

**TOWN COUNCIL MEETING #09-2003**

**MAY 6, 2003 - 7:00 P.M.**

**TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- ITEM #64-2003** To consider action relative to adopting the May 6, 2003 Consent Agenda.
- ITEM #65-2003** To consider action relative to the issuance of revenue obligation securities of the Town of Freeport for the Merriconeag Waldorf School Project. **(Public Hearing)**
- ITEM #66-2003** To consider action relative to an expenditure from the FY 2003 Miscellaneous and Contingency Operating Budget Account to provide funds for a Sewer District Effluent Disposal Analysis.
- ITEM #67-2003** To consider action relative to the adoption of a Fiscal Year 2004 Operating Budget for the Town of Freeport.
- ITEM #68-2003** To consider action relative to adopting new fees or fee structures for Fiscal Year 2004.

**OTHER BUSINESS:**

1. Discussion on proposed water rate increase – Pat Scully.
2. Discussion on shower and restroom replacement at Winslow Park.
3. Councilor Informational Exchange.
4. FY 2004 Budget Presentation.

- ITEM #69-2003** To consider action relative to an Executive Session to discuss the police and dispatch contract negotiations.

**Adjourn.**



**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #09-2003**  
**TOWN HALL COUNCIL CHAMBERS**  
**MAY 6, 2003 – 7:00 P.M.**

**FROM:** Dale C. Olmstead, Jr.

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

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of Meeting #7-2003 held on April 22, 2003 and #8-2003 held on April 29, 2003 and accept the Minutes as printed.

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

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

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ITEM #64-2003 To consider action relative to adopting the May 6, 2003 Consent Agenda.

**BE IT ORDERED:** That the May 6, 2003 Consent Agenda be adopted.

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ITEM #65-2003 To consider action relative to the issuance of revenue obligation securities of the Town of Freeport for the Merriconeag Waldorf School Project. (Public Hearing)

**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the proposed bond resolution dated May 6, 2003 authorizing the issuance of up to \$1,300,000 of education and revenue bonds for the 2003 Merriconeag Waldorf School project be approved.

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ITEM #66-2003 To consider action relative to an expenditure from the FY 2003 Miscellaneous and Contingency Operating Budget Account to provide funds for a Sewer District Effluent Disposal Analysis.

**BE IT ORDERED:** That \$7,500 be expended from the FY 2003 Miscellaneous and Contingency Operating Budget Account to provide for the Town's Share in conducting a Sewer District Effluent Disposal Analysis.

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ITEM #67-2003 To consider action relative to the adoption of a Fiscal Year 2004 Operating Budget for the Town of Freeport.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 27, 2003 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of a Fiscal Year 2004 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.

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ITEM #68-2003 To consider action relative to adopting new fees or fee structures for Fiscal Year 2004.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 27, 2003 at 7:00 p.m. in the Town Hall Council Chambers to discuss new fees or fee increases for Fiscal Year 2004 in the following areas: Coastal Waters, Solid Waste/Recycling, Public Works, Planning Site Plan Reviews, Town Clerk and Police.

**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.

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**OTHER BUSINESS:**

1. Discussion on proposed water rate increase – Pat Scully.
2. Discussion on shower and restroom replacement at Winslow Park.
3. Councilor Informational Exchange.
4. FY 2004 Budget presentation.

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**ITEM #69-2003** To consider action relative to an executive session to discuss police and dispatch contract negotiations.

**MOTION:** That the Town Council enter into Executive Session to discuss the police and dispatch contract negotiations.

**MOTION:** That the Town Council reconvene.

Adjourn.



**TOWN COUNCIL  
CONSENT AGENDA  
MAY 6, 2003**

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**ITEM #59-2003** To consider action relative to the approval of an application for an Alcoholic Beverage License.

**BE IT ORDERED:** That the following application for an Alcoholic Beverage License be approved.

John L. Stiles d/b/a Jameson Tavern, 115 Main Street

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**ITEM #60-2003** To consider action relative to applications for Non-Profit Public Peddlers Licenses.

**BE IT ORDERED:** That the following applications for Non-Profit Public Peddlers Licenses be approved.

Freeport High School Sports Boosters, Christopher Pinkham, Treasurer  
Freeport Fire and Rescue Companies

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**ITEM #61-2003** To consider action relative to appointments to Town Boards and Committees.

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

<u>Board/Committee</u>	<u>Name</u>	<u>Term</u>
Coastal Waters Commission	A. Jan Berlin	April 1, 2006
Coastal Waters Commission	Wendy Smith	April 1, 2006
Coastal Waters Commission	David Saunders	April 1, 2006
Library Board	Peter Quesada	April 1, 2006
Library Board	John Slavin	April 1, 2006
Library Board	Mary Wescott	April 1, 2006
Planning Board	Alan Caron	May 1, 2006
Planning Board	Jane Benson	May 1, 2006
Planning Board	James Gorman	May 1, 2004
Recreation Committee	(Bradley Guay) <i>declined appointment</i>	November 1, 2003

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**ITEM #62-2003** To consider action relative to expenditures from Scholarship Trust Funds.

**BE IT ORDERED:** That the following amounts be expended from Scholarship Trust funds to provide scholarships for Freeport High School students.

Wallace True Fund	\$ 200.00
Millard Crooker	\$ 800.00
Alice Pollack Fund	\$ 400.00
Kenneth Thompson Award	\$ 300.00
Auldis FOSTER Award	\$ 100.00

**ITEM #63-2003** To consider action relative to the confirmation of a Warden for the June 10, 2003 Special State Election.

**BE IT ORDERED:** That the Town Clerk's appointment of Rick Simard as Warden for the June 10, 2003 Special State Election be confirmed.

**BE IT FURTHER ORDERED:** That the election be held in the Freeport Town Hall Council Chambers from 8:00 a.m. to 8:00 p.m.

End of Consent Agenda



**MINUTES**  
**COUNCIL MEETING #09-2003**  
**FREEPORT TOWN HALL COUNCIL CHAMBERS**  
**May 6, 2003—7:00 P.M.**

<u>CHAIRPERSON'S CALL TO ORDER</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Chair, John Arsenault, Prout Road	x		
Vice Chair, Rod Regier, South Street	x		
Charlotte Bishop, Maquoit Drive	x		
Rich DeGrandpre, Timber Ridge Road	x		
Frederick White, 45 Pleasant Hill Road	x (arrived late)		
Thomas Rumpf, P.O. Box 819, S. Freeport	x		
James Cassida, 5 Timber Ridge Road	x		

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

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of Meeting #7-2003 held on April 22, 2003 and #8-2003 held on April 129, 2003 and accept the Minutes as printed.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETINGS #7-2003 HELD ON APRIL 22, 2003 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Cassida & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—White)

**ANNOUNCEMENTS:**

Chair Arsenault announced that the Council will be holding another orientation session with the Finance Manager at 6 p.m. in Council Chambers to bring freshmen Councilors up to speed on the budget process.

Budget hearings will be held in the Council Chambers given by the Town Manager. One will be held tonight and another will be held on May 12 at 6 p.m. for Councilors to meet with Department Heads. On May 14 from 5 p.m.-6 p.m. and on the 15<sup>th</sup> from 8 a.m.-9 a.m. there will be opportunities for the public to come and speak to Administrators. On May 19 a workshop on the Municipal Budget will be held. On May 21 a workshop will be held on the School Budget. On May 27 there will be a public hearing on all budget proposals. On May 29 there will be another workshop if necessary on the budgets. The Council is hopeful that they will be able to adopt the budget in June.

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

**MOVED AND SECONDED:** That the public comment period be opened on Non Agenda Items only. (Councilors Regier & DeGrandpre) (7 Ayes)

Russell Baker explained the petition that is being circulated by a committee. He noted that this is a clean petition drive—he does not believe in back door politics. There is no fraud involved. Chair Arsenault asked Mr. Baker to read the language of the petition that he is asking residents to sign. Mr. Baker did not have a copy with him to read into the public record. He offered to provide one to Chair Arsenault.

Councilor Rumpf asked Mr. Baker how he came up with the figure of 10% of the 5,400 voters that may be able to remove the Town Manager if the Charter Amendment is passed. Mr. Baker noted that he read a law concerning petitions that stated the number had to be at least 10% but it could be higher. Councilor Rumpf asked Mr. Baker if he felt it was fair for 10% of the voters to have a decision on an employee of the Town. Mr. Baker agreed that 10% would cause an action.

Mr. Baker added that if anyone in the public has signed the petition and feels it was not correctly presented, they should contact him and he will remove their signature. He will correct any wrongdoing if it exists. Mr. Olmstead cautioned Mr. Baker about doing this without first contacting his attorney. Councilor Regier urged Mr. Baker to check with the Town Clerk on this petition.

Councilor Bishop urged members of the public to contact the Town Clerk or the Police Department if they are confused about this petition.

Madelyn Baker took offense to comments that the Committee is getting signatures dishonestly. She stated that no one was forced to sign the petition. They did so willingly.

Mr. Olmstead cautioned Mr. and Mrs. Baker about striking names at this point.

**MOVED AND SECONDED:** That the public comment period be closed. (Regier & Rumpf)  
(7 Ayes)

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

ITEM #64-2003 To consider action relative to adopting the May 6, 2003 Consent Agenda.

**BE IT ORDERED:** That the May 6, 2003 Consent Agenda be adopted. (Cassida & Rumpf)

Councilor Bishop asked if the last name under Item #62-2003 should be Auldis Foster and not Auldis Foser. Mr. Olmstead advised that it should be "Foster".

Councilor DeGrandpre asked for an explanation for #63-2003 regarding the Special State Election. Mr. Olmstead explained the purpose for the election and it will be held in the Council Chambers.

**ROLL CALL VOTE:** (7 Ayes).

ITEM #65-2003 To consider action relative to the issuance of revenue obligation securities of the Town of Freeport for the Merriconeag Waldorf School Project. (Public Hearing)

**MOVED AND SECONDED:** That the Public Hearing be opened. (Rumpf & Bishop)  
(7 Ayes)

Lyndsey Weld, from Merriconeag introduced Lucretia Pascarelli and Joanne Favreau as well as Richard Rannigan of Peoples Bank and explained their request. She emphasized that this request will be done at no cost to the Town. They are willing to make a one-time contribution of \$4,000 towards the cost of a traffic light at the Southbound exit ramp on Desert Road.

Councilor Rumpf noted that he has received calls from constituents supporting this request. Councilor Regier pointed out that the Town Attorney's fees will be reimbursed by Merriconeag.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Cassida & DeGrandpre)  
(7 Ayes)

**BE IT ORDERED:** That the proposed bond resolution dated May 6, 2003 authorizing the issuance of up to \$1,300,000 of education and revenue bonds for the 2003 Merriconeag Waldorf School project be approved. (Rumpf & Bishop)

Councilor Rumpf explained the reasons that he is planning to vote in support of this item.

**ROLL CALL VOTE:** (7 Ayes).

**MOVED AND SECONDED:** To introduce an item not on the printed agenda (Regier & Rumpf) (7 Ayes)

To consider action relative to accepting a donation from Merriconeag School towards the future installation of a traffic light at the Desert Road/Hunter Road intersection.

**BE IT ORDERED:** That the donation of \$4,000 be accepted and the fund be held in escrow for the purpose previously stated. (Regier & Cassida) **ROLL CALL VOTE:** (7 Ayes).

ITEM #66-2003 To consider action relative to an expenditure from the FY 2003 Miscellaneous and Contingency Operating Budget Account to provide funds for a Sewer District Effluent Disposal Analysis.]

**BE IT ORDERED:** That \$7,500 be expended from the FY 2003 Miscellaneous and Contingency Operating Budget Account to provide for the Town's Share in conducting a Sewer District Effluent Disposal Analysis. (Regier & Bishop)

**MOVED AND SECONDED:** That as a condition of authorizing this \$7,500 expenditure, the scope of work (labeled Exhibit B) be amended by adding "exposure to ultraviolet light from a laser source" as one of the alternatives considered by the Freeport Sewer District and its engineers. (Regier & Bishop)

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**MOVED AND SECONDED:** To add and as a further condition to this \$7,500 expenditure, the Sewer District shall include the Town Engineer in the Advisory Committee which is formed to assist in this project. (Regier & DeGrandpre)

Councilor Regier pointed out that standards have become stricter for the Sewer District and during the past few years it has had to play catch up to meet the more stringent requirements. 80% of the harvestable shellfish in Freeport is in the Harraseeket River. There are 60 commercial shellfish licenses and 200 recreational licenses in Freeport. This is an appropriate cost share between the Sewer District and the Town of Freeport. Councilor Rumpf asked for assurance that the Town will have a representative on the Advisory Committee. Mr. Olmstead advised that the Town Engineer intends to monitor the process and will review reports. Mr. Rumpf suggested adding an amendment that a representative from the Town serve on the Advisory Committee. There was consensus from other Councilors on this issue.

Discussion followed. Chair Arsenaault noted how much time and effort Councilor Regier has spent on this item.

**VOTE on UV Amendment:** (7 Ayes).

**Vote on Adding Town Engineer to Advisory Committee:** (7 Ayes)

**ROLL CALL VOTE ON THE BE IT ORDERED:** (7 Ayes)

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ITEM #67-2003 To consider action relative to the adoption of a Fiscal Year 2004 Operating Budget for the Town of Freeport.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 27, 2003 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of a Fiscal Year 2004 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. (DeGrandpre & Regier) **ROLL CALL VOTE:** (7 Ayes).

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ITEM #68-2003 To consider action relative to adopting new fees or fee structures for Fiscal Year 2004.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 27, 2003 at 7:00 p.m. in the Town Hall Council Chambers to discuss new fees or fee increases for Fiscal Year 2004 in the following areas: Coastal Waters, Solid Waste/Recycling, Public Works, Planning Site Plan Reviews, Town Clerk and Police

**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. (White & Cassida) **ROLL CALL VOTE:** (7 Ayes).

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4. FY 2004 Budget presentation—Mr. Olmstead referred to the budget that has been inserted in large binders that cost \$.19 each. He mentioned that all of the budget hearings are posted in Town Hall and in the Library as well as on Channel 7. He reviewed the various sections in the binders. He noted that the current tax rate is \$17.75 per thousand and in Cumberland County this rate is in the lower 50 percentile. The loss in State Aid to Education is approximately \$60,000 this year. The State has also changed the Homestead Exemption program this year. He noted that the School Committee and the Administration is due a lot of credit for producing a very conservative school budget. It is up less than \$70,000 this year. He is pleased that the mill rate will be increased less than 2%. He walked Councilors through some of the highlights and answered questions.

Mr. Olmstead advised that on May 14 he will give a better picture of the overall budget and how funds flow. He was missing a summary sheet tonight but will have it next week.

Chair Arsenault thanked Mr. Olmstead, the Superintendent of Schools and the School Committee for working so diligently on this budget. Every Town employee has touched it.

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Mr. Olmstead advised that there is no need for the following Item. There are still discussions going on.

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~~ITEM #69-2003 To consider action relative to an executive session to discuss police and dispatch contract negotiations.~~

~~MOTION: That the Town Council enter into Executive Session to discuss the police and dispatch contract negotiations.~~

~~MOTION: That the Town Council reconvene.~~

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Adjournment

**MOVED AND SECONDED:** To adjourn at 10:30 p.m.(Cassida & DeGrandpre) (7 Ayes).

Respectfully Submitted,

*Sharon Coffin*  
Sharon Coffin  
Council Secretary

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OTHER BUSINESS:

1. Discussion on proposed water rate increase – Pat Scully, Town Attorney, gave an overview on the Consumer's Water District request for a rate increase. He intervened on behalf of the Town of Freeport and the Freeport Water District at the PUC Hearing. The last actual increase occurred back in 1990. Mr. Scully answered questions for Councilors. Discussion followed. Genie Beaulieu noted that the Water District Trustees took a quick vote and it is apparent they have no interest in owning the Water District. It is not a good option at this time. They believe Mr. Scully is doing a fine job. Mr. Olmstead pointed out that every taxpayer is paying for water protection as well as water to public buildings and schools. Discussion followed. Councilor Rumpf asked how Freeport compares to other communities as far as water rates but no one had this information. Mr. Scully asked for direction. He feels certain this issue will be decided in a few months. Councilor DeGrandpre would like to see the \$400,000 taken out so that it doesn't lie there forever. Other Councilors concurred that Mr. Scully should focus on the \$400,000.

2. Discussion on shower and restroom replacement at Winslow Park—Bart Carhart, representing the Winslow Park Commission advised that he had been authorized to seek the Council's approval to procure the services of an architect to evaluate the restroom and shower facilities at the Park. The Town Engineer looked at the facilities as did the Commission and concluded that they are antiquated and are in need of updating or complete construction. The Town Engineer came up with estimated construction costs that ranged from \$100 per square foot to \$180 per square foot. A South Freeport resident architect took a look at the facilities and confirmed the estimates of \$100-\$125 per square foot. Handicap accessibility is a problem at the park. They have enough money to meet the preliminary expense estimates. The park is self sustaining. Discussion followed. Councilor DeGrandpre pointed out that he will take a look at the facilities and asked other Councilors to accompany him. He does not want to go down the trail to build a castle when what is needed is a restroom and shower facility.

Mr. Olmstead suggested that Mr. Carhart and Mr. Presgraves set up a time for a field trip for the Council to go through the facility and talk to Mr. Carhart and Mr. Presgraves. Mr. Carhart indicated that the Commission will be meeting next Monday at 6:30 in the Town Hall and Mr. Olmstead asked if the meeting could be held in the Park's restrooms. Mr. Carhart agreed that the meeting could be moved to the park.

Solid Waste

Mr. Carhart pointed out to members of the public that clean-up days will be held on May 17 and 18 from 8-4 p.m. on both days. A mailing will be in the mail on Friday. They have experienced problems with the printer.

3. Councilor Informational Exchange.

Councilor Rumpf mentioned an article he came across on the web concerning UVsystem for treatment of affluent in Sewer Treatment Plants being put in place in Stamford, Connecticut. Mr. Olmstead noted that he provided a copy to the Tom Allen and the Town Engineer.

Route One

Councilor White asked if the Council could get a verbal update on Route One. Mr. Olmstead offered to get the Town Engineer to come in.

# Memo

**To:** Dale Olmstead  
**From:** Beverly Curry  
**Date:** 4/30/03  
**Re:** Emergency State Election - June 10, 2003

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I request the approval of the Municipal Officers for a change of hours and location of the unscheduled emergency state election called for June 10, 2003.

Since the hastily called state election for a vote on a Bond Referendum will likely draw very few voters, and since there is no money budgeted to pay for this election, I request that I be given permission to set up and hold the election in the Council Chambers at Town Hall.

Also, in an effort to conserve funds, I request a slight reduction in election hours with polls open from 8:00 am through 8:00 pm.





# Memo

**To:** Dale Olmstead  
**From:** Beverly Curry  
**Date:** 4/30/03  
**Re:** Emergency Special State Election - June 10, 2003

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The Municipal Officers must approve my appointment of a Warden for an election.

Therefore, please put the following on the Consent Agenda for the next regular Council meeting:

Approve Town Clerk's appointment of Rick Simard as Warden for the Emergency Special State Election to be held on Tuesday, June 10, 2003.

## **APPOINTMENTS COMMITTEE MEETING MINUTES**

**APRIL 22, 2003 – 6:00 P.M.**

**PRESENT:** Charlotte Bishop, Rich DeGrandpre, John Arsenault, Dale Olmstead.

The Committee reviewed applications for the following Boards and Committees and agreed to make the following recommendations. All votes unanimous.

**Coastal Waters:** A. Jan Berlin  
Wendy Smith  
David Saunders

**Library Board:** Peter Quesada  
John Slavin  
Mary Wescott

**Planning Board:** Alan Caron  
Jane Benson  
James Gorman

**Recreation:** Bradley Guay

**Adjourned:** 6:30 p.m.