



TOWN OF FREEPORT

Town Council Meeting #09-24

Tuesday, May 7, 2024

Minutes

ROLL CALL: Chair Egan, Vice Chair Piltch, Councilor Smith, Councilor Pillsbury, Councilor Fournier.
VIRTUAL ATTENDEES: Councilor Lawrence, Councilor Benoit

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 #08-24 held on April 23, 2024, and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #08-24 held on April 23, 2024, and to accept the minutes as printed. (Fournier & Smith) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:01:40 - 00:02:39)

THIRD ORDER OF BUSINESS: Announcements (15 minutes) (Video record time: 00:02:39 - 00:06:33)

- The Town of Freeport has engaged North Star Planning to assist the Planning Board with the process of updating the Comprehensive Plan. The project website is now live at www.futurefreeport.com As part of that process, the Town is conducting a community visioning survey. The survey can be taken on the project website, or paper copies are available at Town Hall and the Freeport Community Library.
- Join us for the first public workshop of the Comprehensive Plan Update! Wednesday, June 12th at the Freeport Community Center at 6pm. The project team will present data highlights from the inventory chapters and initial results from the Visioning Survey. Then, you'll share your ideas through a series of open-ended activities and maps. All your input will help inform the Plan's vision statement and our next steps.
- May 6-May 10 is National Municipal Clerk's Week. Initiated in 1969, National Municipal Clerk's week is a time of celebration and reflection on the importance of the Clerk's office. Municipal Clerks are the oldest public servants in local government. It is the professional link between our customers and other government agencies. They wear many hats from elections and voter registration, issuing vital certificates, licensing, record keeping and so much more. We would not be able to operate effectively without their hard work and dedication to their profession.

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- Time capsule on May 31, 2024, 11:30 a.m. to 1:30 p.m. at Memorial Park 54-year-old time capsule will be unearthed and a new capsule buried by the 7th Grade.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes) (Video record time: 00:06:33 - 00:07:07)

There were no items to share.

FIFTH ORDER OF BUSINESS: Town Manager’s Report (15 minutes) (Video record time: 00:07:07 - 00:11:56)

- No May Ordinance Committee meeting.
- Municipal Facilities meeting next week-Lease at Dunning Boatyard
- Police Canine Cassie has passed away. She was highly productive.
- Recognized Neil Lyman’s work at Winslow Park. They had no phones/internet for period of time. The Clerk’s tried to assist. There is a plan to bring workers on earlier next year.
- Conversation with Carrie Kinney from Land Trust in re: long term on trail maintenance.
- Met with Tree Task Force: The group decided to have Town Manager review and edit the Tree Ordinance that will go to Ordinance Committee next month. The Arborist will be treating some trees for emerald ash bore and brown tail.
- Conducted research around Mallet Drive Multi-Use path paving project. It was designed for the town to administer the project. There was concern that some it double dipped one source of funding. MDOT agreed to cover the costs that we thought they would cover. The decision was made to give the project back to MDOT. The Manager and Public Works director will get their local project administration certifications this year.
- Robin Doak, Finance Clerk, is retiring next week.

SIXTH ORDER OF BUSINESS: Public Comment Period – (15 Minutes) (Video record time: 00:13:25 - 00:17:52)(Non-Agenda Items Only)

Stephanie Paine: President of High School Scholarship Foundation: established in 2021 to provide multiyear scholarships. Based on community activity, academics and need. Every Scholar is paired with a community mentor. This is an all-volunteer organization. They do an annual appeal for donations. This year Durham awarded \$10K scholarship. They are asking for a donation of \$20,000 for this year from the Town of Freeport.

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

ITEM # 132-24 To consider action relative to adopting the May 7, 2024, Consent Agenda.

BE IT ORDERED: That the May 7, 2024, Consent Agenda be adopted. (Egan & Smith) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:11:56 - 00:13:20)

(Council Chair Egan) (5 minutes)

ITEM # 133-24 To consider action regarding amendments to Chapter 32, Shellfish Conservation Ordinance to add procedures for an Apprenticeship License Program, amend the

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lottery procedures for unissued licenses, and to add a License Fee Reduction Program. PUBLIC HEARING

Harbormaster Charles Tetreau: Clarified that a strikethrough sentence regarding lack of eligibility if a person has vandalized a conservation area is just on hold while they are developing language for conservation areas.

The Chair opens the Public Hearing
The Chair closes the Public Hearing

BE IT ORDAINED: That amendments to Chapter 32, Shellfish Conservation Ordinance to add procedures for an Apprenticeship License Program, amend the lottery procedures for unissued licenses, and to add a License Fee Reduction Program be adopted. (Piltch & Smith) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:17:52 - 00:21:20)

(Harbormaster, Charles Tetreau) (10 minutes)

Motion to take Item # 138-24 Fee Schedule out of order to discuss at this time.

ITEM # 134-24 To consider action relative to amendments to Section 413. Village Commercial 1 (VC-1) District of the Freeport Zoning Ordinance regarding maximum height standards. PUBLIC HEARING

The Chair opens the Public Hearing
The Chair closes the Public Hearing

Assistant Cecilia Smith: Currently, VC-1 District has a limitation of three stories on buildings with a maximum height limit of 45 feet. This would take away the limit on number of stories, not amend the height restriction. This particularly comes into play when building on a slope. The Planning Board met March 6th to introduce the item. There was a Public Hearing on April 3rd. 200 letters were sent to those in the District.

BE IT ORDAINED: That amendments to Section 413. Village Commercial 1 (VC-1) District of the Freeport Zoning Ordinance regarding maximum height standards be adopted. (Smith & Fournier) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:24:25 - 00:29:00)

(Assistant Town Planner, Cecilia Smith) (10 minutes)

ITEM # 135-24 To consider action relative to setting a public hearing on June 4, 2024, to discuss the Operating, Capital and TIF Budgets.

There will be a public work session for Q&As with all Department Heads, Wednesday, May 8th at 7:30 a.m.

Councilor Fournier asked about making all Workshops available on Zoom for the Public. We do have new equipment coming to facilitate. It is the Council that can decide which workshops to broadcast.

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BE IT ORDERED: That a public hearing be set for June 4, 2024, at the Town Council meeting starting at 6:00 pm in Freeport Council Chambers, 30 Main Street to discuss the FY25 Operating, Capital, and TIF Budgets. (Fournier & Smith) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:29:00 - 00:34:45)

(Finance Director, Jessica Maloy) (5 minutes)

ITEM # 136-24 To consider action relative to setting a public hearing to discuss a Special Amusement Permit renewal for Athena's Cantina.

This is the annual renewal of the Special Amusement permit.

BE IT ORDERED: That a public hearing be set for May 21, 2024 at the Town Council meeting starting at 6:00 pm in Freeport Council Chambers, 30 Main Street to discuss a Special Amusement Permit renewal for Athena's Cantina. (Pillsbury & Fournier) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:34:45 - 00:36:15)

(Town Clerk, Christine Wolfe)(5 minutes)

ITEM # 137-24 To consider action relative to setting a public hearing to discuss the adoption of Floodplain Management Ordinance.

Occasionally, FEMA updates its Flood Maps and its Rules that they use for the National Flood Insurance Program. That happened a while ago. Southern Maine's coastal communities joined together and tried to appeal the Flood Maps. We were not successful in that, so they adopted the Flood Map in December. At that time the State rolled out a Model Floodplain Ordinance. It has been reviewed by our Code Officer. This will also require changes to our Shoreland Zoning and Subdivision Ordinances. This will be a repeal and replace ordinance. The two major changes have to do with Wharfs, Docks, wharfs and Piers and erosion control in the velocity zones that requiring engineering and shoreland stabilization. Sue Baker from the State continues to work with FEMA. We are in discussions with the Town Attorney about adopting what FEMA talked about and not what the State provided in the model ordinance.

Councilor Piltch asked to view the maps.

Councilor Fournier: Can we send letters to our Representatives to slow this process down. We have concerns about fishing access. The State's recommendation is to adopt this language and then come back to amend. It's not a FEMA issue, it's a state issue. The State added language into the model ordinance that FEMA didn't.

Councilor Smith spoke to the shortage of engineers for this task and the expense to landowners.

BE IT ORDERED: That a public hearing be set for June 18, 2024, at the Town Council meeting starting at 6:00 pm in Freeport Council Chambers, 30 Main Street to discuss the adoption of Floodplain management Ordinance. (Piltch & Smith) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:36:15 - 00:48:50)

(Code Enforcement, Nicholas Adams)(10 minutes)

This item was taken out of order.

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ITEM # 138-24 To consider action relative to amending the Freeport Fee Schedule to add Shellfish License fees.

This puts the Shellfish Fees on the Fee Schedule and out of the Ordinance. There were a few administrative corrections made also.

BE IT ORDERED: That the Freeport Fee Schedule be amended to add Shellfish License fees. (Smith & Fournier) VOTE: (7-Ayes)(0-Nays) (Video record time: 00:21:56 - 00:24:25)

(Harbormaster, Charles Tetreau) (5 minutes)

SIXTH ORDER OF BUSINESS: Public Comment Period – (15 Minutes)(Non-Agenda Items Only - Virtual Attendees) (Video record time: 00:48:50 - 00:49:30)

There was no virtual public comment.

OTHER BUSINESS:

1. Outside Agency Workshop (Finance Director, Jessica Maloy)(30 minutes) (Video record time: 00:49:30 – 01:36:34)
 - a. Oasis Free Clinic-
 - b. Snowmobile Club
 - c. Meeting House Arts
 - d. Freeport High School Scholarship Foundation
 - e. Southern Maine Agency on Aging
 - f. Farmer’s Market
 - g. FCS
 - h. Through These Doors
 - i. Elders Association
 - j. Chamber of Commerce
 - k. Historical Society

Seth Remus-President Board of Directors, **Oasis Free Clinic** including Primary care, mental health visits, vision, prescription assistance and aide in applying for Maine Care. Last year, they served 84 Freeport residents with 306 office visits. They saw 24 Freeport residents in the dental clinic at a cost of \$87,000. They collaborate with FCS. They are breaking ground on a new space at Parkview. Almost all of their operating budget comes from individual donations and foundation grants. They did receive a \$800,000 Federal earmark, but that’s for renovating space only.

Kathy Heye, Co-Chair of **Freeport Farmer’s Market**. It was well utilized. They are adding new programs. They need to attract more people. They are starting a local food voucher program. They have several local business supporters. Funding comes from vendors and sponsors. They will accept Snap and EBT benefits as well. They only had 3 Snap customers last year.

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Sarah Lundin from **Freeport Community Services**. Thanked the town for prior support. They have seen a 40-60% increase in participation, particularly in the food programs. They also are seeing an increase in summer camp scholarship requests. The FCS Spring gala will be next week.

Heather Bigar from **Through These Doors**. They use donation dollars to leverage Federal and State dollars also. They are the domestic violence resource center for Cumberland County. They served 35 residents that identified as Freeport residents (many do not identify their location). She highlighted the work this organization does. They provide youth training at the local schools.

Suzanne Watson and Kate Warner from **Meetinghouse Arts**. Thanked the Town for the Momentum Grant that helped purchase a projector. This space can be used for Town meetings with a capacity of 180. They are requesting \$15,000. They highlighted the events they sponsor.

Liza Moore from **Freeport Elders**. The town has helped support the programming for many years. The purpose is to reduce the feelings of isolation and loneliness that older people experience. They do monthly potlucks, birthday parties and field trips. We supported last year at \$6,500.

Councilor Fournier asked if they are utilizing State and Federal grants and programs to the maximum extent possible. He suggested the Scholarship Committee reach out to the Freeport Fire Company for a likely donation.

Councilor Smith pointed out that there is no contribution from the Town of Brunswick. They continue to ask.

Councilor Pillsbury pointed out that RSU5 just received a large gift donation and have asked the Scholarship Committee to possibly manage it.

We also received requests that were bundled together as they were blanket requests not for specific funding on our application. Life Flight was one of the requests. Councilor Fournier doesn't support. Councilor Pillsbury would like to see a breakout of the 3 organizations individually that were bundled, as he may support one.

Amanda Kent spoke in favor of supporting outside organizations that benefit Freeport. She gave additional details on the Our Town project at Meetinghouse Arts.

Last year we took the Farmer's Market funding from ARPA. Councilor Piltch asked for direction on how to add the Farmer's Market to the regular budget in the future. If there is consensus, we can ask the Finance Director to add this in to the Operating Budget.

2. Operating Budget Workshop (Finance Director, Jessica Maloy)(30 minutes) (Video record time: 01:41:13: - 02:50:43)

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Trust Reserves: Other than the perpetual care for cemeteries, these are allocations that Council makes. The Trust Funds include the Charity Trust Funds (i.e. Gould Trust Fund) and the rest are related to the Library. The school trust funds have all been transferred to the RSU. Councilor Pillsbury would like to know more about the Trusts; what the use is and what about their planning. There are restrictions on the use of those funds. Most trusts only allow 95% of the interest income to be used annually. The Library Trusts are managed by the Library Board of Trustees.

Public Safety: Overtime line issue.

Request for Firefighter/Medic-will this offset some overtime funding. Fire staffing is still being evaluated and they are positions short, had massive transition in Deputy Chief and one person out on injury. They have stabilized the department, advertised new positions, and budgeted for 4 people, 24 hours a day on all shifts. Councilor Fournier is concerned that we budget in order to make changes mid budget year to allow new hires. Staff retention is vitally important.

If we budget for additional positions, it would be offset to some degree by savings in overtime. Overtime would not fully go away. She thinks we would still incur 70% of the cost that's budgeted. Overtime is covering budgeted positions that were unfilled. There was continued discussion regarding overtime, staffing needs, and budgeting surrounding Police and Fire/Rescue. We have a bare bones budget. We no longer run a NET program which makes numbers comparison difficult. The council asked for more specific reports regarding Full-Time Employees (FTE).

This budget was presented to the Council without the Community Organizations inclusion, but does include Public Safety staffing, headcount and department staffing patterns.

Councilor Fournier does not want to fund the Freeport Scholarship. They do not need to actively remove the Community Organizations, but instead need to vote to add those that will be funded.

We also have the Property Tax Relief program which we have adopted but not funded yet.

Councilor Piltch asked for clarification on two charges: Winslow Park has a permanent budget change based on service requirements from the phone company for \$20,000. There is also a charge for an iPad and the units that need a cellular connection. We had to change phone provider at Winslow Park. Tom Pierce has researched phone providers and is assisting with changeover. This is for landlines. The iPads were purchased to go into the Police units and need a cellular connection to function.

The Momentum Grant and Fit-Up Grants: The line labeled Grant matches for \$60,000 was the Fit-Up Grant Program and the one labeled DV Project matches was the Momentum Grant. The majority of both programs have been allocated, but not expended yet. We expect those to be spent.

The Communications position is still funded and will be posted and advertised in the near future.

Councilor Benoit would like conversation about continuing the Fit-Up Grant.

May 21st Council meeting will have another Budget Workshop.

Councilor Fournier discussed the replacement of the brick sidewalks. The Manager has worked with staff to address some of the dangerous spots (without going through Complete Streets as it is a safety issue).

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Councilor Benoit asked about Personal Property taxes for businesses. The Manager explained (Business Equipment Tax Exempt (BETE), Business Equipment Tax Reimbursement (BETR) and about how Personal Property is handled.

Councilor Benoit reminded us that we have the Business Fit-Up Grant, the Momentum Grant and Electrify Everything that were previously funded with ARPA funds and will now need to be part of the municipal budget.

Outside Agency support was initially started for organizations that provide services that the town would have to provide if these organizations didn't exist. The budget line for this has grown in four years from \$35,000 but has grown to over \$50,000 (with requests over \$90,000). Councilor Lawrence asked for a list of the original list of services we are required to provide.

Motion to adjourn: (Piltch & Smith) VOTE: (7-Ayes)(0-Nays)

END OF AGENDA (Estimated time of adjournment 9:05 PM)