

**TOWN COUNCIL MEETING #9-2000
MAY 2, 2000 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

- ITEM #84-2000 To consider action relative to adopting the May 2, 2000 Consent Agenda, Items #75-2000 through #83-2000.
- ITEM #85-2000 To consider action relative to a donation to Freeport's Odyssey of the Mind Teams.
- ITEM #86-2000 To consider action relative to a donation to the July 4 Parade Committee.
- ITEM #87-2000 To consider action relative to an amendment to the Cable Television Franchise Agreement concerning the Private Virtual Network (PVN).
- ITEM #88-2000 To consider action relative to a proposed amendment to the Zoning Ordinance concerning Groundwater Protection (Chapter 21).
- ITEM #89-2000 To consider action relative to the adoption of a Reserve Account Policy for the Freeport School Department.
- ITEM #90-2000 To consider action relative to a proposed amendment to the Reserve Account Policy for the Town of Freeport.
- ITEM #91-2000 To consider action relative to adopting a VantageCare Retiree Health Savings Plan.
- ITEM #92-2000 To consider action relative to a Municipal/State Cooperative Local Bridge Project Agreement between the State of Maine Department of Transportation and the Town of Freeport regarding the proposed replacement of Todd Bridge (Bridge #0205).

OTHER BUSINESS:

1. Report on Workers Compensation Fund Rebate.
2. Review response from Freeport Junction Associates on Morse Street Right-of-Way Dispute.
3. Manager's FY01 Proposed Operating Budget Presentation.

COMMITTEE REPORTS:

- ITEM #93-2000 To consider action relative to an Executive Session.

Adjourn.

**AGENDA
FREEPORT TOWN COUNCIL MEETING #9-2000
TOWN HALL COUNCIL CHAMBERS
MAY 2, 2000 - 7:00 P.M.**

SPECIAL NOTE: This agenda is a working agenda that includes background information and is for distribution to Council members only.

FROM: Dale C. Olmstead, Jr.

TO: David Soley, Chairperson, Arnold Road
John Arsenault, Vice Chairperson, Prout Road
Genie Beaulieu, Larue Drive
Edward Campbell, Gay Drive
Kenneth Mann, Mann Road
Gloria Fogg DeGrandpre, Wolf Neck Road
Robert Stevens, Porters Landing

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #8-2000, April 25, 2000 Meeting and accept the Minutes as printed.

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

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

COUNCIL MEETING #9-2000
MAY 2, 2000

ITEM #84-2000 To consider action relative to adopting the May 2, 2000 Consent Agenda, Items #75-2000 through #83-2000.

BE IT ORDERED: That the May 2, 2000 Consent Agenda be adopted.

ITEM #85-2000 To consider action relative to a donation to Freeport's Odyssey of the Mind Teams.

- Recognition of Team Members.

BE IT ORDERED: That \$5,000 be expended from the Fiscal Year 2000 Miscellaneous and Contingency Account to assist the fundraising efforts of Freeport's Odyssey of the Mind Teams who will be competing in the National Odyssey of the Mind Competition on May 31 to June 3.

ITEM #86-2000 To consider action relative to a donation to the July 4 Parade Committee.

BE IT ORDERED: That \$100 be expended from the Fiscal Year 2000 Miscellaneous and Contingency Account to provide for July 4th Activities.

ITEM #87-2000 To consider action relative to an amendment to the Cable Television Franchise Agreement concerning the Private Virtual Network (PVN).

BE IT ORDERED: That the proposed amendment to the Cable Television Franchise Agreement be approved.

ITEM #88-2000 To consider action relative to a proposed amendment to the Zoning Ordinance concerning Groundwater Protection (Chapter 21).

BE IT ORDERED: That a Public Hearing be scheduled for May 16, 2000 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Zoning Ordinance concerning Groundwater Protection.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ITEM #89-2000 To consider action relative to the adoption of a Reserve Account Policy for the Freeport School Department.

BE IT ORDERED: That the proposed Reserve Account Policy for the Freeport School Department be adopted.

ITEM #90-2000 To consider action relative to a proposed amendment to the Reserve Account Policy for the Town of Freeport.

BE IT ORDERED: That the proposed amendment to the Reserve Account Policy for the Town of Freeport be approved.

ITEM #91-2000 To consider action relative to adopting a VantageCare Retiree Health Savings Plan.

Resolution of the Town of Freeport ("The Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees' health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of a retiree health savings plan to be administered by the ICMA Retirement Corporation and/or its affiliates serves the above objectives; and

WHEREAS, the Employer desires that its retiree health savings plan (the "Plan") be administered by the ICMA Retirement Corporation's VantageCare Retiree Health Savings Plan.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee, for the exclusive benefits of Plan participants and their beneficiaries, and the assets of the Plan shall not be diverted to any other purpose.

BE IT FURTHER RESOLVED, that the Town Treasurer shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.

ITEM #92-2000 To consider action relative to a Municipal/State Cooperative Local Bridge Project Agreement between the State of Maine Department of Transportation and The Town of Freeport regarding the proposed replacement of Todd Bridge (Bridge #0205).

BE IT ORDERED: That the proposed agreement between the State of Maine Department of Transportation and the Town of Freeport be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to sign the agreement on behalf of the Town of Freeport.

OTHER BUSINESS:

1. Report on Workers Compensation Fund Rebate.
2. Review response from Freeport Junction Associates on Morse Street Right-of-Way Dispute.
3. Manager's FY01 Proposed Operating Budget Presentation.

COMMITTEE REPORTS:

**COUNCIL MEETING #9-2000
MAY 2, 2000**

ITEM #93-2000 To consider action relative to an Executive Session to discuss Union Contract Negotiations.

MOTION: That the Town Council enter into Executive Session to discuss Union Contract Negotiations.

MOTION: That the Council reconvene.

NOTE: Action will be requested after the Executive Session.

Adjourn.

**TOWN COUNCIL
CONSENT AGENDA
MAY 2, 2000**

ITEM #75-2000 To consider action relative to a re-application for a Peddler License for the Freeport High School Boosters.

BE IT ORDERED: That the re-application of the Peddlers License issued to the Freeport High School Boosters be approved.

ITEM #76-2000 To consider action relative to the acceptance of Cemetery Perpetual Care Fund.

BE IT ORDERED: That the following Cemetery Perpetual Care Funds be accepted for investment by the Town.

<u>CEMETERY</u>	<u>LOT</u>	<u>AMOUNT</u>
BURR		
Clarence Coombs	Lot 83	\$200.00
Noyes Fish	Lot 124A	\$200.00
Harold Lapierre	Lot 228	\$200.00
SOUTH FREEPORT		
Donald & Josephine Bail	Lot 30C	\$200.00
GROVE		
Michael Murphy	Lot 30 Backside #3 Grave	\$200.00
FLYING POINT		
Jeannette Marquis	Lot 76	\$200.00

NOTE: The funds were received prior to the adoption of the new policy.

ITEM #77-2000 To consider action relative to the distribution of Cemetery Perpetual Care Funds.

BE IT ORDERED: That the following Cemetery Perpetual Care Funds be distributed for the year 2000.

<u>CEMETERY</u>	<u>AMOUNT</u>	<u>VETERANS'</u>
BURR	\$7475	\$844
WOODLAWN	\$1350	\$312
WEBSTER	\$885	\$200
SOUTH FREEPORT	\$2310	\$292
GROVE AT PLEASANT HILL	\$2600	\$308
FLYING POINT	\$480	\$72

TOWN OWNED	\$140	\$180
<u>OTHER</u>		
A.O. WOODARD	\$310	\$ -
	<u>\$15,510</u>	<u>\$2208</u>

ITEM #78-2000 To consider action relative the issuance of Municipal Quitclaim Deeds for Tax Map 21, Lots 10 and 11.

BE IT ORDERED: That the following Municipal Quitclaim Deeds be issued.

TO: Estate of Earl M. and Eleanor J. Glass.
PROPERTY: Tax Map 21, Lots 10 and 11 (117 Durham Road)
TAX YEARS: 1995, 1996, 1997, 1998.

NOTE: All taxes have been paid and prior to full payment the family had entered into a payment plan in accordance with Town policy.

ITEM #79-2000 To consider action relative to the issuance of a Municipal Quitclaim Deeds for Tax Map 19, Lots 44 and 45.

BE IT ORDERED: That the following Municipal Quitclaim Deeds be issued.

TO: The Estates of Marion Curry and Herbert W. Curry.
PROPERTY: Tax Map 19, Lots 44 and 45 (101 Flying Point Road).
TAX YEARS: 1990 through 1998.

NOTE: These properties were under a payment plan and all payments have been made.

ITEM #80-2000 To consider action relative to accepting a bid for a Cable T.V. Van.

BE IT ORDERED: That the bid from Forest City Chevrolet in the amount of \$20,970 for the purchase of a Cable T.V. Van be accepted.

NOTE: Bid results included in packet.

ITEM #81-2000 To consider action relative to accepting a bid for a Public Works 20 Ton Trailer.

BE IT ORDERED: That the bid from R.C. Hazelton Co. for a Etwyre Trailer in the amount of \$13,599.00, with trade in, be accepted.

NOTE: Bid results are in the packet. The resale value of the existing trailer is estimated at \$12,000. A trade in allowance of \$1500 is recommended. The Town would spend \$500 in trying to sell the trailer privately.

ITEM #82-2000 To consider action relative to administering the July 4 Parade Account.

BE IT ORDERED: That the Town Treasurer be authorized to administer the July 4 Parade Account.

ITEM #83-2000 To consider action relative to authorizing the formation of a Memorial Day Committee.

BE IT ORDERED: That a Memorial Day Committee be formed and the following members be appointed to the Committee.

- Sherwood Snow - AmVets Post
- Clayton Teague - American League
- Donald Pryor - VFW
- Arthur Jordan - American Legion
- Mrs. Arthur Jordan - American Legion Auxillary
- David Soley - Town Council
- Tom Bull - State Representative
- Phil (Blackie) Marston - Retired Veteran

End of Consent Agenda.

**MINUTES
FREEPORT TOWN COUNCIL MEETING #9-2000
COUNCIL CHAMBERS
May 2, 2000 – 7 P.M.**

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Larue Drive	X		
David Soley, Chairperson Arnold Road	X		
Edward Campbell Gay Drive	X		
John Arsenault, Vice Chair Prout Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road			X
Robert Stevens Porters Landing	X		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #8-2000 HELD ON APRIL 25, 2000 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #6-2000 HELD ON APRIL 25, 2000 AND ACCEPT THE MINUTES AS PRINTED.(Councilors Mann & Beaulieu) (6 Ayes).(1 Excused-DeGrandpre)

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes (Non-Agenda Items Only).

Mary Ellen Carew, representing the Freeport Performing Arts Boosters, extended invitations to upcoming events that will take place in the next two weeks. Cabaret 2000 will be held on May 5 and Instrumental Pops will be held on May 11.

Stoddard Pierce, representing the Student Council, reminded the Council that the building facilities improvements being sponsored by the School Board are an important issue at Freeport

High School. Councilors can contact the Student Council for a tour of the school.

MOVED AND SECONDED: To close the Public Comment Period (Arsenault & Campbell) (6Ayes) (1 Excused-DeGrandpre)

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

ITEM #84-2000 To consider action relative to adopting the May 2, 2000 Consent Agenda, Items #75-2000 through #83-2000.

BE IT ORDERED: That the May 2, 2000 Consent Agenda be adopted. (Councilors Campbell & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-DeGrandpre)

ITEM #85-2000 To consider action relative to a donation to Freeport's Odyssey of the Mind Teams.

- Recognition of Team Members.

Chair Soley called each student forward and they were presented with a Freeport pin to wear at the next competition in Knoxville. They were given a standing ovation. Councilor Campbell acknowledged how proud everyone is of these outstanding students.

BE IT ORDERED: That \$2,500 be expended from the Fiscal Year 2000 Miscellaneous and Contingency Account to assist the fundraising efforts of Freeport's Odyssey of the Mind Teams who will be competing in the National Odyssey of the Mind Competition on May 31 to June 3. (Beaulieu & Campbell)

Councilor Mann proposed to make an amendment to the Reserve Account Policy to amend #2 Reserve Establishment and Retention by adding student competitions which occur out of state which would fund requests such as this now and in the future. Councilor Beaulieu asked that the Council give a consensus on how much money will be given to these students and take up this amendment under 89-2000. Councilor Mann noted that he would be willing to take this up later on the agenda.

MOVED AND SECONDED: To table ITEM 85-2000 until later in the agenda. (Campbell & Beaulieu)(6 Ayes) (1 Excused-DeGrandpre)

MOVED AND SECONDED: To take an item out of order. (Campbell & Beaulieu)
(6 Ayes) (1 Excused-DeGrandpre)

ITEM #89-2000 To consider action relative to the adoption of a Reserve Account Policy for the Freeport School Department.

BE IT ORDERED: That the proposed Reserve Account Policy for the Freeport School Department be adopted.(Campbell & Stevens)

MOVED AND SECONDED: To amend—Freeport School Department

- Reserve Account Policy

Amend #2 Reserve Establishment and Retention by adding the following category.

- Student competitions which occur out of state.

(Mann & Campbell) **ROLL CALL VOTE:** (5 Ayes) (1 Nay-Soley) (1 Excused-DeGrandpre)

Chris Leighton of the Freeport School Committee noted that they have been discussing the Reserve Account Policy being proposed by the Town Council. They are not opposed to it but support it. He suggested thinking about it some more. Councilor Mann noted that if the policy is passed, it can always be amended at any given meeting. He would like to get the policy in place and fund the request for the Odyssey of the Mind Teams. Councilor Stevens asked for an explanation of the School Committee's concerns. Mr. Leighton added that they are concerned with the number of the reserve accounts that are being established and their revenue stream. Discussion followed.

ROLL CALL VOTE: 6 Ayes) (1 Excused – DeGrandpre)

MOVED AND SECONDED: To bring Item 85-2000 back to the table. (Councilors Mann & Beaulieu) (6 Ayes) (1 Excused-DeGrandpre).

MOVED AND SECONDED: To amend 85-200 so that instead of taking it from the Miscellaneous & Contingency Fund that now the \$2,500 come from the Freeport School Department's Reserve Fund Account. (Councilors Beaulieu & Campbell).

MOVED AND SECONDED: To increase the amount to \$5,000. (Councilors Soley & Stevens) Failed: (2 Ayes-Soley & Stevens) (4 Nays).

Councilor Stevens explained how many demands are made on the budget. Councilor Beaulieu noted how important it is that a mechanism has been set up tonight that future teams will be assured that there is money to look forward to if they work hard and have a destination to get to for competitions.

ROLL CALL VOTE: (6 Ayes) (1 Excused-DeGrandpre). A check will be sent to Jim Lincoln, Treasurer.

Chair Soley thanked everyone for coming and again congratulated the teams and their coaches.

ITEM #86-2000 To consider action relative to a donation to the July 4 Parade Committee.

BE IT ORDERED: That \$100 be expended from the Fiscal Year 2000 Miscellaneous and Contingency Account to provide for July 4th Activities. (Councilors Arsenault & Campbell) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-DeGrandpre).

ITEM #87-2000 To consider action relative to an amendment to the Cable Television Franchise Agreement concerning the Private Virtual Network (PVN).

BE IT ORDERED: That the proposed amendment to the Cable Television Franchise Agreement be approved. (Stevens & Campbell)

Chair Soley explained the reason for the amendment. Steve McPheters noted that the Cable Board supports this amendment and offered to answer questions.

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

ITEM #88-2000 To consider action relative to a proposed amendment to the Zoning Ordinance concerning Groundwater Protection (Chapter 21).

BE IT ORDERED: That a Public Hearing be scheduled for May 16, 2000 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Zoning Ordinance concerning Groundwater Protection.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Councilors Mann & Campbell)

Mr. Olmstead explained this amendment.

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

ITEM #90-2000 To consider action relative to a proposed amendment to the Reserve Account Policy for the Town of Freeport.

BE IT ORDERED: That the proposed amendment to the Reserve Account Policy for the Town of Freeport be approved. (Councilors Campbell & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-DeGrandpre).

ITEM #91-2000 To consider action relative to adopting a Vantage Care Retiree Health Savings Plan.

Resolution of the Town of Freeport ("The Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees' health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of a retiree health savings plan to be administered by the ICMA Retirement Corporation and/or its affiliates serves the above objectives; and

WHEREAS, the Employer desires that its retiree health savings plan (the "Plan") be administered by the ICMA Retirement Corporation's VantageCare Retiree Health Savings Plan.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee, for the exclusive benefits of Plan participants and their beneficiaries, and the assets of the Plan shall not be diverted to any other purpose.

BE IT FURTHER RESOLVED, that the Town Treasurer shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.(Councilors Beaulieu & Campbell)

Mr. Olmstead explained this employee plan.

ROLL CALL VOTE: (6 Ayes) (1-Excused-DeGrandpre).

ITEM #92-2000 To consider action relative to a Municipal/State Cooperative Local Bridge Project Agreement between the State of Maine Department of Transportation and The Town of Freeport regarding the proposed replacement of Todd Bridge (Bridge #0205).

BE IT ORDERED: That the proposed agreement between the State of Maine Department of Transportation and the Town of Freeport be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to sign the agreement on behalf of the Town of Freeport. (Councilors Arsenault & Beaulieu)

Mr. Olmstead explained this proposal and answered questions.

ROLL CALL VOTE: (6 Ayes) (1 Excused-DeGrandpre).

Mr. Olmstead explained the Audit situation that occurred. Discussion followed.

MOVED AND SECONDED: To introduce an item not on the printed agenda. (Campbell & Beaulieu) (6 Ayes) (1 Excused-DeGrandpre).

ITEM: #94-2000 To consider action relative to accepting a bid for the Municipal and School Annual Audit.

MOVED AND SECONDED: That the council accept the bid from McDonald, Page to do the audit for the Town and School for the next two years. (Councilors Stevens & Arsenault) (6 Ayes) (1 Excused-DeGrandpre).

OTHER BUSINESS:

Report on Workers Compensation Fund Rebate

Mr. Olmstead noted that the good work by the Town's Safety Committee has resulted in a significant rebate to the Town of Freeport. Employees have taken workplace safety very seriously and their actions have saved taxpayers a little more than \$38,000.

Chair Soley asked for a consensus on taking \$100 from Misc. & Contingency so that the Safety Committee can go to lunch. Councilors concurred that this would be a nice gesture. Councilor Arsenault pointed out that all employees played an important part. Mr. Olmstead offered to recognize each department if the money is authorized. Councilors concurred.

Review Response from Freeport Junction Associates on Morse Street Right-of-Way Dispute.

Mr. Olmstead explained that there is conflicting historical data on the width of the Morse Street right-of-way. The Town's Engineering Department would lead one to believe that it is 40'. Other information would lead one to believe that it is 26'. Freeport Junction's concern is that if the right-of-way is 40', part of their building would be in the right-of-way. The Committee has agreed to reduce the right-of-way in the area of the building by 6' to get their building corner out of the right-of-way. They asked for time to think about it. They have since said that they will not agree to this. Mr. Olmstead sees no downtime for the Town to pursue this issue. Councilors Mann and Stevens suggested checking into whether there is any statute of limitations. Mr. Olmstead offered to check with the Town Attorney. Mr. Olmstead noted that the Town's position is that it is a 40' right-of-way.

Future Problem Solving Team—Chair Soley noted that they have asked to appear on the Council's next agenda to get an award. He asked Councilors if they were comfortable giving this team \$500 from the Reserve Policy. Councilor Beaulieu explained that the money would come from the Reserve Policy. If the cause is important enough, then the School Committee should be prepared to handle it. Chair Soley suggested that this type of issue be discussed with the School Committee. Councilor Stevens agreed that more discussion is needed. Chair Soley noted that this \$500 contribution will appear on the next agenda.

National Motor Coach Association—Councilor Beaulieu advised that the National Motor Coach Association will be in Brunswick August 16-20 staying at the Navy Base. 5,000-8,000 people may appear in Freeport during this time period.

Manager's FY01 Proposed Operating Budget Presentation.

Mr. Olmstead summarized the Municipal Budget that is being proposed for 2001. He cautioned what could happen over the next couple of years in Freeport, not this year but two years after. If two school projects go to the voters and get approved which they very well could, and \$8mm of debt goes on the books solely the responsibility of Freeport taxpayers, after this budget the Town will experience two 10% increases in the tax rates over a two-year period. He and the municipal administrators knew that if they wanted to raise issues such as detectives, it would have to be resolved this year because they won't be able to raise those issues for three years to come. He noted that other towns decide how much they want

COUNCIL MEETING #9-2000
MAY 2, 2000

to spend and then send their administrators off to decide how to get there. He has always believed that Councils should do everything they can to keep taxes as low as they can.

Councilor Mann asked when this Council discusses how much it wants to spend. Chair Soley noted that it starts tonight. Mr. Olmstead politically cautioned that the Council should not get too entrenched in a position without an opportunity to meet with both heads from both sides and then get public comment. This will prevent being accused of making up minds without public input. Discussion followed. The budget will be voted upon on June 6.

Councilor Beaulieu asked for a list of the mill rates since the re-val that was done in '92 or '93. Mr. Olmstead offered to pull it together.

ITEM #93-2000 To consider action relative to an Executive Session to discuss Union Contract Negotiations.

MOVED AND SECONDED: That the Town Council enter into Executive Session to discuss Union Contract Negotiations. (Councilors Mann & Campbell) (6 Ayes) (1 Excused-DeGrandpre).

MOVED AND SECONDED: That the Council reconvene. (Councilors Campbell & Arsenault) (6 Ayes) (1 Excused-DeGrandpre).

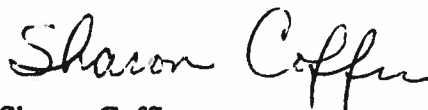
BE IT ORDERED: That the Police and Dispatch Contracts be amended providing for an increase in the Employer Contribution to the ICMA Retirement Plan to 10% and extending the contract period to June 30, 2002.

BE IT FURTHER ORDERED: That the Contract period be extended until June 30, 2003 should the union decide to accept the Vantage Care Retiree Health Savings Plan. (Councilors Arsenault & Campbell) **ROLL CALL VOTE:** (4 Ayes) (2 Nays (Beaulieu & Mann) and (1 Excused-DeGrandpre).

Adjournment:

MOVED AND SECONDED: To adjourn at 9:55 p.m. (Councilors Arsenault & Campbell) (6 Ayes) (1 Excused-DeGrandpre).

Respectfully Submitted,



Sharon Coffin
Council Secretary

**TOWN COUNCIL
CONSENT AGENDA
MAY 2, 2000**

ITEM #75-2000 To consider action relative to a re-application for a Peddler License for the Freeport High School Boosters.

BE IT ORDERED: That the re-application of the Peddlers License issued to the Freeport High School Boosters be approved.

ITEM #76-2000 To consider action relative to the acceptance of Cemetery Perpetual Care Fund.

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NOTE: The funds were received prior to the adoption of the new policy.

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ITEM #78-2000 To consider action relative the issuance of Municipal Quitclaim Deeds for Tax Map 21, Lots 10 and 11.

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TO: Estate of Earl M. and Eleanor J. Glass.
PROPERTY: Tax Map 21, Lots 10 and 11 (117 Durham Road)
TAX YEARS: 1995, 1996, 1997, 1998.

NOTE: All taxes have been paid and prior to full payment the family had entered into a payment plan in accordance with Town policy.

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TAX YEARS: 1990 through 1998.

NOTE: These properties were under a payment plan and all payments have been made.

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- David Soley - Town Council
- Tom Bull - State Representative
- Phil (Blackie) Marston - Retired Veteran

End of Consent Agenda.

PROPOSED

Approved 5/2/00

FREEPORT SCHOOL DEPT.

Reserve Account Policy

1. Purpose

The Municipality of Freeport is committed to a Reserve Account Policy to ensure the financial well being of the Town. This policy is intended to create a stable financial climate, stabilize the tax rate, lower the Town dependency of bonding, assure the timely replacement of equipment, provide for the upkeep of building and properties, and self fund a number of ongoing expenses.

2. Reserve Establishment and Retention

The following School Reserve accounts are hereby established or retained:

- ◆ Technology Upgrades and Improvements
- ◆ Vehicle Additions or Replacements
- ◆ School Department Building Maintenance
- ◆ Student competitions which occur out of State

3. Funding

Funding sources for the reserve accounts shall include but not be limited to the following.

- ◆ Sale of Equipment and property both real and personal
- ◆ Rebates
- ◆ State Debt Service Reimbursements for School Buses
- ◆ Lease Proceeds
- ◆ Balances left in capital accounts
- ◆ Unanticipated revenues
- ◆ Amounts established for Reserves in the annual operating budgets
- ◆ Unexpended Balances in Operating Budgets at year end.

Available funds shall be distributed among accounts on a prorated basis. Should the funds available exceed the total needed to adequately fund all accounts in any year, the excess shall revert to the General Fund Balance.

4. The proceeds in reserve accounts will be invested in accordance with the Town's Investment Policy.

TOWN OF FREEPORT

Reserve Account Policy

1. Purpose

The Municipality of Freeport is committed to a Reserve Account Policy to ensure the financial well being of the Town. This policy is intended to create a stable financial climate, stabilize the tax rate, lower the Town dependency of bonding, assure the timely replacement of equipment, provide for the upkeep of building and properties, and self fund a number of ongoing expenses.

2. Reserve Establishment and Retention

The following Municipal Reserve accounts are hereby established or retained:

- Public Works Department Equipment Replacement
- Rescue Department Equipment Replacement
- Fire Department Equipment Replacement
- Solid Waste/Recycling Department Equipment Replacement
- Cable T.V. Department Equipment Replacement
- Municipal Building Maintenance
- Public Infrastructure Improvements
- Unemployment Compensation
- Traffic and Parking Improvements
- General Administration, Equipment and Projects

3. Funding

The funding of accounts will be reviewed by the Town Council yearly, after completion of the annual audit. Several accounts shall have a defined funding source.

- *Rescue Reserve Department Equipment* - funded by \$35,000 of the Rescue Department Revenues on an annual basis.
- *Cable T.V. Department Equipment Replacement* - funded by \$10,000 of the revenues from the Franchise Agreement on an annual basis.
- *Unemployment Compensation* - funded by the earned interest of the account principal.
- *Traffic and Parking Improvements* - funded by administrative fees and parking leases less \$37,500 for fund balance and expenses.

Funding sources for other reserve accounts shall include but not be limited to the following.

- Fund Balance in excess of Fund Balance Policy (one-twelfth of the total operating budgets).
- Sale of Equipment and property both real and personal.
- Rebates.
- Lease Proceeds.
- Balances left in capital accounts.
- Unanticipated Revenues.
- Amounts established for Reserves in the annual operating budgets.
- Interest earned on Capital Projects (Bond Issues).

Available funds shall be distributed among accounts on a prorated basis. Should the funds available exceed the total needed to adequately fund all accounts in any year, the excess shall revert to the General Fund Balance.

4. The proceeds in reserve accounts will be invested in accordance with the Town's Investment Policy.

*Approved May 2, 2000
mtg. 9-2000
item # 87-2000*

AMENDMENT TO CABLE TELEVISION FRANCHISE AGREEMENT

The Amendment dated April ____, 2000, by and between Casco Cable Television, Inc. ("Franchisee") and the Town of Freeport ("Franchise Authority") to the Cable Television Franchise Agreement dated September 9, 1997 ("Franchise Agreement") as previously amended by the Cable Television Franchise Transfer Agreement dated November 10, 1998 ("Transfer Agreement").

WITNESSETH

1. Section 3.2 (a) of the Franchise Agreement, as amended, is deleted as written and amended to read as follows:

"Franchisee will construct, operate and maintain an Institutional Network in the form of a Private Virtual Network (PVN) for the purpose of creating a Wide Area Network (WAN) for the Town of Freeport. Service will be provided to municipal and school locations. Said PVN shall be capable of video, audio, text and data transmission and shall be capable of transmitting among other things electronic mail, energy management monitoring, building security information, fire detection and government training via any 802.3 standard Ethernet traffic. The PVN will support an aggregate of 4 Mbps fully duplexed symmetrical bandwidth supporting standard Ethernet protocols. If during the term of this Franchise Agreement the Franchise Authority requests an increase in the PVN bandwidth, Franchisee shall provide such additional bandwidth at a discount of 70% off Franchisee's then-current commercial rates for the incremental increase in bandwidth over the 4 Mbps provided for herein. The PVN will be designed and operated by Franchisee to be consistent with the Franchisee's description of its PVN services as described herein and as publicly advertised by Franchisee.

Franchisee will supply, install, monitor and maintain the broadband network bridge devices at each of the PVN locations up the Ethernet port on the supplied device, including installing any software version upgrades. Bandwidth allocations for each site on the network will be determined by the Franchise Authority. Franchisee will assist the Franchise Authority's network personnel in determining the bandwidth requirements of each site by monitoring bandwidth utilization as a function of the PVN. Franchisee will provide the symmetrical bandwidth to each location as determined by Franchise Authority and will provide usage reports for each location upon the Franchise Authority's request. Adjustments to site bandwidth allocations will be performed within seventy-two hours of receiving a written request from Franchise Authority. Franchisee will perform status monitoring of each site on the network and maintain the operation of the broadband network bridge device. Franchisee will maintain network security on the Franchisee's side of the network demarcation point. Franchisee will provide all necessary network system monitoring and configuration, PVN hardware maintenance, hardware, firmware and software upgrades, system troubleshooting and technical support.

Franchisee and Franchise Authority will perform a technology review in the event the Town's WAN bandwidth needs exceed an aggregate bandwidth of 10 Mbps. The function of the technology review is to evaluate the projected bandwidth requirements of the Town of Freeport network and complete a technology study to develop a plan to meet

the continued growth of network utilization. On or after the 5th anniversary of the effective date of this Agreement, if it is determined that the Town's bandwidth needs exceed 10 Mbps, Franchisee and Franchise Authority agree to split the cost to Franchisee of providing and installing any new or upgraded electronic components at individual I Net sites necessary to provide the additional bandwidth."

2. Section 3.2(b) through (l) and (n) of the Franchise Agreement, as amended, shall be amended to delete each reference to "I-Net" and replace it with "PVN".

3. Section 3.2(c) shall be amended to read:

(c) Franchisee shall provide an activated PVN Drop to any newly constructed or newly designed Town owned, or occupied, building or school. Franchisee shall provide with each said PVN Drop a cable network bridge, an Ethernet Switch and a PC Network Camera.

4. Section 3.2(1) shall be amended to read:

(l) The Franchisee shall provide and install equipment for the Town to utilize the PVN for video distribution. At a minimum this shall include a 2 channel laser optical transmitter located at town hall. This equipment shall be activated upon System Completion.

5. Section 3.2(m) shall be amended to read:

(m) No later than the first anniversary of the Effective Date of this Franchise Agreement the Franchisee shall provide a one time capital grant to the Town, of fifteen thousand dollars (\$15,000) for the Town to purchase equipment, such as a video demodulator, video modulators, video cameras, audio mixers, microphones, an ethernet hub, and routers.

6. Except as amended by this Amendment, the Franchise Agreement, as previously amended by the Transfer Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CASCO CABLE TELEVISION, INC.

By: _____
Vice President

TOWN OF FREEPORT

By: _____
Title: