



## **TOWN OF FREEPORT** **Minutes**

### **Town Council Meeting #06-24**

**Tuesday, March 19, 2024**

**Beginning at 6:00 PM**

**Town Council Chamber, 30 Main Street, Freeport, Maine**

**Virtual Meeting Link: <https://us02web.zoom.us/j/86867322293>**

**Call: +1(305)224-1968; Webinar ID: 868 6732 2293**

**PRESENT:** Chair John Egan, Vice Chair Daniel Piltch, Councilor Eric C. Smith, Councilor Joanna Benoit, Councilor Henry Lawrence, Councilor Matthew Pillsbury. **EXCUSED:** Councilor Darrel Fournier.

**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 #05-24 held on March 5, 2024, and to accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #05-24 held on March 5, 2024, and to accept the minutes as printed. **VOTE:** (Lawrence & Smith)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video record time: 00:01:15 – 00:01:51)

**THIRD ORDER OF BUSINESS:** Announcements (15 minutes)(Video record time: 00:01:51 – 00:04:25)

- The 2024 Maine State Park Passes have arrived and are ready for circulation at the library. We have 3 passes available once again thanks to [Freeport Conservation Trust](#).
- After more than a year of data analysis and community engagement, the Freeport Sustainability Advisory Board (FSAB) is collecting input to refine a draft of the Town's first Climate Action Plan.

Printed materials can be found at Town Hall and the Library and you can view the draft Plan online here: <https://www.freeportmaine.com/freeport-sustainability-advisory-board/news/give-input-draft-climate-action-plan>

The Plan strives to tell the story of why taking action on climate change matters for Freeport and recommend high-impact actions the municipality can take in the next few years to reduce greenhouse gas emissions and help prepare our community for a safe, healthy, and resilient future. There are in-person and online ways to give input.

- The Town of Freeport (Planning Board) is beginning the process of updating the Town of Freeport Comprehensive Plan. We expect this to be about an 18-month process. Although the Planning Board is in the early stages of the process, there will soon be materials that we will be

COUNCIL MEETING #03-24  
MARCH 19, 2024

looking for public feedback on. In the meantime, please check out the new project website ([www.futurefreeport.com](http://www.futurefreeport.com)) where you can sign-up for our email list for project updates!

- Posted roads season will end Thursday, March 21<sup>st</sup>.
- Tax season is here, and the library can help. Several tax forms are available at the front desk, and staff are happy to help you locate additional forms, instructions, and tax help – please stop by or visit [freeportlibrary.com/tax-forms/](http://freeportlibrary.com/tax-forms/)

**FOURTH ORDER OF BUSINESS:** Information Exchange (15 minutes) (Video record time: 00:04:25 – 00:08:55)

Municipal Facilities met:

- Confirmed staff recommendations on Tax Acquired Property
- Pause upgrades to Town Hall due to budget and staff changes. This is part of the grant from T-Mobile and the Manager is investigating whether pausing the project will affect the grant. The project is under review and may need to be modified.
- Discussed plans for a working group to review needs at the Public Safety building.
- FSAB -held successful trivia night at Maine Beer Co. to raise awareness of the Climate Action Plan.

Business Fit-Up Committee made two more grant awards. We have \$3,000 left to award and a few applications to review.

- Gingham (clothing store) 25 Bow Street
- Love Point Oysters-reviewed to make sure it fits purpose of the Grant

**FIFTH ORDER OF BUSINESS:** Town Manager's Report (15 minutes) (Video record time: 00:08:55 – 00:14:20)

- Staff Update: Jessica Maloy and Becky Hayslip received certification for Maine Tax Collectors and Treasurers certifications.
- Group of officers did Ice-out plunge challenge. Raised \$1,800 for Special Olympics
- Bartol building RFP is out. There are only two walk-through opportunities.
- Town Engineer is leaving for private sector. We will issue an Engineering General Services RFQ for Freeport.
- Traveling Vietnam War Veteran's Memorial to Biddeford on July 8 - July 21. Leading up to that on March 29<sup>th</sup>, staff would like to recognize the historical facts of this special day (Vietnam Veteran's Remembrance Day)
- Flood Plan Management Ordinance review/revision- Guidance includes:
  - Any Shoreland stabilization and any wharfs within the velocity zone would have to be engineered. Freeport's Code Officer is concerned because this would be an exception for residents to have those engineered. It could be a burden to residents. This is a MDOT requirement, not a FEMA requirement. Does the Council want to push the issue as the Codes Officer has made no progress with MDOT. We will try to get a Representative from MDOT here to explain at a future Council meeting.

**SIXTH ORDER OF BUSINESS:** Public Comment Period –(Non-Agenda Items Only-for in person attendees) (15 Minutes) (Video record time: 00:14:20 – 00:22:11)

Bill Rixon: Gave an update on his work with Third Act Maine and their attempts to encourage L.L.Bean to stop partnering with credit card companies (Citibank) that support new fossil fuel infrastructure.

COUNCIL MEETING #03-24  
MARCH 19, 2024

Suzanne Watson (Meetinghouse Arts): Suggests that on August 25<sup>th</sup> when they host the US Navy Band in Memorial Park may be a good date to recognize veterans in general.

Daniel Freund: For at least 14 years that have used Maine Municipal Health Trust or Maine Educators Association have paid 20-30 % more than necessary for identical services with identical providers. He is available to discuss. Councilor Lawrence is looking into this.

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

---

ITEM # 76-24                      To consider action relative to adopting the March 19, 2024, Consent Agenda.

The Chair reviewed the items on the Consent Agenda.

**BE IT ORDERED:** That the March 19, 2024, Consent Agenda be adopted.  
**MOVED AND SECONDED:** (Egan & Lawrence ) **VOTE:** (6 -Ayes)( 0-Nays)  
(1-Excused Fournier)(Video record time: 00:22:11 – 00:23:26)  
(Council Chair Egan) (5 minutes)

---

ITEM # 77-24                      To consider action relative to amendments to Chapter 48, Parking and Traffic Ordinance, Section 48-308 South Freeport and Town Wharf to allow the one Harbormaster parking spot to be located at the discretion of the Police Chief.  
**PUBLIC HEARING.**

The Chair opens the Public Hearing  
The Chair closed the Public Hearing

Chief Goodman: There is currently one spot at the harbor for the Harbor Master to park in at the Town Wharf. That spot is in the way for harvesters using the hoist along with other issues. The desire is to move the spot away from the busy corridor. What happens to the current harbormaster spot? This hasn't been discussed in depth. Should this go back to Complete Streets to discuss leaving that spot open. It's currently mostly utilized by harvesters throughout the day. We don't want the Harbormaster locked into a spot by other vehicles.

**BE IT ORDAINED:** That amendments to Chapter 48, Parking and Traffic Ordinance, Section 48-308 South Freeport and Town Wharf to allow the one Harbormaster parking spot to be located at the discretion of the Police Chief be approved. **MOVED AND SECONDED:** (Pillsbury & Lawrence) **VOTE:** (6-Ayes)(0-Nays)(1- Excused Fournier)(Video record time: 00:23:26 – 00:30:55)  
(Police Chief, Nate Goodman) (10 Minutes)

---

ITEM # 78-24                      To consider action relative to an Affordable Housing TIF and Credit Enhancement Agreement for Wildewood Acres. **PUBLIC HEARING**

The Chair opens the Public Hearing

Chris Oneil: FCS Board member. Supports the TIF and the work the Freeport Housing Trust has done preserving affordable housing.

COUNCIL MEETING #03-24  
MARCH 19, 2024

Brett Richardson: FEDC Executive Director: Gave a presentation to the Council. Covered topics were:

- 1) Tax increment financing:
  - Flexible finance tool; enables Town support for projects; shelters new property tax value; the Town has used successfully in past.
- 2) Wildewood apartments:
  - 36 units; constructed in 1979 with Rural Development funds; current assessment \$2,501,400; generates \$34,000 annually; affordability covenants expire April 2024.
- 3) Reinvestment & Rehab:
  - FHT invest +/- \$50,000 per unit; total rehab generates a tax increment of \$1.2 million; that new value will generate \$16,500 annually in new taxes.
- 4) FHT request:
  - Create an Affordable Housing TIF District on 4-acre Wildewood parcel; Town shelters 100% incremental tax revenues of \$16,500 in TIF; Town returns new revenue to Trust for 30 years.
  - FEDC role is to review TIF requests and evaluate consistency: Findings of request are that this is an appropriate use within the Town TIF Policy.

Matt Peters: Freeport Housing Trust presentation:

- Goal is to provide affordable high-quality housing for all
- Includes upgrades to Wildewood Apartments
- Maintain diversity in households
- Meet current accessibility requirements
- FHT intent is to be long term owners
- USDA is primary financier of Wildewood Acres

Wildewood Apartments:

- 36 homes, most with rental assistance; updating 2 apartments to current accessibility guidelines; updating kitchens and bathrooms; replacing all windows; not age restricted.

They will not return for modification if there are cost overruns. This is the largest amount the town can participate through the Affordable Housing TIF program. The Trust has a contingency account for overruns. Without this action, those units may or may not continue as affordable housing.

The Chair closed the Public Hearing

**BE IT ORDERED:** That an Affordable Housing TIF and Credit Enhancement Agreement for Wildewood Acres be approved. **MOVED AND SECONDED:** (Lawrence & Smith) **VOTE:** (6-Ayes)( 0-Nays)(1- Excused Fournier)(Video record time: 00:30:55 – 00:55:15)

(FEDC Executive Director, Brett Richardson) (20 minutes)

---

ITEM # 79-24

To consider action relative to setting a Public Hearing for April 2, 2024, to discuss proposed amendments to Section 501. Temporary Activity and Section 526.A Food Trucks of the Freeport Zoning Ordinance to increase the number of food trucks allowed as an Accessory Use to up to six (6) food trucks for a maximum period of six (6) months contingent on securing a Temporary Activity Permit.

COUNCIL MEETING #03-24  
MARCH 19, 2024

Currently, food trucks are allowed in Freeport, but not in a food court configuration. Staff worked to make this fit within a Temporary activity without having to go through a zone change, but the ordinance didn't allow. Therefore, we are bringing it back and asking for 6 food trucks for up to 6 continuous months. Any longer than 6 months will trigger a status of other than temporary from the Fire Marshall's office, thus kicking in regulations that the town doesn't have control over. This is a trial and may be amended after the season.

**BE IT ORDERED:** That a Public Hearing be set for April 2, 2024, at the Town Council meeting starting at 6 p.m., Council Chambers, 30 Main Street, Freeport to discuss proposed amendments to Section 501. Temporary Activity and Section 526.A Food Trucks of the Freeport Zoning Ordinance to increase the number of food trucks allowed as an Accessory Use to up to six (6) food trucks for a maximum period of six (6) months contingent on securing a Temporary Activity Permit. **MOVED AND SECONDED:** (Benoit & Lawrence) **VOTE:** (6 -Ayes)(0-Nays)(1- Excused Fournier)(Video record time: 00:55:15 – 00:57:45)

(Assistant Planner, Cecilia Smith) (5 minutes)

---

ITEM # 80-24 To consider action relative to setting a Public Hearing for April 2, 2024, to discuss proposed adoption of a Property Tax Assistance Program (New - Chapter 67 of the Freeport Ordinances and Codes) to provide limited property tax and rental rebates to seniors living in Freeport.

Councilor Lawrence: Gave an overview of the ordinance. It's a rebate for property owners and renters who are retirement age. Based on your income and assets, residents can get a certain benefit up to 250% of what the housing poverty level is. Maximum level of benefit is \$750. At 250% the rebate is \$300; at 225% the rebate is \$400 and at 200% of the poverty level you get \$550. To qualify this must be the homestead and you must have lived in Freeport for 5 years.

**BE IT ORDERED:** That a Public Hearing be set for April 2, 2024, at the Town Council meeting starting at 6 p.m., Council Chambers, 30 Main Street, Freeport to discuss proposed adoption of a Property Tax Assistance Program (New - Chapter 67 of the Freeport Ordinances and Codes) to provide limited property tax and rental rebates to seniors living in Freeport. **MOVED AND SECONDED:** (Smith & Lawrence) **VOTE:** (6-Ayes)(0-Nays)(1- Excused Fournier)(Video record time: 00:57:45 – 01:03:40)

(Councilor Lawrence, Ordinance Committee Chair) (10 minutes)

---

ITEM # 81-24 To consider action relative accepting a municipal reimbursement in the amount of \$10,000 from the State of Maine for expenses associated with the Town's implementation of LD 2003.

These are the fees associated with the implementation of LD2003. We want the Council to accept the funds before we allocate them.

**BE IT ORDERED:** That a municipal reimbursement in the amount of \$10,000 from the State of Maine for expenses associated with the Town's implementation of LD2003 be accepted. **MOVED AND SECONDED:** (Piltch & Lawrence)

COUNCIL MEETING #03-24  
MARCH 19, 2024

VOTE: (6-Ayes)(0- Nays)(1-Excused Fournier) )(Video record time: 01:03:40 - 01:05:38)

(Town Manager, Sophie Wilson) (5 minutes)

---

ITEM # 82-24            To consider action relative to reappropriating \$75,000 of previously approved and unspent Capital Funds for Fire-Rescue Department personal protective and communications equipment as well as furniture, fixtures, and renovations to the Public Safety Building.

The Manager went over the breakdown of the request. After a deep dive into operations, we determined there were items that had not been properly budgeted for. We have \$47,000 worth of turnout gear that when inspected was determined to be very close to not meeting the minimum standards. We have a duty to provide protective clothing (\$6,000 per person)

Pager system being utilized must be replaced at approximately \$500-\$600 each.

We are not meeting the minimum expectations for space for 24-hour firefighters, people who are expected to stay overnight including mattresses and furniture.

This does include money for some easy quick fix renovations.

The Chief spoke on how this is imperative to the moral and mental health wellbeing of the staff. This is a reappropriation, not new money.

The money for the first two items below went forward but we did not spend the full appropriation.

**BE IT ORDERED:** That previously approved and unspent Capital Funds be re-appropriated as follows:

- (1)        \$29,000 from SCBA Bottles & Fill Station (#0803-5707)
- (2)        \$46,000 from Engine/Tanker (#0803-5713)
- (3)        \$47,170 to Protective Clothing (#0803-5701)
- (4)        \$8,990 to FD Communications Equipment (#NEW)
- (5)        \$18,840 to PS Renovations & Furniture (#0804-5609)

MOVED AND SECONDED: (Pillsbury & Lawrence) VOTE: (6 -Ayes)(0 - Nays)(1- Excused Fournier)(Video record time: 01:05:40 – 01:13:42)

(Fire Rescue Chief, Paul Conley) (15 minutes)

---

ITEM # 83-24            To consider action relative to reapproving of a Parklet on Main Street between Derosiers and Sheman's Book Store.

This has been very popular and used by everyone. This is a loading zone spot that is utilized. The handicap spot was moved several years ago.

Can we dress it up or make it look more attractive? This year we are going with what we have used in the past. We will have discussions with MDOT about what is allowed or restricted. We have had public ideas submitted and next year it may look quite different.

COUNCIL MEETING #03-24  
MARCH 19, 2024

The Manager recognized Earl Gibson, Director of Public Works, for all the additional duties he is taking on with the departure of the Town Engineer.

**BE IT ORDERED:** That the Parklet on Main Street between Derosiers and Sheman's Book Store be reapproved for 2024 and subsequent years so long as the set-up remains substantially similar. **MOVED AND SECONDED:** (Lawrence & Smith) **VOTE:** (6 -Ayes)(0 -Nays)(1- Excused Fournier)(Video record time: 01:13:42 – 01:18:01)

(Director of Public Works, Earl Gibson) (5 minutes)

---

ITEM # 84-24 To consider action relative to two Use of Town Property requests from Visit Freeport.

**BE IT ORDERED:** That the following Use of Town Property requests be approved:

1. Bartol Library Lawn at 55 Main Street for Makers on Main events (May 4, June 1, July 6, August 3, and September 7)
2. Town Hall Parking and potentially front garden/amphitheater, if completed at 30 Main Street for Freeport Fall Festival. (Oct 4 - Oct 6)

**MOVED AND SECONDED:** (Smith & Lawrence) **VOTE:** (6-Ayes)(0-Nays)(1- Excused Fournier)(Video record time: 01:18:01 – 01:19:17)

(Council Chair Egan) (5 Minutes)

---

**SIXTH ORDER OF BUSINESS:** Public Comment Period – (Non-Agenda Items Only-for Virtual attendees) (15 Minutes)(Video record time: 01:19:17 – 01:24:00)

Michael Magris, District 2: Raised concern with loud gun fire from backyard shooting range. He has been told the town cannot resolve this issue because of Supreme Court precedent and other regulatory restrictions. He stated why he disagrees. Backyard shooting ranges set up after the establishment of neighborhoods, are in violation of Maine's noise statutes. Municipalities do have the right to regulate where and when residents may shoot guns. This is similar to when the Town addressed train noise. He asked the Council to use some means including passing an ordinance to stop the gunfire in his part of town. The Chair stated that we are working on the issue, and he should be hearing from us. The town has the authority to regulate are discharge zones.

**OTHER BUSINESS:**

1. Housing Committee recommendations (15 minutes) (Video record time: 01:24:00 – 01:40:45)

This is a bold list and not everything will be accomplished.

Chris Oneil from Housing Committee and Commercial Realtor: Housing demands have outstripped supply for 10 years. The primary goal is to increase housing supply. As the town works to designate primary growth areas and works to align our zoning approval process, financial incentives (such as TIFs) and advancements in infrastructure are the primary ways to advance the Downtown Vision and create opportunities for the missing middle market.

COUNCIL MEETING #03-24  
MARCH 19, 2024

Councilor Piltch asked about the last recommendation that reads: Consider a partnership with Freeport Housing Trust to create finance tools to support For-Sale homes, either single family, attached townhouses or condominiums or all of the above with a primary focus on “starter” homes.

- It’s open to a lot of different opportunities. It can be done with a TIF possibly. Many funding sources respond better to an applicant when the town government is a part of the solution. This may not involve money at all. Zoning and density requirements are the biggest barriers to this problem.
- Councilor Pillsbury spoke about the need to have the recommendations (Priority list) in sequential order.
- The Housing Committee specifically did not put a priority list because they wanted the Council to get a chance to put their fingerprints on what the priority list might be. They are also mindful of staff time to implement recommendations. They didn’t want to take action without putting as much daylight on the process as possible.
- The Manager, Town Planner and Brett Richardson (FEDC) worked on a grant application to the State of Maine to give us funds to help with Subdivision Site Plan review process as well as developing educational materials about how to develop in Freeport.

2. Workshop on 5-Year Capital Program. (60 minutes) (Video record time: 01:40:45 – 02:47:56)

**Article I Police:**

- 1 Audio Recording Equipment - \$24,000
- 2 Body/Car Cameras - \$250,000
- 3 Bullet Proof Vests (5 Year Replacement Plan) -\$25,000
- 4 Audio/Video Car Cameras (Rolled into Body/Car Cameras)
- 5 Communications/Dispatch Upgrade (Moved from FY28) - \$52,000
- 6 New Patrol SUV and Changeover Equipment -\$65,000

We currently have 10 vehicles. The Chief explained the vehicles we have, who uses them, how the tiers are defined and the replacement schedule. Electric car options were discussed in depth. In the next five years the technology will be viable for a frontline police cruiser.

**Article II Fire:**

There are no requests.

There is an upcoming new ladder truck purchase of \$1,800,000 in FY27. There is a three-year build time. Our current truck is a 105-foot aerial that can spin 360 degrees. It reaches from the street to the house.

We need to evaluate further the needs of the department. Our neighboring communities have platform trucks. We are waiting for OSHA rulings. If the rules pass as written we would have to buy a new ladder truck or no truck, it doesn’t allow for refurbishment.

**Article III: Rescue**

Rescue Equipment - Patient Training Simulator Mannequins - \$30,000

**Article IV: Public Works**

- 1 Truck Chassis Replacement (Single Axle), Plow & Wing (Truck 7) - \$250,000
- 2 Forklift Replacement \$25,000



COUNCIL MEETING #03-24  
MARCH 19, 2024

3 Pickup Crew Cab & Plow Replacement (Truck 1) - \$65,000

They discussed the new truck that was ordered last year and the swapping out of truck bed that was approved last year. The jury is still out on whether this is a permanent solution.

**Article V Solid Waste**

No items for this FY

They discussed the water detention pond at the landfill. Decision will be made whether to buy truck and hire driver for this removal or continue to hire the company as needed. We are looking to replace the heating system as part of the energy efficient upgrades in 2027.

**Article VI: Comprehensive Town Improvements:**

1 Complete Street Improvement Work -The manager explained why this had been removed from funding (more of a placeholder for projects; there are still projects not yet started)

2 Gateway and Corridor Planning - \$150,000

3 Mallett Drive Shared Use Path - \$300,000

4 Lower Main Street Railroad Overpass Widening (Move to FY2026)

5 Wayfinding Signs-Year 2 - \$25,000

6 Flying Point Road Rehabilitation - \$80,000 -This project was discussed in length

7 Concord Gully Brook Watershed Restoration - \$25,000

8 Bow Street Drainage Outfall - \$100,000

**Article VII: Municipal Facilities**

1 Computer Upgrades -Townwide - \$30,000 Should we explore leasing? The replacement schedule was explained to the council. They will explore that as an option.

2 Town Wide Flooring Upgrade - \$30,000

3 Furniture - \$15,000

4 Library Roof Replacement - \$120,000

5 PW Air Compressor System (Moved to FY26)

6 PW Vehicle Lift - \$33,000

7 Library Public Computers - \$12,000

8 Red Light Upgrade-Year 3-Final - \$30,000

9 Town Wharf - Float Replacement - \$7,500

10 Revaluation Reserve Fund - \$7,500

11 Public Safety Building Planning - \$60,000

12 File Digitization - \$10,000

There is a special revenue account that is set up for the Bartol Building.

**Article VII Cable:**

1 HD Equipment Replacement (Channel 3) - \$35,000

2 Equipment and other improvements (Channel 14) - \$4,000

**Article IX Boards, Committees**

There are no requests

**Destination TIF Village Improvements**

COUNCIL MEETING #03-24  
MARCH 19, 2024

- 1 Sidewalk - Bow St. North Side Park St. to Rail Road Track (4500 sq.ft) - \$45,000
- 2 Economic Development Activities - \$152,325

The Finance Director explained the TIF funds, how they are used and that they most likely will not be spent to their maximums.

**Concord Gully Brook TIF**

- 1 Lower Main Street Study - \$45,000 - a requirement of the MS4 permit

Funding for Tedford Shelter will be through ARPA funds. The Public Hearing will be held on April 2, 2024. Adoption of the Capital Plan on April 23<sup>rd</sup>. The Capital Budget is part of ....

- 3. Process for responding to Town Council correspondence (10 minutes) (Video record time: 02:47:56 – 02:53:06)

Councilor Benoit: The Manager will manage Council email initial responses.

- 4. Cannabis Licensing and Dispensary discussion (15 minutes) (Video record time: 02:53:06 – 03:07:00)

Town Planner: One of the existing Cannabis Grow facilities has requested that the Council consider the new Medical Dispensary Cultivation License. We allow Caregivers and they have limits on sq footage and the number of plants. She is trying to get clarity from the State on the Dispensary license option. We will move forward with increasing license limits to allow all existing cannabis businesses in Freeport to operate at their current levels.

Motion to adjourn at 9:12 pm (Lawrence & Smith)(6-Ayes)(0-Nays)(1-Excused)

**END OF AGENDA (Estimated time of adjournment 10:15 PM)**

**Requesting Reasonable Accommodation Notice:** Please contact the Town Clerk's Office at (207) 865-4743 or email [swilson@freeportmaine.com](mailto:swilson@freeportmaine.com) prior to scheduled meetings or events to discuss auxiliary aids or services needed to participate in Town activities.

The Town of Freeport is an equal opportunity employer and service provider that celebrates diversity and is committed to creating an inclusive environment for our employees and those we serve.