

**MINUTES  
FREEPORT TOWN COUNCIL MEETING #07-2005  
TOWN HALL COUNCIL CHAMBERS  
APRIL 5, 2005 – 7:00 P.M.**

**CHAIRPERSON'S CALL TO ORDER**

**PRESENT   ABSENT   EXCUSED**

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, 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 #6-2005 held on March 15, 2005 and accept the Minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #6-2005 held on March 15, 2005 and accept the Minutes as amended. (Cassida & Bishop) **VOTE:** (7 Ayes).

**SECOND ORDER OF BUSINESS:** Announcements

Chair Rumpf encouraged anyone interested in serving on Town boards and committees, to apply through the Town Council. An application can be found on the Town's website.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #37-05              To consider action relative to an application for an Alcoholic Beverage License for the Mediterranean Grill (**Public Hearing**)

**MOVED AND SECONDED:** That the Public Hearing be opened. (White and Cassida) **VOTE:** (7 Ayes).

There were no public comments. Mr. Olmstead explained that this is a new restaurant opening on School Street. All taxes and fees have been paid on the property.

**MOVED AND SECONDED:** That the Public Hearing be closed. (White and Arsenault) **VOTE:** (7 Ayes).

**BE IT ORDERED:** That the application for an Alcoholic Beverage License issued to Mediterranean Grill, d/b/a LLC Mediterranean Grill, 10 School Street be approved. (White & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

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ITEM #38-05                      To consider action relative to proposed amendments to the Alarm Systems Ordinance concerning the types of alarms to be registered. (Chapter 14).

**BE IT ORDERED:** That a Public Hearing be scheduled for April 26, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Alarm Systems Ordinance.

**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 & DeGrandpre)

Mr. Olmstead explained the reason for the amendments.

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

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ITEM #39-05                      To consider action relative to proposed amendments to the Administrative Code concerning Fire and Rescue Department Organization (Chapter 2)

**BE IT ORDERED:** That a Public Hearing be scheduled for April 26, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Administrative Code.

**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. (DeGrandpre & Cassida)

Chair Rumpf explained that this is to officially recognize the combination of Fire and Rescue under one leadership, which has been discussed for sometime. This proposal has support from the Fire and Rescue Departments.

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

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ITEM #40-05      To consider action relative to accepting a Volunteer Fire Assistance Grant for the purchase of Wildland Fire Equipment.

**BE IT ORDERED:** That the Volunteer Fire Assistance Grant in the amount of \$3,784 be accepted.

**NOTE :** A local share of \$1,892 or 50% is required. (Beaulieu & White)

Chair Rumpf explained that this requires a small match to provide equipment to fight brush and forest fires and is provided by the Maine Forest Service.

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

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**MOVED AND SECONDED:** To pass on Items 41-05 and 42-05 until Assistant Chief Conley arrives later this evening. (Cassida & DeGrandpre)  
**VOTE:** (7 Ayes).

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ITEM #34-05      Tabled March 15, 2005. To consider action relative to adopting a Five Year Capital Plan and approving a Capital Budget for Calendar Year 2005.

**BE IT ORDERED:** That the Five Year Capital Plan for Calendar Years 2005 to 2009 be approved.

**MOTION:** To amend the Five Year Capital Plan as follows: Article VII Comprehensive Town Improvements add to year 2006 – Road Reconstruction on U.S. Route 1 from Mallett Drive to Kendall Lane \$81,000 (Local Match).

**BE IT FURTHER ORDERED:** That the following Capital Budget Items be funded for Calendar Year 2005.

Instead of reading the complete item:

**MOVED AND SECONDED:** To accept the 5-year Capital Plan for calendar years 2005-2009 as printed on the agenda for this evening. (Bishop & DeGrandpre) **VOTE:** (7 Ayes).

Chair Rumpf pointed out that through discussions between Town and School leadership, a decision was made to reduce certain items and change some of the funding on certain items with

the objective to avoid additional bonding this year.

Mr. Olmstead walked everyone through the amendments which were agreed to as a result of the recommendations that he and the Finance Director made at this morning's meeting.

The goal was to fund the capital budget without any new borrowing or bonding. He noted that Freeport's application for improving Pleasant Hill Road has been funded by the State. Instead of \$600,000, there will be a savings of \$200,000 but if we don't build the ATL, we won't get the grant. Councilor White explained his safety and water flow concerns on Pleasant Hill Road. Other Councilors concurred how unsafe it is to bike and walk on Pleasant Hill Road and that an additional lane may help. There was general agreement to accept the DOT grant for Pleasant Hill Road improvements and putting it back into the budget.

**MOVED AND SECONDED:** To amend the original Item #34-05 as follows:

**School Department**

- Item #3 Eliminate Paving/Resurfacing Drives – Morse Street and High School  
Total \$71,850
- Item #8 Reduce Middle School window replacement from \$60,000 to \$56,850

**Fire Department**

- Item #3 Eliminate Service Vehicle – Total \$19,000

**Public Works Department**

- Item #1 Change Road Grader Replacement to Road Grader Repair and reduce the amount from \$180,000 to \$30,000

**Comprehensive Town Improvements**

- Items #2,3,4 and 5 Pleasant Hill Road Project – Reduce the total amount from \$296,000 to \$200,000
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**Use of Reserves**

**School Reserves**

- Increase amount from School Reserves from \$150,000 to \$202,000
- Revert balances in past School Capital Accounts to the School Reserve Fund as outlined in the March 29, 2005 memo from Diane Boucher to Greg L'Heureux. Total \$42,456.23

**Fire Department Reserves**

- Reduce the amount from 53,000 to \$34,000

**Public Works Reserves**

- Reduce the amount from \$180,000 to \$30,000

Comprehensive Town Improvement Reserves

- Reduce the amount withdrawn from \$146,000 to \$136,000.

(Bishop & DeGrandpre) VOTE: (7 Ayes).

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School

1. Technology Upgrades	121,500
2. 84-Passenger Bus	70,000
<del>3. Paving/Resurface Drives-Morse Street &amp; High School</del>	<del>71,850</del>
4. Mast Landing – Sidewalk Replacement (Part 2)	31,350
5. High School – Carpet Replacement –Classrooms (main hallway)	11,700
6. High School – Kitchen Steamer	12,600
7. Fire Alarm Panels – Morse Street & Middle School	18,500
8. Middle School – Window Replacement (older)	<del>60,000</del> \$56,850
9. Morse Street – High School Parking Lot Lighting	18,000
10. High School- Unit Heaters (1A Section)	34,500

Police

1. Public Safety Audio Recording System	20,000
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Fire

1. Protective Clothing	14,000
2. Thermal Imaging Cameras – One unit	20,000
<del>3. Service Vehicle (used)</del>	<del>19,000</del>

Rescue/EMS

1. Protective Clothing	14,000
2. Rescue 2 Replacement	135,000
3. Blood pressure Monitor for LIFEPAK 12s	10,000

Public Works

<del>1. Road Grader Replacement (1984)</del>	<del>180,000</del>
Road Grader Repair	30,000

Solid Waste / Recycling

1. Two Open-Topped 40 Yard Containers	10,000
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**Comprehensive Town Improvements**

- |  |                    |
|--|--------------------|
| 1. Grove Street Widening                                       | 30,000             |
| 2. Pleasant Hill Road Reconstruction – Phase I                 | <del>74,000</del>  |
| 3. Pleasant Hill Road Drainage – Phase I                       | <del>74,000</del>  |
| 4. Pleasant Hill Road Ledge Removal                            | <del>74,000</del>  |
| 5. Pleasant Hill Road (ATL, Bicycle Lane, Walk Path) – Phase I | <del>74,000</del>  |
|  | Reduced to 200,000 |

**DESTINATION TIF VILLAGE IMPROVEMENTS**

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|--|--------|
| 1. Sidewalk Improvements–Main St, east, north of Grove St to Church        | 26,500 |
| 2. Sidewalk Improvements–Main St, east, Pet Pantry Driveway to Davis Ave   | 59,000 |
| 3. Sidewalk Improvements–Main St, east, Davis Ave to Harraseeket           | 29,000 |
| 4. Sidewalk Improvements–School St, north-Main St to Church parking lot    | 20,100 |
| 5. Sidewalk Improvements–School St, north -Church parking lot to RR tracks | 21,700 |
| 6. Sidewalk Improvements–Main St, Mechanic St, to School Street            | 36,000 |

**Municipal Facilities**

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|--|--------|
| 1. Interior Painting – Town Hall and Public Safety | 10,000 |
| 2. Computer Upgrades                               | 20,000 |
| 3. Valuation Update                                | 35,500 |
| 4. Copier Replacement                              | 12,000 |

**Cable TV**

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|--|--------|
| 1. Cable Contract Negotiations           | 5,000  |
| 2. Audio/Video Upgrade, Council Chambers | 30,000 |
| 3. Video Monitors, Control Room          | 10,000 |
| 4. (2) Studio Camera's (channel 14)      | 15,000 |

**BOARDS, COMMITTEES, COMMUNITY GROUPS AND OTHER REQUESTS**

- |  |                   |
|--|-------------------|
| 1. <del>Recreation Committee – Needs Assessment</del>      | <del>10,000</del> |
| 2. Cemetery Improvements                                   | 10,000            |
| (moved to the Town's Operating Budget request for FY 2006) |                   |

**BE IT FURTHER ORDERED:** That the following amounts be expended from Reserve Funds to provide for items approved.

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|-------------------------------|----------------------------|
| 1. School Reserves            | <del>150,000</del> 202,000 |
| 2. Police Department Reserves | 20,000                     |
| 3. Fire Department Reserves   | <del>53,000</del> 34,000   |
| 4. Rescue Department Reserves | 159,000                    |

5. Public Works Reserves	<del>180,000</del> 30,000
6. Comprehensive Town Improvement Reserves	<del>146,000</del> 136,000
7. Municipal Facilities Reserves	77,500
8. Cable Reserves	60,000
9. Destination TIF Reserves	192,300

**MOVED AND SECONDED:** To amend the Capital Budget as amended to reinstate the cemetery improvements in the Capital Budget and increase the amount taken from reserves back to the original \$146,000 for the Comprehensive Town Improvement Reserves. (Cassida & DeGrandpre)  
**VOTE:** (7 Ayes).

**MOVED AND SECONDED:** To eliminate the \$49,500 from Technology Upgrades for laptops from the Capital Budget (Beaulieu & DeGrandpre)

School Superintendent, Elaine Tomaszewski, explained the benefits of this program and where the money came from. This program is going into the second year of a three-year lease. She answered questions for Councilors. Discussion followed on the process that was followed in this particular instance and there was general agreement that better communication is needed between the School Committee and the Town Council.

**ROLL CALL VOTE:** (3 Ayes—Beaulieu, Bishop and Arsenault) (4 Nays—Rumpf, White, DeGrandpre and Cassida).

**MOVED AND SECONDED:** Under Rescue, Article IV for 2005, Item #2 Rescue II replacement for \$135,000 that the process go forward but that the purchase be contingent on the Council's approving the bid following review of the NET program (Beaulieu & DeGrandpre)

Greg L'Heureux is planning to do a new analysis of the NET program as a result of how the March numbers fall out. He is not able to get the numbers until the March billing has been completed. The wheel chair program was terminated. The vehicle will not be purchased unless the Council approves the bid. Paul Conley advised that he has a spec ready to go and it could be in the mail in a week. He would give bidders 3 weeks to respond. Mr. Olmstead indicated that in six weeks, the analysis would be made available.

**VOTE:** (7 Ayes).

**MOVED AND SECONDED:** Move the snowblower from the Public Works Budget to the Destination TIF Village Improvements budget '09. (DeGrandpre & Beaulieu) **VOTE:** (7 Ayes)

Councilor DeGrandpre suggested looking at sharing a roll-off truck with other towns.

Chair Rumpf asked if there were any members of the public wishing to make comments at this time. There were none.

**BE IT FURTHER ORDERED:** That in lieu of bonding, \$277,000 be expended from fund balance to purchase remaining items in Calendar Year 2005 of the Capital Plan.

**BE IT FURTHER ORDERED:** That \$10,000 be included in the Fiscal Year 2006 Municipal Operating Budget to provide for the Recreational Needs Assessment. (Bishop & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

Chair Rumpf thanked the Town Manager, the School Department and Finance Director for their work with the Council to help accomplish their goal of avoiding any additional bonding.

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Since Paul Conley arrived, Items #41-05 and #42-05 were revisited.

ITEM #41-05            To consider action relative to the adoption of the Cumberland County Hazard Mitigation Plan.

**RESOLUTION**

**Whereas,** the cities and town of Cumberland County, in the State of Maine, recognize that natural hazards create a risk of harm to persons and damage to property; and

**Whereas,** the cities and towns of Cumberland County recognize that implementing certain measures may reduce the risk of harm to persons and damage to property resulting from these natural hazards;

**Therefore,** the Town of Freeport hereby adopts the 2004 Cumberland County Hazard Mitigation Plan. (Cassida & Beaulieu)

Paul Conley explained the hazard mitigation factors to the Council. All of the towns need to adopt it quickly and return it for final approval. Discussion followed.

**VOTE:** (7 Ayes).

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ITEM #42-05            To consider action relative to adopting the National Incident Management System.



**WHEREAS**, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

**WHEREAS**, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the effective implementation and utilization of a comprehensive NIMS;

**WHEREAS**, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

**WHEREAS**, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

**WHEREAS**, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management process.

**WHEREAS**, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

**WHEREAS**, the National Commission on Terrorist Attacks (9-11 Commission) recommends adoption of a standardized Incident Command System;

**NOW, THEREFORE**, the Freeport Town Council does hereby establish the National Incident Management System (NIMS) as the State standard for incident management.

Introduced as printed: (Arsenault & Beaulieu). Chair Rumpf summarized the resolution.

Paul Conley explained this management system and answered questions for Councilors.

**VOTE:** (7 Ayes).

Mr. Conley apologized for arriving late. He had another meeting to attend earlier.

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ITEM #43-05	To consider action relative to accepting a bid for Village Sidewalk Improvements.
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**BE IT ORDERED:** That the bid from LaBrequé Construction, Inc. in the amount of \$149,550 to provide for Village Sidewalk improvements, be accepted. (White & DeGrandpre).

Mr. Olmstead explained that two bids were received and the low bid fell within the Engineer's cost estimates.

While she is not opposed to the bid, Councilor Beaulieu advised that she would be voting against this item in support of all leather shoes everywhere. She has ruined many shoes on brick sidewalks and will never vote for another brick sidewalk.

**ROLL CALL VOTE:** (6 Ayes) (1 Nay—Beaulieu)

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**OTHER BUSINESS:**

1. Discussion on request to extend Baker Road to the Brunswick town line.

Attorney Michael O'Toole, representing Mitchco, a company proposing a 7-lot subdivision on the Baker Road, explained that they have been to the Project Review Board a number of times. They asked the applicants to get together with the Town Engineer and the Director of Public Works, which they did. The Engineer approved improvement to the road by paving a 20' wide roadway to match up with the existing pavement with 2' gravel shoulders. Based upon this recommendation, the Project Review Board gave a conceptual approval to the subdivision and sent the applicants to the Council for their approval.

Councilor White explained that the Municipal Facilities Committee determined that they would not support this and suggested that it become a private road after the existing turn around. The Town of Brunswick has discontinued this road east of the Brunswick town line. It is not a public way. It has reverted to the abutters and it is not legal to drive across it technically. Jan Boucher answered questions for Councilors. Discussion followed.

Mr. Olmstead explained what portion of the road is plowed and graded. He confirmed that the Council wants to begin an official abandonment for the portion of road that is currently not maintained by the Town of Freeport and that would be to the turn around. Chair Rumpf noted that it is possible the Project Review Board may make a different decision when they learn of the Council's proposal to abandon the rest of the road.

Mr. Olmstead will discuss this issue with the Public Works Director and the Town Planner tomorrow morning. He will review a few recent files on road abandonments and determine how to proceed.

**2. Update on the Community Center management structure.**

Bob Stevens introduced Leslie Livingston of FCS and thanked the Council for putting them on the agenda. The Campaign Steering Committee meets every other Wednesday morning and the Project Committee is meeting every other week. They are working with consultants, Gary Friedman & Associates. They have made it clear to the committee that to be successful in raising the money; they have to get their act together. The public needs to know what the process and plans are for the community center. FCS is the center of this project; has a good track record and is an entity that can receive tax-exempt contributions. A commitment is needed from the Town to stand behind 50% of the operating costs of the community center for some lengthy period of time until it becomes self-sustaining.

Councilor Cassida asked for Council feedback.

Councilor Beaulieu asked for an estimate and how the community center could ever become self-sustaining. Mr. Stevens estimated \$28,000-\$30,000 would be half and it would perhaps get there from the Teens, renting meeting space, public donations, etc. Councilor Beaulieu noted how misleading the term "self-sustaining" is. Mr. Stevens agreed that they should stop using "self-sustaining".

Mr. Olmstead referred to Article 9 of the Capital Budget. The Town would get meeting space for its \$30,000, which is desperately needed. The potential expense of \$600,000 for building expansion could go away.

Leslie Livingston noted that the community center would enhance what they are doing and help them to do it better. They will be educating the Town on what FCS does for everybody.

Councilor Cassida advised that they will be getting some information together soon and will ask to be put on an agenda.

**3. Informational Exchange.**

Councilor Beaulieu advised that she was invited to a meeting at COG on Thursday to review the New England Futures Project. She read the agenda to Councilors. She will be participating and will let the Council know what the outcome is.

Chair Rumpf reminded Councilors that there would be a workshop on the operating budget next week. He asked Councilors to come prepared with questions for the Town and School sides regarding the proposed operating budget. There was some discussion at the Leadership meeting this morning and Mr. Olmstead will provide information that he gathered from the school side before next Tuesday's meeting. Mr. Olmstead advised that they would be provided with budget projections and impacts on the tax rate but no budget.

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**ITEM #44-05**      To consider action relative to an executive session to discuss an offer to purchase municipal land at the corner of Desert and Hunter Roads.  
(1 MRSA Section 405 § C)

**MOVED AND SECONDED:** That the Council enter into Executive Session to discuss an offer to purchase municipal land at the corner of Desert and Hunter Roads. (1 MRSA Section 405 § C) (DeGrandpre & Bishop) **VOTE:** (7 Ayes).

**MOVED AND SECONDED:** That the Council reconvene. (Cassida & Beaulieu) **VOTE:** (7 Ayes).

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**Adjournment**

**MOVED AND SECONDED:** To adjourn at 10:12 p.m. (White & Arsenault) **VOTE:** (7 Ayes).

Respectfully Submitted,

Sharon Coffin  
Council Secretary