

MINUTES
FREEPORT TOWN COUNCIL MEETING #03-19
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY FEBRUARY 5, 2019
6:30 p.m.

	PRESENT	ABSENT	EXCUSED
John Egan, 38 Curtis Road	x		
Scott Gleeson, 23 Park Street	x		arrived at 6:32 p.m.
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		
Tawni Whitney, 56 Baldwin Road	x		

Chair Tracy called the meeting to order at 6:30 p.m. and took attendance. All Councilors were in attendance along with Town Manager, Peter Joseph with the exception of Vice Chair Gleeson. She noted he is on his way.

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 #02-19 held on January 22, 2019 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #02-19 held on January 22, 2019 and to accept the minutes as printed. (Reighley & Horne)

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

THIRD ORDER OF BUSINESS: Announcements

Chair Tracy announced:

- **Freeport Community Library's 18th Annual Chocolate Bash** will take place tomorrow evening, February 6th from 6:30 PM – 7:30 PM. You can taste chocolates, enter the raffle to win chocolate desserts, and enjoy live music by the Cul de Sax.
- **AARP is providing fee Tax Preparation assistance** for low-moderate income households, and those 60 years and older at the Freeport Community Center. You can call 865-4743 x100 and leave a message to request an appointment. Once a week a volunteer will be calling people back with an appointment date and time.
- **Freeport Community Services' "Freeze Out"** will be on **Saturday, Feb. 16th, from 9am - 5pm.** Freezin' volunteers will stay outside all day at various locations around town to collect donations for the Carol Kaplan Fuel Fund and gather non-perishable food and personal care items for the FCS Food Pantry OR you can drop off your donations at the Freeze Out box here at Town Hall. Also, from 9

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a.m.-2 p.m., they will be at Shaw's Supermarket for the "Stuff the Bus" event.

Councilor Whitney announced that on Wednesday, February 13 from 6:30-7:30 p.m the Freeport Sustainability Advisory Board will present the second lecture in their lecture series. This month they will be meeting at the Freeport Community Library and will be hearing from Senator Brownie Carson. He represents Freeport, Brunswick, Harpswell, North Yarmouth and Pownal. He will speak and answer questions about environmental issues on the 2019 legislative agenda. He is the Senate Chairman of the Environmental and Natural Resources and previously worked with the Natural Resource Council of Maine. Food and beverages will be provided and it will be free of charge.

Councilor Whitney also announced that there will be a sale at the Freeport Community Services Thrift Store located at 57 Depot Street on Saturday, February 9 from 10 a.m.-4 p.m.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Reighley advised that GPCOG held a meeting combined with the towns of Falmouth, Cumberland, Yarmouth, North Yarmouth and Freeport focusing on what they consider to be agenda items for focus in the promotion of the overall area. He and Donna Larson attended. This is going to be a series. GPCOG will go into the different areas of their organizational boundaries. Everybody will participate. This is the first of them. There is a broad spectrum of people not wanting bike paths recognizing that senior citizens want clean streets and many things in between.

This morning Councilor Reighley attended a Traffic and Parking meeting. The focus of the agenda was to look at the Midcoast Waldorf School, speed zones, signage and what Traffic and Parking is recommending to go forward. Councilor Horne added that they sat down with the mini task force looking at possibly merging Active Living with Traffic and Parking. They did some planning around that question and the next step is that there will be some draft work done to examine the current ordinance and possibly frame up some new ordinance language that we can look at and discuss. Eventually it will all come to the Council. Councilor Reighley explained that Doug Leland is in Florida drafting this verbiage.

Chair Tracy mentioned that it would be helpful to articulate why the proposal has been brought forward to merge the two committees. Councilor Horne explained that Active Living Committee is temporary and has an expiration date on it but it does not mean that the Council couldn't re-up its charter. The thinking here is that it was designed to be a temporary committee that helped get townspeople more active. The thinking is if we can hardwire that kind of thinking and the initiatives that are coming out of Active Living into an existing committee, that might be able to be reformed taking in the Active Living mission and possibly redefining a committee that right now is only focused on traffic and parking and maybe look at something with a broader mandate. That is the big picture. The critical thing is that all the elements of both committees need to be preserved, both the specific functions that Traffic and Parking currently does and the advocacy work that Active Living folks do.

Councilor Reighley explained that Traffic and Parking has been more of a reactionary committee reacting to specifics that are placed in front of them and not necessarily having the forward thinking you get out of Active Living. The consensus that if we meld these two groups together, the new group will be able to handle both functions. We are thinking that the opportunity for citizens to be become more involved in

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Something, but not as many citizens as we would need to volunteer. We are looking at a change in direction. He believes both groups are excited and it is moving forward nicely.

Vice Chair Gleeson advised that the Appointments Committee met and made appointments to the Board of Assessment Review, Coastal Waters Commission, Hunter Road Fields Advisory Committee, Library Board of Trustees, Planning Board, Project Review Board, Shellfish Conservation Commission and the Sustainability Advisory Committee. They are all listed on the Consent Agenda. They will be setting up interviews for Planning Board after February vacation. He encouraged anyone in the public with an interest in serving on a Town committee or board, to fill out an application. The committee would like to have a deeper pool of applicants.

Vice Chair Gleeson explained that the Municipal Facilities Committee met this morning. The primary issue they discussed was the Bartol Library. Their full committee is working closely with Keith McBride of FEDC and the Town Manager. They have made good strides in going with an RFP process. They are interested in hearing from a wide variety of people with an interest in the building. They will be looking at the potential of consulting with a real estate broker or someone who is an expert in that field. They want to get a wide variety of uses to bring back to the Council. They will be meeting again in about ten days and want to get this moving along. They will be going over the final language on what the RFP will contain. He believes they are making good progress.

Vice Chair Gleeson reported that as liaison from Economic Development, he attended an FEDC meeting last week at the Library. It was a very positive meeting. FEDC appeared to be excited to bring forth ideas. We have a lot of people with great ideas and he will keep everybody updated.

Councilor Egan advised that the Hunter Road Fields Committee had a meeting last week. The primary focus of that discussion was on the 4-6 times a year when the activities and success of those fields leads to parking overcrowding. It has much more to do with transition times between games or between uses. The crowding is in the parking. The fields are managed well and no one can control when people come or go to those events. To avoid confusion and unnecessary and unwelcome parking on top of the blueberry fields, a proposal is likely to come forward through the Town Engineer that will create some temporary overflow parking along the northern extension on the east side of the gravel path. If you go to the lowest road that leads to the lowest field at the Hunter Road Fields facility, there are boulders at the end and then it dips down and there is a footpath that actually goes to the woods. It might be 50 or 60 yards. The proposal likely to come forward is to make that footpath a little more formal with some gravel and park to the right or east of it up against the tree line as an overflow parking area. It is worth noting that a potential road following that line and making a 90 degree turn and going over to the Hedgehog Mountain Road was actually part of the plan that was permitted when the field was put together in terms of plans and drawing. That particular road would then connect with the Pownal Road football field and allow for some shared uses and some overflow. It is a good field management step. The groups are very well coordinated and essentially self-controlled in how they deal with parking. There are just a few events a year, but it is likely with the success of the programs and the absolute draw to that facility, we will have more of those overcrowding events so planning for a little bit of a safety valve on parking and potentially off loading some crowded day uses onto the Pownal Road Field which has its own challenges, but hopefully we will get those addressed as well. A lively discussion on the diversity of user groups that are out on that facility took place. He finds that committee to be very well coordinated and they do a good job of looking out for each other and recognizing the value of the facility.

Chair Tracy noted that as a result of the Appointments Committee, they identified that we have some remaining openings on Boards and as Vice Chair Gleeson indicated, if people are interested, there is an

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application on the website. In particular, we have some District 4 openings. There are several seats designated for District 4. Hunter Road Fields is one of them as is Active Living. They cannot be filled by people from other districts. Traffic and Parking is in that group as well. We are in desperate need for District 4 residents to volunteer.

FIFTH ORDER OF BUSINESS: Town Manager’s Report

Mr. Joseph reported that the Town expects to transition to our new website in the next 2-4 weeks. He provided a sneak peak in a picture. Almost all of the current content will be mirrored onto the website. He explained some of the new features. If something doesn’t look right, he suggested that residents give them a call. Town staff will have the ability to edit it. Training with department heads will take place over the next couple of weeks. It will be more user friendly.

On January 26th, Sergeant Paul Powers, Officer Keith Norris, and Officer Jonathan Edwards received the Maine Association of Police (MAP) award for Heroism. Pictured were Detective Bianchini (accepted the award on behalf of Officer Edwards), Sgt. Powers, MAP Executive Director Paul Gaspar, Officer Norris and MAP President Kevin Reardon.

Additionally, Officer Matthew Moorhouse and K9 Cassie were recognized by the Greater Freeport Chamber of Commerce who presented them with the “Above and Beyond First Responder” award at the Chamber’s Annual Gala on January 30th. Officer Moorhouse and Dean Gilbert from the Chamber were pictured.

The Chamber’s Annual Gala was held at the Town-owned Bartol Library Building. The event was very well done, and gave the Town the opportunity to show off the opportunities and versatility of the property to the Freeport business community. Photos of the event are available on the Chamber of Commerce’s website at www.freeportmainechamber.com. If anyone is interested in walking through the building, Mr. Joseph suggested they give him a call.

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 #20-19 To consider action relative to adopting the February 5, 2019 Consent Agenda.

BE IT ORDERED: That the February 5, 2019 Consent Agenda be adopted.
(Egan & Gleeson)

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

VOTE: (7 Ayes)

ITEM #21-19 To consider action relative to the annual renewal of a Special Amusement Permit for The Hilton Garden Inn. PUBLIC HEARING.

MOVED AND SECONDED: To open the Public Hearing. (Lawrence and Gleeson) **VOTE:** (7 Ayes)

Chair Tracy mentioned that the Council saw this on its last agenda and discussed it briefly. There were no public comments provided.

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

BE IT ORDERED: That the annual renewal of a Special Amusement Permit for The Hilton Garden Inn be approved pending Fire Chief and Code Enforcement Officer approval. (Lawrence & Gleeson)

Mr. Joseph mentioned he did some research based on the discussion that took place at the last Council meeting. Councilor Egan was curious on the timing of permits as to what the one year per event versus broad brush approval might be. We are not required to have special amusements permits. If we want to, and the Town Council has determined in the past that we would do this. The State does prescribe how those are supposed to be performed. State Law states that it is a one-year permit term and our Ordinance says it is a one-year permit term. Actually, it is specific that it has to be for one year. If it is something the Council wants to move away from in the future, we can discuss it. We have to continue to do them until it is repealed but they have to be for one-year periods.

Councilor Egan noted that if State Law says it has to be one year, it is a year. He was not suggesting to unravel the Ordinance on Special Amusement Permits.

VOTE: (7 Ayes)

ITEM #22-19 To consider action relative to amending Chapter 32, Shellfish Ordinance by deleting Section 32-1001 Municipal Shellfish Aquaculture, previously adopted on March 20, 2018.

MOVED AND SECONDED: To open the Public Hearing. (Horne & Gleeson) **VOTE:** (7 Ayes)

Chair Tracy explained that this is the deletion of the Aquaculture Ordinance from our Shellfish Conservation Ordinance.

There were no public comments provided.

MOVED AND SECONDED: To close the Public Hearing. (Horne & Gleeson) **VOTE:** (7 Ayes)

BE IT ORDERED: That the amendment to Chapter 32, Shellfish Ordinance deleting Section 32-1001, previously adopted on March 20, 2018 be approved. (Horne & Lawrence) **VOTE:** (7 Ayes)

ITEM #23-19 To consider action relative the enactment of a new Aquaculture Ordinance, Chapter 59.

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

Chair Tracy explained that this is the Aquaculture Ordinance that used to be in the Shellfish Conservation Ordinance and now by direction of DMR, it is in its own little house now. It is now in its own place. It has not changed from what we already adopted.

There were no public comments provided.

MOVED AND SECONDED: To close the Public Hearing. (Gleeson & Horne) **VOTE:** (7 Ayes)

BE IT ORDERED: That new Aquaculture Ordinance, Chapter 59 be approved. (Gleeson & Reighley)

Vice Chair Gleeson pointed out that the Council technically does not have an ordinance right now. Mr. Joseph explained that we originally included this in our Municipal Shellfish Conservation Ordinance at the advice of the Shellfish Commission and our Town Attorney. Everybody that looked at it thought it was the place for it to go. The DMR's Commissioner's Office said it was not going to comment on the content of the Aquaculture Ordinance. It was not their job to approve it but it can't be inside Freeport's Shellfish Conservation Ordinance because it is laid out in a section of law that is in a different place in the DMR Statute adjacent to it that allows towns to enact shellfish aquaculture regulations. This had been talked about for at least a year before the Council approved it last year or two years probably by the Shellfish Commission. It is not new but there are a few changes and references but the substance of this has not changed in any way from what was originally recommended by the Shellfish Commission and approved by the Council in April of last year.

Chair Tracy explained that the State has a process for granting State Aquaculture leases within the intertidal zones in the Town of Freeport and one of the requirements is that the Municipal governmental body (Council) give an indication as to whether we give approval. It folds into the State's process. We have no criteria by which we would evaluate whether it is appropriate to give Municipal approval or not. This is basically for purposes of transparency and also guidance to the Shellfish Commission itself. It provides the criteria for approval. It does not mean that we will become a permitting body. That will take place at the Department of Marine Resources.

VOTE: (7 Ayes)

ITEM # 24-19 To consider action relative to the following new resident Public Peddler application.

BE IT ORDERED: That the following new Public Peddler be approved pending receipt of all required documentation for licensure.

1. Adam Morse d/b/a Local Eatery (Whitney & Horne)

VOTE: (7 Ayes)

OTHER BUSINESS:

1. Presentation of Library Strategic Plan

Chair Tracy pointed out that the Council has the Library's Strategic Plan in its packet.

Joe Vertenten, Chair of the Library's Board of Trustees explained that two years ago during a workshop with the Council and the Library, some Councilors asked about a strategic plan for the Library. Over the last two years, the Board has been working on it. What the Council has in front of it is a first-ever strategic plan for the Library. It is a mix of national trends and a welcoming letter. In a workshop last year, they shared some of the major strategic goals. They have three.

1. Consider our connection with the Freeport Middle School and what we need to do to make the Library a more welcoming space for that particular community.
2. Find ways to better connect with the community.
3. Update and revise the Library's website which is definitely needed.

During this process we currently only have three people on the Board that have been in this process the entire two years. There has been a lot of turnover which is the reason it has taken so long. They have gone out and gotten public comment. They have worked closely with Arlene and the Library staff on this. They have had plenty of opportunity to provide input and they present it to the Town Council. If there are any changes that the Council would like to see, but they are already starting to work on this. They would like to post this so everyone in the community can see it.

Chair Tracy asked Mr. Vertenten to summarize within each of the three goals the take away as a result of the Strategic Plan. Mr. Vertenten mentioned that in the first goal is understanding the options to take advantage of their unique connection with the Freeport Middle School. The Board and the Library is taking a look at expanding the Library given that the current space is very constrained. For those who might come during the weekday around 3 p.m., you might notice that it gets a little crowded and a little noisy. They are looking at ways to expand that and not impact other patrons of the Library and still provide services to those teens that are there during that time.

They are trying to find ways to better connect with the community. The Library does an outstanding job with its programs already. They just want to see if there are ways that they can make it better or ways they can partner with other initiatives that are going on in the town such as Aging in Place. They talked about ways they could pair with that at all.

The website has been in place for a long time relative to other websites for other libraries in Southern Maine. Some improvements are needed and the process is underway. It is another item they are working on.

These are the three main things. There are lots of other sub bullets and objectives but those are the big ones. Chair Tracy mentioned that the Council has been talking about Aging in Place and plans to have a

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workshop. The Council would invite the Library Board to participate in workshop and members of the staff. This is something that will shift into active gear.

Councilor Egan wanted to say, "Well done." It is great that the Board has undertaken this task and maybe the current Board seeing this product, and hopefully seeing some results of having it in place, will help with its tenure. It is a great community asset and it is nice to know that the Board and Arlene are taking good care of this great asset. Mr. Vertenten mentioned that with the turnover they have had, there is a lot more energy on the Board now than when he joined three years ago.

Councilor Reighley pointed out that the Library is a key component of our community and it is very well run. It is appreciated by him and the rest of his family. He thanked the Board and Arlene.

Chair Tracy noted it is helpful to the Council, when there are fiscal requests, it is the product of a well thought out plan and is the consensus of the Library Board and staff. It gives the Council more confidence that the requests have been well thought through. She understands that this has been an arduous effort. She appreciates the product and hopes people will take the time to read it.

MOVED AND SECONDED: To adjourn at 7:15 p.m. (Reighley & Horne)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary