

MINUTES
FREEPORT TOWN COUNCIL MEETING #08-19
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY MARCH 19, 2019
6:30 PM

	PRESENT	ABSENT	EXCUSED
John Egan, 38 Curtis Road	x		
Scott Gleeson, 23 Park Street	x		
Eric Horne, 62 Pine Street	x		
Henry Chip Lawrence, 93 Hunter Road	x		
Douglas Reighley, 2 Harbor Ridge Road	x		
Sarah Tracy, 2 Pettingill Road	x (arrived at 7:22 p.m.)		
Tawni Whitney, 56 Baldwin Road	x		

Vice Chair Gleeson recognized Wendy Caisse for her 13 years of service to the Town on the Planning Board, 8 years of which she served as Chair. She also served on the FEDC. She was thanked and presented with a plaque. Donna Larson explained that Wendy always infused a little laughter into the meetings and did a great job of making people feel comfortable. They tackled a lot of issues together and Donna feels very fortunate to have been able to do that. Mr. Joseph stated, from a staff perspective, they saw Wendy in quite a bit in her FEDC role, working with new business start-ups. She never hesitated to give advice even if they were competing in the same field. She did more than just Planning Board things. She continues to do a lot of Statewide advocacy. He thanked her for all the little things she has done in helping people in town.

Wendy explained the things she plans to do and pointed out that she loves this town and feels it was an honor and privilege to serve all these years. She feels the Planning Board is a really good board. Everyone is on subject with no agendas and if there was a perfect time to leave, it is now. She plans to continue to work with small businesses to help them get on their feet and help them to analyze strategic opportunities that sometimes are hard to see when you are in it. Vice Chair Gleeson thanked Wendy.

Vice Chair Gleeson called the meeting to order at 6:42 p.m. He took attendance. All Councilors were in attendance as well as the Town Manager, Peter Joseph except Chair Tracy. She is delayed but will be arriving later.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #06-19 held on March 5, 2019 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #06-19 held on March 5, 2019 and to accept the minutes as printed. (Reighley & Horne) **VOTE:** (6 Ayes) (1 Excused-Tracy)

THIRD ORDER OF BUSINESS: Announcements

Vice Chair Gleeson announced:

- **Homestead Exemption Reminder** - homeowners are eligible for up to a **\$20,000** reduction in their permanent residence's property valuation. If you have owned a home in Maine for 12 months prior to April first, you may apply for this program. If you haven't previously applied for the homestead exemption, **in order to receive this exemption for FY2020 you must apply by April 1, 2019.** Forms are available at the Tax Assessor's office or on [the state's website](#). If you have any questions, contact the Tax Assessor's office at 865-4743 x140 or x105
- On Thursday, March 28, 2019 the Town Council will be holding a **Joint Meeting with RSU5**, Town of Durham, & Town of Pownal Officials at the Freeport Community Center at 6:00 p.m.
- **Districts 3 & 4 Workshop with the Town Council** will take place on April 23rd at 6:30 p.m. at the Freeport Community Center. The Regular Town Council Meeting will follow the workshop.
- **The Annual Orientation for Board & Committee Members** will be held on Tuesday, April 9th, from 6:00 p.m. -7:15 p.m. in the Town Council Chambers. Topics to be covered include the Freedom of Access Act, the Public Notice & Meeting Process and administrative duties of Committee Chairs and staff persons. All Board and Committee members are encouraged to attend this session.
- And mark your calendar for the next **Freeport Free Movie Day at the Nordica Theatre** which will take place on Wednesday, April 24th. Donations for the Freeport Lioness-Lions Club will be collected. Proof of residency is required.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Egan advised that the Ordinance Committee met recently and had a couple of topics for discussion, one being possible amendments to the language in the Noise Section of our Ordinance related to continuous and on-going gunfire. There was also discussion on how to go about the process of permitting our soon to be informational sign we are going to put out in front of Town Hall and the language that will need to change in order to permit that sign. Both of those items will be coming forward. The Sign Language will be going through the Planning Board and then to the Council for those amendments.

Councilor Whitney mentioned she has been working with AARP to make Freeport an age-friendly town. Through that work she has been connected with other towns that are AARP certified. They have been wonderful leaders to her in helping her find a way to make Freeport a better place for all ages.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph retrieved Donna Larson from the hallway before commenting on his staff update.

Staff Update – Planning Department

Mr. Joseph has been notified that Town Planner, Donna Larson is resigning her position with the Town to take a position in the private sector with a local planning and engineering consulting firm. Her last day with the Town will be on March 28th.

Donna has worked for the Town for 19 years, and has been closely involved in the majority of development projects that have taken place during that time. During her tenure as Town Planner, Donna also took on many projects outside of the traditional Town Planner's role, specifically focusing on energy efficiency and sustainability. Many of these projects have resulted in environmental and financial benefits to the Town. Examples are numerous including heating and lighting efficiency upgrades at Town facilities, the installation of LED parking lot lights, and current projects such as LED streetlight conversions, and ongoing investigations into solar power, to name a few. Her work has had a great deal of influence on the way that the Town has developed during her time here, and personally, he's thankful for the contributions that she has made to our community. He hopes you'll join him in wishing her continued success.

Donna explained that it has been a great pleasure to serve all these years. There have been a lot of great projects over the years. While this has been a difficult decision, she feels it is a good time, Freeport is going through a new chapter and it is a good chance to get some new leadership in and solve different problems. She is not leaving the area and there is a good chance everyone will see her quite a bit.

Vice Chair Gleeson mentioned he has been working with Donna for seven years and there have been a lot of interesting topics that they tackled. He thanked her for her service. Councilor Reighley explained that as a citizen, every time he wanted to come and talk to Donna, she made time for him. As a Board member, the same situation and as a Councilor the same situation. He has been treated very fairly all the way through the process with information allowing him to make good decisions beneficial to the Town and Donna's information has always been spot on. He thanked her. Councilor Horne noted he has only been at this for a year but wanted to highlight Donna's work on the Active Living Committee which has been tireless. He thanked her. Councilor Egan appreciated her efforts and forward thinking on the issue of affordable housing. He served on the Freeport Housing Trust for years and that group was active in developing a lot of projects which were made possible with Donna's guidance and good work. There are a lot of people in this town that have an affordable place to live because of her contribution. Mr. Joseph brought up energy improvements and so many of the grants she worked on. He thanked her.

Staff Update – Police Department

On March 1st Sergeant John Perrino retired after thirty years of service with the Freeport Police Department. Prior to his time in Freeport, John served as an Officer with the Auburn Police Department. Please join him in wishing John the best in his retirement.

After conducting a selection process to fill the position vacated by Sgt. Perrino's retirement, Police Chief Sue Nourse nominated Matthew Moorhouse, a nine-year veteran of the department, for promotion to Sergeant. Matt was officially sworn in as Sergeant on Monday, March 18. Sergeant Moorhouse will continue to serve as Freeport's K-9 Officer, with his partner, Cassie. Mr. Joseph congratulated them both.

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes) (Non-Agenda Items Only)
There were no public comments provided. The Council moved on.

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

ITEM #43-19 To consider action relative to adopting the March 19, 2019 Consent Agenda.

BE IT ORDERED: That March 19, 2019 Consent Agenda be adopted.
(Reighley & Horne)

Vice Chair Gleeson reviewed the items on the Consent Agenda for members of the public.

VOTE: (6 Ayes) (1 Excused-Tracy)

ITEM #44-19 To consider action relative to a determination that Doherty's North Freeport Store is required to obtain a Victualer License. PUBLIC HEARING

MOVED AND SECONDED: To open the Public Hearing.

MOVED AND SECONDED: To close the Public Hearing.

BE IT ORDERED: That a determination be made that Doherty's North Freeport General Store, 130 Wardtown Road is required to obtain a Victualer License pursuant to Section 8 of Freeport's Victualer License Ordinance (Chapter 30).

Mr. Joseph suggested passing over this item because in the last two hours the conditions that would have led to this have been corrected. A license has been obtained. Vice Chair Gleeson agreed to pass it over.

ITEM #45-19 To consider action relative to amendments to Zoning Ordinance, Chapter 21, Section 104, Section 409 and Section 411 to allow car washes, and clarify setback reductions in C-1 District and to clarify combined setback requirements in C-3 District. PUBLIC HEARING

MOVED AND SECONDED: To open the Public Hearing. (Whitney & Horne)

VOTE: (6 Ayes) (1 Excused-Tracy)

Town Planner, Donna Larson explained that this amendment request came from a property owner in the C-1 District. The Planning Board had a couple of meetings and discussed it. What the Council has before it is a vehicle wash center. She pointed out that it also allows a bay for washing pets. She went on line and did some research and lo and behold, it seems to be a new trend so we will be able to have pet washing also. While looking at this district, she made a few corrections and that is what the setback issues are. They are just correcting. They are not changing the substance of it. It is making it clearer. The Planning Board did not hear any concerns voiced by any property owners. It will be serviced by public water and public sewer.

There were no public comments provided.

MOVED AND SECONDED: To close the Public Hearing. (Whitney & Reighley) **VOTE:** (6 Ayes) (1 Excused-Tracy)

BE IT ORDERED: That amendments to Zoning Ordinance, Chapter 21, Section 104, Section 409 and Section 411 to allow car washes and clarify setback reductions in C-1 District and to clarify combined setback requirements in C-3 District be approved. (Whitney & Reighley) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Tracy)

ITEM #46-19

To consider action relative to amendments to Zoning Ordinance, Chapter 21, Section 426 to differentiate islands that are connected to the mainland with a causeway and those only accessible by water, and to establish restrictions accordingly, to update timber harvesting language, and update the use of “nature interpretation” to outdoor recreation and outdoor recreation school.

MOVED AND SECONDED: To open the Public Hearing. (Horne & Reighley) **VOTE:** (6 Ayes) (1 Excused-Tracy)

Town Planner, Donna Larson explained that in the 19 years she has been here, this is the first zoning amendment she has brought forward on the Island District. It is not one that a lot happens on. There are different islands and there are different rules. Some island can have a house and others can have nothing and it makes the distinction there. You can only have one accessory structure and they ran into an issue recently where the one accessory structure was a problem and the Board looked at that. Freeport has two islands that are connected to the mainland by a causeway. The rest of them can only be accessed by boat. Because of the proximity to the mainland, it made sense to treat those two islands differently. One of the islands is adjacent to the L.L. Bean Kayak Center down on Flying Point. She was working with both of the applicants at the same time and this happened to come together with both applicants requesting this amendment. The kayak school is an outdoor recreation school and they are thinking about maybe putting some temp platforms out there and letting people camp. They do have temp platforms currently on the mainland side and would like to put some more out there. This also says that with this change the Bartol Island and Flying Point does not have that same limitation on accessory structures. The only district that she has seen this in is in the Island District. On those islands where you can have a house but you can only get to them by boat, you still can have only one accessory building. The Planning Board thought that these that are so close to the mainland and you can drive a car out there, that treating them differently made sense.

Vice Chair Gleeson explained that Chair Tracy had some comments on this particular item but she is running late and isn't here so he asked Mr. Joseph if the Council could table this temporarily. He doesn't have any issue with this and it appears the public doesn't. Mr. Joseph explained that the Council has to hold a public hearing before moving forward on it. To act on it, if it is not done immediately following the public hearing, it will be done in two weeks. There is a procedural question here. We have already held the public hearing and tabling would be to get input from a Councilor that has already spoken to Vice Chair Gleeson about it.

MOVED AND SECONDED: To close the Public Hearing. (Horne & Reighley) **VOTE:** (6 Ayes) (1 Excused-Tracy)

Mr. Joseph researched the Charter and explained that after the hearing the Council may adopt the Ordinance with or without amendment or reject it but in no case shall the Ordinance be adopted or rejected in less than 14 days after the public hearing unless the majority of the Council acts on the proposed Ordinance immediately following the public hearing. His interpretation is that if the Council does not act on it before moving on from this item, we have to wait 14 days.

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BE IT ORDERED: That amendments to Zoning Ordinance, Chapter 21, Section 426 to differentiate islands that are connected to the mainland with a causeway and those only accessible by water, and to establish restrictions accordingly, to update timber harvesting language, and update the use of “nature interpretation” to outdoor recreation and outdoor recreation school be approved. (Horne & Reighley)

Vice Chair Gleeson asked Ms. Larson if there has been any concern or feedback about changing this. Ms. Larson replied “no”. Councilor Horne asked if there is a time sensitive nature to this change if the Council were to wait two weeks? Ms. Larson advised that one of the owners of Bartol Island has a building permit out and it would make a difference on his building permit.

Mr. Joseph pointed out that at the last meeting, Chair Tracy indicated that she wanted to have a discussion with the Town Planner regarding the Planning Board’s input specifically as they are related to Bartol Island. Councilor Reighley asked Ms. Larson if the Council Chair has spoken to her about this between the last time this was brought forward and now? Mr. Larson advised that she has not spoken directly to her about it. More discussion followed. Vice Chair Gleeson noted that Ms. Larson will not be here in two weeks.

Councilor Reighley pointed out that Chair Tracy knew she had questions to ask but knew she was going to be late, those questions could have been here in writing and could have been asked of Ms. Larson at this particular time. He suggested that the Council vote on the item. There was agreement from other Councilors.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Tracy)

ITEM #47-19 To consider action relative to amendments to Zoning Ordinance, Chapter 21, Section 104, Section 406 to allow boatyards in the MD-A and MD-B Districts (Route 1 North) and to clarify flexible setback reductions.

MOVED AND SECONDED: To open the Public Hearing. (Lawrence & Reighley)
VOTE: (6 Ayes) (1 Excused-Tracy)

Town Planner, Donna Larson explained that someone proposed to put a boat yard, which is a very common use in Freeport, up in the MD-A and MD-B Districts and she would have thought it would have been a permitted use but lo and behold it wasn’t. This proposal is suggesting that this be added as a use. In looking at the definition we had, it did not include boat sales. It includes everything but boat sales. Every single one of our boat yards sells boats. While there is a lot of repair and storage that happens, they are there to sell boats. This corrects that also.

There were no public comments provided.

MOVED AND SECONDED: To close the Public Hearing. (Lawrence & Reighley)
VOTE: (6 Ayes) (1 Excused-Tracy)

BE IT ORDERED: That amendments to Zoning Ordinance, Chapter 21, Section 104, Section 406 to allow boatyards in the MD-A and MD-B Districts (Route 1 North) and to clarify flexible setback reductions be approved. (Lawrence & Reighley) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Tracy)

ITEM #48 -19 To consider action relative to release Mortgage Deeds for the following property.

BE IT ORDERED: That release deed be signed for Joyce Cressey (Personal Representative of the Estate of Robert T. Greenleaf, III) at 131 Wardtown Road releasing the Town's interest in said property.

BE IT FURTHER ORDERED: That the Town Manager be authorized to sign any deeds or documents necessary to execute this transfer. (Egan & Horne)

Mr. Joseph explained that this is a simple clean-up. It is from a tax lien put in place in 1965 and was found on title research. The property was subdivided after the tax lien was filed. Lien release deeds were issued for a portion of the properties but not some of them after they were divided. Our lien obligations have been fulfilled and paid completely. The Town has no record of any back taxes being owed on any of these parcels associated with the mother parcel originally. Inadvertently, the chain of title still says that this piece of property is lienied by the Town back in 1965. The PR of the estate, their attorney, brought this to the attention of our attorney. The Town Attorney has reviewed this. We have looked back at our tax records. This is a clean piece of property that is still encumbered by a 1965 action that was never released. That is all this is. It requires action by the Council.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Tracy)

ITEM # 49-19 To consider action relative to amendments to Chapter 28, Article 2 "Waste Haulers" of the Solid Waste Disposal Ordinance.

BE IT ORDERED: That a Public Hearing be scheduled for April 2, 2019 at 6:30 pm in the Freeport Town Hall Council Chambers to consider amendments to Chapter 28, Article 2 "Waste Haulers" of the Solid Waste Disposal Ordinance.

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

NOTE: Chair Tracy arrived at 7:22 p.m.

Town Engineer, Adam Bliss explained that in recent weeks we have heard about contamination with respect to recycling. We have identified two sources. The source we are talking about in this Solid Waste Ordinance Amendment is with private haulers and curbside collection. The request is to amend the Ordinance to allow us to pass on fines that the Town receives as a result of private haulers for tipping excessively contaminated loads at ecomaine.

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Mr. Joseph mentioned he always gets the question why is it a Town cost that is passed on? Like all of our tipping fees, the Town pays the disposal costs for the waste that is deposited at ecomaine, whether it is contaminated recycling fees or whether it is the Municipal Solid Waste, regardless of where it comes from. If it comes from our Transfer Station, private haulers or a citizen contracting with a small hauler to move it. It is the responsibility of the Town to pay those costs. The hauling service whether the Town pays for hauling from the Transfer Station to ecomaine, private citizens pay for their curbside hauling to pick up the actual transport costs were paid individually. However, the bottom-line disposal costs remain the responsibility of the Town and is tax funded. We are ultimately getting the bill for everything.

Mr. Bliss noted there was a time up until last May where the actual tipping of recyclables did not incur a cost. Now they do and what we are talking about this evening is excessively contaminated loads above 25% contamination.

VOTE: (7 Ayes)

OTHER BUSINESS:

Public input session Silver Bullets

Adam Bliss explained that we have been talking about recycling and contaminated recycling for the third meeting in a row now. It was first introduced under Other Business as an informational sharing of where contaminated recycling is occurring. We identified the sources as within silver bullets, at curbside pick-up by the haulers and our Transfer Station. He worked with a resident in Freeport who is strong in analytics and graphical communication and made a presentation that identified where the least contamination and the greatest contamination is occurring. The least would be the Transfer Station, a controlled environment and the greatest contamination, private haulers. In between are the silver bullets located in four locations. There is one at Doherty's Market, one near the Public Works Garage on Hunter Road, the third is at the Public Safety Building and the fourth is in South Freeport. Each have contamination levels that elevate our overall contamination which he believes creates some negative press and doesn't send the right message as to the intent of the program. We average about 16% contamination and where that falls with other communities is close to the top of the list. As a follow-up to that presentation he wrote a memorandum to the Council defining the problem and providing options. Is the problem lack of education, lack of knowledge, is it outright violation? He has collected some anecdotal data and the presentation data which suggests that two of the four locations be removed. The supporting reasons are that they are excessively contaminated. They carry a high cost in not only transportation costs but the rejected cost over a given year. The contamination tends to be cyclical. We note the seasonal trends around the summer months at some locations and over the holidays at other locations. He concluded with the memorandum of options he provided the Council. There were 10 options. The least preferred was do nothing, leave the problem alone. That is not a great message. His recommended option was to remove two of the four. We had a robust discussion and we agreed to take this up tonight after the public was given an opportunity to review the information posted on the new webpage. Mr. Joseph added that there was also discussion by the Council considering other options like removing all of the silver bullets and doing access control at all the silver bullets leaving them in place with fencing or doing hourly non-nighttime access control. Those were put on the table. Mr. Bliss is a firm believer in recycling and sustainability. He does not want to send the message that he is not a believer in that. He is also a believer that whatever product we deliver to ecomaine should be clean and have the least amount of tax burden on residents and should not create negative press because we tend toward the upper level of the contaminated communities.

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Chair Tracy noted we don't like negative press but asked Mr. Bliss to explain the particular concerns. Mr. Bliss explained that it is a hot topic and it was in the last *Press Herald* and *The Forecaster*. Recycling is an issue. It is a local issue, a regional issue, a national issue and an international issue so it receives attention from time to time. Mr. Joseph added that a different way that was talked about at the Sustainability Committee is the fact that when we are delivering contaminated recycling, it goes into the incinerator, it's calling it recycling but essentially it is trash collection. Maybe not press so much as public perception and the public image and the faith behind that if you are putting something in a recycling bin, is it actually getting recycled? That is another angle to it as well. It erodes the confidence that if you put something in a recycling bin and 20% of those loads are getting sent to the incinerator, what is the point? Does that lead people to be less likely to take the time to separate their things and recycle if they are not sure it is actually being recycled.

Councilor Reighley mentioned that in talking about the burning of recycling materials, does it generate energy? Mr. Bliss indicated that it does. Rejected loads are burned in the incinerator which generates electricity at ecomaine.

Josh Olins, Chair of the Sustainability Advisory Board, noted that he would not present any opinions about this. This is something that is happening and we can't go back at this point. The fines and the contamination are reopening the profitability of selling the product from ecomaine. It is reasonable and it can't be sold so we have to pay that price. He sees the solutions as being three-tiered, sort of an engineering side which we cannot really control. It is happening behind the scenes and on the education side, we can control and make some real changes in Freeport. He does not believe we are afraid to see real changes if it improves the situation. He wanted to add about the efficiency of using the compactor at the Transfer Station. It allows us to stuff up to five times more recyclable materials into the same size container and really reduces our overall CO2 footprint when it gets hauled so this may be an overall gain. To balance, we really do want the highest amount of recycling in our town but at a certain point, the balance is tipped to having the lowest carbon footprint as well. He was impressed at the last Council meeting when that was being discussed. He feels it is important to weigh yes, recycle as much as we possibly can, but also look at our big town carbon footprint. Is it more efficient to send fewer trucks but that means more cars driving to the Transfer Station to offload their personal stuff or sending more trucks with emptier loads? These are things to consider.

Kate Rosenfeld from the Sustainability Advisory Board read an article from the Natural Resource Council of Maine. People in Freeport, Maine and all around the country are making decisions like this, are we going to give up recycling all together because now they can't be recycled and we are being charged for them and being assessed for contamination where we were not before. That is what it comes down to. How do communities respond? Some communities have decided to cut it out altogether. They feel they can't afford to pay the fees. She doesn't feel we are doing anything worse than anybody else. She does not like the message to give it up altogether. She would like to keep recycling if it means we have to move more bins into the Transfer Station. She would support legislation that makes makers of these recyclable products financially responsible for helping us dispose of them.

Suki Rice, Hunter Road, Freeport Sustainability Committee advised that she really appreciated the last Council meeting when all the options were set forth. She became more aware of the carbon footprint of taking lighter weight containers down to ecomaine. At that time, she spoke about her inclination of a much stronger educational consciousness raising. She is still in favor of that. She spoke with Katrina Van Dusen of ecomaine about how to go about doing that. She mentioned there is some creative new signage, A-frames and different kinds of things that different towns such as Yarmouth are doing. They have some fine new signage and would welcome others including school children creating Freeport's own

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signage and murals, etc. They can do community television. Informational stuff that would love to be able to go to schools because parents tend to make their changes when their kids point out that those do not go in recycling. They would be willing to help us do some type of adult education at the Library. Four local towns are hiring interns to help on the contamination issue. The problem for Freeport has been enhanced since we went to the single sort whereas it was very clear – only paper, only plastic, milk jugs or tin cans. It has been since that time that there have been backpacks and other things tossed in. One thought was that we continue to do single sort but make it much more clean and clear what can go in. When we are able to get back to recycling with China or whatever through a much cleaner, uncontaminated product that recycling can continue. She is cognizant of Mr. Bliss speaking about the safety issue of the silver bullet over by the Public Safety building. She is also cognizant of the Doherty silver bullet being one that is closer to some of the lower incomes and wanting to make sure that there is some way of keeping recycling accessible to people that don't have the ability to do the travelling.

Sarah Victor of the Freeport Sustainability Advisory Board mentioned that she agrees with everything Josh, Kate and Suki have presented. She feels the education piece is really important. She understands the need to reduce the tax burden and streamline the process but it would be imprudent to remove the silver bullets. However, we move forward, she would like to keep the doorway open for our town to continue to set an example of sustainability practices. She reiterated what Kate said about passing legislation to factor in the actual life cycle costs of products. The upfront cost of a product is not really the cost of the product. Eventually she would like to see zero waste packaging in stores everywhere in our country as well as Europe. She hopes this will not be too far in the future because our kids can't wait for us to sit around too long and talk about it.

John Lowe of Ledgewood Lane in North Freeport mentioned that he believes the silver bullet over on West Street is the first silver bullet we ever had. A lot of people from all over town go there and if any of them are going to be done away with, he hopes it would not be the first one. He feels more people will be affected by doing away the one on West Street. He uses that one and often finds it full so he has to wait until it is emptied on Friday morning and Monday morning. Since he got one of those blue buckets, he has been recycling more at the Recycling Center rather than use the container on West Street. The hours at our Recycling Center are limited. It is not open as many hours as other places. If we decide to do away with all the silver bullets and rely on the Recycling Center, he would like to see us have some Sunday hours but does not know if that would be possible. He would like to see more education and put up some signs "Don't put in trash bags! He has sent the Town Manager pictures of what he has seen disposed of with labels showing who disposed of it.

Chair Tracy suggested getting feedback on where Councilors are. Vice Chair Gleeson mentioned that at the last meeting, the Council heard that the Doherty's Store and West Street were the biggest contaminators and we were talking about having two and trying that first. He is not for eliminating them all together but maybe trying to cut down the biggest contaminants and hopefully, the people contaminating those won't contaminate the ones that are left. This is where he is at.

Councilor Lawrence mentioned there are two problems. One is contamination and the other is not as full of a trailer going down to ecomaine. He would like to see us do some of the recycling ourselves at the Transfer Station. While we can't do anything with a silver bullet, we might have to change what it looks like but glass, plastic, etc. can be picked up and if you brought it to the Transfer Station, it could be sent out. He is aware there is a manpower problem there but it is something else we can explore.

Councilor Horne is still promoting better education. He thought it was an easy process to recycle. The list is there and everybody knows what to recycle. He doesn't believe they really know what they can put in and what they cannot put in. Plastic bags are still a new piece of information for people in Freeport. He

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thinks the Council would be remiss going too far down the road and eliminating any of the silver bullets. He feels there is a lot of well-intended people that are just misinformed or they are using information that they got from before. On our silver bullet it says recycle plastic bags and then there is a thin Sharpie that crosses it out. That is not really education. For a certain amount of time, we should focus on the list that Sukie developed on the education front. He is not against eliminating the heavy offending units at some point but feels there is still an opportunity to inform the public better than we have. This is a national issue. It is in the *New York Times*, it is on the news so everybody knows about it. He has to believe that ecomaine is burning the midnight oil trying to figure out what solutions they can bring to their participating communities and maybe we can be an innovator and help ecomaine and other communities. Maybe it is going to a much-simplified system with some town involvement bringing stuff into our facility and crunching it down. It sounds like there are some cost efficiencies there if we can crunch it down and pay for fewer trips. It is money in the bank for putting this other system together. There is more work to be done on that topic. Citing the ban on foam and plastic bags, there is no reason why Freeport couldn't be an innovator for the next thing. Maybe we decide in Freeport that we don't want certain kinds of things that we have decided are very expensive to get rid of. It might help other communities. Educate, simplify the stream, innovate and maybe some solution, don't give up the ship. Hopefully, the recycling market will correct. If it is not China buying it, maybe there will be domestic plants that can use the stuff if we can clean it up.

Councilor Whitney agreed what has been said as well. She has been giving some thought to why don't we give out awards? She knows there are a lot of volunteers here in the room that would be willing to stand by a silver bullet on a Saturday. A) they are watching what is going on and B) they can help educate. She does not believe people are malicious in what they put in most of the time but with the changes, they don't always know.

Councilor Reighley mentioned that unfortunately, this situation is not unique to Freeport and not unique to the State of Maine. It is something we need to address nationally and at some point, we need to move our federal government to consider a disposal fee for those items that are out there. He mentioned that he has four or five printers in his basement. Things are constructed now and planned obsolescence and we have no way to dispose of them yet that manufacturer knows we are going to buy a new printer because it is cheaper to buy a new printer than to buy cartridges. Those manufacturers now need also to have a planned obsolescence tax. We have done a good job in Freeport with foam and eliminating single use plastic bags but we get a lot of items coming in on UPS and Fed Ex that contain too much packaging. We are not buying locally. We are buying what is cheaper and it is being shipped into us. If these people had to pay for the packaging materials they are using as a tax fee, all of a sudden it doesn't become cheaper to buy on line and it really does pay to go and talk to somebody that knows what they are doing when they are selling you something. We need to look at a packaging fee, another tax. This is all going to have to be on the federal level. We can move things forward and do things in our town like having a reduction in packaging or even cardboard recycling at the place of purchase so you don't take the box home with you. A lot of this has to move federally.

Councilor Egan pointed out that any vendor who sells motor oil is required to take the oil back when people do oil changes or have some mechanism to direct their customers for proper disposal of that oil. Vendors that sell tires are required to charge a disposal fee when the tires are changed and the old ones are collected. There is already a blueprint for how this can happen. Paint and mercury is another one. That could take a while but it should get going now. He wanted to make a proposal that he would volunteer to assist the engineer but direct the engineer to do a little bit of analysis using for the budget, the dollars we are spending on uncompacted transportation of the recycling containers and pace it out over a small number of years and compare it with the cost of potentially a second compacting unit and we explore the idea of community located recycling collection points and single sort and that they be Town

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of Freeport controlled so we have a little more access and control over when and where we are going to collect the recycling materials. We then control the compacting and have a little better handle on the shipping. He agrees with all of the comments that the community is working to recycle and there are a lot of people who are really focused on it and apparently a growing amount of people who are not focused on it. If we can identify single sort to continue to make it accessible and easy and also control the manner right down to the opening of the container. Maybe you will have to stand there for 90 seconds to load your glass containers one at a time. We can then compact that and consider how effective it might be to ship in bulk compacted. He is willing to volunteer to help the engineer and others potentially staff at the Transfer Station to work on that.

Chair Tracy does not see this as a single solution. She feels it will take some time and we are going to have to do this on multiple fronts. She agrees we have to educate and we need an effort to increase signage and make it clearer. Broadcast the app that Josh keeps talking about but she doesn't feel that is the only thing because she thinks the Council has a fiscal responsibility to be prudent and her sense is that there are two things going on. The market has changed so we are paying contamination costs that we did not previously get charged but also, we discovered that we are being inefficient. We are half filling or 20% filling the massive silver bullets and then dragging them down to ecomaine. That is a real cost. She is concerned about it. It doesn't seem efficient or necessary. She loves recycling and drags her bins down to the West Street container and will do it. She loves the feeling of not dropping it into a landfill. But, she does not like the feeling of wasting our money. This smacks a little of wasting our money when we are not being efficient about how we are using our resources. Regardless of the education and what we should do about contamination, she still has a transport problem because we are paying a lot of money and we don't have to. At some point we have to have faith that at one point we needed things all over town to make sure people got into recycling. While we have had the benefit of a change in culture and it is a little more familiar but some people still don't do it. A lot of people do and we have to have a little bit of faith that if we make some changes to be smarter, that everybody will not throw the baby out with the bathwater and say "fine, I am not recycling anymore." She is not afraid to test that a little bit. We have a lot of people in town on fixed incomes and now knowing what she knows about the kinds of costs we are paying to transport these silver bullets down to ecomaine that are not full, she is concerned about those costs we are paying. Philosophically she does not want to kill recycling. If we end up relying on the Transfer Station, she would be open to expanding hours and trying to make it easier and not shutting it down or desensitizing people from recycling.

In the area of education, she has four big categories: Education, the issue of the silver bullets, the transportation issue and innovation. On education we heard from comments that ecomaine is a resource and Councilor Whitney's idea about awards and the possibility of having volunteers in town helping to educate. She feels the Sustainability Committee has a role in this. There are other pieces that go under education as well.

The issue of innovation, we talked about possibly innovating our process like transporting our own recyclables to the Transfer Station and Councilor Egan mentioned controlling the size of the openings to take more ownership over how we are recycling. The recurring theme is the the silver bullets in town, and the tension between the highest contaminated silver bullet versus the easiest to use or most accessible or most proximate to communities. The inference is that if the silver bullet moves, they might not change their behavior. She does not know if that is true or not but trying to make it easy to recycle versus highest contamination. She would throw in another piece which is most accessible to people who are not our residents. We are not in the business of recycling everybody else's stuff. It is not to be selfish, it is because we have limited resources. She is mindful of recycling locations that beg people who are traversing through our town to drop it off on the way. She is concerned about this because we do pay.

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Under the silver bullets, how many do we keep? Do we reduce them now or do we keep them and see if we can change the issue through education? Those were the big categories which she felt might simplify things. She heard two fundamental questions. One she heard in terms of follow-up, the concept of transporting recycling to our own Transfer Station. She saw it first in Valy's letter to the council suggesting we use town trucks to drag the silver bullets to the Transfer Station and compact it there. She heard it in Councilor Lawrence's comments. There is a question of is that viable and do we want to use town trucks or could we use town trucks? There is a related question, if we control our process in this way, we start to carve ecomaine out of the middle part of the process and just drag it down at the end after we compacted it all. Would ecomaine let us do it with their silver bullets? Do we have any fees that we pay them anyway?

Councilor Lawrence advised that if we went to that model, it would not be a silver bullet. It would be something we put out that we could control. We would have two big containers at the Transfer Station so they would be coming to the Transfer Station instead of going to four places in town. It would allow us to compact it. Councilor Horne mentioned the fees that we are paying ecomaine to bring those silver bullets into Portland, we would be saving \$60,000 on the table if we can get the trip numbers down. It will require a lot of analysis and some number crunching. There are some efficiencies there and it may not be as expensive as it sounds at the front end.

Chair Tracy asked Mr. Bliss to react to this concept of us transporting the recycling to the Transfer Station and trying to be more efficient about what we ultimately transport down to ecomaine.

Mr. Bliss stated that we have covered a lot of ground and a lot of ideas have been presented. He anticipated to be talking about operational logistics so he invited our Transfer Station Manager to talk about logistics. He will handle the big picture stuff and let her jump in with the day to day challenges. He likes the idea of compacting at the Transfer Station and reducing the number of trips. Conceptually it is a good idea but logistically he runs pessimistic on that because we haven't necessarily addressed the contamination that gets into the container in the first place and when we bring that container to the Transfer Station, we really don't have the means to sort that out and separate contaminated from what is recyclable and then even if that were possible, we would have to get those two masses into their respective compaction containers. Then there are staffing issues. We are very short handed.

Chair Tracy wanted to press Mr. Bliss a bit. She is not saying this is a good idea by exploring it but when he said he can't deal with the contamination. She noted we could either deal with the contamination by 1) dealing with education and sort of proctoring at the outposts. 2) Another way which would be labor intensive would be decontaminating in the transfer process from the outpost containers to the compactor which would be very manual and expensive. She asked if this is fair?

Mr. Bliss advised that this is what he heard and if he misinterpreted, he asked Chair Tracy to correct him. As a way of getting heavier loads and fewer trips down to the Transfer Station. He agrees that education may be the biggest component to all of this. He also agrees that there is no single solution. It is a multi-pronged approach. It is a complex issue. We have covered a lot of materials. Packaging materials have gotten more difficult. Suzanne volunteered to spend time at the outpost collecting data and documenting what she sees being thrown into the containers and also educating. We have been proactive over the past couple of weeks with them. We know that out of town users put their materials in the container at Doherty's and we also know that there is maliciousness. It happened today. These are reasons why he is pragmatic about these ideas because he has to think logistically and safety and fiscally as well.

Suzanne explained that yesterday she was at West Street observing what they were doing. When she saw

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people putting in plastic bags she explained that ecomaine doesn't like that and gave them a card of the dos and don'ts. An older gentleman put in a black plastic bag containing newspapers and a bag of trash. She does not think that was lack of education. Today she was at Doherty's and noticed that someone opened the back of the container and put in a television. She doesn't think it was lack of education. It was intentional. Chair Tracy asked what her reaction of this concept of trying to control our own recycling within our borders and being more proactive by transporting it to the Transfer Station where it could be compacted. Suzanne noted that she cannot envision how that would work. It is a very small space and they make use of the space as efficiently as they can. She can't envision them receiving material and dumping it anywhere. It would have to be in a building and they don't have one for that kind of activity. There would have to be some major investment in that sort of situation. The easiest thing is to get the people to put the material in the compactor initially and manage it a couple of times.

Mr. Joseph reported that he only heard about the concept of bringing uncompacted material to a central location and then compacting it four or five hours ago so he is fresh on this concept. His initial thought was sure we could do it with the staffing or investment. There will be a cost to doing that, even transporting. We don't own the silver bullets so we would have to have some kind of a container but he heard tonight to have an outside compacting location based somewhere else in town other than the Transfer Station, that would be a large capital investment for the compactor and the container but it would be a relatively low operational cost of a staff person to monitor it the hours it was open if we had a tight way to access because of the safety issue, fencing it. He did not think about that idea until it was suggested today which gets to the point that there are a lot of good ideas being thrown about. He would want to sit down and do some costs but that is a completely different idea. Staff has not had a chance to sit down with Suzanne and determine what this would mean for staffing and what increase she would need at the Transfer Station if they were to do these things. He would commit to work with the Council and Adam exploring those things but there is some potential there. Any of those ideas would work but they will all cost money and the question is can we do any of them for less the \$60,000. Maybe we want to spend a little bit more in being efficient, labor intensive or cheap but you can't be all three of them. Maybe it is not all about long term saving big bucks but to do it better and cleaner.

Chair Tracy needed to understand if the Council wanted to take any action tonight. Clearly there is more work to be done in analysis and number crunching. We should direct staff and Councilors willing to assist in crunching those issues. It seems to her that everybody is on board to finding a way to increase education around recycling, what is proper and what is not, signage and those kinds of things so no matter where one is recycling in town, we are improving that public outreach. Councilors were in agreement. The sticky wicket is what do we do about the four silver bullets we have. We are handling the issue of our private handlers which is our most contaminated source so we are working on that through an Ordinance change and we just set it for public hearing next time. That would allow us to pass fees on to private haulers who unfortunately will pass fees on to their customers but that makes people accountable for contamination and not us responsible for subsidizing them. The next issue is do we address two silver bullets? The one on West Street has been an issue partially because of contamination and partly because of safety and the proximity to our Public Safety and Fire Department. The one at Doherty's North Freeport Store seems to be an issue because of contamination and proximity to people who don't live here. They are dumping it on the way through. The other option is to do all and direct all to the Transfer Station and the other option is to do nothing and wait to get more feedback and see if education works.

Councilor Reighley mentioned we have service groups, Rotary, Masons, Scouts, etc. in town. He asked if we could invite them to help us with this education piece. Chair Tracy agreed and she envisions asking the Sustainability Committee to take that on and that could be part of that analysis.

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Vice Chair Gleeson noted that he agrees with the fiscal responsibility component but eliminating two silver bullets would potentially press to the remaining two to be more full when they are picked up. Regarding contamination through the Sustainability Committee, could there be very clear signage that makes it so clear that if you are putting a plastic bag containing anything, it plainly says “this container is at risk of being removed because of contamination. Make it loud and proud and get it out there. Then we check and if the contamination levels are still there and he agrees that a television is clearly malicious. He was targeting the two biggest offenders of contamination and always thought the town should have at least two silver bullets. The two cleanest ones are Hunter Road and South Freeport. He agrees we have a fiscal responsibility and if it is truly malicious and it is truly isn’t education, he would be in favor of removing the malicious offenders. He would like to know if we can really find out if it is 100% malicious or does the contamination rate go from 16% to 6%.

Councilor Lawrence asked if we say empty container, is it because it looks full but is not compacted and that it is leaving the station really half full? Mr. Joseph mentioned they are hauled when they are full but some are on schedules. Councilor Lawrence advised that if we do the signage, he feels we should also tell them what the consequence is. By contaminating this load, you actually cost the town \$60/load, \$100/load etc. This container does ten loads a week so show them the math and maybe they will reconsider.

Councilor Horne had a new idea. Maybe we need a stick and say “if you are caught contaminating this load, it is going to cost you \$. The consequence will accrue to the offender. He would support something like that.

Councilor Egan advised that he is uncomfortable assigning good and bad values to a container that translates to a particular part of town. He is sensitive to that. He does not want to say that there is a good one in South Freeport and a bad one in North Freeport. People can read into that and say that there is a value judgment made on what is going into the container about who lives near it. He does not want to send that message. The people who want to recycle and want to contribute to this at least will think about it and make an effort to find a container. He encouraged the Council to get to the point that the container that is behind the fence and is monitored has the absolute lowest contamination and that is because it is monitored and people are not going to take advantage of an opportunity if there is an unstaffed, unprotected and unfenced trash container that they can just throw their stuff in. If the Council is going to make a decision now before we have the data, he would say move them to behind the fence but feels it is too soon until we do some education and get more data. That is the direction he is leaning towards. The town is not that big. We have encouraged and got a good recycling program going and if we had a center or maybe two locations that are compacting materials, we would be getting a much better result.

Councilor Reighley asked Councilor Egan where do we place those containers right now? South Freeport has a street light and a church across the road so there is people and traffic all around it. At Doherty’s Store it is away from the store and has no light. Behind the Public Safety Building, there are no windows looking out where the container is. Maybe if we moved the silver bullet to where there is a window, people will begin to see that people could be looking and they will become more sensitive. We put trash containers in a trash area. He suggested moving them to a respectable area.

Chair Tracy mentioned the piece she doesn’t hear, she agrees with Councilor Egan and does not want to do value judgments in town. We are dragging four 20% full silver bullets by weight but visually are full down to ecomaine two or three times a week. That does not seem to be fiscally responsible. For her part the contamination is less of an issue than the transportation issue. All the education is great and she wants it but we should do it to get people who are not recycling, to do it and get them to go to the Transfer Station where it is more efficient. It does not solve the transport problem and the cost of that. Our population is not able to subsidize inefficient use of Town resources in that way. It is irresponsible and

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that is where she is at. She is happy to hold off making a decision whether it is all four or two until we can crunch the numbers. She likes the idea of another center compaction station and is open to that but dragging these down the highway, she feels we are wasting residents' money. This is not responsible from a fiscal perspective. Councilor Reighley asked are we trying to recycle resources? We have costs for one thing but are we trying to save reusable materials so they can be reused and are we willing to pay for that cost? Councilor Horne noted that that is what makes this such a hard issue. It is a matter of who pays what and where. Chair Tracy advised that we already pay because we already put the Capital investment in for a very expensive single-sort compactor and we pay for the transport of that once a week. Regardless, we are, as a community, even if we go to zero silver bullets, we are still saying recycling is a value for this community and we have dedicated fiscal resources to it. What is the tipping point between the value and the fiscal cost? Does it always have to be lowest cost or sometimes do we want to pay? We don't subsidize trash so she understands why recycling is a little bit different. She is not sure the community has appetite for significantly subsidizing recycling when there are other more cost-effective options.

Mr. Bliss added that this becomes a holistic issue as well when we factor in the carbon footprint and the greenhouse gas emissions. He has heard those points made and they are important points as they relate to Sustainability. Councilor Lawrence mentioned that a lot of people think when they recycle, it doesn't cost anything.

Chair Tracy asked if Councilors are ready to make a decision tonight or do they need more information before they make a decision about the silver bullets. This is the only issue of controversy that she sees here.

Vice Chair Gleeson noted that the Council would need to figure out the cost of another compactor, the upfront costs, the payback versus the transport. That is probably homework and there is the other thing that if we remove all of them, it is accessibility and whether it will be accessible for a lot of the residents and would they recycle less if they always had to go to the Transfer Station. He is not ready to decide tonight but would like a couple of weeks to digest it. Mr. Bliss added that there are operational and maintenance costs as well that would have to be factored in. There are many variables that will be considered which he feels is a good reason to consider phased approaches. Do pilots.

Chair Tracy noted her sense is that the Council is not ready to make a decision tonight. She asked Mr. Bliss to put together the fiscal considerations with weighing the savings by removing two or four silver bullets compared with the investment of another single-sort recycling compactor with staff in another location other than the Transfer facility. The other thing is that at the Transfer Station there will need to be some additional staffing probably, maybe to make that site more available and the operation and maintenance of those compactors.

Mr. Joseph mentioned that if we had a secondary location, whether it is a monitored bullet or monitored compactor that it be open hours that the Transfer Station is not open so there would be seven-day access to recycling in a different area of town. It might mean a staff person who is monitoring that on certain days and maybe working at the Transfer Station. We would have to analyze a lot of stuff. Chair Tracy suggested factoring fencing and control around wherever the new compacting station will be. Mr. Joseph mentioned that security and safety and will be completely contained and staffed all the time it is open.

Josh Olins mentioned if there is going to be a fiscal analysis, might this be the time to look at the costs for Municipal town-wide curbside pick-up for recycling and trash as well? There are some towns that are considering this. Ecomaine is encouraging this for some of its membership communities and they are working on getting RFP's for a few towns together. It is just an idea.

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2. Workshop on FY20 Capital Program (Town Manager, Peter Joseph and Finance Director, Jessica Maloy) (90 Minutes)

MOVED AND SECONDED: To adjourn at 10:50 p.m. (Reighley & Horne) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary