

Clerk

**TOWN COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001 - 7:00 P.M.  
TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- ITEM #157-01** To consider action relative to adopting the Consent Agenda for September 18, 2001.
- ITEM #144-01** Continued from September 4, 2001.
- To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (Public Hearing).
- ITEM #158-01** To consider action relative to the proposed leasing of Howard Place Parking Lot for Commercial Development. (Public Hearing).
- ITEM #159-01** To consider action relative to the extending of the deadline for responses to the Request for Proposals for the Potential Development of the Howard Place Parking Lot.
- ITEM #160-01** To consider action relative to paper streets and setting a date for an Informational Meeting.
- ITEM #161-01** To consider action relative to a utility easement for MaineCom Services to provide for the installation of fiber optic cable to L.L. Bean.
- ITEM #140-01** Approved August 21, 2001.
- To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Reconsideration).

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**OTHER BUSINESS:**

1. NET Committee report and recommendations.
2. Presentation on Bayscaper Program by the Friends of Casco Bay.
3. Report from the Winslow Park Committee on sponsoring a USA Triathlon - Councilor Stevens.

Adjourn.

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #16-2001**  
**TOWN HALL COUNCIL CHAMBERS**  
**SEPTEMBER 18, 2001 – 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:** John Arsenault, Chairperson, Prout Road  
Robert Stevens, Vice Chairperson, Porters Landing  
David Soley, Arnold Road  
Genie Beaulieu, Larue Drive  
Kenneth Mann, Mann Road  
Eileen Lowell, South Freeport Road

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #15-2001, September 4, 2001 Meeting and accept the Minutes as printed.

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

**\* Presentation of the Circle of Excellence Award.**

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

COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001

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ITEM #157-01 To consider action relative to adopting the Consent Agenda for September 18, 2001.

**BE IT ORDERED:** That the September 18, 2001 Consent Agenda be adopted.

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ITEM #144-01 Continued from September 4, 2001.

To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (Public Hearing).

**MOTION:** That the Public Hearing be continued.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the Town Clerk be instructed to place on the November 6, 2001 Ballot the following Bond Issue:

**REFERENDUM QUESTION**

**ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR SCHOOL ADMINISTRATIVE OFFICE SPACE**

**SHALL THE FOLLOWING ORDINANCE BE ENACTED:** Ordinance authorizing the issuance of bonds for School Administrative Office Space. **THE TOWN OF FREEPORT HEREBY ORDAINS:** That a sum not to exceed \$250,000 is hereby appropriated for School Administrative Office Space. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed \$250,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

**EXPLANATION AND RECOMMENDATION:** The proposed bond will be used to purchase and refurbish the 17 West Street building leased for the past four years for office space for system-wide school administrators and the Community Education Program. The Maine Department of Education is phasing out its program of leasing space for school operations. As part of the phase out, they will pay \$25,600 per year for the next three to six years to convert this leased space to permanent space. This will reduce the \$250,000 cost to Freeport taxpayers by \$75,000-\$150,000.

The Freeport School Committee recommends passage of this bond.

**NOTE:** Reconsideration has been requested of Councilors Arsenault and Stevens.

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ITEM #158-01 To consider action relative to the proposed leasing of Howard Place Parking Lot for Commercial Development. (Public Hearing).

**COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001**

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**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

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**ITEM #159-01** To consider action relative to the extending of the deadline for responses to the Request for Proposals for the Potential Development of the Howard Place Parking Lot.

**BE IT ORDERED:** That the deadline for responses to the Town RFP for the development of the Howard Place Parking Lot be extended to October 19, 2001 at 1:00 p.m.

**NOTE:** This item was requested by Councilor Stevens.

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**ITEM #160-01** To consider action relative to paper streets and setting a date for an Informational Meeting.

**BE IT ORDERED:** That a Public Informational meeting be scheduled for November 8, 2001 at 7:00 p.m. in the Freeport Public Library for the purpose of explaining the paper streets issue, describing the work that has been done by the Paper Streets Committee and solicit public input.

**BE IT FURTHER ORDERED:** That notice of the Informational Meeting be mailed out with November 2001 tax bills.

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**ITEM #161-01** To consider action relative to a utility easement for MaineCom Services to provide for the installation of fiber optic cable to L.L. Bean.

**BE IT ORDERED:** That the proposed utility easement deed be approved.

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**ITEM #140-01** Approved August 21, 2001.

To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Reconsideration).

**BE IT ORDERED:** That the Town Clerk be instructed to place on the November 6, 2001 Ballot for the following Bond Issue:

**REFERENDUM QUESTION**

**ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR THE CONSTRUCTION OF A COMMUNITY CENTER**

**SHALL THE FOLLOWING ORDINANCE BE ENACTED:** Ordinance authorizing the issuance of bonds for the Construction of a Community Center. THE TOWN OF FREEPORT HEREBY ORDAINS: That a sum not to exceed \$750,000 is hereby appropriated for the Construction of a Community Center. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed

\$750,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

**EXPLANATION AND RECOMMENDATION**

The Freeport Community Center will provide a central location for people of all ages to access social services, resource information, educational, vocational and cultural opportunities. The proposed Community Center will also provide wiring for Cable T.V. and overflow meeting space for Town Boards and Committees. The Town Council Chambers and Cable T.V. will remain at The Town Hall.

Freeport Community Services, Freeport Child Care Services, Freeport Elders Association, Freeport Community Education, the Freeport Community Players, the Teens and the Town government will all work together in the Community Center to assure accessible, broad-based services for all Freeport residents.

The Freeport Town Council supports this Bond Issue.

**NOTE:** Reconsideration was requested by Councilors Arsenault and Stevens.

**OTHER BUSINESS:**

1. NET Committee report and recommendations.
2. Presentation on Bayscaper Program by the Friends of Casco Bay.
3. Report from the Winslow Park Committee on sponsoring a USA Triathlon - Councilor Stevens.

Adjourn.

**TOWN COUNCIL  
CONSENT AGENDA  
SEPTEMBER 18, 2001**

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**ITEM #146-2001** To consider action relative to application for Victualer's Licenses.

**BE IT ORDERED:** That the following application for victualer's licenses be approved.

Robert & Celia Elberfeld d/b/a Captain Brigg's House Inn, 8 Maple Avenue  
Dale M. Baker d/b/a Ralph's Lazy Lobster, Mill Street (Bean's Outlet Store)  
Lisa Baker d/b/a Starbuck's Coffee, 49 Main Street  
Ronald Brook d/b/a Cricket's Restaurant, 175 Lower Main Street  
David W. Thompson d/b/a Casco Bay Regional YMCA, 14 Old Freeport Road

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**ITEM #147-2001** To consider action relative to accepting a bid for a Skid Steer Loader for Recycling.

**BE IT ORDERED:** That the bid from Beauregard Equipment in the amount of \$28,967 to provide for the purchase of a Skid Steer Loader be accepted.

**NOTE:** The budget for this item is \$36,000.

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**ITEM #148-2001** To consider action relative to confirming Wardens for the November 6, 2001 Election.

**BE IT ORDERED:** That the Town Clerk's appointments of Rick Simard and Steven McPheters as wardens for the November 6, 2001 election be confirmed.

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**ITEM #149-2001** To consider action relative to the confirmation of appointments to the Voter Registration Appeals Board.

**BE IT ORDERED:** That the appointments to the Voter Registration Appeals Board be confirmed.

- Republican Party - Millard Pray until December 1, 2004
- Democratic Party - Nancy Clark until December 1, 2004
- Town Clerk's Appointment - Joyce Denney until December 1, 2004

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**ITEM #150-01** To consider action relative to various town Boards and Committees.

**BE IT ORDERED:** That the following individuals be appointed to the following Boards and Committees:

<u>Name</u>	<u>Board/Committee</u>	<u>Term</u>
Annee Tara	Assessment Review Board	August 1, 2004
Steve McPheters	Cable T.V. Regulatory Board	October 1, 2004
Benjamin Keilty	Cable T.V. Regulatory Board	October 1, 2004
Sandy Williams	Design Review Board	October 1, 2004
Henry Bird	Design Review Board	October 1, 2004

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Edward Campbell	Design Review Board	October 1, 2004
Susan Collins	Recreation Committee	November 1, 2004
Rachel Farrington	Recreation Committee	November 1, 2004
Genie Beaulieu	Traffic & Parking Committee	December 1, 2004
Rick White	Traffic & Parking Committee	December 1, 2004
Chase Langmaid	Board Of Appeals	July 1, 2003

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**ITEM #151-2001** To consider action relative to approving the Town Council Meeting Schedule for October, November and December, 2001.

**BE IT ORDERED:** That the following Town Council meeting schedule be adopted.

- October 2, 2001 - Regular Council Meeting
- November 13, 2001 - Organizational Council Meeting
- December 4, 2001 - Regular Council Meeting
- December 18, 2001 - Regular Council Meeting

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**ITEM #152-2001** To consider action relative to the fiscal year 2002 tax due dates and interest rates.

**BE IT ORDERED:** That one-half of the fiscal year 2002 committee taxes for real estate be payable on November 15, 2001 with interest at the rate of .959% per month or 11.50% per annum, to be charged from November 16, 2001 and that the second half of the fiscal year 2002 committed taxes for real estate be payable on May 15, 2002, with interest at the rate of .959% per month or 11.50% per annum, to be charged from May 16, 2002.

**BE IT FURTHER ORDERED:** That the fiscal year 2002 committee taxes for personal property be payable on November 15, 2001 with interest at the rate of .959% per month or 11.50% per annum, to be charged from November 16, 2001.

**BE IT FURTHER ORDERED:** That an interest rate of .42% per month or 5% per annum be established for over payment of taxes.

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**ITEM #153-2001** To consider action relative to an expenditure from the Unemployment Compensation Reserve Account.

**BE IT ORDERED:** That up to \$10,000 be expended from the Unemployment Compensation Reserve Account to cover claims from a period of July 1, 2001 to June 30, 2002.

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**ITEM #154-2001** To consider action relative to a Municipal Quitclaim Deed for property located at 101 Flying Point Road (Tax Map 19, Lot 45).

**BE IT ORDERED:** That a Municipal Quitclaim Deed be issued for the following property.

**TO:** Robert R. Curry, Trustee of the Marion L. Curry Trust  
**FOR PROPERTY:** 101 Flying Point Road, Tax Map 19, Lot 45

**FOR TAX YEAR: 1989**

**NOTE:** Taxes have been paid in full.

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**ITEM #155-2001** To consider action relative to approving a parking lease between for property located at 57 Main Street.

**BE IT ORDERED:** That the Town Manager be authorized to execute a standard parking lease agreement for parking space necessary for an expansion proposed for property located at 51 Main Street.

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**ITEM #156-2001** To consider action relative to accepting a bid for directional signage.

**BE IT ORDERED:** That the bid from Sign Solutions in the amount of \$47,515 be accepted.

**NOTE:** The Council has previously approved funding for signage from the Traffic & Parking Reserve Account.

**End of Consent Agenda**



**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #16-2001**  
**TOWN HALL COUNCIL CHAMBERS**  
**SEPTEMBER 18, 2001 – 7:00 P.M.**

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
John Arsenault, Chairperson Prout Road	X		
Robert Stevens, Vice Chairperson Porters Landing	X		
Genie Beaulieu, Larue Drive	X		
David Soley Arnold Road	X		
Kenneth Mann Mann Road	X		
Eileen Lowell South Freeport Road	X		

Chair Arsenault referred to the terrorist attack that occurred on September 11 and urged everyone to come together and display national pride. Vice Chair Stevens noted that representatives from three different faiths are in attendance tonight but the Council wanted to acknowledge all the other faiths that exist in the community because they are with everyone in spirit and are welcome. *beliefs - connects at mtg. #, 7-2a BC*

Jackie Soley of the Jewish Community, Saheed Magul of the Muslim Community and John Wardierio of the Congregational Church, shared their prayers and thoughts. Chair Arsenault thanked them and asked everyone to join in a moment of silence to remember our fallen fellow Americans. He also thanked the Freeport Fire and Rescue members for their services and offers to go in harm's way.

**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #15-2001 HELD ON SEPTEMBER 4, 2001 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #15-2001 HELD ON SEPTEMBER 4, 2001 AND ACCEPT THE MINUTES AS AMENDED. (Councilors Beaulieu & Stevens) (6 Ayes).

Chair Arsenault asked Vice Chair Stevens to take over while he went to the podium and explained the Circle of Excellence Award. After citing Edgar Leighton's many contributions to the Town and its

citizens, he presented the award to him. Ed Bonney added his congratulations to Mr. Leighton and recalled his many contributions to the community. Beth Findlayson of FCS mentioned some of the many things Mr. Leighton helps her with as well as the YMCA and thanked Mr. Leighton personally.

Mr. Leighton, noting how humbled and honored he is, thanked everyone for this award.

**SECOND ORDER OF BUSINESS:** Public Comment Period – 30 Minutes (Non-Agenda Items Only). Chair Arsenault asked members of the public to limit their comments to three minutes.

Susan Campbell of Hunter Road thanked the Council for the memorial service that took place tonight. She asked the Council to publish an explanation on the ballot to go along with the referendum question regarding the West Freeport Village. She passed out the appropriate explanation and read it into the public record.

*Prepared  
Corrected mty. #17-2001  
HC*

**MOVED AND SECONDED:** To close the Public Comment Period (Councilors Beaulieu & Soley) (6Ayes)

**MOVED:** To move an item not on the printed agenda regarding the explanation for the charter amendment. (Mann) It failed for lack of a second.

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

ITEM #157-01 To consider action relative to adopting the Consent Agenda for September 18, 2001.

**BE IT ORDERED:** That the September 18, 2001 Consent Agenda be adopted. (Soley & Stevens) **ROLL CALL VOTE:** (6 Ayes).

ITEM #144-01 Continued from September 4, 2001.

To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (**Public Hearing**).

**MOVED AND SECONDED:** That the Public Hearing be continued. (Beaulieu & Stevens) (6 Ayes).

Christopher Leighton, Chair of the School Committee, expressed the School Committee's thoughts on this issue. They are focusing on better ways to supervise, evaluate and manage the school system this year. Their opinion is that 17 West Street is the sensible choice for the Superintendent's office space needs.

Bob Lyman thanked the Council for this gathering this evening before the meeting. He noted that the State will start contributing toward a conversion to purchased space but will not contribute for more than 3-5 years in the future so it makes sense to take action this year. He learned that this money would also

go toward renovating Soule School. He had contractors go through Soule School to provide estimates to bring it up to the same level of service as 17 West Street. He is talking \$250,000 for 17 West Street and somewhere between \$350,000-\$550,000 for renovating Soule School. Mr. Lyman answered questions for Councilors.

Councilor Beaulieu noted that these figures prove that the 17 West Street building is the most cost effective option and the community wants this office space located within the core. Councilor Soley asked that this information be provided to the public. Councilor Lowell suggested adding "The Council in studying this, feels this is the most cost effective option". Councilors Stevens and Soley agreed. Councilor Mann noted that he feels this is a double standard since the Council did not vote to add an explanation to the West Freeport Village Referendum. He noted that the State Statute says that the Council shall put an explanation on the ballot for a charter amendment. Councilor Beaulieu called for a Point of Order and noted that the discussion is on a different item.

Chair Arsenault advised that he supports the purchase of 17 West Street.

Jerry Tims of Richard Lane had comments to share. He agrees that proximity and the cost issue is very important. He would not recommend spending \$210,000 on 17 West Street but would look into constructing a new building on the Howard Place property but retain some parking places. Mr. Lyman shared his views on the window of opportunity offered by the State. Councilor Beaulieu addressed the parking spaces located at Howard Place.

Ann Hindley of Wardtown Road noted that there are big gaps in the estimates for Soule School. She asked about the money that is in the budget to repair the roof. Chair Arsenault indicated that the money is already allocated and the Town will need to maintain that building. Mr. Olmstead noted that the Council will need to have a discussion before it spends money on this building.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Beaulieu & Stevens) (6 Ayes).

**BE IT ORDERED:** That the Town Clerk be instructed to place on the November 6, 2001 Ballot the following Bond Issue:

#### **REFERENDUM QUESTION**

#### **ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR SCHOOL ADMINISTRATIVE OFFICE SPACE**

**SHALL THE FOLLOWING ORDINANCE BE ENACTED:** Ordinance authorizing the issuance of bonds for School Administrative Office Space. **THE TOWN OF FREEPORT HEREBY ORDAINS:** That a sum not to exceed \$250,000 is hereby appropriated for School Administrative Office Space. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed \$250,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to

provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

**EXPLANATION AND RECOMMENDATION:** The proposed bond will be used to purchase and refurbish the 17 West Street building leased for the past four years for office space for system-wide school administrators and the Community Education Program. The Maine Department of Education is phasing out its program of leasing space for school operations. As part of the phase out, they will pay \$25,600 per year for the next three to six years to convert this leased space to permanent space. This will reduce the \$250,000 cost to Freeport taxpayers by \$75,000-\$150,000.

The Freeport School Committee recommends passage of this bond. (Beaulieu & Stevens)

**MOVED AND SECONDED:** To amend the explanation by adding a sentence to the very last sentence: "The Freeport Town Council and School Committee have reviewed a number of options and have determined that buying and renovating this building is the most cost effective option." (Soley & Stevens) **ROLL CALL VOTE:** (6 Ayes)

Councilor Mann suggested waiting until later in the meeting to vote because more information will be forthcoming.

**MOVED AND SECONDED:** To table the vote until later in the meeting. (Beaulieu & Stevens) (6 Ayes).

**NOTE: THE ROLL CALL VOTE WAS:** (5 Ayes) (1 Nay—Mann).

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Mr. Olmstead reported on a meeting with Eastland Shoe. At this time they are interested in retaining the building and using it for their own purposes. They are having the building appraised. There is roughly 80,000 sq. ft. in the building. They are a long way from making any decision on this property and they have no debt on it. They plan to work closely with the Town Planner and the Historical Society when they begin to formulate some plans. Mr. Olmstead apprised them on the discussion in the community about the potential to use that property for municipal uses and they found this to be interesting.

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**ITEM #158-01** To consider action relative to the proposed leasing of Howard Place Parking Lot for Commercial Development. (Public Hearing).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Stevens & Mann) (6 Ayes).

Councilor Stevens pointed out that the next item on the agenda is asking to extend the deadline for responses for the Potential Development of the Howard Place Parking Lot because a potential developer asked for an extension. It is important to proceed with the public hearing because it was posted and people are expecting to have an opportunity to comment on it. Councilor Mann thanked Councilor Stevens for putting this on the agenda.

Councilor Stevens reported that the Town is looking at ways to increase revenues to offset some of the tax increases facing property owners. This may be a way to put non-taxable property on the tax roles and appears that it is worthwhile to consider this proposal. They will work with the School Committee to make sure the School needs are covered. Councilor Lowell tied the proposal to the Vision 2010 possibilities for this part of town. Discussion followed. Chris Leighton updated everybody on where the School Committee is on this issue. They

COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001

are on the same page as the Council. They are confident that parking for games and overflow can be worked out through the RFP process and offered Ken Guimond to work with the Council on the bids.

Andy LeMaistre of Flying Point Road questioned how the mechanism was addressed in the proposal for those parking spaces designated or leased to various retailers in Town. He assumes that Howard Place generates revenue for the Town. Mr. Olmstead advised that there are 120 spaces in the lot and 54 are assigned to merchants for spaces they gave up in working with the Planning Board for connectors, etc. Those credits do not provide any revenue at all. The RFP requires the proposer to provide those spaces somewhere else in the Village Commercial Zone. Mr. LeMaistre advised that he is all for this proposal.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Stevens & Mann)  
(6 Ayes).

**ITEM #159-01** To consider action relative to the extending of the deadline for responses to the Request for Proposals for the Potential Development of the Howard Place Parking Lot.

**BE IT ORDERED:** That the deadline for responses to the Town RFP for the development of the Howard Place Parking Lot be extended to October 19, 2001 at 1:00 p.m. (Mann & Stevens)

Councilor Mann asked for clarification on the parking space requirement standard in the Zoning Ordinance which Councilor Beaulieu addressed. He wants to be sure that it is the Council's intent to replace one for one space and wanted any confusion cleared up. Councilor Beaulieu doubts that any developer will come in with a one ~~for~~ one proposal because the money is not there and there is no open land in that zone. Discussion followed. Chair Arsenault advised that a notice will be sent out if the extension is granted. *corrected mtg. 8/17-2001 AC*

**ROLL CALL VOTE:** (5 Ayes) (1 Nay—Mann).

**ITEM #160-01** To consider action relative to paper streets and setting a date for an Informational Meeting.

**BE IT ORDERED:** That a Public Informational meeting be scheduled for November 8, 2001 at 7:00 p.m. in the Freeport Public Library for the purpose of explaining the paper streets issue, describing the work that has been done by the Paper Streets Committee and solicit public input.

**BE IT FURTHER ORDERED:** That notice of the Informational Meeting be mailed out with November 2001 tax bills. (Lowell & Stevens)

Chair Arsenault explained that more information is needed and asked that this item be put on the agenda. Councilor Mann noted that the Maine Municipal Association has six attorneys and that they may possibly supply an attorney if other towns can be included in this meeting, such as Yarmouth and Pownal. Councilor Soley noted that he does not want to pay an attorney and also does not want to include neighboring towns in this informational meeting because there will be many Freeport people that have legitimate questions. Councilor Stevens suggested discussing this issue at the October 3 Town Council Meeting with Yarmouth and Cumberland. Chair Arsenault pointed out that information describing what a paper street is will be available at the Town Office.

**ROLL CALL VOTE:** (6 Ayes)

**ITEM #161-01** To consider action relative to a utility easement for MaineCom Services to provide for the installation of fiber optic cable to L.L. Bean.

**BE IT ORDERED:** That the proposed utility easement deed be approved. (Soley & Stevens)  
(6 Ayes)

Mark Curtis explained that their project would come from the Desert Road into West Street. He answered questions for the Council and noted that this would be a second path for L.L. Bean. He has met with Bob Lyman and learned that he has no problems as long as the standards are followed. Mr. Olmstead noted that this is really Town property not school property. They are tentatively planning to do this in November. Councilor Soley suggested that Mr. Olmstead be authorized to work with the school architect.

**MOVED AND SECONDED:** To authorize the Town Manager to enter into this easement provided that he has determined that it is approved by the school's architect and he is sure that the easement is legally satisfactory to the Town and the easement has the provision in it that says the owner is required to relocate it at its own expense should it interfere with future school or Town needs for the property. (Soley & Beaulieu) (6 Ayes).

**ROLL CALL VOTE:** (6 Ayes).

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**ITEM #140-01** Approved August 21, 2001.

To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Reconsideration).

**BE IT ORDERED:** That the Town Clerk be instructed to place on the November 6, 2001 Ballot for the following Bond Issue:

**REFERENDUM QUESTION**

**ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR THE CONSTRUCTION OF A COMMUNITY CENTER**

**SHALL THE FOLLOWING ORDINANCE BE ENACTED:** Ordinance authorizing the issuance of bonds for the Construction of a Community Center. **THE TOWN OF FREEPORT HEREBY ORDAINS:** That a sum not to exceed \$750,000 is hereby appropriated for the Construction of a Community Center. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed \$750,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

**EXPLANATION AND RECOMMENDATION**

The Freeport Community Center will provide a central location for people of all ages to access social services, resource information, educational, vocational and cultural opportunities. The proposed Community Center will also provide wiring for Cable T.V. and overflow meeting space for Town Boards and Committees. The Town Council Chambers and Cable T.V. will remain at The Town Hall.

Freeport Community Services, Freeport Child Care Services, Freeport Elders Association, Freeport Community Education, the Freeport Community Players, the Teens and the Town government will all work together in the Community Center to assure accessible, broad-based services for all Freeport residents.

The Freeport Town Council supports this Bond Issue.

**NOTE:** Reconsideration was requested by Councilors Arsenault and Stevens. (Beaulieu & Stevens)

Chair Arsenault noted that he, Councilor Stevens and Mr. Olmstead received a lot of input from the public and he wanted the public to know that the Council heard what they said—that it is vital to keep Town services in its present location and not move. Councilor Stevens added that if in the future there is a need for additional space, it may be accomplished at this site. He noted that the Town will still be making a contribution to the Community Center in the amount of \$750,000 in a bond. Taking the Town Council Chambers out of it will reduce costs.

Ed Bradley mentioned that they heard the same things in all their meetings and he noted that the Community Center is for the Town and the effect of taking \$750,000 out of a project is not easy. They started right away with their architect to put the building on a diet. Every entity has been asked to consider a reduction of their space and He believes they will find a way to share space. He is optimistic. He pledged that should the community center be disposed of in the future, the funds expended will be returned to the Town. A new letter will be provided to protect the Town's interest should the building cease being a community center.

**MOVED AND SECONDED:** Under Explanation and Recommendation: add "when available" before "for Town Boards and Committees." Change the last sentence in the second paragraph to read: "The Town Council Chambers, Cable T.V. Department and other Town offices will remain at the Town Hall. (Soley & Beaulieu)

Mr. Bradley indicated that this was fine. Julie Fraser noted that in light of last week's events, Freeport cannot afford to not have a community hall. Pat Giles of the Freeport Elders pointed out that another reason for the need of this community center is the fact that the Elders need a non-discriminatory, neutral space. Their center meets in a church and not everyone is comfortable meeting in a church. This was the only nice place offered to them. Beth Findlayson of FCS and Vaughndella Curtis shared their views for the need of this community center. Councilor Soley indicated that he is convinced and is willing to vote. Mr. Bradley asked people to stand up to show their support of the center. Note: almost everyone stood up.

Andy LeMaistre indicated that he is not opposed to the center but is opposed to its location. He brought a copy of the Comprehensive Plan and pointed out under Section VII, community services and major facilities should be located within the village area. He feels it is the obligation of the Council to uphold the elements of the Comprehensive Plan. As an alternative, the Council could set up some temporary thing that would allow the Coalition to proceed in the DeLorme Building while the Town investigates other alternatives that may bring things back to the village. Mr. Bradley thanked Mr. LeMaistre but pointed out that this is not a Town service, it is a community building. From their perspective, they are in the right location and disagree with Mr. LeMaistre.

**COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001**

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Councilor Mann asked if 4,000 sq. feet could be made available for the Superintendent's office needs and Mr. Bradley advised that there is not enough room for this use. Anne Hindley asked the Council to not rush to put this item out to referendum in November. She would like a sense of what is going to be constructed. Tom McDermott of Desert Road noted that he is in favor of this center but is concerned for the people that FCS serves. Confidentiality is a big part of people coming in for assistance of any type. He cannot get around this issue. He feels FCS should be separate from the community center.

**ROLL CALL VOTE:** (6 Ayes)

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**ITEM 144-01**

**MOVED AND SECONDED:** To go back to 144-0-1 tabled earlier tonight. (Soley & Stevens) (6 Ayes).

**ROLL CALL VOTE:** (5 Ayes) (1 Nay—Mann).

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**OTHER BUSINESS:**

**NET Committee Report and Recommendations.** (Stricken, more information is needed)

Presentation on Bayscaper Program by the Friends of Casco Bay—Louisa Moore spoke to this issue and highlighted how the Town could benefit from this voluntary program by the reduction of fertilizers and pesticides. This is the pilot year and she did not know how many awards would be granted. She answered questions for the Council. She also had samples of the aluminum signage involved that will be mounted on wooden stakes. Discussion followed on signage for homeowners and businesses. Mr. Olmstead noted that security signs in Town are not regulated but offered to talk to the Codes Enforcement Officer. Ms. Moore advised that Skillins has been working on these practices locally and has the formula for the desired grasses.

Report from the Winslow Park Committee on sponsoring a USA Triathlon—Councilor Stevens reported that the Commission met with David and Annie Fisher to discuss sponsoring a USA Triathlon and it was met with unanimous support. This will be a serious event that will bring a great number of people to Town after Labor Day next year. The Park is doing wonderfully with its superintendent. Revenues are up. There was a series of musicals held on Thursdays that were well attended. A moose visited the park in July.

Councilor Beaulieu advised that the Solid Waste Subcommittee looking at alternatives has been meeting regularly. A cost benefit analysis is being finalized. They will be coming back the first of the year with an Ordinance Change on a voluntary recycling program. They will also be scheduling a couple of public hearings.

Councilor Beaulieu advised that in the VC-I Zone, the Ordinance prohibits apartments overhead. She feels that the Council should look at the process for changing the Ordinance to allow apartments on second or third stories. She will discuss this with the Codes Enforcement Officer and the Town Planner. Other Councilors concurred that this would be a nice feature.

Explanation on West Freeport Village Referendum—Mr. Olmstead noted that the Council does not have any jurisdiction over the language. Councilor Stevens pointed out that the Council could propose some language and say that if it meets the approval of the Town Attorney, that we include it, or not include any language. Councilor Lowell read the referendum and feels that it is quite clear and no further explanation is needed. The folks that drew it up did an excellent job. Councilor Beaulieu does not want to put words into the mouths of the people that signed the petition. The Council wanted the people signing the petition to have the words they wanted.



COUNCIL MEETING #16-2001  
SEPTEMBER 18, 2001

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Susan Campbell advised that State Statute does allow for an explanation along with the referendum. She is attempting to give people an explanation of what a "yes" vote means. Councilor Lowell explained why she feels the explanation is misleading. Discussion followed.

Councilor Soley asked for a point of order. He did not want to go down a road where there is partisan bickering. Councilor Mann also asked for a point of order. He noted that it is the responsibility of the Town Council to provide an explanation, give public notice and come up with the language. Because the Town Council has failed to do this, the citizens have attempted to coach the Council into doing the job required by State Statute. The attempt tonight was to be helpful to the Council.

Councilor Beaulieu asked when anyone ever called the Town to have this put on the agenda. More discussion followed. Councilor Beaulieu advised that the Council does not have agenda meetings. Mr. Olmstead pointed out that there were agenda items tonight requested by members of the public.

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Adjournment:

**MOVED AND SECONDED:** To adjourn at 11:10 p.m. (Arsenault & Beaulieu). (5 Ayes)  
(1 Abstention—Mann).

Respectfully Submitted,

*Sharon Coffin*

Sharon Coffin  
Council Secretary

Name	Address	City/State	Phone	amount
Bailey Sign	9 Thomas Dr	Westbrook, ME	774-2843	\$79,300.00
Sign Solutions	75 Bishop St.	Portland, ME	800-347-6245	\$47,515.00

Notice of the request for proposals was sent to 26 sign manufactures (all of the manufactures listed in the phone book). In addition, a legal ad was printed in the paper.

Five sign manufactures purchased bid packages, two proposals were submitted.

**Recommendation of Traffic and Parking Committee:**

The Traffic and Parking Committee recommends that the Town Council accept the bid of Sign Solutions, of Portland, ME for \$47,515 provided favorable responses are received from the three references (Shaw Brothers, Maine Bank and Trust, and the Portland Sea Dogs). The Town Council appropriated \$75,000 in the current budget for this project.

**2001 CIRCLE OF EXCELLENCE AWARD**

**PRESENTED TO EDGAR LEIGHTON**

**SEPTEMBER 18, 2001**

**Remarks of Edward M. Bonney**

**MR. CHAIRMAN, MEMBERS OF THE TOWN COUNCIL, FRIENDS. IT IS MY PLEASURE TO ADD MY CONGRATULATIONS TO THOSE ALREADY EXPRESSED AWARDED EDGAR LEIGHTON THE 2001 CIRCLE OF EXCELLENCE AWARD.**

**I HAVE KNOWN EDGAR FOR MANY YEARS. I AM PLEASED TO CALL HIM A FRIEND.**

**TONIGHT I WANT TO TALK A LITTLE ABOUT ED AND WHAT HE AND HIS WIFE DOT HAVE MEANT TO THOSE OF US THAT LIVE IN FREEPORT.**

**THE FREEPORT THAT EDGAR AND I GREW UP IN WAS MUCH DIFFERENT THAN IT IS TODAY. THERE WERE GROCERY STORES, 5 & 10 STORES, DRUG STORES, GASOLINE STATIONS, A MOVIE THEATER, A BANK AND A BOWLING ALLEY, BARBER SHOPS AND YES THERE WERE EVEN A COUPLE OF FUNERAL HOMES RIGHT DOWN TOWN. FREEPORT WAS A CENTER FOR LOCAL SHOPPING. FRIDAY NIGHT THE BANK STAYED OPEN UNTIL 9:00 P.M. AND DOWNTOWN WAS CROWDED WITH FOLKS DOING THEIR SHOPPING.**

**THE 5 & 10 STORES WERE FISH'S AND SHETTLEWORTHS ED WENT TO WORK AT FISH'S WHILE IN HIGH SCHOOL AND NOT ONLY DID HE MEET HIS WIFE THERE THE RETAIL BUG BIT HIM AS WELL.**

**5 & 10 STORES CARRIED EVERYTHING FROM CLOTHING TO HARDWARE AND FURNITURE. ED EVENTUALLY MANAGED FISH'S AND WHEN THE OPPORTUNITY PRESENTED ITSELF IN LATER YEARS TO BUY SHETTLEWORTH'S HE DID. SHETTLEWORTH'S OCCUPIED THE STORE FRONT THAT IS PRESENTLY OCCUPIED BY DANSK. A PRIME LOCATION. ED AND DOT EXPANDED THEIR BUSINESS ON THIS SITE EVENTUALLY TAKING OVER SEVERAL ADJACENT STOREFRONTS.**

**HOW DID ED RUN HIS BUSINESS? HE RAN IT IN A COMMUNITY MINDED WAY. HE WAS ALWAYS SENSITIVE TO THE NEEDS OF HIS SHOPPERS AND SENSITIVE TO WHAT THEY COULD PAY. I KNOW THAT MANY BENEFITED FROM HIS GENEROSITY WHEN TIMES WERE TOUGH FOR**

**THEM. HE PROVIDED STABLE EMPLOYMENT FOR HIS EMPLOYEES. HE AMASSED GOODWILL BY SIMPLY BEING A NICE GUY.**

**MY CHILDREN LOOKED FORWARD TO CHRISTMAS BECAUSE THEY WOULD BE ABLE TO GO TO LEIGHTON'S AND THE CHRISTMAS DECORATIONS AND TO SIT ON SANTA'S KNEE. LEIGHTON'S STORE FOR US WAS A VISIBLE SIGN OF THE HOLIDAY SEASON.**

**AFTER YEARS RUNNING A SUCCESSFUL BUSINESS AT THE CORNER OF BOW STREET A TRAGIC FIRE SWEEPED LEIGHTON'S. MANY WOULD HAVE LICKED THEIR WOUNDS TAKEN THE INSURANCE MONEY AND FOUND SOME OTHER LINE OF WORK. NOT ED. HE BUILT A SMALLER VERSION OF LEIGHTON'S AT THE CORNER OF BOW AND MIDDLE STREET. THIS STORE HE RAN FOR A FEW YEARS WHEN HE MADE THE DECISION TO LEASE OUT THE STORE SPACE TO ONE OF OUR NEW RETAIL OUTLETS AND TO TAKE ON A HARDWARE FRANCHISE IN THE BASEMENT OF THE STORE. HE RAN THE HARDWARE STORE UNTIL HIS RETIREMENT A COUPLE OF YEARS AGO.**

**ED YOU ARE AN ICON IN THIS COMMUNITY. FEW THAT LIVE HERE HAVE NOT BOUGHT SOMETHING FROM YOU. MOST OF US HAVE SOUGHT YOUR ADVICE ON WHAT TO BUY TO DO A HOUSEHOLD PROJECT. IN THIS DAY AND AGE OF BEING REQUIRED TO TRAVEL A DISTANCE TO BUY SOMETHING YOU NEED AND THEN ENCOUNTERING IMPERSONAL SERVICE WHEN YOU GET THERE, IT IS A COMFORT TO KNOW THAT AT ONE POINT IN TIME ED LEIGHTON WAS HERE ON MAIN STREET TO SELL YOU A NEW PAIR OF JEANS, A SOFA AND CHAIR FOR YOUR LIVING ROOM, SEWING NEEDS AND THE NUTS AND BOLTS THAT YOU NEEDED TO HOLD SOMETHING TOGETHER THAT YOU SHOULD HAVE TROWN OUT YEARS AGO.**

**ED YOU ARE A SIGNIFICANT PART OF THE FABRIC OF FREEPORT. I CAN THINK OF NO ONE MORE DESERVING OF THE RECOGNITION THAT YOU HAVE RECEIVED AS THIS YEAR'S RECIPIENT OF THE CIRCLE OF EXCELLENCE AWARD.**

**CONGRATATULATIONS.**

## **EXPLANATION: WEST FREEPORT VILLAGE REFERENDUM**

### **EXPLANATION:**

A yes vote on this amendment will prevent the Freeport Town Council from designating the area west of I-95 as a Growth Area and from creating a new West Freeport Village. The current Comprehensive Plan designates the majority of the area between Beech Hill Road and Desert Road as a Rural Management Area. A yes vote would be consistent with the Comprehensive Plan and could only be amended by popular vote. The growth area and new village, as proposed by the Residential Growth Committee, would create a residential/commercial growth area with; 800 housing units on 580 acres, 4-6 housing units per acre, new schools, churches, stores, municipal buildings and the necessary infrastructure to support such a development.