

MINUTES
FREEPORT TOWN COUNCIL MEETING #02-19
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY JANUARY 22, 2019
6:30 p.m.

	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		
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 with the exception of Councilor Lawrence who is excused this evening. Town Manager Peter Joseph was also in attendance.

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 #01-19 held on January 8, 2019 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #01-19 held on January 8, 2019 and to accept the minutes as printed. (Reighley & Horne)

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

THIRD ORDER OF BUSINESS: Announcements

Chair Tracy announced:

- **AARP will once again be providing free Tax Preparation assistance** for low-moderate income households, with special attention to those 60 years and older at the Freeport Community Center. Beginning January 24th, 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.

- **Please remember that all dog licenses expire December 31st of each year.** You may register at the Freeport Town Hall or online at: www.doglicensing.com. *Please be aware that you must renew your dog license no later than January 31st of each year, or a late fee of \$25.00 per dog will be charged.*

COUNCIL MEETING #02-19
JANUARY 22, 2019

- Freeport residents interested in submitting an application for any available **public peddler locations** may do so from January 16th to January 23rd. At the first Town Council meeting in February, available public peddler licenses will be issued by lottery. Please contact the Town Clerk's Office here at Town Hall for more information on Public Peddler locations.
- **Freeport Community Library's Annual Chocolate Bash** will take place on Wednesday, February 6th from 6:30 PM – 7:30 PM. You can taste test the chocolate goodies, enter the raffle to win chocolate desserts, and enjoy live music by the Cul-de-Sax. Chocolates are priced at \$2 per plate and all proceeds will benefit the library.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Reighley mentioned that a lot has happened between the Council's last meeting and now. He attended a Winslow Park Commission meeting. They are still working on getting an on-line reservation system up and running. They hope to have it in place by April 1st. He attended a Traffic and Parking Committee meeting with representatives from Wolfe's Neck Center and the new parking arrangement which has been approved by Traffic and Parking and if necessary, will come before the Council soon. There was also a discussion of the potential marriage relationship between Active Living and Traffic and Parking. Councilor Horne also attended that meeting. Councilor Reighley attended the Active Living's meeting with Councilor Horne and they had a free discussion in their group about this relationship so we are beginning to work on some concrete issues. The next meeting is coming up Thursday, January 24th at 8:30 a.m., which will be the third meeting regarding this matter. The last meeting he attended was with the Greater Portland Council of Government and the *Roadmap to Prosperity*, which Councilors have, is some of the work being done. One of the things suggested is that we do a workshop with our elected members of State Government and that is something we can consider. It was also suggested that he contact those representatives individually and before he does that, he would like input from Councilors on what to say to them. Chair Tracy asked when he was planning to contact them and Councilor Reighley indicated that he plans to contact them over a period of time. He is not in a great rush. He said the Legislative Agenda closes on the 31st of this month so if there is anything really pressing, we need to be in contact with the Legislature by the 31st. Chair Tracy thanked him for going to all those meetings.

Councilor Whitney reported that she attended an Arts & Cultural meeting recently and they are doing a lot of exciting things. A lot of things will happen in the spring such as concerts, festivals and such. In the meantime, they are conducting a survey so if you are an artist, a craftsperson, a performer or anyone who likes to create, and are from Freeport, Pownal or Durham, they would like to hear from you. The survey can be completed on-line at Freeportartsandcultural.org/survey or you can pick up a hard copy at Freeport Town Hall, the Freeport Community Library, Freeport Community Center, the YMCA, Bow Street Market, Durham Town Hall, Pownal Town Hall and at the ACAF office at Freeport Works.

Chair Tracy advised that she attended a meeting with Councilor Gleeson and Peter Joseph this morning which was also attended by the FEDC Executive Director, Keith McBride, as well as the Chair of the Board, Mary Davis, and the Chair of the Planning Board, Wendy Caisse. The discussion was centered around what it is going to take to position Freeport to keep our downtown vital in the coming years given the shift in brick and mortar retail and less traffic in that kind of arena, and how best to make sure that our real estate and the atmosphere in the downtown is vibrant. In that process they discussed that FEDC is the development representative of the Town of Freeport and has a significant role in helping guide what the possibilities are for moving Freeport forward to the next phase and they are already in the process of internal discussions about what the priorities should be for the downtown. That is part of a larger strategic

COUNCIL MEETING #02-19
JANUARY 22, 2019

discussion and there are other subjects they are discussing in terms of FEDC but that is one of them. She asked FEDC to come before the Council before they adopt their strategic plan and provide some feedback about what their plan is and what they think their priorities should be so that both the Council and members of the public could provide some color, flavor and reaction before they adopt their final action plan. They also talked about the Planning Board starting a process of looking at what ordinances and regulations are having the effect of restricting development, meaning activity and vibrance, in the downtown. They are going to look at that and hopefully come up with some recommendations that will make the atmosphere more flexible and ultimately the Planning Board will decide whether it is appropriate. She suspects it will come the Council. It is just a start of an on-going process and she feels it was good to have all the pieces being coordinated. The Council, through staff, will undertake an effort to talk to other towns that have had a revitalization and resurgence of their downtowns. Suggestions that came to mind were Belfast, Lewiston/Auburn, Biddeford. It is not that we want to be exactly like those towns. It is just having a dialogue with the municipal leaders in those towns to say, "Did you do anything as a town to help facilitate the vibrancy of the downtown center?" We will contribute that to the discussion as well. That is starting and she expects the process will take a little bit but she intends to keep coordinating between the various entities and will keep the Council updated.

Chair Tracy and Councilor Whitney are talking about a workshop coming up on Aging in Place so she asked the Council to stay tuned for that. Councilor Whitney has already done some homework on that by talking to other towns as well as Freeport Community Services. We also have a VISTA volunteer whose purpose is to address aging in place issues in Freeport so we can leverage that knowledge and energy as well.

Councilor Egan advised that he received inquiries from two business owners in the cannabis sector wondering what our schedule will be for taking up any consideration of lifting the moratorium we have in place now. He responded that he thought we put a six-month moratorium in place sometime in September or October of 2018 but he didn't remember the timeframe. The inquiry was if the Town of Freeport was going to take a look at adopting any ordinance language and/or regulatory changes to accommodate business owners in the cannabis sector? Chair Tracy advised that the prior Council voted to ban all five marijuana activities in Freeport. She understands that the law has since changed and it is an opt-in law so the presumption is that retail activities in Freeport for marijuana which would include growing, manufacturing, testing, retail shops and the infamous social clubs, the Town would need to actually affirmatively allow them. If we don't, they are not allowed. Mr. Joseph advised that that is correct for the recreational adult use side but the wrinkle to that is the medical marijuana laws changed to exactly what was described for the adult use side. The Council would have to opt in passing ordinances to allow future growing, dispensaries that had been governed previously under the previous law. What that doesn't affect are already established businesses which we have a few and some were reviewed by the Project Review Board. Others were allowed as permitted uses under our Land Use Code that currently exists. They would be considered pre-existing non-conforming grandfathered uses. They cannot expand and/or change their operations but they can continue for the operations they were permitted or approved by the Project Review Board. The medical marijuana related businesses that exist in town can continue to operate. New ones cannot locate here without Council approval and on the recreational adult use side we have two roadblocks that would be in the way which are the previous Council ordinance on prohibition and the Council would also need to revoke it. As Chair Tracy described, adopt a new permissive ordinance on how we would allow them and where they would be located. Only a few municipalities have done this in Maine. Hallowell is going through the approval process regarding who gets the license and who doesn't. There are a few other municipalities that are early adopters of this new law who will be first in line when the adult use process is approved by the State. He does not have a sense of the time frame when the State regulations will be enacted. He did consult with the Town Attorney to make sure we are on firm ground and his advice was absolutely. Everything is opt-in. They are advising all their clients that the do-nothing

COUNCIL MEETING #02-19
JANUARY 22, 2019

action is that nothing new would be permitted in our town. We don't need to take any action as we did before. We would have to take two separate actions to reverse our current position if we wanted to.

Councilor Egan noted he feels that is good to know because he was ill informed and thought the prohibition was a temporary moratorium. He did not realize it was permanent. Chair Tracy advised that it was temporary at first but the Council actually voted later to ban. There was a little bit of a split on the Council. There was quite a majority in favor of banning retail and social clubs. There was more discussion around whether it was appropriate to ban less public facing functions like growing, testing and manufacturing. That was a little bit more of a split of the prior Council. If people want to revisit that, people should propose it.

Councilor Reighley advised that due to a close relationship he has from the medical marijuana side, he is confident they would be willing to come and provide any information the Council would request. He mentioned it was something about his wife being in the business. Councilor Egan thanked Councilors and advised that he will get back to the two folks and let them know that is the position. At this point, he is not interested in moving it forward but he is confident we will continue to be hearing from the business community for us to address the issue. Chair Tracy mentioned that to the extent that the discussion is around economic vitality and diversification of economic activities in the town, that is certainly relevant to that discussion.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

He is proud to announce that Freeport has once again received the Government Finance Officers Association (GFOA)'s "Distinguished Budget Presentation Award" for Fiscal Year 2019. This award is the highest form of recognition in governmental budgeting and represents a significant achievement by the Town. This is the seventh consecutive fiscal year that the Town has been honored with this award. Last year, only three governments in Maine received this award. Along with Freeport, the other two recipients were the town of Rockport and the Portland Water District.

While all of the Town Department Heads participate to some extent in the creation of this document, the bulk of the work is performed by Finance Director Jessica Maloy. He took this opportunity to publicly thank Jessica for her hard work and continued success in this program on a yearly basis. Congratulations to Jessica and her department. Councilor Reighley seconded that. Chair Tracy extended her congratulations to Jessica and her department. The Council really appreciates her hard work and she has done a really nice job.

The Public Works Department has regularly made available to Freeport residents two (2) 5-gallon buckets of sand per storm on an "honor" system, at a pile located adjacent to the "Silver Bullet" on Hunter Road. Due to observed abuse of this privilege, the Public Works Department is considering restricting access to the resident sand pile to times when Public Works Department employees are present at the office to monitor access to the pile. Restricted access is being considered as an alternative to completely eliminating this popular program.

The Public Works Department will be conducting their first snow removal operation of the year in the downtown area beginning on Thursday, January 24th at midnight, and running through 7 a.m. on Friday, January 25th. Please take caution as heavy equipment will be in use in that area during that time period. Our thanks go out to the road crews who worked long hours over the past three days to battle the snow

COUNCIL MEETING #02-19
JANUARY 22, 2019

and sleet. Storm clean-up has been particularly difficult for this storm due to extremely cold temperatures, and we appreciate the patience of the public as we continue to clean up from this storm.

Congratulations are also due to the Sustainability Advisory Board, who had a very successful kick-off to their sustainability lecture series at the Community Center last week. Kevin Roche from ecomaine gave a great talk on global issues facing the recycling markets. Please stay tuned for future talks, which will be held on a monthly basis for the first six months of this year. 80-100 people were there.

Councilor Horne advised that he brought a bunch of kids for a tour of ecomaine and they are really well set up to do tours. He encouraged anyone in the public interested in learning how the operation works to call and arrange a tour. It is quite an education and quite a facility. One of the residents asked a question at the end of the presentation on what is ecomaine and what is the ownership structure, etc.? Mr. Joseph explained that there are now 70 municipalities that now contract with them. Freeport and 20 other municipalities in the Greater Portland area are member owners of ecomaine and they do business with 50 other communities and they are similar to a Sewer District or a government overlay district of which we are all members. It is a fantastic regionalization success story and really makes you feel good to see that we are at 75% of the way there to get a handle on things. They do a great job and if this model was widespread throughout the country, just how much better off a lot of places would be if they had a way to handle their waste instead of trying to send it to us or sending out on a barge to dump in the ocean. It is a good story.

Chair Tracy agreed it is a good story. We have an ongoing contamination issue of our silver bullet recycling. Some unidentified offenders are not following the recycling protocols and are basically using our silver bullets as receptacles for trash. That will be an ongoing issue for us. We have heard a lot about it for months but it is a potential budget impact for us at some point, and although it is not right now, it could be. We need to keep that on our radar screen and she has communicated with our representative, Rod Regier, to give us a heads up so that we have advance notice when it may have a fiscal impact. We need to be ready in advance to address the issue head on and it may include more monitoring or oversight of our recycling facilities. It also may require some discussion as to whether we have ordinance changes so that recycling that occurs in town by commercial operations, to the extent that they have contamination, that the Town is not responsible for that, which is currently the case.

Mr. Joseph had a couple of updates. Staff is working on a proposal right now, probably in the next month or two, where we are going to do some preliminary monitoring to gather statistics on abusers. It will probably involve temporary staffing or part-time help in the Recycling Department. He and the Town Engineer have been trying to flesh out what this will look like but are not quite there yet. They are thinking maybe in the next month or two to remind people as they are using them of the "go or no go" sheet on what can go in or what can't go in. The job will not be to enforce the contamination problem but will be to discourage the contamination issue. We don't expect the trash enforcers to be throwing bags of trash out at people if they are trying to put them in there but they can monitor and correct the situation if people are putting them in. We also want to gather user statistics. We do not limit by Ordinance the participation, but we do at the Transfer Station at the Recycling Center. You have to be a Freeport resident or from a town that participates with us to buy stickers for their residents. You have to be a permitted user to go there. Silver bullets are unique where we lay them out and say they are for Freeport residents but there is not a prohibition for non-Freeporters. That is probably conscious because we do have visitors and we do want to encourage recycling but part of what we want to do is get some statistics on who is actually using them. For example, the ones located on the fringes of town, are they being used by people from other towns. This is something we need to back into our decision making. We don't have the answers but suspect that people come from all over and if you work in Freeport and live in a town that does not have recycling, you want to drop it off on your way home, it only makes sense that you would do

COUNCIL MEETING #02-19
JANUARY 22, 2019

that rather than pay to deal with it. Mr. Joseph has been talking to our neighboring towns. In Yarmouth they have the same exact same problem with the same exact numbers. They are in a similar situation where there is not a lot of easy ways to deal with this. If you take away the silver bullets, it will encourage people to throw away recyclables. They will have some continued conversation and hopefully set up some joint meetings with Pine Tree Solid Waste, who services both towns to come and discuss that issue. They talked about an ordinance change at the Ordinance Committee that would impose a user fee so we do potentially have that language to bring to the Council. They are hoping that both towns and some of the other neighboring towns are hoping to discuss this with the haulers first to see if they have any solutions or if they are able to address the problems. There are things happening behind the scenes. Ecomaine has voted financial incentives, disincentives, or starting penalties but also, they are going to be charging \$30 per ton for recyclables starting in the next fiscal year. That is up from free. It is in contrast to \$80 a ton for solid waste that comes from trash so it financially makes sense to recycle. It doesn't make sense to recycle poorly and get a penalty on top of \$30 per ton.

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

Councilor Reighley advised that he wished to add the publication Councilors received in their packets called *Roadmap to Prosperity* created by the Greater Portland Council of Government. He had additional copies discussing how we buy road salt in a cooperative basis and now they are going to expand into cooperative buying for things such as fire apparatus so that we can get better pricing. Our Fire Chief pointed out that there are plenty of opportunities where we could share equipment and satisfy the requirement but not necessarily own it by us. There are 26 communities in the GPCOG. Mr. Joseph is active on the Executive Board and Councilor Reighley serves on the Regional Voice Committee. It does good work. Kristina Egan is the Executive Director and a former Councilor.

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

ITEM #12-19 To consider action relative to adopting the January 22, 2019 Consent Agenda.

BE IT ORDERED: That January 22, 2019 Consent Agenda be adopted. (Egan & Reighley)

Chair Tracy reviewed the items for members of the public.

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

ITEM # 13-19 To consider action relative to scheduling a public hearing for February 5, 2019 at 6:30 in the Town Council Chambers to consider the annual renewal of a Special Amusement Permit.

BE IT ORDERED: That a public hearing be scheduled for February 5, 2019 at 6:30 PM to discuss the annual renewal of a Special Amusement Permit for The Hilton Garden Inn.

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

COUNCIL MEETING #02-19
JANUARY 22, 2019

placed on Freeport's local cable channel 3 and the Town's website. (Horne & Reighley)

Councilor Egan mentioned that the permit does not specify an event. Is he understanding that they are being given a permit for a whole series of events. Mr. Joseph advised that the answer is yes. This is basically saying that the Council is allowing them to have any number of live entertainment acts take place at the Hilton Garden Inn. For example, it could be something as simple as a DJ at a wedding. Councilor Egan mentioned if they are getting a special amusement permit, it sounds like it is a process for them to go through and at \$125 a fee to come and tell us they are going to conduct their business for a year, it seems we either get rid of that requirement, which it sounds we can't do, or their normal course of business requires a special amusement permit or we ask them to come in for a special amusement permit for a specific event. He does not see the rationale of a generic blanket special amusement permit with that language when it is not specified to any particular event. Mr. Joseph explained that the intent is that if there are any problems or disruptions that occur at a place with live entertainment, this is the way to control it. While he has been here six years, only one instance has come up where the event was disturbing the neighborhood. The applicant was great in working with the neighbors to resolve it and there have not been any complaints since then. Councilor Egan feels that the pathway we are applying doesn't seem to fit what we are asking them to do. Chair Tracy mentioned that it may require a more lengthy discussion but would be happy to take it up at Ordinance. She asked Mr. Joseph to let her know what the bounds are of the requirement, what are the State requirements and do we even have the ability to change. She personally would be reluctant to incorporate a revised mechanism that would require every business in town that has events, and many do, to come in for each event. To the extent we are trying to encourage activity in the downtown, that would be a disincentive. Councilor Egan noted that is exactly his point. Chair Tracy pointed out that it can be taken up at Ordinance and Vice Chair Gleeson suggested that this not be tabled.

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

ITEM # 14-19 To consider action relative to scheduling a public hearing for February 5, 2019 at 6:30 pm in the Town Council Chambers to consider amending Chapter 32, Shellfish Ordinance by deleting Section 32-1001 Municipal Shellfish Aquaculture, previously adopted on March 20, 2018.

BE IT ORDERED: That a public hearing be scheduled for February 5, 2019 at 6:30 pm to discuss the amending Chapter 32, Shellfish Ordinance by deleting Section 32-1001.

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

Chair Tracy explained that the Council adopted on March 20, 2018 an ordinance that gave the parameters of what the Shellfish Commission would look at and recommend to the Council when the Town is asked to approve an application for shellfish aquaculture in an intertidal zone and that application is submitted to the Department of Marine Resources for a State permit. This is not a permit we would be reviewing in the first instance. It is the provision of the permit that requires that the Town gives it a thumbs up or thumbs down. We adopted an ordinance that went through quite a few iterations and had a lot of public feedback and we adopted it into our Shellfish Ordinance. The issue is the Department of Marine

COUNCIL MEETING #02-19
JANUARY 22, 2019

Resources rejected us incorporating it into our Shellfish Ordinance and told us we would have to have a separate aquaculture ordinance. It is substantively the same as what we already approved. It is just in a different place and some of the references need to be changed. Mr. Joseph advised that everything Chair Tracy has said is completely accurate. There are reference changes from pulling it out of Chapter 32 and assigning it as Chapter 59. There are two separate actions in front of us. The first hearing will be to amend 32. This is a unique situation where it says our Ordinance becomes effective after it is approved by the Commissioner of Marine Resources, although you have already passed it so we would like you to strike out the language you have already passed even though it is limbo where it really wouldn't be effectively legally since it has not been approved by the Commissioner, but it is good advice to just remove it completely so we go back to exactly what the Shellfish Ordinance was with no changes from March of 2018. The next order would be #15-19 is to enact 59 to stand alone, which should have the same

effect. Our attorney was a bit confused and suspicious that the DMR would even send it back in the first place because we have the legal authority to do both of these things. However, they are mentioned in different areas of the Statute so DMR had a problem with us putting them in the same ordinance. We thought it was a needless distinction since both of them are allowed by rules and regulations of DMR but we will follow their advice. They won't approve it without us following their advice so let's just do it.

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

ITEM #15-19

To consider action relative to scheduling a public hearing for February 5, 2019 at 6:30 PM in the Town Council Chambers to consider the enactment of a new Aquaculture Ordinance, Chapter 59.

BE IT ORDERED: That a public hearing be scheduled for February 5, 2019 at 6:30 pm to discuss the enactment of a new Aquaculture Ordinance, Chapter 59.

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

Chair Tracy noted this is just following on the prior item.

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

ITEM #16-19

To consider action relative to the following fee schedule.

BE IT ORDERED: That the fee schedule for the Town of Freeport be adopted as proposed. (Reighley & Whitney)

Chair Tracy reviewed the schedule. Mr. Joseph explained that the proposed changes are for mooring fees but Councilor Horne brought to his attention in the Shellfish Licensing, it says the Senior Shellfish Licensing is incorrect. It has been brought down from age 70 to 65 and that change should be made. People have pointed out a bunch of other suggested changes and he plans to go through this comprehensively with staff. The important thing right now is the Coastal Waters Fees and the Shellfish correction Councilor Horne brought forward. In a couple of months, he plans to come back with the suggested changes from staff about cleaning up the rest of it.

MOVED AND SECONDED: To amend the summary of Town Fees adopted on January 22, 2019. Under the Shellfish Section change the age for Senior Commercial Shellfish Licenses from 70+ to age 65+. (Reighley & Gleeson)

Chair Tracy noted that it sounds like the Council will have further amendments proposed by staff. If there are Councilors feeling that we need to change particular fees with respect to certain licenses so there is a change one way or another in income and revenue, we can have that discussion. Mr. Joseph mentioned that the Town has not been faxing or making video tapes, which may be a change they want to visit. Councilor Horne mentioned the conversation on trying to revitalize the downtown, he would be open to re-examining the fees on encouraging economic activity.

VOTE ON FEE SCHEDULE AS PROPOSED AND AMENDED: (6 Ayes) (1 Excused-Lawrence)

ITEM #17 -19 To consider action relative to the following Public Peddler license renewals.

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

1. Linda Gastonguay d/b/a J&L Hot Dogs
2. Guiyu Perilla d/b/a Guilin Goodies
3. Jay Staples d/b/a Bonnies (Egan & Reighley)

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

OTHER BUSINESS:

Mr. Joseph suggested taking the next two discussions out of order. The Police Chief is coming to discuss Item No. 1. Chair Tracy agreed and suggested taking up the Council Goals next.

Discussion of Town Council Goals and Guidelines for 2019

Chair Tracy explained that this is the draft we had after our first meeting. Councilor Horne suggested that we divide this into Guidelines and then Goals. After that meeting, we circulated a revised edition. Two meetings ago there was a discussion about further revisions that she was present for. That was the meeting where the audio and Cable Department failed to record any of the meeting so we do not have a record of that meeting. Vice Chair Gleeson mentioned he pieced together a little of that meeting but it is not going to be precise. He was able to reconstruct a little of it with Councilor Reighley. We have the goals in front of us. For her benefit, as well as members of the public at home, she asked what the further discussion was on which item and what was the nature of the discussion.

Vice Chair Gleeson advised that essentially, we had a couple of suggestions. We had quite a bit of discussion on trying to keep our tax rate to a 1% increase annually but most Councilors felt it would not be a great idea in the event we had a “shock” event where we needed an apparatus so we moved away from that. They also talked about trying to streamline committees so there was a discussion about trying to do some committee reductions. That was something that Councilor Reighley had been working on. There was one last item that he believes had something to do with committee restructuring. Councilor

COUNCIL MEETING #02-19
JANUARY 22, 2019

Horne remembered there was quite a lot of discussion around whether our goals should be measurable or have some kind of a matrix to say whether or not we achieved the goal. We discussed if we set them up in such a way, we could tell if we have been successful or not. He thought that was a great comment, but feels it is sometimes hard to write something down into a measurable quantity and he sees them more as ways of directing the Council's energy but not necessarily being able to measure it all the time.

Councilor Egan explained that the solar issue came forward in this draft when he asked for Goal No. 1 to have a more active verb in the statement. The only change we made was to change "explore" to "pursue solutions." Anything more specific would require knowledge and control over variables that are beyond what the Council has its hands on right now.

Chair Tracy recalled a discussion about making things more concrete and in No. 3. The Council will explore and undertake initiatives to facilitate aging in place. She does not see that reflected here but feels, "The Council will explore and undertake two initiatives to facilitate aging in place," would be fine.

Councilor Reighley shared a note he had from a prior meeting was: "Working towards identifying strength in what Freeport means." It would help to think about how it affects our downtown area and how it affects the whole community. We could go forward and work with FEDC and the Chamber of Commerce to re-evolve our downtown area and increase vitality.

Councilor Horne agrees with this goal but might modify the language. His thinking has evolved since the Council started this whole Goals conversation. It sounds like Chair Tracy and Vice Chair Gleeson have kicked off the process at the leadership level. Having some goal related to Freeport's identity and Freeport's economic future makes sense to him. While it is not exactly what Councilor Reighley just said, it is in the same family.

Chair Tracy suggested: "Coordinate with FEDC, other committees and other local partners to identify and undertake efforts to encourage the continued vitality of the downtown district."

Chair Tracy explained that she would really like to adopt these tonight and would take a motion to adopt the Freeport Town Council Guidelines and Goals as presented with the modification that in Goal No. 3 that the Council will explore and undertake two initiatives to facilitate aging in place. And Item No. 5 is added: "The Council will coordinate with FEDC, other committees and other local partners to identify and undertake efforts to encourage the continued vitality of the downtown district."

MOVED AND SECONDED To accept. (Reighley & Horne) **VOTE:** (6 Ayes) (1 Excused-Lawrence)

Mr. Joseph offered to make copies of the Council Guidelines and Goals for everyone. Chair Tracy asked if Councilors wanted to check in on these in a quarter of a year or a half year from now. There was general agreement the check in should be done quarterly and the first one should be at the Council's first meeting in April.

In terms of goals, Chair Tracy advised that by default, Councilor Egan has been doing some work on renewable energy and it would be great for him to keep pushing it along. Infrastructure and Policy opportunities that will promote active lifestyles for Freeport's residents and visitors is something that Councilor Horne has been very involved in. The Council will explore and undertake initiatives to facilitate aging in place, which Councilor Whitney, with assistance from Chair Tracy, has been involved in.

COUNCIL MEETING #02-19
JANUARY 22, 2019

The Council will take reasonable efforts to resolve the Island Rover matter in 2019. This involves the entire Council. However, Council leadership (Tracy & Gleeson) is tasked with the day-to-day litigation and other discussion decisions. Staff is actively involved in looking at solutions.

Additionally, there will be a focus on coordination with FEDC, other committees, and other local partners to identify and undertake efforts to encourage the continued vitality of the downtown district. The Council has kicked this off with the Planning Board, FEDC and the next step is that FEDC will come to the Council. If any Councilors want to be involved in this, please let Chair Tracy know.

5-Minute Break was taken.

Chair Tracy called the meeting back to order.

Discussion of participating with the Town of Brunswick for a joint Animal Control Officer

Police Chief Susan Nourse explained that the Town of Brunswick approached Freeport and advised that there is an opportunity that Freeport would benefit from. About 3-4 years ago she spoke with the Brunswick Police about doing a consolidation of an Animal Control Officer's position. They discussed it but nothing was ever done at that time but they knew we had interest. They then had a change in personnel and took a look at the job and what they were using it for. They decided to call us because they knew what our call volumes were since they dispatched for us. They approached us with an opportunity for us to have one-quarter of the position for Freeport and three-quarters for Brunswick. It does not mean that the officer will be patrolling in Freeport for ten hours and thirty hours someplace else. Maybe some weeks we would get 15 hours of the officer's time. It will be a work in progress but in looking at the numbers and the types of calls and the expertise of the person they hired, it makes sense for us to look at this at this time.

We have an ACO. Currently it is a duty assigned to the Harbor Master/Marine Patrol position. That can be problematic if he is out on the water or doing other tasks. All of the officers at one time or other have been the second or sometimes the first, to respond to an animal control call which could be anything from horses, cows, rats, bats or dogs. Generally, it is dogs and cats but not always that type of animal. She feels our officers are better served doing police work. If Brunswick has a person suited for the animal control position and has training and experience in that regard, then this would be a good thing for us to look at and see if it would make sense for Freeport. She did put together a Cost/Benefit Analysis to talk about some of the points. If we take the animal in the car, it is put in where other people are put in the car. We do wash it out but if the dog is diseased, rabid, has fleas and ticks, it is in the same vehicle with people we deal with. They are not always people we arrest. They are people that may have been in a crash or need a ride someplace so other people sit in that space. We have had instances where officers have been injured by an animal, whether it is a bite or cat scratch. It has caused us to have some concern about health and Workers Comp. issues. Looking at it from her perspective, it makes sense to have somebody specifically assigned to deal with animals and to work collaboratively with Brunswick to make it happen.

Councilor Horne asked what kind of volume does Charlie and the other officers have to respond to now? Does it match up with the one-quarter position being proposed? Is it a good fit time-wise? Are we over buying or under buying? Chief Nourse advised that she feels it is a good fit time-wise. In 2018 we responded to 509 calls for animal control situations. It could be a barking dog, a dog at-large or any other number of animal type calls. The types of calls we are responding to are, probably considering what Brunswick's population is, probably a 3 to 1 ratio makes sense.

COUNCIL MEETING #02-19
JANUARY 22, 2019

Councilor Horne pointed out that it was an issue even when the Shellfish Resource Officer did not have Harbor Master responsibilities, but it was an issue for the Shellfish program to have those animal control issues intrude on what the officer was trying to do with the shellfish resource. Now we have combined the position with Harbor Master and the Shellfish Resource Officer so he can see from a workload point of view, this makes a lot of sense from his own experience working with the officers involved.

Councilor Reighley noted that Chief Nourse showed a cost of \$20,000 but we used to have a separate Harbor Master and Animal Control/Marine Officer. Those were two different positions so this \$20,000 is not really an increase because we are still saving money since we don't have a full-time Harbor Master and Marine Control Officer. Mr. Joseph explained that we didn't go from two positions to one. When we did the restructuring, we have an officer that works eight months out of the year with the Harbor Master and as a patrol officer. They started last year and got training and will do more water specific training this year. In the summer months we went from two full-time positions to two full-time positions. The difference is that for four months out of the year, we are putting that person on patrol when there is no need for two people to be on the water. It helps cover some kinds of things like holidays, vacation times when we are hard up for coverage at the Police Department. We really went from two to one and three-quarters when you do the benefits. He would be careful saying the \$20,000 is awash. It would probably be a little bit more than we were spending before if you actually did the numbers but it is close. We will be spending a little bit more.

Councilor Egan asked if Brunswick has a full-time ACO now? Chief Nourse advised that they hired the person to replace the one that left and assigned that person to the ACO position. It has been since October and while the officer is working, has the availability to fit in ten hours for Freeport. The ACO will be a Brunswick employee with a Brunswick vehicle that is assigned a certain amount of time for Freeport. Part of the money being divided includes equipment, not just wages and salary. She is not sure if the vehicle was included in the contract. The vehicle is a pickup truck. The ACO is not a full-time police officer but will be certified as a part-time officer which is the pre-service training. She will be focused on animal control issues all the time. In Brunswick it is part of the job to patrol the area. If we have these ten hours of time and there is no need for them to do any enforcement, licensing or following up on other cases, they could be checking kennels, if animals are quarantined, that is something they would check up on. There is a possibility that they could be out driving around the community. Councilor Egan mentioned it might take Freeport residents a bit of time to get used to seeing someone driving around in a Brunswick vehicle. He feels it is an excellent idea and he strongly supports it. He hopes the Chief will be able to coordinate with the Brunswick Chief on this.

Mr. Joseph explained that this is just breaching the idea with the Council. A formal agreement will need to be approved by the two towns but the Chief and he wanted to see what the appetite was. He feels it makes sense. He doesn't believe it is life or death if we do it. It does make improvements for the working conditions, having a more trained person responding to the bulk of the calls as opposed to an officer who has just taken a course on how to get a lasso around a dog's neck and ends up getting bit because they are not proficient in those types of training.

Chief Nourse mentioned another thing that intrigued her was the fact that the ACO would be available if we had a question about a situation such as a quarantined animal or things we don't deal with as much as she would perhaps in Brunswick. The officers can then focus their attention on police work rather than handling a bat in somebody's closet or a squirrel in a chimney.

Councilor Reighley agrees with Councilor Egan that this is an excellent idea. Shared responsibilities are in our future and GPCOG says it.

COUNCIL MEETING #02-19
JANUARY 22, 2019

Councilor Gleeson asked if the ACO would be on call anytime. Chief Nourse indicated that she would be and any overtime incurred would be our cost as it would be in Brunswick.

Chair Tracy is open to the idea but would like to see a little bit more in the negotiation and a little more clarity on how we ensure we get the one-quarter we pay for. If there are actual calls, and if there aren't calls, are they just around? Having an ACO patrolling in a Brunswick vehicle doesn't quite sit right. She would recommend some approaches to identifying that person when they are in Freeport as a Freeport ACO. She suggested a magnetic sign that could be applied to the vehicle's door perhaps showing Freeport's seal and hopes it would not be a great expense. It will give people comfort that they represent our community when they are in Freeport. We are paying for them and she thinks it is important from community relations and also getting our value standpoint. Chief Nourse advised that she has gotten those magnetic seals before and it could certainly be brought up in the discussion. She also suggested an ID Card that the officer could wear on a lanyard to identify her as a Freeport employee.

Councilor Gleeson suggested using an unmarked vehicle. He would like to support this proposal.

Chief Nourse mentioned that another thing that could be done as a public service sort of thing to introduce her with a picture of her with her truck in a Municipal Bulletin and explain her duties.

Chair Tracy is interested in learning what additional services we are going to get out of the ten hours the Marine Patrol Officer will not be working animal control functions. In her mind we are paying \$20,000 more than we would be paying this year if we go forward. What initiatives or increased benefit might we get from freeing up our Marine Patrol Officer/Harbor Master with that amount of time? Chief Nourse advised that it is not necessarily anything new that this person will be bringing to Freeport but allows the Harbor Master/Marine Patrol Officer to do the jobs they were meant to do rather than being called away to answer animal control calls. That is the benefit and whether it is that specialist doing the job or another officer and not being pulled away from a patrol duty or a specialist duty. They can stay focused on that and the other person will be focused on animal control.

Mr. Joseph is interested to see if we can use reports to pull together from the 509 calls, the actual amount of time spent on them and then put a hard cost to that. Councilor Horne was surprised at the high number of calls. Councilor Reighley had an opportunity for an Animal Control Officer to visit his house.

Chief Nourse explained that last year she had an opportunity to dilute the duties particularly when it came to licensing because we had an intern join them. Much of the paperwork and follow-up calls was passed onto the intern to take care of. That was when Charlie Tetreault was transitioning from Marine Patrol to the combo position so it helped in that regard. He didn't have to do the follow-up calls.

She will have a contract that she can forward to Mr. Joseph.

MOVED AND SECONDED: To adjourn at 8:05 p.m. (Reighley & Gleeson) **VOTE:** (6 Ayes) (1 Excused-Lawrence)

Respectfully submitted,

Sharon Coffin, Council Secretary