

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #18-21**  
**TOWN COUNCIL CHAMBERS**  
**30 MAIN STREET, FREEPORT**  
**TUESDAY, AUGUST 3, 2021**  
**6:30 PM**

<b><u>ROLL CALL OF MEMBERS:</u></b>	<b>PRESENT</b>	<b>EXCUSED</b>	<b>ABSENT</b>
Edward Bradley, 242 Flying Point Road	x		
Jake Daniele, 264 Pownal Road	x		
John Egan, 38 Curtis Road (Chair)	x		
Henry Lawrence, 93 Hunter Road	x		
Daniel Piltch, 25 Quarry Lane	x		
Douglas Reighley, 2 Harbor Ridge Road	x		
Tawni Whitney, 56 Baldwin Road (Vice Chair)	x		

Chair Egan called the meeting to order at 6:32 p.m. and welcomed everyone. Before getting into the Council's agenda, the Council has a special recognition for our recently former Police Chief, Sue Nourse. Mr. Joseph advised that Chief Nourse retired at the height of COVID lockdowns and went to Florida for the winter. He mentioned that he, the Council and all of her staff as well as other Town Staff didn't have a chance to have a formal retirement party where the Council could show up and provide a little bit of a roast. He added that she served as Chief the last 4 ½ years and worked with the Town over 37 years before that in many positions. He personally thanked her for her contributions to Freeport.

Acting Chief Goodman added that the department feels fortunate to have had Chief Nourse's leadership for 37 years and he personally worked with her for 25 of those years. He added that he learned a great deal of organization, compassion and the ability to look at a situation and not just see it from a black and white law enforcement perspective, but from a humanitarian citizen personal perspective. He was always learning something and a great deal of it came from her tutelage. He called attention to the outstanding job she did especially in male-dominated chiefs. She was a ground breaker for Cumberland County, Southern Maine and the State. That is no small feat and is actually a big deal. He counts her as his personal friend.

Councilor Reighley apologized for not recognizing any vehicle she is driving down to the South Freeport Post Office anymore. He shared that she was long in community spirit and always gave time for people to ask questions and speak with her. She was always very honest with them. At the Post Office was a great meeting place and he shared that there is an opening on the Complete Streets Committee. He thanked her for her service. Vice Chair Whitney advised that she had the privilege of working with Chief Nourse on many sorts of non-uniform teams. She was on the Strategic Revisioning Downtown Team at the very beginning stages. She can move mountains and close streets. She worked with her on our COVID-Relief Fund getting support when it was really needed around town. She also worked with her through Freeport Friends where she allowed one of her antique trucks to deliver furniture and baby goods to families about town. Her talents are not just when she was wearing a uniform. She is an amazing quilter and musician and she will be playing again this summer. She shared some stories and feels it has been a pleasure to work with her.

Councilor Piltch added that he was a relatively new Councilor at a relatively contentious time for policing in America and it was not an easy thing for him to write the Chief of Police in Freeport and open a dialogue and start talking about these awkward topics. It was a wonderfully surprising reaction that he got where Chief Nourse not only was interested and eager to talk, but was at the forefront leading the

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discussions that he was going to ask her to start. He found it to be fantastic and appreciates her support, openness and approachability. He looks forward to working with the department she has crafted. He thanked her for working on that.

Councilor Bradley advised that Chief Nourse has been a long-time friend and friend of friends. What distinguished her was she introduced to this community the notion that to be an effective police enforcement officer, you also had to be a good and respected member of the community and be engaged. She has done that. It distinguishes Freeport and distinguishes her and he hopes it is a model for law enforcement for us forever. He thanked her.

Chair Egan advised that he has been on the Council coming up on five years and is certain he was at the first meeting when she was sworn in as Chief. Through all of his time here on the Council, he doesn't think there has ever been an incident we had of a stiff discussion we had up here about the Police Department. There was an understanding that the Council didn't have to because Chief Nourse had everything in hand. That is a perfect example of her leadership that the local political body didn't have to deal with anything. That is a reflection on her and everyone on the force. He thanked her for that and echoes what has been said here entirely, especially the department and its appearance. Its interaction in our community today is a reflection of her handiwork and influence. He presented her with a bouquet of flowers.

Chief Nourse thanked everybody for their kind words and generous comments. She feels it has been a pleasure to serve the town she lives in. She couldn't have done it without the support of everybody throughout her career and helped her make decisions that really helped the Town of Freeport. She has always said that Police Officers need everybody to help them and it is everybody's responsibility to make sure people stay safe. While it is their job, it is certainly not something they can do without the public. She appreciates the citizens that have been there throughout her career but some of them have passed on or moved to other places but they certainly had an impact on her. She added that she had the support of the Department. She wanted the public to know that these officers are top notch, well trained, well-educated and ready to serve in the same way that they have been. She is confident how they will be after she passed the rings on to Nate Goodman and the rest of the crew. She appreciated them being there and supporting her throughout the whole time. She thanked everybody and noted she is off to the next adventure.

State Representative Malanie Sachs wanted everyone to know how much she appreciates Chief Nourse and continues to say "Chief Nourse" even at 6 a.m. walking her dog. Knowing she puts the community in community policing and everything she does and exactly what she just said about the tone and professionalism of our amazing Public Safety crew is a direct reflection on her. She presented Chief Nourse with a signed official expression of sentiment signed by the 130<sup>th</sup> Legislature and the people of the State of Maine. Chief Nourse emotionally thanked Representative Sachs and everyone else.

Chair Egan opened the Council meeting at 6:52 and took attendance. He noted that all Councilors are here as well as the Town Manager.

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

Everyone stood and recited the Pledge.

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**SECOND ORDER OF BUSINESS:** To waive the reading of the minutes of Meeting #17-21 held on July 20, 2021 and to accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #17-21 held on July 20, 2021 and to accept the minutes as printed. (Reighley & Lawrence) **VOTE:** (6 Ayes0 (1 Abstention-Piltch) (0 Nays)

**THIRD ORDER OF BUSINESS:** Announcements

Chair Egan announced:

- **NOMINATION PAPERS FOR THE NOVEMBER 2021 MUNICIPAL ELECTION WILL BE AVAILABLE ON JULY 26th** for the following offices in the Town of Freeport:  
Town Council: At-Large and District 4 for 3-year terms  
Sewer District: 3 seats for 3-year terms  
Water District: 1 seat for 3-year term  
RSU: 2 seats for 3-year terms  
Papers are due back to the Town Clerk September 8<sup>th</sup>.
- On Wednesday, August 11 at 6 p.m. here in Council Chambers, there will be an informational meeting for residents, abutters and property owners on Spar Cove Road regarding the road construction project on Spar Cove Road starting at the end of August and early September of this year.
- **The Winslow Park Summer Concert Series is back!** This week's Concert, which take place on Thursday, August 5th at 6:30 p.m. will feature Not Too Shaarp with all of your favorite songs. Pack a picnic dinner, grab a blanket and enjoy a lovely evening at the park with the whole family!
- **We are still looking for applicants for the Citizen Police Advisory Committee.** To learn more about that committee and other vacancies, residents can contact Chris Wolfe, our Town Clerk at 865-4743, Ext. 123 and her e-mail address is [cwolfe@FreeportMaine.com](mailto:cwolfe@FreeportMaine.com).

**FOURTH ORDER OF BUSINESS:** Information Exchange

Councilor Bradley advised that he is continuing to meet with representatives on the Island Rover. He thinks the process described for clean-up is underway. They are about to start a discussion about the more critical issue which is launch. There is commitment by part of the parties to have a full disclosure of their views on that to see whether we can get going. For his own knowledge since he is doing this not for the Council but in order to bring something to you, how the Council feels about the launch plan should be vetted or approved by the Town before implementation. The real question comes down to are you going to want to see some kind of an expert in launching a vessel make a report to you before you have the confidence to accept it or are you happy to have the parties come up with a plan and maybe have their own expert opinions about it? Do you want your own expert to guide you in this process? The Council has been around this issue for a while and he does not know what the Council will need to feel comfortable and would like to go into the meeting with some idea so he can make sure it is on the table to start.

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Chair Egan advised that in previous conversations, the discussion has involved transport to get to a launch site over the public way. There was some consideration about impact on the public way from the size and weight of the boat. The Council heard most of that and it can probably be a 5-minute conversation. Other concerns might be for private property adjacent to the public way that may be impacted or will need to be temporarily impacted for the movement given the size and weight of the Island Rover. Again, that has been looked at for a long time and if there is a specific request for Town resources in order to make the launch.

Councilor Bradley added that the launch itself, assuming there is a plan and it goes forward, it will take a big boat and put it into shallow water on some sort of conveyance. Does the Council need or want to have a maritime expert verify that it can be done or the plan as proposed is do-able or are you happy to hear the experts on the other side? He can imagine that people are going to want to hear from an expert that whatever plan comes up won't result in a derelict in the mud. He asked the Council how they want to get to their comfort around that if they can? He asked the Council to think about it, particularly if they want to have a maritime expert or some sort of marine engineer weighing in on that. There will be some expenses involved and he would like to talk to them about how they pay for it.

Councilor Lawrence feels that it fine for some part of neutral parties saying, "hey, this is a good plan." But of course, it doesn't guarantee anything. Councilor Bradley requested that the Council call him individually. This isn't formal and he is not representing anything from the Town. He is just trying to get a plan together that he can present to the Council for consideration. He would like it to be done with forethought.

Chair Egan noted he did not know anything about this kind of activity and would need more time to think about it. Councilor Bradley asked if the Town Manager would explore some kind of expertise that he would like to see to make him more comfortable as the Town Manager as he reviews this plan? Mr. Joseph added that when this was last discussed, the biggest concerns were roads blocking traffic and moving power lines and a lot of details needed to be ironed out. The stumbling block was access over private property and would be a big part of wherever this goes. They would need permission to go over a stretch of private land to get to the nearest road and water. There was a lot of concern voiced about how will they know it won't fall over with that much weight and pressure. Our Engineer doesn't do marine clay. He will look into expertise to give him comfort.

Councilor Reighley noted that this might be the ideal discussion for our upcoming workshops and we will have community residents doing the input as well. He is sure there will be a good turnout for it. He suggested that we have this discussion the night of the District 2 Workshop.

Councilor Bradley mentioned that a couple of meetings ago he learned that the RSU5 was deferring the use of the funds that it got from the State for education to a subsequent budget. He thought that the aid was designed to help property taxpayers currently and they ought to be thinking about spending it now. He thought there was going to be an effort to organize a meeting to discuss the prospects and he has not heard anything about it.

Chair Egan advised that he and the Town Manager attended the meeting and the representatives from the political bodies of the other two towns in the RSU were there as well as a couple of members of the Board and the Superintendent. The Finance Officer of the RSU and Staff explained the process of how they go about hitting their budget and how the towns take the obligation to raise taxes on behalf of the RSU incorporated into their process. As you might expect, the three towns have three different processes. The RSU has to navigate three different processes when it is going through how it handles its budget. Earlier in June their overall budget was approved and it set in motion a series of administrative sequences. It is

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very complex about how the RSU can go about essentially rebating some of their commitment with the additional funds that were made available. After discussion, they recommended that they hold that amount for the subsequent school year and apply it to the 22/23 school year. Chair Egan's concern was making sure that it didn't get lost and they agreed to take the additional dollar amount that was supplementally allocated to the school district and will put it into a reserve fund. That reserve account will be visible and the RSU starts its process in January for budgeting for the next school year that we are talking about. Chair Egan plans on attending several of those meetings in the spring to make sure that reserve account stays where it is and when we get to the completion of their process which is about the end of April, that is when that reserve account will be applied to the levy that they are planning to pass on to the three towns. Councilor Bradley felt this was good work and thanked Chair Egan and Mr. Joseph. Mr. Joseph added that the RSU explore and show the Legislative allocation on a separate line. It will be a bit more transparent than in the past.

Councilor Piltch pointed out that our State Representative is in the audience and she was instrumental in getting us those extra funds for the RSU. He thanked Representative Sachs. He also added that at the beginning of the summer we hired a Summer Intern that was shared between the Town and FEDC. Part of the charge of the Intern was to help with identifying grant opportunities. He got a chance to work with the Intern on some communication issues which has always been a pet project of his to see if we can better communicate with our residents over more channels. The Intern is Peter Sachs and he asked him to address the Council and share some of the things he has found out about the way we communicate as a Town and maybe some opportunities for improving the way we do that.

Peter Sachs shared what we are doing already for communications. Most of our communications plan comes from an old Communications Plan from 2013 that calls for a variety of changes namely getting our Council meetings and other things streamed on line as well as a Social Media presence and a Town Newsletter. Currently we have a Facebook page with 1,200 subscribers, a Newsletter with 670 subscribers as well as some newspaper ads and of course, FCTV which everyone out there knows. We also have an opt in Emergency Text System which is used during emergencies, in heat waves to send out communications on where to go to if they don't have any AC or heat in the winter as well as during natural disasters. Sadly, that has very few subscribers and attempts to expand that list has not borne fruit.

We also have a Town website that is maintained by various members of the Town Staff who generally do this as a side job to the main department they are working for. All in all, his estimate is 3-5 hours a week for the amount of time Freeport Town Staff spend on communication, on Facebook and or on anything. The big problem facing our communication is simply that we don't have enough outreach. We have 8,500 people in Town and we are reaching at most one-eighth of them. He has spoken to other towns that faced similar problems and provided a few solutions. The first thing we should do is let people know that our current resources are out there. While we have these resources out there, in order to find them you have to specifically set out to look for them. If we have information ranging from a Planning meeting to an emergency broadcast, most of our communication methods will only reach people specifically looking for or are already subscribed to our channels which isn't very useful.

Falmouth sent out fliers to every address in Town that had all the information about their Newsletter and how to sign up for it. They also sent out a Newsletter again in every tax season so that everyone in Town knows this channel of information is out there and they can get that information. Other ideas include setting up a sign post at places where people shop or visit such as Bow Street Market. Everyone in Town has to eat and they all visit there. If we want people to know that we have these resources, we should post that we have them there as well as possibly for emergency announcements. Representative Sachs has a Newsletter of her own that has several hundred more subscribers than the Town Newsletter. Buck's Barbecue in Freeport currently has 10,000 Facebook likes as opposed to the Town's 1,200. If we do

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nothing else, he suggests that we let people know these resources are available if they need them. We set out more explicit social media policies for Town communications. There are people who maintain our social media communications currently and they generally set rules for themselves or don't post things in order to not step on anyone's toes or create a precedent that they really don't want to take responsibility for. More social media rules set by the Town will raise engagement.

Finally, he suggests that we hire a Social Media Coordinator/Manager for the Town. Other Towns that do have this generally spend between 25-40 hours a week on their communications as opposed to our 3. They have much larger communication and more frequent communication so it would be helpful if we centralized all these Town communicators, people who maintain our social media and just move it to one person that does this full time and will be able to do this as their full-time job as opposed to have a half dozen or a dozen people doing it as one of their many responsibilities. Councilor Piltch noted he hoped this is laying the foundation for ongoing discussions. There are a few things Peter uncovered that he would like to pursue but he doesn't believe he is willing to say here is an action item for our next meeting but he doesn't want it to fall by the wayside. Some of the things would be relatively easy to do and he would like to continue the discussion. Chair Egan suggested putting it down to the Other Business section of the Council's next meeting where we would have more conversation and we won't have eight public hearings.

**FIFTH ORDER OF BUSINESS:** Town Manager's Report

Mr. Joseph reported:

- The Town has had natural staffing shortfalls due to people leaving for various reasons such as retirement, moving and things like that. As a result of the current job market, we have several positions that are becoming very difficult to fill. He explained the job opportunities that are open. If anyone is interested, they should look at our website [www.freeportmaine.com/employment-rfps](http://www.freeportmaine.com/employment-rfps). It is updated frequently.
- The Public Works Department is looking for more fill sites. If you are in need of ditching material and haven't already received the maximum load for the year, the Public Works Department will deliver it for FREE! If you are interested in receiving ditching material, you must first fill out a Ditching Material Acceptance Agreement form (available at the Public Works Garage at 7 Hunter Road or at [www.freeportmaine.com/public-works](http://www.freeportmaine.com/public-works)) and submit it to the Public Works Office for approval. FMI 865-4461.
- A huge thank you goes to Earl Gibson and the Public Works Crew and Brent Moon and the Building & Grounds Crew for their exceptional teamwork and extra efforts as they have taken on many special and unexpected projects around town this summer. During one of their busiest times of year, they have had a lot of projects thrown at them and due in large part to the leadership of Earl Gibson and Brent Moon, their departments have shown a willingness to chip in and get these projects completed quickly and successfully. Our thanks go to all members of these departments who have been responsible for completing a variety of projects, including building and installing the new Parklet located on Main Street and painting the lobsters at the intersection of Main Street & Bow Street.

Councilor Reighley thanked Public Works for the parklet that is in front of Derosier's. It is a positive sign that vision can be put into purpose.

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

Andrew Arsenault wanted to bring up an item that was just addressed by the Summer Intern which was public notice and how to reach the public. He recalled serving on the Council years ago and he fought hard to have public notices put in the paper. He can still pick up the paper and see what is going on in North Yarmouth, Yarmouth, Falmouth and Cumberland but he doesn't see much about what is going on in Freeport as far as what is going on in *The Forecaster* and things like that. He thinks it would be a simple thing to have a notice in the paper saying what is going on at the local meeting or at least the Council meeting or whatever. It seems like he has fought this issue for 20-30 years. He doesn't believe it is an institutional thing but it would seem that Freeport is not always in there. He feels it would be great to put it on our list of things to notify residents of at Shaw's or places where *The Forecaster* or a free paper to pick up. It would just take someone at Town Hall or someone who reports for those people to send in a notice. He is sure they would love to give us a free print ad. Chair Egan thanked Mr. Arsenault. He is not sure it will be free but we will find 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 # 144-21                      To consider action relative to adopting the August 3, 2021 Consent Agenda.

**BE IT ORDERED:** That the August 3, 2021 Consent Agenda be adopted.  
(Reighley & Piltch)

Chair Egan reviewed the items on the Consent Agenda for members of the public. Councilor Daniele asked Chair Egan to explain what the use of Town property is by Visit Freeport. Mr. Joseph mentioned that it is the Makers on Main project that mostly uses the Town Hall. It is for a couple of weekends in August and September.

**VOTE:** (7 Ayes) (0 Nays)

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ITEM # 145-21                      To consider action relative to an Ordinance to award a contract in the amount of \$100,233 to Principle Group for the completion of Phases Two and Three for the Downtown Freeport Vision Plan. PUBLIC HEARING.

**MOVED AND SECONDED:** To open the Public Hearing. (Reighley & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

Mary Davis, President of FEDC brought pictures of the work that has been done. In the First Phase it was all about gathering information from the community and businesses about what they wanted in downtown Freeport which is the first portion of this project. They now feel they have a good idea about what people want. There was a lot of consensus around that. In the Early Action Project, it was about trying to implement some of what looked like easy projects to implement for several reasons. One, to keep gathering community engagement and also trial smaller projects to see what worked, what were the sticky points, how they got around them and what they needed to do. They learned on smaller projects and not on the bigger projects that are in front of us and also to continue to create excitement about what is going on in Freeport. They want people to feel that Freeport is a great place to be and do business. We are all worried about the vacancies. However, the excitement about people being here and coming here is what will

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create excitement that will bring businesses here. That is what they have been doing in trialing these projects. She showed pictures of what they have done. The first one is a parklet. Vice Chair Whitney explained that they met with Mr. Wagner of Derosier's to tell him about this project and it wasn't until they showed him the rendering that he decided he did want it in front of his business. They designated two parking spots to this parklet and today it went up. It has not been empty since it went up. Mrs. Davis explained that L.L. Bean offered to provide furniture for the parklet and plants came from Garden Spot Farm. Town employees volunteered to help build it and put it in place. This is a great example of tactical urbanism at its very best. There was a whole bunch of people doing the work. She visited the businesses with Mr. Wagner and found they were all for it.

The next thing they discussed was let's create another park. It was a bit more challenging because it is owned by several people and there are right-of-ways. They went to the Town and Mr. Joseph advised that the Town owns the park behind Starbuck's so they went to walk the park with Earl and walked around and decided it didn't look very good and said, wouldn't it be nice if it looked better? They brought together a group of volunteers and on this past Saturday they cleaned it up, cut the bushes and brought mulch in. Dale the Hot Dog Man is thrilled to have the park there because he says there are always lines there and it didn't look very nice. Now with furniture from L.L.Bean and the Historical Society saying it wants to put a piece of artwork on the wall and their volunteers will help clean it up. She showed a picture of what it looks like today. Vice Chair Whitney noted it was all done with zero dollars.

They then looked at traffic calming and looked at murals. Because it is Route One maybe DOT doesn't like them painting in the street so then decided to paint the crosswalks and create something that looks like you are in town. Instead of driving really fast, all you have to do is look out a window and give them something to look at that slows traffic. Earl designed lobsters on the street and there are picnic tables in the Town Park to create parklets for people to be in. It is our town Hall so why not create a park here.

Kids told them they want a place to hang and they don't have any place to hang. They hang in front of CVS. The Town again has some parking space down by where the train station is and they are starting to build a kid park there with some donated materials. They want to see what happens.

Mrs. Davis thanked Earl Gibson and everyone who has been so helpful in getting this done. It's the businesses, the volunteers, the people on the Council, Town Staff helping them to think of creative ways to work with the Ordinances. It takes a community to get Freeport Downtown the way we want it. This is the first step. Their Phases Two and Three will be a more detailed plan about what we want with projects, resources, how much money they will need and they will be back in front of the Council in the next six months to bring that to you. These are the first steps of what they have done and they are encouraged by what they are seeing in the support they are getting.

Joyce Veilleux of District 2 advised that she has been working with the Principle Group and has been amazed by the way they have been organized and able to organize the citizens and the number of responses they got even in the middle of a pandemic when we couldn't do the normal

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which was get a big workshop, do the smaller groups and come back together to discuss everything. She was happy with the way they did it and hopes they can continue. They have a lot of knowledge about our town and now that COVID restrictions have been lifted, they have seen our traffic patterns and heard from a lot of the residents. She feels it would be a shame to lose that much knowledge and go with a group that knows nothing about us and that would have to start from square one.

Andrew Arsenault wanted to throw his support behind the things they are doing downtown. One of the things we need to think about on the back side of this is the historic color. When Freeport was developing downtown, things were happening fast and we imposed a lot of regulations and Design Review issues. He thinks that was a great idea but now we are on the back side of the issue and a lot of that growth has gone away and we are trying to fill storefronts. Freeport has built out the downtown and we need to take a conceptual look on what ordinances are not needed anymore and how can we be in this environment a little more spontaneous? Let's try something and not let all the rules get in our way of moving forward and what is going to be maybe a different Freeport. It will still be our Freeport and it will still be nice but it won't be the Freeport we were regulating 20-30 years ago when it was growing every week and people were coming to the Planning Board and someone was building something new every month. He feels we need to take that into consideration and maybe the Town Council or an ad hoc group can start to look at those and charge somebody to think about it. If the regulations we have now hold us back, how can we change those regulations and make the future again. He encouraged us to look at those issues that hold us back that we don't need any more as a regulation. He encourages what they are doing downtown. We need to do more traffic calming and put parking back on Main Street in certain spots to slow things down so it actually looks like you are downtown. He hopes this goes forward.

**MOVED AND SECONDED:** To close the Public Hearing. (Reighley & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

Councilor Bradley noted he is a supporter of the Principle Group and an admirer of Vice Chair Whitney's efforts. He appreciates the work that the Town is putting into this and he is being asked to vote to continue the process by approving \$100,000 of taxpayer money which if we are going to get where we are going, he believes we need to spend. In that context he would like the Council to consider his questions. He thinks that the imagination of the revisioning and the collection of views from literally thousands of people is important but he also knows that no one who answered those questionnaires offered to run a project or contribute a dollar to this. They were free to think and respond and did and that was important for us to get. The next stage is going from the imagining of the revisioning and prioritization of the projects to the implementation. He worries that process is not as envisioned as the imagination that is prompting the Principle's Group's early actions. He was encouraged by Ms. Davis' presentation about what has already happened because he hadn't heard it that way. He never saw it listed. He heard it anecdotally and he never heard it described as a learning process and he feels it is important to keep that in mind. He also thinks it is important to start this now and he doesn't know how the Principle Group does this, or we do this, identify the actors in town that are going to be responsible for the larger projects and the more significant ways in which Freeport reinvents itself which is coming. He made the statement because he believes it to be true, that in

voting for this \$100,000, for Principle's Group contract which he intends to do, he anticipates he will be voting in the future on hundreds of thousands of dollars through TIFs or other ways to implement this project. He is casting his vote knowing that this town is going to be asked to spend significant amounts of taxpayer money to implement whatever is going to come out of the Principle Group's Plan and he feels it is important for every Councilor to know that when they cast their vote because if they are not prepared to at least consider that when they see what the priorities are, he thinks Councilors are misleading themselves and the rest of the town. There will be others but if the Council doesn't take the lead, it won't happen. That is his unease coming into this project. This is just the first step in getting this done. The efforts are amazing and he appreciates and approves it as he said but he thinks we need to start getting practical about implementation.

**BE IT ORDAINED:** That an Ordinance to award a contract in the amount of \$100,233 to Principle Group for the completion of Phases Two and Three for the Downtown Freeport Vision Pan be enacted. (Whitney & Reighley) **VOTE:** (7 Ayes) (0 Nays)

***NOTE:** The Town Council previously determined that it is in the best interest of the Town to waive the Town's sealed bid requirements in the selection of Principle Group, in favor of a qualifications-based selection process.*

***NOTE:** The Town Council appropriated \$100,000 for this project in the 2022 Capital Budget.*

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ITEM # 146-21

To consider action relative to a Consent Agreement from Robin Lapoint, for a property at 8 Tumbler's Hill Road (Tax Assessor Map 24, Lot 71B) for the purposes of allowing a mislocated building that does not appear to meet the required setbacks for the underlying zoning district be allowed to remain. PUBLIC HEARING.

**MOVED AND SECONDED:** To open the Public Hearing. (Bradley & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Ms. Lapoint explained that it appears her home crossed the setback of the Town when it was constructed. She is the second owner of that property and it was not an issue for her bank. She approached her neighbor and he was willing to do a land swap but is not in a position to do that right now with liens on his property. She looked into finding a surveyor but no one is available for eight months. Her property is for sale and under contract right now. The garage is over by 2' and the house 8-10'. Her property is in District 2 and the encroachment is beyond the recommended setback for that area. This did not come up when she purchased the property and got a mortgage. Her buyer's mortgage company raised the question when it came up through their surveyors. She advised that the Town has not issued a notice of violation.

Councilor Reighley asked if the discovery of the violation of the setbacks was a Class D Survey? Mr. Joseph noted that it was not a whole monumented boundary survey. Mr. Adams advised that the Class D Survey language has not been around for 20-30 years. A Mortgage Loan Survey is

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not really a survey, it is basically a mortgage company asking a survey company to go out for a couple of hundred dollars. They do not actually do any deed research or any actual field work. A lot of times they go out at night. It is not a very accurate document and they are not called a Class D Survey anymore but they are similar to a Class D Survey. On a lot of them they do not show monumentation or a lot of stuff on them and will say this document is not a survey and is only used for a mortgage company and things like that.

Councilor Reighley explained to Ms. Lapoint that in Freeport we have a number of Boards and one is the Zoning Board of Appeals. He asked why she didn't bring her request before them? Ms. Lapoint replied that the timing for the closing on her house was the reason. Councilor Reighley asked if she would have been able to have it on the agenda for the Board of Appeals meeting held on Monday night of this week? Ms. Lapoint mentioned she did not know about that. She approached her Councilor and asked about the Consent Agreement that was suggested by the Title Attorney and that was the direction she followed. Councilor Reighley asked Mr. Adams if the Appeals Board would have been the proper place for this? Mr. Adams advised that there is currently a Mislocated Building Appeal that is in our Zoning Ordinance but the Board of Appeals does not accept Mortgage Loan Surveys any more due to several homes that have been issued variances on Mortgage Loan Surveys and once after a survey is done, they show they are off 10-15 feet. A Mortgage Loan Survey is not very accurate. They were not asked to put this item on the agenda. They would have requested that a Boundary Survey be done so when they actually issue a variance, they know exactly down to an inch what is actually being requested. Councilor Reighley asked Mr. Adams if he would prefer to see this come before Council rather than the Board of Appeals. Mr. Adams did not make any recommendation to come before the Council.

Councilor Bradley pointed out that he is the District 2 Councilor that helped shepherd the Lapoint's through this process and had several conversations with the Council about this including consideration of Councilor Reighley's concerns about the fact that it didn't go to the Board of Appeals. As the result of a conversation that occurred up here, he felt this was the most appropriate way to get this done in the timeframe the Lapoints had to close. Any concern about this being the wrong place is his problem but it was after two lengthy conversations up here and confirmation that this was the place to come. He asked the Lapoints what their plans are after selling the property. Mrs. Lapoint advised she would be moving ½ mile down the road. Councilor Bradley feels they are great neighbors and people in the community and that matters to him.

Councilor Pilch asked if the neighbors on that side of the property have been notified and are they okay with the building being too close? He asked about the process. Is the Council setting a precedent that anybody that has a building they think might be mislocated, should they now take a shortcut and go right to the Council because it takes too long to get a boundary survey and skip the processes we have in place for the people we have appointed to make those decisions? It seems like this might not be the last time we see an issue like this and he is not sure the Council is the right place to deal with these kinds of issues.

Mr. Joseph mentioned there are some problems with the other alternatives. There are some private fixes they could pursue on their own. While the Lapoints did some of those, they came to

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a point where it would not be timely. We have a bit of an issue where some of our internal ways deal with it. The Planning Board is meeting tomorrow night and may make a recommendation to remove the Mislocated Building Standard and replace it with a Consent Agreement Standard because the Mislocated Building Standard Variance is not legal. We normally would have steered somebody to the Zoning Board but there would not have been time for that when this came to our attention. However, this month or next month will be the last time we expect that to be on the table without some major changes. The Town Attorney has expressed the same exact concern. There wasn't concern that the Council couldn't do this but her concern procedurally is that the Council will become the first stop. She said if the Council wants to consider this, she would recommend that the Council pursue a policy on how these will be addressed and it needs to be done in conjunction with whatever comes out of the Planning Board on Mislocated Buildings. It does not need to be an ordinance. It can be our standard and majority rules and can be changed at any time but this is what we expect to be done. Does the Council expect the Zoning Board process to be exhausted? Do you expect a formal letter from a neighbor saying they won't sell a piece of land? The concern expressed is completely justified. If the Council is going to do this, let's not set a precedent, let's set a policy. That might be the way the Council wants to do it but that is a policy decision. Our Attorney wants something in writing but it is not meant to stop this consideration tonight. The policy will be our Staff and Council decision. More discussion followed.

**MOVED AND SECONDED:** To close the Public Hearing. (Bradley & Whitney) **VOTE:** (7 Ayes) (0 Nays)

Mr. Joseph explained that the Town Attorney wanted to add some specific language that he will provide the Secretary if the Council decides to make the motion. In Section 4, after provided that no further setback violations occurred, *and provided there is no expansion, extension or enlargement of the existing structure within the setback area.* The Town Attorney requested that the Mortgage Loan Survey be attached.

**MOVED AND SECONDED:** In the proposed Consent Agreement under Section 4, the final statement: after provided that no further setback violations occurred, *and provided there is no expansion, extension or enlargement of the existing structure within the setback area.* (Egan & Reighley) **VOTE:** (7 Ayes) (0 Nays)

**BE IT ORDERED:** That a request for an amended Consent Agreement from Robin Lapoint, for a property at 8 Tumbler's Hill Road (Tax Assessor Map 24, Lot 71B) for the purposes of allowing a mislocated building that does not appear to meet the required setbacks for the underlying zoning district be allowed to remain. (Bradley & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 147-21

To consider action relative to the Redistricting of the Freeport Municipal Voting Districts. PUBLIC HEARING.

**MOVED AND SECONDED:** To open the Public Hearing (Daniele & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Chair Egan advised that the Council had a presentation at its previous meeting from Town Clerk, Chris Wolfe. She recommended that we not redistrict. Ms. Wolfe explained the rationale for her recommendation. Her recommendation is for the Council to look at it again in 2024 after the Presidential Election.

**MOVED AND SECONDED:** To close the Public Hearing. (Daniele & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

**BE IT ORDERED:** That the Town Council determines not to edit the redistricting of the boundaries of the Freeport voting districts. (Daniele & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 148-21      To consider action relative to an order authorizing the issuance of \$634,000 of bonds and notes (approved by the voters on March 9, 2021) to finance the local share of the construction of bicycle and pedestrian pathways at the Exit 20 & 22 overpasses; and to discuss entering into a local cost sharing agreement with MDOT to provide for the construction of the same. PUBLIC HEARING.

**MOVED AND SECONDED:** To open the Public Hearing. (Reighley & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

Mr. Joseph explained that the public hearing tonight is on the issuance of \$634,000 in bonds which were approved by the voters on March 9<sup>th</sup> to finance the local share of the construction of bicycle and pedestrian pathways. There is a significant amount of detail in the order which he is not going to make anyone read. This is a public hearing about spending and actually committing the bond that was approved by the public. He invited speakers to introduce themselves at the podium. There were no public comments provided.

**MOVED AND SECONDED:** To close the Public Hearing. (Reighley & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

Mr. Joseph explained that our Charter requires voter authorization for the bond in this amount. This is all the meat and potatoes the SEC is going to want to see when it is reviewing all the legal details.

**BE IT ORDAINED:** That the 12 points outlined in the agenda of tonight's Council Meeting be accepted. (Reighley & Lawrence) **VOTE:** (7 Ayes) (0 Nays)

**APPROPRIATION ORDINANCE # 101 OF THE FREEPORT TOWN COUNCIL**

**ORDINANCE TO AUTHORIZE THE ISSUANCE OF \$634,000 IN GENERAL OBLIGATION BONDS FOR CONSTRUCTION OF BICYCLE AND PEDESTRIAN WAYS ON I-295 BRIDGES**

WHEREAS, the Maine Department of Transportation (“MDOT”) is undertaking I-295 bridge replacement projects on Desert Road (Exit 20) and Mallett Drive (Exit 22), which provide opportunities for the Town to construct bicycle and pedestrian ways on each bridge (the “Project”); and

WHEREAS, to complete the Project with bicycle and pedestrian ways, MDOT requires a local match from the Town of up to \$634,000; and

**NOW THEREFORE, BE IT ORDAINED:**

1. That under and pursuant to the Freeport Town Charter, including Article VI and Section 8.03 therein, and the laws of the State of Maine, including Section 5772 of Title 30-A of the Maine Revised Statutes, and approval of the voters of the Town at a referendum held March 9, 2021, the Town Council authorizes the issuance of general obligation bonds of the Town, and notes in anticipation thereof, in a principal amount not to exceed \$634,000 (the “Bonds”) to fund the Town’s local match for the Project and appropriates the proceeds of the Bonds for the Project;
2. That the Town Treasurer and the Town Manager, acting singly, are authorized to arrange for the sale of the Bonds at public or private sale to such parties as either determines to be in the Town’s interest, to execute and deliver loan agreements and other contracts for that purpose, including without limitation loan agreement(s) with the Maine Municipal Bond Bank, and to select and hire such financial advisors, underwriters, registrars, paying agents, transfer agents, and other consultants, if any, as either deems necessary to assist with the sale of the Bonds, all on such terms not inconsistent with this Ordinance as either shall approve;
3. That the Treasurer and Town Manager, acting singly, are authorized to prepare, issue, and provide for sale of the Bonds at one time or from time to time, as one or more separate issues, and to determine the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption with or without premium, form(s), and other details of said Bonds, including execution and delivery of said Bonds against payment therefor;
4. That the Bonds be executed and delivered by the Treasurer and countersigned by a majority of the Town Council, and otherwise be in such form and contain such terms and provisions not inconsistent herewith, as they shall approve, their approval to be conclusively evidenced by their execution thereof, and that any signature thereon may be by facsimile to the extent permitted by law;
5. That the Treasurer be authorized, as applicable, to designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”);
6. That (i) no part of the proceeds of the Bonds shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code; and (ii) the proceeds of the Bonds and the Project shall not be used in a manner that would cause the Bonds to be “private activity bonds” within the meaning of Section 141 of the Code;

7. That in connection with the Bonds, the Treasurer be authorized to execute and deliver on behalf of the Town an Arbitrage and Use of Proceeds Certificate in form approved by the Town's bond counsel, and to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, and to take all other lawful actions necessary to ensure that the interest on the Bonds will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause interest on the Bonds to become includable in the gross income of the owners thereof;

8. That the Treasurer, Clerk, Town Councilors, and other proper officials of the Town are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be necessary or convenient to the issuance, execution, or delivery of the Bonds, and to do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the issuance, sale, and delivery of the Bonds and the accomplishment of the Project;

9. That if the Treasurer, Clerk, or other Town official for any reason be unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, vice-chair, or otherwise, be authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act;

10. That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official;

11. That the Treasurer in consultation with Bond Counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and (ii) monitoring the Town's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder; and

12. That the Clerk record an authenticated copy of this Ordinance in the Town's records as required by the Town Charter.

**APPROPRIATION ORDINANCE # 102 OF THE FREEPORT TOWN COUNCIL**

ITEM # 149-21            To consider action relative to the proposed state/municipal cost sharing agreement with the Maine Department of Transportation for the construction of multi-use paths at the Exit 20 and 22 bridge projects, in an amount up to \$634,000.

Chair Egan explained that the \$634,000 is Freeport's share of the \$18M project for the two bridge improvements at Exit 20 and 22.

**BE IT ORDAINED:** That the proposed state/municipal cost sharing agreement with the Maine Department of Transportation for the construction of multi-use paths at the Exit 20 and 22 bridge projects, in an amount up to \$634,000 be approved.

**BE IT FURTHER ORDAINED:** that the Town Manager be authorized to execute the final agreement on behalf of the Town, to include any clerical/non-substantive changes from the draft agreement approved by the Town Council. (Piltch & Reighley)

Chair Egan noted that this is the vehicle we actually contract with MDOT and obligate the funds discussed in our last item to go into the overall budget for the bridges. MDOT invited us and we participated in a significant amount of design events and public charrettes for improvements that are part of the final design now. This item is the legal way for us to co-contract with MDOT to get the work done. Mr. Joseph added that this is required by our charter if the amount is over \$100,000.

**VOTE:** (7 Ayes) (0 Nays)

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ITEM # 150-21            To consider action relative to proposed amendments to Section 32-601 (K) of the Shellfish Conservation Ordinance. PUBLIC HEARING.

**MOVED AND SECONDED:** To open the Public Hearing. (Lawrence & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Corey Wentworth noted he has been a commercial clammer for 22 years. His place of residence is being sold to take advantage of the housing market and he can't afford to buy a house in Freeport or lose his license. He is hoping this change will go through and he will have the opportunity to live outside of Freeport but keep his license. Sean Crean, former resident and Corey's father encouraged the Council to approve this change in the Ordinance. He mentioned that Corey got his license in a lottery when he was 16 and helped pay for his college. He advised there are several other shell fishermen that are finding themselves in the same situation. The real estate market in Freeport has really become a cash-driven market and this will level the playing field so that folks that have a significant part of their livelihood will be able to not be diminished

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and will be able to continue that because the Ordinance would require them to go back into the lottery.

Chris Grimm noted he is a former member of the Shellfish Commission. He asked if half of the clambers move out of town, do they now all get to go to non-residential licenses? Have they considered what it will do to the numbers?

Marine Resource Officer, Charles Tetreau advised that the State mandates that we give 10% of our total license number to non-residents so it can be higher but it can't drop below 10%. Mr. Joseph added that people moving out would not be a problem but people moving in could be a problem if you put non-resident licenses back on the table next year.

Councilor Bradley mentioned Mr. Grimm's question and asked if something like that were to happen, it would throw off shellfish management in our town. Mr. Grimm advised that that is what drives the number of licenses, etc. so you now have changed the ratios and he does not know how the town can restrict how many licenses it can have. Councilor Bradley mentioned that at risk is our shellfish management program if the licenses get out of whack so that all of a sudden all of the non-residents which are 10% of our licenses were to move into town. He understands that is not going to happen but if it were, all of a sudden we have to add 10% more of the bigger number to our number of licenses to meet the State requirement. The question is does it throw off clam management because we have so many licenses in town and we have to deal it some other way. Have we thought about how we would do that if that contingency were to occur? Officer Tetreau added that this is not something that the Commission has yet discussed. Chances are pretty low that that would happen but there is always that chance. He noted that the licenses are capped. We would have the same license number but we would have a greater than 10% living outside of town now and a smaller number than the year before in the resident category. Now one has to live in Freeport for 12 months before you can apply for that resident license if one comes up in the lottery. In Corey's situation 22 years goes by and the housing is the way it is, they would have the option to move out of town if they had to.

Councilor Reighley asked what our licenses are capped at. Officer Tetreau advised that we have 53 residents in total and 59 licenses. If someone gives up their license and doesn't want to clam anymore, that license will be reissued back into the lottery. This year 17 folks put in for the resident license and 40 something the last time we had a non-resident license. Councilor Daniele asked if there was any conversation about having a minimum time in Freeport before you can leave and keep your license? Officer Tetreau indicated there was and there were numbers tossed across the board but at the end of the day the Commission looked at they have to be established for 12 months before you even apply to be in the lottery for that license when it comes up. Mr. Joseph added that there was a 1 of 17 people applying and each one had to be a resident for at least a year. Officer Tetreau explained that Corey for example, holds a resident license and if he moves out of town, he becomes a non-resident when he renews. If he gives up his license for whatever reason, it is reissued back as a resident license which is how it was originally issued. He keeps track of how licenses are issued initially distributed. Chair Egan felt that was an important distinction and thanked Officer Tetreau for clarifying it. The license fee doubles for a non-resident. He noted that license allocation is discussed at a meeting every year. This ordinance change will have to go to DMR as well. Just because it is approved here doesn't mean they would necessarily approve it. They have to put their stamp on it.

Mr. Grimm noted it seems like it would be a good idea to put some sort of sunset in there because there is always a lot of contention between riparian owners and clambers. Envisioning numerous clambers leaving town possibly for the same reason, we will now have a number of out-of-towners trying to get along with all the riparians in town but he has not followed this for a while. Joyce Veilleux advised that

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she is a riparian owner and is in favor of this change. We have several young clambers that are residents with ties generational to our mudflats in Freeport. They are now getting married and would like to move out of their parent's house and the reality is they can't afford to purchase a house in Freeport. We don't have a rental market and if they move out because they want to buy a place, they end up losing their livelihood and she doesn't think that is something we should do to them. This gives them an opportunity that we have all had in our lives and have been able to move out of our parent's house and buy a house. They need the same opportunity.

Jarod Lavers advised that he is a second-generation shellfish harvester and is also on the Shellfish Committee as well. He does not own a house yet but is close to buying a place. The market is tough. He feels this is just a way to adapt. He is aware it would be difficult to buy a place in Freeport with all the competition out there. He doesn't see any downfall as far as allowing clambers to move out of town. If he becomes a non-resident, he will still get along with the landowners like he did when he was living in Freeport. If anything, the Town will get a little more money out of them.

**MOVED AND SECONDED:** To close the Public Hearing. (Lawrence & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Chair Egan thanked everyone for their input.

**BE IT ORDAINED:** That proposed amendments to Section 32-601 (K) of the Shellfish Conservation Ordinance be enacted. (Lawrence & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 151-21            To consider action relative to proposed amendments to Chapter 2 Administrative Code, Section 509. Inspections Division of the Freeport Town Ordinances.  
**PUBLIC HEARING**

Chair Egan explained that the next administrative updates require a public hearing to make amendments and update them. They tend to be clumped together although they are individual specific activities and governance issues so the Council will take them individually.

**MOVED AND SECONDED:** To open the Public Hearing. (Whitney & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Code Enforcement Officer, Nicholas Adams explained that this amendment is a requirement by State Law where we have to do it. He will make the amendment to update the 2015 International Mechanical Code, the 2015 Energy Conservation Code and updates three ASHRAE standards from the 2013 to 2016 and the Radon standards.

Chair Egan asked Mr. Adams if it is fair to characterize that these amendments and improvements are resulting in healthier buildings because of improved standards? Mr. Adams noted the buildings will get a lot tighter now so now there are requirements to seal a building up tightly and then have to have ventilation and things like that. He could not 100% say they are healthier buildings but the Energy Code does try to seal up the house to save energy costs over time but there is an added expense for the ventilation and energy standards. Councilor Bradley asked if they apply to existing buildings? Mr. Adams advised that there is an existing building code that is currently in the ordinance that is not changing. It does not retroactively say if your single-family home didn't have a 36-inch rail, now you have to deal with it. It is a life safety code but the life safety code itself we adopt out anything for one and two family. It is just retroactive for commercial properties.

**MOVED AND SECONDED:** To close the Public Hearing. (Whitney & Reighley) **VOTE:** (7 Ayes) (0 Nays)

**BE IT ORDAINED:** That proposed amendments to Chapter 2, Section 509. Inspections Division of the Town of Freeport Ordinances be enacted. (Whitney & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 152-21 To consider action relative to proposed amendments to Chapter 13, Fire Prevention Code of the Freeport Town Ordinances. PUBLIC HEARING

**MOVED AND SECONDED:** To open the Public Hearing. (Bradley & Reighley) **VOTE:** (7 Ayes) (0 Nays)

Mr. Adams advised that this one is a little different because we are not preempted to do this but we have always had a Fire Prevention Ordinance dated back to the 70s. All this does is the State Fire Marshall's Office adopts several standards and codes and writes rule making. We are just updating our ordinance to be consistent with what the State Law says. If you apply for any construction permits or anything like that through the Fire Marshall or they do any investigations or anything like that, we are required to meet that. Our ordinance is just reflecting that. It updates the Fire Code from 2006 to 2018, the Safety Code from 2009 to 2018 and the Fire Alarm Code from 2007 to 2019.

Chair Egan noted the amendments being made are just to align with what is already in place at the State. Councilor Bradley asked if there are times when someone would not need both but would just need one? Mr. Adams explained that they still apply State-wide. A construction permit is any time you have an assembly building or a mercantile or business use over 3,000 sq. ft., that is when you get the permit. If something happened to the building the Fire Marshall would investigate and go after the architect or someone else that didn't meet the State's standard that is required by State Law for commercial buildings. Councilor Bradley added that this will apply to all structures in town when we do it as an ordinance. Mr. Adams pointed out that it would not pertain to one and two families. They are excluded in our ordinance. Councilor Reighley asked Mr. Adams if he reviewed this with Chief Jordan. Mr. Adams advised that he did and Chief Jordan approves.

**MOVED AND SECONDED:** To close the Public Hearing. (Bradley & Reighley) **VOTE:** (7 Ayes) (0 Nays)

**BE IT ORDAINED:** That the proposed amendments to Chapter 13, Fire Prevention Code be enacted. (Bradley & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 153-21 To consider action relative to proposed amendments to Chapter 17, Electrical Code Ordinance of the Freeport Town Ordinances. PUBLIC HEARING

**MOVED AND SECONDED:** To open the Public Hearing. (Daniele & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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Mr. Adams explained that the Electrical Code has been adopted by the Maine Electrical Examination Board on July 2<sup>nd</sup> so it is just changing from the 2017 to the 2020 Electrical Code. This puts our ordinance in consistency with the Maine Electrical Examination Board and there are several amendments in there that the State did not adopt but we put in our ordinance as well.

**MOVED AND SECONDED:** To close the Public Hearing. (Daniele & Reighley) **VOTE:** (7 Ayes) (0 Nays)

**BE IT ORDAINED:** That a proposed amendments to Chapter 17, Electrical Code Ordinance be enacted. (Daniele & Reighley) **VOTE:** (7 Ayes) (0 Nays)

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ITEM # 154-21                      To consider action relative to setting a public hearing for a new Special Amusement Permit for Mast Landing Brewing Company.

**BE IT ORDERED:** That a public hearing be set for September 7, 2021 at the Town Council meeting that starts at 6:30 pm at Freeport Town Hall, 30 Main Street to discuss a new Special Amusement Permit for Mast Landing Brewing Company, 200 Lower Main St, Freeport.

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

Chair Egan noted the Council is simply setting the public hearing tonight. He mentioned that he has been there a couple of times and feels they have done a nice job of resetting the use of that building.

**VOTE:** (7 Ayes) (0 Nays)

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ITEM # 155-21                      To consider action relative to Planning Board consideration of land use regulations related to cannabis cultivation and cannabis manufacturing and processing.

Chair Egan explained that the Council had a discussion about this at the last meeting. The mood was whether or not the Council would make a recommendation to the Planning Board to take up potential amendments to the land use ordinance to allow cannabis cultivation and manufacturing. Today our Land Use Ordinance is silent and we have two businesses that have been operating in our community permitted by the State and not allowed to be regulated by the Town for medicinal use growing of cannabis. Those businesses have been operating with zero complaints against them. With the changes in the State Law, we heard from the Office of Marijuana Policy representative who was here several months ago, there is less and less distinction in the market place with the expansion of this particular product and the medicinal use of this particular product. The request from the business owners is to have the Land Use Ordinance in Freeport to allow them to continue to operate as an operating business in our community and they have been here for numerous years. The discussion the Council had at its last meeting which is producing this action item this evening is whether we as a Council are going to simply recommend to the

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Planning Board to take up the issue of where cannabis cultivation and manufacture may or may not happen in our community and suggest those changes to our Land Use Ordinance. The Planning Board would very likely or might be required to have a series of public hearings about the recommended changes. Assuming they come to some sort of conclusion or a specific amendment, that would come back here to the Council for what it very likely going to be another public hearing before those changes would be adopted. We are not voting tonight whether to allow cannabis up or down. We are voting tonight on whether we are going to make a recommendation to the Planning Board to consider it.

Councilor Bradley advised that in two respects he found Chair Egan's explanation of what we are doing different than what his understanding was. His understanding is that these two businesses now have legal authority to grow cannabis for medicinal purposes only. In order to expand into the recreational market, they need us to opt into the system. That was missing from Chair Egan's explanation so we really are being asked to allow the current cultivation sites to expand into recreational use. At the last meeting, we did get very close to a decision not to do that by having three of us decide that we didn't want to refer this to the Planning Board because we didn't want to see recreational cultivation in our town. When he saw this come up, he assumed that was the purpose of it. It was a 3 – 3 tie and the purpose of that was to decide whether or not we were going to opt in to the recreational cultivation which would in essence decide the issue of recreational cultivation in this town if we decided not to refer it to the Planning Board. If he is wrong in that regard, he misunderstands what we are about but we have one Councilor here tonight that wasn't here last time and unless people have changed their views, knowing what he thinks would determine this. We could simply ask him but that may be not be how Chair Egan wants to go. It was a 3 – 3 tie. 3 of us don't want to refer it to the Planning Board and don't want to see recreational cannabis in our town cultivated and 3 decided they did for different reasons and now that is back on the agenda. Chair Egan added that Councilor Bradley is precisely correct and because we have seven members and we did have an indication of whether or not this should go forward, we will have a vote this evening of all seven of us about whether it goes forward. The technical opt in does not happen until we actually adopt an Ordinance change. The Planning Board simply makes a recommendation so that is likely in several weeks at least, more than six down the road before we make an official action to opt in.

Councilor Bradley mentioned that if the Council decides tonight to not send it to the Planning Board, we cut that process at its ankles tonight. Chair Egan agreed. Councilor Bradley felt that was missing from Chair Egan's explanation and the reason why he raised the point. He does feel the Council is making a determinate vote tonight depending on what the seven Councilors decide. Councilor Daniele asked if the Planning Board could take this up without the Council's vote? Chair Egan mentioned they could but he didn't know how to exactly get on their agenda. Mr. Joseph explained that a resident could petition the Planning Board but there is a \$300 fee. However, if there is not a majority of the Council in favor of considering it, he doesn't think the Planning Board would take the time to consider it. Town Planner Caroline Pelletier advised that the Planning Board has not discussed marijuana but everybody knows the Council has been talking about it. They have a heavy workload in front of them and a huge backlog so she would not see them taking this up on their own. If the Council directs them tonight, to be realistic, she wouldn't see this on their agenda until early winter.

Councilor Reighley asked what it would take to put this before the voters so the question of opting in and opting out and the various different criteria that the Office of Marijuana Policy has in the manufacture, growth, testing and retail operations. Mr. Joseph explained the only way legally for that to occur in a binding referendum, but the Council can put any non-binding question on an election warrant that you would like to get feedback, however, it doesn't do anything other than the vote you are about to take right now. It would still have to come back to the Council to make the ultimate decision.

Even though this was not a public hearing, Chair Egan invited members of the public to provide their

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comments but keep them to 3 minutes.

Carol Brown had no idea this issue was coming up so having a Facebook connection would be really good and it sounds like Peter Sachs is going to make it happen. She is opposed to opening up recreational marijuana farming. Katherine Wallingford e-mailed her today indicating she is highly opposed to changing the Town Ordinance with regard to growing marijuana in the Town of Freeport. It is a gateway ordinance change and she says no to pot farms. Jay Yilmaz, Freeport resident, noted he supports Carol's comments on the vision of what we think the town is. Chair Egan explained to him the recommendation to the Planning Board to come up with language that would regulate and define where and how many and how big and all the usual things a Land Use Ordinance does. Andrew Arsenault advised that he is not opposed to medical marijuana but is opposed to expanding this to the growth of recreational marijuana. He knows they are not asking for stores. He thinks we should stay where we are right now. He noted that it is still a federally prohibitive product.

Mark Winter of 2 Dixon Road in South Freeport advised that in looking at the proposed language in the agenda, he was unclear as to what it meant. It doesn't seem to change anything. It allows what was already allowed and doesn't clarify whether we are talking medical or recreational. If the Council decides to give direction to the Planning Board to consider this, they need to be clearer on what they are asking the Planning Board to do. If the Council is just going to present them with this plan, you are not asking them to do anything other than do your job and we want you to put this at the top of your list. It is not federally legal so just start there but that has implications and consequences. Those funds are not allowed in a banking system so this is a cash business that operates outside of the federal banking system which causes real and perceived issues. He wonders why the Council is even considering this. It is not legal. Joyce Veilleux said "ditto".

Chris Grimm advised that most of the points he was going to make have been made. He read in *The Times Record* an article that they may leave or they may go under, so we have to change something. That made him think about Washington and most would agree that it is broken. It is broken because of lobbyists and corporate interests. Coming down to the local level, the last time this came up he recalled, that there were six or so people that had economic ties to this project and a number of them were not from Freeport. This takes away from other priorities from the Planning Board. We just spent \$100,000 to make Freeport tourist friendly so it is up to the people. It should not be based on economics. Bath Iron Works or L.L. Bean are a slightly different case. No, they may not make it as a medical dispensary or growing medical marijuana. Our farms in the recreational market are not making it there either. According to State Law anyone can grow six plants and it is not taxed. It is cheaper. He would hate to see us going down this road. He asked the Council to go out and solicit the broader opinion of Freeport. With 8,000 residents and only 10 or 12 of them are here, it is not a large sampling.

Peter Ingram advised that he is one of the licensed medical caregivers being talked about. He is hoping that the vote is to advance the discussion with the Planning Board. He was not planning to say anything but would like to respond to a few things he heard. One of the main things he heard is that cannabis is not the image that Freeport wants to have. He can respect that. He thinks the work that Vice Chair Whitney presented earlier is fabulous on what we are doing in the downtown. It's great for the community and is functional but he heard from local folks that the vision is not of cannabis. He feels they are pretty invisible and will continue to be pretty invisible. They are not asking to change any scaling up and not expanding their footprint. They are hoping to take the plants they are growing and supply their adult-use store as well in other towns. As for banking concerns, he pays his employees through a payroll service. They get checks. He deposits his money in his bank. He has credit unions that handle their funds. Odors are easily mitigated and they have never had an odor complaint from their nearby neighbors. He spoke to his neighbor, Charlie Smith today and he advised that he has no problem with this change. People in

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Freeport actually weighed in when they voted to allow recreational cannabis in 2016 and now nationally 60% of Americans are in favor of decriminalizing and allowing legal adult use cannabis. He thinks safety and security is a big issue. Cannabis is happening in Freeport whether the Council moves this forward or not. He is one of two commercial growers that have been licensed here. There are about 20 or 30 caregivers licensed that are producing cannabis in Freeport now. There are over 3,000 caregivers that can each produce 30 plants for their grow and the medical market they are operating in is highly unregulated. There are no testing requirements so there can be contaminated products with pesticides washing into our water source in Freeport. He would prefer to see a highly regulated system like the adult-use program that prohibits those sorts of things and tests for them so they can't end up in our ecosystems. Diversions into the black market is much less likely. Every single gram is tracked every step of the way. In medical there is no tracking.

Councilor Reighley asked what towns abutting Freeport can be grown in. Mr. Ingram did not know but noted he has put so much into the infrastructure of his building. He has an adult store and a medical store in South Portland. His average daily sales from January in the medical store have gone down probably about 25% because other stores are opening up. His adult-use store is showing a similar increase in sales. He pays property tax in Freeport but now there are no licensing fees in Freeport. In Portland they are charging \$10,000 in licensing fees per store per year for a cannabis company. In South Portland where his stores are located, he pays \$2,500 for a license. Councilor Reighley asked how many houses are around his grow operation in Freeport. Mr. Ingram advised that he has one neighbor that he shares a driveway with within 100 feet and one neighbor behind him that is within 500 feet and he has received no complaints.

Tory Lister advised that she works with the two caregivers who are interested if the Town would consider this ordinance. She mentioned odor and a lot of the regulations for adult-use businesses and there cannot be any detectable odor beyond the property line. There are also stronger protections and requirements for showing no impact on the local water supply and waste water protections, security protections and advertising restrictions. Banking is available with U.S. Treasury guidance. Businesses such as this are subject to much more serious oversight. If this ordinance was adopted, the only changes for these facilities would be that they would be subjected to stricter security but they would not be allowed to do anything that they are currently doing other than to sell to an additional market. Councilor Daniele asked Ms. Lister if they are allowed to sell across State lines to other places where medical marijuana is allowed. She advised that there are no allowed sales across State lines. She pointed out that Brunswick and Topsham are the closest towns that have opted in for adult cultivation and they may be good models to look at their ordinances. Councilor Daniele asked if this becomes federally legal and we have nothing on the books, is it open? Mr. Joseph advised that it would not unless the State changes the regulations. Councilor Bradley did not feel this is something that the Council should try to figure out here until we know exactly what the Feds say. Is it prohibited, is it legal and how they addressed concurrent State legislation. We have all kinds of issues in Maine related to the use of marine resources for instance that fall into those different categories with different results.

Chair Egan reminded everyone that the Council is not voting on an ordinance. It is voting on a recommendation to send it to the Planning Board for further discussion and whether or not we are going to do that is the vote we will have. Councilor Reighley explained that Washington, D.C. is underneath the direct governance of the Federal Government and since they have operations there, it seems like it is a pretty loose law. Councilor Piltch asked Mr. Ingram or Ms. Lister if the Federal Government has taken a stance one way or the other on enforcement. Ms. Lister advised that they are continuing to maintain the priorities outlined which said the Federal Government would allow states to have regulated marijuana markets as long as they prioritized certain areas and prevention on crossing state lines and access to

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children, prevention of the involvement of organized crime and prevention of the use of firearms in the distribution and making sure no money laundering was taking place.

Andrew Arsenault noted this is a zoning issue and we are trying to define this in a zoning issue. We can prohibit it. Councilor Daniele explained that his understanding is that they were grandfathered in. The State made a policy and two businesses came in. We did nothing and then the State later changed it to say okay, now towns have to opt in. Our two businesses are currently grandfathered so it isn't like anyone else can come in and open right now. Those two businesses are permitted because they have State licensing.

David Stevenson advised that he recently purchased 24 Noble Drive where he has been operating a legal cannabis business for the last five years in Freeport which basically has been invisible. Odor, crime and security are not an issue. He uses a bank. They are not looking to expand. They are trying to grow the same plants in the same place but under a more highly regulated market. If you look at all the successful businesses in Freeport, they are selling alcohol. What do you think about the Maine Beer Company or Cold River Vodka? We are talking about cannabis and how you can compare the two. You don't see people abusing their wives after too many joints. The people of Maine have voted on this and the people of Freeport have voted on this. In more than half the country, it is legal. He loves Freeport and loves the vision and he is not trying to pass a murky cloud on it. He has two kids going to school in Freeport and employees who live in Freeport. He pays taxes and has a health care plan for his employees. He is bringing jobs to the community and to the State. He has been up here three or four years now asking for the same simple request. He is specifically asking for his business and Peter's business to allow them to continue doing what they are doing to feed their families and help some people relax and enjoy the great outdoors or enjoy their meal. It enhances life and much like alcohol but alcohol can be very dangerous as well. He is not saying cannabis is completely harmless but similar to alcohol, it can be used responsibly. He hopes the Council will listen and he is not asking for any expansion. He is just asking for a chance to run the business he has been running for five years in this town legally and accepted in the community. He added that he is trying to open a store on Congress Street in Portland. If Freeport opts in and allows his business to operate in adult use, he will open an adult use store which has a much higher chance of survival. He can purchase from other manufacturers but feels it would be great to sell his product in his store. He is aware of Portland's stiff fee for a store.

Councilor Bradley mentioned that if the question were just two existing businesses continuing to do what they have been doing, the Council would not be having this discussion. They are coming here asking for an expansion of use in cultivation to recreational. If he could be assured that that would not expand to sale of recreational products in stores in town which four million people arrive every year, he would not be opposed to that either. It is close to Chair Egan's position but he can speak for himself. It is the concern that Mr. Stevenson is opening a recreational store in Portland to sell his product. Once he gets the opportunity to grow recreationally in Freeport, he will want the opportunity to sell it in a store in downtown Freeport. Once we allow him to grow it recreationally, the whole concept of violating or offending the brand of Freeport we are working so hard to develop will go by the by. As soon as we allow him to do recreationally here, the grandfathering of cultivation goes by the by. Mr. Stevenson added that the Council could recommend that only businesses in this town that are already here could opt in but no other businesses are allowed in. Councilor Bradley asked Mr. Stevenson how he could assure him in the future he would never expand his recreational cultivation to consumer sales of recreational marijuana in the downtown of his town. Mr. Stevenson advised that he knows there is a big pushback and the Council does not want retail in Freeport and he has no problem with that. If the Council bans retail sales in Freeport, it is a non-issue. Councilor Bradley advised that he does not want to see an expansion of cultivation for recreational cannabis. Mr. Stevenson advised that he is not asking for an expansion. He is asking the Council to allow him to participate in the adult-use program and is not looking to expand his

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operation. Councilor Piltch added that Mr. Stevenson will be doing the same thing but what would change is what regulations would apply and who he gets to sell the product to. It is the same operation growing the same plants. It would be more regulated under adult use and he would sell to a different customer. In his case, he would be selling to himself anyway so not much changes. Mr. Stevenson repeated that he is not looking to expand. He is looking to participate in the adult-use program and if the Council can help, it would be awesome. His family and his 30 employees would appreciate it. Councilor Bradley called the question.

Councilor Lawrence pointed out that it is coming and has been coming his whole life. It keeps getting more progressive so the Council will be dealing with this for the next 30 years. He feels the Council needs to get ahead of it and this regulation will allow us to do it. How many times have we heard a business say it would like to be more regulated? It doesn't happen and if we don't do it tonight and it comes through as a referendum, which he can see happen very easily, we will lose control. Now if we allow this, we can limit to two people. We can say no recreational sales or no adult-use sales in Freeport and in another ten years when there is another Council up here, it will change and the whole thing will change. We are now looking to be an experiential town so are we going to say you can experience everything this way when these people come but you can't do it that way. He doesn't think that is a good marketing strategy.

Chair Egan feels it is clear there is a lot more this group wants to discuss and he pointed out that the vote we are about to take because there is an action item in front of us is to recommend two specific uses, cultivation and manufacture to the Planning Board to then define whether or not it gets into the Land Use Ordinance and how and how many and all of the other specificities that go along with it. He is stuck on that this is not the last time we will be talking about this.

Councilor Piltch added that he has a lot of respect for people guided by their gut or emotion and are painting this as an all or nothing question but he is not there. He is looking at all the information, the data, the industry. He has spent the last few years studying the industry. He and his family do not use the product and he has no financial gain one way or the other. He is mindful that if it is going to happen, he would prefer to regulate it. He does not at all support the notion of retail cannabis anywhere in Freeport. He does not support the notion of cannabis anywhere downtown in the commercial zones. He does not think he will change his mind on that. It is not consistent with what we said we wanted in town and he hasn't heard residents say they wanted pot stores on Main Street. That is not what we are voting on tonight. When we asked our town to weigh in on it five years ago, the majority of Freeport voted to legalize cannabis so in his mind, that carries a lot of weight when we say, who are we representing and what do they want? That is in his mind. The two businesses that are here have been here for a number of years and as we heard, they haven't generated any complaints and there have not been any issues. They have been very lightly regulated. If we allow them to go under adult use, they will be more regulated. They have covered the issue well and he does not need to go into that. The seven of us have the opportunity to be specific about what we allow, where we allow it, how we allow it and under what circumstances. We get to set those rules so we can do things like insist there are no odors present, how far they need to be from churches and schools, what zones they can be in or can't be in, how big they need to be and how many will we allow in town. The businesses that are before us are wholesale operations. They are not inviting visitors or members of the public to come in and buy cannabis. That is not allowed for that kind of operation. He does not think this is a gateway issue. He does not think voting yes on this requires us to vote yes on six other things that come down the road. He does not think that allowing cultivation encourages people to use or not use cannabis. If it doesn't get grown here, it will be grown somewhere else. If anyone wants to use it, they will use it whether it is grown in Freeport or not. He is confident that the seven of us have the capability to make this nuanced decision about what components we allow or don't allow without saying that it is an up for grab and anyone can smoke pot in downtown Freeport. He thinks essentially banning these businesses from town is not what we want to do or be

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known for. We had that discussion with the clambers. If you have been doing something for a number of years, it would really stink to have the rug pulled out from under you and prohibit you from making a living in the way you have been doing that. In his view, we are not opting in in any way tonight. If we move this to the Planning Board tonight, they will have public hearings several months from now. It will come back to us with a potentially different Council. There are many phases to go through and he is not comfortable cutting it off at the knees and saying it is all or nothing and saying nothing. He would prefer to see what we would allow and take a vote on that when it comes back in six months or so and say under these conditions would we allow it or would we want to tweak it.

Councilor Reighley appreciates Councilor's Piltch's comments on this topic and his summation of what he sees and now he seconds the call to question.

**BE IT ORDERED:** That the Freeport Town Council directs the Planning Board to develop land use standards as the Planning Board deems appropriate to allow both cannabis cultivation and cannabis manufacturing and processing uses within Freeport. Said regulations to include the determination of appropriate zoning districts, the development of any recommended performance standards, and the development of any other relevant land use regulations that the Planning Board deems necessary. (Piltch & Lawrence) **VOTE:** (4 Ayes) (3 Nays-Daniele, Whitney & Bradley)

Chair Egan thanked everyone for a lively discussion and the public for participating. There will be lots more opportunities to do so.

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ITEM # 156-21                      To consider action relative to the approval of an Order of Vacation, proposing to vacate a 40-foot-wide Unnamed Road running parallel to Lower Flying Point Road. The Unnamed Road is approximately 40 feet wide and begins at the intersection with Lower Flying Point Road, whence it runs parallel to said Lower Flying Point Road along the boundary of lots 1-28, as shown on a subdivision plan entitled "Plan of Flying Point Shores – Section III, dated October, 1949 (hereinafter, "the Plan"), which Plan is recorded in the Cumberland County Registry of Deeds in Plan Book 35, Page 44; and

Chair Egan mentioned that the Council has had some discussion on this already. Mr. Joseph explained the petitioners' Counsel has sent out notices to all of the property owners. Our notices that were authorized by the Council Chair were sent out and we received one inquiry at the Town Hall asking what this is. We explained what it was and they said it is great, they were glad the Town is vacating this road. We didn't receive input from anybody else. The mortgagees and the property owners do have one year to file a claim if they believe there were damages but we are anticipating that. The clock is ticking.

**BE IT ORDERED:** The Municipal Officers of the Town of Freeport, Maine, pursuant to 23 M.R.S.A. § 3027-A, having given best practicable notice to all abutting property owners and the Freeport Planning Board, hereby order the vacation of the 40-foot-wide Unnamed Road running parallel to Lower Flying Point Road. The Unnamed Road is approximately 40 feet wide and begins at the intersection with Lower Flying Point Road, whence it runs parallel to said Lower Flying Point Road along the boundary of lots 1-28, as shown on a subdivision plan entitled "Plan of Flying Point Shores – Section III, dated October, 1949

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(hereinafter, "the Plan"), which Plan is recorded in the Cumberland County Registry of Deeds in Plan Book 35, Page 44; and

Appended hereto and hereby incorporated as Exhibit A to this Order is a list of all the names of the owners of lots shown on said Plan together with their mortgagees of record. ((Lawrence & Reighley)

Mr. Joseph has the materials from last summer when we first discussed this. Councilor Daniele asked why someone would complain. Mr. Joseph noted that these can be very contentious. Councilor Bradley probably has a recollection because he asked a lot of questions at the last meeting. Other people in the audience have been involved in these throughout the years such as former Council Chair Sachs and Mrs. Veilleux was instrumental in vacating one of these and Andrew was dealing with this when he was on the Town Council. In this case the paper street goes across two roads with properties all connected in common ownership. It made sense when the original plan was drawn because you needed it to get to the second road. We know that it has been 72 years since that plan was drawn and people put all those separated lots into common ownership so they are double deep lots that go down to the water. There is no controversy on this one. He can think of no instance where the Town would want to build a street.

**VOTE:** (7 Ayes) (0 Nays)

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**OTHER BUSINESS:**

1. Legislative update with District 48 State Representative Melanie Sachs

Representative Sachs advised that she enjoyed watching the deliberations this evening and appreciates the Council having her here. The reason she came is because she feels strongly that relationships between local and State officials need to be close and with lots of communication. When the Legislature convened in January and just adjourned on July 19<sup>th</sup>, they passed three different budgets and went through 1,900 bills.

The reason she wanted to be here tonight was to invite you and any members here in Freeport who would like to call or e-mail her to let her know what is important to them. She is lucky that many people have during this session. She didn't put everything in this 5-page memo but asked Mr. Joseph if he would not mind making sure it would go to the Council in Council materials so they can peruse it at their leisure. She didn't put in things that the Council often talked about here. She is very involved in the Remote Participation Bill with our big friends from Bustin's Island. She understands the Council did a policy about that. She also did not talk about the Governor's veto of the Video Service Provider's Bill that John Goran, a Town employee was instrumental in bringing forward but unfortunately was vetoed. That has some municipal implications and is an entirely different session. She wanted the Council to know that she worked on some of those things. She brought that 5-page memo together so the Council would know some of the high points of things that happened in Augusta that may impact our wonderful town. In that memo she talked about tax relief which was one of the things serving on the Taxation Committee that she served on this past year was really important to her. Municipal revenue sharing is one of the best things she can advocate for here in our town. She can remember those days when there was so much wrangling in Augusta that we could not set a budget from the Council because it was being decimated. This is a great equitable way to lift folks in the State and bring Revenue Sharing back and she is so excited that within the Taxation Committee they couldn't get unanimous vote the first time they did it but managed to do it for both budgets and bring it up to the levels of 4.75 and then 5%. As she said in the memo, it was a 61% increase from what they had in last year's budget actual 2020/2021 numbers. She still loves this stuff because she knows how important it is to our community. She has been trying to put in things like the

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Homestead Exemption. Freeport only gets reimbursed 70% as every municipality does. It is a great tax relief and puts it in every newsletter that she has that has great distribution to get people to take that tax exemption. She will also say today, a senior messaged her saying thanks for the news you can use for the Property Tax Fairness Credit. It is another program that a lot of people do not know a lot about. She can link a lot of it to you or anybody else that have questions about it. Because she hadn't filed her taxes because she is on Social Security, she didn't know to go back and look. She is saving several thousand dollars. This is the work they do. This is the work the Council does and this is the work she does committed to making things better because she knows you have heard it and she has heard it over and over again that people want to stay in their homes. They want to retire here in Freeport and want to be able to buy a home in Freeport and stay and raise their kids here. All of those pieces she put in around the different exemptions that people can have, the funding they put in, is a really tangible way to say that this is Augusta working for you. These were overwhelmingly bipartisan budgets so that is really exciting to her. She put in a bunch of stuff about health and wellness, things that impact our long-term care workforce which we have several nursing facilities and our Independence Association which we value and love here in Freeport. She is making sure those workers are cared for and paid adequately under Maine Care regulations and they put in a bunch of money for that. The Council has talked about and she has talked about extensively is the 55% funding for schools, raising that and keeping it at that level for schools and finally moving that. Again, you can see the numbers she put in \$433,194.62 is incredibly important to put towards tax relief for all three of our communities. One of her favorite bills was free lunch and breakfast for kids in schools that is currently being federally funded and may continue to be but they put money in the budget just in case. She worked at the breakfast program at Mast Landing for many years and you know how important for her to feed kids. She has been doing it during most of her career and there are so many good outcomes of that. She and the Nutrition Director for the RSU5 continue to work on the End Hunger Taskforce 2030. Hopefully, there will be some concrete actions to move the needle up. She is so excited about that.

She mentioned a bunch of environmental bills. Again, those were more because constituents here in Freeport really care about the environment. There were some very exciting municipal opportunities in that funding and she would be happy to talk to the Council about that, particularly though the extended producer responsibility bill which will impact businesses here and she knows the Council has struggled with. It came right after she left the Council but the whole downturn in recycling and the cost of that. She followed it closely. This bill is supposed to help share those costs with producers and to give municipalities a break in terms of recouping some of those costs for recycling. It is a step in the right direction. She talked to many businesses here and if any businesses have concerns, there are large exemptions for small businesses. It is different from when it came in in 2019 so just know there are large exemptions. She would be happy to work with people to figure that out if they are worried about the impact on them. For economic workforce and housing, she was part of the bipartisan Legislative Housing Group and worked over 40 bills to try to move the needle in housing. They know how important it is. Many, many jobs and economic workforce bills went through. She gave the Council links to the supplemental budget and also the American Rescue Plan Funding which have buckets and buckets of money for workforce development and training money for heritage industries, schools and education. All of these targeted investments are really exciting so given the money we have from the Federal Government, putting it directly to enhance the infrastructure to advance the investment in schools, the environment and the workforce are some really exciting pieces.

There is quite a bit that happened this session and she gave the Council the memo with links to the actual bills and links to the actual budget, some of the work she did but she just wanted to say that she is here and so appreciated the conversations with everyone who reached out to talk about different initiatives. If there is something the Council would like to see and there are some folks that have asked to meet with her over the summer to talk about another session. She also will get to work on a taxation study so she is

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excited about that. Her work does not end. Today she helped someone with unemployment assistance so if the Council has constituents that are having trouble with the Unemployment System, they were able to work it out within an hour where that person had spent 8 hours on the phone. She welcomed questions.

Chair Egan mentioned today he was asked in his day job where representatives from the tribes can go to find out what is specifically in the ARP funding that Representative Sachs was just referring to? Is there a summary available at her level? Representative Sachs advised that there is a link that she has on Page 5 that says \$50M for housing. Those buckets are pretty well defined and it is a pretty long list but it is much easier in a summary. If a tribal member has a specific question, either they can talk to Rita Newell who is the Tribal Representative for the Passamaquoddy or Teresa Perse who is the Chair of the Appropriations Committee in the House. She has found them to be delightful to work with. If anyone has a specific question of where do they fit in with that, let her know. She has also been working with Freeport and Pownal so they know how to get their allocation from American Rescue Plan Funding and make sure that process is as smooth as possible for local communities as well. Freeport is scheduled to receive \$850,000 through the American Rescue Plan Funding so that is a conversation for all of you. She, Mr. Joseph, Chair Egan and Keith McBride were on a call with Cumberland County to talk to them about their priorities and can some of that \$52M in Cumberland County money come our way as well. There is lots of potential within those dollars to do some great things.

Councilor Reighley noted he appreciated Representative Sachs being here tonight and would hope that the next time she wants to come, she will not be placed at the end of the agenda because what she brings forward to us is very meaningful and the community just didn't hang out long enough so we can replay the meeting and that is all good but it would be nice to have her at the start of the meeting.

Representative Sachs recalled the public hearings and how the Council has to follow the agenda. She is happy to come back as often as the Council would like her to talk about particular issues. Councilor Reighley added that this was great input. Mr. Joseph wanted to thank Representative Sachs and all the other municipally-minded Legislators. Over the past one or two elections we have seen a swing of former municipal officials get involved at the State level who have lived through arguing with the State on all these issues, especially among the people on the finance side of things. Now there is a really understanding of how all the parts fit together. Representative Sachs mentioned she is grateful for her colleagues and for the continued dialogue with the Council. She feels it is important to her to continue that dialogue. She encouraged folks to look at the memo. It is thorough but if anyone has questions, please let her know. Councilors thanked her for coming this night.

2. Discussion of Water Tanks (Mr. Joseph suggested doing this in September.

**MOVED AND SECONDED:** To adjourn at 10:20 p.m. (Reighley & Lawrence)  
**VOTE:** (7 Ayes) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary