

AGENDA
FREEPORT TOWN COUNCIL MEETING #17-2000
TOWN HALL COUNCIL CHAMBERS
SEPTEMBER 5, 2000 - 7:00 P.M.

SPECIAL NOTE: This agenda is a working agenda that includes background information and is for distribution to Council members only.

FROM: Dale C. Olmstead, Jr.

TO: David Soley, Chairperson, Arnold Road
John Arsenault, Vice Chairperson, Prout Road
Genie Beaulieu, Larue Drive
Edward Campbell, Gay Drive
Kenneth Mann, Mann Road
Gloria Fogg DeGrandpre, Wolf Neck Road
Robert Stevens, Porters Landing

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #16-2000, August 15, 2000 Meeting 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.

REVISED

COUNCIL MEETING #17-00
SEPTEMBER 5, 2000

Item #186-00 To consider action relative to the approval of the September 5, 2000 Consent Agenda.

BE IT ORDERED: That the September 5, 2000 Consent Agenda be approved, Item #177-00 to #185-00.

Item #187-00 To consider action relative to an expenditure from the Traffic & Parking Reserve Account to provide for a Pedestrian Crosswalk Study.

BE IT ORDERED: That up to \$1,500 be expended from the Traffic and Parking Reserve Account to provide for a Pedestrian Crosswalk Study.

Item #188-00 To consider action relative to the issuance of a Municipal Quit Claim Deed for property on the Grant Road (Tax Map 11, Lot 82).

BE IT ORDERED: That a Municipal Quit Claim Deed be issued for the following property.

Issue to: Freeport Housing Trust, Inc.
Property: Tax Map 17, Lot 82 – Grant Road
For Tax Years: 1987, 1994, 1995, 1996, 1997, 1998 & 1999.

OTHER BUSINESS:

1. Discussion on request to verify the status of Reed Road.
2. Update from the Burnett Road Bridge Committee.
3. Meeting with the Freeport Housing Trust to discuss recent activities and future plans.
4. Review proposal to provide non-emergency medical transports.
5. Recognition of receipt of a Hazard Mitigation Grant totaling \$183,743.
6. Discussion on electrical savings obtained through Maine Power Options.

END OF AGENDA

COUNCIL MEETING #17-2000
September 5, 2000

MOTION: To introduce items not on the printed agenda.

Item #189-00 To consider action relative to a proposal to provide Non-Emergency Medical Transports.

BE IT ORDERED: That the proposal presented by the Freeport Fire and Rescue Departments to provide Non-Emergency Medical Transports be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to execute contracts with medical providers to provide Non-Emergency Medical Transport Services.

Item #190-00 To consider action relative to accepting a bid for a Rescue Transport Vehicle.

MOTION: That the Rescue Chief report on bids received.

BE IT ORDERED: That the bid from _____ in the amount of _____ for a Rescue Transport Vehicle be accepted.

BE IT FURTHER ORDERED: That the bid amount be expended from the Rescue Reserve Account.

REVISED

TOWN COUNCIL CONSENT AGENDA SEPTEMBER 5, 2000

Item #177-00 To consider action relative to casting a ballot for Officers of the Maine Municipal Association.

BE IT ORDERED: That the Town of Freeport cast its ballot for the Maine Municipal Association Officers for the year 2001 recommended by the MMA Nominating Committee.

Item #178-00 To consider action relative to awards from the Dr. Gould Trust Fund.

BE IT ORDERED: That eight individuals receive awards from the Dr. Gould Trust Fund totaling \$1,529.61 to provide for medical expenses.

Item #179-00 To consider action relative to an award from the Davis Trust Fund.

BE IT ORDERED: That an individual receive an award from the Davis Trust Fund totaling \$557.79 to provide for medical expenses.

Item #180-00 To consider action relative to appointments to various Town Boards and Committees.

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

<u>Name</u>	<u>Board /Committee</u>	<u>Term Expirations</u>
Diane Lukac	Planning Board	May 1, 2001
Ellen Curreri	Planning Board	May 1, 2003
Michael Williams	Cable TV Board	October 1, 2003
Dennis King	Design Review Board	October 1, 2003
John Hoy	Recreation Committee	November 1, 2003

REVISED

CONSENT AGENDA 9/5/00 –continued

Item #180-00- continued

Elizabeth Patton	Bike & Pedestrian Sub-Committee	Indefinite
Jack Kartez	Bike & Pedestrian Sub-Committee	Indefinite
Philip Wagner	Bike & Pedestrian Sub-Committee	Indefinite
Sara Bird	Recreation Committee	November 1, 2003
Douglas Reighley	Board of Appeals	July 1, 2003
Steven Bradbury	Board of Appeals	July 1, 2002

BE IT FURTHER ORDERED: That the above applicants qualify by swearing an oath of office before the Town Clerk by September 15, 2000.

Item #181-00

To consider action relative to applications for Victualer Licenses for Mara Frank, Steven Delrose and Dale Baker.

BE IT ORDERED: That the applications issued to the following applicants be approved.

Mara Frank, d/b/a Capt. Briggs House Inn, 8 Maple Avenue.
Steven Delrose, d/b/a Starbucks Coffee, Main Street
Dale Baker, d/b/a Ralph's Lazy Lobster, Peddler Private Property, Mill Street.

Item #182-00

To consider action relative to a nomination to the Northern New England Passenger Rail Authority Board.

BE IT ORDERED: That Dale Olmstead be nominated for a seat on the Northern New England Passenger Rail Authority Board.

**CONSENT AGENDA
SEPTEMBER 5, 2000**

REVISED

Item #183-00

To consider action relative to the issuance of a Municipal Quit Claim Deed for property on the Jeffrey Road (Tax Map 22, Lot 44).

BE IT ORDERED: That a Municipal Quit Claim Deed be issued for the following property.

Issue to: Raymond S. Scammon
Property: Tax Map 22, Lot 44 – Jeffrey Road
For Tax Years: 1997 & 1998

Note: All taxes have been paid.

Item #184-00

To consider action relative to the issuance of a Municipal Quit Claim Deed for property on the Jeffrey Road (Tax Map 822, Lot 44).

BE IT ORDERED: That a Municipal Quit Claim Deed be issued for the following property.

Issue to: Raymond S. Scammon
Property: Tax Map 822, Lot 44 – Jeffrey Road
For Tax Years: 1998

Note: All taxes have been paid.

Item #185-00

To consider action relative to the issuance of a Municipal Quit Claim Deed for property on the Castle Road (Tax Map 1, Lot 21).

BE IT ORDERED: That a Municipal Quit Claim Deed be issued for the following property.

Issue to: Carol Plummer
Property: Tax Map 1, Lot 21 – Castle Road
For Tax Years: 1998

Note: All taxes have been paid.

Clerk

**TOWN COUNCIL
CONSENT AGENDA
SEPTEMBER 5, 2000**

Item #177-00 To consider action relative to casting a ballot for Officers of the
Maine Municipal Association.

BE IT ORDERED: That the Town of Freeport cast its ballot for
the Maine Municipal Association Officers for the year 2001
recommended by the MMA Nominating Committee.

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Fund.

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the Dr. Gould Trust Fund totaling \$1,529.61 to provide for
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Dennis King	Design Review Board	October 1, 2003
John Hoy	Recreation Committee	November 1, 2003

CONSENT AGENDA 9/5/00 --continued
Item #180-00- continued

Elizabeth Patton	Bike & Pedestrian Sub-Committee	Indefinite
Jack Kartez	Bike & Pedestrian Sub-Committee	Indefinite
Philip Wagner	Bike & Pedestrian Sub-Committee	Indefinite
Sara Bird	Recreation Committee	November 1, 2003
Douglas Reighley	Design Review Board	July 1, 2003
Steven Bradbury	Design Review Board	July 1, 2002

BE IT FURTHER ORDERED: That the above applicants qualify by swearing an oath of office before the Town Clerk by September 15, 2000.

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Dale Baker, d/b/a Ralph's Lazy Lobster, Peddler Private Property, Mill Street.

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BE IT ORDERED: That Dale Olmstead be nominated for a seat on the Northern New England Passenger Rail Authority Board.

**CONSENT AGENDA
SEPTEMBER 5, 2000**

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MINUTES
FREEPORT TOWN COUNCIL MEETING #17-2000
TOWN HALL COUNCIL CHAMBERS
September 5, 2000 – 7 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Larue Drive			X
David Soley, Chairperson Arnold Road	X		
Edward Campbell Gay Drive	X (arrived at 7:10 p.m.)		
John Arsenault, Vice Chair Prout Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X		
Robert Stevens Porters Landing	X (arrived at 7:25 p.m.)		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #16-2000 HELD ON AUGUST 15, 2000 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #16-2000 HELD ON AUGUST 15, 2000 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Arsenault & DeGrandpre) (4 Ayes) (3 Excused—Beaulieu, Stevens & Campbell).

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

Councilor Mann noted that he received a call from Louisa Moore regarding the work done at the Mast Landing boat ramp area. The Conservation Trust had its meeting and came up with a four-part plan for the State to return and do corrective work at no cost to the Trust. The Trust's proposal does not include an area where people can drive down and launch their boats. Councilor Mann feels this is an important issue to the Town and since public money in the form of the DOT will be used, he feels it would be nice if the Town requests that the State hold a public hearing which would permit public input. Councilor DeGrandpre concurred that this would be a good idea since the area has suffered such a drastic change. Councilor Mann will bring this issue up under "Other Business" later.

MOVED AND SECONDED: To close the Public Comment Period (Councilors Arsenault & Campebl) (5 Ayes) (2 Excused—Beaulieu & Stevens).

Item #186-00 To consider action relative to the approval of the September 5, 2000 Consent Agenda.

Chair Soley explained some of the items to Councilors. He read a statement from Councilor Beaulieu recommending that the Council support Mr. Olmstead's nomination to the Northern New England Passenger Rail Authority Board.

BE IT ORDERED: That the September 5, 2000 Consent Agenda be approved, Item #177-00 to #185-00. (Councilors Campbell & Arsenault) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Stevens).

Item #187-00 To consider action relative to an expenditure from the Traffic & Parking Reserve Account to provide for a Pedestrian Crosswalk Study.

BE IT ORDERED: That up to \$1,500 be expended from the Traffic and Parking Reserve Account to provide for a Pedestrian Crosswalk Study. (Councilors Arsenault & Campbell)

Chair Soley read Councilor Beaulieu's recommendation for this item into the record. Councilor Mann noted that a few years ago a traffic study indicated that the intersection of Bow and Main Streets warranted a traffic light and he would like to see this included in the Pedestrian Crosswalk Study.

MOVED AND SECONDED: That this article is approved with a recommendation that the Parking and Traffic Committee require the consultant to look at the need or lack of need for a traffic light at the intersection of Bow and Main Streets. (Councilors Mann & DeGrandpre) (2 Ayes—Mann & DeGrandpre) (4 Nays).

Councilors concurred that Mr. Olmstead should mention this item to Councilor Beaulieu.

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

Item #188-00

To consider action relative to the issuance of a Municipal Quit Claim Deed for property on the Grant Road (Tax Map 11, Lot 82)

Councilor Stevens mentioned that his firm represents the Freeport Housing Trust and recused himself.

BE IT ORDERED: That a Municipal Quit Claim Deed be issued for the following property:

Issue to: Freeport Housing Trust, Inc.
Property: Tax Map 17, Lot 82—Grant Road
For Tax Years: 1987, 1994, 1995, 1996, 1997, 1998 & 1999.

Chair Soley and Jim Hatch explained that the Town will convey its interest to the Freeport Housing Trust which plans to develop two house lots. The remainder will be managed by the Freeport Conservation Commission which will provide an opportunity for a trail. Discussion followed.

(Councilors Mann & Campbell) **ROLL CALL VOTE:** (5 Ayes)
(1 Recused—Stevens) (1 Excused—Beaulieu).

OTHER BUSINESS:

1. Discussion on request to verify the status of Reed Road.

Susan Campbell of 38 Hunter Road explained that she purchased the property in 1994 thinking the Reed Road was a discontinued town road. She owns 1,500' frontage on the Reed Road. She is in attendance to listen to the discussion on this item. She answered questions for Councilors. Councilor Mann asked if she could provide written information from her title attorney that caused her to believe the road was discontinued.

Mitchell Rasor apologized for being late. He believes that the Town never voted to discontinue the Reed Road and is anxious to find out if another legal opinion was developed. He needs to know the status of the road so that he can know if he does business with the Town or with the abutters. The Town Manager has noted to Councilors that he does not believe the road was abandoned. Councilor Stevens pointed out that the information provided by Mr. Olmstead should be passed on to Mr. Rasor's attorney. Mr. Rasor agreed. Ms. Campbell asked for a copy of the information as well and was given a copy. Chair Soley noted that the Council is not prepared to deal with this issue tonight. Councilors concurred that once all the facts are presented on this issue to the Town Manager and they are given to the Council, the Council will decide if it needs a legal opinion before making a decision. Mr. Olmstead indicated that if the information is provided by the 19th, it will be discussed at the next Council Meeting on the 26th. Discussion followed on the subdivision moratorium that is in place.

2. Update from the Burnett Road Bridge Committee.

Councilor Mann advised that six Councilors attended a meeting tonight and the Committee learned that in order to get any money for the bridge, it needs to meet federal standards. The State won't accept any design bid proposals unless the Town hires an approved Design Engineer. Discussion followed on whether to change the language that

will appear on the ballot in November. Chair Soley feels the language should remain as it is and let the voters vote on it. There was consensus from other Councilors to leave the language the way it is.

3. Meeting with the Freeport Housing Trust to discuss recent activities and future plans.

Betsy Ruff, President of the Freeport Housing Trust, advised that she has notified Councilors of the Trust's proposed purchase of Brookside, which is a 16-unit housing facility for low-income elders which opened in 1978. Renters pay 30% of their income. It is an expiring development and the developer will be free to put it back at market rate which would mean as much as \$600 or \$700. The developer has indicated that it is his intention to do so. She thinks they will be able to pull off the purchase without asking for tax abatements. She alerted the Council that she may have to come back and ask for some support in some way but is not asking for anything at this time. Many of Freeport's long term residents have found a home in this facility and it is important to allow them to remain.

Chair Soley noted that he feels this is a valuable facility and if the numbers do not work out, he would be one vote to help with numbers.

4. Review proposal to provide non-emergency medical transports.

Mr. Olmstead explained how this might become advantageous to the community. Chief Fournier and Paul Conley explained the proposal and the budget required. They answered questions. A hospital and two nursing homes have indicated that they are very interested in working with Freeport.

MOVED AND SECONDED: To introduce items not on the printed agenda. (Councilors Campbell & Stevens) (6 Ayes) (1 Excused—Beaulieu).

Item #189-00 To consider action relative to a proposal to provide Non-Emergency Medical Transports.

BE IT ORDERED: That the proposal presented by the Freeport Fire and Rescue Departments to provide Non-Emergency Medical Transports be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to execute contracts with medical providers to provide Non-Emergency Medical Transport Services. (Councilors Campbell & Arsenault). **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Beaulieu).

Item #190-00 To consider action relative to accepting a bid for a Rescue Transport Vehicle.

MOVED AND SECONDED: That the Rescue Chief report on bids received.(already done).

BE IT ORDERED: That the bid from Sugarloaf Transport in the amount of \$56,920 for a Rescue Transport Vehicle be accepted.

BE IT FURTHER ORDERED: That the bid amount be expended from the Rescue Reserve Account. (Councilors Campbell & Arsenault).

Councilor Mann stated the reasons he is supporting these issues. He feels that the Rescue Service is fine and has come a long way, but is very expensive. Expanding this service will provide the department a way to pay its own expenses and he appreciates all the work done by the Town Manager and the two chiefs. Chair Soley echoed Councilor Mann's comments.

ROLL CALL VOTE: (6 Ayes) (1 excused—Beaulieu).

Councilor Mann brought up the issue of asking the Town Manager to ask the Department of Transportation to schedule a public forum to discuss whatever they propose to do at the Mast Landing Boat Launch area. They did this when they proposed to replace the culverts.

Chair Soley does not see the need for this public meeting and it may delay the work being done. Councilor Stevens agreed that if a meeting could be scheduled quickly, fine but he would not like it to get in the way of actually doing the work. Councilor DeGrandpre agreed that a meeting would make sense.

MOVED AND SECONDED: To take up an item not on the printed agenda. (Soley & Arsenault) (6 Ayes) (1 Excused — Beaulieu).

MOVED AND SECONDED: That the Council instruct the Town Manager to communicate to the Department of Transportation of the State of the interests of the Town in the State redoing the work down there in a way that meets the interest of the public and to have it accomplished as soon as possible. (6 Ayes) (1 Excused—Beaulieu).

Councilor Stevens was excused at 9:15 p.m.

5. Recognition of receipt of a Hazard Mitigation Grant totaling \$183,743.

Mr. Olmstead explained that Jim Plummer applied for a FEMA Mitigation Grant and it was awarded to Freeport. He wanted to recognize Mr. Plummer's good work. The Town has received grant proceeds in the amount of three-quarters of a million dollars over the past year. By consensus the Council wants to recognize Mr. Plummer's hard work.

6. Discussion on electrical savings obtained through Maine Power Options.

Mr. Olmstead explained that the Town saved \$904 by joining Maine Power Options. This does not include the School Department. They enjoyed some savings as well, but Mr. Olmstead did not know what the savings were.


Adjournment

MOVED AND SECONDED: To adjourn at 9:25 p.m. (Councilors
Arsenault & DeGrandpre) (5 Ayes) (2 Excused—Stevens & Beaulieu).

Respectfully Submitted,


Sharon Coffin
Council Secretary

TOWN OF FREEPORT
Memo

MEMO TO: Dale C. Olmstead, Jr. 
FROM: Johanna Hanselman
SUBJECT: Gould Trust Fund and Davis Trust Fund
DATE: August 16, 2000

During the quarter including the months of June, July and August, 2000, the following amount was authorized for the Gould and Davis Trust Funds:

Gould Fund: \$1,529.61

Davis Trust Fund: \$557.79

Number of Individuals Assisted: 9

Please place this item on the next Town Council agenda for their approval. Thank you.

MUNICIPAL QUITCLAIM DEED

The Town of Freeport, a body corporate and politic, located at 30 Main Street, Freeport, Cumberland County, Maine, for consideration paid, releases to **FREEPORT HOUSING TRUST, INC.** of 177 High Street, Portland, Cumberland County, Maine, the land and buildings in Freeport, Cumberland County, Maine described as follows:

Meaning and intending to convey whatever interest the Grantor may have in the above described premises by virtue of tax lien certificates assessed against:

Harold H Modes, % Alan D Modes	October 16, 1987	Book 8019 Page 238
Harold H Modes, % Alan D Modes	September 9, 1994	Book 11622 Page 39
Harold H Modes, % Alan D Modes	September 7, 1995	Book 12103 Page 137
Harold H Modes, % Alan D Modes	August 19, 1996	Book 12674 page 295
Harold H Modes, % Alan D Modes	September 15, 1997	Book 13318 Page 37
Harold H Modes, % Alan D Modes	August 20, 1998	Book 14078 Page 292
Harold H Modes, % Alan D Modes	October 1, 1999	Book 15082 Page 235

Tax Lien Certificates on file at the Cumberland County Registry of Deeds. Said property referred to as Map 17 Lot 82 on the official Town of Freeport, Maine Tax Maps as are currently on file at the Town of Freeport Town Offices.

The said Town of Freeport has caused this instrument to be signed in its corporate name by Dale C. Olmstead, Jr., its Town Manager, duly authorized this _____ day of _____, 2000.

TOWN OF FREEPORT

Witness

By

Dale C. Olmstead, Jr.
Its Town Manger

State of Maine
County of Cumberland, ss.

_____, 2000

Then personally appeared the above-named Dale C. Olmstead, Jr. of said body corporate and politic, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said body corporate and politic.

Before me,

Christine Phelps
Notary Public
My commission expires 5-31-2005

MEMORANDUM

To: John Arsenault, Chair, Municipal Facilities Committee
Dale Olmstead, Town Manager

From: Mary Sauer, Chair, Freeport Conservation Commission
Betsy Ruff, President, Freeport Housing Trust

Re: Joint Proposal for Grant Road Property

Date: June 30, 2000

Over the past several months the Conservation Commission and the Housing Trust have worked together to formulate a plan for use of the tax-acquired property on Grant Road formerly owned by Harold Modes (Map 17/Lot 82). The resulting plan will provide maximum public benefit for both affordable housing and conservation uses. This plan was approved by the Board of Directors of the Freeport Housing Trust at their meeting of May 25, 2000, and by the Conservation Commission at their meeting of June 20, 2000. We therefore request that the Public Facilities Committee review our joint proposal and submit it to the Town Council for approval.

Joint Proposal for Grant Road Property.

1. FHT will accept the entire 10-acre parcel from the Town and will take responsibility for any legal costs required to clear the title.
2. FHT will develop two house lots from the parcel. These will be created to meet the minimum lot standard of 2.5 acres with 200 feet of frontage on Grant Road. FHT will use the lots to provide two affordable single-family homes for low-income Freeport residents. It is anticipated that at least one of these will be developed in cooperation with the Brunswick Chapter of Habitat for Humanity.
3. The remaining 5 acres, which is to be reserved for conservation purposes, will be deeded to the eventual long-term owner of the abutting conservation land, which is currently owned by the Nature Conservancy. It is assumed that the eventual owner will be either the Freeport Conservation Trust or the Town of Freeport. The shape of the 5-acre parcel will include the land behind the two house lots as well as a strip approximately 30 feet in width providing access from Grant Road to the back land.

Respectfully submitted,

Elizabeth Ruff

Elizabeth Ruff, President
Freeport Housing Trust

Mary M. Sauer

Mary Sauer, Chair
Freeport Conservation Commission

Bernstein, Shur, Sawyer & Nelson, P.A.

Counselors at Law

100 Middle Street, West Tower, P.O. Box 9729, Portland, Maine 04104-5029
207-774-1200 Fax 207-774-1127
Internet: mainelaw.com

Geoffrey H. Hole
E-mail: ghole@mainelaw.com

August 30, 2000

VIA FACSIMILE 865-0929

**Dale C. Olmstead, Jr., Town Manager
Town of Freeport
30 Main Street
Freeport, Maine 04032-1209**

Re: Tax abatement

Dear Dale:

I am writing to memorialize today's conversation. I understand a housing organization in Freeport has inquired whether, commencing for the next tax year, the Town Council will abate 50% of the taxes for some property it hopes to acquire shortly. There are problems with that request.

First, this would be a valuation abatement. Valuation abatements must be done by the Assessor, with an appeal possibility to the Board of Assessment Review. The Assessor takes his power directly from the state, once elected or appointed, and has both a statutory and constitutional obligation to assess all property equally according to just value. Stated differently, the Town Council does not have a role in valuation abatements. Second, the Town Council's only roles in the abatement area deal with errors or mistakes brought out by applications filed after one year, but within three years, of the date of commitment, or poverty abatements.

That is not to say that a municipality may not support housing programs, which can be done in a number of ways. I suggest that, rather than consider an abatement approach for the reasons discussed above, the municipality consider direct support. Direct support should be done in such a way that the public benefit is defined and protected.

Sincerely,



Geoffrey H. Hole

GHH/lc

carpentier/ghh/freeport/olmstead\tr083000 5005.997

To: Freeport Town Council
From: Dale Olmstead
Re: Reed Road Request
Date: August 31, 2000

Attached is information concerning Reed Road. Based on the information provided, I do not believe the Town has relinquished its rights to Reed Road due to lack of use or maintenance. The issue before the Council should be whether or not to formally abandon or discontinue Reed Road.

Memorandum

TO: Dale Olmstead

FROM: Chief Fournier *Q.A.*

DATE: August 30, 2000

RE: Reed Road Abandonment

Reference the abandonment of Reed Road, the Fire Department has utilized this road twice in 1996. The first time was in January of 1996 for a lightening strike and in March of 1996 for a two acre woods fire. This road provides excellent access for emergency vehicles to the backside of Hedgehog Mountain. If the decision is to revert this road to abutting property owners, I highly recommend that an agreement be established to maintain accessibility to this road for emergency responses.

If you have any further questions, please contact me.

Freeport Fire Department Memo

To: Dale Olmstead
From: Deputy Chief Sylvain
Re: Reed rd
Date: 8/27/00

Reference Reed rd, Freeport Fire Used Reed rd twice in 1996,
One on 1/22/96 tree fire on Hedgehog Mountain and the other on 3/27/00 woods Fire that burned
3 acres. The Reed rd is a very good rd to travel through to get apparatus into and it helps fire and
rescue for emergencies, This is the only way to the top of hidgehog

TOWN OF FREEPORT

Municipal Offices
(207) 865-4743
FAX (207) 865-0929



NOTES:

August 28, 2000

To: Town Manager Dale Olmstead
From: Jim Plummer PWD Director *JP*

Subject: Reed Road repairs.

In september of 1998 the public works department replaced the entrance culvert To this road. Also in 1998 the department had to assist the fire department with equipment to help put out a brush fire in this area. We entered Reed road from the Hunter road. There were two occasions in 1998 that we assisted the fire department on Reed road.

I talked to Al Thompson, past PWD Director, and he informed me that he had put gravel in some areas on this road in the early 1980's. He also had filled in the well on the old Reed Farm house, which was requested by one of the councilors (Mr. Harnett) back in the early 1980's.

TO: Dale Olmstead,
Town Manager

FROM: Mary Sauer *mys*
Chair, Freeport Conservation Commission

DATE: August 27, 2000

RE: Reed Road

I brought the Reed Road issue to the attention of the Conservation Commission members at our August meeting. While the Commission members have not had time to study the issue in detail, there are two concerns. Both involve access. First, the Commission is concerned that abandonment of Reed Road will decrease access options for forest management activities at Hedgehog Mountain, if the Commission should decide to undertake such activities in the future. Second, the Commission believes that the Reed Road provides a valuable trail corridor linking Hunter Road to the Hedgehog Mountain property. Given that trail access is an important element of Freeport's Open Space Plan and given that Hedgehog Mountain is a key natural and recreational area in Freeport, the Conservation Commission recommends caution in releasing any rights the Town may currently have in the Reed Road.

If you have any questions, please call Bob Moore or me. Thank you.

Gary Profenno
15 Profenno Way
Freeport Maine 04032

August 8, 2000

Dear Dale,

In addition to the Paper Streets Committee, I am a former member of the Hedge Hog Mountain Committee. As I remember the Reed Road it was to be an important part of the property's development for future municipal facilities – timber harvesting – trails development and trail access. As you may know the property has frontage on the Pownal Road and the recycling road (Landfill Road), development of a road at either of these points for vehicle traffic may be impossible as large gullies and the mountain blocks this access.

If you have any other questions, feel free to contact me.



Gary Profenno

PAPER STREETS COMMITTEE

MEMO

To: **Dale Olmstead**
Freeport Town Manager

Date: August 8, 2000

From: **Paper Streets Committee**
Gary Profenno, Chair
Alton Thompson
James Gorman
Joyce Denney
Marianne McGettigan
Wendy Harlan

The following is the discussion of the ROW known as the Reed Road connecting the Pownal Road to the Hunter Road shown as Hedge Hog Mountain Road on Grid #10.

After reviewing Grid #10 and looking into lots #22/43 & 22/40:

Marianne McGettigan moved to send a memo to the Town Manger

- a) It is not within the jurisdiction of this committee to render an opinion, therefore it would be inappropriate to do so. We have enclosed for his consideration the criteria we use to review such situations.
- b) Given the situation of Parcel 22/43 we call your attention to criteria #1, 2, 3, 4, 5, 7, & 8.

Jim Gorman seconded the motion

Vote 5 yeas
1 abstention
Motion Carries

CRITERIA FOR USE IN RECOMMENDING THE DISPOSITION OF PAPER STREETS*

1. All public rights should be retained in any and all paper streets which provide access to rivers, bays, marshes and streams;
2. All public rights should be retained in any and all paper streets which provide access to publicly owned properties;
3. In determining what public rights should be recommended for retention in any and all paper streets, the Committee will consider the customary and historic use made of the property, the extent to which the town has maintained the street or property, and the extent to which the town has or has not enforced public or private rights in the property comprising the paper street;
4. In determining what public rights should be recommended for retention in any and all paper streets the Committee will seek to avoid creating "land-locked" parcels;
5. All public rights should be retained in any and all paper streets which may allow more cost effective delivery of municipal services such as sewer corridors, utilities, water, school bus transportation, etc.;
6. In any case in which an existing private structure is in place over a paper street, there is created a rebuttable presumption that the public has no remaining interest in that street, provided, however, that the presumption may be rebutted by a showing of an overriding public interest in retaining some public right in the street or by other relevant evidence;
7. (a) If no person, entity or the assigns of either has paid taxes on a continuous basis on the property comprising the paper street, there is created a rebuttable presumption that the town has full rights to the street and no private right remains therein;
(b) Where a person, entity or the assigns of either has paid taxes on a continuous basis and the town has accepted those taxes, there is created a rebuttable presumption that the town has either not accepted the paper street, has retained less than a full interest in the street, or has vacated (or abandoned) the paper street;
(c) Where the tax treatment of the property underlying the paper street lacks continuity, the Committee will consider the tax history of the property, as appropriate;
8. In determining what public rights should be recommended for retention in any and all paper streets the Committee will also consider any other issue or interest not previously identified or addressed, including but not limited to, current or future recreational uses, future development or conservation needs, the need for secondary access, public safety or emergency response needs, possible future public infrastructure needs or any issue currently unknown to, or unidentified by, the Committee that may be identified in the course of public hearings held on the recommended disposition of paper streets.

* in accordance with the provisions of 23 M.R.S.A. 3032.

Governor
State of Maine
(207) 287-3531

Major General
Commissioner
(207) 626-4205

DEPT. OF DEFENSE, VETERANS
AND EMERGENCY MANAGEMENT



CAMP KEYES, AUGUSTA, MAINE 04333-0033

August 21, 2000

Johanna Hanselman
General Assistance Director
Town of Freeport
30 Main Street
Freeport, Maine 04032

Dear Mrs. Hanselman:

This letter is to confirm that the Department of Defense, Veterans and Emergency Management has been notified that the Hazard Mitigation Grant that you applied for to reduce flooding at Harvey Brook Crossing on Webster Street, in Freeport has been awarded to the Town of Freeport. You were called as soon as we had received notice of the award by telephone.

Your request for a Federal Hazard Mitigation Grant for \$244,991.00 under Section 404 of the Stafford Act to enlarge the culvert on at Harvey Brook Crossing on Webster Street, in Freeport was approved by the Federal Emergency Management Agency. The project will be funded as an Unmet Needs Mitigation Grant. Please note that the federal share of this project is \$183,743.00 (75%) and your local share is \$61,248.00 (25%). An award package will be sent to you after I receive the documents from FEMA.

The funds are available through the Department of Defense, Veterans and Emergency Management, which is responsible for grant administration.

Thank you for your interest in the Hazard Mitigation Program and your efforts to limit flood damages in your community.

If you have any questions, please me at (207) 626- 4503.

Sincerely,

Arthur W. Cleaves, Director
Maine Emergency Management Agency

MAINE EMERGENCY MANAGEMENT
72 State House Station
Augusta, Maine 04333-0072
(207) 626-4503
Fax: 626-4499

MAINE VETERANS' SERVICES
117 State House Station
Augusta, Maine 04333-0117
(207) 626-4464
Fax: 626-4471

MILITARY BUREAU
33 State House Station
Augusta, Maine 04333-0033
(207) 626-4271
Fax: 626-4509

ADMIN SERVICES DIVISION
104 State House Station
Augusta, Maine 04333-0104
(207) 626-7047
Fax: 624-7137

TOTAL P.02

Rec'd
8-22-00 g.



*A program of the Maine Health and Higher Educational Facilities Authority and
the Maine Municipal Bond Bank*

3 University Drive. P.O. Box 2268 Augusta, Maine 04338-2268 1-877-852-3332 (207) 621-0744 FAX: (207) 623-5359

August 22, 2000

Mr. Dale Olmstead
Freeport, Town of
30 Main Street
Freeport, ME 04032

Dear Mr. Olmstead:

Welcome again to Maine PowerOptions. We would like to thank you for participating in the Maine PowerOptions program and for joining hundreds of other Maine PowerOptions members across Maine who, through retail electric competition, will be enjoying savings on their electric bills. We are enclosing a countersigned copy of the contract for your records and to also confirm your acceptance into the offering.

You will start to receive savings on your eligible electricity accounts beginning on your October meter read date. While you will save money with our service, very little else will change. You will continue to be billed by Central Maine Power, with information included on their statement billing for your electricity usage on behalf of NewEnergy. As you are aware, NewEnergy was chosen by Maine PowerOptions to provide our members with lower-cost electricity.

Maine PowerOptions, a non-profit consortium created exclusively for its members in Maine, is currently working with NewEnergy to provide additional savings for the smaller and larger accounts your facility may have. We anticipate being able to offer these opportunities within the next few months. In addition, Maine PowerOptions is actively working with NewEnergy and other suppliers to provide its members with a wide-array of additional services including energy efficiency, companion financing programs, natural gas and fuel oil. As these programs become available, we will contact you to fully explain their benefits.

You will also notice we have enclosed a sheet detailing the estimated savings your facility should realize over the 8-month term of the contract. These savings estimates are based on your previous year's usage as supplied by CMP. If the standard-offer price increases in March, your final 3-months savings will be even greater. And remember, we will be in contact with your organization well in advance of the expiration of this contract with another offering that will commence when this contract is concluded.

Again, thank you for participating in the Maine PowerOptions Energy Purchaser's Consortium. It is the participation of our members that enables Maine PowerOptions to offer these initial savings and as the consortium continues to develop, there will be additional opportunities for our members to enjoy greater savings.

As always, should you have any further questions, feel free to contact me at 877-852-3332.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen M. Gauthier". The signature is fluid and cursive, with the first name "Stephen" being more prominent.

Stephen M. Gauthier
Program Officer



*A program of the Maine Health and Higher Educational Facilities Authority and
the Maine Municipal Bond Bank*

3 University Drive, P.O. Box 2268 Augusta, Maine 04338-2268 1-877-852-3332 (207) 621-0744 FAX: (207) 623-5359

Estimated Savings For Town of Freeport

Estimated savings \$ 904.36 for eight month term of contract. *

***(Based on previous electricity usage as provided by Central Maine Power Company)**