

**EXECUTIVE SESSION**  
**FREEPORT TOWN COUNCIL MEETING #20-21**  
**TOWN COUNCIL CHAMBERS**  
**30 MAIN STREET**  
**TUESDAY, SEPTEMBER 7, 2021**  
**6:00 p.m.**

Chair Egan opened the meeting at 6 p.m.

ITEM # 161-21            To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) pertaining to a legal matter.

**MOVED AND SECONDED:** That the Town Council enter Executive Session. (Lawrence & Piltch) **VOTE:** (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** That the Town Council exit Executive Session. (Lawrence & Piltch) **VOTE:** (6 Ayes) (0 Nays)

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**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #20-21**  
**TOWN COUNCIL CHAMBERS**  
**30 MAIN STREET**  
**TUESDAY, SEPTEMBER 7, 2021**  
**6:30 p.m.**

At 6:30 p.m. Chair Egan reopened the meeting and took attendance. He announced that Doug Reighley has resigned and is absent. All Councilors are here as well as the Town Manager.

<b><u>ROLL CALL OF MEMBERS:</u></b>	<b>PRESENT</b>	<b>EXCUSED</b>	<b>ABSENT</b>
Edward Bradley, 242 Flying Point Road	x		
Jake Daniele, 264 Pownal Road	x		
John Egan, 38 Curtis Road (Chair)	x		
Henry Lawrence, 93 Hunter Road	x		
Daniel Piltch, 25 Quarry Lane	x		
Douglas Reighley, 2 Harbor Ridge Road			x
Tawni Whitney, 56 Baldwin Road (Vice Chair)	x		

**FIRST ORDER OF BUSINESS:** Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

Chair Egan reminded Councilors to activate their microphones when they are speaking. It is impossible to collect their comments on the recorded version of our meeting if their microphone is not activated.

**SECOND ORDER OF BUSINESS:** To waive the reading of the minutes of Meeting #18-21 held on August 3, 2021 and to accept the minutes as printed.

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**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #18-21 held on August 3, 2021 and to accept the minutes as presented. (Piltch & Lawrence) **VOTE:** (6 Ayes) (0 Nays)

**THIRD ORDER OF BUSINESS:** Announcements

Councilor Lawrence announced that the Freeport Players are going to show Black Coffee live theatre at the Freeport High School's Performing Arts Center on September 17 and 18 at 7:30 p.m., on September 19 at 2 p.m. on September 24 and 25 at 7:30 p.m. and September 26 at 2 p.m. He urged residents to come out and enjoy a little murder/mystery.

Chair Egan reminded everyone that the due date for submission of papers for their candidacy for one of the open seats in our Municipal Election coming up at the beginning of November including now three Council seats and two School Board positions is this Thursday, September 9<sup>th</sup> so if anyone is out collecting signatures for their own behalf or someone else, they are due at the end of the day on Thursday, September 9<sup>th</sup> with the exception of District 3. We had a resignation of the representative on our Council for District 3 so we are going to allow a little more time for the collection of those papers. There will be an extension deeper into September. Please call Chris Wolfe at Town Hall if you have any question or need details about that.

**FOURTH ORDER OF BUSINESS:** Information Exchange

Councilor Bradley mentioned the Island Rover and they have had substantive discussion about that moving forward to launch planning. Harold Arndt and Carter Becker have engaged a Marine Engineer to help them develop that plan and provide an expert opinion with regard to its feasibility. He has not seen it but thinks it is in the works. He wanted to let the Council know that it is in the works.

Councilor Bradley reported that the Town, Mr. Joseph and Ms. Pelletier hosted a group of businesses and organizations who live, operate and work on Main Street both sides, south of Bow Street here to talk about what their plans are and what their ideas for the Re-visioning are and generally speaking how they would like to be involved in the process. He feels it is fair to say that the meeting was well attended. Some ideas were interesting. There were some new ones Councilor Bradley never heard before since there have been so many expressed unusual. A memo of the meeting will be presented to the group and then presented to Councilor Whitney and Mary Davis of FEDC. Mrs. Davis was at the meeting as were people from the Town. He wanted to let the Council know that it happened and was a little bit outside of the Principle Group asking questions but it did give people on Main Street a chance to weigh in and express their views.

Councilor Bradley advised that he has been approached by a group of people in the community to present to the Town Council the request that we sponsor a quorum on action items for climate change. The reason behind this is one that he shares and he is a perfect example of it. He is very concerned about climate change but has no idea what to do about it. He is essentially paralyzed as a human being, as a Councilor, as a Town resident, a father, a grandfather with the concerns he is certain are shared generally in the community. What is missing from his thinking is any idea about what the right things to do are for an individual, a community, a nation or a world to work on to stop the progress of temperature and climate disintegration. This group has come forward and said let's not argue about whether climate change is happening or not. People will disagree about that but there is a large number of people and a growing consensus that it is occurring and there is lots of good ideas about how to deal with it. He suggested

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having a discussion about those ideas. The group thought that if the Town Council would not decide what those things are but would sponsor the opportunity to bring in people who know a great deal about those things, it might help the community and individuals move forward and lead to a process that might help Freeport play a role in all of that. His request is please, as a Council, let us do what we can to help sponsor this kind of forum. He knows now what he didn't know before this group called him. He identified the people who have played a role in conservation issues in town and who he thinks are tuned into this. They are really asking the Council to throw its credibility or weight behind the opportunity to bring experts in. They will do the work. They will organize the forum. They want the Council to lend its name as the responsible group for the Town of Freeport to sponsor the forum.

Chair Egan felt this was an excellent idea and he supports it 100%. Over the summer he has been trying to engage the Planning Staff here to take advantage of an opportunity that has been offered to the Town for Climate Action Planning. GPCOG has a grant and a Staff person who is reaching out and doing technical assistance to communities within their footprint, with Freeport being one of them, and asking if we would like to engage with them for some specific Climate Action Planning activities. That may mean specific projects although that may mean it is a bit down the road, but at least raise the vocabulary of what a community can do. This is a perfect alignment with that work. Because of Planning agendas and other things crowding the schedule, we are finally going to have that first conversation next Monday with the materials sent over by GPCOG for figuring out how we are going to engage. The Council has the luxury and benefit of having a Sustainability Committee which he thinks is a perfect opportunity for that work to channel through. He is going to try to coordinate with that effort next week and include the Sustainability Committee. He would love to support the idea of sponsoring this forum. He thinks it is great.

Councilor Bradley asked if he could go back to this group and say the Council accepts the request and we will sponsor the forum? Is that okay? Councilor Piltch assumes the Sustainability Advisory Committee has done stuff like this in the past and assumes they are the right group to organize it. He is happy to support it. We support the work they do and he assumes this would go through them and also work in conjunction with GPCOG but also with the State who has a number of Climate Action groups as well. He would not want us to invent the wheel twice. Councilor Bradley added that he does not think they are asking the Council to create a new process but they are asking us to sponsor a forum that will bring experts to the town who will talk about the different ways in which a climate change can be addressed, whether it is carbon sucking, electric cars, solar, wind or whatever. They will have a series of speakers that will present the spectrum of possible action items to educate us all then let these groups work together to figure out what the best plan is for Freeport. Councilor Piltch advised that he thought the Sustainability Advisory Committee brought folks in and talked about different aspects and he found it very educational. He wants to keep doing this type of work and is in support of it.

Councilor Daniele noted that Susanna Hancock is here and she is on the Sustainability Committee so the Council could have her speak since her name is on the group. Chair Egan noted the Council has a segment for public participation coming up in a few minutes. He does not think the Council needs more than a consensus that we are going to proceed with a conversation. We are not voting on any money, action or hiring someone at this moment. If there is consensus to move forward, a couple of us can coordinate with the Sustainability Committee and see what that forum designation looks like. Councilor Bradley advised that he appreciates it.

Vice Chair Whitney advised that continuing with the updates on the Re-visioning work downtown, she wanted the Council to know that the Principle Group will be here in Freeport on October 14-19 for Design Week. It will be more collaborating with the community and moving things forward. She is sure the Council has seen some of the work done throughout the town by now such as the parklet on North Main Street. There has been some painting at the top of Bow Street and right at the end of Holbrook

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Street. We now have a park behind Starbuck's that is town-owned property where L.L. Bean has donated furniture and it is a great little park. The two vendors there are busier than they have ever been. Over the weekend, we had a grand opening of our Skate Park. It is a fabulous place for kids. Jack Kyle, a Portland resident designed and built the park for us. We had some equipment donated by the Skate Park in Bath and this collaboration led to a grand opening and was extremely well attended. It brought the community together more than we have had in decades. We have skaters of all different ages. The Skate Park is behind the Train Station. Other activities such as corn hole and chalk are offered there as well. Mr. Joseph displayed some photos. Vice Chair Whitney advised that a committee has formed to try to come up with a more permanent skate park in the future. She gave credit to Public Works and Mr. Joseph for their contributions to the Skate Park.

Chair Egan advised that the Ordinance Committee met and there were recommendations for updates and specificity in our Noise Ordinance. Those will be coming forward after they go through our Planning Board process and we will have some amendments to look at. The Hunter Road Fields Committee which meets 5 or 6 times a year is happy to have the challenge of trying to figure out a schedule of outdoor events at Hunter Road Fields. It is good to see our youth in action having fun on all of those great fields.

**FIFTH ORDER OF BUSINESS:** Town Manager's Report

Mr. Joseph reported that in the past five weeks there has been a lot of activity going on in various Town departments, specifically a lot of turn-over and staffing stuff which is really time consuming. He was happy to report that they have a finalist for the Deputy Town Clerk's position and will be ready to announce that shortly here. They have a nominee for the Police Chief's position who has a crowd of 70 people out in front of the Town Hall right now. He has asked them to wait out there but they may be coming in for a business item later on the agenda. We have got some pretty good response for our Fire Chief's position and we have some other Fire hiring as well over in the department. We are making some good progress but it is a huge time vacuum. It is all good stuff.

Today we had a visit from the French Ambassador to the United States here in South Freeport to the L'ecole Francois. He came to tour the school with the Consul General from Boston. Because of health and safety concerns they did not do a large ceremony but it was an honor to have the Ambassador here. It is a pretty high-level position from one of our high-level diplomatic partners for those of us who got to meet him. The French School is on the radar and we are on the list. The top tier politicians in France see these educational facilities as kind of like their business card out to the world.

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

Susanna Hancock of Flying Point Road advised that this past summer it was estimated that one of every three Americans were impacted in their daily lives to the degree that they had to evacuate or change some drastic aspect of what they were doing. We saw the resurgence of the Taliban for example fueled in part by drought and by people that were offered a wage to fight that they are not getting in their other lives. Climate change is not just affecting drought and Hurricane Ida and having the fire season in the West become more of a year-round event but seeing it as policy and diplomatic issues we are getting into around the world. In Maine, we reached the record temperatures and had the wettest July in more than 100 years after quite a lot of draught. While harvesting blueberries in the North and wearing a mask, the smoke from the wild fires was so thick, she couldn't see across the field and she was in a field she typically could see from the White Mountains to Penobscot Bay. The shrimp industry was closed for the eighth consecutive year this summer and lobsters are fewer. It is basically up to us right now to design the future that we want. Previously, Freeport has said that the Town is concerned about partisanship. While

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she agrees that any statements are only as good as supporting policy, we can no longer talk about partisan policies. The climate doesn't care whether we believe in it or not. It doesn't care whether we are conservative or liberal. It is driven by physics and has very little inclination to how we fit. She explained the organizations she is a member of and how she has worked on an Assessment Report. They know that the cost of doing nothing in Maine will cause billions of dollars in damage in infrastructure, environment and the economy. We all know that we will be personally affected sooner or later. We know that Maine produces .3% of our national emissions. This is very small compared with other states. We know that much of our pollution is driven by outside factors but we also know we have an aging population that is at increased risk for heat-related illness. We have fewer air conditioning units than other parts of the country. Our asthma rates are steadily climbing and we know that climate change is affecting people in this town whether it is clammers, students, health care workers or farmers. Freeport has taken several actions in the past and has listened to her several times. Freeport has teamed up with GPCOG, supported putting a price on carbon pollution at the source and supported efforts to calculate tirelessly Town emissions. The Town has invested in solar and supported the RSU doing the same, supported the Sustainability Committee, composting and recycling. There is a long list of actionable items with the Sustainability Committee. People here are motivated and for that they are grateful but they also know that these actions alone are only a start. They need to be community driven. Building on what Councilor Bradley has discussed, we are starting a new Climate Task Force of some sort but want to know what a sustainable and healthy future looks like for our population. They want to know what it looks like for individuals in Freeport. Whether people are worried about or affected by sea level rise or fishing regulations, people not sleeping because of anxiety over the future. Regardless of our political orientation needs, we want to see how we can make proactive approaches to making Freeport a model community and they want to hear from people around the town. If there is anybody that wants to participate, has thoughts or feedback, specific concerns, they welcome them to be in touch with them. Although she is here in her capacity as a private citizen, as a School Board member, she has a public e-mail that is on the Town's website and can be contacted through that manner as well. They are not trying to reinvent what the Sustainability Committee is doing. The committee right now has a very full agenda and they are not getting through what they want to get through. They are also tackling items that are coming to them that they hear about so things that the Town Council discusses or in talking with GPCOG, they have this idea that it sounds like something they would like to do. Let's bring it and see what they can get approved working with GPCOG. That is a lot of what they are doing and this is something that somehow runs parallel but they want it to be open to the community. Bringing in experts has been done in the past but has not been done recently. They don't have the people power to get that off the ground. It is not to replace the committee. It is to augment the work with a little more community driven support rather than people that have been appointed to a board doing what is important to them. She is talking with policy makers around the world and there is a lot they can do. They just need to know what they want to do and what is important to the town.

Chair Egan thanked her and asked that she include him on her list. He can't wait to help out.

Joyce Veilleux advised that she is with the Age Friendly Freeport/Pownal Committee and in conjunction with Freeport Community Services they are having their first joint course. It is going to be a course in advance directives. It is actually a 3-part course and they will be doing it at the Freeport Community Center. This class series will provide the learner with the knowledge, skills and necessary tools to document all of their final decisions. The dates are the September 16<sup>th</sup>, September 30<sup>th</sup> and October 21<sup>st</sup>. A flier can be found on the FCS website and their Facebook page.

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

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ITEM # 162-21 To consider action relative to adopting the September 7, 2021 Consent Agenda.

**BE IT ORDERED:** That the September 7, 2021 Consent Agenda be adopted.  
(Egan & Lawrence)

Chair Egan reviewed the items on the Consent Agenda for members of the public. Councilor Bradley felt it would be helpful to identify the people appointed to the two Boards tonight and Chair Egan agreed. For the Police Advisory Board we are appointing Ed Boutin, Joyce Clarkson-Veilleux, Mark Devine, Warren Graver and Elizabeth Ring. They will serve for different periods as designated on their appointment. On the Shellfish Commission we are appointing Sarah Warren, Chad Coffin and Jason Doyle.

**VOTE:** (6 Ayes) (0 Nays)

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ITEM # 163-21 To consider action relative to a new Special Amusement Permit for Mast Landing Brewing Company. PUBLIC HEARING

**MOVED AND SECONDED:** to open the Public Hearing. (Lawrence & Piltch)  
**VOTE:** (6 Ayes) (0 Nays)

Chair Egan advised that the Council had some detail on this last month when this item was introduced. Mr. Joseph explained that a Special Amusement Permit is required to have entertainment mixed with alcohol in the Town of Freeport. Music, dancing, live entertainment or theatre possibly, if you want to do any of those things in an environment where there is alcohol, you need a Special Amusement Permit. Mast Landing Brewing Company is a new business opening up and they want to have live entertainment so they need a Special Amusement Permit. The Council has to renew these on a regular basis. There were no public comments provided.

After hearing from the Town Clerk, Mr. Joseph explained that the Special Amusement Permit is the same each year at the public hearing. The liquor license is what changes so the actual underlying liquor license doesn't require a public hearing after the first issuance. They both renew annually. It is inconvenient for everyone every year.

**MOVED AND SECONDED:** to close the Public Hearing (Lawrence & Piltch)  
**VOTE:** (6 Ayes) (0 Nays)

**BE IT ORDERED:** That a Special Amusement permit for Mast Landing Brewing Company be approved. (Lawrence & Piltch) **VOTE:** (6 Ayes) (0 Nays)

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ITEM# 164-21 To consider action relative to setting a public hearing for September 21, 2021 to discuss awarding a contract to Allegiance Fire and Rescue in the amount of \$636,677.00 for a new Fire Truck.

**BE IT ORDERED:** That a public hearing be set for September 21, 2021 at the Town Council meeting that starts at 6:30 pm to discuss awarding a contract to Allegiance Fire and Rescue in the amount of \$636,677.00 for a new Fire Truck.

**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

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placed on Freeport's local cable channel 3 and the Town's website. (Piltch & Lawrence)

Chair Egan added that this item was approved in our Capital Budget that the Council voted on and approved earlier in this calendar year. We are authorized to spend the money and this is the detail on making the actual purchase.

Mr. Joseph advised that the Council is setting a public hearing and the presentation would probably be made at the public hearing on the 21<sup>st</sup>.

Fire Chief Jordan pointed out that the price will change from \$636,677.00 to \$648,495.00. Mr. Joseph suggested that the Council amend the amount.

**MOVED AND SECONDED:** To amend the amount of the item from \$636,677.00 to \$648,495.00. Piltch & Lawrence) **VOTE:** (6 Ayes) (0 Nays)

**VOTE TO SET THE PUBLIC HEARING:** (6 Ayes) (0 Nays)

Retiring Fire Chief advised the Council that they would not see him in two weeks.

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ITEM# 165-21      To consider action relative to setting a public hearing for September 21, 2021 to discuss amendments to Chapter 39: Loitering, Curfew and Noise of the Freeport Town Ordinances.

**BE IT ORDERED:** That a public hearing be set for September 21, 2021 at the Town Council meeting that starts at 6:30 pm to discuss amendments to Chapter 39, Loitering, Curfew and Noise of the Freeport Town Ordinances.

**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 3 and the Town's website. (Daniele & Piltch)

Councilor Bradley asked if this has anything to do with airboats? Other Councilors advised him that it does not. Mr. Joseph advised that there is another part to this that has to go to the Planning Board requesting changes. The timing for that would be if the Council votes to approve this on the 21<sup>st</sup>, it would go to the October Planning Board meeting with other requested changes. The language that was reviewed at the Ordinance Committee was presented by a member of the public who has been extremely patient waiting for us to go through our process. We will have a public hearing and hopefully be able to adopt these amendments to our Noise Ordinance as well as potentially voting on taking direction to send other elements related to zoning down to the Planning Board for discussion. Eventually they will come back to the Council.

**VOTE:** (6 Ayes) (0 Nays)

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ITEM # 166-21                      To consider action relative to approving proposed amendments to Chapter 46: General Assistance Ordinance and Appendices A- H for the period October 1, 2021 to September 30, 2022.

**BE IT ORDERED:** That a Public Hearing be scheduled for September 21, 2021 at The Town Council Meeting starting at 6:30 pm to discuss amendments to Chapter 46: General Assistance Ordinance and Appendices A- H for the period October 1, 2021 to September 30, 2022.

**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 3 and the Town's website. (Bradley & Lawrence)

Chair Egan advised that the Council had a lengthy memo from Johanna Hanselman, our previous GA Administrator included in our packets describing most of the amendments and descriptions. Most of them are in compliance with current federal law. We are just setting the public hearing and are not taking any action this evening.

**VOTE:** (6 Ayes) (0 Nays)

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ITEM # 167-21                      To consider action relative to the appointment of Nathaniel Goodman as Freeport Police Chief.

**BE IT ORDERED:** That the appointment of Nathaniel Goodman as Freeport Police Chief be confirmed by the Town Council as required by section 3.04 of the Town of Freeport Charter. (Whitney & Lawrence)

Mr. Joseph mentioned that he had a discussion with former Chief Nourse today and settled on everybody bringing different strengths to the table. In his memo he advised that Nate has a set of strengths for the Town right now. His ability to talk to people, listen and have some rational explanation and calm discussion has really done a lot over the past year. He gave him credit for what he has done while acting as Chief and feels it indicates he is the right person for the job in today's times. He is a patient person and everybody seems to like him. We had an application process and Mr. Joseph is really happy Nate decided to step forward. He is someone who is qualified and wants to take this position. Most of the people here tonight, feel they have someone to look out for them during this difficult time.

Councilor Lawrence advised that he met Nate 17 years ago and feels he is the right man for the job. He thanked him for stepping up. Councilor Piltch advised he met Nate a little over a year ago and is thrilled that he is stepping forward. He is thrilled to support Nate's nomination. He found it to be surprisingly refreshing how open and reasonable he was in representing Freeport's Police. He is proud to have him as Chief of our Department. He is thankful we are not bringing in someone from the outside to train or explain what is different and unique about Freeport. The history Nate has with the town is a great asset to us. It is a win/win for everybody. Councilor Daniele appreciated what Nate has done last year and in his career here. He is looking forward to what he will do next and is confident it will be great. He thanked him. Councilor Bradley noted it is hard to add to all of these things just said, added that just having served on a committee with Nate on the Downtown Re-visioning and didn't hear him take it over and tell people what to do struck him as the type of guy we want sitting beside us when we go through these difficult decisions. He thanked Nate. Councilor Whitney felt it was an honor to be here tonight to see Nate's



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family and all his supporters. She would agree, of course, what the whole room would say about Nate and echo that it is so nice to have his kindness. He is so relateable with every generation right down to approving a skate park and giving the nod and wanting it for the kids. He is also the kind of guy you can call and say, hey, do you want to walk around and I'll be an elf and you can wear a silly hat and we will give out prizes to people. He immediately said yes! Chair Egan noted that he does not know Nate very well but the best part of being up here in terms of understanding where our Police Department is, we don't ever get issues brought to the Council about what is going on in the department other than finding out about the new police stop on Casco Street. It is a testament to Nate's leadership and former Chief Nourse before him, who he trained under that the department is running very smooth and as elected leaders in the community, we couldn't ask for a better example of that. As Councilor Piltch said, the opportunity and openness Nate expressed to share in discussions with our community who is quite concerned about where things are with police departments. Nate is jumping right in and is not hesitant and is not saying let's do this next Tuesday. That engagement and leadership is evident in everything he has seen Nate do. He welcomed Nate and advised that he absolutely earned the position.

**VOTE:** (6 Ayes) (0 Nays)

Chief Goodman was sworn in as Police Chief by the Town Clerk, Chris Wolfe. Chief Goodman took the time to recognize the people in the room that have put in the hard work. His son is a Criminal Justice Major in college and in talking with him, advised that every day that he works, he is auditioning for that job. Every day that goes by, you have to put in hard work and treat people well. It is because of the people seated in the room, his family and all the officers here that work so hard to protect the citizens of Freeport. He is appreciative of the opportunity to lead the group but it is something they have been building on for many years and something they want to continue to work hard for. He has given Freeport 24 years so far and will continue to work as hard as he has in those 24 years toward the future. He appreciates it.

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ITEM # 168-21	To consider action relative to invoking a shortened nomination process as outlined in title 30-A Section 2528(4)(E) of the M.R.S.A. to fill an unanticipated vacancy for Town Councilor, District 3.
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Town Clerk, Christine Wolfe explained that the Council needs to adopt a shortened nomination process if that is what it chooses to get the District 3 vacancy on the ballot. The Council could shorten it to as little as 24 days with 10 days of circulating nomination papers with submission at least 14 days prior to the election. That is not what she is going to recommend to the Council tonight. Her recommendation would be that we make nomination papers available tomorrow morning and then have them circulate for 21 days and then be back to her on Wednesday, September 29. It will give her Thursday to print paper ballots which will be counted on Election Night but they will be available October 4<sup>th</sup> when absentee voting starts. She wants to avoid at all costs, having regular ballots ready and not having the District 3 ballot ready at the same time. Basically, we need to have at least 100 days per our Charter for nomination papers. Our Charter reads that they will be available 100 days prior to an election submitted 55 days back to her prior to the election. In looking at that 3-month window and if the Council wanted to have a special election in February or March, the Council could do that with the full circulation time for nomination papers. The problem with a special election in the spring is that it is only going to be District 3 voters and there is the potential it will be an extremely low turnout. Chair Egan added that it is between now and then before we will have a seventh Councilor on our Board.

Councilor Daniele added that it is not good when only one person steps forward because we get one choice. He would like to be sure we don't have any issues. He asked what the Council can do to get the word out and entice more people to run? Councilor Bradley advised that since learning of Doug's

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resignation, he has been calling people in District 3 and he understands that other Councilors have been calling people in District 3 and letting them know that this opening is coming. He believes there are at least a couple of people who are going to taking out papers to run for this seat so he thinks the Town will have some choices. Ms. Wolfe added that she feels she will have someone at her counter tomorrow if the Council approves this shortened process.

Councilor Bradley added that it is no secret that in the short period of time that he served on the Council with Doug, he didn't always agree with him. As he served with him, he began to develop a grudging understanding and respect for where he was coming from and in a way, he endeared himself to him and he is not saying that superficially. He began to like him in a way that he didn't understand him in the beginning. He wrote a resignation letter that reflects the kind of person he is. He asked for permission to read it and Chair Egan granted it.

It was a letter written to the Council and all the citizens of Freeport.

"It is with deepest regret that I tender my resignation from Town Council. It is not my style to share my private life with doing my work as a Councilor but I am going through a divorce which has caused me to move from the house I built and since there is no available home in District 3, I have chosen to relocate to Clayton, NY on the St. Lawrence River where I can fish every day, and hunt when I don't. I have been "passing through" Clayton since 1956 so this is not new territory.

I wish you all well and know that you will continue to work for what's best for the Town of Freeport. And at my new home, you are welcome anytime.

Now I motion to adjourn,  
Doug Reichley"

Councilor Bradley added that it is a perfect Doug Reighley and he thought it would be good for the Council to put it out there.

Ms. Wolfe advised that if anyone has apprehension about only 3 weeks of circulation, almost everyone from the time they take out papers to the time they return them is 3 to 3 ½ weeks so she did that math today. Chair Egan appreciated that flexibility because he was concerned about that exact dynamic. It is just about the same time that the regular election process goes through in terms of when you stop in to initially pick up and get the low down on how to go about it and the rules and parameters of collecting those signatures from your fellow residents. It is about the same time or slightly longer. He thinks it is as much of a balanced process that Chris can provide for us and still have a consistent and uniform predictable election process including having a candidate named for the absentee ballots which need to go out in early October so there isn't a special ballot that only certain people see. It is a consistent process which is how transparent elections are required to be run.

**BE IT ORDERED:** That the Town Council invokes a shortened nomination process to fill a vacancy for Town Councilor District 3. (Lawrence & Piltch)

**VOTE:** (6 Ayes) (0 Nays)

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ITEM # 169-21

To consider action relative to signing the Election Warrant for the November 2, 2021 Annual Election.

**BE IT ORDERED:** That the Freeport Town Council approve and sign the election warrant for November 2, 2021 Annual Election. (Piltch & Lawrence)

Mr. Joseph explained that by law this has to be posted and this one has the District 3 vacancy on it.

**VOTE:** (6 Ayes) (0 Nays)

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ITEM # 170-21

To consider action relative to issuing for a stated period of time a construction overlimit permit to the Maine Department of Transportation Contractor for transporting construction equipment that exceed legal weight limits, over municipal roads.

**BE IT ORDERED:** That the Town Council issue for a stated period of time a construction overlimit permit to the Maine Department of Transportation Contractor for transporting construction equipment that exceed legal weight limits, over municipal roads. (Piltch & Lawrence)

*Note: The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA section 2388 to cover the cost of any damage that might occur as a result of the overlimit loads.*

Chair Egan explained that we are moving this forward because we are about to go through the process of engaging for the bridge work at Exit 20 and Exit 22 which serve our downtown community from either end, north to south and we have to be able to in order to participate in financing, it would be nice if we allowed that construction activity to process their vehicles over our roads for a limited period of time which are overweight. Our Town Engineer can answer technical questions at a later time. Discussion on timing followed.

**VOTE:** (6 Ayes) (0 Nays)

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**OTHER BUSINESS:**

1. Discussion on staffing Town Manager Office due to recent General Assistance Administrator retirement

Mr. Joseph explained that this does not require any Council action. He wanted to bounce the staffing discussion off the Council and the Council can be favorable or unfavorable and he will take that feedback. He explained that currently in his office he has himself and Judy who is Assistant to the Town Manager and essentially does all the H/R and personnel functions. That is her sole job. We had Johanna who worked 20 hours a week for General Assistance and 20 hours was for Manager's Office duties. She worked closely with the outside Boards and Committees that don't have Staff support scheduling their meetings and doing administrative work for them. She did a ton of Swiss Army Knife stuff for Mr. Joseph. He is proposing to take both of those positions and what he is about to say is covered within the budget. There is no additional cost to the taxpayers but maybe a little bit of adjustment in salaries one way or another. This is not something he is asking for money for. It is already contained in the budget. It is moving things around. We shifted those G/A duties and contracted them out to FCS for \$12,000 for the year. The additional cost was already in the budget and we spent that. The proposal would be to create two Assistant Town Manager positions. One being H/R and Personnel which is zero change from the duties Judy is currently doing with a title change that reflects the job she has done for at least 10 years.

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He will create a second Assistant Town Manager position focusing on Planning, Community Development and Codes which will take about 20 hours of the time that Johanna did on Town Manager functions but stay in his office and 20 hours for the G/A time that went elsewhere and focus on high-level Planning, Codes, Development and Engineering problems that are things we have on a regular basis. He thinks we have a very talented Staff who can identify and find things when reviewing applications but then there is nobody to take the applicant and explain how to go about doing things. He feels that people feel like they are hitting a wall. They are getting input from the Planning or Codes Office saying these are the problems in the application. While they can move forward, it takes someone to spend time with them on the phone or in person to explain how they can move forward and what their options are. It is not going to be designing things for people. It will not be doing the actual work but it would explain what they need to get an engineer to do this or that. He is trying to solve a lot of the problems we are seeing in terms of steering people along. This is a redivision of some duties and would not change the number of hours allocated currently to those departments but will be adding additional hours to support those two departments.

Councilor Whitney pointed out that Mr. Joseph works too hard. He is the guy down at the Skate Park helping her. Today he went to Bow Street to get the waters. He does everything and does it around the clock and all weekend. He is always working and she is concerned that he will wear himself out and we will lose him. She has been telling him all along that he needs more support. She is excited to hear how things are going and particularly with this re-visioning. We are going to need some zoning changes, ordinance changes and new interest in Freeport. Anything we can do to make it easier on people also coming to Freeport is fabulous.

Councilor Bradley advised that he is 100% behind the decisions and areas in which Mr. Joseph is going to supplement. His brief experience on earth suggests to him that you never get nothing for nothing. He is concerned that Mr. Joseph can pay for what we need with no additional money and can't follow how Mr. Joseph can contract out 20 hours to FCS and pick up 20 hours of Johanna's service and get everything Mr. Joseph just told the Council he needs and wants and the Council agrees he should have particularly as we go through re-visioning and try to solve some of the problems with all the applications we get some of which are very complicated and need attention up front not at the end. If Mr. Joseph can tell him how he can do all this without asking the Council to support more hours, or pay for more hours, he has his vote. If he can't, Councilor Bradley is going to say let's give Mr. Joseph more money.

Mr. Joseph explained that we budgeted \$30,000 last year for the G/A function and Johanna's time figuring that if he needed to hire somebody to do that job, we would have the money in the General Administration budget. He mentioned that he has the pay line for what Johanna used to do which is what we would pay the new person and also budgeted money to outsource G/A.

Councilor Pilch asked if the other stuff Johanna did other than G/A, is there enough time in one person's day to do all Johanna's other stuff plus all the things Mr. Joseph just mentioned? Mr. Joseph added that it will be a full-time position. A few of her duties have gone to Finance and the Clerk's office.

## 2. Discussion of a Communications Position (Councilor Jake Daniele)

Councilor Pilch advised that we all talked about having better communications with the public in general from feedback we hear a lot. This summer we had Peter Sachs, our summer intern who worked to help us identify grant opportunities and assessing where we are on Town communications. He provided a verbal presentation and summarized it in a document the Council has. He mentioned a few different areas we can engage but one area they talked about was that this is not something you do on the side as a hobby but it is something that should be done intentionally with a plan, strategy and execution and almost all the towns that do that well have someone dedicated to do that job. Falmouth decided a few years ago that it

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was worth hiring a Communications Director dedicated to helping the Town Hall communicate with the public over various different channels. He does not know if this is a full-time position or a half-time position but feels we need someone to do it and someone to own it. He doesn't think the Council has any specific money budgeted for it but feels it is something we should look into. Councilor Bradley asked how this relates to the idea we have just taken on a Cable position? Mr. Joseph noted he sees this as being very different. That position is not writing content at all. He knows that Tom who started a few months ago, is doing a very good job with the technology like fixing things and making things work. He might be able to write copy, but he doesn't know if that is his specialty. Councilor Bradley noted he is just asking but certainly Tom has both the experience and expertise to do high content programming. He knows the initial hire was to straighten out some technical issues in Cable but understood that if Mr. Joseph liked him and he was doing a good job, that position would grow. This is one direction this is coming in and the other direction is Arts and Culture which also needs programming and communication to go on and coordination with the RSU and all of its programs. He doesn't know how it all works but hopes that as we go through this, we keep all of that in mind. Mr. Joseph advised that Tom would be able to transition into a full-time ability out in December or January. Right now, he is working part-time for us and has previous obligation from his current job he is going to finish out before we talk about transitioning into full-time. If the Council wants that to happen sooner than that, it is not on the table.

Councilor Daniele asked what does the Council want to achieve and what messages do we need to get out? Obviously, we have a problem getting people to know the issues we are talking about but what else are we looking to fix. Councilor Lawrence mentioned getting things out that are going through a Planning process or a subdivision that is going to be built over on Desert Road. Those things seem to pop up and people are not aware of it until they are half way down the pipe. Chair Egan can think of at least five things off the top of his head where we don't do a good job in terms of communicating out to the community. Both our Operating and Capital Budget information is put out there but is in a format that if you have never seen it before, it will look like another language. Being able to communicate what our budget, and not only the process, but the elements in the budget, so that people understand where their tax dollars are being spent is an enormous need. In terms of projects and investments that are going on in the community that are both private and public and the Town does a fair number of projects as well in terms of roads and things like that, there is plenty of information that is put out largely as Staff has capacity but it is not a coordinated effort. There would be no dispute on that. Councilor Bradley feels it is clear we don't communicate very well so that is the first answer, we want to do that. It is also clear that we have resources here that we don't even scratch. We get a fair amount of money to make Cable a robust substantive channel and we don't do anything he knows but put meetings up that people could catch onto if they read the Minutes and that sort of thing. There is a whole range of opportunities that are going on in Town that could enrich us if we chose to do it. This person in part may be the answer to that and Tom may be another part of the answer. He does not know how it works together but hopes it is not just trying to get facts and figures out to the public. Some are interested and some are not but that we reach into the lives of our people in a way that we have the ability to do. We don't have to tax people to do it. He understands we have the money that we don't use to do it. He asked if he is wrong about that?

Councilor Piltch advised that part of what we identified is that different people absorb communications in different channels so one of the challenges we have had in the Downtown Re-visioning is how do we capture the attention of the younger half of our population? His educated guess is that the younger half of our population is not watching our Cable Channel 3. No matter what we do or pump resources into our Cable infrastructure, that is not the channel we are going to reach them on. Perhaps it is Instagram, Social Media, Facebook, E-mail or something else we don't know about so he thinks a lot of things we need to do is communicate over different channels and make our message interesting. It is not just facts and figures but here is the budget going through it and here is how the budget works and why it is interesting to you. Here is an easily digestible nugget you might be interested in. Here is what we are doing with

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Sustainability and why it is important. It is not all about public hearings and Council action. Other towns such as Falmouth provide items of interest as well so there is something about pesticides and naturally fertilizing lawns and they talk about that in the spring. It is about content and making it interesting and the many different channels but Cable is part of the solution. Chair Egan added that it is also understanding how the media works and not just understanding the channels we want to put it out in but understanding how to use the cycle of the media to the host's advantage. As a town, we want to be sure we are in front of things like publication timeframes and deadlines and when various things are happening so a Communications Director can get out in front of that and use that strategy so the message of whatever it is of that day or that week is already out there before people are saying, how can I find out about such and such? That is evidence of a good communications plan. More discussion followed.

Councilor Daniele asked if this is a 20-hour a week position or a 40-hour a week position? Can we combine it with something else that is important such as what Mr. Joseph is doing with his position? Is this a split 30/10? Is this what we are talking about? Mr. Joseph advised that we do not have a specialized media skill set. To Ed's point, we have a part of that in our current Cable staff that we are moving along with. We are good with: "hey, you are going down with 3 channels right now and there are 15 other channels out there you could be using." Maybe the technical part is happening and maybe we are getting that expertise in house, but he doesn't know if anyone knows how to make an enticing Instagram post that is going to get 40,000 likes. He has not been on Instagram before and he is almost of that generation. He mentioned the Skate Park and Vice Chair Whitney advised that under Freeport Friends it is getting a ton of feedback from the community because it is hitting a different demographic. She added that if we can find those outlets, the information is going to get out there.

Councilor Piltch asked what the next steps are. Do we write up a job description? Should a few Councilors sit down with Mr. Joseph and figure out if we should advertise it as a part-time or full-time thing and come back to the Council? Do they need to allocate more money or is there money in the budget? Mr. Joseph added he would need to discuss it with the Finance Manager. He feels we should look at a part or full-time position. It doesn't need to be a department-level position. Councilor Lawrence added that this person needs to be able to work with every department to get the information on what is going on. Mr. Joseph advised that this person's entire job is telling a story and comes to work and says I am going to find something to cool to talk about today. He feels it is a full-time job. Chair Egan asked Mr. Joseph if he had any starting blocks for Councilor Piltch and Councilor Daniele to begin with. Mr. Joseph advised that he did and congratulated them for volunteering. He feels there are four or five examples in our surrounding towns that he can scalp their work. Councilor Bradley pointed out that he would like to be an auxiliary laborer in the field of Arts and Culture.

### 3. Discussion of Water Tanks

Chair Egan advised that there are currently two water tanks currently serving our privately-owned water system. The general outline here is that the tanks themselves are owned by the Town of Freeport and one of them sits or stands on Town-owned land and one sits on private land. None of the operation of the tank, none of the maintenance of the tank and none of the future repairs to the tank are of the Town's obligation. We have negotiated that to be all carried by the operator of our privately-owned water system. However, the tanks technically still are our equipment and so the discussion is if the Town is not going to operate a water system anytime in the near future and the Town is not going to administer the activity of maintenance and keeping up and carry the liability of those tanks, why should we continue to own them? There is no revenue stream attached to it as a Town asset that we are earning revenue from the privately owned water system. The question is should we continue? Part of this is prompted by the privately-owned water system saying they would like to take those so that they are their equipment.

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Mr. Joseph added that we have an expiration of a 20-year land lease in December of this year so they brought this up earlier saying we either need to continue to do business as usual which no one is in favor of or talk about something different. He explained that both tanks are in the ownership of the Town because they were constructed and financed in the 80s and 90s using very low interest. At the time government loans were not available to private water operators so the Town of Freeport knew they could finance at commercial rates that were in the tenths of percentages and everybody on the water system would have paid those low interest rates. The Town applied and financed the construction of those tanks and was reimbursed for the construction of those tanks by the ratepayers of Maine Water Company but it saved everybody in town a boatload of money because they are not paying 15 or 20% on a 1980s era note for 10 or 20 years. After they were paid off, the handshake deal was that the Town was going to transfer it back but previous administration realized that they were starting to put up cell phone antennas on these tanks and making money and which we currently still do. Maine Water has no interest in the exterior of the tank and the cell phone antennas. They are willing to leave the current lease for zero dollars with the Town of Freeport. As far as he has been told, they are not asking for the contracts or the ability to control the outside mounting points on the tanks. They would like the tanks and provide us the ability to still use the exterior. This is important for us, not just for cell phone communications which are important to pretty much everybody but also more importantly for Emergency Dispatch Communications because both of those are key points for 9-1-1 Dispatch and Police, Public Works and Fire communications. There is a lot going on on the outside of those tanks and a lot of reasons if any of that was in question, he would walk away in a heartbeat and say, no, I think we are good. They are willing to talk on all of that and this is a high-level conversation with management and the attorneys from Maine Water that they would be willing to leave that behind with the Town in perpetuity. To chair Egan's point, there is no agreement that they have to do all this stuff to it. They do the maintenance voluntarily because if they didn't, their system would not work. They spent \$600,000 repainting the tank up on Bow Street because it needed to be done. It was on the 20-year schedule. They are invested in the long-term maintenance of those assets because they can't run their distribution system and make money in Freeport without them. Everything he is hearing seems like a good faith. Our good faith part would be to say, yes, you are right. This is your liability and you have it. When you need to replace them, unless the Town can use something to save you money in the future, have these assets. Also, there is history out there. He has been here close to 10 years and there may be people that know a lot more. This is why we are having a public discussion. He is sure someone will come in and tell him something in the next week about what happened 30 or 40 years ago that he doesn't know the background on. This is why he is coming to the Council to start the conversation.

Councilor Daniele asked what they get. Why do they want to own it? Councilor Lawrence advised that they are already taking care of the whole thing and this is an asset they can put on their books and could take a loan out on it or whatever. Mr. Joseph mentioned that they didn't have any legal right to paint the tank without us telling them they could. They don't have the ability to actually maintain and beside the actual water in the ground, that is the most important asset they have to run the system is the gravity. They can't run their system without those tanks so they don't have the guaranteed ability to run that system. They don't control the actual physical asset but of course, it would everybody in Freeport have no water. They are making money off of it but we are in control of it so it is kind of a really weird dynamic. They have several well heads in town but right now most of the water comes down off of Webster Road.

Mr. Joseph explained that his proposal is that he go with our Attorney and talk with their management and their attorney and bring something to the Facilities Committee that can convene and hash out what the actual proposal is and bring it to the Council probably in the next six months. He asked if this sounded like a reasonable proposal? The Council agreed that it did. Mr. Joseph added that if something comes up that is a red flag to him before we get to that, he will come back to the Council. If something comes up that is a red flag to the Facilities Committee, the Council can pull the quote on it and we will stop talking

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with them. We can continue status quo and that is not desirable. There is no reason for them to tell us not to continue status quo because the alternative is the water system. Councilor Bradley doesn't get from the conversation is why if we own these things, we don't get some return from them. In most circumstances in his life, if someone owns something that is valuable and someone else is making money from it, it is reasonable for the owner to say to some degree that they would like to share to some degree that stream of income. Councilor Daniele added that if we were to ask for money, it would come out of the Freeport taxpayers who use that system. We went with the low-interest loan to save Freeport Taxpayers money. Mr. Joseph advised that he can't speak to the 30 or 40 year decision why the Town at the time made those decisions. They are a PUC-controlled utility so they will say it is an automatic overhead item and the rates will go up. We are essentially transferring money from ratepayers from 40% of the Town that is on this water system to the town. No Councilor indicated they were on town water. Councilor Bradley noted he doesn't know what the answer is but he would like that question to be on the table. Mr. Joseph advised that we won't be making any hard decisions but will be having conversations and will advise the Council and Committees if there are any roadblocks. He is assuming there will be a robust conversation when this actually comes back for consideration.

4. Discussion of Review Process for Wharfing Out.

Chair Egan explained that this is a continuation of what the Council briefly talked about earlier and we have members of the Coastal Waters Commission with us. Concerns with where we are in our particular language for their ability to approve or not approve wharves or docks. We have an opportunity to go into Executive Session and talk about a legal matter. Mr. Joseph advised that our Attorney is on call on the phone if we want to give her a call. If the Council wants to go into Executive Session on a legal matter, it is Statute 1 M.R.S.A. § 405(6)(E). This was at the top of the agenda from the previous Executive Session.

**MOVED AND SECONDED:** To go into Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) pertaining to a legal matter at 8:25 p.m. (Piltch & Daniele)  
**VOTE:** (6 Ayes) 0 Nays)

**MOVED AND SECONDED:** To exit Executive Session. (Piltch & Daniele)  
**VOTE:** (6 Ayes) 0 Nays)

Mark Morrissey mentioned that the application was seasonal. They had a Whaler they wanted to run and they were only going to use it on weekends and pull it back out. They were not going to leave it there permanently so all these things together, while they didn't like it, they had to approve it because they didn't have the language to disapprove it. The other thing they want to address is the Ordinance itself in giving them a little more flexibility and cleaning up the Ordinance so they can better address these in the future. These are the what we will see and he doesn't know if it is family property being divided and sold so we have more houses. This is what you will see down there. On this one application, there were eleven abutters they had to contact and that is a lot for a little stream. That is what they are looking at and why they want to have a moratorium on this so they can move forward and address these before they have to make more bad decisions.

Mr. Joseph mentioned that they were thinking about this at the Staff level and talking with the Town Attorney. They saw a couple of differences and would like to know what they envisioned. Dimensionally the river being too shallow or too narrow to justify the disruption of a dock. If you have a 10-foot trickle deep and hey there is water at high tide and I want to be able to put a float in there and take up half of that or a third or whatever the Ordinance allows. I want to put a 1 x 4 float and the Ordinance says I can do it so I will do it. He can see another one being the length of tide and if it is less than a certain number of hours per day per tide, at what point does it become not worth a disruption?



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Mr. Morrissey advised that those are two they are looking at. The most recent one they approved, they have five hours of useable water. Why would anyone want to put one in there? He has no idea but the Commission wants to look at all these things. The dimensional yes/no seasonal and all these things they should look at and come up with a set of guidelines that would help them in the future. They don't want to make a rash decision. They don't want to say no because some of them do fit. They need some time to figure out what is the best avenue to move forward.

Chair Egan asked how long they are looking at and what is their plan for going about getting their language for making these recommendations to the Ordinance? Is it amongst Coastal Waters members or do they have a professional or practitioner that can provide model language? Does the Commission already know what areas are the real problem and they need to tighten up and work with an attorney to come up with the language. He does not know what the process is. Mr. Morrissey noted that the first thing they want to discuss is the best way to approach this. They have had Katrina VanDusen from the Conservation Commission come forward on several of these applications expressing concern for them and she has volunteered to come forward and help them on this. They have other folks that have offered to help them. He feels they need to take input from players to get their perspective on it but Step One is to get approval and let's talk about how we can proceed forward. Chair Egan's first question about length, he feels they are at a good point here because we are at the end of the building season. They usually see a lot of these in the spring when they want to get approved and they build during the summer so they will have them for the following year. He would like to say that six months would get them into a decision that they hopefully could have finalized so that in April or May when they start to see applications ramp up, they would have this language already approved. They would try their hardest to get this done in that amount of time and not adversely affect potential applications down the road. He doesn't have experience in this and would like Amy to help them with the language but this would be new territory for them as well.

Councilor Piltch mentioned putting the moratorium on areas that are troublesome would buy them some time and they could deal with a traditional wharf and focus more on these. When they get to that point in the future, he would figure out what the strategy is that the Ordinance is meant to support. Think about the principles and what is needed to support those principles. He asked how the Commission wants to craft the moratorium? Mr. Morrissey advised that that is something they will have to figure out as well. He asked if they need to identify specific areas or can they say, if it is deemed that way by the commission? That is another legal question they have to figure out. He does not have that answer. They didn't have the time to consult with Amy as far as what her opinions are. That is a valuable question. More discussion followed.

Councilor Daniele suggested doing a complete moratorium and then relax the moratorium on certain areas with traditional ones. He asked if they could do it the opposite way rather than trying to identify all the other ones? All right, it is a complete moratorium and in six months then we decide we will release the easy ones that have been looked at and made a decision on. Mr. Joseph added that six months is the limit for moratoriums but you can renew them in six-month increments but you have to find that the conditions that led to the moratorium still exist. We can do shorter ones and renew them so you get a six-month moratorium on the problem areas but only a three-month moratorium town-wide so it will give the Coastal Waters Commission and the Town Council time to look at where the problems are and the next one you say, okay we are going to renew it but only for these areas.

Mr. Morrissey noted that they want to keep it short. In thinking ahead to that South Freeport project, they would never have seen it coming so to identify areas might be bigger than we think, short of taking a pen and saying okay all this entire area. He doesn't want to limit these things but he also does not want to say a month may be enough but he doesn't know. Councilor Lawrence had some suggestions that did not stop the process. Chair Egan pointed out that if the Council is going to take action, it would have to be at a public

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hearing and would require two weeks so it is kind of an extra month anyway. If we were to move expeditiously, we would have a public hearing noticed on the 21<sup>st</sup> and the public hearing itself on the first Tuesday of October and then it would be for a month after that so it would be a two-month period for the Commission to have an application in front of us.

Mr. Morrissey assumes that once it is presented to the Harbor Master which is the normal process, they are obligated to take action. Councilor Bradley asked if there is any way to speed up the moratorium happening? Mr. Joseph advised that the only way that could happen quicker, they would have to have the language of the Moratorium Ordinance which he is not able to draft on the fly. We could do it tonight and have the public hearing on the 21<sup>st</sup> but he would have to get back on the phone with our Attorney and have her work at 9:30 at night. The question that we are going to have a rash of applicants, there may be a few in the hopper that might come quickly but someone in theory could drop it off earlier than they were expecting.

Mr. Morrissey noted that there are rumors that they will have another one in that same Kelsey Brook coming down but they don't have it yet so it will not be for the September meeting so potentially between now and a couple of days before, it could be dropped off. Mr. Joseph added that it is governed by the rules that are in place at the time. We would lose that challenge every single time in court.

Chair Egan asked if Mark and Jeff could articulate if they have specific technical needs to the Manager to get what they need to get the language right? Councilor Bradley mentioned having to go through a pretty tough Ordinance process with Short-term Rentals. It took a long time and at the end it took a long time sorting out.

**MOVED AND SECONDED:** To adjourn at 9:20 p.m. (Lawrence & Daniele)  
**VOTE:** (6 Ayes) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary