

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #05-2005**  
**TOWN HALL COUNCIL CHAMBERS**  
**MARCH 1, 2005 – 7:00 P.M.**

**CHAIRPERSON'S CALL TO ORDER**

**PRESENT   ABSENT   EXCUSED**

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenaault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

Chair Rumpf called the meeting to order at 7 p.m.

**FIRST ORDER OF BUSINESS:**      To waive the reading of the Minutes of Meeting #4-2005 held on February 15, 2005 and accept the Minutes as printed.

Mr. Olmstead pointed out that the Town Clerk has asked for a clarification on Item #21-05 regarding the 20'. Councilor DeGrandpre clarified that the language should have read "20 feet in total." Other Councilors concurred.

**MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #4-2005 held on February 15, 2005 and accept the Minutes as amended.  
(Arsenaault & Bishop) **VOTE:** (7 Ayes).

**SECOND ORDER OF BUSINESS:** Announcements

Mr. Olmstead noted that there will be a town-wide mailing going out in the next two weeks. In that mailing will be applications for Boards and Committees. Chair Rumpf encouraged members of the public to fill out the application form and return it to the Town Office. Boards in need of new members are the Planning, Project Review and Winslow Park.

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

Joe Migliaccio of South Freeport Road explained that he would be away next week. He wanted to provide comments for the upcoming budget discussions and preparation of the annual report. He is hoping that there will be user-friendly information provided including trending analysis as well as a 10-year graph on tax burden indexing, school spending targets, goals, etc. Mr. Olmstead noted he is not sure developing past trends will help with future trends but he can develop the charts. Discussion followed. Chair Rumpf agreed that it would be helpful to have what the

changes in the mill rates and increases in the Town and School budgets have been in the last 4 or 5 years.

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**FOURTH ORDER OF BUSINESS:**

**ITEM #25-05** To consider action relative adopting the March 1, 2005 Consent Agenda.

**BE IT ORDERED:** That the March 1, 2005 Consent Agenda be adopted. (Beaulieu & Arsenault)

Chair Rumpf explained what was on the Consent Agenda to members of the public. Mr. Olmstead explained what the Dr. Gould Trust Fund is.

**ROLL CALL VOTE:** (7 Ayes).

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**ITEM #26-05** To consider action relative to adopting a Five Year Capital Plan and approving a Capital Budget for Calendar Year 2005.

**BE IT ORDERED:** That a Public Hearing be scheduled for March 15, 2005 at 7:00 p.m. to discuss the adoption of a Five Year Capital Plan and approving a Calendar Year 2005 Capital Budget.

**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 7 and the Town's website. (Bishop & DeGrandpre)

Chair Rumpf pointed out the workshop that is scheduled next Tuesday on the Capital Budget. The public is invited to attend. Councilor White asked for a list of fleet vehicles. Mr. Olmstead explained that he has packets to distribute Councilors later in the meeting.

**ROLL CALL VOTE:** (7 Ayes).

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**ITEM #27-05** To consider action relative to authorizing a Fund Raising Drive for the Proposed Community Center.

**BE IT ORDERED:** That A fund Raising Drive for the Proposed Community Center Project be authorized.

**BE IT FURTHER ORDERED:** That the following individuals be appointed to the Fund Raising Committee.

Robert Stevens, Chair	Judy Miskell
Ed Bradley	Marty Robles
Steve Brown	Betsy Ruff
Vaughndella Curtis	Carol Southall
Rich DeGrandpre	Tom Whelan
Edie Dubord	John White
Nancy Gray	

(Cassida & Bishop) Mr. Cassida suggested a few changes and made recommendations. Discussion followed.

**MOVED AND SECONDED:** To include the following charge:

**Committee Purpose:** To conduct a fundraising drive to raise \$1,500,000.00 to augment existing public funds for construction of a Community Center in the Town of Freeport.

**Deadlines:**

1. The Committee will raise \$900,000 in cash and legal pledges by December 1, 2005 in order to ensure the Town's commitment to construction of the Community Center.
2. The Committee will complete its goal of \$1,500,000.00 in cash and legal pledges by August, 2006. Every effort will be made to minimize the extent of multi-year pledges.

**Reporting:** The Committee Chair will report monthly to the Town Council and/or Town Manager on the progress of the fundraising effort. (Cassida & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

**ROLL CALL VOTE ON AMENDED ORDER:** (7 Ayes).

Chair Rumpf thanked the members of the fundraising committee

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ITEM #28-05 To consider action relative to the Municipal Facilities Committee Recommendations on the use of the Soule School Building and Soule School Property.

**MOVED AND SECONDED** That the Committee report on its final recommendations.

**BE IT ORDERED:** That the Committee recommendations be approved.

**BE IT FURTHER ORDERED:** That the Town Manager be authorized to execute the lease agreement between the Town of Freeport and L'Ecole Francaise du Maine for the use of a portion of the property designated in the document titled "Future of the Soule School Property – Option #3 – dated 2/22/05.

**BE IT FURTHER ORDERED:** That the lease agreement be amended to reflect the operating weeks of the tenant, be conditioned on Staff Review approval, and the tenant providing letters of credit acceptable to the Town. (White & Arsenault)

Councilor White gave some background information and summarized the Municipal Facilities Committee's recommendations. Councilor DeGrandpre pointed out that the French School will be in operation in September and has agreed to complete the improvements within one year of the execution of the lease. Discussion followed.

Councilor Arsenault voiced concern with placing the land in a conservation trust. It belongs to all Freeport residents and land is too valuable to tie it up. He feels it is possible to have green space without doing this. He does not want to give it away. It is getting harder to get access to the water. Councilor Cassida noted it is possible to have a park without putting it in a trust. Councilor White explained that tough decisions have to be made about critical aspects to have a viable community and the involved residents noted that this green space does not have to be purchased and is important to the village center.

Councilor Beaulieu explained that she has heard from residents that do not attend meetings and is not comfortable going the extra step to put the easement on the land. Councilor Bishop noted she is comfortable with the easement.

Chair Rumpf opened the meeting up to members of the public that have new pieces of information to share.

Joe Migliaccio asked the Council to consider doing some traffic safety studies because there are no sidewalks in this area. Councilor White noted that the Town Engineer will be looking into this area.

Councilor Cassida thanked the committee for all their efforts. He will be voting favorably. Councilor Beaulieu advised that she will be voting against this issue, thinking of all Freeport residents. Councilor Arsenault indicated he would be voting no because the Town is only getting 40% and the Trust is getting 60%.

**MOVED AND SECONDED:** To amend the **BE IT ORDERED** to include the Committee recommendations dated March 1 be approved.

- Lease building and property within the red lines to the L'Ecole Francaise du Maine;
- The Town Manager be authorized to sign the lease pending Staff Site Plan Review and the submission of the required letters of credit;
- The parking area outlined in the proposed site plan dated February 2, 2004, prepared by the Town Engineer, be submitted to Staff Review for approval;
- The area outside of the blue and red lines be subject to a permanent conservation easement to be held by the Freeport Conservation Trust; and
- The Conservation Commission be charged with developing a Management Plan for the open space with input from the Friends of Soule School and any other interested parties.

Note: The cost of developing the parking area is estimated to be less than \$10,000 and is recommended to come from the Traffic and Parking reserve fund. (White & Cassida). **ROLL CALL VOTE:** (5 Ayes) (2 Nays—Arsenault & Beaulieu).

**ROLL CALL VOTE ON AMENDED ORDER:** (5 Ayes) (2 Nays—Arsenault & Beaulieu).

Chair Rumpf thanked everyone who worked on this effort.

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**ITEM #29-05**

To consider action relative to a proposed amendment to the Zoning Ordinance concerning the definition of an "Automobile Graveyard". (Chapter 21)

**BE IT ORDERED:** That a Public Hearing be scheduled for March 15, 2005 at 7:00 PM in the Town Hall Council Chambers to discuss a proposed amendment to the Zoning Ordinance concerning the definition of an "Automobile Graveyard".

**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 7 and the Town's website.  
(Arsenault & Beaulieu)

Mr. Olmstead explained that this change will bring the Town's Ordinance in line with new State language. Discussion followed.

**ROLL CALL VOTE:** (7 Ayes).

**OTHER BUSINESS:**

1. Discussion on Burr Cemetery Association's request to take possession of Trust Funds currently held by the Town of Freeport.

Attorney, John Moncure, explained that the Association is seeking to have the perpetual care funds turned over to it. They are concerned with the return on the fund and believe they can do a better job with the money. He has had discussions with Mr. Olmstead and Jeff Hold a number of times on how it can be done and he wants to start the process. The Association will assume all responsibility for the care of the lots. Chris Stilkey, president of Burr Cemetery Association noted they will accept any future money and will put it in trust. The Association will take care of all the legal costs. The Town is responsible for the care of Veterans' graves. Discussion followed. Mr. Olmstead is not opposed to this request and there was no opposition from Councilors.

2. RWS Update.

Mr. Olmstead explained that they voted to reorganize and will begin meeting quarterly. There will be one representative per town. Freeport will be in a district with Cumberland, Yarmouth and North Yarmouth. The Chairs of each Council met to talk about appointing Board representatives for each town. He offered to contact the other managers to get this process started if Councilors agrees. There was no opposition.

Mr. Olmstead noted that RWS is working on amendments to the RWS bylaws to eliminate the sunset provisions. Currently the system is scheduled to cease to exist in 2014 and each town will be asked if it would like to eliminate that termination date and allow the relationship to continue as far in the future as that community would like. Guidelines will be set on how a community can exit the system or join the system. The Board will be moving on refinancing its debt. The vast majority of the Board does not favor extending the debt beyond 2014 but there are some who would like to restructure the debt within the same term. The highest debt service payments are right now and in the years 2012, 2013 and 2014, those payments drop to a fraction of what they are today. Some communities would like to levelize that debt over the ten-year period to lower the tipping fee immediately. It will cost about a million dollars to do that over a ten-year period. Freeport has consistently voted to not restructure the debt either within the term or extend the debt. He believes we are at the highest our tipping fees will be. Hopefully, they will go down from here. He encouraged the Council to continue to support

refinancing the debt to achieve a lower interest rate but keep the same structure.

Chair Rumpf noted that he has been favorably impressed with the efforts of the new general manager of RWS. He complimented the hiring committee on making a good choice.

### 3. Capital Budget Presentation

Chair Rumpf pointed out that there is a workshop scheduled next Tuesday. Mr. Olmstead gave a brief overview and asked that Councilors hold their questions until the workshop. He is interested in receiving feedback on additional materials Councilors would like to see in addition to a vehicle list. The packets include the 20-year spreadsheet on capital needs, last year's approved capital budget and some other documentation on capital budget. He noted that last year we used fiscal year '05-'09. This year Greg L'Heureux wants to use calendar year '05-'09 because it is easier for him to track.

Mr. Olmstead does not make recommendations on school requests. He explained his recommendations on other requests such as police, fire, rescue, public works, etc. He assured Councilors that department heads will be on hand to answer questions as well as the Recreation Committee if they have a budget request. If anyone wants any additional information, they should contact Mr. Olmstead before the meeting.

### 4. Informational Exchange.

**MOVED AND SECONDED:** To take up an item not on the printed agenda. (Arsenault & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Bishop)

Councilor Arsenault explained that Chip Gray of Harraseeket Inn is looking for Council support to place a bid on an RFP from the Maine Tourism Association on an antique classic auto tour in the Town of Freeport in 2006. A copy of the RFP was given to Councilors. He read a letter from Mr. Gray into the record explaining the event and what it could provide to the hosting town. He asked that a letter be drafted by the Town Council stating that it would like to have the event held here. Mr. Gray will hire a police officer. He has asked if a key to the town could be given. Mr. Olmstead noted that he has several keys.

Councilor Cassida noted his willingness to provide a letter on behalf of the town supporting this event but is hesitant to commit any funds. He urged Mr. Gray to work with the Merchants Association to bridge any financial gaps. There was no opposition to providing the letter. Mr. Olmstead suggested referring Mr. Gray to the Police Chief to work out hiring a police officer.

Chair Rumpf noted that Councilors were provided with a letter from the Public Works Director explaining the posting of roads. Mr. Plummer explained that Yarmouth, Pownal and Brunswick posted their roads last week. He held off one week. The basis of his decision is consistently made in the interest of protecting Town roads and preventing costly damage. He explained the process of issuing permits. Last year he issued more than 100 permits and for the most part, it worked well. He has tried to be flexible but decisions need to be made on a daily basis. There are times when permits are denied. Discussion followed.

Rick Harrison, Lawrence Ingerson and Ben Bailey explained that they are trying to make a living and try to comply with the road closures. They disagree that the roads need to be posted at this time since the weather is so cold. They know that if they tear up a road in front of their job sites, they are going to fix them. Reasonableness is the issue. Discussion followed. They each indicated a willingness to work with Mr. Plummer.

Mr. Olmstead will work with Mr. Plummer to grant permits. Everyone agreed that there was confusion or miscommunication involved.

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**ITEM #30-05**

To consider action relative to an executive session to discuss an offer to purchase a piece of municipal property located on the Desert Road and to discuss the status of negotiations on Town owned property located on West Street. (1 MRSA – Section 405 – Section C).

**MOVED AND SECONDED:** That the Town enter into executive session. (White & Cassida) **VOTE:** (7 Ayes).

**MOVED AND SECONDED:** That the Town Council reconvene. (DeGrandpre & Bishop) **VOTE:** (7 Ayes).

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**Adjournment**

**MOVED AND SECONDED:** To adjourn at 9:58 p.m. (DeGrandpre & Arsenault) **VOTE:** (7 Ayes).

Respectfully Submitted,

*Sharon Coffin*  
Sharon Coffin  
Council Secretary