

**FREEPORT TOWN COUNCIL MEETING #10-2001**  
**JUNE 5, 2001 -COUNCIL CHAMBERS**  
**SUMMARY AGENDA**

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| ITEM #86-01 | To consider action relative to approving the June 5, 2001 Consent Agenda.   |
| ITEM #87-01 | To consider action relative to proposed amendments to the Directional Sign Ordinance (Chapter 24).  |
| ITEM #88-01 | To consider action relative to authorizing the Freeport Recreation Committee to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public law 88-578 for the development of the Freeport Recreation Site playground; and further authorize the Freeport Recreation Committee to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project. |
| ITEM #89-01 | To consider action relative to providing Freeport Community Services, Inc. with a guarantee of up to \$50,000 of indebtedness.  |
| ITEM #90-01 | To consider action relative to a proposed extension to the Moratorium on processing applications for major subdivisions.  |
| ITEM 91-01  | To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for the year 2001-02.  |
| ITEM #92-01 | To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 2001-02.  |
| ITEM #93-01 | To consider action relative to an appropriation from the Foundation Allocation for school purposes.   |
| ITEM #94-01 | To consider action relative to an appropriation from Debt Service Allocation for school purposes.   |
| ITEM #95-01 | To consider action relative to waiving the policy regarding Tax Rate Increases.   |
| ITEM #96-01 | To consider action relative to an appropriation of additional local funds for school purposes under the provision of 20-A MRSA 15614.   |
| ITEM #97-01 | To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1, 2001 and ending June 30, 2002 from the Foundation Allocation, Debt Service Allocation, Unexpended Balances, Tuition Receipts, Local Appropriations, State Subsidy and other receipts for the support of schools.  |
| ITEM #98-01 | To consider action relative to an appropriation for Adult Education for fiscal year 2001-2002.  |

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ITEM #99-01      To consider action relative to the acceptance of State Funds for fiscal year 2002.

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ITEM #100-01    To consider action relative to the proposed fiscal year 2002 Municipal Budget.

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ITEM #101-01    To consider action relative to the operating budget for Winslow Park for fiscal year 2002.

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ITEM #102-01    To consider action relative to adopting a Non-Emergency Transport (NET) Budget for Fiscal Year 2002.

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**OTHER BUSINESS:**

Adjourn.

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #10-2001**  
**TOWN HALL COUNCIL CHAMBERS**  
**June 5, 2001 – 7 P.M.**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
John Arsenault, Chairperson Prout Road	X		
Robert Stevens, Vice Chairperson Porters Landing	X		
Genie Beaulieu, Larue Drive	X		
David Soley Arnold Road	X		
Kenneth Mann Mann Road	X		
Eileen Lowell South Freeport Road	X		

**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #9-2001 HELD ON MAY 29, 2001 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #9-2001 HELD ON MAY 29, 2001 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Beaulieu & Soley) (6 Ayes)

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

Councilor Mann read a letter from Brenda Timms who was unable to be in attendance tonight. She noted the lack of representation that West Freeport residents have experienced in the Growth Management Committee and that she has indicated an interest in participating in future studies.

Ann Hindley of Wardtown Road reviewed the billing provided by the Growth Management Project Consultant. Councilor Mann noted that he received this information but other Councilors had not. He distributed the information to Mrs. Hindley and asked her to review it and share the findings. She distributed copies to Councilors. She mentioned that the Town has already spent \$46,900 when

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only \$46,500 was appropriated She had many questions that she hoped the Council would be able to provide answers to at a future meeting. Councilor Mann thanked Mrs. Hindley for the many hours she has spent trying to put this information into an orderly fashion. Councilor Stevens asked the Chair to make a request of the Town Manager to review the points raised and the material submitted by the Planner be reviewed as well to determine that we are not being over charged and that the charges are proper under the contract. This needs to be resolved in our favor with the consultant. Councilor Mann recommended that the product information regarding this contract be made available to members of the public in the Town Hall.

Joe Carroll of 38 Hunter Road noted that the Planning Board Workshop that took place a couple of weeks ago was not televised and had no minutes taken or no audio tape taken. The recommendation presented to the Planning Board was the same draft presented to the Council which included the Village Concept on February 28. At public hearings, Councilors recommended removing the Village Concept from the plan but when he brought this fact up, there was a lot of shuffling around and he was told it was an administrative error. Councilor Mann noted that the Council had left direction to televise the meeting but that person was sent home. Mr. Olmstead suggested that the Planning Board invite Councilors in for discussion. Councilor Mann suggested that the Council invite the Planning Board back and clear up the confusion that exists. Chair Arsenault agreed to discuss this at the next meeting.

Jerry Timms of Richards Lane noted that the Planning Workshop does not have to be televised but it should be open to the public. He doesn't understand how the Town could pay \$20,000 to a consultant without any itemization. Chair Arsenault did not know this to be true. Mr. Timms advised that they filed their third petition but they still haven't gotten it back. Mr. Olmstead explained that the third petition satisfies Maine law and they should have it by Thursday or Friday of this week. Councilor Mann asked that a statement be included stating that it is constitutionally correct.

**MOVED AND SECONDED:** To close the Public Comment Period (Councilors Soley & Beaulieu) (6Ayes).

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

ITEM #86-01 To consider action relative to approving the June 5, 2001 Consent Agenda.

**BE IT ORDERED:** That the June 5, 2001 Consent Agenda be adopted. (Soley & Stevens)

Councilor Beaulieu explained that she has a process issue on one of the items and will be voting no.

**ROLL CALL VOTE:** (5 Ayes) 1 Nay—Beaulieu).

COUNCIL MEETING #10-2001  
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ITEM #87-01 To consider action relative to proposed amendments to the Directional Sign Ordinance (Chapter 24).

**BE IT ORDERED:** That a Public Hearing be scheduled for June 19, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Directional Sign Ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Beaulieu & Stevens) **ROLL CALL VOTE:** (6 Ayes).

ITEM #88-01 To consider action relative to authorizing the Freeport Recreation Committee to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of the Freeport Recreation Site playground; and further authorize the Freeport Recreation Committee to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

**BE IT ORDERED:** That the Freeport Town Council authorize the Recreation Committee to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public law 88-578 for the development of the Freeport Recreation Site playground; and further authorize the Freeport Recreation Committee to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

**BE IT FURTHER ORDERED:** That the appropriation of local funds are contingent upon approval of federal funds.

**BE IT FURTHER ORDERED:** That the ~~Recreation Committee~~ Town Treasurer is authorized to borrow the necessary funds from time to time to cover anticipated federal reimbursement ~~contingent upon approval of Federal funds~~ from fund balance. (Stevens & Soley)

John Hoy of Harvey Brook Drive explained that he needs a signed letter from the Council to apply for the Funds. Councilor Mann, Councilor Beaulieu and Jerry Timms had questions for Mr. Hoy which were addressed. The application needs to be mailed by the end of the month. Mr. Lyman assured Councilors that there would not be any impact to the recreation field by the playground addition.

**MOVED AND SECONDED:** To replace the words "Recreation Committee" with "Town Treasurer" and remove "contingent upon approval of Federal funds" and add "from fund balance". (Soley & Stevens) (6 Ayes).

Councilor Mann requested a copy of the application and Mr. Hoy agreed.

**ROLL CALL VOTE ON AMENDED MOTION:** (6 Ayes)

The certificate will be signed on June 19.

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ITEM #89-01 To consider action relative to providing Freeport Community Services, Inc. with a guarantee of up to \$50,000 of indebtedness.

**BE IT ORDERED:** That the Town Manager is authorized to enter into an agreement with Bath Savings Institution and Freeport Community Services, Inc., whereby the Town will guarantee up to \$50,000 of the indebtedness to Bath Savings Institution incurred by Freeport Community Services, Inc. in connection with the acquisition and development of the proposed new Freeport Community Center, upon such terms as are acceptable to the Town Manager and subject to approval of the form of the guaranty agreement by the Town Attorney. (Lowell & Stevens).

Beth Finlayson of Freeport Community Services explained that they purchased 181 Lower Main Street to develop into a Community Center. They have received a proposal from Bath Savings to pay off the purchase before June 20, 2001. They are hoping the Townspeople will support a bond in the fall. Mr. Olmstead explained that the bank needs collateral before going forward. Discussion followed.

**MOVED AND SECONDED TO AMEND:**

1. The guarantee amount shall be \$50k or 10% of the total loan, whichever is lower.
2. The guarantee amount shall be an absolute cap. It cannot be increased by interest, penalties, costs, or fees.
3. The guarantee is not triggered until the lender has exhausted its recourse against all other borrowers and guarantors.
4. The Town shall have the right and option to occupy at least 10% of the space in the Community building.
5. We will retain a commercial real estate finance attorney to protect our interest in this matter. (Soley & Stevens)

Councilor Mann clarified that this is basically an interim package and Ms. Finlayson agreed. Harry Blumenthal, Board Chairman of Freeport Community Services agreed to the amendments noting that they appear to be reasonable.

**VOTE:** (6 Ayes)

**ROLL CALL VOTE:** (6 Ayes)

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ITEM #90-01 To consider action relative to a proposed extension to the Moratorium on processing applications for major subdivisions.

**BE IT ORDERED:** That a Public Hearing be scheduled for June 19, 2001 at 7:00 p.m. in the Town Hall Council chambers to discuss the proposed extension of the Moratorium on processing applications for major subdivisions.

**BE IT FURTHER ORDERED:** That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Mann & Stevens)

Councilor Mann asked about limitations and asked Councilor Stevens to check into this.

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**ROLL CALL VOTE:** (6 Ayes).

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- ITEM 91-01 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for the year 2001-02.

**BE IT ORDERED:** That the Regional Vocational Budget as approved by the Cooperative Board for the year 2001-02 be approved in the amount of \$1,736,505, that \$223,135 be appropriated as Freeport's local share, and that \$24,171 be appropriated for the State share of debt service. (Soley & Beaulieu) **ROLL CALL VOTE:** (6 Ayes).

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- ITEM #92-01 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 2001-02.

**BE IT ORDERED:** That the Regional Vocational Budget as approved by the Cooperative Board for the year 2001-02 be approved in the amount of \$52,000 and that \$3,304 be appropriated as Freeport's local share. (Beaulieu & Stevens) **ROLL CALL VOTE:** (6 Ayes).

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- ITEM #93-01 To consider action relative to an appropriation from the Foundation Allocation for school purposes.

**BE IT ORDERED:** That \$7,984,264 be appropriated from the Foundation Allocation for school purposes and the \$7,062,796, be appropriated as Freeport's local share of the Foundation Allocation. (Stevens & Lowell) **ROLL CALL VOTE:** (6 Ayes).

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- ITEM #94-01 To consider action relative to an appropriation from Debt Service Allocation for school purposes.

**BE IT ORDERED:** That \$813,990, be appropriated from Debt Service Allocation for school purposes and that \$390,800 be appropriated as the local share of debt service. (Lowell & Soley) **ROLL CALL VOTE:** (6 Ayes).

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- ITEM #95-01 To consider action relative to waiving the policy regarding Tax Rate Increases.

**BE IT ORDERED:** That the policy regarding tax rate increases be waived to provide for an increase greater than the rate of inflation. (Mann & Soley)

Councilor Mann explained his reasons for voting no on the overall budget. Councilor Soley shared his views as well.

**ROLL CALL VOTE:** (5 Ayes) (1 Nay—Mann)

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**MOVED AND SECONDED:** To take up 100-01 out of order. (Beaulieu & Stevens) (6 Ayes).

ITEM #100-01 To consider action relative to the proposed fiscal year 2002 Municipal Budget.

**BE IT ORDERED:** That the following appropriations be made to the several departments for purposes named, that the following revenues estimated be adopted, and that the following amounts be raised by taxation, said action for fiscal year July 1, 2001 to June 30, 2002 Municipal Budget.

<b><u>APPROPRIATIONS:</u></b>		<b><u>AMEND TO</u></b>
General Government	\$ 1,906,734	\$ 1,906,234 (1)
Protection & Enforcement	\$ 1,484,894	
Health & Welfare	\$ 74,874	
Public Works/Solid Waste	\$ 1,323,250	
Library	\$ 332,212	
Unclassified	\$ 259,587	\$ 258,487 (2)
Education/Community Education	\$11,152,507	\$11,072,507 (3)
Education—State Debt	\$ 742,930	
Debt Service—Local	\$ 1,745,375	
County Tax	\$ 626,393	
Human Service Agencies	\$ 46,550	\$ 48,050 (4)
Bustins Island	\$ 160,000	
Abatements	\$ 25,000	
Economic Development Corporation	\$ 85,000	
Capital Reserves	\$ 45,000	\$ 10,000 (5)
<b>TOTAL APPROPRIATIONS</b>	<b><u>\$ 20,010,306</u></b>	<b><u>\$ 19,895,206 (6)</u></b>
<b><u>ESTIMATED REVENUES:</u></b>		
Non-Property Tax/Tax Penalties	\$ 918,900	
Intergovernmental	\$ 937,800	
Charges for Services	\$ 127,300	
Licenses and Permits	\$ 142,150	
Fines and Forfeitures	\$ 30,900	
Miscellaneous	\$ 5,500	
Education/Community Education	\$ 1,677,867	
Education—State Debt	\$ 742,930	
Education Tuition Carryover	<u>\$ 55,000</u>	
<b>TOTAL ESTIMATED</b>	<b><u>\$ 4,638,347</u></b>	
Library Lease Proceeds	\$ 147,177	
Amount Transferred From Undesignated Funds	\$ 205,000	
Amount to be Raised by Taxation	\$ 14,904,682	
<b>TOTAL REVENUES</b>	<b><u>\$ 19,895,206</u></b>	

(Soley & Stevens)



**MOVED AND SECONDED:** To make six amendments: Amend the General Government line to \$1,906,234, the Unclassified line to \$258,487, the Education/Community Education line to \$11,072,507, the Human Service Agencies line to \$48,050 and the Capital Reserves line to \$10,000 and the Total Appropriations to \$19,895,206 which would balance the estimated revenues. (Soley & Stevens) **ROLL CALL VOTE:** (6 Ayes).

**ROLL CALL VOTE ON AMENDED MOTION:** (5 Ayes) (1 Nay—Mann).

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ITEM #96-01 To consider action relative to an appropriation of additional local funds for school purposes under the provision of 20-A MRSA 15614.

**BE IT ORDERED:** That \$9,339,640, be appropriated for additional local funds for school purposes under the provision of 20-A MRSA 15614. (Beaulieu & Stevens) **ROLL CALL VOTE:** (5 Ayes) (1 Nay—Mann).

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ITEM #97-01 To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1, 2001 and ending June 30, 2002 from the Foundation Allocation, Debt Service Allocation, Unexpended Balances, Tuition Receipts, Local Appropriations, State Subsidy and other receipts for the support of schools.

**BE IT ORDERED:** That the School Committee be authorized to expend \$11,815,437 for fiscal year beginning July 1, 2001 and ending June 30, 2002 from the Foundation Allocation, Debt Service Allocation, Tuition Receipts, Local Appropriations, State Subsidy and other receipts for the support of schools. (Stevens & Beaulieu) **ROLL CALL VOTE:** (6 Ayes).

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ITEM #98-01 To consider action relative to an appropriation for Adult Education for fiscal year 2001-2002.

**BE IT ORDERED:** That \$135,781 be appropriated for Adult Education and that \$93,781 be approved by the Town of Freeport's local share for fiscal year 2001-2002. (Lowell & Stevens) **ROLL CALL VOTE:** (6 Ayes).

Councilor Soley suggested that the School Committee look at this more as a revenue in future years.

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ITEM #99-01 To consider action relative to the acceptance of State Funds for fiscal year 2002.

**BE IT ORDERED:** That the following categories of State Funds be accepted for fiscal year 2002:

1. Municipal Revenue Sharing
2. Local Road Assistance
3. State Aid to Education (including Federal pass-through funds and property pass-through funds and property tax relief)

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4. Public Library State Aid per capita
  5. Civil Emergency Funds (Emergency Management Assistance)
  6. Snowmobile Registration Funds
  7. Tree Growth Reimbursement
  8. Veterans Exemption Reimbursement
  9. Homestead Exemption Funds
  10. State Grants or Other Funds (this category includes all funds received from the State that are not included in Items 1 through 10 above). (Mann & Stevens) **ROLL CALL VOTE:** (6 Ayes).
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ITEM #101-01 To consider action relative to the operating budget for Winslow Park for fiscal year 2002.

**BE IT ORDERED:** That \$137,200 be approved for the Winslow Park budget from July 1, 2001 to June 30, 2002 and \$14,700 be approved for the Harb Cottage budget from July 1, 2001 to June 30, 2002. (Soley & Beaulieu) **ROLL CALL VOTE:** (6 Ayes).

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ITEM #102-01 To consider action relative to adopting a Non-Emergency Transport (NET) Budget for Fiscal Year 2002.

**BE IT ORDERED:** That the Non-Emergency Transport budget in the amount of \$268,000 be approved for Fiscal Year 2002 and that an estimated revenue of \$268,000 be approved. (Beaulieu & Stevens)

Councilor Beaulieu noted that 10% growth per month appears aggressive. Chief Fournier explained the reasoning behind this growth. Discussion followed. Councilor Beaulieu asked if a quarterly report could be received.

**ROLL CALL VOTE:** (6 Ayes).

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**OTHER BUSINESS:**

Councilor Stevens mentioned the upcoming Winslow Park Family Fun Day scheduled on June 16 with a rain date of June 17.

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**ADJOURNMENT:**

**MOVED AND SECONDED:** To adjourn at 9 p.m. (Soley & Beaulieu) (6 Ayes).

Respectfully Submitted,



Sharon Coffin  
Council Secretary

**TOWN COUNCIL  
CONSENT AGENDA  
JUNE 5, 2001**

*Community # 10 - 2001*

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ITEM #79-2001 To consider action relative to awards from the Dr. Gould Trust Funds.

**BE IT ORDERED:** That ten (10) applicants receive awards from the Dr. Gould Trust Fund totaling \$1,197.66 to provide for medical expenses.

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ITEM #80-2001 To consider action relative to an award from the Davis Trust Fund.

**BE IT ORDERED:** That one (1) applicant receive an award totaling \$239.00 from the Davis Trust Fund to provide for medical expenses.

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ITEM #81-2001 To consider action relative to the use of the Town Hall Parking Lot.

**BE IT ORDERED:** That Freeport Community Services be authorized to use the Town Hall Parking Lot on October 6, 2001 for the 9<sup>th</sup> Annual Great Chowdah Challenge.

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ITEM #82-2001 To consider action relative to adopting a Summer Meeting Schedule for the Town Council.

**BE IT ORDERED:** That the proposed Summer Meeting Schedule be adopted.

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ITEM #83-2001 To consider action relative to Board and Committee appointments.

**BE IT ORDERED:** That the following individuals be appointed to the Boards and Committees listed below.

<u>NAME</u>	<u>BOARD/COMMITTEE</u>	<u>TERM</u>
Rick Warren	Appeals Board	July 1, 2004
Chester Goggin	Appeals Board	July 1, 2004
Terry Brobst	Appeals Board	July 1, 2004
Robert Moore	Conservation Commission	July 1, 2004
Caroline Kurrus	Conservation Commission	July 1, 2004
Chris Hoffmann	Conservation Commission	July 1, 2004
Jason York	Shellfish Commission	July 1, 2004
Ronald Smith	Shellfish Commission	July 1, 2004
Bunny Andrews	Recreation Committee	November 1, 2003
A. Jan Berlin	Coastal Waters Commission	April 1, 2003
George Fraser	Planning Board	May 1, 2004
David Marstaller	Planning Board	May 1, 2004
Edward Bonney	FEDC	June 1, 2004
Edgar Leighton	FEDC	June 1, 2004
Genie Beaulieu	FEDC	June 1, 2004

Consent Agenda, June 5, 2001

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**ITEM #84-2001** To consider action relative to accepting a bid for two new pickup trucks.

**BE IT ORDERED:** That the bid from Casco Bay Ford in the amount of \$43,239 for the purchase of two pickup trucks be accepted.

**NOTE:** Bid specs were sent to vendors from Augusta to Saco with only two responding. The low bid was about \$2,000 under budget.

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**ITEM #85-2001** To consider action relative to appointing delegates to the CPCOG General Assembly.

**BE IT ORDERED:** That John Arsenault and David Soley represent Freeport at the Annual CPCOG General Assembly on June 21, 2001.

End of Consent Agenda