

**SPECIAL COUNCIL MEETING #12-2005
TOWN HALL COUNCIL CHAMBERS
JUNE 7, 2005**

CHAIRPERSON'S CALL TO ORDER

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

PRESENT ABSENT EXCUSED

[illegible]

Chair Rumpf called the meeting to order and noted that Councilor Arsenault is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #11-2005 held on May 24, 2005 and accept the Minutes as printed.

Chair Rumpf noted being confused with the numbers on the School Budget. He mentioned what he came up with on school debt and asked Mr. Olmstead for clarification. Mr. Olmstead offered to check with Greg L'Heureux to have him run the numbers and will report back to the Council. On page 8 Chair Rumpf suggested that the wording in the last sentence of the first paragraph be changed to read: Chair Rumpf encouraged residents to consider contributing to the Education Foundation of Freeport because they are doing good work and *noted* their contributions are tax deductible. Under Other Business, Chair Rumpf suggested adding: *,absent a town-wide revaluation* after the word **reduced**. Other Councilors concurred.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #11-2005 held on May 24, 2005 and accept the Minutes as amended. (DeGrandpre & Bishop)
VOTE: (6 Ayes) (1 Excused—Arsenault)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf noted that the Fun Day at Winslow Park took place last Saturday and that clean-up days at the Recycling Center were very successful.

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

Chair Rumpf moved on since there were no public comments.

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

ITEM #76-05 To consider action relative to adopting the June 7, 2005 Consent Agenda.

BE IT ORDERED: That The June 7, 2005 Consent Agenda be adopted.
(Beaulieu & Cassida)

Chair Rumpf highlighted the items on the Agenda for members of the public.

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

ITEM #77-05 To consider action relative to an application for an Alcoholic Beverage License for Harris Gold, Inc. d/b/a Freeport Country Club, 2 Old County Road. (Public Hearing)

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

Chair Rumpf noted that this establishment is under new management. There were no public comments.

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

BE IT FURTHER ORDERED: That the application for an Alcoholic Beverage License issued to Harris Gold, Inc. be approved. (White & DeGrandpre) **ROLL CALL VOTE:** 6 Ayes) (1 Excused—Arsenault)

ITEM #78-05 To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village 1 and Village Commercial II, III, IV Districts.

BE IT ORDERED: That a Public Hearing be scheduled for June 21, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village I and Village Commercial II, III and IV Districts.

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 indicated that the Council would be getting a report on this package from the Town Planner later this evening. Councilors DeGrandpre and Beaulieu encouraged members of the public with any interests, thoughts or concerns to pick up the most current version. The information will be on the Town's website tomorrow. Mr. Olmstead asked if individual notices should be sent out to folks that live in the district. Donna Larson estimated it would cost about \$125 and she could have them in the mail Friday. Councilors concurred that notices should be sent. Councilor Beaulieu suggested that the homeowner be contacted to ensure it is okay to have his/her home pictured on the notices.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

ITEM #79-05 To consider action relative to the Letter of Commitment between the Freeport town Council and the School Committee.

BE IT ORDERED: That the Letter of Commitment dated June 7, 2005 between the Freeport Town Council and the School Committee regarding Operating Budget increases for FY 2007 be approved. (Cassida & Beaulieu)

Chris Leighton, Chair of the School Committee, explained that they drafted a letter that he and Elaine Tomaszewski, Superintendent of Schools, signed with the intent of submitting a Fiscal Year 2007 School Operating Budget request that does not exceed the Fiscal Year 2006 Budget by more than 4% unless extraordinary circumstances arise that could strike a real blow to their budget. He noted that the Chair and the Superintendent should be able to sign this letter without the entire School Committee. They are committed to working with the Town Council this year. Keeping the lines of communication open will be a priority this year. The entire School Committee is committed to the contents of this letter. Ms. Tomaszewski indicated that she, too, is committed.

Councilor Beaulieu pointed out her concerns with not having the entire School Committee sign this letter of intent. Discussion followed. Mr. Leighton noted that the Minutes from the May 24 budget hearing is a matter of public record and he is comfortable saying to the public that the commitment has been made by the School Committee. Councilors DeGrandpre and White agreed that this letter is a good faith effort and they are comfortable with it. Discussion followed. Councilor White suggested looking similarly at the Municipal side with department heads rather than waiting until the budget period.

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

Councilor Bishop brought up the fact that there are two letters dated June 7 and one doesn't say "letter of commitment."

MOVED AND SECONDED: To reopen discussion on Item #79-05 (DeGrandpre & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—Arsenault)

To modify the **BE IT ORDERED** on Item 79-05 to read: That the letter dated June 7, 2005 from Freeport Public Schools signed by Chris Leighton and Elaine Tomaszewski regarding operating budget increases for FY 2007 be accepted. (Cassida & Bishop) **VOTE:** (6 Ayes) (1 Excused—Arsenault)

OTHER BUSINESS:

1. Presentation from Freeport Environmental Science class on water quality sampling.

Bethany Fournier, Science Teacher at Freeport High School, thanked the Council for providing the opportunity for her students to share the results of their water quality sampling on Freeport water bodies. She also thanked Melissa Sternlieb from the Cumberland County Soil and Water Conservation District. The students doubled their testing from last year. She introduced Jessie Suchoff who reported findings on the Concord Gully Watershed. Jack Printer reported findings on the Summer Street Pond. Amber reported on Tracks Pond. Becky Powers reported on the Frost Gully Main. Morgan reported on the Upper Frost Gully. Maura Gorman, Kelly and Andrea reported on Collins Brook. Brian Ridley reported findings on Florida Lake. Becky Gerber reported on a Hunter Road site. The students indicated that they shared their information with the Conservation Commission. Mary Sauer requested a copy.

Chair Rumpf noted that the students did some really fine work and thanked them.

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2. Presentation on proposed Zoning Ordinance amendments concerning subdivisions in the Village I and Village Commercial II, III and IV Districts.

Town Planner, Donna Larson, gave some history on these amendments. In 2002 the Council appointed a 28-member Village Planning Committee. The Committee provided a report in July of 2003 to the Council. The Council presented it to the Planning Board. The Planning Board went through a reorganization process and then held a series of public hearings. They also held a public hearing in May of 2005 and standards were discussed. Subjects such as smaller lots, open space, sidewalks, bikeways, colors, passive solar architecture, etc. were discussed. On June 1 the Planning Board met again and revised the design standards. She explained the proposed standards to Councilors. She also showed road configurations and homes in various existing neighborhoods. She answered questions for Councilors regarding ranch-style homes, siding, plant lists, etc. Discussion followed.

Chair Rumpf thanked Ms. Larson, the Planning Board and the Village Planning Committee for all their hard work. Ms. Larson noted that she is planning to give the same presentation at the public hearing coming up in two weeks. She has a brochure that has two words whited out summarizing what is being proposed. They will be left out for members of the public at the Town Hall and also at the Public Library.

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3. Presentation from the Freeport Conservation Trust on proposal for Quarry Woods/Lower Mast Landing Property.

Bob Santomenna, Trustee of the Freeport Conservation Trust, introduced President, Cathy Bither, Arnie MacDonald, Louisa Moore and Travis Pryor from the Conservation Commission. Jennifer Melville will be arriving later.

They asked to be added to the agenda to discuss their proposal to purchase a conservation easement on approximately 35 acres owned by the Town on Lower Mast Landing Road. They engaged an appraiser to provide an appraisal on the property. The land was appraised at \$139,000 and the development right is valued within 60-80%. He reviewed the Town's involvement with this property. Lot #2 was purchased for \$150,000 to provide a recreation complex for Mast Landing School or municipal use. Lot #7 was

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donated in 1991 without restrictions but a preference was noted that the land be used as a nature preserve. Lot #2 was not developed because of environmentally sensitive areas. \$80,000 was recovered from the Engineering Consultants who advised the land was appropriate for recreational uses. In 2003 the Council considered the sale of some of the land as a component to help fund a portion of a running track. The Town was not able to find the means to build the track and it will be built at Bowdoin College. Freeport will have access to that track. Louisa Moore showed features of the property included in their LMF application for \$150,000, which was the result of many hours of work donated by many people. It yielded a \$50,000 grant. They propose to purchase the easement for \$55,000. They include in their budget an estimate of an additional \$15,000 to cover acquisition costs. He explained what would be appropriate on this site under the easement and the many benefits that would be provided.

Travis Pryor, Conservation Commission, thanked the Council for carefully considering this property. They wholly endorse the Freeport Trust's proposal. The public really appreciates this property. He understands that the Town will do the management but the Trust will work closely with the Conservation Commission in providing volunteer labor to help with the construction of trails, etc. Mr. Olmstead indicated that the property is not being managed right now.

Councilor DeGrandpre respectfully disagrees with the value placed on this property but agrees it is important that the parcel begins to be managed. He would like to structure the easement so that the Town retains all the rights and then extinguish the development rights. Mr. Santomenna noted that the Trust and the Conservation Commission is looking at how the Council feels on this proposal. Councilor Beaulieu is supportive but would like to get more than \$55,000. People have indicated to her that they would like to see how the money would be used specifically. Councilor Bishop agrees with Councilor Beaulieu. Councilor Cassida is concerned with the value of the property and the amount of money the Town is recouping. This is the only thing that concerns him. He is confident that details on the rest of the package can be worked out. Chair Rumpf supports the project. This property can tie in as an investment to the Town. He would like to see some minimal support from private individuals that indicated such strong support for this project. Even an additional \$10,000 raised from a private campaign would permit him to move forward. Councilor White agreed with Chair Rumpf. He is less concerned with the amount of money. The value to the residents of Freeport is in protecting the property. Mr. Santomenna pointed out that the Trust is not a fund-raising organization. They make an effort to find a champion for the property that can go out and make a solicitation.

Peter Moore of Torrey Hill Road pointed out that they have a stewardship group who would love to help manage the property appropriately. There are over 200 people who signed a petition asking the Council to preserve this Town-owned property. Bob Santomenna advised that an abutter would be willing to make an in-kind contribution of a public access easement right-of-way from his property on Quarry Lane to this property.

MOVED AND SECONDED: To put an amount of \$83,000 for the easement on the table for discussion. (DeGrandpre & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Councilor White noted that the Town owns the property and this is an opportunity to do something significant. People have worked hard to protect this property for future generations. Councilor Beaulieu noted that the Town is giving up a value for a good cause. People have asked her to not to "give" it away and she feels \$55,000 is not enough. Chair Rumpf asked Councilors to consider the donors that have contributed to the acquisition of this property.

MOVED AND SECONDED: To amend the motion to reduce the amount from \$83,000 to \$65,000 (White & DeGrandpre)

Councilor DeGrandpre wants to retain rights carefully and will review the language. Chair Rumpf noted that it appears Councilors would be willing to move ahead with the sale of the easement for the LMF Grant and an additional \$10,000. The Council will vote on the actual sale when all the details are worked out. Councilor White asked what would happen if the Trust cannot raise an additional \$10,000. Councilors noted that the Town will still own the land.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

Mr. Santomenna indicated that the Trust will go back to its donors and say that the proposal is accepted subject to an increase in price of \$10,000. Louisa Moore asked about the offer of in-kind donation. Chair Rumpf noted that this would be a significant value and would allow trails to connect to the property. Councilors concurred that this is valuable but clarification is needed whether public access can be granted over a subdivision road.

Chair Rumpf thanked everyone for all the work they did on this project.

4. Report from the Community Center Fundraising Committee.

Councilor Cassida referred to the summary sheet handed out by Ed Bradley but Mr. Bradley was no longer in attendance. Chair Rumpf indicated that the Council can accept this as a report from the Fundraising Committee. The Council can review it and determine if it has questions. The committee can be called in to answer any questions.

5. RWS Update.

Mr. Olmstead reviewed what RWS has been doing over the last 18 months. The new general manager hired just under a year ago has been doing an excellent job. Freeport will now be in District 4. Communities are being asked to eliminate the date of 2014 for leaving the RWS system in the agreement and he explained what would happen should communities not do this.

He will be attending an annual RWS Board meeting next week, which will be his 20th Board meeting. He asked the Chair of the Council if he could be relieved of representing Freeport on the Board. Rod Regier has expressed an interest in replacing Mr. Olmstead as Freeport's Board member and would like to be considered. Mr. Olmstead is certain Mr. Regier will be a terrific Board member. Greg L'Heureux will continue to serve as the Alternate. At the next meeting, the Council will consider approval of the amendments of the waste handling agreement and the local agreement as well as the appointment of Mr. Regier to the RWS Board.

Mr. Olmstead is also Vice Chair of the Civics Center Board of Trustees and the Chair is stepping down so he will be taking over as Chair. There will be a fair amount of work going on and this is a good time to exit the RWS Board and Freeport will have an excellent replacement.

6. Informational Exchange

Councilor Beaulieu asked if the problems at the Dunning Boat Yard have been resolved. Mr. Olmstead indicated that this issue will be discussed at the Municipal Facilities meeting on the 21st at 5 p.m.

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Mr. Olmstead sent the Town Engineer down with lease in hand and violations were noted. Notice of violation was given to Carter Becker and he has been given 7 days to correct them. Discussion followed.

Adjournment

MOVED AND SECONDED: To adjourn at 10:45p.m. (Bishop & DeGrandpre)
VOTE: (6 Ayes) (1 Excused—Arsenault).

Respectfully Submitted,

Sharon Coffin
Council Secretary