

**MINUTES
FREEPORT TOWN COUNCIL MEETING #01-2005
TOWN HALL COUNCIL CHAMBERS
JANUARY 4, 2005 – 7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #20-2004 held on December 7, 2004 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #20-2004 held on December 7, 2004 and accept the Minutes as printed. (White & DeGrandpre)

Chair Rumpf referred to Page 10, second to the last paragraph, and noted that Amy Fitzpatrick offered to return to Freeport on February 1 to discuss the report.

VOTE ON AMENDED MINUTES: (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf noted that the Community Center's Building Committee continues to meet to work on the project. Their next meeting is on January 12 at 6 p.m. at the Freeport Middle School.

Councilor Arsenault announced that Linda Hardacker, Economic Development Director, gave her notice to the Town of Freeport. She has accepted a position in Biddeford but will be staying with Freeport through the 28th of January. The Board of Directors has compiled a team to review resumes and talk with prospective applicants. They are working on a job description.

Councilor DeGrandpre reminded Councilors of the Regionalization Retreat that will take place on the 19th at Val Halla. It will be a great opportunity to network with counterparts from other communities. Chair Rumpf is planning to attend and hopes other Councilors will also attend.

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

No public comments were received so Chair Rumpf moved on.

FOURTH ORDER OF BUSINESS:

ITEM #5-05 To consider action relative adopting the January 4, 2005 Consent Agenda.

BE IT ORDERED: That the January 4, 2005 Consent Agenda be adopted.
(White & Cassida)

Chair Rumpf reviewed the agenda for members of the public.

Councilor White referred to Item #2-05 and voiced his concerns with the name "Buck's Naked BBQ" and the fact that this name does not project the image Freeport is trying to promote. He feels compelled to say that this name is inappropriate for a business in Freeport and sets the wrong tone.

He asked that Item #2-05 be removed from the Consent Agenda and be dealt with at the time #08-05 later in the meeting.

MOVED AND SECONDED: To adopt the consent Agenda without Item #2-05.
(White & Beaulieu) **VOTE:** (6 Ayes) (1 Nay—White).

ITEM #6-05 To consider action relative to a proposed amendment to the Sign Ordinance concerning the removal of unauthorized off-premise signs. (Chapter 23) Public Hearing.

MOVED AND SECONDED: that the Public Hearing be opened. (DeGrandpre & Cassida) **VOTE:** (7 Ayes).

Chair Rumpf noted that this was discussed briefly at the last meeting. Discussion followed.

MOVED AND SECONDED: that the Public Hearing be closed. (Arsenault & Cassida) **VOTE:** (7 Ayes).

BE IT ORDERED: that the proposed amendment to the Sign Ordinance be approved. (DeGrandpre & Cassida) **ROLL CALL VOTE:** (7 Ayes).

ITEM #7-05 To consider action relative to adding on an attachment to the Street Excavation Ordinance concerning utility installation (Chapter 15) Public Hearing.

MOVED AND SECONDED: that the Public Hearing be opened. (Arsenault & Cassida) **VOTE:** (7 Ayes).

Mr. Olmstead explained that this would be an attachment to the Street Excavation Ordinance that will authorize the Public Works Director to issue letters granting permission for the installation of utility lines primarily across public ways or roads and transferring the responsibility of maintenance of those lines to the individual that installs them.

MOVED AND SECONDED: that the Public Hearing be opened. (Arsenault & DeGrandpre) **VOTE:** (7 Ayes).

BE IT ORDERED: that the proposed attachment be added to the Street Excavation Ordinance and the Public Works Director be authorized to issue the attachment for utility installations. (Arsenault & Bishop) **ROLL CALL VOTE:** (7 Ayes).

MOVED AND SECONDED: To take up Item 2-05 to consider action relative to an application for a Victualer's License for Buck's Naked BBQ, which was removed from the Consent Agenda. (Beaulieu & Cassida). **VOTE:** (7 Ayes).

Councilor White pointed out that this name is a marketing ploy and sets a tone for the Town. Councilor DeGrandpre noted it is important to honor the First Amendment since a lot of people died protecting it. Chair Rumpf encouraged Councilor White to discuss this name with the owner if he so chooses.

BE IT ORDERED: that the Victualer's License application from Alexis J. Caisse d/b/a Buck's Naked BBQ, 132 US Route #1 be approved. (Beaulieu & DeGrandpre) **ROLL CALL VOTE:** (6 Ayes) (1 Nay—White)

ITEM #8-05 To consider action relative to the issuance of an Alcoholic Beverage License for Buck's Naked BBQ. Public Hearing.

MOVED AND SECONDED: That the application for an Alcoholic Beverage License for Alexis J. Caisse d/b/a Buck's Naked BBQ, 132 U.S. Route 1 be subject to Public Hearing. (Cassida & Beaulieu) **VOTE:** (7 Ayes).

There were no public comments.

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

BE IT ORDERED: that the Alcoholic Beverage License Application from Alexis J. Caisse be approved.

Note: This is a new application and must be approved by the Town Council. Renewal applications will be approved by the Town Clerk. (Cassida & Arsenault) **ROLL CALL VOTE:** (6 Ayes) (1 Nay—White).

ITEM #9-05 To consider action relative to an application for a Planning Grant to investigate the development of joint ventures for delivering municipal services.

BE IT ORDERED: That the Town of Freeport partner with the Greater Portland Council of Governments in applying for a State Planning Grant providing for the efficient delivery of local and regional services.

Notes:

- 1). The grant funds will be administered by the Maine Development Foundation.
- 2). This item has been requested by Councilor Beaulieu. (Bishop & Cassida)

Councilor Beaulieu explained the availability of this planning grant. No matching funds are required but a vote of support is needed. Discussion followed. Chair Rumpf noted that he would review the application on behalf of the Council.

ROLL CALL VOTE: (7 Ayes).

OTHER BUSINESS:

1. Report from Codes Enforcement Officer on fencing required for Freeport Auto Parts, 33 Allen Range Road.

Mr. Reeder gave a historical presentation to the Council. The original fence was in need of repair but it was completely replaced. He has since received a complaint from a homeowner on Cheyenne Drive that a portion of Freeport Auto Parts is still visible. He visited the site and noted that there is a portion of the junkyard that can be seen from a public way. He asked the owners if they would take care of the additional screening but they declined. He advised that two additional 9' sections of fence would adequately screen the junkyard either on Allen Range Road or in the back near their garage to be in compliance with State law. The grade in this 18' does not appear to drop off too greatly. Cathy Ingerson had pictures to share with Councilors. She shared her concerns. Discussion followed.

Councilor Cassida suggested an alternative. He is certain that the owners made a good faith effort to comply with State law and their license has been approved for this year. He is comfortable leaving the approval in place but making it clear through some letter that Mr. Reeder could issue that this section of screening would have to be completed in the course of the next year in order to obtain a license next year.

MOVED AND SECONDED: that the Council issue an Automobile Graveyard and/or Junkyard Permit to John Ingerson d/b/a Freeport Auto Parts conditional upon his installing additional screening on this section of their yard to the satisfaction of the Codes Enforcement Officer prior to their renewal in 2005. (Cassida & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

2. Consider request from Ruby Tuesday for sewer line easement from the Town of Freeport.

Note: The Council will be asked to authorize the Town Manager to act on behalf of the Town of Freeport in granting an easement for a sewer line and storm drain connection for Ruby Tuesday.

Tom Bard, president, explained that he was not able to negotiate an easement with L.L. Bean but the Town agreed to grant him an easement to an existing storm drain along the edge of Route 1 and will continue to Nathan Nye where it continues to an existing manhole. In exchange, Mr. Bard has agreed to

repair the brick sidewalk in front of Ruby Tuesday and continue past the Bartol Library. Discussion followed.

Councilor Arsenault, who is president of the Freeport Economic Development Corporation, noted that Ruby Tuesday has renewed interest in downtown Freeport.

MOVED AND SECONDED: To take up an item not on the printed agenda.
(Beaulieu & Cassida) **VOTE:** (7 Ayes).

MOVED AND SECONDED: To authorize the Town Manager to act on behalf of the Town of Freeport in granting an easement for a sewer line and storm drain connection for Ruby Tuesday. **ROLL CALL VOTE:** (7 Ayes).

3. Municipal Facilities Committee Update.

Councilor White advised that the committee is working on three projects:

- Soule School - finalizing a lease with the Dotens, addressing parking use for Bustins Island residents as well as an open space management agreement with the neighborhood group.
- West Street Condos - involves land exchanges to give the Town access to property it owns. The committee is waiting for the association to become informed in order to vote on the action
- The banding together of properties on Desert and Hunter Road for industrial use. There has been some interest shown in developing an environmentally friendly business park.

Mr. Olmstead advised that if any members of the public want to be added to the Soule School E-Mail list, they should submit their E-mail addresses to him. Agendas are e-mailed out to this list of people. Faith Baker and Gus McDonald had questions for Councilors White, Rumpf and DeGrandpre. Discussion followed.

Councilor White advised that meetings would be held on January 12, January 20 and January 26 from 5 p.m.-6:30 p.m. in the Council Chambers. He will provide an agenda for the January 12 meeting.

4. Informational Exchange.

Chair Rumpf and Vice Chair Cassida will be meeting with School leadership this week. They will be ensuring good communication with their delegation in Augusta regarding tax reform. It is important that they are aware of the potential impacts of changes on Freeport since there have been misunderstandings in the past in this regard. Chair Rumpf will be working with Mr. Olmstead and others on this.

As promised by Amy Fitzpatrick, of the DMR, copies of the draft report on the Harraseeket River Dye Study. Rod Regier has agreed to review the draft and propose some comments that could be sent, if the Council wishes, on behalf of the Town. He asked if the Council is comfortable with him reviewing Rod's comments to make sure they are reasonable and then forwarding them as the Town's comments in the hope that they will be incorporated into the final report preparation. Councilors concurred that this would be fine. Councilor Arsenault noted that if there needs to be another change in the harbor regarding

moorings, he needs to know that as soon as possible. If boat owners are told in February that moorings need to be reconfigured, Mr. Olmstead noted that it would be a crunch to get it done because there is always controversy. Councilor Arsenault hopes the size of the closed area is reduced. Discussion followed.

Chair Rumpf referred to the mailing from MMA regarding tax reform. It was suggested that Councilors follow up and contact their Legislators if they are aware of issues being proposed.

Councilor Cassida advised that the Community Center Building Committee has a workshop with the Council scheduled on February 8 to discuss ownership and management of the facility in detail. A preliminary discussion can be scheduled on January 11. It will be an informal discussion on what the ownership structure will be and what the management structure will be. The cost of operation is a wildcard but they can put some numbers together and will let the Council know what they are thinking. Councilor Cassida noted that several members of FCS are also on the Building Committee and will be in attendance anyway. He mentioned that the Teens are less structured than any of the other groups and they obviously will have to pay the bills for their place in the community center. He has asked the School Committee to discuss this among themselves. The Teens really need a sponsoring agency that will help them raise the money on a yearly basis to raise funds to pay for their costs. The committee feels that the School Department in some form is best suited for this role. He is eager to learn what the School Department has discussed and get their feedback.

Councilor Beaulieu noted that she agrees the community center is a wonderful idea but with tax reform looming, if the Town is asked to pay for the community center, what is it not going to pay for? What is the Council willing to give up for services? She doesn't see the pie getting any bigger. It is only so big. This will always be her question as the Council goes forward. The bucket of options is only so large. This is a great project but the Town will have to give up some other great things. The Council's hands may be tied in the future.

MOVED AND SECONDED: To adjourn at 9 p.m. (Cassida & Beaulieu)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #02-2005
TOWN HALL COUNCIL CHAMBERS
JANUARY 18, 2005 – 7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x (arrived at 8 p.m.)
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

Chair Rumpf called the meeting to order at 7 p.m. and noted that Councilor Arsenault is delayed but hopes to arrive later.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #1-2005 held on January 4, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #1-2005 held on January 4, 2005 and accept the Minutes as printed. (DeGrandpre & Beaulieu)

VOTE: (6 Ayes) (1 Excused—Arsenault).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf wanted to make the public aware that Freeport is participating in the Rapid Renewal Program for reregistering vehicles over the Internet. If anyone has any questions, they can call the Town Hall and receive help. There are currently 30 towns now participating in this program.

Chair Rumpf announced that the Council will continue to hold its annual workshops with different boards such as the Planning Board, Board of Appeals, Freeport Economic Development Commission, etc.

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

MOVED AND SECONDED: To open the Public Comment Period. (DeGrandpre & Bishop) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Jean Cusinow of 126 Maquoit Drive referred to an article that appeared in *THE FORECASTER* concerning the Town Assessor's request to do a revaluation in response to State Law. Chair Rumpf explained that the Council decided to defer this for a year and not implement an emergency revaluation. This will be taken up as part of the regular operating budget discussion for next year. Councilor DeGrandpre noted that he wished more people would come to Council's workshops. He explained the inequities that exist in Town.

Chair Rumpf closed the public comment period.

FOURTH ORDER OF BUSINESS:

ITEM #11-05 To consider action relative adopting the January 18, 2005 Consent Agenda.

BE IT ORDERED: That the January 18, 2005 Consent Agenda be adopted (Beaulieu & White)

Chair Rumpf reviewed the agenda for members of the public. Mr. Olmstead advised that all license fees have been paid with the exception of Dinner At Your Door. The application was not submitted so it needs to be removed from the Consent Agenda.

MOVED & SECONDED: To remove Joni Thompson d/b/a Dinner At Your Door and postpone it indefinitely. (Beaulieu & White) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

MOVED AND SECONDED: To adopt the consent Agenda as amended. (Beaulieu & White) **VOTE:** (6 Ayes) (Excused—Arsenault).

ITEM #6-05

To consider action relative to a consent between the Town of Freeport and the Island Rover Foundation concerning a resolution of all pending Ordinance violations on the Foundation's property.

BE IT ORDERED: that the proposed consent agreement between the The Town of Freeport and the island Rover Foundation be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to Execute the agreement on behalf of the Town of Freeport. (White & Cassida)

Fred Reeder, Codes Enforcement Officer, explained that Mr. Arndt has a very large boat under construction on his property along with lots of material and personal items. A few years ago this property was broken off from his residence and put into a foundation. When it came to the Town for tax relief, it was turned down but it came to Mr. Reeder's attention that there is a separate piece of property with a manufacturing use on it. In the past it had been viewed as a home occupation. To alleviate the problem with the manufacturing use, a presentation had been made to the Town to perhaps turn the foundation into a private school for educational purposes. There was a Staff Review meeting for a change of use and it became evident at that meeting that there were a lot of concerns about turning this type of use in an essentially residential area. It is a permitted use but the area is totally residential. The Fire Department and the DEP were notified to come and look at the property. After many discussions, it was decided that trying to change the use to a school did not make sense. Violations were discussed and Mr. Reeder asked Mr. Arndt if he were cited for the violations, would he consent to a Consent Agreement. Mr. Reeder put an agreement together with the aid of the Town Attorney to address the neighborhood's concerns. It appears that no one wants to stop Mr. Arndt from completing his project but there are environmental concerns.

The Fire Chief had no concerns with the materials but wanted the right-of-way kept open and this is part of the Consent Agreement. Tim Wright from DEP did his review and asked for a list of materials that exists on the property and that Mr. Arndt construct a containment unit with a spill containment around it, which has already been done. Mr. Reeder has inspected it and found it to be more than adequate. This is a low priority for DEP but they will do periodic inspections. If anything arises, Mr. Arndt will come into compliance within 90 days of the inspection. The agreement says that the boat and all the material will be gone from the property in 5 years and the property will revert back to its natural state.

The Town Attorney suggested that Mr. Reeder bring the agreement to the Town Manager so that he can bring it to the Council. Discussion followed. Mr. Arndt noted that he has been building this boat for 12 years. It is 113' long, and weighs 68 tons. It will take 5 years to finish it. He feels this is a reasonable time line.

Chair Rumpf noted that the way the Agreement is written, it is not enforceable. Councilor Cassida suggested that Mr. Reeder and Mr. Arndt in the next 30-60 days, generate a list of materials that can be removed within 6 months. Councilor White suggested requiring a 30% reduction in the materials stored. Councilor Cassida is happy with the terms but noted that there needs to be a consequence in the Agreement that will provide an incentive for Mr. Arndt to complete the project. It could be a financial responsibility. More discussion followed. He recommended adding to #8: "failure to meet any terms of this agreement will immediately result in *something*." It could be a \$100 per day penalty or a \$50 per day penalty. It would be an incentive for Mr. Arndt to meet his obligation. Councilor White agreed with Councilor Cassida.

Councilor Bishop read a letter from Mike and Linda Fetters of 142 Maquoit Drive into the record submitting questions. They were unable to attend tonight's meeting. Mr. Arndt clarified that he never blocked the right-of-way. He has maintained a clear path through this right-of-way. It is a paper street. The letter was given to the Secretary to add to the public record.

Chair Rumpf clarified that he has heard concerns about clarifying the piece regarding the materials that are going to be removed in the interim and the issue of whether there should be a clearer fine. Councilor Cassida referred to Paragraph #5 of the Agreement and suggested striking references to responding to any requests by the State within 90 days. He would only keep the first two lines.

Chair Rumpf noted that the issues discussed this evening need to be addressed so it would make sense to table this item. He asked if anyone had any other concerns.

Dr. Glenn Knock of 84 Maquoit Drive is concerned that there are no provisions for the death or disability of Mr. Arndt and asked what would happen if something happened to Mr. Arndt. Councilor DeGrandpre noted that there are other members of the Foundation that would be responsible. Mr. Arndt explained that 30 people are involved in this project.

Eleanor Bachman of 116 Maquoit Drive asked Councilors to walk down and view the enormity of this project.

NOTE: Councilor Arsenault arrived at 8 p.m.

Judy Welsh of Maquoit Drive noted she wants to see Mr. Arndt complete his boat but had concerns with the exemption for personal property past the six-month period. She has viewed old cars and wants to know if they will be removed. Mr. Arndt explained that the whole project started out as a personal project so all the materials were personal. Some of them have been moved into the Foundation and in a

discussion about a list, it is difficult to decipher if it is personal property or Foundation property. His intent is to remove both personal and Foundation materials from the property and will be addressing them with Mr. Reeder. Councilor White noted that the Council should not require Mr. Arndt to remove all personal property since this would not be reasonable. Councilor Cassida suggested using some wording that would require Mr. Arndt to bring his property into compliance with Town Ordinance within that 5-year period. Discussion on requiring a performance bond in the Consent Agreement followed.

MOVED AND SECONDED: To table Item #12-05 to the second meeting in February and direct the Codes Enforcement Officer and Town Manager to work with Mr. Arndt to implement the changes discussed this evening in the Consent Agreement. (White & Beaulieu) **ROLL CALL VOTE:** (7 Ayes).

OTHER BUSINESS:

MOVED AND SECONDED: To take up Item #2 first. (Cassida & Beaulieu) **VOTE:** (7 Ayes).

2. Review of October 22, 2004 letter from the Freeport Conservation Trust concerning the Mast Landing Property.

Bob Santomenna of the Freeport Conservation Trust introduced Louisa Moore. He explained why the Mast Landing property should be preserved from development. It provides unique wildlife habitat. There is a 100-year old Mallet quarry on the property. It provides open space close to the Village center. An appraisal is underway at their expense and additional title work is being done. There are 34.8 acres involved. One of the Trust's members has made a presentation to the Planning Board regarding open space planning for the village. Ms. Moore added that the school utilizes the many nature trails, wetlands and quarry that exist on this property.

Chair Rumpf noted that the Trust would like to have an indication of whether we still have an interest in pursuing the LMF Grant and if so, what additional conditions would the Council wish to place upon it in the way of match or whether there may be Councilors who do not wish to keep this grant opportunity open. They are out of funds now and if there is no interest, they would be happy to take the money back and allocate it to other projects.

Mr. Santomenna noted that LMF continues to want to see progress on this and the Trust has given them a report. A match is needed to secure LMF funds. This property was acquired for recreational purposes and the appraisal should be available in a month or so on both Lots 7 and 2. (Lot 7 was a donated parcel with no restrictions).

Bob Stevens of Porters Landing, one of the original donors of money to the Town that was used to acquire Lot 2. He and others were excited to learn that this parcel was being acquired for recreational purposes as set forth as a condition in the deed. As an attorney, he believes that the condition that it be used for recreational purposes is enforceable. If it is not used for some 15 years, it could be used for some other municipal purpose. It is the parcel itself that needs to be used, not the proceeds from that parcel. In his view, we have a win/win situation. We have a parcel of land that needs to be used for public recreation and there is an opportunity to acquire some money to use the property in the manner it is supposed to be used anyway. He encouraged the Council to promote this and pursue completion of this application. The pressure of trying to raise money for the running track is off. More discussion followed. Councilor Beaulieu noted that she would like to see the appraisal before proceeding. Councilor White is supportive of this concept. Chair Rumpf is supportive of protecting

this property to provide open space close to the Village Center and it will be useful to get the appraisal. Councilor Cassida suggested that the Trust request that this item be put on the agenda when the completed appraisal is made available along with a specific proposal. Mr. Santomenna agreed.

1. Update on Fire/Rescue Department Reorganization

Mr. Olmstead advised that last fall, a consultant was engaged to review the organizational structure of the Fire and Rescue Departments and the results were accepted by the Council. Mr. Olmstead does not have the final proposal at this time but he is close. It is still being debated internally. The charts he provided are 90% done. He expects to bring forth the final organizational piece to the first meeting in March.

2. Informational Exchange

Chair Rumpf noted that the Council has been invited to the Regionalization Retreat tomorrow night at 6:30 p.m.

The Planning Board will also be meeting tomorrow and reviewing the recently completed Transportation Study. He made the Planning Board aware of the Council's conflicts. He asked if the Planning Board could provide an update at next week's workshop and Mr. Olmstead offered to check.

At the last meeting, the Council agreed that Chair Rumpf should review the proposed grant application for GPCOG application into the State for planning funds. He reviewed it today with Mr. Olmstead. He is comfortable with what is there but will be asking for a clarification that the work that will be done will be applicable to any Regionalization efforts around different types of services in the GPCOG territory. Mr. Olmstead noted that he expects a clarification to come by E-Mail and he will forward it on to Councilors.

Councilor Arsenault advised that he met with the Historical Society this evening. He has been trying to preserve the Soule Building down at Brewer's Boat Yard. The Wolfe Neck Farm is interested in using it as office space and will be discussing it in a meeting this week. Brewer's would pay for taking it down, cataloging it and storing it for up to two years. Architect John Orcutt has indicated that if Wolfe Neck does anything with it, it will be done this spring. It would be positioned where the hoop gardens exist overlooking Little River. It should maintain its present historical value because it would still be in the same farmland/waterfront area.

Councilor Arsenault announced that he became a grandfather this week.

MOVED AND SECONDED: To adjourn at 9 p.m. (Cassida & Beaulieu)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

2. Update on Fire/Rescue Department Reorganization

3. ~~Information Exchange~~

MOVED AND SECONDED: To adjourn at 9:05 p.m. (Cassida & Beaulieu)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #03-2005
TOWN HALL COUNCIL CHAMBERS
FEBRUARY 1, 2005 – 7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x		
John Arsenault, Prout Road	x		
Charlotte Bishop, Maquoit Drive			x
Rich DeGrandpre, Timber Ridge Road	x		
Frederick White, 45 Pleasant Hill Road	x		
James Cassida, 5 Timber Ridge Road	x		
Genie Beaulieu, P.O. Box 74	x		

Chair Rumpf called the meeting to order at 7 p.m. and noted that Councilor Bishop is excused.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #2-2005 held on January 18, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #2-2005 held on January 18, 2005 and accept the Minutes as printed. (White & DeGrandpre)

Chair Rumpf noted a formatting error at the bottom of page 5 which appeared after the Secretary's name. Mr. Olmstead's update on Fire/Rescue was written in Item 1 at the top of page 5 and Page 6 was not needed.

VOTE ON AMENDED MINUTES: (6 Ayes) (1 Excused—Bishop)

SECOND ORDER OF BUSINESS: Announcements

People are encouraged to fill out forms expressing their interest in serving on Town Boards.

Councilor Cassida advised that the Community Center architect will be presenting conceptual plans at the Project Review Board next Wednesday evening. It will be the first unveiling and everyone interested is encouraged to attend.

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

No public comments were received so Chair Rumpf moved on.

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

ITEM #13-05

To consider action relative to supporting Freeport Projects included
In the PACTS Work Plan for FY 2006/2007.

BE IT ORDERED: That the Freeport Town Council support the following
projects for the Town of Freeport outlined in the PACTS Work Plan for FY
2006/2007.

Collector Paving Projects

1. Mallett Drive from Route 1 to 0.6 miles to T-Intersections
Estimated cost - \$176,000.
2. Route 1 from West Street to Mallett Drive – Estimated
cost -\$121,000

Bicycle/Pedestrian/Other Projects

1. Route 1 – Sidewalk from Mallett Drive to Kendall Lane
on west side of road – Estimated cost - \$60,000.

BE IT FURTHER ORDERED: That the Town of Freeport acknowledge
that the standard municipal share is 15% of the cost of each project.
(DeGrandpre & Cassida)

Councilor Beaulieu noted that she is supportive of all these projects in concept but asked where the funds
would be coming from if the Council supports them. Mr. Olmstead explained where the funds would
come from. Discussion followed.

ROLL CALL VOTE (6 Ayes) (1 Excused—Bishop)

OTHER BUSINESS:

1. Consider request to relocate gate at the end of Nathan Nye Extension.

Derek Towne, landowner at 6 Cross Street, explained that he would like the gate moved back so that
he can access his back lots. He is not proposing to remove the gate completely. He is interested in
dividing his property in half. He understands the history surrounding the gate. He provided a diagram
showing what he is proposing. Discussion followed on a street-widening requirement in the
Ordinance. Chair Rumpf explained to Mr. Towne that the Council would consider approving his
request but it would be on a contingency where the road would be widened to 20' with 2'-4'
shoulders and the gate would be moved but this would all be done at Mr. Towne's expense.

Councilor White noted he is supportive in concept but would not want to put anything in motion
without knowing what the costs are and that Mr. Towne totally agrees to absorb them. Mr. Olmstead
explained that eventually the Town Council would need to adopt a motion that would allow that street
to be used for 2-way traffic. It is currently restricted to school bus use only. Mr. Olmstead is unsure
whether the gate is open and closed on a regular basis during the winter.

There was consensus to move this item to the next agenda as an action item. If the Council is going to act on it at that time, it will require better drawings. Mr. Towne was asked to review his site plan with the Public Works Director and the Town Planner at the same time and provide the costs involved in widening the road. He was also asked to show where the driveway would be located coming off his back lot.

Councilor White pointed out that he would be curious to know if there are any concrete reasons why the Superintendent of Schools would prefer that the gate not be moved. Chair Rumpf suggested discussing this at next week's workshop.

2. Update on Harraseeket River Dye Study

Chair Rumpf explained that the Town submitted comments, with the help of Rod Regier, on the draft plan this week to Amy Fitzpatrick as part of a peer review. We are waiting to get feedback from the department in response to the Town's concerns before scheduling a public discussion with the department. He assumes that this public discussion will be held the first week in March. Senator Edmonds and Representative Webster have been very helpful.

3. Discussion on Municipal and School Spending Cap Legislation

Mr. Olmstead noted that he put together a sheet showing what he suspects the impact on Freeport is going to be. The 3.4% Cap is his interpretation of what will happen in Freeport. He and Greg L'Heureux will be attending a workshop on February 16 in South Portland to discuss Cumberland County. Discussion followed. Mr. Olmstead recommends that the Council take a position to implement the Cap this year. He does not believe there is any valid reason to waive the Cap. There was consensus to move ahead from Councilors.

Chair Rumpf mentioned that last year the Council voted that if there was implementation of Question One, that all increases in State Aid to schools would be returned to the voters as tax relief. Obviously, it was the intent of the Council and it is something that will need to be revisited. He asked if this continues to be the intent of the Council. Councilors concurred that this continues to be their goal.

4. Informational Exchange.

Councilor Cassida advised that a meeting of the Subcommittee on fundraising to go over the feasibility study will be held this Thursday. He received a copy in the mail but has not yet reviewed it. Based on that meeting, he suspects the Council will see an action item on a Council agenda in the next month to charge a fundraising group for the Community Center.

Councilor White advised that the Municipal Facilities Committee will be meeting tomorrow to review a conceptual plan for a management agreement on the open space around and behind the Soule School. They have worked through to a place where they are ready to make recommendations to the Council on parking in the vicinity of March 1, barring any unforeseen occurrences.

Mr. Olmstead asked Councilors about food for next week's workshops. Chair Rumpf suggested sandwiches from the School Department and Councilor Arsenault requested chocolate coconut cookies. Councilor Cassida suggested starting the meeting at 5:30 rather than 5 p.m. and others agreed.

ITEM #14-05

To consider action relative to an Executive Session to discuss parking lease negotiations. (MRSA Title I, Section 405 §6C)

MOVED AND SECONDED: that the Council enter into Executive Session to discuss parking lease negotiations. (White & Arsenault)

VOTE: (6 Ayes) (1 Excused—Bishop)

MOVED AND SECONDED: To reconvene the meeting. (Arsenault & Cassida) **VOTE:** (6 Ayes) (1 Excused—Bishop)

MOVED AND SECONDED: To adjourn at 8:40 p.m. (White & DeGrandpre)
VOTE: (6 Ayes) (1 Excused—Bishop)

Respectfully Submitted,

Sharon Coffin

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #04-05
TOWN HALL COUNCIL CHAMBERS
FEBRUARY 15, 2005 – 7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #3-2005 held on February 1, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #3-2005 held on February 1, 2005 and accept the Minutes as printed. (Arsenault & DeGrandpre) **VOTE:** (7 Ayes)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf pointed out that a funeral service was held this afternoon for Lieutenant Mike Whitehouse of the Freeport Police Department. He expressed appreciation for all he did for the Town of Freeport. Everyone joined in a moment of silence to honor Lieutenant Whitehouse. Chair Rumpf pointed out that he will be missed.

Chair Rumpf encouraged residents to apply for the Homestead Exemption for their primary residence, if they haven't already done so. If someone has applied once, they don't have to apply again. If someone is unsure whether they applied or not, they should check their latest tax bill. There should be information on it that will indicate whether they have been credited for the Homestead Exemption last year. Councilor Bishop reiterated that there are no income limits or dependent limits. Everyone qualifies. It does not matter what anyone's income is or the value of their property, but they must submit an application.

Chair Rumpf pointed out that Monday, February 21 is Presidents Day and the Town offices will be closed.

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

There were none.

MOVED AND SECONDED: To close the Public Comment Period. (Cassida & Arsenault) **VOTE:** (7 Ayes).

FOURTH ORDER OF BUSINESS:

ITEM #20-05 To consider action relative to adopting the February 15, 2005 Consent Agenda.

BE IT ORDERED: That the February 15, 2005 Consent Agenda be adopted. (White & Arsenault)

Chair Rumpf explained the agenda to members of the public.

ROLL CALL VOTE: (7 Ayes).

ITEM #21-05 To consider action relative to the acceptance of easements from the Freeport Housing Trust.

BE IT ORDERED: That two easements from the Freeport Housing Trust dated January 19, 2005 providing for the construction of sidewalks and walking trails be accepted.

Note: The easements are located on property known as Varney Square on US Route 1. (DeGrandpre & Arsenault)

Jim Hatch, Executive Director of the Freeport Housing Trust, explained the easements. Councilor DeGrandpre referred to Exhibit A, which reads "A certain twenty-foot wide Strip of land in Freeport, Cumberland County Maine, and lying ~~fifteen~~ feet on either side of the following-described line:". He asked if it should have said 10 feet on either side or 20 feet on either side. Mr. Hatch indicated that 20 feet^{total} was the intent.

ROLL CALL VOTE: (7 Ayes).

ITEM #22-05 To consider action relative to appointing an alternative to the Regional Waste Systems Board of Directors.

BE IT ORDERED: That Gregory L'Heureux be appointed as the Town of Freeport's Alternate to the Regional Waste Systems Board of Directors. (Arsenault & Cassida).

Mr. Olmstead explained how important it is to have an alternate be appointed because critical votes will be coming up in the next few months and should he not be able to attend every meeting, Freeport will be represented.

ROLL CALL VOTE: (7 Ayes).

ITEM #12-05 Tabled January 18, 2005. To consider action relative to a consent between the Town of Freeport and the Island Rover Foundation

concerning a resolution of all pending Ordinance violations on the Foundation's property.

BE IT ORDERED: That the proposed consent agreement dated February 15, 2005 between the Town of Freeport and the Island Rover Foundation is approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to execute the agreement on behalf of the Town of Freeport. (Beaulieu & Cassida)

Mr. Olmstead pointed out that Mr. Arndt has requested an amendment to Item #10, third line from the bottom. He would like to replace irrevocable letter of credit with escrow account held by the Town. Mr. Arndt explained that he will provide the Town with a check.

MOVED AND SECONDED: To change the wording in #10 to read: To secure its timely and complete performance of its obligations under this Consent Agreement, the Foundation will, within thirty (30) days of the date of this Consent Agreement, provide the Town with an escrow account which will be held by the Town in the amount of five thousand dollars (\$5,000). (Beaulieu & Cassida) **VOTE:** (7 Ayes).

Councilor White referred to #4 and noted that it doesn't speak to the fact that there needs to be a net shrinkage in the amount of material. Councilors concurred that they were comfortable with the Code Enforcement Officer's opinion in this situation and he has the authority to work with Mr. Arndt.

ROLL CALL VOTE ON AMENDED MOTION: (7 Ayes).

OTHER BUSINESS:

1. Discussion on request from Fire Chief for the use of a Surplus Police Cruiser.

Mr. Olmstead asked Chief Fournier to put together a cost benefit analysis on what the Town may save by providing this vehicle to the Fire Department. Chief Fournier came up with estimates that were reviewed by the Finance Director and if this vehicle is put in service, it's a break-even proposition. Chief Fournier advised that this vehicle will substantially reduce the amount of time personnel use their personal vehicles but it will not eliminate it completely. Personnel will use this vehicle attending training sessions, paramedic intercepts with surrounding communities and attending staff meetings. He answered questions for Councilors.

Councilor Beaulieu pointed out it will not save money but will cost more in the long run. Now there is another vehicle in the fleet. It is the "dog of the fleet". When it needs to be replaced, the Council will be considering purchasing a new one. Chief Fournier believes

this is a good plan and assured the Council he would not be asking for a new vehicle in a few years. He will be seeking another used vehicle.

Councilor Arsenault would prefer to handle it during the normal budget process. Councilor Cassida asked Chief Fournier to come back in a year and advise whether it was a wash or if we are paying more money than anticipated. The Council will then have an opportunity to revisit it then. Councilor White does not know how frequently the fire fighters use their own cars. This is one of the steps to building up the fleet. He can support it only if the Council can review it in a year. He is confident that it will cost the Town money at some point. Councilor DeGrandpre asked Chief Fournier to put this vehicle and its maintenance into his budget where he can keep track of it for a year. Chief Fournier doesn't want to have to come back in a year. His budget will not allow for vehicle maintenance to overrun. Councilor Beaulieu noted that once a vehicle is added to the fleet, in government it gets really difficult to take that car away. This may be a wash as far as the dollars but this is not going to take care of all of the mileage so the Council is still looking at mileage and the vehicle. Councilor Beaulieu strongly recommended waiting to review this as part of the budget and not as a special request at this time.

Chair Rumpf noted that there appears to be some support but the timing is off. Mr. Olmstead added that should the vehicle come out of service before the budget discussion, it will be set aside.

2. Report from the Municipal Facilities Committee on its recommendations for the Soule School property.

Chair White of the Municipal Facilities Committee mentioned that everyone has a packet of information. They are hoping to review three components of their project:

1. Give the Council an update on the lease agreement with Doten's and First Step.
2. Bring recommendations specific to the use and preservation of the open space.
3. Bring recommendations for parking other than what supports the use of the building.

What is needed from the Council is authorization to refer the parking solutions to Staff Review for consideration. They would also like authorization to move ahead with the open space by authorizing the Town Manager to begin formal discussions with the Conservation Trust and citizens that want to be involved.

Councilor White noted that the committee was charged with looking at the Soule School property. A decision was made to save the building and use it as a day care or school. They solicited input from South Freeport residents and used an RFP process for viable uses. The committee selected Doten's RFP and entered into discussion with them. Doten's have a lease agreement setting in their office. The agreement is that they will sublet to First Step. First Step has decided to not move forward. The committee has given Doten's a deadline of February 17 at 6 p.m. to bring a tenant that has signed on with them that meets the committee's requirements. If they cannot meet that deadline, the committee has scheduled a meeting on Thursday and will decide where to go next.

The committee has asked Mr. Olmstead to work with the Conservation Trust, the Conservation Commission as well as interested folks to develop a management plan on the open space. If for any reason the school shall cease being used for school use and taken down, this property can be rolled into the open space and the easement.

Councilor Beaulieu noted that the park should be located in the front because parked cars are not very attractive. She extended the blue line on the plan. She would like to hold some options open.

Councilor Cassida advised that this is open space and in its current form it can be used as a park without any kind of conservation easement. It does not limit 10 years or 20 years from now going back and looking at it again and saying now today, the best use of that space is something else. He is opposed to a restriction. He would like all of it to be a park.

Councilor Bishop can support a partial easement on the back of the property but does not want to limit the front part where she may want access. At this time, she noted that the committee does not know that what was planned will even work out.

Chair Rumpf pointed out that a lot of the back property is wet and there is a drop off that will require fill. Councilor DeGrandpre agreed that there are drainage challenges in the rear.

There is a majority of the Council in support of this piece so Mr. Olmstead can move ahead with the Conservation Commission and Conservation Trust. The Council would have to vote on the easement so a public hearing will be scheduled.

Parking—Councilor White referred to a map that Mr. Presgraves drew up showing the gravel area that has 24 parking spaces. Additional spots would require fill. Signage would be allowed for enforcement. Overnight parking would be permitted in the 24 parking spaces. This concept was reviewed by Traffic and Parking today. Whether to allow 24 hour parking on South Freeport Road will have to be determined. The silver bullet requires 2 spaces. In total on this footprint, there are 37 spaces. There will be 24 in the rear, which permits overnight parking, 9 for the school, 2 in front for drop-off and 2 for the silver bullet. Residents of Freeport will be parking there. He would like Council support in sending this to Staff Review if the lease is worked out.

Councilor Beaulieu is interested in hearing how residents feel about parking. Chair Rumpf asked for public comments. The following people spoke: Sandra Drake, Guy Quartrucci, Faith Baker, and Mary Eliza Wengren. Wendy Betts had questions for Councilors. Discussion followed.

Councilor Beaulieu asked about next steps. Mr. Olmstead will work with the Conservation Trust and Conservation Commission and will bring back a formal recommendation that will be very clear on the boundaries. Mr. Olmstead added that the conservation piece will be available in late March.

3. Confirm Appointments Committee meeting.

Mr. Olmstead pointed out that this is not the final agenda. It may change slightly. He asked committee members if the 6 p.m. time slot on March 1 works. There was consensus that this is fine. Councilor Bishop pointed out to the public the various boards that are in need of new members and that meetings are generally held once a month. She encouraged residents to come in and fill out a form.

4. Update on Nathan Nye Extension request.

Mr. Olmstead explained that Derek Towne has asked for more time to explore his options. He's not ready to return.

5. Informational Exchange.

Chair Rumpf had a question regarding the Public Utilities Commission's proposal to establish a process for reducing the number of PSAPS from 48 to 24. He asked Mr. Olmstead what is the status of Freeport's negotiations with Brunswick. Mr. Olmstead suspects that when the consolidation of PSAPS is finalized by the State, there is a strong likelihood that Brunswick will continue to be a PSAP and Freeport probably will not. He clarified that a dispatch may not necessarily be a PSAP but we can have a dispatch without it being designated a PSAP. Freeport is currently a PSAP. The State will decide who will be a PSAP. (PUBLIC SAFETY ANSWERING POINT)

Councilor Beaulieu asked for an update on heavy trucks on Route One. Mr. Olmstead explained that there are bills in the U.S. House and U.S. Senate. The bills are not going very far as he understands it but he read an article in *The Aroostook Republican* that Olympia Snowe wrote talking about her commitment to getting her piece of legislation approved. This issue can be discussed with Tom Allen when he meets with the Council.

Adjournment

MOVED AND SECONDED: To adjourn at 9:25 p.m. (Arsenault & Beaulieu) **VOTE:** (7 Ayes).

Respectfully Submitted,



Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #05-2005
TOWN HALL COUNCIL CHAMBERS
MARCH 1, 2005 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenaunt, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #4-2005 held on February 15, 2005 and accept the Minutes as printed.

Mr. Olmstead pointed out that the Town Clerk has asked for a clarification on Item #21-05 regarding the 20'. Councilor DeGrandpre clarified that the language should have read "20 feet in total." Other Councilors concurred.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #4-2005 held on February 15, 2005 and accept the Minutes as amended.
(Arsenaunt & Bishop) **VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Mr. Olmstead noted that there will be a town-wide mailing going out in the next two weeks. In that mailing will be applications for Boards and Committees. Chair Rumpf encouraged members of the public to fill out the application form and return it to the Town Office. Boards in need of new members are the Planning, Project Review and Winslow Park.

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

Joe Migliaccio of South Freeport Road explained that he would be away next week. He wanted to provide comments for the upcoming budget discussions and preparation of the annual report. He is hoping that there will be user-friendly information provided including trending analysis as well as a 10-year graph on tax burden indexing, school spending targets, goals, etc. Mr. Olmstead noted he is not sure developing past trends will help with future trends but he can develop the charts. Discussion followed. Chair Rumpf agreed that it would be helpful to have what the

changes in the mill rates and increases in the Town and School budgets have been in the last 4 or 5 years.

FOURTH ORDER OF BUSINESS:

ITEM #25-05 To consider action relative adopting the March 1, 2005 Consent Agenda.

BE IT ORDERED: That the March 1, 2005 Consent Agenda be adopted. (Beaulieu & Arsenault)

Chair Rumpf explained what was on the Consent Agenda to members of the public. Mr. Olmstead explained what the Dr. Gould Trust Fund is.

ROLL CALL VOTE: (7 Ayes).

ITEM #26-05 To consider action relative to adopting a Five Year Capital Plan and approving a Capital Budget for Calendar Year 2005.

BE IT ORDERED: That a Public Hearing be scheduled for March 15, 2005 at 7:00 p.m. to discuss the adoption of a Five Year Capital Plan and approving a Calendar Year 2005 Capital Budget.

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

Chair Rumpf pointed out the workshop that is scheduled next Tuesday on the Capital Budget. The public is invited to attend. Councilor White asked for a list of fleet vehicles. Mr. Olmstead explained that he has packets to distribute Councilors later in the meeting.

ROLL CALL VOTE: (7 Ayes).

ITEM #27-05 To consider action relative to authorizing a Fund Raising Drive for the Proposed Community Center.

BE IT ORDERED: That A fund Raising Drive for the Proposed Community Center Project be authorized.

BE IT FURTHER ORDERED: That the following individuals be appointed to the Fund Raising Committee.

Robert Stevens, Chair	Judy Miskell
Ed Bradley	Marty Robles
Steve Brown	Betsy Ruff
Vaughndella Curtis	Carol Southall
Rich DeGrandpre	Tom Whelan
Edie Dubord	John White
Nancy Gray	

(Cassida & Bishop) Mr. Cassida suggested a few changes and made recommendations. Discussion followed.

MOVED AND SECONDED: To include the following charge:

Committee Purpose: To conduct a fundraising drive to raise \$1,500,000.00 to augment existing public funds for construction of a Community Center in the Town of Freeport.

Deadlines:

1. The Committee will raise \$900,000 in cash and legal pledges by December 1, 2005 in order to ensure the Town's commitment to construction of the Community Center.
2. The Committee will complete its goal of \$1,500,000.00 in cash and legal pledges by August, 2006. Every effort will be made to minimize the extent of multi-year pledges.

Reporting: The Committee Chair will report monthly to the Town Council and/or Town Manager on the progress of the fundraising effort. (Cassida & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ROLL CALL VOTE ON AMENDED ORDER: (7 Ayes).

Chair Rumpf thanked the members of the fundraising committee

ITEM #28-05 To consider action relative to the Municipal Facilities Committee Recommendations on the use of the Soule School Building and Soule School Property.

MOVED AND SECONDED That the Committee report on its final recommendations.

BE IT ORDERED: That the Committee recommendations be approved.

BE IT FURTHER ORDERED: That the Town Manager be authorized to execute the lease agreement between the Town of Freeport and L'Ecole Francaise du Maine for the use of a portion of the property designated in the document titled "Future of the Soule School Property – Option #3 – dated 2/22/05.

BE IT FURTHER ORDERED: That the lease agreement be amended to reflect the operating weeks of the tenant, be conditioned on Staff Review approval, and the tenant providing letters of credit acceptable to the Town. (White & Arsenault)

Councilor White gave some background information and summarized the Municipal Facilities Committee's recommendations. Councilor DeGrandpre pointed out that the French School will be in operation in September and has agreed to complete the improvements within one year of the execution of the lease. Discussion followed.

Councilor Arsenault voiced concern with placing the land in a conservation trust. It belongs to all Freeport residents and land is too valuable to tie it up. He feels it is possible to have green space without doing this. He does not want to give it away. It is getting harder to get access to the water. Councilor Cassida noted it is possible to have a park without putting it in a trust. Councilor White explained that tough decisions have to be made about critical aspects to have a viable community and the involved residents noted that this green space does not have to be purchased and is important to the village center.

Councilor Beaulieu explained that she has heard from residents that do not attend meetings and is not comfortable going the extra step to put the easement on the land. Councilor Bishop noted she is comfortable with the easement.

Chair Rumpf opened the meeting up to members of the public that have new pieces of information to share.

Joe Migliaccio asked the Council to consider doing some traffic safety studies because there are no sidewalks in this area. Councilor White noted that the Town Engineer will be looking into this area.

Councilor Cassida thanked the committee for all their efforts. He will be voting favorably. Councilor Beaulieu advised that she will be voting against this issue, thinking of all Freeport residents. Councilor Arsenault indicated he would be voting no because the Town is only getting 40% and the Trust is getting 60%.

MOVED AND SECONDED: To amend the **BE IT ORDERED** to include the Committee recommendations dated March 1 be approved.

- Lease building and property within the red lines to the L'Ecole Francaise du Maine;
- The Town Manager be authorized to sign the lease pending Staff Site Plan Review and the submission of the required letters of credit;
- The parking area outlined in the proposed site plan dated February 2, 2004, prepared by the Town Engineer, be submitted to Staff Review for approval;
- The area outside of the blue and red lines be subject to a permanent conservation easement to be held by the Freeport Conservation Trust; and
- The Conservation Commission be charged with developing a Management Plan for the open space with input from the Friends of Soule School and any other interested parties.

Note: The cost of developing the parking area is estimated to be less than \$10,000 and is recommended to come from the Traffic and Parking reserve fund. (White & Cassida). **ROLL CALL VOTE:** (5 Ayes) (2 Nays—Arsenault & Beaulieu).

ROLL CALL VOTE ON AMENDED ORDER: (5 Ayes) (2 Nays—Arsenault & Beaulieu).

Chair Rumpf thanked everyone who worked on this effort.

ITEM #29-05

To consider action relative to a proposed amendment to the Zoning Ordinance concerning the definition of an "Automobile Graveyard". (Chapter 21)

BE IT ORDERED: That a Public Hearing be scheduled for March 15, 2005 at 7:00 PM in the Town Hall Council Chambers to discuss a proposed amendment to the Zoning Ordinance concerning the definition of an "Automobile Graveyard".

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

on Freeport's local cable channel 7 and the Town's website.
(Arsenault & Beaulieu)

Mr. Olmstead explained that this change will bring the Town's Ordinance in line with new State language. Discussion followed.

ROLL CALL VOTE: (7 Ayes).

OTHER BUSINESS:

1. Discussion on Burr Cemetery Association's request to take possession of Trust Funds currently held by the Town of Freeport.

Attorney, John Moncure, explained that the Association is seeking to have the perpetual care funds turned over to it. They are concerned with the return on the fund and believe they can do a better job with the money. He has had discussions with Mr. Olmstead and Jeff Hold a number of times on how it can be done and he wants to start the process. The Association will assume all responsibility for the care of the lots. Chris Stilkey, president of Burr Cemetery Association noted they will accept any future money and will put it in trust. The Association will take care of all the legal costs. The Town is responsible for the care of Veterans' graves. Discussion followed. Mr. Olmstead is not opposed to this request and there was no opposition from Councilors.

2. RWS Update.

Mr. Olmstead explained that they voted to reorganize and will begin meeting quarterly. There will be one representative per town. Freeport will be in a district with Cumberland, Yarmouth and North Yarmouth. The Chairs of each Council met to talk about appointing Board representatives for each town. He offered to contact the other managers to get this process started if Councilors agrees. There was no opposition.

Mr. Olmstead noted that RWS is working on amendments to the RWS bylaws to eliminate the sunset provisions. Currently the system is scheduled to cease to exist in 2014 and each town will be asked if it would like to eliminate that termination date and allow the relationship to continue as far in the future as that community would like. Guidelines will be set on how a community can exit the system or join the system. The Board will be moving on refinancing its debt. The vast majority of the Board does not favor extending the debt beyond 2014 but there are some who would like to restructure the debt within the same term. The highest debt service payments are right now and in the years 2012, 2013 and 2014, those payments drop to a fraction of what they are today. Some communities would like to levelize that debt over the ten-year period to lower the tipping fee immediately. It will cost about a million dollars to do that over a ten-year period. Freeport has consistently voted to not restructure the debt either within the term or extend the debt. He believes we are at the highest our tipping fees will be. Hopefully, they will go down from here. He encouraged the Council to continue to support

refinancing the debt to achieve a lower interest rate but keep the same structure.

Chair Rumpf noted that he has been favorably impressed with the efforts of the new general manager of RWS. He complimented the hiring committee on making a good choice.

3. Capital Budget Presentation

Chair Rumpf pointed out that there is a workshop scheduled next Tuesday. Mr. Olmstead gave a brief overview and asked that Councilors hold their questions until the workshop. He is interested in receiving feedback on additional materials Councilors would like to see in addition to a vehicle list. The packets include the 20-year spreadsheet on capital needs, last year's approved capital budget and some other documentation on capital budget. He noted that last year we used fiscal year '05-'09. This year Greg L'Heureux wants to use calendar year '05-'09 because it is easier for him to track.

Mr. Olmstead does not make recommendations on school requests. He explained his recommendations on other requests such as police, fire, rescue, public works, etc. He assured Councilors that department heads will be on hand to answer questions as well as the Recreation Committee if they have a budget request. If anyone wants any additional information, they should contact Mr. Olmstead before the meeting.

4. Informational Exchange.

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

Councilor Arsenault explained that Chip Gray of Harraseeket Inn is looking for Council support to place a bid on an RFP from the Maine Tourism Association on an antique classic auto tour in the Town of Freeport in 2006. A copy of the RFP was given to Councilors. He read a letter from Mr. Gray into the record explaining the event and what it could provide to the hosting town. He asked that a letter be drafted by the Town Council stating that it would like to have the event held here. Mr. Gray will hire a police officer. He has asked if a key to the town could be given. Mr. Olmstead noted that he has several keys.

Councilor Cassida noted his willingness to provide a letter on behalf of the town supporting this event but is hesitant to commit any funds. He urged Mr. Gray to work with the Merchants Association to bridge any financial gaps. There was no opposition to providing the letter. Mr. Olmstead suggested referring Mr. Gray to the Police Chief to work out hiring a police officer.

Chair Rumpf noted that Councilors were provided with a letter from the Public Works Director explaining the posting of roads. Mr. Plummer explained that Yarmouth, Pownal and Brunswick posted their roads last week. He held off one week. The basis of his decision is consistently made in the interest of protecting Town roads and preventing costly damage. He explained the process of issuing permits. Last year he issued more than 100 permits and for the most part, it worked well. He has tried to be flexible but decisions need to be made on a daily basis. There are times when permits are denied. Discussion followed.

Rick Harrison, Lawrence Ingerson and Ben Bailey explained that they are trying to make a living and try to comply with the road closures. They disagree that the roads need to be posted at this time since the weather is so cold. They know that if they tear up a road in front of their job sites, they are going to fix them. Reasonableness is the issue. Discussion followed. They each indicated a willingness to work with Mr. Plummer.

Mr. Olmstead will work with Mr. Plummer to grant permits. Everyone agreed that there was confusion or miscommunication involved.

ITEM #30-05

To consider action relative to an executive session to discuss an offer to purchase a piece of municipal property located on the Desert Road and to discuss the status of negotiations on Town owned property located on West Street. (1 MRSA – Section 405 – Section C).

MOVED AND SECONDED: That the Town enter into executive session. (White & Cassida) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the Town Council reconvene. (DeGrandpre & Bishop) **VOTE:** (7 Ayes).

Adjournment

MOVED AND SECONDED: To adjourn at 9:58 p.m. (DeGrandpre & Arsenault) **VOTE:** (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Sharon Coffin
Council Secretary

**FREEPORT TOWN COUNCIL MEETING #06-2005 MINUTES
TOWN HALL COUNCIL CHAMBERS
MARCH 15, 2005 – 7:00 PM**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #5-2005 held on March 15, 2005 and accept the Minutes as printed.

Chair Rumpf referred to the third paragraph on page 8 and amended the wording to read that Mr. Olmstead will work with Mr. Plummer *to refine the procedures and guidelines used in the granting of permits when roads are posted.*

Mr. Cassida referred to the last paragraph on page 4 and amended the wording to read: *Although he is opposed to granting the conservation easement, he will be voting favorably.* Other Councilors concurred with the changes.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #5-2005 held on March 1, 2005 and accept the Minutes as amended. (Arsenault & White). **ROLL CALL VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf commended the Freeport Boys and Girls Ski Teams for winning the combined Class C Ski titles at the State meet. He wanted everyone to be aware of their great successes.

Chair Rumpf mentioned that applications for Town boards and committees were sent out in a recent Town mailing. He encouraged members of the public that may have an interest in serving to fill them out and return them to the Town Hall for consideration.

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

There were no members of the public wishing to speak so Chair Rumpf moved on to the next order of business.

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

ITEM #33-05 To consider action relative to adopting the March 15, 2005 Consent Agenda.

MOVED AND SECONDED: That the March 15, 2005 Consent Agenda be adopted. (White & Cassida)

Councilor Beaulieu asked about the Victualer's license for the Stone House. Mr. Olmstead indicated that the Stone House is tax exempt but the application fee is forth coming and the application won't be released without collecting the fee. All other license fees have been paid. Chair Rumpf noted that the Stone House Manager has offered the Town free space for community functions in the future if the Council or other committees or boards would like to use their facility depending upon its availability. Anyone planning a retreat, etc. should work through the Town Manager to secure space.

Chair Rumpf highlighted the items on the Consent Agenda for members of the public.

Councilor Arsenault advised that there is an opening on the Planning Board as well as Winslow Park. Councilor DeGrandpre urged members of the public to consider filling out the applications that arrived with their tax bills to serve on Boards and Committees.

ITEM #34-05 To consider action relative to adopting a Five Year Capital Plan and approving a Capital Budget for Calendar Year 2005. (Public Hearing)

MOVED AND SECONDED: That the Public Hearing be opened.
(DeGrandpre & Beaulieu) **VOTE:** (7 Ayes).

Chair Rumpf noted that the Council held a workshop before tonight's meeting and it will be continued after the meeting. Mr. Olmstead noted that the capital budget is on the web and has been available to the public for two weeks. The vote is scheduled on April 5. Councilor DeGrandpre asked if the public would be able to ask questions on the 5th since it will be an agenda item. Chair Rumpf advised that if there is considerable interest from the public on the 5th, some time will be given for public comment.

Charles Fischman of 195 Main Street referred to the Main Street sidewalk, Kendall Lane to the Baptist Church. He mentioned his support for this item. He is happy to see it is coming up. Mr. Olmstead explained that there is a strong likelihood that this item will be funded next year because of PACTS. Mr. Fischman also mentioned the Island Explorer buses being used at Acadia National Park and suggested that the Council consider using similar vehicles for short school bus trips being repeated throughout the day in Freeport. Councilor DeGrandpre advised that all of the new buses have to meet the new diesel emissions standards so they are quite a bit cleaner than they used to be.

Rod Regier made reference to the proposed reduction of debt mentioned by Chair Rumpf. Mr. Regier is opposed to incurring interest expenses unnecessarily and feels that just because someone doesn't want to claim a budget item, it is not good fiscal policy. He noted that school buses, technology improvements, firefighters' uniforms, dump trucks, etc. are recurrent costs. He

believes there are a number of items in the Capital Plan that are annual expenses. He encouraged Councilors to recognize what are genuinely capital expenses and what are genuinely bondable capital expenses and those that are not. He challenged Councilors to find ways to use current money to pay for current costs. Discussion followed. Chair Rumpf noted that the vote would be taken up next month. The Council will be doing more workshoping. There are opportunities for the public to contact their individual Councilors or the Town Manager with questions.

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

MOVED AND SECONDED: That Item #34-2005 be tabled until April 5, 2005. (DeGrandpre & Cassida) **VOTE:** (7 Ayes).

ITEM #35-05 To consider action relative to an application for an Alcoholic Beverage License for the Hilton Garden Inn. **(Public Hearing)**

MOVED AND SECONDED: That the Public Hearing be opened. (Arsenault & Cassida) **VOTE:** (7 Ayes)

Mr. Olmstead explained that this is a new application which requires a public hearing before the Council. No taxes have been assessed as of this time.

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

BE IT ORDERED: That the application for an Alcoholic Beverage License issued to Inn Freeport, LLC d/b/a the Hilton Garden Inn, 5 Park Street, be approved. (Arsenault & Bishop) **ROLL CALL VOTE:** (7 Ayes).

ITEM #36-05 To consider action relative to a proposed amendment to the Zoning Ordinance concerning the definition of an "Automobile Graveyard". **(Public Hearing)**

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

Mr. Olmstead noted that there are 8 exemptions to the definition and Councilors were provided with a copy of them.

Chair Rumpf explained that this is basically to amend the definition in our Zoning Ordinance to comply with the definition that is currently in State law.

MOVED AND SECONDED: That the Public Hearing be closed.
(Arsenault & Beaulieu) **VOTE:** (7 Ayes).

BE IT ORDERED: That the proposed amendment to the Zoning Ordinance be approved. (Beaulieu & Bishop)

Councilor DeGrandpre explained that he is much more comfortable seeing what is exempted because of hobbyists that restore cars, tractors, etc. Councilor Cassida pointed out that the Council would not typically include a copy of 29-A, but it might be useful to the public to see the definition along with the list of exemptions.

Councilor Beaulieu asked if it would make more sense to amend the Ordinance to include the whole section as our Ordinance rather than simply attaching the definitions.

MOVED AND SECONDED: To amend this proposed amendment to include all of the language starting from A. "Automobile graveyard" does not include and the list of 8 exemptions. (Cassida & Arsenault) **VOTE: (7 Ayes).**

FREEPORT ZONING ORDINANCE CHAPTER 21

Section 104 – Definitions

Junkyard:

a.) Automobile Graveyard: ~~a yard, field or other area used as a place of storage for three or more unserviceable, discarded, worn out or junked motor vehicles.~~

"Automobile Graveyard" means a yard, field or other outdoor area used to store 3 or more unregistered or uninspected motor vehicles, as defined in Title 29-A, Section 101, Subsection 42, or parts of the vehicles. "Automobile graveyard" includes an area used for automobile dismantling, salvage and recycling operations.

A "Automobile graveyard" does not include:

- (1) An area used for temporary storage of vehicles or vehicle parts by an establishment or place of business that is primarily engaged in doing vehicle repair work to make repairs to render a motor vehicle serviceable. In order for a vehicle's storage to be considered temporary, it must be removed from the site within 180 calendar days of its receipt;
- (2) A area used by an automobile hobbyist to store, organize, restore or display antique autos, antique motorcycles, classic vehicles, horseless carriages, reconstructed vehicles, street rods or parts of these vehicles as these vehicles are defined in Title 29-A, Section 101 as long as the hobbyist's activities comply with all applicable federal and state statutes and rules and municipal ordinances, other than ordinances that are more restrictive than this subsection regarding the storage of vehicles or vehicle parts that are collected by a hobbyist. For the purposes of this subparagraph, an automobile hobbyist is a person who is not primarily engaged in the business of selling any of those vehicles or parts from those vehicles;
- (3) An area used for the parking or storage of vehicles, vehicle parts or equipment intended for use by a municipality, quasi-municipal entity or state or federal agency;

- (4) An area used for the storage of operational farm tractors and related farm equipment, log skidders, logging tractors or other vehicles exempted from registration under Title 29-A, Section 851;
 - (5) An area used for the parking or storage of vehicles or equipment being offered for sale by a dealer, equipment dealer, trailer dealer or vehicle auction business as defined in Title 29-A, Section 851;
 - (6) An area used for the storage of vehicles by an establishment or place of business that is primarily engaged in business as a new vehicle dealer as defined in Title 29-A, Section 851;
 - (7) An area used for temporary storage of vehicles by an establishment or place of business that is primarily engaged in business as an insurance salvage pool. In order for a vehicle's storage to be considered temporary under this subparagraph, the vehicle must be removed from the site within 180 days of receipt of title by the business; or
 - (8) An area used for the parking or storage of operational commercial motor vehicles, special equipment or special mobile equipment as defined in Title 29-A, Section 101 that is temporarily out of service but is expected to be used by the vehicle or equipment owner or by an operator designated by the owner. This subsection does not exempt an area used for the parking or storage of equipment or vehicles that are not operational while stored or parked in the area.
-

OTHER BUSINESS:

1. Recommendations on Fire/Rescue Department Reorganization.

Chief Fournier explained that a Management Study was done and some good improvements have since been made. Organization charts were provided to Councilors. Discussion followed. Chief Fournier noted that not everyone is happy with the reorganization but he believes the improvements are workable.

Councilor Beaulieu asked if the NET program is making money or losing money. Chief Fournier indicated he was not prepared to discuss it this evening. Chair Rumpf requested that this be added to next month's agenda.

2. Update on Nathan Nye Street improvement request.

Mr. Olmstead explained two meetings ago a gentleman requested that the Council make some improvements to Nathan Nye Street so he could access a rear lot that he owns behind his home. The Council requested that he work with the Town Planner and the Public Works Director to determine the improvements needed and their costs. The Council indicated that the applicant would have to pay for the improvements. As the investigation moved on, costs began to mount. The applicant has determined that he can access the rear lot through his driveway so he has withdrawn the request to improve the street.

3. Update on the Soule School Property.

Mr. Olmstead explained that the Town has not executed the building lease. The French School folks have scheduled a meeting with the Town Planner to determine what they need to do in order to go before the Staff Review Board. Ms. Larson hopes to have their application before the Staff Review Board in April.

Mr. Olmstead has met with Bob Santomenna of the Conservation Trust and discussed the easement. He has provided Mr. Santomenna with a map and the various dimensions of the red and blue areas not covered by the conservation easement. Mr. Santomenna will go back to the Trust for a formal vote on the acceptance of the easement. They will prepare the easement and submit it to the Town for review and final action by the Council.

On the management portion, Mr. Olmstead talked to Caroline Kurrus of the Conservation Commission and tried to put the Friends of Soule School and the Conservation Commission together to begin discussing the management plan for the park portion and the open space portion of the property. Those discussions are beginning.

Regarding the parking piece, the Town Planner plans to have Staff Review of the parking area take place at the same time as the site plan review of the building area takes place. In April he expects the Staff Review Board to consider both the site plan for the building and the land that goes with the building and the parking in the rear. The Staff Review Board meets the first Tuesday of each month at 1 p.m.

4. Information Exchange.

Councilor Cassida advised that the Community Center received approval from the Project Review Board last week and a Design Review Certificate. They are now working on getting bid documents together to put the project out to bid to get some firm prices. The Building Committee has agreed to enter into a contract with Gary Friedman Associates for the fundraising component of the project. The Fundraising Committee will be meeting for the first time tomorrow morning. They are making progress.

MOVED AND SECONDED: To adjourn at 8:50 p.m. (Arsenault & Bishop)
VOTE: (7 Ayes).

Respectfully Submitted,



Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #07-2005
TOWN HALL COUNCIL CHAMBERS
APRIL 5, 2005 – 7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #6-2005 held on March 15, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #6-2005 held on March 15, 2005 and accept the Minutes as amended. (Cassida & Bishop) **VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf encouraged anyone interested in serving on Town boards and committees, to apply through the Town Council. An application can be found on the Town's website.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #37-05 To consider action relative to an application for an Alcoholic Beverage License for the Mediterranean Grill (**Public Hearing**)

MOVED AND SECONDED: That the Public Hearing be opened. (White and Cassida) **VOTE:** (7 Ayes).

There were no public comments. Mr. Olmstead explained that this is a new restaurant opening on School Street. All taxes and fees have been paid on the property.

MOVED AND SECONDED: That the Public Hearing be closed. (White and Arsenault) **VOTE:** (7 Ayes).

BE IT ORDERED: That the application for an Alcoholic Beverage License issued to Mediterranean Grill, d/b/a LLC Mediterranean Grill, 10 School Street be approved. (White & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ITEM #38-05 To consider action relative to proposed amendments to the Alarm Systems Ordinance concerning the types of alarms to be registered. (Chapter 14).

BE IT ORDERED: That a Public Hearing be scheduled for April 26, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Alarm Systems Ordinance.

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

Mr. Olmstead explained the reason for the amendments.

ROLL CALL VOTE: (7 Ayes).

ITEM #39-05 To consider action relative to proposed amendments to the Administrative Code concerning Fire and Rescue Department Organization (Chapter 2)

BE IT ORDERED: That a Public Hearing be scheduled for April 26, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Administrative Code.

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

Chair Rumpf explained that this is to officially recognize the combination of Fire and Rescue under one leadership, which has been discussed for sometime. This proposal has support from the Fire and Rescue Departments.

ROLL CALL VOTE: (7 Ayes)

ITEM #40-05 To consider action relative to accepting a Volunteer Fire Assistance Grant for the purchase of Wildland Fire Equipment.

BE IT ORDERED: That the Volunteer Fire Assistance Grant in the amount of \$3,784 be accepted.

NOTE : A local share of \$1,892 or 50% is required. (Beaulieu & White)

Chair Rumpf explained that this requires a small match to provide equipment to fight brush and forest fires and is provided by the Maine Forest Service.

ROLL CALL VOTE: (7 Ayes).

MOVED AND SECONDED: To pass on Items 41-05 and 42-05 until Assistant Chief Conley arrives later this evening. (Cassida & DeGrandpre)
VOTE: (7 Ayes).

ITEM #34-05 Tabled March 15, 2005. To consider action relative to adopting a Five Year Capital Plan and approving a Capital Budget for Calendar Year 2005.

BE IT ORDERED: That the Five Year Capital Plan for Calendar Years 2005 to 2009 be approved.

MOTION: To amend the Five Year Capital Plan as follows: Article VII Comprehensive Town Improvements add to year 2006 – Road Reconstruction on U.S. Route 1 from Mallett Drive to Kendall Lane \$81,000 (Local Match).

BE IT FURTHER ORDERED: That the following Capital Budget Items be funded for Calendar Year 2005.

Instead of reading the complete item:

MOVED AND SECONDED: To accept the 5-year Capital Plan for calendar years 2005-2009 as printed on the agenda for this evening. (Bishop & DeGrandpre) **VOTE:** (7 Ayes).

Chair Rumpf pointed out that through discussions between Town and School leadership, a decision was made to reduce certain items and change some of the funding on certain items with

the objective to avoid additional bonding this year.

Mr. Olmstead walked everyone through the amendments which were agreed to as a result of the recommendations that he and the Finance Director made at this morning's meeting.

The goal was to fund the capital budget without any new borrowing or bonding. He noted that Freeport's application for improving Pleasant Hill Road has been funded by the State. Instead of \$600,000, there will be a savings of \$200,000 but if we don't build the ATL, we won't get the grant. Councilor White explained his safety and water flow concerns on Pleasant Hill Road. Other Councilors concurred how unsafe it is to bike and walk on Pleasant Hill Road and that an additional lane may help. There was general agreement to accept the DOT grant for Pleasant Hill Road improvements and putting it back into the budget.

MOVED AND SECONDED: To amend the original Item #34-05 as follows:

School Department

- Item #3 Eliminate Paving/Resurfacing Drives – Morse Street and High School
Total \$71,850
- Item #8 Reduce Middle School window replacement from \$60,000 to \$56,850

Fire Department

- Item #3 Eliminate Service Vehicle – Total \$19,000

Public Works Department

- Item #1 Change Road Grader Replacement to Road Grader Repair and reduce the amount from \$180,000 to \$30,000

Comprehensive Town Improvements

- Items #2,3,4 and 5 Pleasant Hill Road Project – Reduce the total amount from \$296,000 to \$200,000
-

Use of Reserves

School Reserves

- Increase amount from School Reserves from \$150,000 to \$202,000
- Revert balances in past School Capital Accounts to the School Reserve Fund as outlined in the March 29, 2005 memo from Diane Boucher to Greg L'Heureux. Total \$42,456.23

Fire Department Reserves

- Reduce the amount from 53,000 to \$34,000

Public Works Reserves

- Reduce the amount from \$180,000 to \$30,000

Comprehensive Town Improvement Reserves

- Reduce the amount withdrawn from \$146,000 to \$136,000.

(Bishop & DeGrandpre) VOTE: (7 Ayes).

School

1. Technology Upgrades	121,500
2. 84-Passenger Bus	70,000
3. Paving/Resurface Drives-Morse Street & High School	71,850
4. Mast Landing – Sidewalk Replacement (Part 2)	31,350
5. High School – Carpet Replacement –Classrooms (main hallway)	11,700
6. High School – Kitchen Steamer	12,600
7. Fire Alarm Panels – Morse Street & Middle School	18,500
8. Middle School – Window Replacement (older)	60,000 \$56,850
9. Morse Street – High School Parking Lot Lighting	18,000
10. High School- Unit Heaters (1A Section)	34,500

Police

1. Public Safety Audio Recording System	20,000
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Fire

1. Protective Clothing	14,000
2. Thermal Imaging Cameras – One unit	20,000
3. Service Vehicle (used)	19,000

Rescue/EMS

1. Protective Clothing	14,000
2. Rescue 2 Replacement	135,000
3. Blood pressure Monitor for LIFEPAK 12s	10,000

Public Works

1. Road Grader Replacement (1984)	180,000
Road Grader Repair	30,000

Solid Waste / Recycling

1. Two Open-Topped 40 Yard Containers	10,000
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Comprehensive Town Improvements

- | | |
|--|--------------------|
| 1. Grove Street Widening | 30,000 |
| 2. Pleasant Hill Road Reconstruction – Phase I | 74,000 |
| 3. Pleasant Hill Road Drainage – Phase I | 74,000 |
| 4. Pleasant Hill Road Ledge Removal | 74,000 |
| 5. Pleasant Hill Road (ATL, Bicycle Lane, Walk Path) – Phase I | 74,000 |
| | Reduced to 200,000 |

DESTINATION TIF VILLAGE IMPROVEMENTS

- | | |
|--|--------|
| 1. Sidewalk Improvements–Main St, east, north of Grove St to Church | 26,500 |
| 2. Sidewalk Improvements–Main St, east, Pet Pantry Driveway to Davis Ave | 59,000 |
| 3. Sidewalk Improvements–Main St, east, Davis Ave to Harraseeket | 29,000 |
| 4. Sidewalk Improvements–School St, north-Main St to Church parking lot | 20,100 |
| 5. Sidewalk Improvements–School St, north -Church parking lot to RR tracks | 21,700 |
| 6. Sidewalk Improvements–Main St, Mechanic St, to School Street | 36,000 |

Municipal Facilities

- | | |
|--|--------|
| 1. Interior Painting – Town Hall and Public Safety | 10,000 |
| 2. Computer Upgrades | 20,000 |
| 3. Valuation Update | 35,500 |
| 4. Copier Replacement | 12,000 |

Cable TV

- | | |
|--|--------|
| 1. Cable Contract Negotiations | 5,000 |
| 2. Audio/Video Upgrade, Council Chambers | 30,000 |
| 3. Video Monitors, Control Room | 10,000 |
| 4. (2) Studio Camera's (channel 14) | 15,000 |

BOARDS, COMMITTEES, COMMUNITY GROUPS AND OTHER REQUESTS

- | | |
|--|-------------------|
| 1. Recreation Committee – Needs Assessment | 10,000 |
| 2. Cemetery Improvements | 10,000 |
| (moved to the Town's Operating Budget request for FY 2006) | |

BE IT FURTHER ORDERED: That the following amounts be expended from Reserve Funds to provide for items approved.

- | | |
|-------------------------------|----------------------------|
| 1. School Reserves | 150,000 202,000 |
| 2. Police Department Reserves | 20,000 |
| 3. Fire Department Reserves | 53,000 34,000 |
| 4. Rescue Department Reserves | 159,000 |

5. Public Works Reserves	180,000 30,000
6. Comprehensive Town Improvement Reserves	146,000 136,000
7. Municipal Facilities Reserves	77,500
8. Cable Reserves	60,000
9. Destination TIF Reserves	192,300

MOVED AND SECONDED: To amend the Capital Budget as amended to reinstate the cemetery improvements in the Capital Budget and increase the amount taken from reserves back to the original \$146,000 for the Comprehensive Town Improvement Reserves. (Cassida & DeGrandpre)
VOTE: (7 Ayes).

MOVED AND SECONDED: To eliminate the \$49,500 from Technology Upgrades for laptops from the Capital Budget (Beaulieu & DeGrandpre)

School Superintendent, Elaine Tomaszewski, explained the benefits of this program and where the money came from. This program is going into the second year of a three-year lease. She answered questions for Councilors. Discussion followed on the process that was followed in this particular instance and there was general agreement that better communication is needed between the School Committee and the Town Council.

ROLL CALL VOTE: (3 Ayes—Beaulieu, Bishop and Arsenault) (4 Nays—Rumpf, White, DeGrandpre and Cassida).

MOVED AND SECONDED: Under Rescue, Article IV for 2005, Item #2 Rescue II replacement for \$135,000 that the process go forward but that the purchase be contingent on the Council's approving the bid following review of the NET program (Beaulieu & DeGrandpre)

Greg L'Heureux is planning to do a new analysis of the NET program as a result of how the March numbers fall out. He is not able to get the numbers until the March billing has been completed. The wheel chair program was terminated. The vehicle will not be purchased unless the Council approves the bid. Paul Conley advised that he has a spec ready to go and it could be in the mail in a week. He would give bidders 3 weeks to respond. Mr. Olmstead indicated that in six weeks, the analysis would be made available.

VOTE: (7 Ayes).

MOVED AND SECONDED: Move the snowblower from the Public Works Budget to the Destination TIF Village Improvements budget '09. (DeGrandpre & Beaulieu) **VOTE:** (7 Ayes)

Councilor DeGrandpre suggested looking at sharing a roll-off truck with other towns.

Chair Rumpf asked if there were any members of the public wishing to make comments at this time. There were none.

BE IT FURTHER ORDERED: That in lieu of bonding, \$277,000 be expended from fund balance to purchase remaining items in Calendar Year 2005 of the Capital Plan.

BE IT FURTHER ORDERED: That \$10,000 be included in the Fiscal Year 2006 Municipal Operating Budget to provide for the Recreational Needs Assessment. (Bishop & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

Chair Rumpf thanked the Town Manager, the School Department and Finance Director for their work with the Council to help accomplish their goal of avoiding any additional bonding.

Since Paul Conley arrived, Items #41-05 and #42-05 were revisited.

ITEM #41-05 To consider action relative to the adoption of the Cumberland County Hazard Mitigation Plan.

RESOLUTION

Whereas, the cities and town of Cumberland County, in the State of Maine, recognize that natural hazards create a risk of harm to persons and damage to property; and

Whereas, the cities and towns of Cumberland County recognize that implementing certain measures may reduce the risk of harm to persons and damage to property resulting from these natural hazards;

Therefore, the Town of Freeport hereby adopts the 2004 Cumberland County Hazard Mitigation Plan. (Cassida & Beaulieu)

Paul Conley explained the hazard mitigation factors to the Council. All of the towns need to adopt it quickly and return it for final approval. Discussion followed.

VOTE: (7 Ayes).

ITEM #42-05 To consider action relative to adopting the National Incident Management System.

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal , State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management process.

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommends adoption of a standardized Incident Command System;

NOW, THEREFORE, the Freeport Town Council does hereby establish the National Incident Management System (NIMS) as the State standard for incident management.

Introduced as printed: (Arsenault & Beaulieu). Chair Rumpf summarized the resolution.

Paul Conley explained this management system and answered questions for Councilors.

VOTE: (7 Ayes).

Mr. Conley apologized for arriving late. He had another meeting to attend earlier.

ITEM #43-05	To consider action relative to accepting a bid for Village Sidewalk Improvements.
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BE IT ORDERED: That the bid from LaBrequé Construction, Inc. in the amount of \$149,550 to provide for Village Sidewalk improvements, be accepted. (White & DeGrandpre).

Mr. Olmstead explained that two bids were received and the low bid fell within the Engineer's cost estimates.

While she is not opposed to the bid, Councilor Beaulieu advised that she would be voting against this item in support of all leather shoes everywhere. She has ruined many shoes on brick sidewalks and will never vote for another brick sidewalk.

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

OTHER BUSINESS:

1. Discussion on request to extend Baker Road to the Brunswick town line.

Attorney Michael O'Toole, representing Mitchco, a company proposing a 7-lot subdivision on the Baker Road, explained that they have been to the Project Review Board a number of times. They asked the applicants to get together with the Town Engineer and the Director of Public Works, which they did. The Engineer approved improvement to the road by paving a 20' wide roadway to match up with the existing pavement with 2' gravel shoulders. Based upon this recommendation, the Project Review Board gave a conceptual approval to the subdivision and sent the applicants to the Council for their approval.

Councilor White explained that the Municipal Facilities Committee determined that they would not support this and suggested that it become a private road after the existing turn around. The Town of Brunswick has discontinued this road east of the Brunswick town line. It is not a public way. It has reverted to the abutters and it is not legal to drive across it technically. Jan Boucher answered questions for Councilors. Discussion followed.

Mr. Olmstead explained what portion of the road is plowed and graded. He confirmed that the Council wants to begin an official abandonment for the portion of road that is currently not maintained by the Town of Freeport and that would be to the turn around. Chair Rumpf noted that it is possible the Project Review Board may make a different decision when they learn of the Council's proposal to abandon the rest of the road.

Mr. Olmstead will discuss this issue with the Public Works Director and the Town Planner tomorrow morning. He will review a few recent files on road abandonments and determine how to proceed.

2. Update on the Community Center management structure.

Bob Stevens introduced Leslie Livingston of FCS and thanked the Council for putting them on the agenda. The Campaign Steering Committee meets every other Wednesday morning and the Project Committee is meeting every other week. They are working with consultants, Gary Friedman & Associates. They have made it clear to the committee that to be successful in raising the money; they have to get their act together. The public needs to know what the process and plans are for the community center. FCS is the center of this project; has a good track record and is an entity that can receive tax-exempt contributions. A commitment is needed from the Town to stand behind 50% of the operating costs of the community center for some lengthy period of time until it becomes self-sustaining.

Councilor Cassida asked for Council feedback.

Councilor Beaulieu asked for an estimate and how the community center could ever become self-sustaining. Mr. Stevens estimated \$28,000-\$30,000 would be half and it would perhaps get there from the Teens, renting meeting space, public donations, etc. Councilor Beaulieu noted how misleading the term "self-sustaining" is. Mr. Stevens agreed that they should stop using "self-sustaining".

Mr. Olmstead referred to Article 9 of the Capital Budget. The Town would get meeting space for its \$30,000, which is desperately needed. The potential expense of \$600,000 for building expansion could go away.

Leslie Livingston noted that the community center would enhance what they are doing and help them to do it better. They will be educating the Town on what FCS does for everybody.

Councilor Cassida advised that they will be getting some information together soon and will ask to be put on an agenda.

3. Informational Exchange.

Councilor Beaulieu advised that she was invited to a meeting at COG on Thursday to review the New England Futures Project. She read the agenda to Councilors. She will be participating and will let the Council know what the outcome is.

Chair Rumpf reminded Councilors that there would be a workshop on the operating budget next week. He asked Councilors to come prepared with questions for the Town and School sides regarding the proposed operating budget. There was some discussion at the Leadership meeting this morning and Mr. Olmstead will provide information that he gathered from the school side before next Tuesday's meeting. Mr. Olmstead advised that they would be provided with budget projections and impacts on the tax rate but no budget.

ITEM #44-05 To consider action relative to an executive session to discuss an offer to purchase municipal land at the corner of Desert and Hunter Roads.
(1 MRSA Section 405 § C)

MOVED AND SECONDED: That the Council enter into Executive Session to discuss an offer to purchase municipal land at the corner of Desert and Hunter Roads. (1 MRSA Section 405 § C) (DeGrandpre & Bishop) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the Council reconvene. (Cassida & Beaulieu) **VOTE:** (7 Ayes).

Adjournment

MOVED AND SECONDED: To adjourn at 10:12 p.m. (White & Arsenault) **VOTE:** (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #08-2005
TOWN HALL COUNCIL CHAMBERS
APRIL 26, 2005 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x		
John Arsenault, Prout Road	x		
Charlotte Bishop, Maquoit Drive	x		
Rich DeGrandpre, Timber Ridge Road			x
Frederick White, 45 Pleasant Hill Road	x		
James Cassida, 5 Timber Ridge Road	x		
Genie Beaulieu, P.O. Box 74	x		

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #7-2005 held on April 5, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #7-2005 held on April 5, 2005 and accept the Minutes as printed. (Cassida & Arsenault) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf congratulated the four teams from Freeport who competed in The Odyssey of Mind that took place at Bates College. Two teams won their respective divisions and will go on to compete in Colorado. They would welcome any donations to help fund their trip. If anyone is interested in contributing, please contact the Mast Landing School and the Freeport Middle School.

Recycling Director, Bart Carhart, announced that the annual Townwide Clean-up will be held on May 21 and 22 from 8 a.m. to 4 p.m. More information, along with a coupon required for admission, will be mailed to Freeport residents in early May.

The Recycling Center will be taking orders for a backyard composter for \$36.50. Orders must be placed before May 7 by calling the Recycling Center at 865-3740.

Winslow Park will again offer free camping to Freeport residents during the weeks of June 6-12 and September 19-25. Reservations can be made at the Gatehouse or by calling 865-4198 on or after May 2.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #47-05 To consider action relative to adopting the April 26, 2005 Consent Agenda.

Chair Rumpf reviewed the Consent Agenda for members of the public. He noted that the Fire Chief has some concerns regarding the Mediterranean Grill and a condition should be placed upon their Victualer's license.

Police Chief Scofield explained how people get on the list of unregistered dogs for 2005. He urged people to license their dogs or call the Town Clerk's Office if they no longer own the dog. Court summonses will be issued to delinquent dog owners.

BE IT ORDERED: That the April 26, 2005 Consent Agenda be adopted with the condition that the Victualers License for Kemal Cigri, d/b/a Mediterranean Grill, 10 School Street be conditioned upon final approval of the Fire Chief. (Beaulieu & Arsenault)

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

ITEM #48-05 To consider action relative to proposed amendments to the Alarm Systems Ordinance concerning the types of alarms to be registered. (Chapter 14)
Public Hearing.

MOVED AND SECONDED: That the Public Hearing be opened.
(White & Cassida) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

Chair Rumpf explained that these amendments update the Ordinance. Chief Scofield explained the fees involved. There were no public comments.

MOVED AND SECONDED: That the Public Hearing be closed.
(White & Bishop) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

BE IT ORDERED: That the proposed amendments to the Alarm Systems Ordinance be approved. (White & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

ITEM #49-05 To consider action relative to proposed amendments to the Administrative Code concerning Fire and Rescue Department Organizational Structure (Chapter 2) **Public Hearing.**

MOVED AND SECONDED: That the Public Hearing be opened.
(Bishop & Cassida) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

Chair Rumpf explained that this was discussed at the last meeting and it has the support of the departments.

MOVED AND SECONDED: That the Public Hearing be closed.
(Arsenault & Bishop) **VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

BE IT ORDERED: That the proposed amendments to the Administrative Code be approved. (Bishop & Cassida) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—DeGrandpre)

ITEM #50-05 To consider action relative to proposed amendments to the Traffic & Parking Ordinance concerning On-Street Parking for the new Community Center, South Freeport Parking Restrictions and Hedgehog Mountain Road Parking Restrictions. (Chapter 48)

BE IT ORDERED: That a Public Hearing be scheduled for May 17, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Traffic & Parking Ordinance.

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

Councilors Beaulieu and White explained the amendments being proposed. Chair Rumpf requested that Mr. Olmstead provide drawings at the Public Hearing for both Hedgehog Mountain as well as South Freeport so that people will be able to see the information clearly.

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

OTHER BUSINESS:

1. Report on meeting with DMR concerning the Harraseeket River Dye Study.
(postponed for 5 minutes until Rod Regier arrives)

2. Recommendation on a management structure for the new Community Center

Since Leslie Livingston had not yet arrived, Councilor Cassida explained the mission statement that has been developed for the Community Center. He is confident it will stand the test of time even though the mission may change over time. It does not require any Council action. The organizational chart was put together a couple of weeks ago. It shows the basic management structure. FCS's Executive Director will be the everyday management person for the community center. The Town will have no role in the day-to-day operation. The Community Center's Advisory Council's role is evolving at this time. It will be made up of all the users. He is interested in getting feedback from Councilors on this management structure because recognition by the Council that this is an acceptable structure moving forward will be critical to the whole fundraising effort associated with the community center. A Councilor will be appointed to the Advisory Council so he encouraged Councilors to consider serving in this role. FCS is going to own the community center but there will be some sort of legal language that the buildings and land will revert to the Town should it cease to exist. Councilor Cassida noted that further discussion on these specifics would need to take place. A half-time custodian will be needed for the community center.

Councilor Cassida advised that the fundraising steering committee met with the fundraising professionals and a report will be given to the Council soon.

Seeing Rod Regier in the audience, Chair Rumpf referred back to Item 1. - Report on meeting with DMR concerning the Harraseeket River Dye Study. He, Mr. Regier and members of the Shellfish Commission met with the DMR and FDA that deals with health issues around shellfish about two weeks ago. The flats have been opened to where they were before the spring rains. He noted that the Town has been working on this issue for 3 years or more and he is unsure if the town is any closer to a resolution. He asked Mr. Regier to report on his thoughts and summarize their meeting with the DMR and explain some of the new tests that are being done.

Rod Regier of South Street explained that in 2002 there was a major break in the sewer line near Porter's Landing and raw sewage was pumped into the Harraseeket River. After the break was repaired and the immediate closure was lifted, there was a change in the digging area of the river. In 2003 the long-closed area was quadrupled in size. The reasoning for this expanded closure area has been the source of whatever discussions have occurred between the Town and the DMR. In May of 2003, the DMR agreed to put substantial resources into a dye study to verify the closure area. The second phase took place last fall. The Council asked for some action on these studies. The first draft was prepared in January, which was pretty benign. The second draft was a very different one from the first with an onerous implication for the Town where the expanded closure area was dramatically expanded. He raised some questions and this was the basis for the meeting that Chair Rumpf referred to. Discussion followed. Chair Rumpf noted that the message received from the FDA at the meeting was very discouraging and they left thinking the river may never be opened again. Mr. Regier pointed out that the river was opened last Friday. Safety is important and he noted that if anyone eats a clam from the Harraseeket River, they are at less risk of bodily injury than they would be getting in their car and driving to a Council meeting.

Mr. Regier asked the Council if it would consider spending up to \$2,500 over the next six months to undertake a limited sampling program. He has in mind doing some viral tests right at the sewer plant looking exactly at the effluent going into the river to determine the starting point. This information may help Freeport get past the Dye Study. This information is necessary before any discussion can continue. There is a private lab in Vermont, Analytical Services, Inc., has the ability to perform these tests. The tests cost about \$100 a sample. He offered to check with Analytical Services to make sure this is feasible and will check with DMR to make sure that this dovetails with their work. He will call the Town of Yarmouth to talk to them because they have their own sewer plant and their own dye study. If they want to piggyback on this program, it would be an easy way to do it. He answered questions for Councilors. Chair Rumpf suggested Mr. Regier obtain a recommendation from the Shellfish Commission for the Council.

Councilor Arsenault strongly supported Mr. Regier's proposal. He would like to get some answers so that the problem can be fixed. Councilor Beaulieu is interested in whether DMR will accept the conclusions from these studies before voting to spend any money.

Chair Rumpf thanked Mr. Regier for all of the time and effort he has spent on this issue.

3. Discussion on nominations for the MMA Executive Committee.

Mr. Olmstead explained that MMA is seeking nominations for the Executive Committee, which are 3-year terms. The deadline is May 13 if anyone is interested in submitting his or her names. Councilors Arsenault and Beaulieu indicated that they have already served on the Executive Committee and found it interesting.

4. Informational Exchange.

Chair Rumpf reported that at the leadership meeting last week with the School folks, they have approached the School Committee and the School Committee has agreed to allow the Council Chair to appoint a Council representative to their School Facilities Committee. Councilor DeGrandpre has expressed an interest in serving in this role so Chair Rumpf is planning to appoint him to this role.

Chair Rumpf noted that Councilors received some modifications to the Town Council and Operating Budget Workshop Schedule tonight, which were discussed with School leadership last week, which moves the public hearing up to May 17. He reviewed the schedule for members of the public.

MOVED AND SECONDED: To adopt the revised Town Council and Operating Budget Workshop Schedule (Cassida & White) VOTE:
(6 Ayes) (1 Excused—DeGrandpre).

Report from Planning Board

Chair Rumpf noted there was a request from a Councilor asking for a report from the Planning Board regarding the work they have been doing as a result of the Village Planning Committee and recommendations for changes to the Village zone. He talked to the Chair of the Planning Board and learned he was willing to come to talk to the Council Mr. Olmstead advised that the Chair will be coming in on May 3.

Mr. Olmstead announced that the Appointments Committee would be meeting on the 17th at 6:15 p.m. to review applications for various Boards and Committees. There are a fair amount of openings that exist including the Planning Board and Project Review Board.

Adjournment

MOVED AND SECONDED: To adjourn at 8:07 p.m. (White & Arsenault)
VOTE: (6 Ayes) (1 Excused—DeGrandpre)

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #09-2005
TOWN HALL COUNCIL CHAMBERS
MAY 3, 2005 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #8-2005 held on April 26, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #8-2005 held on April 26, 2005 and accept the Minutes as printed. (Arsenault & Bishop) **VOTE:**
(7 Ayes)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf reminded everyone of the meeting schedule for the budget workshops that was modified at the last Council meeting. Public sessions are scheduled May 10 from 8-9 a.m. or as long as necessary and May 11 beginning at 5 p.m. for members of the public that have questions on the municipal budget. There will be a workshop on the School budget on May 16. A regular Council meeting and discussion on the budget will take place the following evening. Final vote will be on May 24.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #51-05 To consider action relative to the adoption of a Fiscal Year 2006 Operating Budget for the Town of Freeport.

BE IT ORDERED: That a Public Hearing be scheduled for May 17, 2005 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of a fiscal year 2006 Operating Budget for the Town of Freeport.

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

Councilor Beaulieu suggested tabling this item until after Mr. Olmstead's presentation. Other Councilors agreed.

MOVED AND SECONDED: To table Item 51-05 until after Dale's Presentation this evening and then vote on it. (Beaulieu & Arsenault)
VOTE: (7 Ayes).

ITEM #52-05 To consider action relative to an appointment to the Freeport Community Center Advisory Council.

BE IT ORDERED: That Charlotte Bishop be appointed to the Freeport Community Center Advisory Council. (Cassida & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

Chair Rumpf noted that he appreciates Councilor Bishop's willingness to serve on this Council.

OTHER BUSINESS:

1. Planning Board Update

Alan Caron, Chair of the Planning Board, gave an update on where they are relative to their timetable. They expect to get the subdivision information back to the Council at the end of May or beginning of June. One area they are not finished yet is on the affordable housing issue, which has proven to be very complicated for lots of reasons. They have spent hours trying to determine exactly what affordable housing is and how they would regulate it. They have concluded that the definition of affordable housing they will report to the Council is up to 100% of median income, completely incentive based. He answered questions for Councilors. More discussion followed.

Mr. Caron noted he will be stepping down as Chair later this month but found it to be an interesting time to serve on the Planning Board. He encouraged the Council to recognize how

important the cooperative relationship is between the Council and Planning Board and hopes the lines of communication will be kept open. If there are any concerns, he urged Councilors to pick up a phone and call the Planning Board Chair.

2. Presentation of Proposed FY 06 Operating Budget for the Town of Freeport

Mr. Olmstead distributed notebooks to Councilors and walked them through the format of the Municipal Budget. He reminded Councilors that the Town does a lot of bulk purchasing and a lot of items are seasonally related. The revised schedule of various workshops and presentations was provided. He explained the Municipal Budget Options for 2006. The Council's directive to Municipal administrators was to produce a budget of no more than 3%. The municipal side's increase is less than the 3% cap. He noted that two fire fighters/EMTs and a part-time janitor were not included in the budget in order to keep below the 3%. He has concerns for the cleanliness of the Town's buildings so he will continue to push for a part-time janitor next year. The landfill operates 4 days a week and it is not very convenient for contractors. The revenue stream at the landfill will be calculated by the Finance Director. There is a big increase in paving materials this year, which is driven by the cost of oil. The Town will be paving less. This budget is not a maintenance budget. An additional silver bullet has been requested by Bart Carhart. The price of salt has gone up significantly this year. He explained that FEMA will be giving Freeport \$57,000 for two storms.

The Fire Chief will be asking for permission to apply for two positions funded under the National Safety Grant Program. This is very similar to the cops program. If we apply and are awarded funds, we would hire individuals and be responsible for 10% of their salaries in the first year and then a higher percentage in subsequent years until we would own them in year five. We would be obligated for keeping them on the payroll for an additional year after that. This is a good topic for discussion at workshop. He gave a prioritized list to Councilors should they decide to fund more than the maintenance list:

- #1 would be #8
- #2 would be #5
- #3 would be #7
- #4 would be #1
- #5 would be #6
- #6 would be #2
- #7 would be #3
- #8 would be #4

Councilors will have to make a decision on:

- Whether to allow the Fire Chief to apply for the Safer grant for additional personnel
- A staff pool vehicle for the Fire Department.
- Whether the Net Program is doing what it was hoped to do.
- A Recreation Needs Assessment for the Recreation Commission
- \$600 request from Tri-Town Penguins for maintaining snowmobile trails

- **FMA's request for an increase in the funding of Depot Street Restrooms**

Discussion on funding the restrooms followed. Mr. Olmstead has not added this to the budget. Councilor Bishop asked for the list of businesses that are required to have restrooms open to the public. Enforcement was postponed in order to give the merchants time to get their restrooms opened. This will need to be discussed at the workshop.

Other Budgets were mentioned but Mr. Olmstead did not have a lot to talk about. The Town will be leasing space in the new Community Center. Freeport Economic Development Corp. is flat from a year ago. Councilor White asked if a report is available on their activities. Councilor Arsenault offered to provide it.

The Debt Service Budget is dramatically reduced. This is the first decrease from RWS in ten years.

Tax Rate Analysis – this is the latest version. He walked everyone through each category. The Municipal Budget by itself would lower the municipal tax rate by 18 cents.

The initial School Budget called "School Budget One" would have increased the tax rate by 61 cents. Since that time, the School Committee has recommended a lower total, which would increase the tax rate by 48 cents. "School Budget Two" would result in a 31-cent tax rate increase. Variations were provided. If held to the 3% cap, "School Budget Six" would result in a 16-cent tax rate increase. Discussion followed. This is the first time the Town is looking at a tax rate decrease in Mr. Olmstead's 23 years. The Council pledged to return the additional aid to education to the voters a year ago.

Mr. Olmstead noted that the municipal budget was cut by \$11,000 because certain employees chose to buy an additional week of vacation in the off-season. New numbers came in from Augusta late last week on municipal sharing and aid to education, which has been increased to \$241,000. . He is cognizant that taxpayers in Freeport and statewide are looking for tax relief. If we don't give it to them, they will take matters into their own hands. Tax rates were discussed. All the new taxes raised have been spent and not gone to the taxpayers. Discussion followed.

Financial statements from various agencies were also provided. Mr. Olmstead walked Councilors through the miscellaneous pages in their notebooks. If any changes are determined necessary, they need to be made before setting the public hearing. Discussion followed on excise taxes, the \$9,000 revenue stream from Yarmouth for our General Assistance Administrator, Homestead Exemption reimbursements, solid waste fees, cell phone tower monies, revenue increases in building fees and receiving a better rate on the Town's investments. On the municipal side, there are new revenues of \$245,000.

Mr. Olmstead quickly walked through the expense side explaining the changes that appear. A new phone vendor breaks out the school bills from the municipal bills. The General Admin budget has dropped \$6,000 year over year. Utilities have increased. \$9,000 is budgeted for extra help. The Town Hall has reduced 2 full-time positions, as well as hours throughout the building.

The system is working. Payroll lines have slightly increased in various departments. He explained the reasons why some grades were increased. The price of fuel has also increased in some budgets. Councilor Beaulieu asked how many employees are covered in the Police Department budget. Mr. Olmstead estimated that the number is 14. Councilor Beaulieu asked how many employees are covered under Dispatch. Mr. Olmstead advised that the number is 4. The medical supply line is increased because there are new drugs to be purchased and managed. The Town bids out catch basin cleanings. Brush control is a contractual situation and the increase is because of the price of fuel. Councilor DeGrandpre asked if the Town is using plastic culverts with smooth insides. Mr. Olmstead suspects that plastic is being used but Councilor DeGrandpre will check with Mr. Plummer. The Library budget is down this year because of personnel reductions. Recreation has the \$10,000 for the needs assessment. Councilor Beaulieu noticed the snowmobile line is incorrectly shown as \$1,000 whereas the request was for \$600. Fireworks have been increased by \$500 for the 4th of July.

Councilor Beaulieu would like to know how many full-time employees and how many part-time employees are employed by the Town in each department. If the public knew how much they get from such a small number of people, they would be amazed. Mr. Olmstead offered to generate this list.

Mr. Olmstead reminded the public that the budget he just went through is on the Town's website as well as Town Hall and the Community Library. The school budget is available on the Town's website, at the Town Hall or at the Superintendent's office.

Regarding Question #1, the Council reaffirmed in January that funds received for Aid to Education should be returned to the taxpayers. Chair Rumpf noted that if the Council chooses to do something else, it would not be honoring what it said it would do. He asked for feedback from Councilors. Councilor Bishop pointed out that this is not a reduction in the school budget. The schools will be getting the same amount of money minus new positions. They will be able to maintain what they have currently and not lose any services or programs. Mr. Olmstead noted that the school revenue would drop by \$164,000 and the tax rate would drop by 24 cents. Councilor Beaulieu pointed out that the Council would be giving the school credit for some of the other savings the Council has generated since the Aid to Education number is \$241,000. Discussion followed.

MOVED AND SECONDED: To take up Item 51-05 (DeGrandpre & Arsenault)
VOTE: (7 Ayes).

Councilor DeGrandpre noted that the Municipal side would reduce the mill rate by 18 cents. The School side will increase it by 31 cents so it is apparent that the school side will be getting a big chunk. This community continues to support education.

Councilor White noted his wife is a school employee and asked if there was any need for him to recuse himself. There was Council consensus that he should not recuse himself. He believes everyone is heading in the same direction whether it's reducing the tax rate by 24 cents or 25 cents. He is in favor of sticking by the Council's vote last year.

MOVED AND SECONDED: To amend Item #51-05 to direct the Town Manager to bring to public hearing on the 17th a combined Town/School budget that reflects the school budget increase indicated in Scenario 2A on the sheet dated. April 28, 2005. (Bishop & DeGrandpre)

Councilor Beaulieu pointed out that this would generate a combined 24-cent decrease in the mill rate.

ROLL CALL VOTE: (7 Ayes).

ROLL CALL VOTE ON ORIGINAL ORDER AS AMENDED: (7 Ayes).

3. Informational Exchange.

Mr. Olmstead pointed out that the Appointments Committee is meeting on May 17 at 6 p.m. to discuss appointments.

Councilor Bishop asked about extending the deadline for ordering the composters at the Land Fill. There will be a lot of traffic during the Spring Clean-up Days and they could be easily sold that weekend. Mr. Olmstead offered to order an additional 50 and make them available.

Adjournment

MOVED AND SECONDED: To adjourn at 9:07 p.m. (Bishop & DeGrandpre)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #10-05
TOWN HALL COUNCIL CHAMBERS
May 17, 2005 – 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

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
Genie Beaulieu, P.O. Box 74

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #8-2005 held on May 3, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #8-2005 held on May 3, 2005 and accept the Minutes as printed. (Cassida & DeGrandpre) **VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf pointed out that the Town's Annual Clean-Up Days will be held on May 21 and May 22 from 8 a.m. to 4 p.m. If anyone has any questions concerning what will be accepted, they can call the Recycling Center at 865-3740.

Winslow Park is offering free camping by Freeport residents during the weeks of June 6-12 as well as September 19-25 on a first-come, first-serve basis. Reservations can be made by calling 865-4198 or by stopping at the gatehouse.

Family Fun Day will be held at Winslow Park on Saturday, June 4. There will be free admission to the park all day. Activities will include road races, pancake breakfast, games, kite flying demonstration and free ice cream and hot dogs.

Councilor Arsenault advised that Stephanie Slocum has being hired to serve as the Freeport Economic Development Director. She will begin on June 13.

TOWN COUNCIL MEETING #10-05
May 17, 2005

Councilor DeGrandpre advised that the Appointment Committee met and made quite a few appointments. Their list of applicants is now low. He urged members of the public to fill out an application if they have any interest in serving on boards or committees.

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

Chair Rumpf moved on since there were no public comments.

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

ITEM #58-05 To consider action relative to adopting the May 17, 2005 Consent Agenda.

BE IT ORDERED: That the May 17, 2005 Consent Agenda be adopted.
(Beaulieu & White)

Chair Rumpf reviewed the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes).

ITEM #58-05 To consider action relative to the adoption of a Fiscal Year 2006 Operating Budget for the Town of Freeport. (PUBLIC HEARING)

MOVED AND SECONDED: That the Public Hearing be opened.
(White & Arsenault) **VOTE:** (7 Ayes)

Chair Rumpf explained the history of how the Council arrived at where it is presently. The Council met with the School Committee and School Superintendent last night to address school needs. The Council needs to determine whether it should honor the pledge it made a year ago and renewed earlier this year to dedicate any increase in state education aid to tax relief or whether it should renege on that pledge and adopt some alternative.

He asked for public comment.

The following people asked that the Council not reduce the school budget:

Jim DeGrandpre, School Committee member and Lois Kilby Chessey, Teacher and taxpayer.

Susie Saunders from Freeport Economic Development Corp and Co-Chair of the Vision 2010 Implementation Team provided a written copy of a report and offered to answer questions for Councilors.

TOWN COUNCIL MEETING #10-05
May 17, 2005

Rod Regier noted that the Council is moving in the right direction and asked that the word "cut" be eliminated when discussing the school budget since there is something over \$550,000 which is proposed in the school budget and the Council is asking that it be reduced by \$164,000 and it is necessary to add back in \$127,000 because of the way the budget is constructed. At the end of the day with the numbers being discussed right now, the Council is dealing with a \$520,000 increase in the school budget, which is not a "cut". \$520,000 is somewhere close to what the average increase has been in the school budget during the last half dozen years. He recalled the increases in mill rate that occurred over the past few years. He urged Councilors to return money to the taxpayers that is intended for property tax relief. It is his opinion that there continues to be a need for department consolidation across all towns.

Robert Alderfall, resident, supports the Council's resolution of returning the funds to the taxpayers.

Jean Cusenow, resident applauded the Council for trying to reduce the school budget and reduce the mill rate. She had questions on items in the school budget.

Holly Sussler, resident and Ann O'Brien, teacher, urged Councilors to not cut the school budget.

Chief Darrell Fournier addressed needs on the Municipal side. He asked Councilors to keep these needs in mind and treat the municipal side equally.

Jerry Tims of Middle School, Dan Kagan and Robin Monahan asked the Council to work with the School Committee.

Jim Plummer, Public Works Director, had a handout for Councilors. If more money becomes available, his highest priority would be road paving.

Beth Parker, Ann Archambault, Chris Munroe and Victor Skorapa noted they are in support of the School Committee's Budget and urged the Council to not reduce it.

Bart Carhart, Recycling Director noted he has a couple of items that need funding consideration. He is hoping to expand the hours of operation at the Recycling Center and also is proposing a silver bullet in the Flying Point area.

Diane Dennison wants to find a compromise because she is aware of people that cannot afford any tax increases.

John Eagan of Curtis Road supports the School Committee's recommendation. Kerry Hotelling, teacher in a neighboring school, recommended increasing the school budget.

Jim Lincoln, Guidance Counselor at the High School, shared his experience at the high school dealing with class size. He urged Councilors to support the proposed school budget.

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Chris Roney, Jerry Kennedy, Meg Albright—resident and teacher, Betsy Curtis, Mary Lemer, Patrick Enking, Rick Hendee—School Committee Member, were not in favor of reducing the school budget.

Councilor White had questions for Mr. Hendee about prioritization. . Councilor Beaulieu noted that the School Committee can make whatever adjustments needed but the Council has no say on what those changes will be. Councilor White explained that he understands the process.

Chair Rumpf clarified that even with the Council's recommended school budget crediting the new additional school funding to the schools along with their share of increased tax valuation, it would still lead to an increased mill rate based upon the school's increase alone. It is savings on the municipal side and other sources of revenue that would enable some reduction in the mill rate even with the original school proposal.

Jarred Blake—Senior at FHS, Liz Standen and Mark Standen urged the Council to support the School Committee's budget and not increase class size.

MOVED AND SECONDED: That the Public Hearing be closed.
(White & Arsenault) **VOTE:** (7 Ayes).

Councilor Bishop noted that there are other people on the other side of the issue that are not here tonight because they too intimidated to get up to speak. On a \$200,000 house, the figure being discussed this evening is \$48. She is not against education but is looking at both sides of the coin. She displayed two white boards indicating what \$48 can provide to Freeport residents such as 24 pounds of pasta and 24 jars of spaghetti sauce, 48 cans of tuna, drug prescriptions for people on a fixed income, etc. While \$48 may not mean much to some families, she suggested that they step up and give it to the Superintendent of Schools.

Chair Rumpf noted there is a workshop scheduled on Monday. Councilor DeGrandpre advised that he has more questions that need to be addressed.

Councilor Beaulieu explained that several people have stopped her in the grocery store and thanked her for promising to hold down taxes. They indicated that they could not attend the meeting and speak.

Councilor Arsenault noted that a lot of people this evening said they would be more than happy to donate the \$38 or \$48 being discussed. He would propose that an endowment fund for the schools be put in place to receive these donations, which would serve as a reserve account for new programs. It would help fund programs in future years.

Councilor Cassida thanked everyone for coming and is disappointed that most people have gone home while the Council has a lot of decisions to make. On a personal level, he supports the Curriculum position and the 2.6 teachers being proposed. It is important that everyone understand that not everyone in this community has the ability to spend \$31 or \$48 extra this year. This figure is based upon a value of \$200,000. The contribution on homes that aren't

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valued at \$200,000 is less. There are also homes considerably larger that are valued more than \$200,000. There are elderly people who have been lucky enough to acquire their homes when they didn't cost a million dollars or \$500,000 but are now saddled with their asset. The home that they have lived in for 30 or 40 years is costing them in taxes more than they can afford on their fixed incomes. Those people are the ones that cannot afford to live in their homes. Taxes are driving them out of this community. Do we want those long-time residents of Freeport who happened to be lucky enough to own an asset that is valuable from a tax perspective? Their contribution is a lot more than \$31 or \$48. We are talking about hundreds of dollars, depending upon the value of their homes and they cannot afford to keep their homes. These are the people that will be most benefited by the Council holding a firm line on the tax rate. He did not hear this much tonight except by Diane Dennison. If an endowment is set up to benefit the school, he is all for it but there are people in the community that cannot donate to it. All Councilors support education and if it is left to them, they would give the schools all the money they need. The Council is looking at the entire budget and its effect on the community.

Councilor DeGrandpre noted that he has received calls and correspondence from people that do not have the courage to stand up and say things at the podium. He is struggling with how to do the best thing for the Town of Freeport. He has more questions to ask. Everyone has a different challenge.

Councilor White indicated that there is not much he can add. His wife is a school nurse and Chris Leighton described him as "friendly to schools" in a conversation a few weeks ago. He is a supporter of education in many ways. He is aware that there are families that struggle in town and a balance is needed in decision-making. He supports delivering the same level of support that was provided last year. He is still curious how the School Committee will prioritize its budget.

Chair Rumpf thanked everyone who spoke this evening for maintaining civil discourse. He noted that everyone wants the best schools and municipal services. It is a struggle that will not go away. This discussion will take place every year. Next year will be a revaluation in Town. Taxpayers near the coast will see increases and most likely the burden on residential taxpayers will increase. Freeport is the smallest school district in the Casco Bay Education Alliance, which is what is used as a model for competition. We are almost 25% below the average school size. Basic Administration is more expensive on a per pupil basis because we are a smaller school district. We should be thinking of entering into consolidation talks with other school districts in this area and not just Pownal. He credited the School Committee for working with Pownal. The only way we will continue to be able to control taxes and continually maintain, and hopefully improve our school system, is to start getting more aggressive on how we think about ways to work together not only on the outside of Freeport but within the town of Freeport between the School side and the Municipal side. We should look for ways of consolidating functions in some manner such as libraries and perhaps consolidating our Finance functions rather than having two separate finance departments between the schools and the Town. It may be worth looking at this sort of thing. Councilor DeGrandpre has agreed to serve on the Facilities Committee at the request of the School Committee in developing a long-term plan on what it will take to maintain school facilities.

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This problem will not go away and everyone wants the best schools possible and wants to be considerate of taxpayers in this Town who aren't as well off as a lot of us who are privileged to be that were in attendance this evening. The Council will have to continue to be bold in its thinking about how we work together to be more efficient or look for other ways to accomplish those dual goals.

Councilor Cassida noted that there are still questions to be answered and the workshop is still needed on Monday. Mr. Olmstead noted that 45 minutes or one hour would be needed for the Municipal side. The School Committee could come in at 8 p.m.

BE IT ORDERED: That Item #59-05 be tabled until May 24, 2005. White & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

ITEM #60-05 To consider action relative to proposed amendments to the Traffic and Parking Ordinance concerning On-Street Parking for the new Community Center, South Freeport Parking Restrictions and Hedgehog Mountain Road Parking Restrictions. (Chapter 48) (Public Hearing).

MOVED AND SECONDED: That the Public Hearing be opened. (Arsenault & Cassida) **VOTE:** (7 Ayes)

Councilor White explained the amendments to the Ordinance concerning Grove Street and Depot Street.

In South Freeport they looked at South Freeport Road between Main and Pine and Park and Church. The only change they are suggesting is that there be no overnight parking. He indicated where parking would be allowed. Councilor Beaulieu advised that some of the recommendations for no parking were to make sure that safe situations were set up for the residents and people driving through the area. Discussion followed.

On Hedgehog, Councilor White indicated the changes are pretty cut and dry. From the point of the gate on the westerly side coming back to Pownal Road there will be a no parking strip of 250'. The road is too narrow to permit parking on both sides.

Chair Rumpf welcomed public comments.

Faith Baker, resident of Freeport and a member of the Bustins Island Village Corporation Advisory Board (BIVC) explained the big weekends with overflow parking in the past. It has never been their intention to park in front of residents' houses but it will happen. The BIVC does support the recommendations for safety reasons. Discussion followed.

If there is an opportunity to expand parking at the Soule School, she hopes the Town will seriously consider doing that. Councilor White noted that residents of South Freeport did not want to make very many changes. They will survey how many cars will be parked in the Soule School parking lot and how many weekends had overflow. Councilor Bishop asked Ms. Baker to check and see if families with multiple cars coming up for

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weekends and planning to park two or three cars would be willing to park at the high school or the Park and Ride. People want to park as close as possible but in this type of situation, perhaps they would be willing to park elsewhere. She is willing to work with the Traffic and Parking Committee.

Kristen Peterson, resident, urged the Traffic and Parking Committee to post Main Street because the traffic is significant. The demand for parking at the waterfront is huge. She mentioned that boats coming out of Brewer's need to make wide right turns to go up the hill.

Joe Migliaccio thanked whoever initiated the new parking changes. He doesn't see the growth going backwards or the need for access to the wharf diminishing. If you don't get the parking and traffic flow right, you really can lose a neighborhood. He doesn't see how the restaurant fits into this use. He knows they have their own parking lot but they get a disproportionate part of the public parking. Councilor White explained what exists there. He wants everyone to keep on it. It is a good start.

Stuart Jones, Church Trustee, noted that they have no problem with the proposed parking changes. He feels it is a good start.

Ms. Baker asked if there would be an opposition to overflow cars going around the circle at the beginning of Soule School parking. Chair White noted that the Project Review Board will be looking at it tomorrow.

Guy Quattrucci, representing Friends of Soule Park, noted that he attended all the Traffic and Parking Committee meetings. He supports the South Freeport Road parking proposals. It is a good start. There's a significant net gain in parking at Soule School. If there is an overflow spilling out, he is sure residents will come to the Traffic and Parking Committee.

MOVED AND SECONDED: That the Public Hearing be closed. (White & Bishop) **VOTE:** (7 Ayes)

Councilor Arsenault pointed out that he believes that the Town lost an opportunity to grab the brass ring on this. This is land that belongs to the Town.

BE IT ORDERED: That the proposed amendments to the Traffic and Parking Ordinance be approved.

BE IT FURTHER ORDERED: That the proposed amendments pertaining to Grove Street take effect upon completion of the necessary street improvements. (Bishop & DeGrandpre) **ROLL CALL VOTE** (6 Ayes) (1 Nay—Arsenault).

OTHER BUSINESS:

Report from the Community Center Fundraising Committee

Councilor Cassida noted that Bob is not in attendance this evening. He suggested that it be discussed on June 7.

Informational Exchange

Island Rover

Councilor Bishop will discuss this item with Mr. Olmstead.

COG Executive Committee

Councilor Beaulieu pointed out that she is a nominee to the COG Executive Committee. She will be voted on in August.

Councilor DeGrandpre noted that he met with the Facilities Committee from the school this morning and he believes it will be a great opportunity for both sides.

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

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
SPECIAL COUNCIL MEETING #11-05
TOWN HALL COUNCIL CHAMBERS
MAY 24, 2005**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #10-2005 held on May 17, 2005 and accept the Minutes as printed.

Chair Rumpf referred to page 2, Item #58-05 and suggested that the wording in the third sentence be changed to make it clearer: "The Council needs to determine whether it should honor the pledge it made a year ago and renewed earlier this year to dedicate any increase in state education aid to tax relief or whether it should *modify that pledge*." On page 8, Other Business, Under the Report from the Community Center Fundraising Committee, "Bob" should have been identified as *Bob Stevens*. Other Councilors concurred.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #10-2005 held on May 17, 2005 and accept the Minutes as amended. (Arsenault & White) **VOTE:** (7 Ayes).

SECOND ORDER OF BUSINESS: Announcements

None

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

Chair Rumpf moved on since there were no public comments.

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

ITEM #61-05 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for fiscal year 2005-2006.

May 24, 2004

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for the year 2005-2006 be approved in the amount of \$1,761,904 that \$270,018 be appropriated as Freeport's local share.

ITEM #62-05 To consider action relative to the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for fiscal year 2005-2006.

BE IT ORDERED: That the Regional Vocational Budget as approved by the Cooperative Board for Adult Education for the year 2005-2006 be approved in the amount of \$51,000 and that \$4,328 be appropriated as Freeport's local share.

ITEM #63-05 To consider action relative to funding public education from Kindergarten to Grade 12 for fiscal year 2006.

BE IT ORDERED: That \$8,624,266 be appropriated as the municipal contribution for the total cost of funding public education from Kindergarten to Grade 12 as described in the Essential Programs and Services Funding Act in accordance with MSRA Title 2-A, Section 15688.

ITEM #64-05 To consider action relative to funding annual payments on school debt service for fiscal year 2006.

BE IT ORDERED: That \$839,433 be appropriated for the annual payment on debt service previously approved by the legislative body for non-state funded school construction projects, non-state funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative units contribution to the total cost of public education from Kindergarten to Grade 12.

ITEM #65-05 To consider action relative to appropriating additional local funds for public education from Kindergarten to Grade 12 for fiscal year 2006.

BE IT ORDERED: That ~~\$2,288,369~~ \$2,328,369 be appropriated in additional local funds for public education for Kindergarten to Grade 12.

ITEM #66-05 To consider action relative to authorizing the School Committee to expend funds for fiscal year beginning July 1 2005 and ending June 30, 2006.

BE IT ORDERED: That the Freeport School Committee is authorized to expend ~~\$14,215,966~~ \$14,289,966 for the fiscal year beginning July 1, 2005 and ending June 30, 2006 from the school administrative units contributions to the total cost of funding public education from Kindergarten to Grade 12 as described in the Essential Programs and Services Funding Act, non-state funded school construction projects, additional local funds for school purposes under the MRSA, Title 20-A, Section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

ITEM #67-05 To consider action relative to funding Adult Education for fiscal year 2006.

BE IT ORDERED: That \$81,116 be appropriated for Adult Education.

ITEM #68-05 To consider action relative to the acceptance of State Funds for fiscal year 2006.

BE IT ORDERED: That the following categories of State Funds be accepted for fiscal year 2006.

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)
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).

ITEM #69-05 To consider action relative to the proposed fiscal year 2006 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, 2005 to June 30, 2006 Municipal Budget.

APPROPRIATIONS

General Government	2,337,468	2,352,468
Protection & Enforcement	1,819,151	
Health & Welfare	84,831	
Public Works/Solid Waste	1,717,907	1,732,907
Library	346,076	
Unclassified	310,144	
Education/Community Education	12,991,877	13,065,877
Education- State Debt	384,656	
Debt Service – Local	1,878,242	
County Tax	736,850	
Human Service Agencies	61,100	46,100
Bustins Island	174,000	
Abatements	25,000	
Economic Development Corp.	80,000	

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Capital Reserves	<u>50,000</u>	
TOTAL APPROPRIATIONS	\$22,997,302	\$23,086,302

ESTIMATED REVENUES

Non-Property Tax/Tax	1,277,500	
Intergovernmental	1,071,650	
Charges for Services	325,900	
Licenses and Permits	162,450	
Fines and Forfeitures	38,500	
Miscellaneous	68,000	
Education/Community Education	<u>2,024,242</u>	2,058,242
Education – State Debt	384,656	
Education Tuition Carryover	<u>55,000</u>	

TOTAL ESTIMATED	\$5,407,898	
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Library Lease Proceeds	147,177	
Amount Transferred from Undesignated Funds	350,000	
Amount to be Raised by Taxation	<u>17,092,227</u>	17,112,227

TOTAL REVENUES	\$22,997,302	23,086,302
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ITEM #70-05	To consider action relative to the operating budget for Winslow Park for fiscal year 2006.
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BE IT ORDERED: That \$180,595 be approved for the Winslow Park budget from July 1, 2005 to June 30, 2006 and \$19,170 be approved for the Harb Cottage budget from July 1, 2005 to June 30, 2006.

ITEM #71-05	To consider action relative to adopting a Non-Emergency Transport (NET) Budget for fiscal year 2006
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BE IT ORDERED: That the Non-Emergency Transport budget in the amount of \$315,000 be approved for fiscal year 2006.

⇒ ⇒ ⇒ **BE IT ORDERED:** That Items 61-05 thru 71-05 be adopted as printed. (Cassida & Arsenault)

MOVED AND SECONDED: To amend 61-05 by adding language after Grade 12: *exceeds the State's essential programs and services funding model by*

*\$799,993. The School Committee recommends \$2,288,369 for the following reasons: to provide a complete education program to the students in Freeport public schools. (Cassida & Arsenault) **VOTE:** (7 Ayes).*

Chair Rumpf explained to members of the public Items 61-05-71-05. He explained what was discussed at last night's workshop with the School Committee and Municipal personnel.

MOVED AND SECONDED: To approve the following amendments:

ITEM #65-05 – Increase from \$2,288,369 to \$2,328, 369
ITEM #66-05 – Increase from \$14,215,966 to \$14,289,966
ITEM #69-05 – Increase Public Works/Solid Waste from \$1, 717,907 to \$1,732,907
Increase Community Education from \$12,991,887 to \$13,065,877
Increase General Government from \$2,337,468 to \$2,352,468
Decrease Human Service Agencies from \$61,100 to \$46,100
Increase Total Appropriations from \$22,997,302 to \$23,086,302
Estimated Revenues Intergovernmental Revenues - Increase Tree Growth from \$20,000 to \$35,000
Miscellaneous Income – Increase interest earnings from \$60,000 to \$80,000
Education/Community Education – increase from \$2,024,242 to \$2,058,242
Amount to be raised by taxation – increase from \$17,092,227 to \$17,112,227
Total Revenues increase from \$22,997,302 to \$ 23,086,302 (White & Arsenault)

Chair Rumpf explained the proposed amendments to members of the public and the pledge the Council made last year to provide property tax relief.

MOVED AND SECONDED: To table the original order and the amendments. (DeGrandpre & Beaulieu) **VOTE:** (7 Ayes).

MOVED AND SECONDED: To take up an item not on the printed agenda, i.e. the property tax relief policy which was adopted on June 1, 2004. (Beaulieu & DeGrandpre) **VOTE:** (7 Ayes).

Chair Rumpf noted that difficult as it is, he believes it is appropriate and within the spirit of the original referendum and legislation if this policy is modified so that at least, at a minimum, 90% of any additional funding would be returned to the taxpayers in a form of tax relief.

Councilor Beaulieu pointed out that this is not the pledge the Council gave to the voters and from her perspective, it is lying to the taxpayers in the worse way for a politician to do. We tell them one thing but when it becomes unpleasant for the Council, we find ways to work around it. She feels uncomfortable at this point changing it. She feels that 100% should be returned to the taxpayers. Councilor DeGrandpre is willing to modify the commitment because he did not have a number when he made the pledge. He is not stuck on the 24 cents but agrees to provide substantial tax relief. Councilor Arsenault echoed what Councilor Beaulieu has stated. He believes the Council made a promise to the taxpayers and he interested in seeing how it falls out tonight. Councilor White noted that he is less concerned with the 100% versus delivering meaningful and appropriate tax relief and a year has gone by and some things have changed. He believes the path the Council is heading down is reasonable. It may be more unreasonable to stick to a pledge that is not totally in the best interest of Freeport citizens. Councilor Bishop noted that the Council would be doing the Town a disservice to keep fighting over the 24 cents or the 20 cents. 22 cents is the middle ground and it will help the situation. She doesn't believe that the 24 cents is meaningful tax relief

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but 22 cents is something that shows taxpayers that the Council is trying to reduce the tax rate. If it takes half the Council to come together and try to make it work, that is where she will be able to move. If the Municipal side wasn't getting any additional funds, she would not support this modification. In reality the school budget increased the budget by 31 cents and the Municipal side reduced it by 18 cents. Councilor Cassida noted that he is willing to try to help the School Committee and the Municipal departments get some of the things they have had to cut in order to meet the Council's original policy decision. It is reasonable to give back 90% to the taxpayers. Chair Rumpf pointed out that there is justification in the history of the referendum and it provides a floor below which he would not have been comfortable moving.

Councilor Beaulieu asked when the Council would be talking about the letter from School Committee. Chair Rumpf noted that the Schools have agreed to work with the Council and bring a budget that is no more than 4% above this year for next year. Councilor Beaulieu asked if the pledge would be signed by the Superintendent, every member of the School Committee, the Town Manager and the Chair of the Town Council to ensure that the pledge is valuable. Councilor Arsenault agreed that this commitment is needed for the taxpayers of the community.

Chris Leighton wanted to be sure he is clear that the Council is discussing 4%. He has not had an opportunity to discuss this with the entire School Committee since so much has happened quickly. If it can come in less, every effort will be made to bring it in. They will pledge to the 4% if there is an extraordinary circumstance clause included. 4% is not unreasonable and it will enable them to figure out their fate. They can begin tomorrow. He is not opposed to everyone signing the pledge and would welcome getting it in writing. He would like to see the whole Town Council sign the pledge as well.

MOVED AND SECONDED: That we amend the Property Tax Relief Policy to read: no less than 90% of any net increase in revenue made available by the State of Maine to the Town of Freeport as a result of property tax reform efforts outlined in "The School Finance and Comprehensive Tax Reform Act of 2003" and in LD 1924 "An Act to Reduce the Cost of Local Government Through Increased State Education Funding and Provide Property Tax Relief" shall be used exclusively to lower property taxes in Freeport. No less than 90% of any net increase in revenue so derived shall not be appropriated for additional or new municipal or school support. "Net increase" shall mean additional financial support, minus any reductions of payments currently received for public education or municipal operating budgets. This policy shall expire at the end of fiscal year 2009-2010. Amended May 24, 2005 (Cassida & White) **VOTE:** (6 Ayes) (1 Nay—Beaulieu).

MOVED AND SECONDED: To bring back to the table the proposed amendments to the FY'06 Budget adoption as proposed. (Bishop & Cassida) **VOTE:** (7 Ayes).

Councilor Beaulieu noted that she would be voting on these amendments and the budget, not because she supports it, but she wants to be in the majority so that if the pledge is not signed, she can bring it back to the table to have it reconsidered. Councilor Cassida asked Ms. Tomaszewski to explain where the additional funds on the school side were derived from. Ms. Tomaszewski explained that \$28,000 came from Medicaid and \$6,000 came from the State Agency Client money.

VOTE ON AMENDMENTS: (7 Ayes).

MOVED AND SECONDED: To amend 63-05 by adding the Explanation: The school administrative unit's contribution to the total cost of funding public

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education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

To amend 64-05 by adding the Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality/district long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The voters or other legislative body previously approved the bonding of this long-term debt.

To amend 65-05 by adding the Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual debt service payment on non-state-funded school construction projects or the non-state-funded portion of a school construction project that will help achieve the Freeport budget for educational programs. (Bishop & DeGrandpre) VOTE: (7 Ayes)

Chair Rumpf noted that the Council is now on the original orders as amended which essentially would implement the proposed FY'06 proposed budget for the Town of Freeport. He summarized from his summary sheet for the public. The projected mill rate will be \$17.88, which is a 22-cent reduction from the current mill rate. Overall, it will be a 2% increase in the budget from last year.

Councilor DeGrandpre is committed to better understanding everyone's budget next year so that the budget process will be smoother. Councilor Arsenault pointed out that people have called and advised that it is difficult for them to follow the budget process. He hopes to take away the confusion for people next year.

ROLL CALL VOTE ON ORIGINAL ORDERS AS AMENDED: (7 Ayes).

Chair Rumpf asked Mr. Olmstead to work with the School Superintendent on the agreement regarding next year's budget. He will be happy to review it. Councilor Beaulieu asked Mr. Olmstead to add the agreement to the June 7 meeting so that the Council can sign it as an agenda item.

ITEM #72-05	To consider action relative to the establishment of a Freeport School System Endowment Fund.
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BE IT ORDERED: That a Freeport School System Endowment Fund be established.

BE IT FURTHER ORDERED: That the Freeport School Committee be authorized to manage the fund and be required to report annually to the Town Council, on the status of the fund.

Note: This item requested by Councilor Arsenault. (Arsenault & Beaulieu)

Councilor Arsenault explained the reasons for this proposal. He has since learned that there is already an effort underway by the Education Foundation of Freeport so he will withdraw his request. Anyone

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interested in contributing can make their contributions to the Education Foundation of Freeport. Elaine Tomaszewski explained that it is unnecessary to establish a second foundation but thanked Councilor Arsenault for his proposal. Sheila Nappi explained that the foundation was established in 2002 and they have awarded more than \$10,000 in grants to date. Discussion followed. Ms. Nappi asked residents that indicated \$30 or \$40 would not affect their finances at previous meetings to consider sending it to the Education Foundation of Freeport. Councilor Bishop suggested including brochures in a town-wide mailing that is sent out 3 or 4 times a year. Chair Rumpf encouraged residents to consider contributing to the Education Foundation of Freeport because they are doing good work and their contributions are tax deductible.

MOVED AND SECONDED: To table Item 72-05 indefinitely. (White & DeGrandpre) **VOTE:** (7 Ayes).

MOVED AND SECONDED: To take up an item not on the printed agenda regarding the Safer Grant Program. (White & Arsenault) **VOTE:** (7 Ayes).

BE IT ORDERED: That the Fire Chief be authorized to apply for one position under the National Safer Grant Program.

BE IT FURTHER ORDERED: That the Solid Waste Director be authorized to install one additional recycling silver bullet in the Flying Point area. (Arsenault & Bishop)

Councilor Beaulieu noted she will be voting against the Safer Grant because in 3-4 years, we will be buying a person and she is thinking of budgets. Councilor White thinks the Council should go ahead with the grant and will consider voting it down next year. Councilor DeGrandpre wants more answers on the grant process. Councilor Bishop pointed out that Freeport may not even get the grant. Discussion followed.

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

Anyone with suggestions regarding the location for a silver bullet in the Flying Point area should contact the Town Manager or Recycling Director.

OTHER BUSINESS:

Councilor Arsenault noted that this is the first time in 23 years that the mill rate has been reduced.

MOVED AND SECONDED: To adjourn at 8:30 p.m. (DeGrandpre & Bishop) **VOTE:** (7 Ayes).

Respectfully Submitted,

Sharon Coffin, Council Secretary

**SPECIAL COUNCIL MEETING #12-2005
TOWN HALL COUNCIL CHAMBERS
JUNE 7, 2005**

CHAIRPERSON'S CALL TO ORDER

Thomas Rumpf, P.O. Box. 819, S. Freeport
John Arsenaault, Prout Road
Charlotte Bishop, Maquoit Drive
Rich DeGrandpre, Timber Ridge Road
Frederick White, 45 Pleasant Hill Road
James Cassida, 5 Timber Ridge Road
Genie Beaulieu, P.O. Box 74

PRESENT ABSENT EXCUSED

X
X X
X
X
X
X

Chair Rumpf called the meeting to order and noted that Councilor Arsenault is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #11-2005 held on May 24, 2005 and accept the Minutes as printed.

Chair Rumpf noted being confused with the numbers on the School Budget. He mentioned what he came up with on school debt and asked Mr. Olmstead for clarification. Mr. Olmstead offered to check with Greg L'Heureux to have him run the numbers and will report back to the Council. On page 8 Chair Rumpf suggested that the wording in the last sentence of the first paragraph be changed to read: Chair Rumpf encouraged residents to consider contributing to the Education Foundation of Freeport because they are doing good work and *noted* their contributions are tax deductible. Under Other Business, Chair Rumpf suggested adding: *,absent a town-wide revaluation* after the word **reduced**. Other Councilors concurred.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #11-2005 held on May 24, 2005 and accept the Minutes as amended. (DeGrandpre & Bishop)
VOTE: (6 Ayes) (1 Excused—Arsenault)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf noted that the Fun Day at Winslow Park took place last Saturday and that clean-up days at the Recycling Center were very successful.

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

Chair Rumpf moved on since there were no public comments.

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

ITEM #76-05 To consider action relative to adopting the June 7, 2005 Consent Agenda.

BE IT ORDERED: That The June 7, 2005 Consent Agenda be adopted.
(Beaulieu & Cassida)

Chair Rumpf highlighted the items on the Agenda for members of the public.

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

ITEM #77-05 To consider action relative to an application for an Alcoholic Beverage License for Harris Gold, Inc. d/b/a Freeport Country Club, 2 Old County Road. (Public Hearing)

MOVED AND SECONDED: That the Public Hearing be opened. (White & Cassida) **VOTE:** 6 Ayes) (1 Excused—Arsenault)

Chair Rumpf noted that this establishment is under new management. There were no public comments.

MOVED AND SECONDED: That the Public Hearing be closed. (White & DeGrandpre) **VOTE:** 6 Ayes) (1 Excused—Arsenault)

BE IT FURTHER ORDERED: That the application for an Alcoholic Beverage License issued to Harris Gold, Inc. be approved. (White & DeGrandpre) **ROLL CALL VOTE:** 6 Ayes) (1 Excused—Arsenault)

ITEM #78-05 To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village 1 and Village Commercial II, III, IV Districts.

BE IT ORDERED: That a Public Hearing be scheduled for June 21, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village I and Village Commercial II, III and IV Districts.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be

placed on Freeport's local cable channel 7 and the Town's website. (Bishop & DeGrandpre)

Chair Rumpf indicated that the Council would be getting a report on this package from the Town Planner later this evening. Councilors DeGrandpre and Beaulieu encouraged members of the public with any interests, thoughts or concerns to pick up the most current version. The information will be on the Town's website tomorrow. Mr. Olmstead asked if individual notices should be sent out to folks that live in the district. Donna Larson estimated it would cost about \$125 and she could have them in the mail Friday. Councilors concurred that notices should be sent. Councilor Beaulieu suggested that the homeowner be contacted to ensure it is okay to have his/her home pictured on the notices.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

ITEM #79-05 To consider action relative to the Letter of Commitment between the Freeport town Council and the School Committee.

BE IT ORDERED: That the Letter of Commitment dated June 7, 2005 between the Freeport Town Council and the School Committee regarding Operating Budget increases for FY 2007 be approved. (Cassida & Beaulieu)

Chris Leighton, Chair of the School Committee, explained that they drafted a letter that he and Elaine Tomaszewski, Superintendent of Schools, signed with the intent of submitting a Fiscal Year 2007 School Operating Budget request that does not exceed the Fiscal Year 2006 Budget by more than 4% unless extraordinary circumstances arise that could strike a real blow to their budget. He noted that the Chair and the Superintendent should be able to sign this letter without the entire School Committee. They are committed to working with the Town Council this year. Keeping the lines of communication open will be a priority this year. The entire School Committee is committed to the contents of this letter. Ms. Tomaszewski indicated that she, too, is committed.

Councilor Beaulieu pointed out her concerns with not having the entire School Committee sign this letter of intent. Discussion followed. Mr. Leighton noted that the Minutes from the May 24 budget hearing is a matter of public record and he is comfortable saying to the public that the commitment has been made by the School Committee. Councilors DeGrandpre and White agreed that this letter is a good faith effort and they are comfortable with it. Discussion followed. Councilor White suggested looking similarly at the Municipal side with department heads rather than waiting until the budget period.

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

Councilor Bishop brought up the fact that there are two letters dated June 7 and one doesn't say "letter of commitment."

MOVED AND SECONDED: To reopen discussion on Item #79-05 (DeGrandpre & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—Arsenault)

To modify the **BE IT ORDERED** on Item 79-05 to read: That the letter dated June 7, 2005 from Freeport Public Schools signed by Chris Leighton and Elaine Tomaszewski regarding operating budget increases for FY 2007 be accepted. (Cassida & Bishop) **VOTE:** (6 Ayes) (1 Excused—Arsenault)

OTHER BUSINESS:

1. Presentation from Freeport Environmental Science class on water quality sampling.

Bethany Fournier, Science Teacher at Freeport High School, thanked the Council for providing the opportunity for her students to share the results of their water quality sampling on Freeport water bodies. She also thanked Melissa Sternlieb from the Cumberland County Soil and Water Conservation District. The students doubled their testing from last year. She introduced Jessie Suchoff who reported findings on the Concord Gully Watershed. Jack Printer reported findings on the Summer Street Pond. Amber reported on Tracks Pond. Becky Powers reported on the Frost Gully Main. Morgan reported on the Upper Frost Gully. Maura Gorman, Kelly and Andrea reported on Collins Brook. Brian Ridley reported findings on Florida Lake. Becky Gerber reported on a Hunter Road site. The students indicated that they shared their information with the Conservation Commission. Mary Sauer requested a copy.

Chair Rumpf noted that the students did some really fine work and thanked them.

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2. Presentation on proposed Zoning Ordinance amendments concerning subdivisions in the Village I and Village Commercial II, III and IV Districts.

Town Planner, Donna Larson, gave some history on these amendments. In 2002 the Council appointed a 28-member Village Planning Committee. The Committee provided a report in July of 2003 to the Council. The Council presented it to the Planning Board. The Planning Board went through a reorganization process and then held a series of public hearings. They also held a public hearing in May of 2005 and standards were discussed. Subjects such as smaller lots, open space, sidewalks, bikeways, colors, passive solar architecture, etc. were discussed. On June 1 the Planning Board met again and revised the design standards. She explained the proposed standards to Councilors. She also showed road configurations and homes in various existing neighborhoods. She answered questions for Councilors regarding ranch-style homes, siding, plant lists, etc. Discussion followed.

Chair Rumpf thanked Ms. Larson, the Planning Board and the Village Planning Committee for all their hard work. Ms. Larson noted that she is planning to give the same presentation at the public hearing coming up in two weeks. She has a brochure that has two words whited out summarizing what is being proposed. They will be left out for members of the public at the Town Hall and also at the Public Library.

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3. Presentation from the Freeport Conservation Trust on proposal for Quarry Woods/Lower Mast Landing Property.

Bob Santomenna, Trustee of the Freeport Conservation Trust, introduced President, Cathy Bither, Arnie MacDonald, Louisa Moore and Travis Pryor from the Conservation Commission. Jennifer Melville will be arriving later.

They asked to be added to the agenda to discuss their proposal to purchase a conservation easement on approximately 35 acres owned by the Town on Lower Mast Landing Road. They engaged an appraiser to provide an appraisal on the property. The land was appraised at \$139,000 and the development right is valued within 60-80%. He reviewed the Town's involvement with this property. Lot #2 was purchased for \$150,000 to provide a recreation complex for Mast Landing School or municipal use. Lot #7 was

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June 7, 2005

donated in 1991 without restrictions but a preference was noted that the land be used as a nature preserve. Lot #2 was not developed because of environmentally sensitive areas. \$80,000 was recovered from the Engineering Consultants who advised the land was appropriate for recreational uses. In 2003 the Council considered the sale of some of the land as a component to help fund a portion of a running track. The Town was not able to find the means to build the track and it will be built at Bowdoin College. Freeport will have access to that track. Louisa Moore showed features of the property included in their LMF application for \$150,000, which was the result of many hours of work donated by many people. It yielded a \$50,000 grant. They propose to purchase the easement for \$55,000. They include in their budget an estimate of an additional \$15,000 to cover acquisition costs. He explained what would be appropriate on this site under the easement and the many benefits that would be provided.

Travis Pryor, Conservation Commission, thanked the Council for carefully considering this property. They wholly endorse the Freeport Trust's proposal. The public really appreciates this property. He understands that the Town will do the management but the Trust will work closely with the Conservation Commission in providing volunteer labor to help with the construction of trails, etc. Mr. Olmstead indicated that the property is not being managed right now.

Councilor DeGrandpre respectfully disagrees with the value placed on this property but agrees it is important that the parcel begins to be managed. He would like to structure the easement so that the Town retains all the rights and then extinguish the development rights. Mr. Santomenna noted that the Trust and the Conservation Commission is looking at how the Council feels on this proposal. Councilor Beaulieu is supportive but would like to get more than \$55,000. People have indicated to her that they would like to see how the money would be used specifically. Councilor Bishop agrees with Councilor Beaulieu. Councilor Cassida is concerned with the value of the property and the amount of money the Town is recouping. This is the only thing that concerns him. He is confident that details on the rest of the package can be worked out. Chair Rumpf supports the project. This property can tie in as an investment to the Town. He would like to see some minimal support from private individuals that indicated such strong support for this project. Even an additional \$10,000 raised from a private campaign would permit him to move forward. Councilor White agreed with Chair Rumpf. He is less concerned with the amount of money. The value to the residents of Freeport is in protecting the property. Mr. Santomenna pointed out that the Trust is not a fund-raising organization. They make an effort to find a champion for the property that can go out and make a solicitation.

Peter Moore of Torrey Hill Road pointed out that they have a stewardship group who would love to help manage the property appropriately. There are over 200 people who signed a petition asking the Council to preserve this Town-owned property. Bob Santomenna advised that an abutter would be willing to make an in-kind contribution of a public access easement right-of-way from his property on Quarry Lane to this property.

MOVED AND SECONDED: To put an amount of \$83,000 for the easement on the table for discussion. (DeGrandpre & Beaulieu) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Councilor White noted that the Town owns the property and this is an opportunity to do something significant. People have worked hard to protect this property for future generations. Councilor Beaulieu noted that the Town is giving up a value for a good cause. People have asked her to not to "give" it away and she feels \$55,000 is not enough. Chair Rumpf asked Councilors to consider the donors that have contributed to the acquisition of this property.

MOVED AND SECONDED: To amend the motion to reduce the amount from \$83,000 to \$65,000 (White & DeGrandpre)

Councilor DeGrandpre wants to retain rights carefully and will review the language. Chair Rumpf noted that it appears Councilors would be willing to move ahead with the sale of the easement for the LMF Grant and an additional \$10,000. The Council will vote on the actual sale when all the details are worked out. Councilor White asked what would happen if the Trust cannot raise an additional \$10,000. Councilors noted that the Town will still own the land.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

Mr. Santomenna indicated that the Trust will go back to its donors and say that the proposal is accepted subject to an increase in price of \$10,000. Louisa Moore asked about the offer of in-kind donation. Chair Rumpf noted that this would be a significant value and would allow trails to connect to the property. Councilors concurred that this is valuable but clarification is needed whether public access can be granted over a subdivision road.

Chair Rumpf thanked everyone for all the work they did on this project.

4. Report from the Community Center Fundraising Committee.

Councilor Cassida referred to the summary sheet handed out by Ed Bradley but Mr. Bradley was no longer in attendance. Chair Rumpf indicated that the Council can accept this as a report from the Fundraising Committee. The Council can review it and determine if it has questions. The committee can be called in to answer any questions.

5. RWS Update.

Mr. Olmstead reviewed what RWS has been doing over the last 18 months. The new general manager hired just under a year ago has been doing an excellent job. Freeport will now be in District 4. Communities are being asked to eliminate the date of 2014 for leaving the RWS system in the agreement and he explained what would happen should communities not do this.

He will be attending an annual RWS Board meeting next week, which will be his 20th Board meeting. He asked the Chair of the Council if he could be relieved of representing Freeport on the Board. Rod Regier has expressed an interest in replacing Mr. Olmstead as Freeport's Board member and would like to be considered. Mr. Olmstead is certain Mr. Regier will be a terrific Board member. Greg L'Heureux will continue to serve as the Alternate. At the next meeting, the Council will consider approval of the amendments of the waste handling agreement and the local agreement as well as the appointment of Mr. Regier to the RWS Board.

Mr. Olmstead is also Vice Chair of the Civics Center Board of Trustees and the Chair is stepping down so he will be taking over as Chair. There will be a fair amount of work going on and this is a good time to exit the RWS Board and Freeport will have an excellent replacement.

6. Informational Exchange

Councilor Beaulieu asked if the problems at the Dunning Boat Yard have been resolved. Mr. Olmstead indicated that this issue will be discussed at the Municipal Facilities meeting on the 21st at 5 p.m.

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June 7, 2005

Mr. Olmstead sent the Town Engineer down with lease in hand and violations were noted. Notice of violation was given to Carter Becker and he has been given 7 days to correct them. Discussion followed.

Adjournment

MOVED AND SECONDED: To adjourn at 10:45p.m. (Bishop & DeGrandpre)
VOTE: (6 Ayes) (1 Excused—Arsenault).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #13-2005
TOWN HALL COUNCIL CHAMBERS
JUNE 21, 2005

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

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
Genie Beaulieu, P.O. Box 74

x		
		x
x		
x		
x		
x		
x		

Chair Rumpf called the meeting to order and noted that Councilor Bishop is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #12-2005 held on June 7, 2005 and accept the Minutes as printed.

Councilor DeGrandpre referred to page 6 under RWS Update. The sentence should have read: *He will be attending an annual RWS Board meeting next week, which will be his 20th year of Board meetings rather than his 20th Board meeting.*

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #11-2005 held on May 24, 2005 and accept the Minutes as amended. (Cassida & DeGrandpre)
VOTE: (6 Ayes) (1 Excused—Bishop)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf noted that the composting bins will be available for pick up on June 29 between 9 a.m. and 3:30 p.m. for any Freeport resident who placed an order for them. Pick ups can be made during the regular business hours on or after June 29.

The Appointments Committee recently made a number of appointments to various Town Boards or Committees. Chair Rumpf encouraged members of the public willing to serve on Boards or Committees to consider submitting an application form expressing their particular interest.

Chair Rumpf noted that the State budget was recently revised last week. He doesn't know what the final numbers are as a result of this. There were cuts in State programs which involved funding to municipalities, tree growth reimbursement was pushed off and municipal revenue sharing is being reduced. He does not know what the specific implications are for Freeport but he is fairly certain there will be a loss of revenue from the budget that was passed for next year. It is quite likely that the Council will have to revisit its budget and determine what cuts are necessary in order to balance the budget for next year. He does not expect the details for a couple of weeks but he wanted people to know that decisions made at the State level will impact the Town budget.

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

Chair Rumpf moved on since there were no public comments.

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

ITEM #84-05 To consider action relative to adopting the June 21, 2005 Consent Agenda.

BE IT ORDERED: That The June 21, 2005 Consent Agenda be adopted.
(Beaulieu & Arsenault)

Chair Rumpf highlighted the items on the agenda for members of the public. Mr. Olmstead advised that Pine Tree has not yet paid their fee and their license will not be reissued until they do. Pine Tree's customers may experience an interruption in service because their trucks will not be allowed to collect after July 1. He noted that they have been called numerous times. Councilor Beaulieu urged Pine Tree's customers to contact them because their collections will stop July 1.

Mr. Olmstead noted that the last victualer listed on the agenda has not yet received his State license and will not be issued a local license until he can show proof of a State license.

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

ITEM #85-05 To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivision in the Village I and Village Commercial II, III and IV Districts. **Public Hearing.**

MOVED AND SECONDED: That the Public Hearing be opened. (DeGrandpre & Beaulieu) **VOTE:** 6 Ayes) (1 Excused—Bishop)

Conan Deady, Vice Chair of the Planning Board, gave a brief description of what the Planning Board has been working on this past year. The moratorium will expire in two days. He answered questions for Councilors. Current Planning Board members were in attendance.

Town Planner, Donna Larson, provided history on these proposed amendments. In 2002 the Council appointed a 28-member Village Planning Committee. The Committee provided a report in July of 2003 to the Council. The Council presented it to the Planning Board. The Planning Board went through a reorganization process and then held a series of public hearings. They also held a public hearing in May of 2005 and standards were discussed. Subjects such as smaller lots, open space, sidewalks, bikeways,

colors, passive solar architecture, etc. were discussed. On June 1 the Planning Board met again and revised the design standards. She explained the proposed standards to Councilors and also showed road configurations and homes in various existing neighborhoods.

Chair Rumpf thanked Ms. Larson and the Planning Board for all the work they did on this proposal.

Councilor Beaulieu asked for clarification on where the zones actually exist so that members of the public would understand what was being considered. Councilor Arsenault had concerns with the restrictions on one-story ranch style homes. Councilor DeGrandpre asked if current mobile home owners would be able to replace their homes when necessary. Ms. Larson addressed these questions.

Chair Rumpf opened the podium to the public. Rodney Curtis of Oak Avenue had questions on the 200' buffering from I-95 and asked where the line was drawn. Pauline Harris of Royal Avenue noted concerns with mandating that garage doors must not face the street. Andrew Simmons of Snow Road noted his objections to the garage door mandate as well as the prevention of large landscaping rocks being brought in. He also had concerns with the restrictive list of street trees. He recently planted trees that are not on the recommended list. He asked about adding bike lanes that connect to other areas.

Chair Rumpf addressed the bike lane issue and Cynthia Orcutt addressed questions on landscaping rocks, and the list of street trees and buffering material. Ms. Orcutt clarified that "shall" means you must do it and "should" is your choice. The "shalls" are street trees and screening plants. The "should" is something recommended (buffers and any other landscaping proposed in this district). Chair Rumpf suggested changing the sentence to read: *It is recommended that plant material be chosen from the plants listed in the plant material list.* Other Councilors concurred. Discussion followed on rocks. Councilor DeGrandpre clarified that what is being discussed is multi-family and sub-division. Chair Rumpf suggested going through each design standard headings and review who it applies to. Ms. Larson agreed. Ed Bonney called for a point of order—this is a public hearing and people should be able to speak, even if it is stupid. It is not a work session. Chair Rumpf noted it is important for everyone to understand exactly what is being proposed in order to make intelligent comments about what the impact is. He asked if anyone had a time constraint and would like to speak right away.

Pam Wagner of Dennison Avenue noted that she doesn't think we should try to preserve the rural areas of Freeport by decreasing the lot sizes in the village. She noted that people are concerned about houses being put closer together. They are concerned about 3 or more units being allowed in areas where they can't be put in right now. She has no concerns with affordable housing in the village. She would prefer to see the lot sizes and setbacks remain as they are.

Peter Bogle of Park Street echoed what Ms. Wagner said. He had objections to Page 24 dictating what size trim needs to be used on houses. On page 27 regarding fencing, he feels he should be able to install a chain link fence for his dog. He understands the need for standards but feels these standards are over-regulating and asked the Council to respect what people can afford.

Rod Regier of South Street asked the Council to consider the Zoning Ordinance proposals and it has been stated tonight several times that the design standards proposed would not be applicable to single family homes. There are several places where you see the phrase under "Other Standards" **Any new construction, addition or reconstruction in this district are also subject to the Freeport Village Design Standards.** He hopes that this ambiguity will be clarified as the Council works through it.

TOWN COUNCIL MEETING #13-2005
June 21, 2005

Ms. Larson indicated that the Town Attorney has reviewed this and it is meant to cross reference to the design standards. Councilor Beaulieu suggested stating right up front what the standards apply to or do not apply to.

Kirk Goddard noted his concern about recommended changes to the Comprehensive Plan that he thought was scheduled this evening. He printed off the information from the Town's website. He has concerns with amending pieces of the Comprehensive Plan. Ms. Larson explained that the changes Mr. Goddard is talking about are not part of tonight's public hearing. She apologized to Mr. Goddard as did Chair Rumpf.

Jackie Soley of 201 Main Street suggested that anything recommended not be included in this document to prevent misinterpretation.

Susie Saunders, former Village Planning Committee member and property owner in the Village, indicated that the Design Review Ordinance has been a "godsend" to the village since the result is a really beautiful downtown area. She recalled a tenant wanting to add rubber palm trees in front of a building.

Ed Bonney apologized for his point of order and offered to wait to speak. Chair Rumpf encouraged him to speak now. He has spent 40 years trying to do good things for Freeport. He sees a great difference between the need to regulate commercial activity in VC-I from the need to strictly regulate what is going to happen in the donut around that. In his opinion the math doesn't work on this particular plan. He has concerns with the 30 pages of regulations that may hinder the goal of infilling some property downtown. He suggested that the Council make it easy for people to live downtown where there are existing utilities. He noted that there is a desperate need for elderly and affordable housing.

Gordon Hamlin of Chapel Street disagreed with Mr. Bonney. He builds 35 houses every year and asked the Council to show some leadership in not gutting this Ordinance. He encouraged the Council to simply tweak it.

Richard Harris of Royal Avenue indicated that some standards are needed but the question is how many standards need to be in place. There are some design standards that have problems.

Alice of 9 Somerset Street has concerns with sprawl and how many lots will be allowed. She had questions about open space and asked the Council to look at the numbers.

Andrew Simmons commented on what other people said earlier. He feels that the majority of people in Town are not going to subdivide. He agrees that having the restrictions too tight is going to inhibit growth.

Joe Migliaccio of South Freeport Road and Planning Board member agreed that this document is very difficult from a resident's perspective. It is up to the Council to decide to send it back to the Planning Board for more work or look at the reason why it is being dealt with in a piece meal fashion. People need guidance from the Council.

Chair Rumpf pointed out that a new Subdivision Ordinance was adopted for the rest of the Town but it exclusively excluded consideration of the Downtown. This is an attempt to complete the picture for the entire Town on the Subdivision end.

MOVED AND SECONDED: That the Public Hearing be closed. (Cassida & Arsenault)
VOTE: 6 Ayes) (1 Excused—Bishop).

TOWN COUNCIL MEETING #13-2005
June 21, 2005

Councilor DeGrandpre pointed out that he is not opposed to having some sort of design standards in the village area but he is uncomfortable with the design standards as written for infill single family and existing homes. He feels he can work with the space standards. Councilor Beaulieu has no problems with the Subdivision Ordinance other than the design standards. She has a problem with *all roads being public*. She asked at the last meeting for the number of potential miles this may mean. In a bad tax time, this could have serious consequences. She also has a real problem with not being able to have a ranch house. The rock thing is not a big deal to her. She asked who would police under landscaping, the use of bare root plant material. She noted it does not make sense to make Ordinances that will not be enforced. She also has a problem with the mandate that the garage doors be put on the side. She has a problem with the wording in the Comprehensive Plan saying that we are voting to change the Comprehensive Plan and technically it will mean that we are changing everything that has been changed on the web. Councilor Cassida indicated he agrees with Councilors Beaulieu and DeGrandpre. He feels it is too much regulating and we don't need this much detail to encourage infill development. He would appreciate reasonable, concise design standards. Councilor Arsenault has concerns with the design standards but feels it is important to have some design standards in place. He has a concern with the requirement of houses being a story and a half.

Councilor White appreciates all the work the Planning Board did on this proposal. He supports it generally and feels that standards are a necessary evil. He has a concern with standards when they drive the price of construction up. The only people that can afford to live here are folks that have a significant income.

Chair Rumpf supports the intent of providing for more infill and density in the village but he does that with the understanding that it is done in a way that continues to support a viable, walkable village community where people can live and work in the same village and don't necessarily have to get in a car to get from one thing or another or buy a quart of milk. The Council will need to take a look at the proposed design standards and find a way to simplify them and decide which ones are really critical and which ones are not as important and really don't accomplish that much in reality.

Mr. Deady offered to readdress some of the concerns that were brought up tonight such as the large rocks, bare root plants and garage doors. He did not recall a conversation on any of these.

Chair Rumpf mentioned extending the Moratorium and discussion followed. Councilor Cassida does not want to extend the Moratorium. Councilor Beaulieu suggested that Councilors submit a list of concerns with the design standards to the Town Planner. Ms. Larson noted that the next Planning Board meeting is on July 6 and encouraged Councilors to come in and workshop if possible. She did not recommend extending the Moratorium. Chair Rumpf mentioned that members of the public might participate in the Planning Board's meeting. Members of the public can contact their respective Councilor or the Town Planner.

MOVED AND SECONDED: To table Item #85-05 until the Council has an opportunity to have further discussions with the Planning Board about simplifying the design standards. (Arsenault & Cassida) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Bishop)

MOVED AND SECONDED: To take Item #88-05 out of order (White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Bishop).

TOWN COUNCIL MEETING #13-2005
June 21, 2005

ITEM #88-05 To consider action relative to a loan from Municipal Reserve Funds to provide for the purchase of a piano for the High School Performing Arts Center.

BE IT ORDERED: That a loan of \$10,000 from Municipal Reserving Funds be authorized to provide for the purchase of a piano for the High School Performing Arts Center.

BE IT FURTHER ORDERED: That the loan be fully repaid no later than June 30, 2008 and be conditioned on a signed pledge as printed and dated June 21, 2005. (Cassida & Arsenault)

Dr. Steve Putnam, Manager of the Performing Arts Center, explained the history behind this piano purchase. L.L. Bean donated \$15,000 and the Performing Arts Boosters set aside \$2,800. Private donors have pledged \$1,500. A 75-year old Steinway 7' concert level grand has been located in Massachusetts for \$29,300.

MOVED AND SECONDED: To amend the motion to read a Steinway 7' concert grand piano. (Cassida & Arsenault) **VOTE:** (6 Ayes) (1 Excused—Bishop)

Chair Rumpf thanked Dr. Putnam and Rod Regier for all their work in bringing this Steinway to Freeport. Councilor DeGrandpre asked who was taking care of the donations. Dr. Putnam indicated that he would keep track of donations but the check from L.L. Bean is in the Superintendent's office. Mr. Olmstead advised that donations would come to the Town and be accepted by the Council. He requested that the check from L.L. Bean be transferred to Town Hall for acceptance by the Council. He will open an account.

Dr. Putnam explained how the piano would be cared for when it arrives.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Bishop).

MOVED AND SECONDED: To take Item #1 under Other Business out of order—Discussion on request for funding from the BRAC Task Force. (Beaulieu & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Bishop).

Al Austin, BRAC member, explained how the task force is working to save the Brunswick Naval Air Station. He noted that this is a regional issue and not simply a Brunswick issue. He asked for support from Freeport. Discussion followed.

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

BE IT ORDERED: That \$2,500 be expended from the fiscal year 2005 Operating Budget Miscellaneous Contingency Account to support the activities of the BRAC Task Force. (Beaulieu & DeGrandpre) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Bishop)

Mr. Austin thanked the Council and indicated that he would like to come back at some time.

TOWN COUNCIL MEETING #13-2005
June 21, 2005

- ITEM #86-05** To consider action relative to adopting the ECO Maine Interlocal Solid Waste Agreement, the ECO Maine Waste Handling Agreement and forming a non-capital stock non profit corporation.

BE IT ORDERED: That the Town of Freeport

1. enter in and adopt the ECO Maine Interlocal Solid Waste Agreement, substantially in the form attached and incorporated herein by reference, pursuant to the provisions of Title 30-A, Chapter 115 and Title 38, Chapter 13, Section 1304-B(5) of the Maine Revised Statutes; and
2. Authorize the formation of a non-capital stock nonprofit corporation under the provisions of Title 13-B and Title 38, Section 1304-B(5) of the Maine Revised Statutes, the name of such corporation to be "ECO Maine," to operate a regional waste management system pursuant to the provisions of the said ECO Maine interlocal Solid Waste Agreement; and
3. Enter into and adopt a Waste Handling Agreement with ECO Maine substantially in the form attached and incorporated herein by reference. (Arsenault & Beaulieu)

Chair Rumpf indicated that materials were included in Councilors' packets. Mr. Olmstead advised that Schedule A is excluded but if we expand our recycling efforts, we will have to come up with a schedule. Discussion followed.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Bishop).

- ITEM #87-05** To consider action relative to appointing an ECO Maine Board of Directors member to represent the Town of Freeport.

BE IT ORDERED: That Rod Regier be appointed effective July 1, 2005 to the ECO Maine Board of Directors representing the Town of Freeport. (White & DeGrandpre).

There was consensus that Mr. Regier would be a fine representative.

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

OTHER BUSINESS:

Informational Exchange

Chair Rumpf mentioned that Freeport will likely experience some impact by the cuts in the State budget from last week. David Webster was in attendance. Mr. Olmstead noted that if the State were to find a way to pick up the entire cost of Homestead Exemption improvements that were made, it would more than offset the numbers he has seen in the way of an impact. If none of that happens, Freeport will have a significant issue to deal with. He is having an emergency meeting with his department heads tomorrow and they will start their year off with a budget freeze. It is important that Council leadership relay to School Committee leadership that they need to be taking some action to protect themselves because we will have to reopen the budget process in the next couple of months should the State not find a way to offset these revenue reductions. Discussion followed.

TOWN COUNCIL MEETING #13-2005
June 21, 2005

Chair Rumpf thanked Representative Webster for coming in and he indicated that he would talk to Chris Leighton and Elaine Tomaszewski.

Adjournment

MOVED AND SECONDED: To adjourn at 11:25 p.m. (White & Arsenault)
VOTE: (6 Ayes) (1 Excused—Bishop).

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #14-2005
TOWN HALL COUNCIL CHAMBERS
JULY 12, 2005**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport			x
John Arsenault, Prout Road	x		
Charlotte Bishop, Maquoit Drive	x		
Rich DeGrandpre, Timber Ridge Road	x		
Frederick White, 45 Pleasant Hill Road	x		
James Cassida, 5 Timber Ridge Road	x		
Genie Beaulieu, P.O. Box 74			x

Vice Chair Cassida called the meeting to order and noted that Councilors Rumpf and Beaulieu are excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #13-2005 held on June 21, 2005 and accept the Minutes as printed.

Councilor Bishop noted that Councilor Arsenault was in attendance and not excused.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #13-2005 held on June 21, 2005 and accept the Minutes as amended. (White & Arsenault) **VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf)

SECOND ORDER OF BUSINESS: Announcements

Vice Chair Cassida announced that the composting bins ordered by Freeport residents may be picked up during regular business hours at the Recycling Center. If anyone did not order one but would like to purchase one now, there is a limited number of bins available for \$37.00.

The Thursday night concert series at Winslow Park will be starting on July 14. Residents are encouraged to bring a seat and a picnic lunch. The playground for children is nearby. The concerts begin at 6:30 p.m. and the entrance fee for residents is 75 cents. Non-residents will be charged \$1.50. The Jerks of Grass will be playing on July 14 and Cool Water will play on July 21. The other performances will be posted on the website.'

The Community Center's Building Committee has chosen Warren Construction of Freeport to be the construction manager for the Community Center project.

Councilor Arsenault encouraged members of the public that possess an interest in serving on Town Boards or Committees to consider submitting an application form expressing their particular interest. Applications are available from the Town Clerk as well as on the Town's website.

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

Vice Chair Cassida moved on since there were no public comments.

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

ITEM #93-05 To consider action relative to adopting the July 12, 2005 Consent Agenda.

BE IT ORDERED: That the July 12, 2005 Consent Agenda be adopted.
(White & DeGrandpre)

Vice Chair Cassida highlighted the items on the agenda for members of the public. The Freeport Lobster Company is removed because they are not up to date. They will have to apply at another meeting.

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

ITEM #94-05 To consider action relative to the issuance of Special Amusement Permits for Dancing and Entertainment to the Harraseeket Inn, Gritty McDuff's and the Azure Café. **Public Hearing.**

MOVED AND SECONDED: That the Public Hearing be opened. (White & Arsenault)
VOTE: 5 Ayes) (2 Excused—Beaulieu & Rumpf)

Mr. Olmstead advised that all three are renewal and there have been no complaints about any of these establishments and they are all up to date on their tax payments. There were no public comments.

MOVED AND SECONDED: That the Public Hearing be closed.. (DeGrandpre & Arsenault) **VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf)

BE IT ORDERED: That the following Special Amusement Permit applications be approved:

Nancy Gray, Mystic Motor Inn, Inc. d/b/a/ Harraseeket Inn, 162 Main Street.
Jonathan Soule d/b/a/ Gritty McDuff's, 187 Lower Main Street.
Jonas Werner d/b/a Azure Café, 123 Main Street. (White & DeGrandpre)

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

ITEM #95-05 To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 24), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions that the Village I and Village Commercial II, III and IV Districts.

BE IT ORDERED: That a Public Hearing be scheduled for August 2, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (chapter 25), the Street Acceptance Ordinance (chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village I and Village Commercial II, III and IV Districts.

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

Vice Chair Cassida noted that the Town Planner will be here under "Under Business" to provide a brief discussion of the packets in front of Councilors regarding the changes made since the last public hearing. Mr. Olmstead advised that the Planning Board has held at least one workshop and perhaps two to consider the comments from the Public Hearing two weeks ago. They have made a number of changes and resubmitted their recommendations to the Council. Vice Chair Cassida noted that a workshop has been scheduled on July 26 for the Council and Planning Board prior to the next public hearing. The time will be discussed with the Town Planner later this evening.

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

ITEM #96-05 To consider action relative for the approval of a Fire Department fundraising activity.

BE IT ORDERED: That the Freeport Fire Department be authorized to conduct fundraising in order to support the "FIRE PUP" safety program.

Mr. Olmstead advised that Acting Fire Chief Paul Conley has asked that the Council table this item to provide time for them to explore this activity as well as other potential activities.

MOVED AND SECONDED: To table this item indefinitely. (Arsenault & DeGrandpre)
VOTE: (5 Ayes) (2 Excused—Beaulieu & Rumpf)

ITEM #97-05 To consider action relative to accepting a donation to the Town of Freeport.

BE IT ORDERED: That a donation of 300 linear feet of docks from Brewer South Freeport Marine be accepted. (White & Arsenault)

Mr. Olmstead advised that Brewer's has made the offer. Harbor Master, Jay Pinkham explained that the blue Styrofoam floats are in good condition. They are pressure treated material and well built. They were on the north end and they are probably 10 years old. He felt this was a good opportunity for the Town to grab them and use them to gain more access to the water. This opens up access to the north end of the anchorage. For Sandy Beach, he recommends that the site be visited for maximum usage. The Town owns a small piece of property there and there is an old bathhouse and perhaps some pine trees that could be

TOWN COUNCIL MEETING #14-2005
July 12, 2005

removed to open up parking. People launch boats at Winslow Park and these floats would help them by providing a float to stand on. If one ran 300' of float out at Winslow Park, one would still not gain all tide access. One would lose 3 or 4 hours on the low end. Brewer's has finger floats and they could be put at Dunning's Boat Yard along side the ramp to help people launch boats. They would fit perfectly. Mr. Pinkham has discussed this with the Coastal Waters Commission. He has floats off Sandy Beach and further down river. Mr. Olmstead noted that there needs to be some public conversation about Sandy Beach. Mr. Pinkham noted that striper fishers, clammers and swimmers use the Town's property at Sandy Beach. Discussion followed. Mr. Pinkham advised that there would be an additional 300' of floats available next year.

Carter Beckett suggested accepting and mothballing the floats until a full-blown plan can be made to go forward.

Councilor White noted there is a real need at Dunning's. Mr. Pinkham will check with Brewer's to see if they still have some finger floats available. Councilor White asked how the Council could explore float usage at Sandy Beach, Dunning's and Winslow Park. Vice Chair Cassida advised that Municipal Facilities and Coastal Waters would have to discuss the increased use on Town property with the Harbor Master.

Mr. Pinkham advised that he stores the Town's floats at Winslow Park and there is no problem of setting floats aside during the winter season. He can let fishermen dry their traps on two sections of floats in the commercial zone. Vice Chair Cassida has reservation on storing floats on the marsh during the growing season but not during the dormant season. Mr. Pinkham has not seen the letter provided by Brewer's. Mr. Olmstead read the letter and noted it took a while to get it.

Councilor DeGrandpre suggested that the Council officially ask Coastal Waters to develop a plan and bring it to Municipal Facilities. Winslow Park could be invited to come in and discuss the plan depending on what Coastal Waters comes up with. Municipal Facilities could make a recommendation to the Council. He noted that these floats are a tremendous asset and gives the Town some opportunity.

Joe Horne of Coastal Waters noted that the issue of kayaks and canoes on the Town Dock is an extremely hot button item. The Town Ordinance has come up and has gone back out for public comment. They have met again and do not feel competent to decide the issue of banning kayaks and canoes from the Town Dock. They have asked several people in the community to meet with their commission and discuss various alternatives to how to deal with kayaking and canoeing. Looming out there is a decision that needs to be made. Once it is made, the Council will get a recommendation and the Council will have to deal with the up or down on this particular issue. If an alternative was actually available, it would help a lot of people figure out what to do with regard to how the kayaks and canoes are addressed by Coastal Waters.

Councilor White, speaking for Winslow Park, noted that they are not in favor of seeing 300 linear feet of docks out there and having to manage what comes with that. Vice Chair Cassida noted the need for the Municipal Facilities Committee to have a thorough discussion of the uses before the Town starts putting floats at any location and increasing usage.

Councilor DeGrandpre suggested that the Council go ahead and accept the floats since some of them are in use already and then get together with several groups to make some decisions. Mr. Horne recommended scheduling a workshop with all the interested parties to discuss this item. Councilor White agreed and noted he would like all of the groups to do their homework and bring the information to a workshop. Councilor DeGrandpre suggested setting some time aside for some public comment.

TOWN COUNCIL MEETING #14-2005
July 12, 2005

Vice Chair Cassida polled the Council to determine if there is a willingness to accept these floats with the understanding that there will be further discussion and that they will be stored some place that is appropriate in the meantime. There was consensus to accept the gift of the floats.

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

OTHER BUSINESS:

1. Discussion on Traffic and Parking Committee Recommendations to expand the Hedgehog Mountain Road parking area.

Caroline Kuras, chair of the Conservation Commission introduced commission member, Richard Bowen. Mr. Bowen explained that Mike Pottle from the Recycling Center has been experiencing traffic and safety problems on Saturdays when a lot of people like to use that facility for hiking and walking their dogs. There are only 4 spaces right now and people tend to park in the road. They met with the Town Engineer to determine if extra parking could be added on the left side by widening the shoulder.

Councilor White noted that the Traffic and Parking Committee met and voted to support the request for 4 additional spaces which is Option #2. It is parallel parking and will cost \$2,000. He considers it a band-aid to help solve some of the existing problems but recommends that Traffic & Parking should look at something longer term on the opposite side of the road. Discussion followed. Councilor Arsenault suggested that parking on the opposite side of the road be entertained since there is an opening, which would make it very easy. Mr. Olmstead noted that there is also a parking problem for the recreational fields so the Council should take a regional approach to take care of both problems.

Councilor White suggested moving forward with Option #2 to help mitigate the problem for this year. Mr. Olmstead recommended asking the Conservation Commission and Recreation Commission to meet this fall with the Town Engineer and invite the Recycling Committee to participate. Ms. Kuras indicated she is willing to coordinate such a meeting.

MOVED AND SECONDED: To spend up to \$2,000 from the Miscellaneous and Contingency account for fiscal year 2005 for the creation of temporary parking at Hedgehog Mountain. (DeGrandpre & White) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf).

- ITEM #95-05** To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 24), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions that the Village I and Village Commercial II, III and IV Districts.

Town Planner, Donna Larson explained that she received comments from Councilor Beaulieu and forwarded them to the Planning Board. She explained the changes that were made. Discussion followed. Vice Chair Cassida explained that a workshop is scheduled on July 26 and Ms. Larson indicated the Planning Board would be ready to begin at 6:30 p.m. Vice Chair Cassida asked Ms. Larson to have the Planning Board prepared to talk about street acceptance. The public hearing is scheduled on August 2.

2. Informational Exchange —None

ITEM #98-05 To consider action relative to an Executive Session to discuss offers to purchase or exchange Town-owned property.

MOVED AND SECONDED: That the Town Council enter into Executive Session to discuss an offer to purchase Town-owned property at the corner of Hunter and Desert Roads and a proposal to exchange property located on West Street (1MRSA Section 405 (6) (C) (DeGrandpre & White) **VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf)

MOVED AND SECONDED: That the Council reconvene. (Bishop & White) **VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf)

MOVED AND SECONDED: That we direct the Town Manager to take the following actions.

1. Ask the Planning Board for a recommendation on a reduced minimum lot size in the C-IV Zone;
 2. Hire a commercial real estate appraiser to value the lot and possible second lot with lot sizes of one acre and one half acre; and
 3. Consult MDOT on the possibility of creating a curb cut on the Desert Road to access the existing lot. (Arsenault & DeGrandpre) **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Beaulieu & Rumpf)
-

Adjournment

MOVED AND SECONDED: To adjourn at 9:05 p.m. (Bishop & Arsenault)
VOTE: (5 Ayes) (2 Excused—Beaulieu & Rumpf).

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #15-2005
TOWN HALL COUNCIL CHAMBERS
AUGUST 2, 2005 – 7 p.m.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x	
John Arsenault, Prout Road		x
Charlotte Bishop, Maquoit Drive	x	
Rich DeGrandpre, Timber Ridge Road	x	
Frederick White, 45 Pleasant Hill Road	x	
James Cassida, 5 Timber Ridge Road	x	
Genie Beaulieu, P.O. Box 74	x	

Chair Rumpf called the meeting to order and noted that Councilor Arsenault is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #14-2005 held on July 12, 2005 and accept the Minutes as printed.

Councilor Cassida referred to page 3 and pointed out that the first sentence in the fourth paragraph should have read: Vice Chair Cassida noted that the Town Planner will be here under "Other Business" to provide a brief discussion of the packets in front of Councilors regarding the changes made since the last public hearing. Chair Rumpf noted that Joe Hahn's name was misspelled as *Horne* and Councilor Bishop noted that Carter Becker's name was misspelled as *Beckett*.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #14-2005 held on July 12, 2005 and accept the Minutes as amended.
(DeGrandpre & Bishop) **VOTE:** (6 Ayes) (1 Excused—Arsenault)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf updated the public on the upcoming concerts that will take place at Winslow Park on Thursday evenings. The entrance fee for Freeport residents is 75 cents and for non-residents the fee is \$1.50.

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

Chair Rumpf moved on since there were no public comments.

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

COUNCIL MEETING #15-05
AUGUST 2, 2005

ITEM #104-05 To consider action relative to adopting the August 2, 2005 Consent Agenda.

BE IT ORDERED: That the August 2, 2005 Consent Agenda be adopted.
(DeGrandpre & White)

Chair Rumpf highlighted the items for members of the public.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

ITEM #105-05 To consider action relative to proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village I and Village Commercial II, III, and IV Districts. **Public Hearing.**

MOVED AND SECONDED: That the Public Hearing be opened. (White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Town Planner, Donna Larson explained the changes being proposed and brought attention to the Matrix that has been developed. Chair Rumpf encouraged members of the public to speak. The following people asked questions and shared their views on the proposed changes.

Richard Harris of 20 Royal Avenue
Travis Pryor of 22 Morse Street
Kelly Fitz-Randolph of 19 East Street
Peter Moulton of West Street
Peter Bogle of 26 Park Street
Scott Smith of 33 South Street
Pauline Harris of 20 Royal Avenue
Andrew Simmons of 7 Snow Road

Ms. Larson and David Reardon from the Planning Board addressed questions.

MOVED AND SECONDED: That the Public Hearing be closed. (White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Arsenault).

Councilors concurred that the following changes should be incorporated into the order:

On page 2 the changes in the Table of Contents, which were presented tonight in red.

On page 3 – the change addressing the replacement of an existing mobile home presented in red tonight.

On page 9, Section 2, under Minimum Height Requirement, the sentence should read:
One story buildings shall have a roof pitch of no less than 6 in 12.

On page 9 under Exterior Walls, strike the words “high quality” before vinyl siding in the second sentence.

COUNCIL MEETING #15-05
AUGUST 2, 2005

On page 11 under Roofs, strike the third sentence and alter the next sentence to read: Buildings shall have pitches in the range of 6 in 12 to 12 in 12. Strike Brightly colored roof materials are not permitted. Change the next sentence to read: Roof colors shall be those typically found on residential buildings within the village. Strike the last sentence: Those colors typically include black, shades of gray, brown and green and dark reds.

On page 11 under Chimneys – Adopt the amendment as proposed in red.

On page 12 under Porches and Decks —Adopt the proposal in red regarding screens and storm windows.

On Page 12 under Fencing and Site Walls, 3rd Paragraph, The second sentence should read: They shall not exceed six feet. *And shall be screened with acceptable plant materials when viewed from neighboring properties* was stricken.

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance (Chapter 21), the Subdivision Ordinance (Chapter 25), the Street Acceptance Ordinance (Chapter 26), the Comprehensive Plan, and new Design Standards concerning subdivisions in the Village I and Village Commercial II, III and IV Districts be approved as amended. (White & Cassida)

MOVED AND SECONDED: To modify the second sentence of the last paragraph under Garages on Page 11 to read: Garages must be flush with the front of the primary structure or set back further from the road. (Beaulieu & DeGrandpre) **ROLL CALL VOTE:** 3 Ayes—Beaulieu, Cassida & DeGrandpre) (3 Nays—Rumpf, Bishop & White) **Failed**

ROLL CALL VOTE ON AMENDED ORDER: (4 Ayes—White, Cassida, Bishop & Rumpf) (2 Nays—DeGrandpre & Beaulieu) (1 Excused—Arsenault).

Chair Rumpf thanked everyone for their input.

ITEM #106-05 To consider action relative to proposed amendments to the Traffic and Parking Ordinance concerning No Nighttime Parking Areas. (Chapter 48)

BE IT ORDERED: That a Public Hearing be scheduled for September 6, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Traffic and Parking Ordinance concerning No Nighttime Parking Areas.

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 7 and the Town's website. (Bishop & DeGrandpre) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Arsenault).

Other Business:

MOVED AND SECONDED: To eliminate the August 16 meeting from the Council's Agenda. (DeGrandpre & Cassida **VOTE:** (6 Ayes) (1 Excused—Arsenault).

**COUNCIL MEETING #15-05
AUGUST 2, 2005**

1. Informational exchange.

Councilor Beaulieu advised that an Upper Main Street Neighborhood Association is being formed. They have met a few times and will be coming forward with some things they would like to see addressed. It will be a good opportunity for the Council to be able to work with a neighborhood group.

Chair Rumpf reported that a leadership meeting took place today with L.L. Bean to discuss their thoughts on potential actions they are considering in Town. They have been looking at the possibility of building an additional distribution center and are looking at areas within the region as well as Desert Road. As their plans get clearer, they will want to come to the Council and discuss them more fully.

Chair Rumpf and Vice Chair Cassida will be attending a leadership meeting with the School leadership Thursday morning. They submitted a memo from the Superintendent and the Chair outlining issues they want to discuss in preparation for next year's budgeting process. He asked Mr. Olmstead to provide copies of the e-mail.

Mr. Olmstead will be meeting with officials from MDOT who are planning to transfer responsibilities for the summer maintenance of 1.5 miles of road on U.S. Route One South. This is basically from the Yarmouth line north to the Old County Road. He does not see how we can avoid this transfer.

Councilor DeGrandpre asked about the Bustins' meeting and Mr. Olmstead advised that it would take place on August 30. Councilors should be at the boat at 5 p.m.

2. Update on the Community Center fundraising.

Councilor Cassida advised that Peter Warren Construction is the construction manager for the Community Center and things are moving rapidly on the building front. Mr. Warren expects to have all the prices back from potential bidders by August 26. By the middle of September they expect to have a hard figure on the overall cost of construction.

The fundraising committee currently has approximately \$398,000 in cash or pledges on hand and is working hard. They want to be on the agenda for the September 20 meeting. They are hoping to break ground by October 1 or by the middle of October in order to keep construction costs as low as possible for site work. In order to do this, obviously the Fundraising Committee will not have all of the funds committed in donations or pledges. A conversation took place back along with the Fundraising Committee, and the Council indicated that there may be some willingness to consider bridge financing on the part of the Town if the Fundraising Committee could reach a certain level of commitment in their efforts. While they are not there yet, they are hopeful they will be close to that by September 20. The Building Committee and Fundraising Committee are working forward on securing in-kind donations of services that will ultimately subtract from the total cost of the project. These are not included in the \$398,000 figure. The total goal is 1.5 million dollars. It is important to recognize and thank the people involved in the fundraising. They are extremely dedicated.

Councilors were provided a copy of a press release, which is a charge to the community to support the Community Center fundraising effort. He asked if the Town Council would consider

**COUNCIL MEETING #15-05
AUGUST 2, 2005**

adding their names to this document. Chair Rumpf noted this is an individual decision and Councilors should let Councilor Cassida know if they want to add their names. Chair Rumpf noted that he, Councilor Cassida and Mr. Olmstead should probably sit down with the Fundraising Committee before the September 20 meeting to discuss implications of a loan. Councilor Cassida offered to schedule a meeting.

Adjournment

MOVED AND SECONDED: To adjourn at 9:22 p.m. (White & DeGrandpre)
VOTE: (6 Ayes) (1 Excused—Arsenault).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #16-2005
TOWN HALL COUNCIL CHAMBERS
September 6, 2005 – 7 p.m.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #15-2005 held on August 2, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #15-2005 held on August 2, 2005 and accept the Minutes as printed. (White & Arsenault) **VOTE:** (7 Ayes)

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf announced that September 14 is the deadline for anyone wishing to run for public office in Freeport. Mr. Olmstead highlighted the offices that will be open. Papers can be obtained at the Town Hall. Councilor DeGrandpre advised that lots of folks have told him that they have trouble hearing Councilors during Council meetings. They are able to hear speakers from the podium. He asked Councilors to speak directly into the microphones.

A Regional Household Hazardous Waste collection will take place this Saturday from 9 a.m. to 1 p.m. at the Yarmouth Fire Station on North Road and it will include Freeport residents. Chair Rumpf noted the items that would be accepted or not accepted.

Free camping will be offered at Winslow Park to Freeport residents during the week of September 19-25. If anyone wishes to take advantage of this free offer, call 865-4198 to make reservations. Reservations are contingent upon availability of sites.

Councilor DeGrandpre mentioned that the new French School opened today in South Freeport. He encouraged Councilors to visit the site. He is confident that the building will make them a good home. Chair Rumpf noted that the new windows look good and Councilor Bishop noted that the new sign looks nice.

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

SEPTEMBER 6, 2005

Chair Rumpf moved on since there were no public comments.

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

ITEM #104-05 To consider action relative to adopting the September 6, 2005 Consent Agenda.

BE IT ORDERED: That the September 6, 2005 Consent Agenda be adopted.
(Arsenault & White)

Chair Rumpf highlighted the items for members of the public.

Councilor DeGrandpre suggested that a total be added to the listing of donations made in support of the Public Library when appropriate. He thanked everyone who supports the Library so generously.

ROLL CALL VOTE: (6 Ayes) (1 Excused—Arsenault).

ITEM #115-05 To consider action relative to proposed amendments to the Traffic and Parking Ordinance concerning "No Nighttime Parking Areas." (Chapter 48) **Public Hearing**

MOVED AND SECONDED: That the Public Hearing opened. (White & Cassida) **VOTE:** (7 Ayes).

Councilor White explained the proposed amendments. There were no public comments.

MOVED AND SECONDED: That the Public Hearing closed. (White & Bishop) **VOTE:** (7 Ayes).

BE IT ORDERED: That the proposed amendments to the Traffic & Parking Ordinance be approved. (White & Bishop) **ROLL CALL VOTE:** (7 Ayes).

ITEM #116-05 To consider action relative to adopting a new Coastal Waters Ordinance. (Chapter 31).

BE IT ORDERED: That a Public Hearing be scheduled for September 20, 2005 at 7 p.m. in the Town Hall Council Chambers to discuss adopting a new Coastal Waters Ordinance.

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

MOVED AND SECONDED: To table until after the presentation from the Coastal Waters Commission is heard. (Bishop & White) **VOTE:** (7 Ayes).

1. Presentation on proposed new Coastal Waters Ordinance.

Joe Hahn explained the proposed changes to the new Coastal Waters Ordinance. The kayak issue is not included in this new Ordinance. He answered questions for Councilors. Jay Pinkham, Harbor Master also answered questions for Councilors and noted that he invited Jay Clement of the Army Corps. of Engineers to attend the public hearing. Discussion followed. Chair Rumpf appreciates all the work that has been done on this item and is looking forward to the public hearing.

MOVED AND SECONDED: To reconsider Item #116-05 (DeGrandpre & White) **VOTE:** (7 Ayes).

ROLL CALL VOTE: (7 Ayes).

Other Business:

2. Discussion on meeting with Cumberland County Commissioner.

Mr. Olmstead explained that the County Commissioners will be hosting a meeting on September 12 to include the towns of Freeport, Brunswick and Harpswell at 4 p.m. in the Town of Brunswick's Council Meeting Facility. The meeting will run from 4-6:45 p.m. Freeport's Councilors are invited and Mr. Olmstead will have to advise who will be attending. Chair Rumpf indicated he would have to let Mr. Olmstead know if he can attend. Councilor DeGrandpre will plan to attend. Councilor Beaulieu will be there but will be wearing a different hat. Other Councilors indicated they are unable to attend.

3. Discussion on MDOT Road Maintenance Transfer.

Mr. Olmstead explained that the transfer of responsibilities on 1.6 miles for both summer and winter maintenance would be turned over to Freeport on August 16, 2006. This work will tax the Public Works Department and will extend the plow routes by at least a mile per route. He will be investigating options and will bring back a recommendation to the Council. The State is able to do this as a result of the Statutes. He has spoken at great length with Beth Edmonds about this. This is simply MDOT policy that they are implementing based on State law. It will be very difficult to get the State to abandon this law. More discussion followed. Mr. Olmstead was hoping to take this opportunity to project positive comments this evening.

4. Review of MMA Executive Committee Informational Form/Councilor Beaulieu

Councilor Beaulieu noted that there were six questions included in Councilors' packets asking Councilors to provide topics on MMA-type issues. Mr. Olmstead had one burning subject and that is road turnbacks or road transfers. One thing that the Statute could be amended to do is allow municipalities to pay the State to keep these roads. He would gladly recommend that Freeport pay the State \$7,500 a year to continue to maintain 1.6 miles of Route One because snow removal involving bridges is very expensive.

COUNCIL MEETING #16-05
SEPTEMBER 6, 2005

Chair Rumpf would like to see discussed an opportunity for MMA to look at opportunities where Towns and Counties can provide consolidated services for a fee, to make it attractive to other communities to join up. He mentioned a law in Pennsylvania that allows one town to provide transportation to schools in neighboring towns.

Chair Rumpf would also like to see MMA provide a good set of benchmarks for different size communities that could be used to compare costs for providing different kinds of services such as road maintenance, school costs per pupil, etc. This would give a good sense of where our community stands in these areas.

Councilor DeGrandpre noted that the traffic needs from Brunswick to Portland have changed considerably over the past few years. Perhaps MMA could take a look at ways to address traffic problems.

Mr. Olmstead brought up service center communities and noted they typically have a higher mill rate because they provide area services. Freeport is a Region 3 Service Center community. The revenue sharing formulas in Augusta don't recognize that fact to any extent. There are no variables that would give service center communities credits for providing those services. Councilor Cassida pointed out that MMA currently has a task force looking at this. He suspects he will see more discussion on this.

Councilor Beaulieu noted that the meeting starts next Thursday so if Councilors think of anything; they should e-mail her at work so she can put them on the list.

5. Informational exchange.

Chair Rumpf asked what issues were discussed at the Bustin's Island meeting that he was unable to attend. Councilor Cassida advised that the majority of the meeting was spent with the Maine Forest Service discussing the survey they did on Bustin's. Mr. Olmstead noted there was very little discussion on parking. Mr. Olmstead advised that a call came in from a Bustin's Island resident to find out if it is permissible to park cars one behind the other in the Soule School lot. The answer was that this was not discussed or envisioned by the Municipal Facilities Committee. Some Bustin's island residents would like to see this permitted but some South Freeport residents would like to see it prohibited. There will have to be a new discussion and something may have to be put in the Ordinance that speaks to this issue. Councilor White noted that a postmortem would need to be done after the summer to determine what worked and what didn't. Councilor DeGrandpre mentioned that people need to work through other parking opportunities for themselves because there just isn't enough for everybody everyday. He is confident they understand this. The lot needs to be paved and striped when the construction is done and then it will be pretty clear where cars go.

Councilor Bishop mentioned that Volunteer Day is October 15 from 2-5 p.m. at Harb Cottage. Rain date is October 16 at Harb Cottage. Councilor Bishop will be soliciting volunteers from the Council to work that day and people should plan to arrive at 12 noon. She hopes the invitations will be ready at the next Council meeting.

Councilor White mentioned that Lt. Susan Nourse has been accepted to attend the 225th session of the F.B.I. National Academy. It is a 10-week course and only one individual from the State of Maine has been selected. Councilors congratulated Officer Nourse.

Councilor DeGrandpre encouraged Councilors to visit the French School.

**COUNCIL MEETING #16-05
SEPTEMBER 6, 2005**

Adjournment

MOVED AND SECONDED: To adjourn at 8:10 p.m. (Bishop & Arsenault)

VOTE: (7Ayes)

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #17-2005
TOWN HALL COUNCIL CHAMBERS
SEPTEMBER 20, 2005 – 7:00 PM**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box 819, S. Freeport			x
John Arsenault, Prout Road	x		
Charlotte Bishop, Maquoit Drive	x		
Rich DeGrandpre, Timber Ridge Road	x		
Frederick White, 45 Pleasant Hill Road	x		
James Cassida, 5 Timber Ridge Road	x		
Genie Beaulieu, P.O. Box 74	x		

Vice Chair Cassida called the meeting to order at 7 p.m.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #16-2005 held on September 6, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #16-2005 held on September 6, 2005 and accept the minutes as printed (White & Beaulieu) **VOTE:** (6 Ayes).

SECOND ORDER OF BUSINESS: Announcements

Vice Chair Cassida announced that the Volunteer Recognition Barbeque for Town volunteers will be held on Sunday, October 16, 2005 at the Harb Cottage. Invitations will be mailed to volunteers this week.

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

MOVED AND SECONDED: To open the Public Comment period (Arsenault & DeGrandpre) **VOTE:** (6 Ayes).

Sheila Nappi, Freeport Education Foundation, invited the Town Council and Public to attend their second annual Autumn Art & Wine Festival. It will be held on September 24, 2005 from 7:00 – 10:00 p.m. at the USM Stone House. Tickets are \$25.00 each. The Festival is being held to raise awareness of the Education Foundation and raise money for their activities.

MOVED AND SECONDED: To close the Public Comment period (White & Beaulieu)
VOTE: (6 Ayes).

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

ITEM #117-05 To consider action relative to re-applications for an Automobile Graveyard and/or Junkyard Permit. **(Public Hearing)**

MOVED & SECONDED: That the following re-applications for an Automobile Graveyard and/or Junkyard Permit be subject to Public Hearing.(White & Beaulieu) **VOTE** (6 Ayes)

David Bolduc d/b/a D.A.B. Inc., 13 Allen Range Road

John Ingerson d/b/a Freeport Auto Parts, 33 Allen Range Road.

Bob Morency, 7 Cheyanne Drive, addressed his concerns about the Junkyards. His concerns related to the screening, well water contamination with MBTE and TAME, and failure to control discharge of petrochemicals. He stated that prior to purchasing the property he had his well tested and the well was contaminated with MBTE. He asked the Town Council to require the Junkyards to comply with federal, state and local regulations and to require that they adopt best practices as defined by the DEP. In response to questions from the Town Council about the possible source of his well water contamination, Mr. Morency stated that the DEP can only respond to what they observed on his property when doing an inspection and would need to be allowed on the Junkyard property in order to report possible sources of contamination that exist there. Fred Reeder, Codes Enforcement Officer, responded to questions from the Town Council stating that the Junkyards have complied with both the Town Council's requirements from last year and the current local ordinances, adding that he does not inspect the yards for handling of hazardous waste.

Kathy Ingerson, owner of Freeport Auto Parts, responded to the concerns raised by Mr. Morency. She stated that the fence is seven feet tall and that the water has always been bad there due to ledge, sulfur, and rust. In response to questions from the Council, Ms. Ingerson stated that the DEP regularly inspects their yard. She described their facility and how they handle liquids.

Kevin Prout, 4 Cheyanne Drive, addressed his concerns about the fence and sand, noting that this would not be acceptable in any other part of Freeport.

Discussion continued regarding the well water in the area and how the Junkyard handles hazardous liquids.

MOVED AND SECONDED: That the Public Hearing be closed (Beaulieu & DeGrandpre) **VOTE** (6 Ayes)

In the absence of an official DEP report, it was noted that the licensees have done what the Town Council has asked them to do in order to renew their licenses. Councilor Beaulieu asked if it were possible, in the future, to ask DEP to provide the town with a report which they could review prior to renewals coming before them. Councilor Bishop agreed, noting that she did not want to hold up the license but also given the concerns raised this evening, did not want the issue to end here. Councilor White noted that there were two concerns raised this evening, the one about the fence being of less concern. The concern about MTBE existing in wells in close proximity to the Junkyard is of greater concern and he stated that the Town has been put on notice of this concern. He suggested approving the licenses, contingent on further test results. David Bolduc, owner of DAB Inc., stated that Junkyards will soon begin needing a stormwater runoff plan acceptable to DEP and will need to have testing done quarterly. The testing will only involve surface water.

BE IT ORDERED: That the re-applications for an Automobile Graveyard and/or Junkyard Permit issued to the above named applicants be approved (White & Bishop)

Discussion occurred regarding the need to see a report or letter from the DEP stating that they are in compliance and that the license will be conditional upon receiving such notice.

MOVED & SECONDED That the motion be amended to read that the re-applications for an Automobile Graveyard and/or Junkyard Permit issued to the above named applicants be approved contingent upon reports from the Maine DEP regarding the Junkyards' compliance with the DEP and information regarding the existence of any contamination of ground water in the immediate area of the junkyard and in the surrounding area of the junkyards (White & Arsenault) **VOTE:** (6 Ayes)

MOVED & SECONDED That the main motion as amended regarding the re-applications for an Automobile Graveyard and/or Junkyard Permit issued to the above named applicants be approved contingent upon reports from the Maine DEP regarding the Junkyards' compliance with the DEP and information regarding the existence of any contamination of ground water in the immediate area of the junkyard and in the surrounding area of the junkyards (White & Arsenault) **ROLL CALL VOTE** (6 Ayes)

ITEM #118-05

To consider action relative to adopting a new Coastal Waters Ordinance. (Chapter 31) **(Public Hearing)**

MOTION: That the Public Hearing be opened (Arsenault & Bishop) **VOTE** (6 Ayes)

Jan Berlin provided the Council with a brief history of the proposed revisions to the Coastal Waters ordinances. He noted that the amendments have been reviewed by Mr. Clements from the Army Corps of Engineers and Geoff Hole, Town Attorney. He stated that the primary change in the ordinance is that it expands the jurisdiction of the Coastal Waters Commission to cover all tidal waters.

Ed Bradley, Flying Point Road, asked what the reason was for extending the jurisdiction. Mr. Berlin stated that it was to provide regulation of town waters. Currently there is no regulation outside of the Harraseeket anchorage and therefore the Corps of Engineers regulate this area. He described how the Coastal Waters Commission intended to regulate moorings outside the anchorage, noting that there would not be a charge for registering these moorings.

Jay Clements, Army Corps of Engineers, explained the role of his agency adding that Freeport should have a vested interest in regulating their own waters. He noted the potential problems in the absence of local control and the benefits to having local control.

Ken Mann, Wolfe Neck Road, stated he was pleased to see that the Coastal Waters Commission had responded to public concerns expressed at the last meeting. He noted one issue of concern regarding the issue of whether or not dingies needed to be registered. Members of the commission stated there was no intention to deal with flats moorings outside of the anchorage.

Ed Bradley asked if pre-existing moorings outside of the anchorage could be exempt from registering, expressing concern about moorings being denied.

Carol Chipman, Lower Flying Point Road, noted the increase in moorings and expressed her support of the proposed ordinance.

MOVED & SEONDED That the Public Hearing be closed.
(White & Bishop). **VOTE** (6 Ayes)

In response to questions raised by the Town Council, Mr. Clements noted that there are State laws regarding residency and fees for moorings. It was also noted that the issue of houseboats had been addressed in the ordinance.

BE IT ORDERED: That the proposed Coastal Waters Ordinance be adopted and the current ordinance be vacated (Bishop & DeGrandpre)

Discussion followed regarding boats under eight feet being exempt from registering and whether or not it was clear in the ordinance.

MOVED & SECONDED That the proposed Coastal Waters Ordinance be amended as follows:
add to the end of Article V 1.a., This article does not apply to boats eight feet or under that are not on a permanent mooring and the current ordinance be vacated (Bishop & DeGrandpre)
VOTE (6 Ayes)

MOVED & SECONDED That the main motion as amended to adopt the proposed Coastal Waters Ordinance and vacate the current ordinance be approved (Bishop & DeGrandpre) **ROLL CALL VOTE**: (6 Ayes)

ITEM #119-05 To consider action relative to a bridge loan from Capital Reserves to provide for the construction of a Community Center Project

BE IT ORDERED: That the Town of Freeport advance funds from the Capital Reserve Funds for a loan not to exceed \$900,000 for the construction of the Freeport Community Center. The expectation is that the donations from pledges will be used to repay the loan within a five year period ending December 31, 2010. (Bishop & Arsenault)

Bob Stevens provided the Town Council with a report from the Community Center Fundraising Committee. The committee was established in March and they have raised \$485,349.13. This leaves a lot to raise but the committee feels confident about their ability to raise the remainder of the money, and they are ready to move into the next stage of fundraising.

Peter Warren, construction manager for the project, spoke in support of the project, noting that they have been able to hold the line and that they could be finished by July. In order to get started they need the Town to bridge the money. He said they have received a substantial amount in gifts-in-kind and he also feels confident about the ability to raise the needed funds.

Leslie Livingston, FCS executive director, spoke of the importance of the Community Center. She noted the collaborative efforts that have been made with numerous organizations within the community.

Jonas Warner, Vice President of the FMMA also spoke in support of the Community Center and how it is an opportunity to strengthen this community, adding that the FMMA voted to charge the business community to help raise these funds. Dick Collins, FMMA

executive director also spoke in support of the Community Center adding the value of such a facility and how it helps to make Freeport marketable.

Greg L'Heureux, Finance Director, explained the cash flow analysis and explained the bridge loan from the capital reserve funds. The big question is what is the anticipated collection of donations and whether or not the donations will come in as anticipated. He stated that the bridge loan would required is closer to \$812,000. The actual donations received to date is approximately \$250,000. Regarding interest, this has been incorporated at a rate of 3%. In response to questions about where these funds would come from and the impact on future capital projects, the Finance Director stated that they could liquidate some investments (such as treasury notes). He stated there was in excess of \$4 million in reserves which have been set aside for capital projects.

Councilor Beaulieu asked how the bridge loan would be secured and regarding how the order read, she stated that as a Town Councilor she does not want that decision left to FCS and the town attorney, as \$900,000 is a lot.

Bob Stevens stated that the FCS property is valued at \$400,000 and there is the municipal property next to it. These are the assets available as security. In response to a question about going to a bank for a loan, Mr. Stevens stated that the fastest and best way is to do it through the town.

Councilor Bishop expressed concern as they had first been told the amount was \$500,000 and now it is \$900,000. She supports the project, but she has constituents who don't want them to pursue the bridge loan. She agreed that they need to ask voters as they are being asked to use almost a million dollars of taxpayers money.

Councilor Beaulieu asked if it is legal to use town money in this way. The Town Manager responded that they have not asked for a formal legal opinion from the town attorney. There was agreement on the need to check the legality of using the money as requested. Discussion followed regarding whose name will be on the deed, contract, etc. and whether the \$900,000 figure could be brought down. Peter Warren noted that this project needs the support of the Town Council and noted that they have until October 15th to accept the bids and if they don't they will have to re-bid which will be costly.

Ed Bradley and Betsy Ruff also spoke in support of the building.

MOVED AND SECONDED That the motion be amended to read that the Town of Freeport advance funds from the Capital Reserve Funds for a loan not to exceed \$800,000 for the construction of the Freeport Community Center. The expectation is that the donations from pledges will be used to repay the loan within a five year period ending December 31, 2010. (White & DeGrandpre) **VOTE:** (5 Ayes, 1 Nay – Beaulieu)

BE IT FURTHER ORDERED: That the loan be secured through a mechanism that is agreed upon by the Freeport Town Attorney and Freeport Community Services.

MOVED AND SECONDED That the motion be amended to read that the loan be secured through a mechanism that is agreed upon by the Town Attorney and Freeport Community Services and returned to the Town Council for their approval (Beaulieu & Bishop) **VOTE:** 6 Ayes

MOVED AND SECONDED That the original motion be amended to include that the said loan shall accrue an annual interest of 3%. (Beaulieu & White) **VOTE** (6 Ayes)

MOVED AND SECONDED That the original motions with amendments be approved that the Town of Freeport advance funds from the Capital Reserve Funds for a loan not to exceed \$800,000 plus 3% interest for the construction of the Freeport Community Center. The expectation is that the donations from pledges will be used to repay the loan within a five year period ending December 31, 2010. and that the loan be secured through a mechanism that is agreed upon by the Town Attorney and Freeport Community Services and returned to the Town Council for their approval (Beaulieu & White) **ROLL CALL VOTE:** 6 Ayes

ITEM #120-05

To consider action relative to adopting Santa Barbara, Honduras as a Sister City.

BE IT RESOLVED: That the Town of Freeport, Maine, hereby adopt the town of Santa Barbara, Honduras, as a Sister City.

BE IT FURTHER RESOLVED: That the Freeport Rotary Club be commended on its efforts to provide Santa Barbara, Honduras, with the capacity to provide its own pure water through the placement of water purification devices in each family's home.

BE IT FURTHER RESOLVED: That citizens of Freeport be encouraged to support this Sister City Resolution by adopting a Santa Barbara family and placing, at the cost of \$75.00 each, a water purification system for that family (Beaulieu & DeGrandpre)

Robert Hanson, Freeport Rotary Club, provided an overview of their request, explaining the water system and asking the Town Council to adopt Santa Barbara in an effort to promote and provide

any assistance they can. He noted that Freeport High School students are working with them on this project.

The Town Council expressed their support of this project and the Rotary Club's work.

ROLL CALL VOTE: (6 Ayes)

ITEM #121-05 To consider action relative to the confirmation of the appointment of Head Librarian.

BE IT ORDERED: That the Town Manager's appointment of Beth Edmonds as Freeport's new Head Librarian be approved (Bishop & Arsenault) **VOTE:** (6 Ayes)

ITEM #122-05 To consider action relative to a purchase agreement between the Town of Freeport and the Freeport Conservation Trust for the purchase of a Conservation Easement for land located on the Lower Mast Landing Road (Lots 2 & 7 on a plan entitled "Torrey Hill Subdivision")

BE IT ORDERED: That the purchase agreement between the Town of Freeport and the Freeport Conservation Trust dated September 20, 2005 be approved (DeGrandpre & Arsenault)

Bob Santomenna provided the Town with an overview. Councilor Arseneault expressed concern about sufficient provisions for parking. Discussion followed regarding where in the purchase and sales agreement reference can be made to parking and how to define parking. Other concerns were raised regarding what types of recreation would be available and the need to develop a management plan to address some of the issues raised. Mr. Santomenna stated that the Town Council would approve the management plan. It was agreed that the Conservation Trust, Conservation Commission and Town Council would work together to discuss the management plan. Mr. Santomenno agreed to organize these discussions and Rich DeGrandpre and John Arsenault agreed to be the Town Council representatives.

ROLL CALL VOTE: (6 Ayes)

OTHER BUSINESS:

1. **Informational Exchange.**

The Town Manager stated that the Town Assessor would be setting the tax rate on September 22, 2005. He stated the projected tax rate was \$.20 as they fell one million short in assessments.

MOVED AND SECONDED To adjourn at 11:45 p.m. (White & DeGrandpre) VOTE (6 Ayes).

Respectfully submitted,

Johanna Hanselman

MINUTES
FREEPORT TOWN COUNCIL MEETING #18-2005
TOWN HALL COUNCIL CHAMBERS
October 4, 2005 – 7 p.m.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x	
John Arsenault, Prout Road		x
Charlotte Bishop, Maquoit Drive	x	
Rich DeGrandpre, Timber Ridge Road	x	
Frederick White, 45 Pleasant Hill Road		x
James Cassida, 5 Timber Ridge Road	x	
Genie Beaulieu, P.O. Box 74	x	

Chair Rumpf called the meeting to order at 7 p.m. and noted that Councilors Arsenault and White are excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #17-2005 held on September 20, 2005 and accept the Minutes as printed.

Chair Rumpf referred to the last page under "Informational Exchange" that the last sentence referred to the projected tax rate. He thought something might be missing but recalled that the Council projected a 22 cent reduction but it ended up being 20 cents which was not as much as what was projected because the increase in valuations came in lower than what was anticipated.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #17-2005 held on September 20, 2005 and accept the Minutes as amended. (Cassida & Bishop) **VOTE:** (4 Ayes) (1 Abstention—Rumpf) (2 Excused—Arsenault & White).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf reminded residents that tax bills will be mailed out this week.

Chair Rumpf reminded residents that the 2005 Property Tax and Rent Refund Program applications are now available at the Town Hall. This tax-reduction program for qualifying families has been expanded and families not eligible in the past may be eligible this year. In addition the refund limit has been increased from a maximum of \$1,000 to a maximum of up to \$2,000. Anyone interested can call the Town Hall and ask for specifics or stop by and pick up an application. Johanna Hanselman is the lead person at the Town Hall if anyone has any General Assistance needs.

Anyone interested in serving on a Town Board or Committee can obtain an application from the Town's website or from the Town Hall. Forms will also be included with the tax bills this year.

Councilor Beaulieu noted that from Maine Coast to the Gulf Coast, Cajun Connection Hurricane Relief Festival will be held at the Cumberland County Civic Center on October 15 from 11 a.m. to 4 p.m. There will be live music, skating, face painting, Jail and Bail, a silent auction, etc. All

COUNCIL MEETING #18-05
OCTOBER 4, 2005

money will be given to hurricane relief. The admission for 12 and up is \$10. Kids 4-11—\$5 and under 3—free.

Councilor DeGrandpre noted for anybody not sure whether they have claimed a Homestead Exemption, that it is too late to claim it for this tax cycle but by April 1, 2006 residents need to come in and sign up for the Homestead Exemption. They should contact Johanna Hanselman for information.

Councilor Bishop reminded Town Board and Committee members about the Volunteer Picnic at Harb Cottage on October 16. She asked them to please RSVP this week so that the food can be ordered. There will be prizes and she hopes to see everyone there.

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

Mary Ellen Carew called everyone's attention to the passing of Barbara Jacks on September 15. She noted the many contributions Mrs. Jacks made to Freeport.

Chair Rumpf took a brief recess for a ceremony with the Freeport Rotary Club regarding the adoption of the Town of Santa Barbara, Honduras as a sister city to Freeport. Pictures were taken

Chair Rumpf reconvened the meeting.

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

ITEM #129-05 To consider action relative to adopting the October 4, 2005
Consent Agenda.

BE IT ORDERED: That the October 4, 2005 Consent Agenda be adopted. (DeGrandpre & Cassida)

Chair Rumpf reviewed the items for members of the public.

Councilor Bishop questioned the expiration dates shown for some Board members. Mr. Olmstead offered to check on the dates and straighten them out.

Councilor Beaulieu advised that she would be late for next week's meeting since she has another meeting.

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

ITEM #130-05 To consider action relative to proposed amendments to the Zoning Ordinance concerning space standards in the Commercial District IV Zone (Chapter 21).

BE IT ORDERED: That a Public Hearing be scheduled for October 11, 2005 at 7 pm in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance concerning space standards in the C-IV Zone.

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

Mr. Olmstead explained that a few weeks ago the Council sent a request to the Planning Board to review the space standards and minimum lot size in the C-IV Zone. They have done that and are coming back with their recommendation that the minimum lot size in the C-IV Zone be reduced from 40,000 square feet to 20,000 square feet.

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

ITEM #131-05

To consider action relative to proposed amendments to the General Assistance Ordinance concerning Appendixes Updates (Maximum Levels of Assistance) and other minor Ordinance revisions. (Chapter 46)

BE IT ORDERED: That a Public Hearing be scheduled for October 11, 2005 at 7 pm in the Town Hall Council Chambers to discuss revisions to the General Assistance Ordinance.

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

Mr. Olmstead advised that Johanna Hanselman will be in attendance at the next meeting.

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

ITEM #132-05

To consider action relative to expenditure from the FY06 Miscellaneous and Contingency Account to provide for the High School boiler repairs.

BE IT ORDERED: That \$4,160 be expended from the Miscellaneous and Contingency Account to provide for the High School boiler repairs. (Cassida & Bishop)

Councilor DeGrandpre explained that this is the oldest boiler at the school and it needs repairs to keep it going. The repairs are less costly than replacing the boiler.

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

ITEM #133-05 To consider action relative to releasing a certain way listed on Attachment A1 of the Notice to Extend Deadline of Automatic Vacation of "Paper Streets" as recorded in the Cumberland County Registry of Deeds at Book 13338, Page 83 pursuant to 23 MRSA §3032, of such notice.

BE IT ORDERED: That pursuant to 23 MRSA §3032 the municipal officers of the Town of Freeport hereby vote to release an area listed on Attachment A-1 of the Notice to Extend Deadline of Automatic Vacation of "Paper Streets" as recorded in the Cumberland County Registry of Deeds at Book 13338, Page 83, specifically the area off Bow Street known as "Morning Street" abutted by the property of the Town of Freeport, Leland and Marion Arris, and Michael Boucher and Elizabeth Patten. (DeGrandpre & Beaulieu).

Mr. Olmstead explained the background for this action. The abutters have all agreed. The Town has no interest in maintaining this paper street. Elaine Tomaszewski advised that the School Department has no opposition to this.

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

ITEM #134-05 To consider action relative to a proposed ordinance for an expenditure of \$800,000 from the public infrastructure reserve fund for the Community Center Building Project.

BE IT ORDERED: That a public hearing be scheduled for October 11, 2005 at 7 PM in Town Hall Council Chambers to discuss a proposed ordinance for an expenditure of \$800,000 from the public infrastructure reserve fund for the Community Center Building Project.

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

Freeport's local cable channel 7, the Town's website and that a notice be placed and the ordinance published in a newspaper of general circulation. (Beaulieu & Bishop)

Mr. Olmstead advised that Councilor Beaulieu requested a legal opinion on this issue and it has not yet been received. He plans to mail it to Councilors prior to the meeting on the 11th. Attorney Hole will be in attendance. Councilor Beaulieu noted that she would be arriving late for this meeting and hopes this public hearing can be the last public hearing because she really wants to be here when it is addressed.

MOVED AND SECONDED: To amend the **BE IT ORDERED** to strike the word "of" after expenditure and add the words "not to exceed" after expenditure. It will read: *discuss a proposed ordinance for an expenditure not to exceed \$800,000 from the public infrastructure reserve fund for the Community Center Building Project.* **ROLL CALL VOTE:** (5 Ayes) (2 Excused—Arsenault & White)

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

OTHER BUSINESS:

1. Sign the Municipal Election Warrant.

Mr. Olmstead asked Councilors to sign the warrant. Chair Rumpf reviewed the open seats for members of the public.

-
2. Update on PACTS funding for 2006-2007
 - 3.

Mr. Olmstead explained that Freeport is now a member of PACTS. When approving the 2006-2007 budget for Pacts, the PACTS Executive Committee in this funding package approved the reconstruction of U.S. Route One from Mallet to Kendall. Once that work was completed, the Town was going to install a sidewalk from the Baptist Church to Kendall Lane. The money for the sidewalk was secured in the 2004-2005 PACTS budget and that money is safe. There is now less money coming down from the federal government to the state and the state has to cut over 50 million from its budget. PACTS is now in a position where it has to go back and cut its budget for the next two years to the tune of six million dollars. There are two ways of doing this—fund all the projects that were previously approved and raise the local match from 15% to 40% or cut projects from the list. They would cut projects last funded first and Freeport's project was one of the last funded. He mentioned that he has to go to PACTS in October and recommend either raising the local match or cutting projects. He was hoping for guidance from the Council. Discussion followed.

COUNCIL MEETING #18-05
OCTOBER 4, 2005

Councilor Beaulieu noted how important this sidewalk is for this area. She would like to pursue the option of trying to get it at 40% or at least keep it on the burner for future construction.

Mr. Olmstead noted he will fight hard to try to get the local match increased to get all the projects funded.

Informational Exchange

Councilor Beaulieu advised that she learned that Neal Allen will be nominating her for the Executive Committee for the New England Association of Regional Councils. They will be having their annual meeting at The Regency in Portland October 27-29. Her name will go forward to be on the Regional COG Board. She is excited about this. Councilors congratulated her.

Chair Rumpf will be working on a draft of the Town Manager's annual review. If anyone has any specific comments or things to consider, please provide them in the next week or so.

Chair Rumpf will also be drafting the Town Council Report for the Annual Town Report.

Mr. Olmstead distributed packets for the next Council meeting. He asked Councilors to take the items from this week's packets, the back-up for the three public hearings, and add it to the packets being distributed so that their packets will be complete. The Minutes from tonight's meeting as well as Jeff Hole's legal opinion will be mailed at the end of the week.

Chair Rumpf noted a letter from Fred Reeder in Councilors' packets following up on a discussion regarding the junkyard automobile graveyard permit.

Adjournment

MOVED AND SECONDED: To adjourn at 7:50 a.m. (Cassida & DeGrandpre)
VOTE: (5 Ayes) (2 Excused—Arsenault & White)

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #19-2005
TOWN HALL COUNCIL CHAMBERS
OCTOBER 11, 2005 – 7 p.m.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x (Arrived at 7:07 p.m.)

Chair Rumpf called the meeting to order and noted that Councilor Beaulieu will be arriving later.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #18-2005 held on October 4, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #18-2005 held on October 4, 2005 and accept the Minutes as printed. (Cassida & Arsenault)
VOTE: (6 Ayes) (1 Excused—Beaulieu).

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf pointed out that this is a voting year. Elections will be held on November 8. Polls will be open from 7 a.m. to 8 p.m. at the High School. The absentee balloting process has already begun. Anyone wishing to vote in this manner can come to the Town Hall during regular business hours or by requesting an absentee ballot from the Town Clerk.

Chair Rumpf announced that the scheduled meeting of the Municipal Facilities Committee for a site walk has been changed from this weekend to October 29 because of conflicts. It will start at the Cove Road Boat Launch at 9:30 a.m.

Councilor DeGrandpre wanted to correct his comments from the last meeting regarding the Homestead Exemption. He noted that in order to file for a Homestead Exemption, residents should talk to the Town Assessor, not Johanna Hanselman. Johanna handles the Property Tax and Rent Refund programs.

Councilor DeGrandpre advised that tomorrow night a meeting is scheduled at 7 p.m. at Mast Landing School to start the "loud part" of the capital campaign for the Community Center.

Councilor Bishop reminded everyone that the Volunteer Picnic will be held this Sunday at Harb Cottage, rain or shine. There will be lots of nice prizes donated by local businesses.

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

There were no public comments so Chair Rumpf moved on.

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

ITEM #140-05 To consider action relative to adopting the October 11, 2005 Consent Agenda.

BE IT ORDERED: That the October 11, 2005 Consent Agenda be adopted. (White & Arsenault)

Chair Rumpf summarized the list for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #141-05 To consider action relative to proposed amendments to the General Assistance Ordinance concerning Appendixes Updates (Maximum Levels of Assistance) and other minor Ordinance revisions. (Chapter 46). **Public Hearing**

MOVED AND SECONDED: That the Public Hearing be opened. (DeGrandpre & Arsenault) **VOTE:** (7 Ayes).

Johanna Hanselman explained that most of the changes to the Ordinances were made by MMA and Freeport utilizes the model ordinance that MMA puts together. They did develop this new version of the General Assistance Ordinance based upon revisions and updates to State law, Case law as well as updates to DHHS regulations. She reviewed them and recommends that Council approve them this evening. If the Council approves both the updates to the Appendix and the Ordinance revisions, Mr. Olmstead will need to submit the information signed by Councilors to the State to verify that Freeport is using the updated Appendixes as well as the MMA-model Ordinance.

MOVED AND SECONDED: That the Public Hearing be closed. (Arsenault & DeGrandpre)

BE IT ORDERED: That the proposed amendments to the General Assistance Ordinance be approved. (DeGrandpre & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ITEM #142-05 To consider action relative to proposed amendments to the Zoning Ordinance concerning space standards in the Commercial District IV Zone (Chapter 21). **Public Hearing.**

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

Town Planner, Donna Larson, explained that the Council asked the Planning Board to take a look at this. They reviewed it and came back with a recommendation to reduce to 20,000 sq. feet but only if the access is shared. If the access is shared, there will be no road frontage requirement. If the access is not shared, the minimum lot size stays at one acre and there is a road frontage requirement of 100 feet. Members of the public that attended the Planning Board meeting were generally in favor of the recommendation.

MOVED AND SECONDED: That the Public Hearing be closed. (Arsenault & Bishop) **VOTE:** (7 Ayes)

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved. (Arsenault & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

ITEM #143-05 To consider action relative to a proposed ordinance for an expenditure of \$800,000 from the public infrastructure reserve fund for the Community Center Building Project. **Public Hearing**

MOVED AND SECONDED: That the Public Hearing be opened. (Beaulieu & Arsenault) **VOTE:** (7 Ayes).

Town Attorney, Geoff Hole, explained his ~~opinion~~ **recommendation** that the Town ~~will have~~ **should retain** title to all the real estate until the fund-raising effort proceeds to where the Town ~~can have only~~ **would be liable for only** the original \$750,000 raised through the bond issue and the \$500,000 State grant. He suggested that the Council take a slightly different action and do this by Ordinance. It will provide for a public hearing and if done by Ordinance, there is a referendum possibility and it would be good for everyone to have the timeframe that that possibility sets forth, 30 days. To anticipate moving ahead should the Council approve this Ordinance, he has prepared a modest purchase and sale agreement between FCS and the Town which conceptualizes a deal that their existing property would come into the ownership of the Town. As soon as the Town's investment is down to the \$750,000 and \$500,000, it will be turned back over. There will have to be provisions about use **of the Town's share of finished** space. He is confident that the details can be easily worked out, given the spirit of the project. He answered questions for Councilors.

Attorney Hole, searched the title and a mortgage was disclosed. Councilor Cassida explained that the plan is to use some of the monies already in hand to eliminate the existing mortgage before transferring ownership, **and to eliminate any mortgage liens on the property.**

Bob Stevens was unable to attend tonight's meeting. Ed Bradley, representing the Community Center Coalition, noted that everyone supports the idea of a community center. This is not the issue, the issue is how do we pay for it. He encouraged the Council to make the same decision this evening that was made earlier. He asked people in the audience to stand up and identify

themselves, to give Councilors a sense of who's in the audience. He outlined some of the things that the community center will do for Freeport.

Leslie Livingston, Executive Director of FCS, revisited the value of this project. She pointed out that the whole purpose, goal and mission of this community center will probably serve 5,500 people a year. FCS is collaborating with the schools, business community, the YMCA, Wolfe Neck Farm, etc. The fundraising committee has raised one-third of the money over the summer that it was asked to raise without going public. FCS will pay interest on the money. They are not sure they will even need the \$800,000 loan. She pointed out that the community center is not just FCS. Its purpose is larger than that.

Peter Warren, President of Warren Group and Construction Manager for the project, explained that he needs to let bidders know by October 15 if there is a project or not. It is his opinion that going out to re-bid is not a good idea and he urged Councilors to not consider this option. Everything related to construction right now is escalating. Mr. Bradley estimated that not honoring the contracts at this time ~~could possibly~~ **would likely** add \$100,000 to this project ~~as well as~~ **in addition to** the loss of the \$500,000 State grant, **a total of \$600,000.**

The following people urged Councilors to grant the \$800,000 loan:

- Jonas Werner, VP of the Freeport Merchants Association
- Patricia Gile, representing the Freeport Elders
- Betsy Ruff of Durham Road
- Evan Thompson, Senior at Freeport High School
- Steve Brown, Fund Raising Committee
- John White of South Freeport
- Rod Regier of South Street
- Brenda White, Community Center Project Committee
- Deborah Levonsalor from Harpswell
- Judy Miskell of Marquis Road
- Tom McDermott of the FCS Board

The following residents are not in support of the \$800,000 loan but most are not necessarily opposed to the Community Center. They voiced their individual concerns and the majority recommended that the project go to referendum.

- Dave Backman of 116 Maquoit Road
- Scott Poulin, Baker Road
- Richard Harris of 20 Royal Avenue
- Joe Migliaccio of South Freeport Road
- Eleanor Backman of 116 Maquoit Road
- ~~Jean Gusineau~~ **Cousineau** of Maquoit Drive
- Judy Welch of Maquoit Drive
- Pauline Harris of 20 Royal Avenue
- Jerry Kennedy of Pine Street

Greg L'Heureux, Finance Director, pointed out that the interest rate proposed is 3% where a commercial loan could possibly be 6 ½ or 7%. The rate could possibly be structured in some capacity where the project could get tax-exempt financing. Some type of development association would have to be formed in order to do this and eventually would require voter approval. Ms. Livingston noted that she could not say that the FCS Board would be willing to go for bank financing. She reiterated that this is not simply an FCS project, it is a town project.

Mr. L'Heureux explained where the funds would come from and how it relates to the Town's policies. He answered questions for Councilors. Discussion followed.

Attorney Hole noted that any Councilor, who felt he/she could not be objective, should disclose this and refrain from voting on this issue.

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

2 Minute Recess was taken

The meeting reconvened.

Councilor Beaulieu noted that she would be voting against moving ahead on this appropriation because she thinks it is the wrong thing to do for this amount of money.

MOVED AND SECONDED: To move ahead immediately to act on this issue after the public hearing. (White & Bishop) **ROLL CALL VOTE:** (6 Ayes) 1 Nay—Beaulieu).

WHEREAS, on September 20, 2005 the Town Council voted to advance funds from the Capital Reserve Funds for a loan not to exceed \$800,000 for the construction of the Freeport Community Center Project; and

WHEREAS, it is desirable to more formally take the above action by Ordinance; and

WHEREAS, Freeport Community Services is undertaking a fund drive to insure that the Town's investment is reduced to the limits of the Town's earlier \$750,000 appropriation and \$500,000 State of Maine grant;

NOW, THEREFORE, the Town of Freeport hereby ordains: A sum not to exceed \$800,000 is authorized for expenditure from the Public Infrastructure Reserve for the construction of the Freeport Community Center Project, to be advanced to the Project in a manner that reasonably

protects the Town's interest in the Project as determined by the Town Manager and Town Finance Director, with advice from the Town Attorney, such protection to remain in place until the Project is either conveyed to Freeport Community Services or the Town's investment in the Project is reduced to the \$750,000 appropriation and/or the \$500,000 State of Maine grant.
(Bishop & Cassida)

Chair Rumpf stated some of the key things he heard this evening:

1. This decision indicates a certain faith in the private fund-raising effort.
2. We need to ensure that the interest of the taxpayers is protected to the full extent feasible.
3. Reserve funds—this is a ~~decision for the Council that needs to be considered that is a~~ question of priorities. By making this decision in the affirmative, the Council is saying this is a priority for the Town. It will have some impact on the Council's capital budgeting process, not a horrendous impact, but the Council will need to be more careful in capital budgeting for other items. He wants the Council to recognize this tonight. If the Council agrees to do it, it is in the context of recognizing this and it will have impact on other ongoing capital projects that the Council typically considers every budget season. This is part of the Council's decision.

Mr. Olmstead noted that no one can tell the Council what the impact will be on capital budgeting going forward. Budgets change from year to year depending upon department needs. Assuming that this money is repaid with a reasonable interest rate, over the long term the Council will be able to fund its capital programs but will have to delay some of the projects.

Councilor Beaulieu has a problem with the Council spending \$800,000 without voter approval. The money in reserves is truly money the Council could give back to the taxpayer. She believes this issue should go to the voters.

Councilor DeGrandpre noted that the Council needs to analyze and get a better handle on what the capital reserve accounts are. Some large capital projects are lying out in front but they are 4-5 years away. He noted that the Council has been comfortable spending the interest on \$750,000 for 4 years. He can live with 3%. He feels the Council is financially responsible and is doing the best it can with this money. Every year they are learning to better use the tools they have in front of them.

Councilor Bishop pointed out that everyone in Town wants a community center and have wanted it for years. It is for the people of Freeport. This project has been ongoing for years.

The DeLorme deal was a disappointment for everyone. These people can only come to the plate so many times.

Councilor Arsenault is Councilor-At-Large and he has not received one phone call in opposition to this project. He is confident that the public is aware of what is going on. He will be voting in favor of this project. He is aware that FCS has outgrown its facility and residents need the services FCS provides. The community center will give Freeport a sense of community. It is for the taxpayers of Freeport and not necessarily for the businesses.

Councilor White pointed out that his mind was not made up until tonight. He addressed some of the points in Mr. Poulin's letter. He noted that there has been incredible planning taking place over the years. He agrees that this is a Town project and pointed out that should something happen, the property will revert back to the Town. He believes the risk is fairly minimal. He will be voting in favor of this project.

Councilor Cassida is very proud of this community. He has watched for the better part of two years, a wide variety of people involved in one way or another in the process drive this process forward. There has been a tremendous desire to have a community center where the people of Freeport can gather and have a sense of self and an identity that is something other than Freeport, the retail mecca. It wouldn't have happened if there wasn't overwhelming support from the people in Freeport. It will be a tremendous place where everyone can have some benefit. He would encourage everyone to get involved in it in some way. He is also proud of the Town. The Council has tried very hard to be fiscally responsible in the last few years. They have been able to manage Town affairs and reduce taxes for the Freeport property owners and maintain services at a high level. The Council has established reserve accounts over a number of years that affords it a wonderful opportunity to further a project that probably won't go forward without Town support. He is confident that without Town support at this time, this project will die.

Councilor DeGrandpre noted that he has spoken to people that are willing to make small donations over a period of years. He sees this as a loan and is confident it will be repaid. He does not have a problem supporting this tonight.

Chair Rumpf thanked everybody who came out this evening. He appreciated hearing from all sides. He has had reservations about using the reserve funds but feels it is the right decision to make. He wanted assurance that the Town's interests would be protected and the Council has come a long way from what was originally proposed. With Attorney Hole's help, the Council has come up with a plan that has been agreed to by FCS and the Coalition that protects the Town's interests. He noted that FCS is also taking a risk. They have over \$300,000 of equity in those buildings that they are giving to the Town if this goes through. If they don't raise the money, the Town owns that equity. He has had significant reservations about using the reserve funds but still feels it is the right decision to make, given the protections we have. His preference would have been to go to a vote of the people but the timing has not worked out to do that. He sees this decision as making some decisions regarding next year's capital budget. He recognizes this in making this decision. This Council sitting tonight is the first Council that has brought down the tax rate in Freeport outside of a revaluation year in recorded history so it does take its responsibility to the

taxpayers very seriously. While there was some help by the State in increasing our school appropriations, there were some very tough decisions made. It is not an easy thing to do because everyone wants his or her programs funded. If the Council votes to support this, he pledged to the taxpayers that for the month he has left, he will work very hard with Attorney Hole and Mr. Olmstead to tie up all the loose ends in terms of the protections to the Freeport taxpayers to ensure that the legal agreements that are entered into provide the most protection. He thanked the Coalition and FCS for being willing to take some risks with the Council.

Councilor Beaulieu wanted to make sure that going forward, the Town Manager is authorized to sign all purchase and sale agreements as well as construction agreements.

MOVED AND SECONDED: To amend the order that the Town Manager will be authorized to sign the purchase and sale agreement, the construction agreement and related documents after review by Council leadership. (Beaulieu & White) **ROLL CALL VOTE:** (7 Ayes)

ROLL CALL VOTE ON AMENDED ORDER: (6 Ayes) (1 Abstention—Beaulieu)

Chair Rumpf thanked everyone involved.

ITEM #144-05 To consider action relative to a request for a waiver of the building permit fee.

BE IT ORDERED: That the building permit fee for the Freeport Community Center project be waived.

Note: The cost of the building permit will be \$2,530.00. (Bishop & Arsenault)

Mr. Olmstead recommended that only the building permit fee be waived and the electrical and plumbing fees not be waived. Councilors concurred.

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

OTHER BUSINESS:

1. Recommendation on the purchase of Accounting Software – Greg L'Heureux.

Mr. L'Heureux suggested that this be tabled. He doesn't have a contract tonight. He is working out the details of the contract but it will be less than what was appropriated. A savings will be obtained as a result of doing this as a cooperative venture with other communities. The School will pay for the applications they require.

2. Informational Exchange.

Chair Rumpf brought up the Budget Advisory meetings and asked if Councilor Bishop will be able to attend. Councilor Bishop noted that she cannot leave work for 4:30-6:30 p.m. meetings. Chair Rumpf asked if any other Councilor would be willing to participate in any or all of these meetings. Councilor Arsenault advised that he attended these meetings for four years and he did have input in the process, which eventually lowered County costs. Mr. Olmstead explained that Freeport no longer has an elected seat this year. Someone from Yarmouth is representing Freeport. Councilor Beaulieu mentioned two items that Freeport may want to speak to and suggested that the Council should put something in writing to Jim Cohen or our Yarmouth representative. Mr. Olmstead expects to receive a copy of the draft budget. Chair Rumpf asked Mr. Olmstead to request a copy and review the draft with Greg L'Heureux and come to the Council with some thoughts in a draft that we could send to the Chair, Vice Chair and our representative. The Council will be meeting on the 1st and Mr. Olmstead was asked to bring in the draft letter that the Council can approve and send on. Mr. Olmstead offered to call tomorrow to see if the draft is available.

Councilor Beaulieu asked about the Town Charter being given out. Mr. Olmstead explained that a reprint of the charter is coming out this week that includes all the amendments. The charter is also on the Town's website.

ADJOURNMENT

MOVED AND SECONDED: To adjourn at 11:55 p.m. (Bishop & Beaulieu)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #20-2005
TOWN HALL COUNCIL CHAMBERS
NOVEMBER 1, 2005 – 7 p.m.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

Chair Rumpf called the meeting to order.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #19-2005 held on October 11, 2005 and accept the Minutes as printed.

Chair Rumpf referred to page 3, under Item #143-05, and recommended that the first sentence be changed to read: Town Attorney, Geoff Hole, explained his recommendation that the Town should retain title to all the real estate until the fund-raising effort proceeds to where the Town would be liable for only the original \$750,000 raised through the bond issue and the \$500,000 State grant. In the same paragraph, second sentence from the end, it should read: There will have to be provisions about use of the Town's share of finished space. In the next paragraph, change the second sentence to read: Councilor Cassida explained that the plan is to use some of the monies already in hand to eliminate the existing mortgage before transferring ownership, and to eliminate any mortgage liens on the property.

On Page 4, the last sentence in paragraph 3 should read: Mr. Bradley estimated that not honoring the contracts at this time would likely add \$100,000 to this project in addition to the loss of the \$500,000 State grant, a total of \$600,000.

On page 6, change the first sentence under #3 Reserve Funds to read: Reserve Funds—this is a question of priorities.

Councilor Bishop noted that Jean Cousineau's name was misspelled. Councilors concurred with these changes.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #19-2005 held on October 11, 2005 and accept the Minutes as amended. (Bishop & White) **VOTE:** (7 Ayes)

Councilor Beaulieu requested a revised copy of the minutes for her file since there were so many changes.

SECOND ORDER OF BUSINESS: Announcements

Chair Rumpf congratulated Middle School Math Teacher, Alex Briasco-Brin. He was honored with a Milken National Educator Award for the quality of his teaching.

Chair Rumpf pointed out that citizens willing to serve on a Town Board or Committee are encouraged to apply. Applications are available on the Town's Website and also at the Town Hall. There are vacancies on the Recreation Committee and possibly other committees.

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

Rick Hendee of the School Committee thanked Chair Rumpf for congratulating Mr. Briasco-Brin and explained that Mr. Briasco-Brin has been awarded a \$25,000 grant by the California-based Milken Family Foundation and will receive his check later in the year at a ceremony. He has been teaching in Freeport for four years.

Mr. Hendee also noted that the rollout of the Concert Steinway Grand Piano will be held Friday night at the High School's Performing arts Center at 7:30 p.m. The Southern Maine Symphony Orchestra will also be performing. A lecture by Elliott Schwartz will begin at 6:45 p.m. Posters are displayed throughout Town. Mr. Hendee did not know whether the concert would be recorded.

Chair Rumpf pointed out that the purchase of this high-quality piano is being made possible by private fundraising. It is a used piano that was part of an estate. Mr. Hendee explained that it is expected that revenues from this Friday's concert and future concerts will pay back the private donors that worked so hard to get the piano. It is expected that this piano will be very advantageous to the Town.

MOVED AND SECONDED: To close the Public Comment Period. (Cassida & White) **VOTE:** (7 Ayes).

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

ITEM #145-05 To consider action relative to a request to use the Town parking lot on Depot Street.

BE IT ORDERED: That a request by the Freeport Community Center's Capital Campaign Committee to use the Town parking lot on Depot Street on November 19 to hold a groundbreaking event and Capital Campaign Kickoff be approved. (DeGrandpre & Bishop)

Chair Rumpf noted that a letter was received from Bob Stevens explaining that the ground breaking will take place at 11:30 a.m. on November 19. There will be a kick-off event for the public phase of the fundraising campaign beginning at noon and running until 2 p.m. There will be a number of activities for adults and children. He encouraged members of the public to

participate. Councilor White read through the whole list of events that are planned.

ROLL CALL VOTE: (7 Ayes).

ITEM #146-05 To consider action relative to the approval of new financial and human resources software.

BE IT ORDERED: That a contract with MUNIS in the amount of \$107,532.00 to provide for new financial and human resources software be approved.

BE IT FURTHER ORDERED: That the Finance Director be authorized to sign the contract on behalf of the Town of Freeport. (White & DeGrandpre)

Finance Director, Greg L'Heureux, explained the process that was followed for selecting the new software. He feels very strongly that what the Town will be getting is superior to the software that it is presently using. Mr. L'Heureux answered questions for Councilors. He mentioned that joint training sessions with surrounding communities are being planned whenever possible, which will save money.

Councilor Beaulieu advised that she has been involved in purchasing software and is very impressed with the level of service and the power of the MUNIS system.

Mr. L'Heureux is also looking into a purchasing card system and explained how it would work. He offered to go into further detail with the Council when he is at the point of initiating the purchase card system.

ROLL CALL VOTE: (7 Ayes)

ITEM #147-05 To consider action relative to the transfer of the Burr Cemetery Association Funds held by the Town of Freeport.

BE IT ORDERED: That the transfer to the Burr Cemetery Association of all funds presently held by the Town in trust for the purpose of providing perpetual care for cemetery plots in Burr Cemetery be approved, subject to the following conditions:

1. The funds to be transferred include not only the monies held by the Town under its Cemetery Trust Fund Policy, but also those in the Davis Mausoleum account and those in the Adeline Woodward Fund.
2. The consolidation of the funds held by the Town with funds held by the Cemetery Association shall not occur unless and until the transfer by the Town is approved by the Cumberland County Probate Court. Burr Cemetery Association's future management and administration of the consolidated monies shall be consistent with the order issued by the Cumberland County Probate Court.
3. Simultaneously with the Town's transfer of the Burr Cemetery funds, the Cemetery Association will deliver to the Town a release and indemnification

agreement holding the Town harmless from any future claims with regard to the transferred funds.

4. Burr Cemetery Association shall pay the Town's reasonable attorney's fees incurred in connection with the negotiations related to the transfer, the probate court proceedings, the preparation and execution of the release, and all other services related to the proposed consolidation. (Beaulieu & DeGrandpre)

Mr. Olmstead explained that the Burr Cemetery Association's Attorney entered into a dialogue with the Council a few months ago. After the discussion, the Council basically said it would entertain this proposal if these conditions were agreed to by the Burr Cemetery Association. Some further discussion took place between the Town's Attorney and the Association's Attorney which resulted in the order before the Council this evening.

Councilor Beaulieu asked for the names of all the trustees and what the pros and cons would be.

Chris Stilkey representing the Burr Cemetery Association answered questions for Councilors. He advised that Leslie Craig is the President, Sandra Giggey is the Vice President and Evelyn Stilkey is the Secretary/Treasurer. He did not have the names of the seven trustees with him but offered to provide a list to Councilors. Mr. Stilkey is the Superintendent of the cemetery and was asked to represent the Association. He explained that the pros are that there would not be two sets of accounting every year and they have the ability to work with other associations to determine how others do successful investing. He cannot foresee any cons to the Town. It will mean that the cemetery will need to have a few extra meetings for finance purposes. They have about 300 graves available for sale. He feels it is wonderful that the Town supports its veterans. Discussion followed.

Councilor Beaulieu indicated that she would like to know the names of the trustees and who will be managing the money before she can vote on this. Councilor DeGrandpre would like to give folks in Town an opportunity to consider this. This is the first time this item has appeared on a regular agenda.

Chair Rumpf noted that it appears the majority of the Council has concerns and would like to see some additional agreement between the Town and the Association which would help ensure that the Council gets an annual report on the financial information and also deal with the issue of the Town having some ability to recall the funds for management if they don't meet best management practices.

Councilor White would like to see someone from the organization here speaking on their own behalf. He questions why there is an attempt to fix something that is working right now. He doesn't see any benefit, he only sees risk. He would like to know how the fund has been managed and what the earnings have been over the years. He would like to know what would be different if managed by the Association.

Chair Rumpf noted that the Association is asking to take on full responsibility for managing their own affairs and he is all for privatization when it makes sense. It is a private cemetery, not a public cemetery.

Councilor Cassida would like to hear from the Trustees and would like more detail on how the funds will be invested and who will manage them. He agrees that it is a private cemetery and

there is no reason why the association should not manage their own funds. The Council wants assurance that it can do this.

Chair Rumpf asked the Town Manager to explore with the Town Attorney ways to ensure that there are some checks and balances on this capacity.

Mr. Olmstead noted that he would ask the Town Attorney to modify the order to provide a reverter

clause and require an annual reporting to the Town. The Association will need to provide a list of trustees, identify who their investment advisor will be and come back to the Council along with an investment strategy to control the funds. He noted that this will have to be tabled indefinitely and the Association will need to inform the Town when it is ready to come back with their information.

Mr. L'Heureux noted his concerns with the Association possibly dipping into its principle. Mr. Olmstead explained what took place sometime ago. More discussion took place.

MOVED AND SECONDED: To table Item #147-05 indefinitely until some of the questions that were raised this evening can be resolved and a clear plan be put forward. (Cassida & Beaulieu). **VOTE:** (7 Ayes).

OTHER BUSINESS:

1. Update on FY 2006-2007 PACTS project list.

Mr. Olmstead explained that Freeport's reconstruction project of a portion of Route One ended up on the "B" list and the sidewalk proposed from Kendall Lane to the Baptist Church ended up on the "A" list. PACTS has dropped the Kendall Lane project because MDOT will receive less federal aid for road construction than it had anticipated. Unfortunately, we cannot build a sidewalk without reconstructing the road. He believes that there is still hope in getting the Kendall Lane project funded in 2006-2007. If not, it is well positioned for 2008-2009. There is a faint pulse if some communities want to drop out of the "A" list. A decision will have to be made by spring.

2. Discussion on annual regional meeting scheduled for November 16.

Mr. Olmstead asked Councilors to put November 16 on their calendars. Invitations will be mailed to them containing all the necessary information.

3. Informational Exchange.

Councilor White advised that the Facilities Committee met last Saturday and viewed some of the sites discussed for use of the docks that were acquired from Brewer's. They determined that finger floats could increase the quality of access at Porter's Landing. They also went to Sandy Beach and had a lively discussion. They then went to Soule School and walked through the back parcel and open space. They visited Bow Street Park because there was a request to build out a patio by the side entrance. There are a few trees that need to be removed. After the election, they will schedule another meeting to discuss float use.

Chair Rumpf passed out a copy of the report for the Annual Town Report as well as the original Council goals that were agreed upon this year. He went through the list and noted that the Council has done a good job in meeting its stated goals.

ITEM #148-05 To consider action relative to an executive session to consider an offer to purchase Town owned property at the corner of Hunter and Desert Roads. (M.R.S.A Title 1 Section 405 § 6C)

MOVED AND SECONDED: That the Council enter into executive session. (Arsenault & Cassida) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the Council reconvene. (Beaulieu & DeGrandpre) **VOTE:** (7 Ayes).

ITEM #149-05 To consider action relative to an executive session to discuss the Town Manager's Annual Evaluation. (M.S.R.S. Title 1 Section 405 § 6A.)

MOVED AND SECONDED: That the Town Council enter into executive session to discuss the Town Manager's Annual Evaluation. (White & Bishop) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the Council reconvene. (Arsenault & Beaulieu) **VOTE:** (7 Ayes).

Adjournment

MOVED AND SECONDED: To adjourn at 9:32 p.m. (Cassida & Bishop) **VOTE:** (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
ORGANIZATIONAL FREEPORT TOWN COUNCIL MEETING #21-2005
TOWN HALL COUNCIL CHAMBERS
NOVEMBER 15, 2005 – 7 p.m.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

Thomas Rumpf, P.O. Box. 819, S. Freeport	x
John Arsenault, Prout Road	x
Charlotte Bishop, Maquoit Drive	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
James Cassida, 5 Timber Ridge Road	x
Genie Beaulieu, P.O. Box 74	x

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

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #20-2005 held on November 1, 2005 and accept the Minutes as printed.

Councilor Beaulieu noted that she received a copy of the revised Minutes, which she requested at the last meeting, but apparently other Councilors had not received one in their packets. Judy Hawley will provide a revised copy to all Councilors in their next packets.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #20-2005 held on November 1, 2005 and accept the Minutes as printed. (White & DeGrandpre) **VOTE:** (7 Ayes)

ANNOUNCEMENTS

Councilor DeGrandpre explained the activities that will take place this Saturday at the Community Center's groundbreaking ceremony. Plans will be displayed and people will be on hand to answer questions. He encouraged everyone to come and participate.

Councilor Beaulieu pointed out that there would be a public input session on the local cable service tomorrow night at 7 p.m. in the Library. This is to get public input on the cable service. They are renegotiating the franchise agreement with SusCom. A proposed merger may take place in the first quarter of 2006.

Councilor DeGrandpre noted that the Planning Board is holding a Public Hearing in the Council Chambers tomorrow night at 7 p.m. to discuss changes in the VC-I and VC-II for anyone that would like to share their input.

SECOND ORDER OF BUSINESS: That the Town Clerk report on the returns of the November 8, 2005 Election.

Bev Curry reported that this was an off-year election.

Total Number of registered voters at the start of voting: 6,113
Number of voters who registered on Election Day: 105
Total number of State ballots cast: 3,088
Total percentage of voters who cast ballots: 50%
Number of absentee ballots requested: 470 (15% of votes cast)

She did not read through the State Referendum questions but noted the results are listed on the Town's website and people can call her.

District 2 Councilor – 3-year term: Frederick White, III – 619 votes
District 3 Councilor – 3-year term: Joseph Migliaccio – 592 votes
Councilor-at-Large – 3-year term: Richard DeGrandpre – 2,482 votes

School Committee – 3-year terms:
Christine Munroe – 1,503 votes
Beth Parker – 1,690 votes

Sewer District Trustees – 3-year terms:
Jack Conner – 1,363 votes
Kenneth Mann – 1,201 votes

Water District Trustee – 3-year term:
Peter Moulton – 1,900 votes

Ms. Curry thanked everyone that helped her with the election. Chair Rumpf thanked Ms. Curry for all her efforts.

MOVED AND SECONDED: To accept the Town Clerk's Report. (DeGrandpre & White) **VOTE:** (7 Ayes).

SWEARING IN OF COUNCILORS:

Ms. Curry swore in Councilors Migliaccio, White and DeGrandpre

ROLL CALL OF NEW MEMBERS:

VICE CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

James Cassida, 5 Timber Ridge Road	x
Joseph Migliaccio, South Freeport Road	x
Charlotte Bishop, Maquoit Drive	x
John Arsenault, Prout Road	x
Rich DeGrandpre, Timber Ridge Road	x
Frederick White, 45 Pleasant Hill Road	x
Genie Beaulieu, P.O. Box 74	x

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

There were no public comments so Vice Chair Cassida moved on.

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

ITEM #150-05

To consider action relative to the electing of a chairperson and a vice chairperson for the Town Council.

MOVED AND SECONDED: That the nominations for the position of Council Chairperson be accepted. (Arsenault & DeGrandpre) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That James Cassida be nominated as Chairperson of the Freeport Town Council (White & Beaulieu) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the nominations cease. (DeGrandpre & Bishop). **VOTE:** (7 Ayes).

BE IT ORDERED: That Jim Cassida be elected Chairperson of the Freeport Town Council (White & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes).

MOVED AND SECONDED: That the nominations for the position of Council Vice Chairperson be accepted. (White & Arsenault). **VOTE:** (7 Ayes).

MOVED AND SECONDED: That Charlotte Bishop be nominated as Vice Chairperson of the Freeport Town Council (Arsenault & DeGrandpre) **VOTE:** (7 Ayes).

MOVED AND SECONDED: That the nominations cease. (Arsenault & Beaulieu) **VOTE:** (7 Ayes).

BE IT ORDERED: That Charlotte Bishop be elected Vice Chairperson of the Freeport Town Council (Migliaccio & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

PRESENTATIONS AND COMMENTS FROM THE COUNCIL TO OUTGOING COUNCILORS

Chair Cassida thanked outgoing Chair Rumpf for everything he has done to make Freeport a vibrant community, noting he was able to rebuild public trust during his tenure. He presented Chair Rumpf with a plaque and an L.L. Bean walking stick wrapped in 100% recycled materials.

Outgoing Chair Rumpf thanked Councilor Cassida for his kind words. He noted the key accomplishments that the Council was able to make during the past few years. He encouraged Councilors to continue to listen and respect each other and strive to find common ground to move Freeport ahead.

Rod Regier shared some historical facts on golf. Working closely with Mr. Rumpf on the Town Council, Mr. Regier grew to value his judgment, diplomacy and his intelligence. He presented Mr. Rumpf with a box of golf balls also wrapped in 100% recycled materials.

A 15-minute recess was taken and refreshments were served.

The meeting reconvened at 7:45 p.m.

OTHER BUSINESS:

1. Informational Exchange.

Chair Cassida distributed packets to Councilors containing information that he and Vice Chair Bishop will use to make committee assignments as well as each individual Councilor's goal sheets for the upcoming year. He asked Councilors to take some time and jot down their goals, which will be discussed at the December 6, 2005 Council meeting. He requested that Councilors get their goals back to Town Hall by the Thursday before that Council meeting so he and Vice Chair Bishop can review them.

In the packets are also the individual goal sheets from last year to remind Councilors what their goals were then. They can be adjusted in any way.

The committee assignment list is also included in the packet. Chair Cassida asked Councilors to fill out their choices of committees and rank them. This should also be returned on the Thursday before the December 6 meeting.

Chair Cassida mentioned all the functions that will take place tomorrow night and asked Councilors where they plan to be. Chair Cassida, Councilor DeGrandpre and Vice Chair Bishop will be attending the annual dinner in Falmouth. Councilor Migliaccio will attend the Planning Board's Public Hearing, Councilor Beaulieu will be at the Cable meeting. Councilor Arsenault planned to attend the dinner in Falmouth but he has an earlier meeting and is uncertain what time it will end. Councilor White noted he is in "limbo".

Adjournment

MOVED AND SECONDED: To adjourn at 7:55 p.m. (White & DeGrandpre)
VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin
Council Secretary

**MINUTES
FREEPORT TOWN COUNCIL MEETING #22-2005
TOWN HALL COUNCIL CHAMBERS
DECEMBER 6, 2005 – 7 p.m.**

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

John Arsenault, Prout Road			x
Genie Beaulieu, P.O. Box 74	x		
Charlotte Bishop, Maquoit Drive	x		
James Cassida, 5 Timber Ridge Road	x		
Rich DeGrandpre, Timber Ridge Road	x		
Joe Migliaccio, 2 Vinmar Lane	x		
Frederick White, 45 Pleasant Hill Road	x		

Chair Cassida called the meeting to order and pointed out that Councilor Arsenault is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #21-2005 held on November 15, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #21-2005 held on November 15, 2005 and accept the Minutes as printed (White & Beaulieu)
VOTE: (6 Ayes) (1 Excused—Arsenault)

SECOND ORDER OF BUSINESS: Announcements

Chair Cassida announced that there are a few vacancies on some Town boards and committees. Any citizen interested in serving on one of these boards should fill out an application and submit it to Town Hall as soon as possible. Applications can be found on the Town's website and are also available at Town Hall.

Chair Cassida noted that a County budget workshop will be held on December 15 at 6 p.m. in Council Chambers. Councilor DeGrandpre pointed out that the Town's website states that this meeting begins at 6 p.m. at the Library when it really will be held here in Freeport's Council Chambers. Chair Cassida asked Mr. Olmstead to check this out and make sure it is corrected. Councilor Beaulieu asked if it could be televised. Mr. Olmstead advised that it would cost \$30 and Councilors concurred that it should be televised. Mr. Olmstead will make the arrangements.

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

MOVED AND SECONDED: To open the Public Comment Period. (White and Bishop)
VOTE: (6 Ayes) (1 Excused—Arsenault).

**COUNCIL MEETING #22-2005
DECEMBER 6, 2005**

State Representative, David Webster, noted that Medicare Part D would soon affect many people in town or have family members that will be affected. People need to enroll and there is some confusion about this. He and Senator Beth Edmonds have organized a meeting to be held on December 20 to discuss this public health issue. It will take place at the Library at 10 a.m. If anyone wishes to call him, he can be reached at 865-4311 and his phone number is also on the Town's website.

MOVED AND SECONDED: To close the Public Comment Period. (Bishop & White)
VOTE: (6 Ayes). (1 Excused—Arsenault)

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

ITEM #156-05 To consider action relative to adopting the December 6, 2005 Consent Agenda.

BE IT ORDERED: That the December 6, 2005 Consent Agenda be adopted. (White & Beaulieu)

Chair Cassida reviewed the items that appeared on the Consent Agenda for members of the public. Mr. Olmstead explained the Thermal Imaging Camera Grant for Councilors.

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

ITEM #157-06 To consider action relative to the adoption of a new Floodplain Management Ordinance for the Town of Freeport. (Chapter 16)

BE IT ORDERED: That a Public Hearing be scheduled for December 20, 2005 at 7 PM in the Town Hall Council Chambers to discuss the adoption of a new Floodplain Management Ordinance.

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

Chair Cassida noted that Councilors received a copy of the draft ordinance in their packets. Mr. Olmstead explained that Freeport's Floodplain Management Ordinance was adopted in 1987. The State Planning Office has been reviewing Ordinances and determined that Freeport's is not in compliance with State or Federal requirements. Freeport's Ordinance needs to

**COUNCIL MEETING #22-2005
DECEMBER 6, 2005**

be brought into compliance by January so that Freeport's homeowners will be able to purchase Floodplain insurance. Discussion followed.

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

ITEM #158-05 To consider action relative to a proposed amendment to the Traffic & Parking Ordinance concerning fifteen minute parking zones. (Chapter 48)

BE IT ORDERED: That a Public Hearing be scheduled for December 20, 2005 at 7 PM in the Town Hall Council Chambers to discuss a proposed amendment to the Traffic & Parking Ordinance concerning fifteen minute parking zones.

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

Councilor Beaulieu explained that this only refers to the downtown area and provides for 15-minute parking times on Sundays at marked spaces. She answered questions for Councilors.

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

ITEM #159-05 To consider action relative to a proposed amendment to the Sidewalk Maintenance Ordinance concerning snow removal in commercial zones. (Chapter 9)

BE IT ORDERED: That a Public Hearing be scheduled on December 20 at 7 p.m. in the Town Hall Council Chambers to discuss a proposed amendment to the Sidewalk Maintenance Ordinance concerning snow removal in commercial zones.

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

Mr. Olmstead explained that this recommendation came from the Public Works Director and the Town Engineer. The Town will continue to provide the same maintenance that it does now but the ultimate responsibility belongs to the property owners in all the commercial zones. Business

**COUNCIL MEETING #22-2005
DECEMBER 6, 2005**

people will be notified if the amendment is adopted. Discussion followed. Councilor White requested that the Public Works Director be in attendance at the Public Hearing on the 20th. Councilor Beaulieu noted that she would like to see very clear language on who will be responsible for maintaining the sidewalks.

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

ITEM #160-05 To consider action relative to endorsing PACTS applications for Road Reconstruction and Widening.

BE IT ORDERED: That the Freeport Town Council endorse the following applications for Road Reconstruction and Widening for Years 2008 & 2009.

1. Route 1 from Kendall Lane to Maple Avenue.
2. South Street from West Street to Porter's Landing.
3. Bow Street from Dennison Avenue to the driveway at Mast Landing School. (Bishop & Beaulieu)

Mr. Olmstead explained that the first project had been approved by PACTS for this year but had to be postponed because of federal cutbacks. He answered questions for Councilors.

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

OTHER BUSINESS:

1. Habitat for Humanity Presentation.

Andrew Cadot of Flying Point Road, Site Selection Committee member explained that the real logjam for this organization is land. They are asking towns to consider donating three lots over the next five years. Freeport built two homes on the Grant Road. He introduced Steve Bolton, Executive Director. Mr. Bolton thanked the Council for the two lots on Grant Road that enabled them to build two homes. He explained how Jim Hatch from the Housing Trust helped to raise funds and solicited volunteers to work on those homes. They work with 23 towns in Cumberland County. He gave some historical information on his organization and explained how families are selected for a Habitat house.

-
2. Committee Assignments for 2006.

Chair Cassida distributed the committee assignments and explained that he and Vice Chair Bishop felt it was important that each Councilor serve on the top 3 core committees.

Mr. Olmstead asked Councilor DeGrandpre to schedule an Appointments Committee meeting on December 20 at 6 p.m.

3. Discussion on 2006 Council Goals.

Chair Cassida distributed the Council Goals and asked for feedback. Discussion followed.

Under 1. Control Property Taxes, the first bullet was changed to: "Attempt to limit municipality expenditures consistent with the Northeast Region CPI Indicator. The second bullet was changed to read: "Work with School Department to encourage and support clear communication and expectations. The fifth bullet was changed to read: "Promote balanced economic development to strengthen the commercial tax base.

Under 3. Develop and strengthen long-range planning in growth management to ensure that public infrastructure can support growth rates, the first bullet was changed to read: "Develop a plan to extend School Street and possibly rezone the area to support local services.

Councilor Migliaccio brought up the affordable housing piece and explained his interest in Habitat for Humanity. Chair Cassida suggested bringing this up when the Council meets with the Planning Board.

Chair Cassida will see that a revision is provided to Mr. Olmstead and asked that this be added to the next agenda for adoption.

4. Informational Exchange.

Chair Cassida pointed out that the French School of Maine had their dedication last weekend. It was well attended and very impressive. He came away with a good indication of what that school is trying to do.

Chair Cassida noted that Mr. Olmstead received some information from BioDiesel of Maine offering to provide a presentation on how it can save the Town money. L.L. Bean and the Town of Falmouth is currently using this fuel. Councilors concurred that they would like to have the presentation and asked Mr. Olmstead to arrange for the presentation.

Councilor DeGrandpre noted that he, too, attended the French School's dedication and recognizes that the Town has an innovative school in that same building. He mentioned that the Soule School building was saved and renovated. There is a strong interest in developing a sister City in France and it was agreed to explore this option.

Councilor Migliaccio pointed out that since meeting notices didn't get out, the Planning Board had to postpone their public hearing. People that attended workshopped with the Board. Everyone needs a new copy of the language that resulted from the workshop. Mr. Olmstead offered to check with the Town Planner.

**COUNCIL MEETING #22-2005
DECEMBER 6, 2005**

Councilor DeGrandpre advised that a few folks complained that the Board of Appeals did not have a quorum for its November meeting and they were forced to wait a whole month before another meeting could take place. The Appointments Committee should communicate to the chairs of all of the committees that if they have attendance issues or membership issues, they need to be addressed. Councilor Bishop noted that if it is the Board's deficiency, a meeting should be rescheduled for the next week. No one should have to wait a whole month because Board members did not show up.

Mr. Olmstead advised that the Appeals Board Secretary pointed out that this has happened only three times in the 12 years she has been recording their meetings. Mr. Olmstead agreed that there are attendance problems on other Boards and Committees and perhaps the chairs do not understand the role they should be playing when those situations occur. There are attendance requirements that need to be met. It is the chair's responsibility to notify the Council and the Appointments Committee Chair when there are violations. Chair Cassida suggested reinforcing this point when the Council meets with each Board.

Councilor Migliaccio indicated that Staff Review meetings scheduled at 2:30 p.m. are difficult for the public to attend.

Councilor Beaulieu advised that the U.S. Route One Neighborhood Association would be meeting on December 15 at 6 p.m. at the Library. They wrote to PACTS and were the only neighborhood group to do so.

Councilor Migliaccio advised that he plans to attend the County Budget meeting on the 15th. Councilor Beaulieu advised that the County is putting aside \$25,000 for economic development and this is an item that Councilor Migliaccio should look at and be prepared to talk about. In two years the County will have to go out to referendum for their capital items and she suggested that Councilor Migliaccio review this as well.

Mr. Olmstead encouraged Councilors to attend this meeting on the 15th at 6 p.m. He explained his concerns with the County entering into economic development. When something is included in the County budget, everyone pays for it through the formula. It was explained to him that this is an effort to help the smaller towns with their economic development efforts which means once again that Freeport will be asked to subsidize as it does with the Sheriff's Department. He noted that Councilors should be concerned about that proposal since it could impact the their goal to control property taxes.

Councilor Beaulieu advised that the Cable Negotiating Committee held a meeting and there were only 3 or 4 people in attendance. Another meeting will be scheduled on December 14 but she will be unable to attend. They are hoping to bring something to the Council by the end of January. Mr. Olmstead wants to be sure to have the ability for an informational channel that could mean some advertising dollars for the Town. Councilor Beaulieu agreed.

Councilor DeGrandpre referred to the Staff Review meetings taking place at 2:30 and wondered if Board members could meet at 5 p.m. on Wednesdays. Mr. Olmstead advised that generally, the 2:30 time works fine but the committee needs to be sensitive to agenda items that

**COUNCIL MEETING #22-2005
DECEMBER 6, 2005**

they know will promote a lot of public interest and they need to be flexible in establishing their meeting times. He will discuss this with the Town Planner.

Mr. Olmstead advised that he has been discussing the closure of Freeport Towne Square with Representative Webster and the family that will be affected. Representative Webster has indicated that he would like to keep that family intact and relocated in Freeport. There is an opportunity to use the 3 acres the Town owns behind the condominiums on West Street as a possible location for this family but access needs to be worked out.

Representative Webster gave some historical information on Freeport Towne Square and explained that the State has decided to sell the property and move the residents to a non-profit organization such as Independence Association. There are currently 12 individuals that have lived in Freeport since the 70s and they need a modern wheelchair-accessible home.

Mr. Olmstead recommended that Jim Hatch from the Freeport Housing Trust and Jim Pierce from Independence Association put a proposal together and bring it to the Municipal Facilities Committee.

Representative Webster thanked Mr. Olmstead for his help and Chair Cassida thanked Representative Webster for his efforts in this proposal.

Mr. Olmstead mentioned the potential sale of property at the corner of Hunter and Desert Roads and that during an Executive Session, he asked for authority to use the appraisal to respond to the offer as soon as the appraisal came in. Councilors concurred that Mr. Olmstead could make the offer. Since the appraisal just came in and the Council was meeting this evening, he put the offer in writing and attached some materials with it and provided it to the Council so they could see what it looks like. If anyone has questions about the offer, they should contact him by end of day tomorrow. He would like to get the offer out in the next day or two to Mr. Taggart. He reminded the Council that it is a confidential document.

ADJOURNMENT

MOVED AND SECONDED: To adjourn at 8:55 p.m. (White & DeGrandpre)

VOTE: (6 Ayes) (1 Excused—Arsenault)

Respectfully Submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #23-2005
TOWN HALL COUNCIL CHAMBERS
DECEMBER 20, 2005 – 7 p.m.

CHAIRPERSON'S CALL TO ORDER

PRESENT ABSENT EXCUSED

John Arsenault, Prout Road	x		
Genie Beaulieu, P.O. Box 74			x
Charlotte Bishop, Maquoit Drive	x		
James Cassida, 5 Timber Ridge Road	x		
Rich DeGrandpre, Timber Ridge Road	x		
Joe Migliaccio, 2 Vinmar Lane	x		
Frederick White, 45 Pleasant Hill Road	x		

Chair Cassida called the meeting to order and pointed out that Councilor Beaulieu is excused this evening.

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #22-2005 held on December 6, 2005 and accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #22-2005 held on December 6, 2005 and accept the Minutes as printed (White & Bishop) **VOTE:** (6 Ayes) (1 Excused—Beaulieu)

SECOND ORDER OF BUSINESS: Announcements

Chair Cassida pointed out that Town employees have generously donated \$4,832.60 to charities during the past year.

Councilor DeGrandpre advised that the family of Stan Davis has presented the Freeport Fire Company with a \$40,000 bequest in his honor. The money will be used to renovate the Town's firefighting museum and expand the company's scholarship program. In the past, Mr. Davis made other contributions of more than \$100,000 to help establish the fire museum.

Having just returned from an Appointment Committee meeting, Councilor DeGrandpre announced that there are vacancies on some Town boards and committees. Any citizen interested in serving on one of these boards should fill out an application and submit it to Town Hall. The Committee is always looking for good candidates and will be putting together a job description in the next few months for each of the committees so folks will have an idea what they do and when they meet. Applications can be found on the Town's website and are also available at Town Hall. Councilor Bishop noted that these committees mostly meet once a month.

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

MOVED AND SECONDED: To open the Public Comment Period. (White and DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

There were no public comments.

MOVED AND SECONDED: To close the Public Comment Period. (White & Bishop) **VOTE:** (6 Ayes). (1 Excused—Arsenault)

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

ITEM #163-05 To consider action relative to the adoption of the December 20, 2005 Consent Agenda.

BE IT ORDERED: That the December 20, 2005 Consent Agenda be adopted. (Bishop & Arsenault)

Chair Cassida reviewed the two items that were on the Consent Agenda for members of the public.

Mr. Olmstead indicated that the luge run would be handled in the same manner as last year. Councilor DeGrandpre encouraged members of the public to participate in the luge run.

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

ITEM #164-05 To consider action relative to applications for Alcoholic Beverage Licenses.
(Public Hearing)

MOVED AND SECONDED: That the following applications for Alcoholic Beverage Licenses be subject to Public Hearing.

Alexis J. Caisse d/b/a/
Buck's Naked BBQ
132 U.S. Route 1

Timothy Rudolph d/b/a/
Kendall Tavern B&B
213 Main Street

Dominic Petrillo d/b/a/
Petrillos
15 Depot Street
(White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

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There were no public comments. Mr. Olmstead explained that the applications are all in order and the taxes are current.

MOVED AND SECONDED: That the Public Hearing be closed. (Bishop & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

BE IT ORDERED: That the applications for Alcoholic Beverage Licenses be approved. (White & Bishop) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Beaulieu).

ITEM #165-05 To consider action relative to the adoption of a new Floodplain Management Ordinance for the Town of Freeport. (Chapter 16) **(Public Hearing)**

MOVED AND SECONDED: That the Public Hearing be opened. (Migliaccio & Bishop) **VOTE:** (6 Ayes) 1 Excused—Beaulieu).

Fred Reeder, Codes Enforcement Officer, explained that he will be dealing with this Ordinance and has dealt with it for more than 20 years. In his 20 years, he has never received an application. The State's Planning Office has prepared this document. On page 4 he has plugged in application fees of \$25 for minor development and \$50 for major development. Discussion followed.

Chair Cassida suggested getting the FEMA maps entered into the GIS system.

MOVED AND SECONDED: That the Public Hearing be closed. (Bishop & DeGrandpre) **VOTE:** (6 Ayes) 1 Excused—Beaulieu).

MOVED AND SECONDED: To include the application fees in Article IV on Page 4, which were \$25 for a minor development and \$50 for a major development. (DeGrandpre & Arsenault) **VOTE:** (6 Ayes) (1 Excused—Beaulieu)

BE IT ORDERED: That the proposed Floodplain Management Ordinance be Adopted as amended and the existing ordinance be vacated. (Migliaccio & DeGrandpre) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Beaulieu).

ITEM #166-05 To consider action relative to a proposed amendment to the Traffic & Parking Ordinance concerning fifteen minute parking zones. (Chapter 48) **(Public Hearing)**

MOVED AND SECONDED: That the Public Hearing be opened. (Arsenault & Bishop) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

Mr. Olmstead explained that this amendment would eliminate the Sunday exemption in the 15-minute parking zones. These zones will be in effect from 9 a.m. to 6 p.m. seven days a week.

There were no public comments. Mr. Olmstead asked Mr. Plummer if when the signs are replaced because of age or damage, the 9 a.m. to 6 p.m. times could be added. Councilor DeGrandpre noted that perhaps small additional signs showing the times could be added to the existing signs. Councilors

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concurred that this should be left to the Town Manager's discretion. Mr. Plummer offered to research the availability of labels or small signage with his sign vendors.

MOVED AND SECONDED: That the Public Hearing be closed. (Arsenault & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

BE IT ORDERED: That the proposed amendment to the Traffic & Parking Ordinance be approved. (Arsenault & Bishop) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

ITEM #167-05 To consider action relative to a proposed amendment to the Sidewalk Maintenance Ordinance concerning snow removal in Commercial Zones. (Chapter 9) **(Public Hearing)**

MOVED AND SECONDED: That the Public Hearing be opened. (DeGrandpre & Arsenault) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

Mr. Olmstead explained that for the past 30 years or so there has been an Ordinance in place where the primary responsibility for keeping sidewalks free of snow and ice and safe for pedestrians lies with the abutting property owners in the Village Commercial I and II zones. This amendment is to extend this to the other commercial zones where sidewalks have been built, specifically U.S. Route One South to the Shaw's intersection and also down Bow Street to Park Street where sidewalks have been built to accommodate the new Hilton Inn. The Public Works Department will continue to plow, salt and sand sidewalks. This Ordinance makes it clear that the ultimate responsibility rests with the abutting property owner and should Public Works not be able to get to the sidewalks in a timely manner, then it would be expected that the property owners get out and assist in the effort. This has worked well in the downtown area for many years and some of the downtown property owners have made it known that they think this Ordinance should be extended to the other commercial districts where sidewalks now exist so there is equal application of the Ordinance.

Councilor DeGrandpre noted that he would like to offer an amendment to remove the commercial zones from this Ordinance because in C-I, C-II and C-IV there are no sidewalks and in C-III that is where the snow goes. Discussion followed.

There were no public comments.

MOVED AND SECONDED: That the Public Hearing be closed. (White & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

MOVED AND SECONDED: To remove Commercial I, Commercial II, Commercial III and IV from the proposed article but leave Village Commercial I, Village Commercial II, and Village Commercial IV in. (DeGrandpre & Arsenault) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

Chair Cassida explained that he would like to modify the amendment to make it clear that residences are not included.

MOVED AND SECONDED: To add the word “commercial” in three places in the first sentence. The commercial owner, commercial tenant, commercial occupant and any person having the care of any commercial building or lot. (Cassida & Bishop) **VOTE:** (6 Ayes) (1 Excused—Beaulieu).

BE IT ORDERED: That the proposed amendment to the Side Walk Maintenance Ordinance be approved as amended. (DeGrandpre & Bishop)

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

ITEM #168-05 To consider action relative to an increase in Electrical Fees.

BE IT ORDERED: That Electrical Fees be increased as proposed on the Fees and Fines Schedule, dated 1/3/06 as amended. (Bishop & DeGrandpre)

Fred Reeder, Codes Enforcement Officer explained that electrical inspections are done by a licensed electrician that lives out of town. This person has been doing these inspections for 17 or 18 years. After benchmarking what surrounding communities charge, Mr. Reeder is proposing to increase the fees to bring Freeport in line with what the surrounding communities are charging. He proposes to increase compensation for the electrician from \$15 per hour to \$20 per hour, which will be his first pay increase in 15 years. The electrician will be adding a new telephone line solely for electrical inspections, which will allow contractors access to the inspector to schedule inspections and ask questions. At the present time, all calls are directed to Mr. Reeder. Mr. Reeder's budget will pay for the answering machine. Mr. Reeder estimates that the proposed increases could generate an additional \$3,000 in new revenue annually on the residential side and perhaps \$5,000 on the commercial side. Discussion followed.

Mr. Olmstead noted that it is important that the electrician provide a log periodically showing the calls that he has received. Mr. Reeder noted he does not have strong computer skills but is confident there must be some way to figure it out.

Tom Arsenault, electrician, shared his views and had questions which were addressed by Mr. Reeder. Mr. Reeder offered to discuss the possibility of the electrician carrying a cell phone.

MOVED AND SECONDED: To modify the electrical inspection process routing calls directly to the electrical inspector and increasing fees and fines as indicated in the schedule dated 1/3/06. (White & Bishop) **ROLL CALL VOTE:** (6 Ayes) (1 Excused—Beaulieu).

Councilor Migliaccio asked if this issue can be discussed in a year to determine whether the process has gotten better. Mr. Olmstead offered to make a note and this item can be discussed when the Council meets with the Codes Department.

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

ITEM #169-05 To consider action relative to the designation of Drug Free “Safe Zones”.

BE IT ORDERED: That in accordance with MSRS Title 30A, Section 3253 and

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MSRS Title 17A, Section 1105 the following areas be designated as Drug Free "Safe Zones".

1. Bow Street Park
2. Pownal Road Athletic Field
3. Winslow Park
4. Hedgehog Mountain Recreation Area
5. Florida Lake Recreation Area (White & Bishop)

Mr. Olmstead explained that a fairly new State Statute authorizes municipalities to designate safe zones within their communities. Chief Schofield recommends that the Town designate these areas as "safe zones". The types of drugs are outlined in State Statute. Discussion followed. Mr. Olmstead noted that signage would go up at these facilities.

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

ITEM #170-05 To consider action relative to adopting Town Council Goals for 2005-2006.

BE IT ORDERED: That the following Town Council Goals be adopted for 2005-2006.

1. Control Property Taxes

- Attempt to limit municipality expenditures consistent with the Northeast Region CPI Indicator.
- Work with School Department to encourage and support clear communication and expectations.
- Work with School Department to develop a budget that limits the increase over last year to 4% or less.
- Review reserve account, tax stabilization account and fund balance accounts to determine if balances are appropriate.
- Promote balanced economic development to strengthen the commercial tax base.
- Promote consolidation of services with surrounding communities.

2. Continue support of the community center building project through completion and the grand opening.

3. Develop and strengthen long-range planning in growth management to ensure that public infrastructure can support growth rates.

- Develop a plan to extend School Street and possibly rezone the area to support local services.
- Support and encourage additional affordable housing where appropriate.
- Support development measures that slow the rate of sprawl.
- Develop a growth management plan for Route 1 South. (Bishop & Arsenault)

Chair Cassida noted that these goals contain the revisions suggested at the last Council meeting.

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

ITEM #171-05 To consider action relative to proposed amendments to the Zoning Ordinance Village Commercial I and II Zones (VC – I & VC – II) concerning uses in the zone and new definitions. (Chapter 21).

BE IT ORDERED: That a Public Hearing be scheduled for January 3, 2006 at 7 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Zoning Ordinance Village Commercial I and II Zones.

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

Mr. Olmstead advised that the Town Planner sent him a memo dated December 8, 2005 outlining the numerous amendments. He provided copies to Councilors. Discussion followed.

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

ITEM #172-05 To consider action relative to an amendment to the Rules and Procedures of the Freeport Town Council concerning Minutes of Council meetings.

BE IT ORDERED: That the proposed amendment to Item 11 of the Rules and Procedures of the Freeport Town Council concerning the delivery of Council Minutes be approved. (DeGrandpre & Arsenault)

Chair Cassida explained that he brought this item to the Town Manager's attention. It requires that the Council Secretary distribute minutes of the meeting within four days, which is not traditionally done. He suggests changing it to 10 days, which will accommodate the Council's current format. Councilors concurred.

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

OTHER BUSINESS

1. Informational Exchange

Councilor Arsenault noted he sits on the Cumberland County Budget Advisory Committee representing Freeport, Brunswick and Harpswell. They hosted a meeting last week where the County Manager provided a presentation of the County budget. There was an opportunity for a question and answer session and a number of tough questions came out of that. The County is looking at placing questions on the ballot in the near future. He noted it was good to have them here to give an overview. Councilors Beaulieu, DeGrandpre and Migliaccio attended this meeting.

Councilor DeGrandpre noted his concerns with the County proposing to spend \$25,000 on economic development when a lot of communities are already doing this. The County does not

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have any land and is not able to provide TIFs. There is not much the County can do other than provide a table. The other frustration he has is with the apparent change in how the County wants to manage their finances. They want to change from a policy where they reserve for capital expenditures to bonding for most everything. The \$50,000 item in their budget appears to be to promote their new fiscal policy, which is to promote their new bonding package.

Mr. Olmstead advised that the meeting was televised and he asked Rick Simard to provide tapes to the surrounding communities so they can play it on their local cable channels.

Councilor Migliaccio pointed out that he was struck by the fact that the County sent signals that they clearly want to be in the economic development business. He volunteered to help by discussing with them what is available for economic development.

Mr. Olmstead noted that the question that needs to be answered is: Should the County be involved in this effort? He is concerned with duplication of effort. More discussion followed.

Councilor Migliaccio mentioned LD 1660, the Governor's proposal to repeal the personal property tax. Mr. Olmstead noted that the Council will have a dialogue with the Assessor on the Re-val on January 3 and the timing of that as well as LD 1660. Freeport residents should know that if the tax on personal property were repealed, their residential tax bills could increase by as much as 15%. They should be talking to Senator Edmonds and Representative Webster about the Governor's proposal.

Mr. Olmstead advised that the Town's health insurance premiums are going up 10.5% this year. 2.5% of that increase is to help support the Dirigo plan.

ADJOURNMENT

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

Respectfully Submitted,

Sharon Coffin
Council Secretary