. We’d be looking for $15,000 in 2024 and potential another $15,000 in 2025. This is us hedging against the revised estimate that came in to make sure we have enough to finish what we started. The supplemental $15,000 for next year is to do the subdivision plans.

Solid Waste: Analog scales will be converted to digital, Tires being filled with foam so they don’t get flat and combining electrical meters so the generator can power the whole thing instead of two different electrical meters and feeds.

We are going digital scales because we can’t get parts for analog. They are outdated. The scales pay for themselves.

Tires: When tires get flats you have to call a service truck out of Portland to fix the tire. Most landfills run solid tires or foam filled tires. To replace the tire versus filling it full of foam is the same price. They have a long life expectancy. The Loader that had foam tires was a 1996 and the tires were still on it when it left. They can be filled with foam after they are repaired, so you couldn’t do foam instead of repairing. The cost is $5,000 per tire.

ADDED IN: Planning of Police Building options: $45,000 to both the current year and the five year, it impacts both. Councilor Fournier believes we should plan for Public Safety not just a Police Station. If we build a new building for Police than we have space planning for Fire Rescue. If we are going to go out you are better to do a Public Safety study that will identify all the needs.

Article 6: Comprehensive Town Improvements: This is also where we would be looking at the Sewer District grant match (TBD amount under the 5 year). TBD if something is identified before the capital plan is finalize, we should include it. If not, we should include it next year. There is a potential in 5 years. It was initially listed as Public Safety changes. The Police Department is 3,600 sq/ft in size so it’s miniscule. They have looked at ways to build on the current Public Safety property, which would be ideal. They have also looked at this property here at 30 Main.

EV chargers: Grants are being explored for that. It is in the Plan because it’s an appropriation that would need to be made by Council regardless of the funding source. If you look at the summary page of the plan, there’s an expansion of where those funds are coming from. Some are listed under TIF, some are bonded, some are grant funded and some are Reserve Funded.

We received notice from Representative Sachs today. A level two charger costs $20,000 and a level three is $100,000 and they are covering 90% if we put it on a municipal spot and 80% if we put it somewhere else. No guarantee we will get it, but we can compete.

Mallet Drive: To refresh: We had 1.7 million that we thought we’d spend on Mallet Drive. It looks like now we want to spend $450,000 in FY 24 followed by $750,000 in 2025 and that would get us a reconstructed Mallet Drive with some traffic calming measures and a shared use path, not necessarily a grand redesign of Mallet. The shared use path is in 2025 after it gets paved and traffic calmed. The Chair is advocating for a grander redesign of Mallet Drive to make it a downtown street rather than a connector street. The best way is to really think about how we are using that street and how to get more stores, buildings, residences lining the street and not behind parking lots off the street.

Flying Point Rehab: Going from Lower Mast Landing up over Pettingil is very tight for bicycle traffic. Is this going to help address that or not? The Engineer explained that the issue is there’s a ledge that constrains the right-hand side going out of town. There’s a lot of groundwater that rides that ledge top and it heaves the road bad. He’s hesitant to doing anything on that side of the road with respect to it. It needs to be looked at further. With that ledge there getting into ramming it or blasting is difficult.

Cable Article VIII:

Councilor Daniele: What’s the difference between the two because the last line of the first one says “Reserve for maintenance and repair of equipment” and the other one says to “Repair and Replace Equipment”? One is for our channel and one is for the school channel. We typically have a much lower equipment replacement demand on channel 14. Channel 3 we have some big equipment replacements coming up so we are running a lot more regular programming. We are using a lot heavier duty equipment like what we are broadcasting now. We have server replacements and they will be depleting their existing appropriations. We’re going for a slightly higher amount next year and the years following. Channel 14 is running their own station, but their own broadcast runs through us. Much less equipment than what we use for our broadcast.

Article VIII:

They are asking for an additional $40,000 based on some conversations at the Council level for the rewrite of ordinances. We have $40,000 already set aside for design under ARPA. This comes out of the Vision Charter and the desire to have an outside party look at some of our permitting processes for potential streamlining. Since we are going to overhaul Design Review with the current $40,000 probably this would go to do further amendments to Site Plan and Subdivision. Councilor Fournier wants to make sure she is asking for enough. The Planner thinks we have. She has reached out to a consultant to get a ball park along with reviewing other municipalities that have done the same. They are already going to be doing some clean up and potential changes to the Subdivision ordinance for LD2003. In a legal review in preparation for that all of those three things are going to be absorbed by current budgets, potential LD 2003 reimbursement, if applicable, when we see the details on that. She thinks they built in a good buffer on that. There is wiggle room and they can straddle budget years, if necessary.

Chair Piltch asked about requests from the Conservation Commission for trail rehab that may be significant. The commission has submitted their operating budget. It did include $40,000 for having the CCC (Civilian Conservation Corp.) come in and do trail work. That should be an ongoing annual expenditure. The Finance Director thinks that amount is incorrect, but it’s not in the Capital Budget so it’s not of concern tonight.

Destination TIF Village Improvements: We use this to pay for FEDC and a number of other things including the other half of the snowblower. Included is Town Hall improvements (Phase II) and sidewalks.

It shows a negative balance. That number derives from an analysis of what’s been appropriated historically in addition to what we collect in property taxes. It takes the audited balance of $544,893 and it adds the property taxes raised for FY23 ($273,000) and it reduces it by the outstanding projects of $492,424 as well as projects earmarked for 2024. That doesn’t affect cash flow. It means historically what has been appropriated and what we are trying to appropriate is more than we’re anticipating having brought in by the end of FY23. Some of those prior appropriations are for like the sidewalk work, so some may have been done at a cheaper rate and we haven’t put back into Reserve that difference. She’s not overly concerned but we need to watch.

The negative $185,469 does not account for any FY24 property taxes. There will be a similar $273,000 that will come in.

Sidewalk improvements: are they brick? No. Councilor Fournier would like to debate brick versus paved sidewalks at another time. The brick continues to cost us a lot of money. The Engineer will get a cost difference between brick and pavement for sidewalks.

Concord Gully Brook: no capital purchase is requested at this time for FY24. Councilor Daniele asked the Finance Director if she is comfortable with this level of spending where it is a significant increase. She answered yes and no. Anytime there is an increase in requests for funding she is concerned especially when she continually reminds the Council the funding of these programs of these Reserves has dwindled. The difficulty the Council will be faced with in these decisions is the next phase which is what will the funding source be. 20 years ago the funding source was primarily under Reserves. You are going to see this shift out and it’s going to be a smaller portion from Reserves and we’ll have to either bond or we are going to have to be creative with grants which we always have been. You’ll see additional funding options. At the last meeting she was asking for 2 million to fund those projects. This year can be funded by the Reserves, but we aren’t going to be able to fund 5 years of your Reserve with this. It’s fine to have this level but at some point we are going to be diminished out of Reserves. If this years appropriation was closer to last year’s benchmark (of the 1.5 million instead of the 3.2 million) you would probably be fine for a five-year plan, but you’re doubling what you’re asking for. What she’s saying is at some point, there will be some form of a tax rate impact for these plans that we’re looking to execute. We started that conversation with Ladder Truck and bond, that’s a reasonable point to start looking at it. You’ve got over $400,000 in that Reserve and you’re expecting to spend over a million if you buy a new ladder truck in 2 or 3 years. We don’t have a million floating around to get us to a comfortable funding level. 20 years ago when you were funding it with $500,000/year you could have it on a three year plan and you know your funding is primarily going to go to that fire truck for an outright purchase. Now you don’t have that. We’ve been lucky the last few years that revenues have fallen the way they have and we’ve been able to ask for fund balance to be transferred in to continue this, that’s not always going to be the case. Councilor Daniele asked for a list of things that could be cut. Where could we tighten our belts.

There has been a shift, these Capital Reserves (Police, Fire, Public Works, Municipal Facilities, Capital Improvements) these are all things that are town serviced functions. What’s being added to the Plan now are extrapolations of that, it’s more visioning, more ordinance. You’re talking about things that aren’t existing that we’re looking to improve, this is a capital improvement plan. While downtown visioning is a form of improvement, it’s an addition to the plan. It’s a new change versus maintaining and upgrading what is already there. Department Heads may feel like we’re choosing between the two because what they’ve been saving for in this plan is what they have for assets. If you ask them what they want to cut, it’s going to be what they haven’t necessarily asked to have put in the Plan. It may be helpful to have the extra stuff pulled out so you can say the plan would go many years with Reserve Funds if we just funded the traditional pieces. Every year we ask that question, what would you cut. We are at the point where we really can’t cut.

Chair Piltch: Is it fair to say, you’re recommending that we put 1.9 million into Reserves from the Fund Balance and that’s the primary source of revenue for the Capital Plan. We are putting in 1.9 million and taking out 3.2 million and that’s your point. If we continue to do that we will draw it down.

Councilor Fournier: The capital budget has gotten into funding things that are not really Capital, so we should stop stealing from that. We need to have it properly funded for the Capital expenses in town. The extra stuff, he’s not sure where we are going to find that. That’s where we look for alternative funding sources. The downtown visioning projects are in this plan and rightfully so because they meet the threshold of a capital purchase but the difference is that we now have to determine what that funding source will be. The EV Chargers are in there for $100,000 but we are going to apply for a grant and get 80-90% of that covered. That’s not going to only be say $20,000 our of your Reserve. We are at the point where we need to see what the end funding source will be based on what you actually appropriate for funds.

Can we approve something with the idea it will only be coming from grant funding so we can take that out of it’s going to cost us a million dollars because we would only do it if it was granted. EV Chargers is a perfect example. Can we separate it out so we are saying we are not going to spend $100,000, we know that, so we shouldn’t take that we are going to lose $90,000, because we won’t. We are going to spend $10,000, but we’ve approved spending more if we are granted the money. The Finance Director clarified what the Council was asking for, that she populate the funding source side of it now so they can see of the 3.3 million how much would we be projecting is coming out of Reserve. Because if we’ve got 1.9 going in it’s much more palatable if it’s at 2.2 and we’re only spending 300,000 extra dollars rather than 1.3.

Is there a way to approve it conditionally? Essentially, what happens is the council would approve it. It would have to come back to you for award. At that point, if at some point it’s deemed the project doesn’t get done, the money would be transferred back to Reserve. We give projects about a three year outlook. Then if that project is done, we revert that money back to Reserve to be reallocated for another project. We don’t overspend a project and leave it in the negative.

In April, when you do the actually adoption of this plan, you are agreeing that this plan is what you see for the 5 year vision for the town in these articles. You will appropriate the funds for year one in June. You have that period between April and June where we work out some of the funding sources to say what’s going to be Reserve, grant or bond.

1. Discussion of Town Manager recruitment RFP (Chair Piltch)(30 minutes)

We will need a new Town Manager. There are two pieces to it. The piece we are going to discuss under Other Business is the search for a permanent replacement. So, there’s an Interim replacement we are going to need for 3-6 months and then the permanent replacement. The permanent replacement, it sounds like our intent was to do an RFP, collect search firms that can help us. We have started work on what will go into that RFP. We tried to condense and use common language. The Manager provided a draft document for the Council of a recruitment document. Scope of services sought is what we are going to want to talk about because that is what you are asking a consultant to do. The Manager read from the document.

The thing that will slow the council down is “Development of candidate profile and recruitment materials. This is the time a consultant will come in. We are suggesting public meetings, meetings with department directors, meeting with residents. It’s a mini visioning session. What are we looking for in a new manager. It helps the company develop a job posting. The Manager displayed some websites showing job postings and their content created by recruitment firms.

The process for the RFP and options were discussed. We are sending out an RFP, we get proposals back and then we evaluate the proposals. The only question is, are we asking the right questions in the RFP. The manager said the document he handed out was not ready but was close. We will want to advertise nationwide. The manager displayed a website that was a good example of what we would be looking for.

If we took the document the manager provided, and went online and got a couple of samples of what we are looking for, cross of the companies that have done it and you send that out with the RFP saying “this is what we are looking for, we want a similar document on a nationwide search following the criteria”.

Do you want the Chair, vice chair and staff to work on the document and massage it, get it ready and send it out or would you rather vote on the final version of the RFP. We need to move quickly, this is not the controversial part. When we get the proposals back is when the work starts. The ask tonight is, is there anything in the scope of service you want changed or added. They can view the final version before it goes out without waiting for the next meeting.

**EXECUTIVE SESSION**

ITEM # 38-23 To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(C) pertaining to a Real Estate matter.

Chair Piltch amended the item to include a personnel matter under M.R.S.A. § 405(6)(A)

**MOTION:** That the Town Council enter Executive Session. **MOVED AND SECONDED**: (Lawrence & Daniele ) **VOTE**: (5-Ayes)(0-Nays)(2-Excused Egan & Bradley)

**MOTION:** That the Town Council exit Executive Session. **MOVED AND SECONDED**: (Fournier & Lawrence ) **VOTE**: (5-Ayes)(0-Nays)(2-Excused)

(30 minutes)

**Motion to adjourn 10:25** (Fournier & Lawrence) **VOTE**: (5-Ayes)(0-Nays)(2-Excused Egan & Bradley)

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**END OF AGENDA (Estimated time of adjournment 10:35 PM)**