

**MINUTES
FREEPORT TOWN COUNCIL MEETING #08-2005
TOWN HALL COUNCIL CHAMBERS
APRIL 26, 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 #7-2005 held on April 5, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #7-2005 held on April 5, 2005 and accept the Minutes as printed. (Cassida & Arsenault) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf congratulated the four teams from Freeport who competed in The Odyssey of Mind that took place at Bates College. Two teams won their respective divisions and will go on to compete in Colorado. They would welcome any donations to help fund their trip. If anyone is interested in contributing, please contact the Mast Landing School and the Freeport Middle School.

Recycling Director, Bart Carhart, announced that the annual Townwide Clean-up will be held on May 21 and 22 from 8 a.m. to 4 p.m. More information, along with a coupon required for admission, will be mailed to Freeport residents in early May.

The Recycling Center will be taking orders for a backyard composter for \$36.50. Orders must be placed before May 7 by calling the Recycling Center at 865-3740.

Winslow Park will again offer free camping to Freeport residents during the weeks of June 6-12 and September 19-25. Reservations can be made at the Gatehouse or by calling 865-4198 on or after May 2.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #47-05 To consider action relative to adopting the April 26, 2005 Consent Agenda.

Chair Rumpf reviewed the Consent Agenda for members of the public. He noted that the Fire Chief has some concerns regarding the Mediterranean Grill and a condition should be placed upon their Victualer's license.

Police Chief Scofield explained how people get on the list of unregistered dogs for 2005. He urged people to license their dogs or call the Town Clerk's Office if they no longer own the dog. Court summonses will be issued to delinquent dog owners.

BE IT ORDERED: That the April 26, 2005 Consent Agenda be adopted with the condition that the Victualers License for Kemal Cigri, d/b/a Mediterranean Grill, 10 School Street be conditioned upon final approval of the Fire Chief. (Beaulieu & Arsenault)

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

ITEM #48-05 To consider action relative to proposed amendments to the Alarm Systems Ordinance concerning the types of alarms to be registered. (Chapter 14)
Public Hearing.

MOVED AND SECONDED: That the Public Hearing be opened.
(White & Cassida) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

Chair Rumpf explained that these amendments update the Ordinance. Chief Scofield explained the fees involved. There were no public comments.

MOVED AND SECONDED: That the Public Hearing be closed.
(White & Bishop) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

BE IT ORDERED: That the proposed amendments to the Alarm Systems Ordinance be approved. (White & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

ITEM #49-05 To consider action relative to proposed amendments to the Administrative Code concerning Fire and Rescue Department Organizational Structure (Chapter 2) **Public Hearing.**

MOVED AND SECONDED: That the Public Hearing be opened.
(Bishop & Cassida) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

Chair Rumpf explained that this was discussed at the last meeting and it has the support of the departments.

MOVED AND SECONDED: That the Public Hearing be closed.
(Arsenault & Bishop) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

BE IT ORDERED: That the proposed amendments to the Administrative Code be approved. (Bishop & Cassida) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

ITEM #50-05 To consider action relative to proposed amendments to the Traffic & Parking Ordinance concerning On-Street Parking for the new Community Center, South Freeport Parking Restrictions and Hedgehog Mountain Road Parking Restrictions. (Chapter 48)

BE IT ORDERED: That a Public Hearing be scheduled for May 17, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Traffic & Parking 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 & White)

Councilors Beaulieu and White explained the amendments being proposed. Chair Rumpf requested that Mr. Olmstead provide drawings at the Public Hearing for both Hedgehog Mountain as well as South Freeport so that people will be able to see the information clearly.

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

OTHER BUSINESS:

1. Report on meeting with DMR concerning the Harraseeket River Dye Study.
(postponed for 5 minutes until Rod Regier arrives)

2. Recommendation on a management structure for the new Community Center

Since Leslie Livingston had not yet arrived, Councilor Cassida explained the mission statement that has been developed for the Community Center. He is confident it will stand the test of time even though the mission may change over time. It does not require any Council action. The organizational chart was put together a couple of weeks ago. It shows the basic management structure. FCS's Executive Director will be the everyday management person for the community center. The Town will have no role in the day-to-day operation. The Community Center's Advisory Council's role is evolving at this time. It will be made up of all the users. He is interested in getting feedback from Councilors on this management structure because recognition by the Council that this is an acceptable structure moving forward will be critical to the whole fundraising effort associated with the community center. A Councilor will be appointed to the Advisory Council so he encouraged Councilors to consider serving in this role. FCS is going to own the community center but there will be some sort of legal language that the buildings and land will revert to the Town should it cease to exist. Councilor Cassida noted that further discussion on these specifics would need to take place. A half-time custodian will be needed for the community center.

Councilor Cassida advised that the fundraising steering committee met with the fundraising professionals and a report will be given to the Council soon.

Seeing Rod Regier in the audience, Chair Rumpf referred back to Item 1. - Report on meeting with DMR concerning the Harraseeket River Dye Study. He, Mr. Regier and members of the Shellfish Commission met with the DMR and FDA that deals with health issues around shellfish about two weeks ago. The flats have been opened to where they were before the spring rains. He noted that the Town has been working on this issue for 3 years or more and he is unsure if the town is any closer to a resolution. He asked Mr. Regier to report on his thoughts and summarize their meeting with the DMR and explain some of the new tests that are being done.

Rod Regier of South Street explained that in 2002 there was a major break in the sewer line near Porter's Landing and raw sewage was pumped into the Harraseeket River. After the break was repaired and the immediate closure was lifted, there was a change in the digging area of the river. In 2003 the long-closed area was quadrupled in size. The reasoning for this expanded closure area has been the source of whatever discussions have occurred between the Town and the DMR. In May of 2003, the DMR agreed to put substantial resources into a dye study to verify the closure area. The second phase took place last fall. The Council asked for some action on these studies. The first draft was prepared in January, which was pretty benign. The second draft was a very different one from the first with an onerous implication for the Town where the expanded closure area was dramatically expanded. He raised some questions and this was the basis for the meeting that Chair Rumpf referred to. Discussion followed. Chair Rumpf noted that the message received from the FDA at the meeting was very discouraging and they left thinking the river may never be opened again. Mr. Regier pointed out that the river was opened last Friday. Safety is important and he noted that if anyone eats a clam from the Harraseeket River, they are at less risk of bodily injury than they would be getting in their car and driving to a Council meeting.

Mr. Regier asked the Council if it would consider spending up to \$2,500 over the next six months to undertake a limited sampling program. He has in mind doing some viral tests right at the sewer plant looking exactly at the effluent going into the river to determine the starting point. This information may help Freeport get past the Dye Study. This information is necessary before any discussion can continue. There is a private lab in Vermont, Analytical Services, Inc., has the ability to perform these tests. The tests cost about \$100 a sample. He offered to check with Analytical Services to make sure this is feasible and will check with DMR to make sure that this dovetails with their work. He will call the Town of Yarmouth to talk to them because they have their own sewer plant and their own dye study. If they want to piggyback on this program, it would be an easy way to do it. He answered questions for Councilors. Chair Rumpf suggested Mr. Regier obtain a recommendation from the Shellfish Commission for the Council.

Councilor Arsenault strongly supported Mr. Regier's proposal. He would like to get some answers so that the problem can be fixed. Councilor Beaulieu is interested in whether DMR will accept the conclusions from these studies before voting to spend any money.

Chair Rumpf thanked Mr. Regier for all of the time and effort he has spent on this issue.

3. Discussion on nominations for the MMA Executive Committee.

Mr. Olmstead explained that MMA is seeking nominations for the Executive Committee, which are 3-year terms. The deadline is May 13 if anyone is interested in submitting his or her names. Councilors Arsenault and Beaulieu indicated that they have already served on the Executive Committee and found it interesting.

4. Informational Exchange.

Chair Rumpf reported that at the leadership meeting last week with the School folks, they have approached the School Committee and the School Committee has agreed to allow the Council Chair to appoint a Council representative to their School Facilities Committee. Councilor DeGrandpre has expressed an interest in serving in this role so Chair Rumpf is planning to appoint him to this role.

Chair Rumpf noted that Councilors received some modifications to the Town Council and Operating Budget Workshop Schedule tonight, which were discussed with School leadership last week, which moves the public hearing up to May 17. He reviewed the schedule for members of the public.

MOVED AND SECONDED: To adopt the revised Town Council and Operating Budget Workshop Schedule (Cassida & White) VOTE:
(6 Ayes) (1 Excused—DeGrandpre).

Report from Planning Board

Chair Rumpf noted there was a request from a Councilor asking for a report from the Planning Board regarding the work they have been doing as a result of the Village Planning Committee and recommendations for changes to the Village zone. He talked to the Chair of the Planning Board and learned he was willing to come to talk to the Council Mr. Olmstead advised that the Chair will be coming in on May 3.

Mr. Olmstead announced that the Appointments Committee would be meeting on the 17th at 6:15 p.m. to review applications for various Boards and Committees. There are a fair amount of openings that exist including the Planning Board and Project Review Board.

Adjournment

MOVED AND SECONDED: To adjourn at 8:07 p.m. (White & Arsenault)
VOTE: (6 Ayes) (1 Excused—DeGrandpre)

Respectfully Submitted,

Sharon Coffin
Council Secretary