

FREEPORT TOWN COUNCIL MEETING #08-2004
TOWN HALL COUNCIL CHAMBERS
May 4, 2004 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT

ABSENT

EXCUSED

Rod Regier, South Street
Thomas Rumpf, P.O. Box 819, S. Freeport
John Arsenault, Prout Road
Charlotte Bishop, Maquoit Drive
Rich DeGrandpre, Timber Ridge Road
Frederick White, 45 Pleasant Hill Road
James Cassida, 5 Timber Ridge Road

x

late

x

x

x

x

x

Chair Regier called the meeting to order at 7 p.m.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting 07-2004 held on April 20, 2004 and accept the Minutes as amended

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting 07-2004 held on April 20 and accept the minutes as printed.
(Bishop & White) **VOTE:** (5 Ayes) (2 Excused—Rumpf & Arsenault).

SECOND ORDER OF BUSINESS: Announcements

Chair Regier reminded everyone that the Soule School request for proposals is out. The deadline for submission is noon on May 14.

Spring Clean-up will take place on the weekend of May 22/23. The Landfill/Recycling Center will be open all weekend.

The Town's Fiscal 2003 audit has just been cleared and given back to the Town. Copies are available for anyone interested in reading them. Chair Regier believes this is the most important document available for members of the public.

Chair Regier warned the public about being cautious of changes in traffic patterns in the vicinity of Route One and Varney Road. There was a Traffic and Parking meeting earlier and it is leading to a recommendation that the striping pattern be changed on Route One in this vicinity. A contractor will be grinding the existing paint off the road bed and painting the new traffic pattern in a couple of weeks. He wanted the public to be aware of the upcoming changes. He asked Mr. Olmstead to thank the Town Engineer for his efforts in getting this more rational travel pattern instituted at this location.

Mr. Olmstead noted that the Appointments Committee will be meeting on May 11 to discuss various appointments to Town boards and committees. The Town is seeking applicants for several boards and committees, particularly the Conservation Commission, Recreation Commission, Cable TV Regulatory Board as well as the Assessment Review Board. He suggested that anyone interested contact the Town Clerk for applications.

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

Chair Regier did not see any members of the public on hand to speak so he passed over this order. He noted that if someone comes in later and wishes to speak at this point, he would open that part of the floor.

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

ITEM #73-2004 To consider action relative to accepting a Library donation.

BE IT ORDERED: That a \$5,000 Library donation from Shaw's Supermarkets, Inc. be accepted.

BE IT FURTHER ORDERED: That \$1,816 be expended from the donation to provide for mailing and printing cost for a Library fundraising effort. (Bishop & White)

Chair Regier noted that this check was received at the opening of Shaw's a few weeks ago and he is delighted with it. He thanked Shaw's Supermarkets.

ROLL CALL VOTE: (5 Ayes) (2 Excused—Arsenault & Rumpf).

ITEM #74-2004 To consider action relative to the adoption of a Fiscal Year 2005 Operating Budget for the Town of Freeport

BE IT ORDERED: That a Public Hearing be scheduled for May 25, 2004 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of a Fiscal Year 2005 Operating Budget for the Town of Freeport.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 7 and the Town's website.

NOTE: The Council will be presented with an alternate operating budget schedule. Should the revised schedule be adopted, this item will need amending to set the Public Hearing on May 18, 2004. (White & DeGrandpre)

Chair Regier noted that the motion calls for the public hearing to be held on May 25 to discuss next year's operating budget, which is the calendar that has been published for the last several weeks. At a workshop last week there appears to be consideration that since this is moving forward with some straightforwardness, it may be possible to accelerate that public hearing and hold it on the 18th. Discussion followed. Chair Regier explained that Freeport residents could come to public sessions next week and discuss budget issues with Town staff. These sessions will take place between 5-6 p.m. on Wednesday, May 12 and again on Thursday, May 13 from 8-9 a.m. He encouraged anyone that has comments or questions on the budget, to contact their Councilors as soon as possible. The entire budget can be viewed on the Town Website.

**COUNCIL MEETING #8-2004
MAY 4, 2004**

MOVED AND SECONDED: To amend the date for the public hearing to May 18, 2004 and note that the Council adopt the budget schedule outlined in the Town of Freeport Proposed Municipal Budget document for 2005 dated May 4, 2004. (White & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused—Arsenault & Rumpf).

ROLL CALL VOTE ON AMENDED MOTION: (5 Ayes) (2 Excused—Arsenault & Rumpf).

ITEM #75-2004 To consider action relative to proposed amendments to the Administrative Code (Chapter 2).

BE IT ORDERED: That a Public Hearing be scheduled for May 18, 2004 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Administrative Code.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 7 and the Town's website.

NOTE: All Town Codes are being reviewed and updated by staff. This is the first of many proposed code amendments to come. Most amendments will be considered housekeeping items. (DeGrandpre & Cassida)

Mr. Olmstead reinforced that we are attempting to bring our code into line with current practice. Every department head has been advised that this is available on the Town's website and they have been asked to take a look at it.

ROLL CALL VOTE: (5 Ayes) (2 Excused—Arsenault & Rumpf).

OTHER BUSINESS:

1. Discussion on easement requested by Ruby Tuesdays.

Chair Regier explained that there has been a specific request to make a piece of the lawn in front of the Bartol Library available for an underground LP storage tank. Discussion has taken place and that discussion led to the terms in front of the Council. While this is not an action tonight, if the concept is agreeable to members of the Council, then Councilors need to ensure that the set of guidelines is sufficient for the Town Manager to construct the easement for Ruby Tuesdays. It appears that the terms are acceptable to Ruby Tuesdays. Mr. Olmstead reviewed the map of the area. The developer is asking to move the propane tanks 28' south of their current location. These tanks provide heat to the Levi building. In order to do this, the Town would have to provide an easement. The area will become a plaza with a lighted walkway to the rear of the buildings and also a partially green plaza that will serve as the entrance to Ruby Tuesdays. There will be an area in front of the Library that can be used for seating by citizens or visitors. There is some discussion with the Freeport Merchants Association on whether we can incorporate a tourist information booth or small building in the plaza area. The easement is proposed to be for 20 years. The developer will pay all the legal fees involved in this transaction and will also agree to maintain the property for the term of the lease. The developer will also be asked to repoint all of the rock work and repair the steps that lead into the Bartol Library Building. The value of this work is estimated to be in the \$6,000 range. If at some time, the foundation of the Bartol Library will need repair, the developer will be responsible for providing access and repairing the plaza once the repairs are made. Discussion followed. Councilor Bishop asked for assurance that there would not be tables in this plaza, which would be an extension of the restaurant. Other Councilors concurred. Chair Regier noted that this is a tiny property and he would prefer to keep the tourist information booth out of it. Councilors concurred that the

**COUNCIL MEETING #8-2004
MAY 4, 2004**

Project Review Board can handle the review. Councilors agreed that the Village Improvement Committee would draft designs for this patio and it will not be used as an outdoor eating patio. There was consensus to allow the Town Manager to prepare the easement in exchange for the services. Councilor Cassida noted there is enough benefit to the Town based on what Mr. Olmstead presented.

2. Discussion on the formation of a track committee.

Chair Regier explained that there has been a discussion for the past couple of years, triggered by an offer from the Nike Corporation that would lead to the construction of an outdoor running track in Freeport. This will not be an action item tonight. He asked Councilors if this is headed in the right direction. If so, it will be introduced as a formal action item at a future meeting. Fund raising will be handled as a separate parallel private body and will not be under the charge of the Town Council because of the need for the fund raising to be a private activity. Councilor Cassida asked who would be in charge of the fund raising. Mr. Olmstead shared information on fundraising that took place in another location. He believes there is a group that would be willing to step forward and lead this charge.

Councilor DeGrandpre noted that it is time to pull this item from the shadows and put it on the table if the Town is going to continue to move forward. Councilor White asked for a long-range plan designed for the use of this track. He asked about ownership. Chair Regier noted that ownership would be by the citizens of Freeport. Mr. Olmstead envisions that the Recreation Department, that falls under the school umbrella, managing this facility. We went through a site location process and determined the best site is at the high school. Councilor White noted that we do not have a track team currently and questioned what it will cost to add one. More discussion followed. Chair Regier apologized for springing this item at such a late time.

3. Discussion on sidewalk entertainment.

Chair Regier explained that Councilor Arsenault is really the driver for this, he asked if there were any concerns with holding this discussion at a later meeting since Councilor Arsenault is excused this evening. Councilors concurred to hold off on this discussion.

4. Discussion of Homeland Security Grants.

Mr. Olmstead explained that there are additional Homeland Security monies earmarked for Freeport that Councilors will be seeing applications for in the near future. At some point we will be putting together a group of administrators that will include school folks to discuss how best to use those grant funds to make sure our schools are secure. \$31,600 is available as a law-enforcement terrorism prevent program specific to Freeport because Freeport is considered by the State as a "soft target" because of L.L. Bean and the huge number of people that come here on an annual basis. Chief Schofield intends to bring an application to the Council that will involve training of existing officers and purchase of specialized equipment dealing with these types of threats. There are rumors that Freeport may receive more funds in the future.

Chair Regier asked the Town Manager to make sure that when the Police Chief develops his plan, there is some communication with L.L. Bean.

5. FY 2005 Operating Budget presentation.

Mr. Olmstead explained that his plans tonight are to walk the Council through the Summary page. The goal of the Council was to end up with a tax increase of no more than 2%. Last year the tax increase was 1.97%. The amount of revenue was identified for both Town and School budgets to maintain their operating budgets for the coming year and stay within that tax rate cap. Both the Town and School administrators exceeded the goal of the Town Council. After last week's discussion of adding two or three small items to the Municipal budget

**COUNCIL MEETING #8-2004
MAY 4, 2004**

which dealt with environmental issues and safety issues, we are proposing a budget to the Council, which would increase property taxes by 1.34%. He has yet to see a lower increase proposed in a town in the Greater Portland area. The County tax bill dropped by almost \$55,000 this year. Debt service is dropping by almost \$130,000 this year. We do have a major increase in assessment at Regional Waste Systems that is the debt portion of the facility that the Town is responsible for on an annual basis. That commitment is going from \$90,000 to almost \$197,000 next year. The tip fee is being increased next year. In this budget is recommended that Freeport maintain the 10-year debt retirement schedule that currently exists at RWS. Mr. Olmstead feels this is a very fiscally responsible budget being presented to the Council. The 1.34% is well below the rate of inflation and below the Council's goal of 2%. He thanked the School Committee and Municipal Administrators for putting the effort in to create this budget and making the sacrifices that they made. The only surprise since our last conversation is what the State will provide for school allocations. The Finance Director is estimating a \$15,000 difference and this will push the tax increase projection up to 1.45%.

NOTE: 8:10 p.m. Councilor Rumpf arrived.

Mr. Olmstead pointed out that there is a potential for more tax revenues than expected. This happens occasionally. He explained the "assessor's overlay". This typically happens in September. Chair Regier asked Mr. Olmstead to make sure that Johanna Hanselman makes up a summary list of administrative costs of the various service agencies. Encourage these agencies to supply these 590 forms. Chair Regier thanked Mr. Olmstead and his staff as well as the School Committee for the work they did.

6. Discussion on nominations for MMA Executive Committee.

Mr. Olmstead explained that this is the legislative body for the Maine Municipal Association. There are 16 members on this committee and Freeport is eligible to have an official apply for a seat for this particular district. It is a 6-year term. The application deadline is May 28. The commitment is a monthly meeting in Augusta. It is an interesting committee to serve on and he encouraged Councilors to make application. The current representative on this committee is from Yarmouth. He believes this is an open seat but will call MMA to make sure that it is. He will e-mail the information to Councilors.

7. Informational Exchange.

Councilor Bishop advised that she gave a presentation to the Thomas Means Club on the Council's efforts to keep the budget down and the Pallesky bill.

Mr. Olmstead pointed out that since the Pallesky bill is going to be on the November ballot, once we get through the budget adoption process on the 18th, the Council should plan to spend the last week or two of May talking about 1-A, which will be on the ballot in June and what it means to the Freeport taxpayer. He has asked the Finance Director to prepare a presentation on 1-A for the Council. He hopes the Council will support either endorsing the proposal or recommending that voters not support it. That issue is coming to us in three weeks. 1-A would provide Freeport with a substantial revenue gain. Mr. Olmstead mentioned that Jeff Harman from MMA would be willing to come and address the issue along with Greg L'Heureux's presentation.

Portable Classroom

Council White asked for an update on the portable classroom. Mr. Olmstead and Mr. Presgraves are proposing to go to the Project Review Board with a preliminary presentation and will ask for guidelines in order to have the portable classroom approved. Their goal is to have it relocated no later than the end of August.

ITEM #76-2004 To consider action relative to an Executive Session to discuss the possible sale of property.

MOVED AND SECONDED: That the Town Council enter into Executive Session to discuss the possible sale of property. (Cassida & Bishop) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Arsenault)

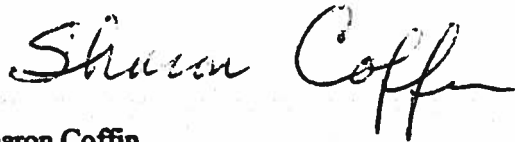
NOTE: The property in question is located at the Corner of Hunter and Desert Roads.

MOVED AND SECONDED: That the Town Council reconvene. (White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Adjournment

MOVED AND SECONDED: To adjourn at 9:05 p.m. (White & Bishop) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Respectfully Submitted,

A handwritten signature in cursive script that reads "Sharon Coffin".

Sharon Coffin,
Council Secretary