MINUTES
FREEPORT TOWN COUNCIL MEETING #01-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 7, 2014 – 6:30 P.M.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #26-13 held on December 16, 2013 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #26-13 held on December 16, 2013 and to accept the Minutes as printed. (DeGrandpre & Egan)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Chair Hendricks announced that dog licenses expired on the 31st. There will be a Rabies Clinic at the Freeport Town Hall on January 11 from 9 a.m. to Noon. The storm date for the clinic is January 25th. For your convenience, the Town Clerk's Office will be open for dog registrations at that time. A $25 late fee will be assessed on any dog not licensed by January 31. Licenses can also be obtained on line.

The Circuit Breaker Program has been replaced by the Refundable Property Tax Credit that can be claimed on the Maine Individual Income Tax form. The new credit will become available January 2014 on the 2013 Maine Individual Income Tax form, 1040ME. For more information, contact Maine Revenue Services during normal work hours at 207 626-8475. Forms can be downloaded from the Maine Revenue Services' website- www.ME.gov/Revenue/forms or by calling 624-7894 to request that form be mailed to you.

Councilor Egan pointed out that there will be an Active Living Forum next Wednesday night, January 15 at the Freeport Community Center. At this forum, they will take the input they received from the public in the fall and review an actual Active Living Plan. If anyone is interested in getting a preview of it, the Active Living Task Force is meeting this Thursday at 7:30 a.m. to look at the draft plan before it goes into the second draft that will be in front of the public. They are hoping as many residents as possible can come and provide input into that draft before it is finalized.

Councilor Sachs, on behalf of the Freeport Elders, pointed out that regarding some of the State regulations that have changed regarding kitchens, the Elders are finding themselves in the same situation as changing State regulations and have suspended their Pancake Breakfasts for January and February. They will begin again in March and their Breakfast will take place on the first Saturday in March and go through November. FCS is suspending its Community Lunch program, hopefully temporarily while they make sure they have all of the training manuals in place for compliance with the State regulations. They want to be sure their volunteers are trained up as well. For the moment, the Third Friday Free Community Lunch at Freeport Community Center is not happening but they certainly hope to renew it in the spring along with the Elders' Pancake Breakfast.

FOURTH ORDER OF BUSINESS: Information Exchange

There was none.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

Several residents have recently inquired why they have seen Amtrak passenger trains stopping at crossings, sounding their horn, and being directed through the crossings by train conductors with flags. Upon contacting Pan Am Railways, we were told that this is standard procedure whenever there is any malfunction in the crossing signal systems. Apparently the recent wet and freezing weather caused malfunctions of the train crossing signals at several locations in Town. We are told by Pan Am Railways that these additional safety measures are automatically taken whenever there is a malfunction with crossing signals.

I want to thank all of our Public Safety Departments for their handling of our recent slew of storms. Our Police and Fire Departments have been very busy responding to emergency calls during the storms. Needless to say, the Public Works Department has also been exceptionally busy with overnight storms, below zero temperatures and freezing rain. Public Works has also been operating at reduced strength, with several employees out with flu-like symptoms. Thank you to all of our Public Safety employees, your hand work during the past few weeks is much appreciated.

The ice skating rink at the Community Center should be up by the end of this week or the beginning of next week at the latest. This is usually accomplished by the Public Works when continuous freezing temperatures become available. This year the installation has been delayed as the Public Works crew has been occupied with clearing snow and ice since before Christmas. Many residents may not be aware that this service is provided at little cost to the taxpayers, as the use of the parking lot is generously donated by Linda Bean. The only cost to taxpayers is the labor for setup and take down provided by the Public Works and Fire Departments.

The Freeport Sewer District will host the Town Council for a tour and workshop on January 27, 2014 at12 the Sewer District Plant in South Freeport. (It will not be televised.)

A special Town Council Workshop has been scheduled for next Tuesday, January 14 for a presentation of last year's Shellfish/Green Crab Study by Dr. Brian Beal. The workshop will begin at 6:30 p.m. It will be open to the public and it will be televised.

Councilor Egan pointed out that the Sewer District has been making a lot of changes in the past five years to create more environmentally sensitive technology to keep the Harraseeket River clean. She feels it will be an interesting workshop for Councilors not familiar with the Sewer District.

Councilor Sachs noted that the Teen Center has offered to keep the ice skating rink clean during the week.

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

> **MOVED AND SECONDED:** To open the Public Comment Period for Non-agenda items only. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

Sande Updegraph provided a brief wrap-up of the Chamber's activities this year and what is to come. They are grateful for the Town's support. They are closing in on their goal of 200 members. They are hoping to reach 225

by the end of 2014.Their Annual Meeting will take place on January 28, 2014 at the Harraseeket Inn. She hopes to see Council representation there. They have determined that people like to do business with people they know.

Sally Walsh, resident, explained that she was at a November Council meeting discussing an accessibility issue which she has been concerned about. She sent the Council a letter but realizes how busy the Council is and does not want this issue to be forgotten. She asked if it was okay with the Council to gather a group of people with the Council's input who may have areas of expertise and can start studying this issue and report back to the Council with their progress. This will take away the burden from the Council.

Chair Hendricks noted that he does not have a problem with Ms. Walsh's initiative but advised that the Council has not had time to address this issue. Councilor Egan mentioned that in conversations with Ms. Walsh, they discussed the possibility of establishing a task force to look at accessibility issues. She suggested putting this issue on a future agenda so the Council will have time to consider whether to establish a task force as appointed by the Council or whether Ms. Walsh creates a citizen group. Periodically they could be invited to present their findings. She would prefer to discuss this as a separate item and not in the Public Comment period. Chair Hendricks explained that this does not preclude Ms. Walsh from forming her own group.

Councilor Tracy requested that Ms. Walsh explain what she is looking for. Ms. Walsh explained that she broke her leg a year and a half ago and when she came to Freeport to "use the Town" for enjoyment and shopping, she found it practically impossible. She brainstormed with friends and it evolved. She began discussions with Councilor Egan and transportation became part of the conversation as well as the whole picture. She feels it would be worthwhile to open the Town up to everybody. She would look at Town-owned properties as well as privately held properties. This would be an exploration-type of thing.

> **MOVED AND SECONDED:** To close the Public Comment Period for Non-agenda items only. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

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

ITEM #4-14 To consider action relative to adopting the January 7, 2014 Consent Agenda.

> **BE IT ORDERED:** That the January 7, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public and explained the need for an amendment.

> **MOVED AND SECONDED:** To amend the Town Council Meeting Schedule to reflect that there will be a meeting here on January 14 in Town Hall at 6:30 p.m. as well as a meeting with the Sewer District on January 28 at the Sewer District Plant. (DeGrandpre & Egan) **ROLL CALL VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (7 Ayes)

ITEM #5-14 To consider action relative to proposed amendments to Chapter 21: Zoning Ordinance Section 406 Medium Density A&B Districts as recommended by the Planning Board. PUBLIC HEARING

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

Gary Profenno, resident and business owner in the MDA District. He encouraged the Council to adopt the proposed amendments which the Planning Board has set forth. He feels it will encourage business development in the Route One North corridor.

Councilor DeGrandpre noted that the work that has been done on these amendments is really good and he thanked the Town Planner and the Planning Board.

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

BE IT ORDERED: That proposed amendments to Chapter 21: Zoning Ordinance Section 406 Medium Density A&B Districts as recommended by the Planning Board be approved. (DeGrandpre & Egan) **ROLL CALL VOTE:** (7 Ayes)

ITEM #6-14 To consider action relative to a supplemental appropriation to purchase an additional sidewalk machine for the Public Works Department. PUBLIC HEARING

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

There were no public comments.

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

BE IT ORDAINED: "That a supplemental appropriation in the amount of $60,000 be authorized for the purpose of purchasing an additional sidewalk machine for the Public Works Department. $30,000 of said appropriation to be expended from the Public Works Reserve and $30,000 from the TIF account."

Note: The balance in the Public Works Reserve account as of 12/11/2013 is $702,865, and the balance in the Destination TIF account is $267,096. (Gleeson & DeGrandpre)

Councilor DeGrandpre mentioned that the sidewalk machine being purchased is a demo but asked if the sander will be new and Earl Gibson, Public Works Director indicated that the sander is a new one. He also explained that this machine will come with a full warranty even though it was a demo. He is confident that the new machine with a blower on it will cut their sidewalk clearing time in half.

ROLL CALL VOTE: (7 Ayes)

ITEM #7-14 To consider action relative to a supplemental appropriation for replacement of the Bartol Library Roof. PUBLIC HEARING

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

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

BE IT ORDAINED: "That a supplemental appropriation in the amount of $35,040 be authorized for the purpose of replacing the Bartol Library Roof. Said appropriation to be expended from the Bartol Building Fund."

Note: The balance in the Bartol Building Fund as of 12/11/2013 is $675,890.
The Town did not budget for roof replacement during the budget season. (Sachs & Egan)

Councilor Tracy asked to be reminded why the roof needs to be replaced even though it wasn't budgeted during the budget season. Mr. Joseph explained that this was planned to be done 2-3 years ago but it didn't get done and the money was rolled into reserve since it was not expended for a year. There are now leaks in the actual store.

ROLL CALL VOTE: (7 Ayes)

MOVED AND SECONDED: To take up Item #1 from **Other Business -**1. Annual Financial Statement Audit Presentation. (Runyon, Kersteen, Ouellette) out of order. (Egan & Wellen) **VOTE:** (7 Ayes)

Roger Lebreux of Runyon, Kersteen, Ouellette, the audit firm the Town hired to perform the 2013 Audit, mentioned that Abbe Yacoben drafted the majority of the 85 page financial statements and there was nothing easy about them. She deserves that credit. They helped to put the polish on them and drag them over the finish line since there were a lot of changes that she was not familiar with. He reviewed the colored drafts and answered questions as he went along. Ms. Yacoben also answered questions for Councilors. Discussion followed.

The Council thanked Mr. Lebreux for his presentation and explanations.

ITEM #8-14 To consider action relative to appointing members to the RSU Withdrawal Committee as per 20-A MRSA Section 1466 (4)(A).

BE IT ORDERED: That the Town Council appoint members to the RSU Withdrawal Committee as per 20-A MRSA Section 1466 (4)(A) as follows:

1 Member from the Freeport Town Council
1 Member from the group that filed the RSU Withdrawal petitions
1 Member from the general public Note: The fourth member of the RSU Withdrawal Committee is a member of the RSU Board representing Freeport, and is appointed by the RSU Board as directed by the Commissioner of Education. (Tracy & DeGrandpre)

Chair Hendricks introduced the Town Attorney, Phil Saucier. He is familiar with Freedom of Access information and the Council has been discussing this as of late. He suggested discussing how to go about choosing the citizen at large member and whether this decision will be made tonight. A letter has been received from the Department

of Education to officially start the process even though the letter was made out to Freeport via the Town of Searsmont. They apologized but indicated the letter is still valid.

He mentioned to Attorney Saucier that as Chair it is pretty tough to have six individual conversations via the phone with people. At the last meeting, the Council discussed the availability of using E-mail. For example in this process, it was brought up how the Council will decide to choose its citizen member. The Council does not want to violate any kind of public meeting rules by making decisions outside of the public process. Attorney Saucier advised that there are not a lot of ways the Council can have these kinds of conversations outside of public meetings. The Council can use E-mail to have some limited communication but should be limited to the kind of communications that are not really interactive. "Development of Agendas" causes concern because it could lead into a conversation that really should be in front of the public. Discussion followed. People will talk about appointments and or decision making and will set up questions before hand, that setting up of the questions. It is his opinion that this type of discussion should take place in the public and if it takes another meeting to do it, that is the way it should be done. A conversation between three or more which is in the Statute is where we get into when a public proceeding is and we look at that very conservatively. Discussion followed.

Councilor Wellen advised that he would prefer to have more public transparency and will accept the fact that the Council will not be as collaborative in preparing for meetings. It will be the Chair and Vice Chair making the decisions and setting up the framework. He respects the fact that the Council has been conservative.

Chair Hendricks advised that Kate Werner is the representative from the group that filed the RSU Withdrawal Petition and Councilor DeGrandpre indicated a willingness to serve as the Council member.

Councilor Tracy mentioned that Councilor DeGrandpre represents the community and people that have lived here for a really long time. This is important because we need all of our community members to be invested in this decision and feel they are being represented on the withdrawal committee.

Chair Hendricks mentioned that the Council still needs to choose a member from the general public and it has some applications before it.

Councilor Tracy explained that the Council should have some suggested guidelines as to what we may look at in selecting a member from the general public to serve on the RSU Withdrawal Committee. These are guidelines and not criteria and she would welcome input. Her proposed guidelines are:

1) Under Qualifications, smart, experienced in some relevant capacity, a good listener, has strong decision making ability.

2) Open minded and balanced. This person should not have an entrenched position regarding the outcome of the process. This could be the size of a potential school, a particular budget outcome, the inclusion or exclusion of certain communities or other entrenched positions. This does not mean that this person does not have a personal opinion but this person would not allow their personal opinion to dictate the outcome of the process, but they are essentially neutral in their participation on the committee.

3) Have no conflict of interest which will help ensure the maximum credibility of the Withdrawal Committee which will be relied upon to provide key information for residents regarding the facts surrounding potential withdrawal.

4) Have a strong ability to communicate clearly and with the appropriate tone. This person will need to help

communicate complicated information to residents, work well with fellow committee members and advocate on Freeport's behalf in the context of negotiations with the remaining communities – Durham and Pownal.

5) This person would provide diversity for the committee and balance the committee as much as possible.

Chair Hendricks asked for input. Councilor Gleeson noted that without doing some sort of interview process, he is not sure how to use the guidelines. He is not in favor of a lengthy interview process.

Chair Hendricks feels the Council has some very qualified candidates and perhaps it should use some sort of voted ballot where each Councilor ranks the candidates and we can then read the results.Attorney Saucier advised that the Council could come up with its own process for appointing. The Council could also have an Appointments Committee talk with the candidates and interview them and then report back. He advised that the Council should appoint Kate Werner and Councilor DeGrandpre formally.

Councilor Tracy pointed out that this is probably one of the most important appointments this Council will make in the next couple of years. This decision for the community is incredibly important and the composition of the committee is incredibly important. She would be reluctant to send it off to an Appointments Committee. She believes the whole Council should be involved in this process. She suggested formulating a standard set of questions which the Council will give to the applicants and they can answer them in a little bit more detail. The Council could ask candidates to cordon themselves off so they can't hear others. Attorney Saucier noted that candidates could not be barred from the door but a request could be made for them to stand in the hall. Discussion followed.

Councilor Gleeson noted that we got our notification letter on the 31st so we should try to hold our first meeting by January 31. He mentioned that the questions would need to be formulated tonight. Chair Hendricks mentioned next Tuesday's workshop will be followed by a regular Council meeting with a one item agenda. Beth Parker advised that the RSU5 Board will select its Committee member tomorrow night.

There was general agreement that the Council will decide on the member from the general public. The Council will ask each candidate to provide an opening statement of no more than three minutes and then answer two or three questions. Each candidate will be asked to wait outside the Council Chambers until he or she is called in. The volume on the TV outside the Council Chambers would need to be turned off. A ballot vote will then be taken.

Councilor Sachs suggested that the current candidates should be asked to:

Prepare an opening statement and please indicate any special qualifications or experience you have that is helpful in your appointment to this committee and why you are interested in serving on this committee. (no more than three minutes)

1) Do you feel you have any real or perceived conflict of interest that would prevent you from serving on this committee?

2) How would you define the role of the Withdrawal Committee?

Councilor Sachs noted that these will be posted on the website so everyone can see what is being discussed tonight. Chair Hendricks was advised by the Department of Education that once this committee is formed, it is acting as an independent body. They do not report to the Council and they do not report to the RSU. Attorney

Saucier agreed with the Department of Education. The Council's ability to have a voice is through its appointee.

Chair Hendricks mentioned that Ms. Yacoben and Mr. Thomas could be helpful in developing a school budget but the Town's Capital Budget and the Town Budget comes first. They could easily give information to the committee but he has reservations about them building a school budget at the same time. He does not want to over burden them. Mr. Joseph advised that he feels that if he and Ms. Yacoben have to put extra time into this, it would be fine.

Councilor Wellen would like Ms. Yacoben and Mr. Joseph to help with the school budget but would not want it set in stone the expectation of time spent on a school budget. If it is too much, it will have to be reframed. Councilor Tracy noted one of the driving factors for residents is how expensive this is going to be. She feels if the Council doesn't make it happen for our residents, it is abdicating its responsibility. She feels very strongly that this is a critical piece of information that people have asked for and we know they are going to want it. This committee has a ton on its plate. She is not proposing that Mr. Joseph and Ms. Yacoben do the budget but the Council needs to find a way to work within everyone's resources. She would be reluctant to indicate to the committee that the Council is not willing as a town to provide our resources to the extent they need them. She feels this Council should communicate to the committee that it is willing, ready and able to assist them where they need it. She feels we have expertise here that will be critical. We are trying to make a decision about what this Town is going to do for education for many years to come. It is important and she does not want that to get lost. It is now a town-wide issue.

Councilor DeGrandpre mentioned that he has been asked many times where are we with the building project. People are really curious about what it will cost. Once we get farther along in the process we will have a better idea of what our needs might be going forward. We will have an idea of how many students we will have.

Chair Hendricks asked if Geoff Hole is planning to be in attendance at most of their meetings or only when there are legal questions to be answered. Attorney Saucier advised that he will talk to Attorney Hole on this but knowing him, he assumes that if the committee wants Attorney Hole there, he will be there to represent the Town. The School Board has its own counsel. The Council will hold a public hearing before a vote.

Councilor Tracy asked if the Council can provide some information/feedback to the committee as it moves forward. Attorney Saucier noted that the Council's appointee can bring information to the meetings. The meetings will be public. There wouldn't be any prohibition. Chair Hendricks mentioned that other Councilors will be willing to provide assistance to Councilor DeGrandpre should he need any help.

> **MOVED AND SECONDED:** To amend the original order to say that we appoint two members as follows: Rich DeGrandpre to represent the Town Council and for Kate Werner to represent the group that filed the withdrawal petition and the Town Council will appoint the general public member at its next Council meeting on January 14. (Egan & Sachs) **ROLL CALL VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (7 Ayes)

Chair Hendricks congratulated Ms. Werner and Councilor DeGrandpre. Councilor DeGrandpre asked Attorney Saucier if Ms. Werner needs to be sworn in. Attorney Saucier offered to find this out. He suggested that the RSU5 Chair be notified that two members have been appointed since he will be calling the first meeting.

Councilor Sachs clarified that the workshop scheduled on January 14 will run 6:30 -7:30 p.m. and the regular

Council meeting will begin at 7:30 p.m. She will not be at the workshop but will do her best to arrive at 7:30.

ITEM #9-14 To consider action relative to accepting a donation of approximately 27 acres of open space as depicted on the final plan for Lakewood Subdivision dated November 2013 from David L. Marstaller.

> **BE IT ORDERED:** That approximately 27 acres of open space as depicted on the final plan for Lakewood Subdivision dated November 2013 from David L. Marstaller be accepted as a donation to the Town of Freeport.
>
> **BE IT FURTHER ORDERED:** That a quitclaim deed from David L. Marstaller dated January 7, 2014 be accepted. (Wellen & Egan)

Mr. Joseph explained that the deed language is very straight forward. The plan was approved by the Project Review Board and one of the conditions was that the Town accept the property before Mr. Marstaller can subdivide and sell the property. The Town Attorney provided some contingent language to amend the **BE IT FURTHER ORDERED:** That a quitclaim deed from David L. Marstaller dated January 7, 2014 be accepted contingent on a positive current owner title search performed by Town Attorney showing no liens, mortgages or judgments on the property.

Mr. Joseph advised that the Town owns one easement on the property. We are only concerned with financial obligations on the property where someone could take it away from us in the future because something was owed by Mr. Marstaller to somebody else which he is not aware of.

> **MOVED AND SECONDED:** To amend the **BE IT FURTHER ORDERED:** That a quitclaim deed from David L. Marstaller dated January 7, 2014 be accepted contingent on a positive current owner title search performed by Town Attorney showing no liens, mortgages or judgments on the property. (DeGrandpre & Sachs) **ROLL CALL VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON ITEM AS AMENDED:** (7 Ayes)

The Council thanked Mr. Marstaller for his donation to the Town. Councilor Sachs will notify the Conservation Commission and asked that Mr. Joseph bring it back to the Council for a point of information when it is completed.

ITEM #10-14 To consider action relative to amending the Rules of Order and Procedure for the Freeport Town Council regarding the appointment of Council liaisons.

> **BE IT ORDERED:** That the Rules of Order and Procedure for the Freeport Town Council be amended as follows: Add language to the end of Section 31: "Where not otherwise specified by state statute, town charter or local ordinance, appointment of Councilors as liaisons to ad hoc town committees or as representatives to outside governmental committees and/or agencies shall be made by the Council Chair. Councilors so appointed are expected to attend all meetings of the respective committee or agency unless otherwise excused by the Council Chair." (Egan & DeGrandpre)

Chair Hendricks explained that he is bringing this up tonight because it is bit vague about liaisons to committees

and the responsibility of Councilors to attend committee meetings as well. After reading the language, he mentioned he would like to make some comments and changes. He suggested changing the last sentence to read: Councilors so appointed are expected to attend all meetings of the respective committee or agency unless otherwise excused by the Committee Chair and cannot be entirely excused from the respective committee unless done so by the Council Chair.

Councilor Wellen suggested looking at all the committees and determine if it is important to serve on them. He does not feel Council participation is important to the Traffic and Parking Committee since the Chief of Police and the Town Engineer attend all of those meetings along with experienced and knowledgeable members. It is a judgment call. Councilor Tracy noted that it is worth examining the best allocation of Councilors' time. There are a lot of committees Councilors are being assigned to and maybe they can be whittled down a bit after discussion.

> **MOVED AND SECONDED:** To amend the last sentence to read: Councilors so appointed are expected to attend all meetings of the respective committee or agency unless otherwise excused by the Committee Chair and cannot be entirely excused from the respective committee unless done so by the Council Chair. (DeGrandpre & Egan)
> **ROLL CALL VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (7 Ayes)

OTHER BUSINESS:

2. Appointment of Council Committees for Calendar Year2014.

Chair Hendricks passed out the list of Council appointments and explained them. He tried to even them out. There were no questions raised.

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3. Continued Discussion of Council Goals for Calendar Year 2014.

Chair Hendricks explained that he took notes to the best that he remembered and he passed his notes out to Councilors. He mentioned these are all up for discussion.

Chair Hendricks read No. 1 under Council Leadership and asked if there are any changes. No changes were recommended.

Under #1 under Budget and Taxes, Councilor Egan suggested changing it to read:

- Develop Operating and Capital Budgets that plan to the best of our ability possible reductions in State Revenues.

For #2, suggestions were made to change it to read:

- Prioritize, evaluate and control expenditures with responsible budgeting to minimize the impact on taxpayers and strive to maintain a stable tax rate and continue to provide the highest quality services possible within the available resources.

Under Schools:

- Actively support and serve as a resource to the Withdrawal Committee and residents as the Town

considers whether to withdraw from RSU5.

Under Resident:

- Identify Council actions to improve the quality of life for residents (Councilor Tracy) This would be an affirmative effort to reach out to our residents.

Councilor Sachs mentioned that on April 24 at 6:30 p.m. FCS invites every resident and group to come and have a discussion on Community Night. It would be great to have Council participation. Chair Hendricks suggested cataloging some ideas and make sure it is provided to the right group.

Councilor Sachs asked if the Council could have check-ins on these goals more often? Chair Hendricks indicated he would like to be more active about this process.

Chair Hendricks requested that the Council look over the Taxes and Environment sections and we will finish up on the 21st.

MOVED AND SECONDED: To adjourn at 10:12 p.m. (DeGrandpre & Gleeson)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

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MINUTES
FREEPORT TOWN COUNCIL MEETING #02-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 14, 2014 – 7:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 8:02 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #01-14 held on January 7, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #01-14 held on January 7, 2014 and to accept the Minutes as printed. (Egan & Gleeson)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor Egan pointed out that tomorrow evening the Active Living Forum will take place at the Freeport Community Center. They plan to take the input they received from the public in the fall and review an actual Active Living Plan. They are hoping as many residents as possible can come and provide input.

Councilor Sachs advised that on Thursday night at 6:30 p.m. The Freeport Community Players will hold its Annual Meeting at the Freeport Community Center beginning with a potluck meal in celebration of their 25th Silver Anniversary. Attendees are encouraged to wear something silver to be eligible for a door prize. Reservations are required. Please RSVP to info@fcponline.org.

FOURTH ORDER OF BUSINESS: Information Exchange

There were none.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph will provide a report next week.

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

> **MOVED AND SECONDED:** To open the Public Comment Period. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

There were no public comments provided.

> **MOVED AND SECONDED:** To close the Public Comment Period. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

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

ITEM #11-14 To consider action relative to appointing a member to the RSU Withdrawal Committee as per 20-A MRSA Section 1466 (4)(A).

> **BE IT ORDERED:** That the Town Council appoint a member to the RSU Withdrawal Committee as per 20-A MRSA Section 1466 (4)(A) as follows:
> One Member from the general public Note: There are a total of 4 members of the RSU Withdrawal Committee. The first member is a member from the Freeport Town Council, Richard DeGrandpre, who was appointed at the January 7, 2014 Town Council meeting. The second member is a member from the group that filed the RSU Withdrawal petitions, Kate Werner, who was appointed at the January 7, 2014 Town Council meeting. The third member is a member of the RSU Board representing Freeport, and is appointed by the RSU Board as directed by the Commissioner of Education. The fourth member is a member from the general public who resides in Freeport. (Hendricks & DeGrandpre)

Council Chair Hendricks explained that there are three applicants here tonight and one who is available by phone. He mentioned how the interviewing process would take place. The Council has the answers to the questions provided to applicants last week in front of it. Applicants will be asked for opening remarks so the Council will be able to learn more about them.

Councilor Tracy recused herself since a family member is one of the applicants.

The three applicants in attendance were asked to follow the Town Manager out of the room before Mrs. Bradley was put on the speaker phone.

Jane Bradley was put on speaker phone and asked to explain her qualifications and/or experience that she feels would be helpful for the RSU Withdrawal Negotiating Committee. Mrs. Bradley noted she appreciated the opportunity to appear before the Council by telephone. She pointed out that she served as a Maine District Court Judge for 26 years and heard and evaluated evidence on a wide range of matters affecting the rights and claims of individuals, businesses and Maine municipalities. She and her husband have been Freeport residents for over thirty-five years and raised three daughters. Their daughters are successful products of Freeport public schools and they also have three grandchildren in

the school system. Given her long-term connection to Freeport and ongoing commitment and involvement in the schools, she believes she can offer insight and experience to the process facing the Withdrawal Committee. She feels it would be an honor to serve.

There were no follow up questions for Mrs. Bradley. Chair Hendricks noted that the Council would reach a decision this evening and Mr. Joseph would give Mrs. Bradley a call reporting the outcome. Mrs. Bradley requested an E-mail message. Councilors thanked Mrs. Bradley for her interest.

Dennis King thanked the Council for the service it provides to the Town. He was in attendance last week and watched the Council deliberate in the early stage and found impressive the amount of time the Council has committed and the seriousness it is taking very heartening.

Mr. King explained that he has experience and interest in school board work having been elected as a member of MSAD #22 in Hampden. The demographics were very similar to this RSU 5 and he experienced the dynamics of how one passes a budget by referendum and the number of public hearings needed. He has an understanding of the process and he is by nature a consolidator. He is currently in the middle of bringing together five different organizations under one consisting of a hospital and four mental health clinics. He understands the need to achieve better outcomes and cost savings by doing consolidation but believes there are times as with most mergers that occur from his study, they don't work. Sometimes one has to step back and take another run at it, which seems to be the case here. He is interested in lending the talents he has to the Withdrawal Committee. He pointed out that he is not an accountant and not an attorney. He feels the Town is fortunate in having people with those types of backgrounds looking to be part of the process. He does not have any conflicts.

Chair Hendricks suggested that Mr. King have a seat in the room. Councilors thanked Mr. King for his interest.

Fred Palmer of Pownal Road explained that he and his wife moved to Freeport in 1972. He has two grown children that are products of Freeport public schools. He coached Community Ed programs and served as a member of the Freeport RPC which developed the Consolidation plan including the cost-sharing formula among the three towns. He is a former member/chair of the Freeport Town Council and Freeport School Committee. He has served on boards for not-for-profit organizations such as the YMCA of Southern Maine and Seeds of Independence. He has a strong background in finance and has been a business owner for 35 years. Because of his work with the RPC, he understands the makeup of the RSU, both educationally and financially among the three towns. He was a strong advocate for the RSU formation and disclosed that he voted against withdrawal in December. Since he worked hard to put the RSU together, he feels he has the knowledge and ability to effectively dismantle the plan. His only interest in this process is to help formulate a plan to present to the townspeople that is fair to all three towns and represents the best possible outcome for the children and voters of Freeport. He disclosed that he would be away for 2 ½ weeks beginning January 24. He will be around after that.

Councilors thanked Mr. Palmer for his interest.

John Paterson explained that he viewed this as an important issue. When he threw his hat into the ring, he didn't know who else would be expressing an interest in this position. He is a retired attorney with

time on his hands. He served on the School Committee and Town Council. He volunteers in the schools every week. He was pleased to find that two of his very good friends have also thrown their hats in the ring. He feels the three other candidates are terrific and if the Council chooses one of them, it will not hurt his feelings. They are all smart and tremendously competent and the Council will do well with whoever it picks. He feels awkward tonight because it sounds like he is campaigning but he is not campaigning for this. His wife will be just as happy if the Council doesn't give the appointment to him because it will be one more reason why he doesn't have to be out another night during the week. He noted this is all he has to say.

Councilor Gleeson pointed out that the Council is really fortunate to have four excellent candidates. Councilors thanked Mr. Paterson for his interest.

Chair Hendricks passed out the secret ballot but asked if there were any comments. Councilor DeGrandpre noted that the Council has four excellent candidates willing to serve in this capacity and it says something for the Town of Freeport. He thanked them all.

Councilors marked their ballots and passed them to Chair Hendricks and Mr. Joseph for shuffling.

A 2-Minute Break was taken

After counting the votes, Chair Hendricks announced that Dennis King was selected to serve on the RSU Withdrawal Negotiating Committee. Mr. King was congratulated. Mrs. Bradley, Mr. Palmer and Mr. Paterson were thanked for their interest.

> **MOVED AND SECONDED:** To amend the **BE IT ORDERED:** that the Council selected one member from the general public who will be Dennis King. (Egan & Gleeson) **ROLL CALL VOTE:** (6 Ayes) (1 Recused-Tracy)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (6 Ayes) (1 Recused-Tracy)

Councilor DeGrandpre announced that the chair of the RSU5, Nelson Larkins would be calling the first meeting. He suggested notifying Mr. Larkins that the Council selected its third member. Peter Murray is the member of the RSU Board representing Freeport. Councilor DeGrandpre is hoping that the committee can get started before long. The first item on their agenda will be for the four members to select leadership.

> **MOVED AND SECONDED:** To adjourn at 8:40 p.m. (DeGrandpre & Egan)
> **VOTE**: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

Council Meeting #02-14
January 14, 2014

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MINUTES
FREEPORT TOWN COUNCIL MEETING #03-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 21, 2014 – 7:00 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road			x
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 7:21 p.m. He mentioned that Councilor Wellen is excused this evening and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #02-14 held on January 14, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** to waive the reading of the Minutes of Meeting #02-14 held on January 14, 2014 and to accept the Minutes as printed. (Egan & DeGrandpre)
> **VOTE:** (6 Ayes) (1 Excused-Wellen)

THIRD ORDER OF BUSINESS: Announcements

Chair Hendricks announced that:

- Winter sand is available for residents' personal use. Each residential dwelling is eligible for up to 10 gallons of sand per storm. No stockpiling is allowed. Any resident assisting a fellow resident with sanding must provide the Public Works Department with written confirmation prior to taking additional materials. Taking of pure rock salt is prohibited without approval from the Public Works Superintendent. The use of Municipal sand for the sanding of private roads is prohibited.

- AARP will once again be providing free tax preparation assistance for low-moderate income households, with special attention to those 60 years and older beginning February 5 and ending April 9, 2014 on Wednesday mornings at the Freeport Community Center. Assistance is available by appointment only. Please call 865-4743, Extension 120 to schedule an appointment. As a reminder, if you want to apply for the Maine Residents Property Tax Fairness Credit (replacement for the Circuit Breaker Program) you do need to file a Maine Income Tax Return which AARP can assist with.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs pointed out that Freeport has experienced four house fires in a month. FCS has been in contact with the families and has helped with immediate needs. Folks have asked about additional ways to contribute. She provided information on the various funds that have been set up to assist the families. The information is on FCS's Facebook page and residents can call FCS for more information. She thanked everyone that has already contributed.

Councilor DeGrandpre explained that the Traffic and Parking Committee had an interesting meeting when it met with Anne-Marie Davee from the Active Living Task Force. It was his first look at the draft and he found it helpful to have her come and provide feedback. Councilor Egan explained that the consultant, Street Plans came forward with a whole series of recommendations going from no cost to high cost items and looking at where it makes sense to have paved shoulders and where it makes sense for paved shoulders not to be. Where should there be building out of sidewalks that have been done so successfully in the downtown based on people's travel patterns? There is a constant conflict that happens between people walking and biking on the roads with drivers of automobiles feeling that bikers are not paying attention to road rules and cyclists feeling like drivers are not giving them three feet. She feels there is some education that can be done for walkers, cyclists and drivers that may reduce some of those conflicts on our roads and increase safety for everybody.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

- In conjunction with the Freeport Veterinary Hospital, the Town Clerk's Office hosted the annual Freeport Rabies Clinic and Dog Licensing event on Saturday, January 11 from 9 a.m to 12:30 p.m. The clinic was originally scheduled to end at noon, but residents were still coming through the doors at noon, so the clinic was kept open for an extra half hour. Despite the rain and ice that day, 42 dogs were licensed. Many residents voiced their appreciation to us for holding the clinic on a Saturday. Due to popularity, we plan to hold the clinic again next year.

- In other canine-related news, Freeport Officer Matthew Moorhouse and his K9 partner, Cassie preformed their first successful "track" this past week. On Sunday, January 12, Officer Moorhouse and Cassie were called to assist the Cumberland Police Department. An individual feared to be suicidal had run into the woods and needed to be located. The K9 team tracked the individual for about two miles and located the person hiding in a group of trees. The person was escorted out of the woods safely and was able to receive assistance as a result. Job well done!

- For the second straight year, the Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that the Town of Freeport has received the GFOA's Distinguished Budget Presentation Award. The award represents a significant achievement by the Town. It reflects the commitment of the governing body and staff to meeting the highest principles of government budgeting. In order to receive the budget award, the Town had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:
    1. A policy document

2. A financial plan
3. An operations guide, and
4. A communications device.

- Budget documents must be rated "proficient" in all four categories, and the fourteen mandatory criteria within those categories to receive the award. Congratulations are due to our Finance Director, Abbe Yacoben, as well as all of the department heads who assist her in this endeavor. It should be noted that this budget presentation is completed as a separate project "above and beyond" our regular annual operating budget document, and can be reviewed on the Town's website under Town Services->Finance Department.

- Last but not least, a huge thank you goes out to our Fire Department, who has responded to four structure fires within the past month alone. We have been very fortunate, as we haven't experienced any human fatalities as a result of these fires. However, several pets have been lost and all four fires have resulted in significant property damage. Information on how to donate to the victims of these fires can be found on the Town's website. Thank you to all who have already donated.

After speaking to the Fire Chief, Councilor DeGrandpre pointed out that Fire/Rescue has responded to as many at 150-175 calls this year. They have done a lot of work.

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

MOVED AND SECONDED: To open the Public Comment Period on Non-agenda items only. (DeGrandpre & Egan) **VOTE:** (6 Ayes) (1 Excused-Wellen)

There were no public comments provided.

MOVED AND SECONDED: To close the Public Comment Period. (Egan & DeGrandpre **VOTE:** (6 Ayes) (1 Excused-Wellen)

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

ITEM #17-14 To consider action relative to adopting the January 21, 2014 Consent Agenda.

BE IT ORDERED: That the January 21, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public. Councilor Tracy pointed out the generosity of Freeport residents for their donations to the Freeport Fuel Fund, Fire/Rescue and the Library. She thanked everyone for their donations.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Wellen)

ITEM #18-14 To consider action relative to endorsing the submission of a 2014 CDBG application in the amount

of $22,350 to perform energy audits and air sealing on 75 low to moderate income residences.

> **BE IT ORDERED:** That the Town Council hereby endorses the submission of a 2014 CDBG application in the amount of $22,350 to perform energy audits and air sealing on 75 low to moderate income residences, and further endorses completion of said projects.
>
> **BE IT FURTHER ORDERED:** That the following ordinance be submitted for consideration by the Town Council: "The Town of Freeport hereby ordains that a supplemental appropriation in the amount of $22,350 be authorized for the purpose of performing energy audits and air sealing on 75 low to moderate income residences. $4,470 of said appropriation to be expended from the Energy Saving reserve account and $17,880 of said appropriation to be expended from a CDBG grant. Appropriation shall be contingent upon the receipt of said grant funds."
> **BE IT FURTHER ORDERED:** That a Public Hearing be scheduled for February 4, 2014 at 6:30 pm in the Council Chambers at Town Hall to discuss a supplemental appropriation in the amount of $22,350 for the purpose of performing energy audits and air sealing on 75 low to moderate income residences. $4,470 of said appropriation to be expended from the Energy Saving reserve account and $17,880 of said appropriation to be expended from a CDBG grant. Appropriation shall be contingent upon the receipt of said grant funds.
>
> **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 3 and the Town's website.
>
> Note: Part of this grant proposal includes hiring a part-time temporary staff person. The balance in the Energy Saving Reserve account as of January 14, 2014 is $21,803. (Gleeson & DeGrandpre)

Donna Larson, Town Planner, explained that the energy audit and the air sealing will be done at the same time by the same contractor. There are only a small group of contractors qualified to do both of these things. They will not insulate someone's attic or big things but they are going to do the small things and will get them done right then and there. This program is open to anyone in the state and is through Efficiency Maine. The total cost of the program is $600 of which Efficiency Maine will pay $400. The contractors will bill Efficiency Maine directly $400. Typically what happens is that the homeowner pays the $200 but with this project, we are proposing that the grant would pay the $200 for low to moderate households. The work would be at no cost and it would be done. She mentioned that we would hire someone because there are so many programs out there and so many other incentives and things that could be leveraged to improve efficiency beyond the air sealing that this person would be going over these audits, seeing what else is there and going out to try to find more programs for these people so that we could improve their efficiency as much as possible. She looks at this as a pilot and she is excited about it. If things go well, she could see coming back next year to take care of any demand that we find while we are out there working on this. But, this is open to any resident and if they want more information, they can call her or send her an e-mail or just go on Efficiency Maine's website and they can get more information because at the most, it would cost someone $200 to get this done. Efficiency Maine estimates that on average, 100 gallons of oil can be saved by blocking up these leaks.

Councilor DeGrandpre thanked Ms. Larson and noted that this energy audit is the first thing one needs to do before going anywhere farther so getting these energy audits done for these folks will help them anytime they decide to move forward in whatever is within their budgets. It is a worthwhile opportunity. Councilor Sachs noted that 90 families were helped last year to the tune of $18,000 so the need is here.

Councilor Tracy asked how much would be allocated to the part-time temporary staff person. Ms. Larson estimated that $6,300 would be spent on staff. It is hard to say how long this will go for. She mentioned that if this does get approved, the earliest we could start this program would most probably be in September.

Chair Hendricks advised that the Public Hearing will be held on the 4th of February. If anyone has any questions, please get them to the Town Manager so that he can forward them to Ms. Larson. She will be able to come up with the information by the 4th.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Wellen)

ITEM #19-14 To consider action relative to endorsing a letter of support for the five-town PACTS Northern Sub-Region 2014 proposed projects.

BE IT ORDERED: That the Town Council hereby endorses a letter of support for the five-town PACTS Northern Sub-Region 2014 proposed projects. (DeGrandpre & Egan)

Donna Larson, Town Planner, provided a brief synopsis of the projects. She feels this is something we want to start talking about the projects we do as a sub region. She is not asking the Council to fund anything outside of Freeport.

Councilor Tracy asked if any of the Freeport projects are in the queue for the regional prioritization. Ms. Larson advised that we don't have anything lined up right now but we know that we will have intersections in the future. Councilor Egan congratulated Ms. Larson for working regionally. Councilor DeGrandpre mentioned that he served on that regional committee for a number of years. He found the folks from Falmouth, Cumberland and Yarmouth to be very cooperative and hopes this is the beginning of a great relationship. He hopes Brunswick can someday become a partner because they are a big player in this northern region.

Chair Hendricks likes the collectively thinking out of the box and feels it is great to build relationships with other communities.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Wellen)

OTHER BUSINESS

Since the Council has five minutes before the Shellfish representatives are scheduled to arrive, Chair Hendricks suggested skipping over No. 1 and begin discussing the Council Goals.

2. Continued Discussion of Council Goals for Calendar Year 2014.

Councilor Tracy suggested that Chair Hendricks read the goals so people at home will know what the Council is discussing. Chair Hendricks agreed.

Council Leadership:
1. Operate cohesively as a group, promote intercommunication, information exchange and collaboration on direction and process between Councilors, while conducting Town business in an efficient manner and promoting transparency of Town government. (There was general agreement that this goal is okay as written).

Budget and Taxes:
1. Develop and approve Municipal Operating and Capital Budgets that plan for, to the ~~best~~ greatest extent possible, any reductions in Municipal revenue sharing. Councilor Tracy suggested changing "best" to greatest and others agreed.

2. Prioritize, evaluate and control expenditures with responsible budgeting to minimize the impact on taxpayers and strive to maintain a stable tax rate, while continuing to provide the highest quality of services possible within the resources available. (There was general agreement that this goal is okay as written).

Schools:
1. Actively support and serve as a resource for the Withdrawal Committee and residents as the Town considers withdrawal from RSU 5. (There was general agreement that this goal is okay as written).

Resident
1. Identify attainable action items for the Council in an effort to improve the quality of life for the residents of Freeport.

After discussion, this was changed to:

Outreach to Residents:
1. Reach out to residents to identify attainable action items for the Council to take in an effort to improve the quality of life for Freeport residents.

Chair Hendricks suggested pausing on this discussion and moving on to the Shellfish item

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1. Discuss regional Shellfish Conservation Coordinator's position.

Nora Healy, Chair of the Shellfish Committee, explained that the committee is exploring putting together a coordinator's position and seeing if they can build some support for it. She is seeking guidance from Councilors to ensure that they are on board with heading in the direction the committee is heading before getting too far forward in this project. She explained that this summer's green crab project emphasized the need to have someone that can coordinate these kinds of things and also include water quality testing. Dealing with these issues on a regional basis has a lot of appeal. The proposal was brought to the committee in December for consideration. The committee considered it and voted to go forward exploring it. They are considering hiring the Maine Clammers Association to flesh out what this position might involve with other communities' local shellfish commissions and then host regional meetings and doing the outreach required to find out whether towns could commit some money to this and would be willing to get on board with a regional coordinator. This is a preliminary thing and the committee is looking for input from Freeport and other towns as well to determine what would meet the region's needs. She answered questions for Councilors.

Chair Hendricks noted that the Maine Clammers Association is a private commerce group even if they are a non-

profit. They have their own interests which may not necessarily align with the Town's policy. He noted that personnel changes are handled by the Town Manager. Ms. Healy clarified that the Shellfish Commission is not in a position to hire or fire anyone. She is cognizant of the fact that they do not have the authority to fund this position themselves or make those kinds of personnel decisions. This is an effort to try to start to get consensus around what can communities support in terms of a regional shellfish coordinator and how can that coordinator help shellfish commissions help municipalities deal with the regional issues they are facing.

Chair Hendricks stated that he does not have a problem with this part but he has a problem with No. 4 since it is specifically talking about an employee. He feels that developing a regional shellfish coordinator position has merit but he is not sure we will be able to get other communities to jump on board in anyway funding-wise, resource-wise and that is the big question. Ms. Healy noted that if we are looking at funding, we should look at what funds we have and where we are allocating them. Chair Hendricks noted that he does not have an issue with the Shellfish Commission making recommendations as far as our own Shellfish Warden and job responsibilities. He does not support hiring an outside organization to give their opinion and by doing so, it is almost like endorsing whatever their opinion is.

Ms. Healy offered to go back to the Shellfish Commission if this is what the Council would like and say "we don't want this proposal to include a recommendation on whether our Shellfish Warden should retain his job or not." She mentioned that the Town routinely hires consultants to analyze problems like this and comes up with recommended solutions. She feels the Maine Clammers Association has better contacts in the region than anyone else she knows and is in a better position to go up and down the coast to try to develop some interest in this.

Councilor Egan thanked Ms. Healy for coming tonight and also the Shellfish Commission for thinking regionally. She agrees that we need to be thinking about the green crab problem and making sure that our flats are productive in a regional way. She views the Maine Clammers Association as a stakeholder that really needs to ensure that our clam flats are productive. It is a little different from a consulting firm that might come in with an unbiased point of view. She likes the idea of a Shellfish Coordinator but worries about the Maine Clammers Association which has a stake and has clammers out there doing things, making a recommendation against enforcement. They have a stake in not having too much enforcement or maybe having enforcement but there is a stake in it. If we are going to make a recommendation like that, we would want to have a variety of stakeholders with the Maine Clammers Association being one. She would be more comfortable with No. 4 coming out. She feels it would make sense if the town is funding it and if it sits in a town, to have it supervised by the town. Ms. Healy agreed that if five towns are chipping in for this position, all five towns should have a supervisory role. She would not expect the Maine Clammers Association to be the exclusive supervisor of this position. Councilor Egan would definitely want the Maine Clammers Association to be in constant communication with the person but not in a supervisory role.

Councilor Tracy agrees that we are not at the decision point and will consider what comes back. She feels that Councilor Egan is correct that the Shellfish Commission is an arm of the Town and there will be changes to the document. Ms. Healy agreed there would be changes and mentioned that when it was approved, it was said that a water quality piece should be added in as well.

Councilor Tracy asked for clarification on who would be nominated by the Maine Clammers Association under Logistics. Ms. Healy noted that the Casco Bay Shellfish Board would be composed of members from the towns. Councilor Tracy suggested that it would be helpful if the document is amended so that the decision points are coming from the Shellfish Commission rather then the Maine Clammers Association. If a nomination is going to happen, it should come from the Shellfish Commission. We all know that the Maine Clammers Association has representation on the Shellfish Commission. It should be perceived that the decision making in this document is

coming from the Town.

Ms. Healy invited written comments or edits and offered to put it together and present it to the Shellfish Commission at its next meeting. They meet on the second Thursday of the month at the Freeport Community Center and Councilors are always welcome to attend.

Councilor Sachs mentioned that Town Managers are talking about doing shellfish coordination as part of their identified goals and asked how this position differed from the Town Manager's goals. Ms. Healy heard that they complemented each other and this was a positive way to move that goal forward. Mr. Joseph advised that this is moving in the same direction with the same end product but he did not have a specific goal of having a position. They started conversations with several of the neighboring towns. There was interest from several of the neighboring towns to further discuss this. He and Chair Hendricks spoke to Ms. Healy about what part Town Staff would be comfortable doing. It has not yet been figured out. In talking with other towns, they decided it would maybe he, Council leadership, Boards of Selectmen or Town Councils or Managers and the part that could be better done by the Shellfish Commission, or an outside contractor like Maine Clammers Association that would be talking with other Shellfish Commissions, groups of clammers, constituents, things like that. Councilor Sachs is not sold that this $5,000 would result in measurable results that are different than the Municipal energy that is already happening.

Ms. Healy pointed out that this was a concrete proposal in front of the Shellfish Commission at its December meeting to move forward in conjunction with the town. The Shellfish Commission saw the benefit and voted for it. They funded it out of their regular budget and the water quality account that they have that is funded out of a surcharge on licenses. In their judgment, it was worth the cost to spend their resources. While the Maine Clammers Association did not have a formal role in the green crab project, she pointed out that their members spent thousands of hours on the project on a volunteer basis. She is confident the Maine Clammers Association is willing to put some time on this project but they do not have endless amounts of time which is the reason we need to look at some type of coordinator's position. She encouraged the Town Manager and the Council to take an active role if they would like. If there are things the Council would like to see on the job description list, by all means share them with the Shellfish Commission.

Councilor Tracy brought up the Warden's position and wonders if it matters to the Shellfish Commission whether that happens through this proposal or through another avenue. She noted that it is for the Town to decide how it manages its own resources. Councilor Tracy feels it would be worth discussing and would support getting the ball rolling through the Town and involving the Police Department, the Town Manager, the Town Council and the Shellfish Commission. The process would reflect more typically how the Town does business as opposed to what is proposed in No. 4. She requested that the Shellfish Commission take No. 4 out and start discussions on what is the appropriate process for moving that discussion forward to get input from all the different sides. Mr. Joseph explained that earlier this year, he, the Police Chief, the Shellfish Warden, Walter Coffin and Chad Coffin met and had a discussion on how to make changes to the duties of the warden and any changes that could happen. They asked that they be proposed through the Shellfish Commission. He did not know if it made it to the Shellfish Commission. He was not talking about personnel changes, he was talking about duties. Ms. Healy wanted to be clear that she does not want anything to reflect on Tom Kay personally. She explained that when they were working on the green crab project, there was no one to manage the conservation points or the volunteers in a coordinated way. These are things that the Shellfish Warden's position is not designed for.

Councilor Egan feels it is good to look at things comprehensibly both from a resource perspective and also modern needs. There is a separate conversation on whether enforcement is necessary and then there is the conversation of looking at it entirely with the resources we have. Ms. Healy pointed out that no one is looking

for no enforcement of shellfish laws, they are looking at what we are getting out of the money being spent and if it is being allocated correctly.

Councilor Egan mentioned the meeting that Mr. Joseph had to discuss the Warden's duties and asked if the next step would be for the Shellfish Commission to have a discussion and make a recommendation. Mr. Joseph noted this is the way he would like to do it but it is up to the Council. Councilor Tracy feels that this issue has languished and she proposed work shopping with the relevant stakeholders and Shellfish Commission and have an initial discussion. As part of that discussion, determine what everybody thinks the best way forward is so that people can propose the best path to take and then the Council can make a decision on how best to handle it.

Councilor Sachs would like this to be handled by the Town Manager and suggested that this proposal be lapsed. She asked about funding which Ms. Healy clarified. Councilor Gleeson asked if there is a way to fast track a way to get Freeport's Shellfish Commission to communicate with other places. He agrees that he wants to keep things under the Town's umbrella. He asked if there is a way to open up that channel through Mr. Joseph. Mr. Joseph answered that the answer is yes. Ms. Healy recalled reaching out to Yarmouth over a year ago on the Cousins River but did not get any response. She pointed out that she does not have days to drive up and down the coast meeting with shellfish commissions or spending a day in Orono for a day long Geen Crab Summit. It takes someone on the ground, knocking on doors and showing up at shellfish commissions but feels it is great if Mr. Joseph is talking with other town leaders.

Councilor DeGrandpre pointed out his concerns with the proposal. He feels we need enforcement but asked if enforcement becomes part time and we have the resources to move into a program like this. He noted that he would be willing to attend shellfish meetings with Mr. Joseph in surrounding communities. If we can connect some of the political lines between these communities, you can get them to start directing the shellfish commissions to focus on this.

Chair Hendricks noted that the Council asked the Shellfish Commission to attend tonight's meeting and only one member is in attendance. He feels this is a discussion the Council needs to have with the Shellfish Commission to provide guidance on how to move forward. Ms. Healy pointed out that the Shellfish Commission voted on this and moved forward immediately. Work is happening right now. Money wise, an invoice is on the way for $2,000. The next Shellfish meeting is scheduled on February 13. The Council could workshop on the 4th with the Shellfish Commission. Ms. Healy could not guarantee they would all show up on a night that is not regularly scheduled.

Councilor Egan noted that the Shellfish Commission is an arm of the town and already approved this proposal and is half way through the project. She suggested completing the project and taking out the key things that relate to MCA being the decision-making authority. From here on, municipalities have to be in the driver seat for making decisions about the job description, what kinds of cost sharing would happen, supervision structure, what kind of nominating structure and that all those things that relate to the decision making would come back to the municipalities. Basically you would be doing the outreach to see what other towns would be involved and she would recommend that this is done in close coordination with Town Staff. We have already sunk resources and have an agreement in place.

Ms. Healy pointed out that there is potential for the Shellfish Commission members to feel undermined if the Town Council comes back and says we want to undo what you have done here and members of the clamming community will continue to be frustrated.

Councilor Tracy agreed with Councilor Egan that there is an oral contract here but it would have been nice if it

was written. To the extent that work has been done, at least to date, the work should be paid for. People went out with the understanding that they would be compensated and one of our committees affirmed that representation. She wishes that there would have been more attention given to the language in the document that is now trotting around in our name because it feels like it doesn't accurately reflect the appropriate chain of command. To the extent that revisions can be made quickly to amend that, she would encourage that to be done by the Shellfish Commission. She is willing to spend time work shopping it if there is a feeling of the Shellfish Commission that they cannot do it alone. If we stop it now, we have paid out and we won't get anything out of it. At some level she supports completing the task with a tight rein around how it is completed and possibly mindful that we have taken out a piece. The committee made a decision and at the end of the day, she feels the Council should stand behind it.

Chair Hendricks noted that he and the Council are not trying to set a precedent on micro managing committee decisions or micro managing funds that are allocated to certain committees. He feels this has some merit but there are a lot of things in the proposal that leverage a stakeholder's group with quite a bit of supervision and power over an employee of multiple towns. This is just not how things work in government. The Council cannot have a conversation on a union employee when he or she is not in the room when it relates to his/her job as well as other things. He would suggest changing the sentence where it mentions that Board representatives will be nominated by the MCA to read that each local shellfish commission gets to nominate. Supervision - he would not be willing to pay for an employee that is not supervised by our Town Manager, town Department or Shellfish Commission so that would need to be changed. As for Administration of the Funds, no town would agree to give a private group to administer their funds. There should be some sort of agreement where the towns will have to figure out how to do that. They would probably hire an accounting firm with transparency.

Chair Hendricks has no doubt that having this group do the work as far as the outreach is a good idea because if it is left to commission members or one Town Manager, it will not have the same effect as someone in the industry and can get the ball rolling. In other parts where it talks about the position development, it would be more equitable to say “explore the structures of all the regional shellfish officers and make recommendations to all the shellfish commissions on potential changes or job transitions that would fit the needs of all the local commissions rather than single out one which is Freeport. He does not feel the Council should renege on the agreement the Shellfish Commission has made but he would like to see some changes in the document that will make it a better working document. If the idea is to have a regional coordinator, he is confident the other towns would prefer it to be more inclusive. He noted that the Council is trying to be transparent about how it spends taxpayer money and how it goes about things. Having a private group that is not held to the same standards as the town as far as information exchange and transparency making decisions, will pop up a red flag not just in this town but in other towns as well.

Councilor DeGrandpre noted the MCA is uniquely positioned to do much of this work and their proposal is to develop a regional shellfish coordinator position. It is not to hire him and not to decide who as Town Staff will be doing something else. They will make connections in other communities that he and the Town Manager may not be able to make. A lot of the work they propose doing is real valuable. It is something they can do that perhaps the Shellfish Commission cannot do.

Ms. Healy offered to work up the proposed changes she heard tonight from the Council. She asked if the Council could put all their thoughts in one document so that it won't take another month going back and forth. She will ask the Commission to consider these changes at its next meeting. Councilor Tracy asked Ms. Healy to do the changes and feed them back to the Council and then the Council could provide feedback on the 4th. Ms. Healy can then take that to the Commission to make a decision on it. Ms. Healy pointed out that the changes she will provide on the 4th will not yet have been shared with the Shellfish Commission. She will reflect what the

conversations have been this evening.

Councilor Egan thanked Ms. Healy for all her volunteer time and also for taking all the feedback this evening. Councilor Tracy asked what the process is for addressing the issue of No. 4 or dropping it all together. Chair Hendricks noted he would be comfortable changing it to all the positions. If the Shell fishermen have issues with the Warden position and its duties, it would be a longer conversation for the Council to have, especially if it is taken out of this document.

Councilor Egan pointed out that the Council is scheduled to workshop with the Shellfish Commission on March 11 and it appears that the Shellfish Commission has been frustrated that this issue has not come up in any type of formal way. She suggested that a topic be the Shellfish Commission's understanding of what is needed comprehensibly and what is needed on the enforcement side and the Council could take the discussion from there. It is only six weeks away.

Mr. Joseph suggested having the Police Chief and the Shellfish Warden on hand to discuss the duties with the full shellfish Commission for the three quarters of that position with shellfish related duties. He will go back and talk to the Chief and the Warden and let them know that the duties will be discussed. Chair Hendricks suggested striking No. 4.

Ms. Healy will have a final report on that position by March 11. She will be here on February 4 after 7:30 with the edits and will invite the commission to provide input on this document. Chair Hendricks and Mr. Joseph will reach out to the Shellfish Commission and formally ask them to attend and let them know that the Council really needs their input. Ms. Healy pointed out that Councilors can attend the Shellfish Commission's meeting on February 13. Chair Hendricks encouraged Ms. Healy to keep moving forward and pay the agreed upon invoices. The Council would like to see the structural changes and will be much more comfortable with the document. He mentioned that the Council appreciates her time as well as the Commission's time.

Chair Hendricks returned to Council Goals.

Taxes:

- Determine how best to maintain tax rate for those on fixed incomes, as to enable residents to remain in their homes.

Councilor DeGrandpre pointed out that we already have a policy in place. If folks are unable to pay their taxes, the only requirement is for them to have a payment plan in place that they can afford. The Town does not intend to put people out of their homes.

Councilor Egan mentioned that there are people leaving Freeport because property taxes are high and it is a problem that is across the state. She proposed the following language: “We explore and consider policies related to property taxes that will better enable lower income Freeport residents to afford to remain in their homes.” Part of what Councilor Egan loves about Freeport is that it has so many people that have been here for so many years and have contributed enormously to the community. It feels unfair to her that they feel priced out of the community that they have made contributions to. Her goal is to explore if there are some best practices and have the Council consider them. She is aware that this is not a simple policy discussion at all.

Councilor DeGrandpre noted that it is a constitutional question and the Town cannot do this. We would be

creating a new favored group. You would be asking others to pay the difference. Discussion followed. Councilor Egan asked that the Council explore it for our most vulnerable residents. It is an important issue to keep the people in our community who made the community. She would like to have Council discussion on this at some point. Councilor DeGrandpre mentioned the people that meet the income requirement but own 250 acres of land that they do not want to sell. Chair Hendricks asked what the deliverable would be. Councilor Egan noted she is comfortable with this not becoming a goal but it's worthy of exploration. Chair Hendricks would like agreement on the goals but he has no problem having a conversation on the exploration. Council DeGrandpre does not want to make this a goal. Councilor Gleeson would be willing to look into it. If it is a pervasive issue, he would make it a goal. Councilor Sachs asked if the Council could have a presentation from MMA to do an overview of statewide policies. Mr. Joseph offered to look into it. Councilor Tracy feels it is a worthy endeavor and she is happy to have a discussion. She is willing to commit to having a discussion but does not want to make it a goal.

Chair Hendricks noted the Council can have a workshop before a meeting. He feels it's worth taking a look at it.

Environment:

- Be an environmental leader, protecting environment resources
- Determine how best to address climate impacts.
- Protect residential areas from "too much" commercial development.

Councilor Egan suggested the following language: Convene a task force to consider how to enhance Freeport's ongoing efforts to protect land, reduce climate pollution and ready the town for climate impacts. Discussion followed. Councilor Tracy feels like this is a really big effort and suggested pulling out "protect land" since it doesn't appear to fit. Councilor Egan agreed. Councilor Gleeson mentioned that he is fine with certain parts but climate change and climate impact is kind of a political thing and has two sides. It is a hard button topic. He asked if the Council should add something like storm preparedness. Councilor Egan suggested rephrasing it to include "Be ready for storms and heat." More discussion followed about creating another task force. Councilor DeGrandpre stated he is not in favor of adding anymore goals.

The following goal was suggested by Councilor Sachs:

- Assess the resources and readiness of the Municipality's preparedness and ability to address catastrophic events. (There was general agreement to add this as a goal).

MOVED AND SECONDED: To adjourn at 10:17 p.m. (Sachs & Egan) **VOTE:** (6 Ayes) (1 Excused-Wellen)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL WORKSHOP
FREEPORT SEWER DISTRICT OFFICE, 43 SOUTH FREEPORT ROAD
MONDAY, JANUARY 27TH, 2014 – 6:00PM

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	X		
James Hendricks, 21 West Street	X		
Kristina Egan, 5 Weston Point Road			X
Melanie Sachs, 84 Kelsey Ridge Road			X
Andrew Wellen, 83 Hunter Road			X
Scott Gleeson, 23 Park Street	X		
Sarah Tracy, 75 Lower Flying Point Road	X		

Sewer District Staff and Trustees gave Councilors a tour of the Sewer District Plant. Staff explained some of the recent upgrades that had been performed in the past few years. It was noted that many of the upgrades had been instituted with the goal of increased efficiency in mind.
Over this time, the plant had gone from being in the bottom 2% nation-wide in terms of efficiency, to being a contender for facility of the year this past year.

Councilors then held a workshop with Sewer District Trustees and Staff. There was a discussion regarding the recently instituted agreement that required building permit applicants to meet with the Sewer District Staff prior to issuance of a building permit. Councilors emphasized that the intent was not to hold up issuance of a building permit until payment was made to the Sewer District. The District Trustees agreed and felt that this agreement was already showing results and asked for it to be extended. Chairman Hendricks asked that this item be placed on an upcoming Council agenda for discussion.

There was a discussion regarding costs to the District from Town roadwork. Sewer District Manager Lee Arris explained that the District had incurred significant costs this past year to raise manholes as a result of the South Street and West Street road projects. These costs would not have been necessary if the Town did not perform the roadwork. A request was made as to whether these costs could be funded by TIF funds, grant money, or town funds in the future. An extended discussion on the topic took place. The Councilors present generally were not in favor of spending Town funds to pay for costs to the Sewer District associated with Town road work. It was suggested that better coordination between the Sewer District and the Public Works Department could help the Sewer District plan for these costs in the future. Councilors requested that the Town's capital plan be forwarded to the Sewer District each year to help their planning efforts.

There was a discussion regarding upcoming upgrades to the Sewer District SCADA system, which also hosts a portion of the Town's alarm system. Sewer District Trustee Darrel Fournier explained that the Sewer District would like to use the Town's water tank sites as locations for wireless antennas for the upgraded system. The Council was generally in favor of this so long as there would be no cost to the Town, and the Town would not have to sacrifice any revenue-generating cell antenna lease sites. There was some question as to whether or not retaining the Town's alarm system along with the SCADA system would result in an increased cost to the Sewer District. Council

MINUTES
FREEPORT TOWN COUNCIL WORKSHOP
FREEPORT SEWER DISTRICT OFFICE, 43 SOUTH FREEPORT ROAD
MONDAY, JANUARY 27TH, 2014 – 6:00PM

Chairman Hendricks asked that the topic be placed on an upcoming Town Council agenda for discussion.

The workshop was adjourned at approximately 7:50PM.

Respectfully Submitted,

Peter Joseph, Town Manager

MINUTES
FREEPORT TOWN COUNCIL MEETING #04-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, FEBRUARY 4, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:35 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #03-14 held on January 21, 2014 and to accept the Minutes as printed. To waive the reading of the Minutes of the Workshop Meeting held on January 27, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #03-14 held on January 21, 2014 and to accept the Minutes as printed. To waive the reading of the Minutes of the Workshop Meeting held on January 27, 2014 and to accept the Minutes as printed.(DeGrandpre & Gleeson) **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

Councilor DeGrandpre announced that The Freeport Withdrawal Committee will be having a public meeting Thursday at 6:30 p.m. in The Council Chambers. Chair Peter Murray will introduce the whole committee. Peter Joseph will do a presentation on the Maine Statutes and there will be discussion on the eleven key outline topics that have been drafted. They are contained within the withdrawal agreement. He believes much of this has been posted on line. There is now a link from the Town's web page to the Withdrawal Committee's web page also. Meeting dates and times will be posted as soon as they are available as well as Minutes as soon as they are approved. It is his hope that some of the meetings will be televised at some point.

Councilor Egan announced:

- On February 15 and 16 the Tenth Annual Freeze Out will take place from 10 a.m. to 10.a.m which is to raise awareness for homelessness. Donations for food and fuel will be accepted. It will be held at First Parish Church on Main Street. Sue Mack and the Boy Scouts will be there to help collect donations.

- On February 15, the Rotary Club will be stuffing the truck with food at Shaw's. Residents are asked to come and contribute and help fellow Freeport residents.

- On Friday, February 7 at 6 p.m. The First Friday's Concert at Freeport Community Services will take place. The Windy Ridge Harvest Band will be playing and Melanie Sachs will be the head waitress and Ed Bradley will be the head chef. Advance tickets are $15 or $20 at the door. She encouraged people to come to dinner. She understands there will be delicious Gumbo.

Chair Hendricks announced:

- A parking ban will be in effect from 7 a.m. Wednesday, February 5, 2014 until 7 a.m. Thursday, February 6, 2014.

- The Recycling Center is holding a Poster Design Contest. Entrants should submit a design that will be placed on paper recycling toters. (you can see these toters on display at the Freeport Library). 14 prizes will be awarded. Deadline to submit an entry is February 7. For more information and an entry form, residents can go to the Town's website at www. Freeportmaine.com.

- AARP will once again be providing free tax preparation assistance for low-moderate income households, with special attention to those 60 years and older beginning February 5 and ending April 9, 2014 on Wednesday mornings at the Freeport Community Center. Assistance is available by appointment only. Please call 865-4743, Extension 120 to schedule an appointment. As a reminder, if you want to apply for the Maine Residents Property Tax Fairness Credit (replacement for the Circuit Breaker Program) you do need to file a Maine Income Tax Return which AARP can assist with.

- Upcoming events at the Library will include Open Stage Copy House on Saturday, February 15 at 7 p.m. This will be a relaxed performance opportunity for budding artists, established entertainers and everyone young, old and in between. Come and share your music, comedy and poetry skits, etc. Coffee, tea and desserts will be available for purchase. Performers, just show up and sign up. Audience, just show up and enjoy. For more information, contact Eric Bryant at 865-0052. Also the Chocolate Bash is coming again on Wednesday, February 12 at 6:30 p.m. There will be a variety of raffles as usual and the ever-popular tasting table spread from end to end with various variations upon the chocolate theme. The Art Guild of Freeport will once again donate a basket of lovely art pieces to be raffled and the sounds of Cul De Sac will be playing to add to the evening's festivities. Raffle tickets will be available for purchase at the main desk in the Library for $1 each or 6 for $5 several weeks before the event.

- Tomorrow night's Planning Board Meeting has been postponed until February 19 due to the pending storm.

Councilor Tracy announced that she will be having office hours on Friday from 7:30 a.m. to 8:30 a.m. at Bow Street Market and would welcome all District 2 residents and any other residents to come and join her.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

Councilor Sachs advised that the Municipal Facilities Committee met this morning. Their next meeting will be on March 4 at 7:30 a.m. and they will be discussing whether we want a dog park in Freeport and conservation management to address residents' concerns. Several items will be on their March 25th agenda. One will their recommendation regarding the DiPietro property. They have come to some agreement in principle with Mr. Becker on the Dunning Boat Yard lease so they will be moving forward with this on the 18th.

Councilor Tracy explained that she attended the FEDC' meeting on January 28 in the Freeport Community Center. They discussed the draft budget which FEDC is preparing in advance of their

workshop with the Council. They also discussed that FEDC will be going before the Planning Board to present priorities arising out of their Vision 2025 Plan. Councilor Tracy hopes the Planning Board will provide feedback to FEDC on that plan so they can factor in Planning Board priorities as FEDC decides how they want to implement Vision 2025. She expects that the Planning Board will take Vision 2025and see where it jives with the Planning Board's priorities. This starts another public process related to potential economic development in Freeport. They also discussed some proposals related to the nomination and selection of FEDC Board members and that process is ongoing. Anyone interested at anytime will be able to put their name in a hat and when there is an opening, they can be notified so they can apply. FEDC is looking at what criteria they should look at when nominating Board members and that includes diversity of experience, some business as well as other types of experience that will evolve. When they decide on that criteria, she believes they will post it on their website. If anyone has some feedback on what FEDC should consider, she encouraged them to provide it to Keith McBride, Executive Director of FEDC or to her since she is the Council liaison to FEDC.

Councilor Wellen advised that there will be a Hunter Road Fields Committee meeting coming up and one topic for discussion will be how to maintain the fields without using pesticides. They are working on problem solving in this area. If anyone has any questions about the Hunter Road Fields, he encouraged them to call or E-mail him.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

- The Freeport Withdrawal Committee, which is the group tasked by law with negotiating an RSU withdrawal agreement with the RSU #5 Board of Directors, will hold a public hearing and informational session this Thursday evening in the Town Council Chambers at Town Hall, beginning at 6:30 p.m. This meeting (but not all Freeport Withdrawal Committee Meetings) will be cablecast live on FCTV3. The Withdrawal Committee has also established a website at www.FreeportWC.org, which they will be using to post all of their information, agendas, minutes, etc. This website can be accessed from a link on the Town website at the upper right hand corner of the home page.

- On Saturday, January 25, 2014, Freeport Police Department's Detective Gino Bianchini was selected as the "Officer of the Year" by his peers of the Maine Association of Police (MAP). This award is given annually to an officer who has worked beyond his normal scope of duties to promote solid working relationships between the members of the Maine Association of Police and the Departments in which they serve. Congratulations Detective Bianchini!

- The Freeport Fire/Rescue Department has been very busy throughout January. The Department has responded to 280 calls for service for Fire and EMS calls (note: this includes NET calls as well), an average of 9.3 calls per day. On Friday, January 24, there were 21 calls for service on that day alone. The Department has also responded to 6 structure fires since November. The dollar loss to date is estimated to be $700,000 to property and contents. Fortunately there have been no human fatalities. Four of those structure fires were in the month of January alone. At this time, all the fires have been determined to be accidental. Two fires were cooking fires where food on the stove was left unattended, two fires were caused by heating appliances, and two fires were caused by electrical malfunctions. Mutual Aid was supplied at the fires from Brunswick, Durham, Lisbon and Pownal for water supply and manpower for fire attack. Helmets off to Freeport Fire and Rescue personnel, who have done a great job at all the calls.

- The seasonal Town Skating Rink adjacent to the Freeport Community Center has been open for nearly two weeks now, and is seeing good use. Make sure to get out and take advantage of the cold weather with your family and friends!

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

MOVED AND SECONDED: To open the Public Comment Period on Non-Agenda Items only. (Egan & Sachs) **VOTE:** (7 Ayes)

There were no public comments provided.

MOVED AND SECONDED: To close the Public Comment Period (Egan & Gleeson) **VOTE:** (7 Ayes)

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

ITEM #20-14 To consider action relative to a supplemental appropriation for the submission of a 2014 CDBG application in the amount of $22,350 to perform energy audits and air sealing on 75 low to moderate income residences. **PUBLIC HEARING**

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

Chair Hendricks noted that this was discussed at the last Council meeting. There were no public comments provided.

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

BE IT ORDAINED: That the Town of Freeport hereby authorizes a supplemental appropriation in the amount of $22,350 for the purpose of performing energy audits and air sealing on 75 low to moderate income residences. $4,470 of said appropriation to be expended from the Energy Saving reserve account and $17,880 of said appropriation to be expended from a CDBG grant. Appropriation shall be contingent upon the receipt of said grant funds.

Note: Part of this grant proposal includes hiring a part-time temporary staff person. The balance in the Energy Saving Reserve account as of January 14, 2014 is $21,803. (Egan & DeGrandpre)

Councilor Sachs voiced her support for this item. She feels it will do an amazing amount. Councilor DeGrandpre noted that this involves work in each home and the folks will get some big benefit right away. It is estimated to save each home 100 gallons of fuel.

ROLL CALL VOTE: (7 Ayes)

ITEM #21-14 To consider action relative to approving a liquor license application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St.

BE IT ORDERED: That a Public Hearing be scheduled for February 25, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving a liquor license application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St.

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 3 and the Town's website.(Wellen & DeGrandpre)

Mr. Joseph explained that this is a change of ownership on the license which is the reason why this is in front of the Council.

ROLL CALL VOTE: (7 Ayes)

ITEM #22-14 To consider action relative to expanding the PACTS Capital Management Area in Freeport to include the additional Federal Urban Area from the 2010 Census (that includes South Freeport Road between US Route 1 and Smelt Brook Road).

BE IT ORDERED: That the Town Council hereby requests that PACTS expands the PACTS Capital Management Area in Freeport to include the additional Federal Urban Area from the 2010 Census (that includes South Freeport Road between US Route 1 and Smelt Brook Road). (Tracy & DeGrandpre)

Mr. Joseph explained that the Town has been informed by PACTS that this section of road is within PACTS and we are responsible for 80/20 funding and we will get it done hopefully sooner rather than later. This is an information item for the Council and he does not need a vote to do this. We have no choice and it will happen whether we want it to or not. Discussion followed.

ROLL CALL VOTE: (5 Ayes) (2 Nays-Egan & Tracy)

ITEM #23-14 To consider action relative to conducting a public peddler lottery to fill two public peddler licenses.

BE IT ORDERED: That a public peddler lottery be conducted to fill two public peddler licenses. (Sachs & DeGrandpre)

Mr. Joseph advised that as of today, only one application was received. He suggested that the Council approve it conditioned upon the Ordinance requirement that the Police Chief does an investigation to make sue they are of good character and do not have any outstanding warrants, etc. which has not yet been done because it has only been one day now. The Council should make any motion to approve this license application contingent upon a successful background check by the Police Chief and they almost always come up positive but it is a good safety measure to have in there in case it doesn't.

MOVED AND SECONDED: To strike The **BE IT ORDERED** clause and move that the application of Eileen Crossman be approved subject to a positive

outcome of an investigation by the Chief of Police in terms of a background check. (Tracy & Sachs) **ROLL CALL VOTE:** (7 Ayes)

ROLL CALL VOTE ON AMENDED ORDER: (7 Ayes)

ITEM #24-14 To consider action relative to a Request for Use of Town Property application submitted by Elizabeth Stone/Center for Wildlife Health Research for the purpose of holding a fine arts and crafts fair and concessions fundraiser at Bow Street Park on July 26, 2014.

BE IT ORDERED: That the application for a Request for Use of Town Property submitted by Elizabeth Stone/Center for Wildlife Health Research for the purpose of holding a fine arts and crafts fair and concessions fundraiser at Bow Street Park on July 26, 2014 be approved. (DeGrandpre & Sachs)

Chair Hendricks noted that the applicant's certificate of insurance appears to be in order. At some point she will have to come back and request a special events permit. Councilor DeGrandpre explained that this applicant is located next to the Sunrise Cafe. Councilor Sachs mentioned that the time of activity should be 1 p.m. - 4 p.m. and not 1 a.m. - 4 p.m. Councilor Gleeson noted that the insurance certificate has expired and will need to be updated.

ROLL CALL VOTE: (7 Ayes)

ITEM #25-14 To consider action relative to adopting Town Council Goals for 2014.

BE IT ORDERED: That the Town Council Goals for 2014 as presented by the Council Chairperson and Vice-Chairperson be adopted. (Hendricks & DeGrandpre)

Chair Hendricks explained that he took comments from the last meeting and revised them. Councilor Sachs noted that the goal listed under Safety is different from what is reflected in the Minutes. Chair Hendricks agreed that he did wordsmith it a bit to make it sound better but is willing to discuss it. Discussion followed.

MOVED AND SECONDED: Under Safety: remove "to determine the ability" and "add extreme weather and" so that the sentence reads:

1. Assess the resources, readiness and preparedness of the Municipality to address extreme weather and catastrophic events. (Tracy & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes)

Chair Hendricks noted to the Town Manager that he would like to check in quarterly on these goals so the Council can assess how it is doing with them. Vice Chair Egan thanked Chair Hendricks for leading the Council through the process. It is great to understand where people are coming from in some of the overall visions that we have for the Town moving forward. Councilor Tracy pointed out that being able to revisit the goals on multiple occasions brought about a better quality product and felt the process was robust. She mentioned two goals that require action – the Resident Goal and the Safety Goal and in the near future before the budget season comes upon us, she suggested that the Council put in one of its workshops a half hour to discuss what action items it will take to address these goals because after the Council gets out of budget, it will be June and half of the year will be almost gone. Chair Hendricks

agreed.

Councilor Wellen noted it was a good process to hear where people are coming from and learn from each other. He feels the Resident Goal is a good action item to work on.

OTHER BUSINESS

> **MOVED AND SECONDED:** To take #2 out of order and move them to be the first item under Other Business. (Egan & DeGrandpre) **VOTE:** (7 Ayes)

Annual Investment Update with Bangor Savings Bank.
Finance Director, Abbe Yacoben, introduced Robert Cyr and Suzanne Moffatt from Bangor Savings Bank. They provided a handout explaining the three accounts they manage for the Town of Freeport. Mr. Cyr reviewed the information and answered questions for Councilors. It is his opinion that Freeport is in an enviable position having reserve accounts it can work with.

The Council thanked Mr. Cyr and Ms. Moffatt for their presentation this evening.

10 Minute Recess was taken at 8:05 p.m.

Continued discussion on Regional Shellfish Conservation Coordinator's position.

Nora Healy introduced Del Arris from the Shellfish Commission. She advised that she distributed the changes to the Shellfish Commission members by E-mail but they will not have a meeting until February 13. She hopes she captured most of the Council's concerns but is open to discussion.

Councilor Egan asked Mr. Joseph if he would have time to conduct outreach as noted in this document. Mr. Joseph indicated that it would be possible for him to do so. He has read that section and found that it reflected the conversation the last time it was discussed.

Councilor Tracy thanked Ms. Healy and agreed that her edits captured what was discussed at the last meeting. She had a question about Funding. If the funds are going to be pooled, how are each of the participating municipalities going to be responsible for the administration of the funds. Ms. Healy noted she is leery about putting in that a single municipality is going to be responsible for administering the funds. This is a concept document and it is there to gather input from these municipalities on how they would want to deal with it. Councilor Tracy noted she is fine with keeping that each of the municipalities be responsible for the administration of their respective funds. She can see how they would be interested in that approach. She suggested saying that the funds should be pooled or maintained in a way subject to agreement by the municipalities.

Councilor Egan asked if it would make sense to eliminate the hiring and supervision section and maybe take out that added sentence under funding and adding instead under the Phase 1 Position Development we have in here "develop a proposal for hiring, supervision and funding based on input gathered through the outreach done through this project". Ms. Healy agreed but Councilor Tracy had concerns about eliminating these sections because we won't know what will be proposed and what will be walked around. Councilor Egan noted she does not feel strongly about this but wants to be sure that we don't pre-prescribe everything as we are going around. She noted it would be fine to leave it the way it is.

Councilor Sachs asked if there is a job description and Ms. Healy advised that they received a draft job description last week. The water quality piece has been added into the job description and Ms. Healy will add a reference of water quality in this document.

Councilor Wellen would like to know what would be accomplished in the Coordinator's position that is not being done already. Ms. Healy noted that a lot of steps will have to be taken and the Shellfish Commission would have to come back to the Council for funding to cover this Municipality's share for this position. She invited Councilor Wellen to attend the Shellfish Commission's meeting to learn more.

Councilor Tracy suggested adding after Logistics: The following is a straw proposal to be modified pursuant to discussions between Municipalities and Shellfish Commissions. Ms. Healy asked if she would like that at the very beginning of the document. Councilor Tracy suggested putting it in both places because it will underscore that it is a draft. Under Funding, Councilor Tracy suggested changing the first sentence to read: Funding would come from each of the participating municipalities, subject to approval by those municipalities. Ms. Healy agreed to change the sentence but asked about the following sentence and Councilor Tracy suggested removing that sentence. She noted the rest is okay.

Ms. Healy noted the Shellfish Commission will be voting on this document at its next meeting. She will make the edits and send them to Mr. Joseph. Councilor DeGrandpre feels this is a great way to gauge interest both financially and from a conservation standpoint from communities all around Freeport. He would like to know how they budget for their shellfish commissions and personnel within their communities. He is willing to join in on any field trips to talk to other communities.

As for deliverables, Ms. Healy envisions a written report, an oral report and a written job description that has received as much input as possible from interested parties. Councilor Tracy suggested adding “written report” into the document since the Town has allocated $5,000 and needs something tangible.

Chair Hendricks thanked Ms. Healy. He encouraged Councilors to attend next Thursday's meeting. He is considering adding a Council liaison to the Shellfish Commission since there has been a bit of a communication gap, through no fault of theirs. He is aware that everybody is very busy. If we don't choose to make a liaison this year, we can share by having one Councilor attend their meetings this year. He will put a schedule together. They meet on the second Thursday at 6:30 p.m. at FCS except during July and August. Councilor DeGrandpre offered to take a turn but Councilor Tracy voted to absolve him since he is on the Withdrawal Committee. Councilor Wellen suggested that Councilors take a look at committees that they are on and determine if they are important. It may be that the Shellfish Commission is more important. Councilors Gleeson and Tracy offered to attend a Shellfish meeting. Chair Hendricks will put a schedule together but he and Mr. Joseph will attend next Thursday's meeting.

Discussion on survey conducted regarding resident priorities for Town government.

Susan Campbell and Roben Voigt were in attendance. Ms. Campbell apologized for not have a PowerPoint presentation but they passed out hard copies and offered to provide an electronic version later. She explained that this survey was conducted at the November Election by members of the Save Our Neighborhood Coalition. She reviewed the results. She mentioned that they would be happy to present this information to other groups if it is the Council's pleasure but felt they needed to get this information in the Council's hand.

Chair Hendricks thanked Ms. Campbell and Mr. Voigt for reaching out to our residents to see if there are things that will improve their lives. He requested an electronic copy. Mr. Voigt pointed out that another survey could be done to the entire town at some point. He thanked the Council for being involved and

interested in what is happening out in the neighborhoods. He thanked Ms. Campbell for compiling all the information. He likes the District meetings and he hopes the Council will keep doing them.

Councilor DeGrandpre appreciated all the work done in putting this information together. He finds it very helpful. Councilor Wellen appreciated that all this work has been done. It gives him a lot of information to work with.

Councilor Sachs asked what they are planning on doing with this information. Ms. Campbell advised that they wanted to bring it to the Council first and get guidance. They are willing to do more presentations. They believe it is important information for the Planning Board, FEDC and the Chamber. They see this as a service to the residents and want to get it to the appropriate people such as the Council. If it is in the hands of more people, it can help inform them as they are making decisions for bringing businesses to town, focusing on roads, etc. This was a feel good thing for them to do and it is nice to feel that there is a partnership in moving things forward. Councilor Wellen noted that he needs to digest it before he can come up with goals. Councilor Egan thanked them again for all this work. She mentioned that the Council has a variety of ways of bringing in input and this is another great data point. She advised that the Council can consider this and flesh out all the ways that we have the input and put it in a pot and start to think about how we can prioritize it and whether we need to do an additional survey or some other additional piece of outreach in order to get a more comprehensive view of the community's priorities.

Councilor Tracy agreed with Councilor Egan that this will be integral to the Council's information gathering for its goal. She feels what the Council's next step in relationship to its goal should be discussed in a workshop. She feels there is a lot of value in the Town's department heads seeing this. It widens their scope of reference. On the other hand, if the Council had done the survey, it would not have phrased the questions the way some of them were phrased. She is not criticizing them but if the Council were to disseminate it, the flip side of it is that there is a little bit of danger that we are endorsing the particular questions or the way the questions were asked. This is a tension that she is personally struggling with. She feels it is worth discussion at a workshop when the Council can devote a little more time about how we handle this. She noted that the Council could put a little cover E-mail on it saying “We received this; it was done by Save Our Neighborhoods. We would like you to take a look at it just for your information”. She mentioned that FEDC would be very interested in this survey and the Planning Board would entertain a visit in the same manner as the Council. She is confident that the Police Chief and the Fire Chief would be happy to sit down with the group. She encouraged them to do that and not wait for the Council.

Ms. Campbell pointed out that the questions came from the resident base. Mr. Voigt added that they were a channel and brought it forth the way the residents brought it to them.

Chair Hendricks pointed out that the Council receives a lot of large electronic documents but it means more when a group actually comes to the Council and shows the information. He feels it is a great initiative and suggested that the group reach out to the chair of the Planning Board and FEDC and present the information in person. He has not decided how to move forward but will discuss it at a workshop. He noted that perhaps the group would be willing to do more work in the future and they agreed.

Update on RSU Withdrawal Committee activity.

Rich DeGrandpre explained that the public meeting will be held on Thursday here in Council Chambers at 6:30 p.m. He encouraged folks to come. Mr. Joseph will review the Statutes. There are eleven items that need to be components in our agreement. Folks can read through them and share their thoughts. People are invested. It is about their kids, their community, the cost of all this as well as sports. On Friday

the committee will be talking to legal Counsel that have experience with withdrawal in a community that actually has the high school withdrawing. They are hoping to get the best person to represent them. They will be discussing what the costs are likely to be. Once the committee has some information, they can start to develop a budget. Their job is to develop a plan that is acceptable to the RSU, DOE and their group within 90 days. Once they get to an agreement and they know what the structure looks like, they will take whatever information they can to try to make sense of the cost question. There are a lot of folks asking what it is going to cost. They have also talked about the bond issue. There is work at the high school that needs to be done whether we withdraw or not. He was asked to keep the Council apprised.

MOVED AND SECONDED: To adjourn at 9:35 p.m. (Tracy & Egan)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #05-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, FEBRUARY 25, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x (arrived at		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x (arrived at		

Chair Hendricks called the meeting to order at 6:34 p.m. He took the roll and explained that Councilors Tracy and Egan are excused but will be arriving later after attending a Mast Landing School Concert.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #04-14 held on February 4, 2014 and to accept the Minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #04-14 held on February 4, 2014 and to accept the Minutes as printed. (DeGrandpre & Sachs)
VOTE: (5 Ayes) (2-Excused-Egan & Tracy)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

Councilor Gleeson announced that a Train Safety Committee meeting will take place tomorrow night at 6:30 p.m. in the Conference area of Freeport Town Hall. Anyone interested in attending is welcome to come.

Councilor Sachs announced that on Thursday, February 27 a public reception and a performance by the Maine Humanities Council about "Work in Maine" will be held in the Freeport Community Center. It is free to the public. Snacks will be provided from 6-6:30 p.m. The 30 minute performance will follow and then a conversation will take place with the audience about jobs, work and employment. She noted that this will be an innovative and entertaining evening for all ages.

Councilor Sachs advised that the First Friday Concert and Dinner Series will take place on March 7 at the Freeport Community Center. For $15, people can expect to get a great dinner as well as a concert. For information, please call 865-3985.

Chair Hendricks announced that the 6th Annual Port Teen Center's Sitting Pretty Auction is scheduled on March 23 from 4-6:30 p.m. at the Freeport Community Center. This year the canvas is going to be clocks and lazy susans. For more information residents can go to www.RSU5-RCE.org/thedashport-teen-center/.

Councilor DeGrandpre announced that the Withdrawal Committee will be meeting this Thursday at 6:30 p.m. in Town Hall. They will be meeting with the RSU Working Group next Wednesday in the High School and then meeting again the night after. Both meetings of the Withdrawal Group are scheduled in the conference room of the high school which is to the left of the main entrance.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs noted her office hours will take place on the first Monday of the month (March 3) from 8-9 a.m. at Bow Street Market. A Municipal Facilities meeting is scheduled for March 4 at 7:30 a.m. They will be setting the table for the year in terms of priorities. Things have been coming from constituents such as talking about a dog park, Conservation lands, the Active Living Plan, etc.
The Conservation Commission met but Councilor Sachs did not have any real news to report. Next month the Commission will not be meeting. Their next scheduled meeting in April will be a site walk.

Councilor DeGrandpre advised that the Traffic and Parking Committee met this morning. The Active Living Task Force folks joined them and they had a good meeting. They identified that there are some parking issues at public space owned by Conservation Commission or Trust or other public access points. Some are supposed to have parking associated with them and they do not. They have been asked to tale a look at the ones that are there and perhaps make some recommendations. When we have public space and trails, it is important to have a place to park safely and not on people's lawns. They have also have been asked to weigh in on three projects in the Town's Capital Budget—the South Freeport Village sidewalks, etc., the Beech Hill Road which is scheduled to be overlaid this year and Route 125. They will bring their recommendations back to Traffic and Parking in March.

Chair Hendricks referred to the train ridership information provided to the Council. Ed Bonney mentioned that NEPPRA will be holding a meeting on March 5 in Wells from 11 a.m. - 1 p.m. Chair Hendricks is unable to attend. If anyone wants to go, he asked that they let him know and he will advise Ed Bonney.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

Winslow Park Manager Neil Lyman illustrated the teamwork of Freeport Town employees after a recent snowstorm. Mr. Lyman chipped in above and beyond his regular duties at Winslow Park, and cleared off the skating rink adjacent to the Community Center. This is just a small example of the spirit of teamwork that many of our employees exhibit on a regular basis. Thanks, Neil.

Mr. Joseph extended thanks to all employees that do things such as this.

Public Works Winter Maintenance Budget Update:

- Sand: $0 remain out of $5,000 budgeted (100% expended) **NOTE:** Public Works estimates there is enough material on hand to make it through the winter.
- Salt Treatment (Ice-B-Gone): $4,000 remains out of $18,000 budgeted (78% expended)
- Salt: $15,000 remains out of $120,000 budgeted (87.5% expended)
- Winter Overtime: $7,500 remains out of $68,000 (91% expended).

Mr. Joseph explained that this has been a rough winter but we are hanging on by a thread. He thanked the Public Works Department for going outside of the norm. He also thanked the public for their cooperation and patience since Public Works has been removing snow in the downtown area during the daytime in order to keep the budget under control.

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes)

MOVED AND SECONDED: To open the Public Comment period. (Sachs & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Egan & Tracy)

There were no public comments provided.

MOVED AND SECONDED: To close the Public Comment period (DeGrandpre & Sachs) **VOTE:** (5 Ayes) (2 Excused-Egan & Tracy)

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

ITEM #27-14 To consider action relative to adopting the February 25, 2014 Consent Agenda.

BE IT ORDERED: That the February 25, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks explained the one item on the Consent Agenda for members of the public.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

ITEM #28-14 To consider action relative to approving a liquor license application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Wellen & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Egan & Tracy)

MOVED AND SECONDED: That the Public Hearing be closed. Wellen & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Egan & Tracy)

BE IT ORDERED: That a liquor license application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St be approved. Wellen & DeGrandpre)

Chair Hendricks explained that this is a change of ownership.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

ITEM #29-14 To consider action relative to revocation of a Victualer's License for Cheer Up, Inc. d/b/a Doherty's North Freeport Store.

BE IT ORDERED: That a Public Hearing be scheduled for March 4, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss the revocation of a Victualer's License for Cheer Up, Inc. d/b/a Doherty's North Freeport Store.

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 3 and the Town's website. (Sachs & DeGrandpre)

Councilor DeGrandpre hopes the applicant will be present on March 4. Mr. Joseph mentioned that a phone call to the applicant can be made. Chair Hendricks recalled that the same thing happened last year

and the applicant did pay his taxes in full prior to the public hearing. Hopefully, he will be able to do it again this year.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

ITEM #30-14 To consider action relative to establishing the Freeport Emergency Rental Assistance Fund.

BE IT ORDERED: That the Town of Freeport hereby accepts a $12,000 donation from Freeport Housing Trust for the purpose of establishing the Freeport Emergency Rental Assistance Fund.

BE IT FUTHER ORDERED: That the following ordinance be submitted for consideration by the Town Council: "The Town of Freeport hereby ordains that a supplemental appropriation in the amount of $12,000 be authorized for the purpose of establishing the Freeport Emergency Rental Assistance Fund. Said funds to come from a donation from Freeport Housing Trust and this appropriation shall be contingent upon the receipt of said funds from Freeport Housing Trust."

BE IT FURTHER ORDERED: That a Public Hearing be scheduled for March 4, 2014 at 6:30 pm in the Council Chambers at Town Hall to discuss a supplemental appropriation in the amount of $12,000 for the purpose of establishing the Freeport Emergency Rental Assistance Fund.

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 3 and the Town's website. (DeGrandpre & Sachs)

Chair Hendricks explained that this fund is intended to be an emergency fund for low income renters to prevent them from becoming homeless due to fire or some other catastrophe. Councilor DeGrandpre noted that the General Assistance Administrator will be working with folks in need and once all other funds and opportunities have been exhausted, this is kind of a last resort. Councilor Sachs credited the generosity of the Freeport Housing Trust for making this offer to the Town and to the residents of Freeport. They have set up some very clear guidelines for need and assistance and Johanna Hanselman has offered to incorporate this into her many duties. It is an amazing collaboration. She feels it couldn't have come at a better time since food stamps have been cut, the Circuit Breaker Program was cut and employment benefits have been cut. This will help keep people off the street. This is a pilot program and intended to be tried out for a year to see how it goes. Chair Hendricks agreed that this is going to be a great program.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

ITEM #31-14 To consider action relative to the appointment of a voting delegate representative and alternate voting delegate representative for Maine Service Centers Coalition.

BE IT RESOLVED: That the Freeport Town Council hereby authorizes membership in the Maine Service Centers Coalition for 2014 and designates James Hendricks, Council Chair to be the appointed Representative for the Maine Service Centers Coalition and is therefore authorized to vote at the Maine Service Centers Coalition business meetings.

BE IT FURTHER RESOLVED: That the designated alternate is Peter Joseph, Town Manager. (Gleeson & Sachs)

Chair Hendricks noted that he is grateful for having an alternate because he has experienced problems attending these meetings since they are always during the middle of the day. Mr. Joseph has been going and voting for us.

Councilor DeGrandpre thanked Chair Hendricks and Mr. Joseph for volunteering. This is a group that advocates returning some of the money that communities have been sending to Augusta over the years because we do provide services to the communities that surround us. This organization works really well.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

ITEM #32-14 To consider action relative to adopting a FY2015 budget meeting schedule.

BE IT ORDERED: That the proposed budget meeting schedule for FY2015 be adopted as printed.

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 3 and the Town's website, (Wellen & DeGrandpre)

Councilor Wellen had questions on the schedule which Mr. Joseph addressed. Chair Hendricks advised the Council that they would be receiving the budget this week in packets and also electronically. On the 4th the Capital Program will be presented which will be the Council's initial look at it. He is hoping to have general questions and general thoughts at that time but save the meat of the discussion when the public hearing begins on April 1. Chair Hendricks reviewed the rest of the schedule and noted it is important that Councilors be there for all these meetings. If there are any dates that Councilors cannot attend, Chair Hendricks asked that he notified since some of the dates could be changed.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Egan & Tracy)

OTHER BUSINESS

Since Councilors Egan and Tracy had not yet arrived, Chair Hendricks reversed the order of the topics.

Update on RSU Withdrawal Committee activity.

Councilor DeGrandpre explained that the Committee met here in Town Hall and talked about how to move forward. They are meeting this Thursday and will make decisions on what they take to their first meeting with the Working Group. They are hoping to have their first meeting with the Working Group

without the attorneys to save a little bit of money on their part and also to make it a little less formal. They plan to have discussion around what would be considered low hanging fruit and what would be difficult items. He hopes they will identify the less controversial issues and also what are the more controversial issues so they can hear from each other what each are thinking. The Working Group and Withdrawal Committee meeting is scheduled on March 5. The Withdrawal Committee will be meeting the next night on March 6. The Working Group meeting is scheduled in the High School's Library. The Withdrawal Committee meetings had been scheduled at the school but was moved to Town Hall last Thursday because school was closed. They will be going back to the meeting area inside the high school entrance. He encouraged anybody with thoughts, ideas or questions to join them. The community is going to be making a very important decision.

Councilor DeGrandpre noted he has daily "office hours" at the Sunrise Cafe over breakfast and lunch. He noted that he is always willing to talk to anyone that wants to catch up with him.

Discussion regarding the draft Freeport Active Living Plan.

Chair Hendricks pointed out that the Council has the full Active Living Plan in front of it. The Council met with the Task Force at its last meeting to review the Draft Plan. The Task Force asked that the Council provide comment on the following recommendations before they finish up the draft, finalize it and bring it to the Planning Board:

1. Improved Bicycle Safety on Main Street. (Shared Use Lane Markings) and Bicycle Parking.
2. Improved safety on Mallett Drive for students, bicyclists and pedestrians (Lighted Crosswalk)
3. Enhanced visibility of Freeport's link to the East Coast Greenway.
4. Enhanced Activity Center at Hedgehog Mountain/Hunter Road/Pownal Road Fields (pump track, tennis courts.)
5. The publication of a Freeport Trail and Open Spaces Map.
6. Effective implementation of the Active Living Plan (committee, structure, coordinator).

Councilor DeGrandpre noted that this was discussed this morning at Traffic & Parking's Committee meeting. The Shared Use Lane Markings on Main Street will need a little bit of work. Currently there are trucks that double park in the area that would be marked a bike lane, etc. There are challenges on Main Street with people stopping and with deliveries that need to be discussed before the lanes are marked. The committee asked the Task Force to return with more information. They also discussed crossing Mallett Drive safely which will involve getting up there from the end of Guptil up to Mallett Drive and a walkway from there across to the entrance to Middle School so there is some work that needs to be done other than just marking and striping.

Councilor DeGrandpre was unsure what "lighted crosswalk" means so he noted clarification is needed there. He mentioned that the committee this morning talked about trail/open space opportunities in Freeport and how we should be providing better parking for them. It is a shame to have six cars parking alongside a road blocking a travel lane with bicyclists and pedestrians trying to walk past them with traffic coming the other way. The Task Force is working on this and will bring the Committee some ideas and suggestions.

Councilor Wellen noted that if the Task Force is going to keep the idea of a Coordinator in the Plan, he feels it should be stated clearly that there is no reason to have a Coordinator until there is actually budget approval for a significant portion of these activities. It would not be a good use of taxpayers' money to hire a Coordinator when there isn't that much for them to do. It is his opinion that a lot of implementation if it comes to be, could be coordinated by the Town Planner's Office, Public Works and Town Engineer.

If they should be overwhelmed, he would suggest that they hire someone within the Planning Department, Public Works Department or Town Engineering Office. He would suggest eliminating the Coordinator's position or clearly say it wouldn't make sense to do it unless there is more activity.

As for Implementation, he does not feel the Active Living Plan should not be put before the Planning Board for consideration to amend the Comprehensive Plan because it is not justified under these circumstances. Regarding grants, he consulted with a Community Development person and learned that each grant has its own criteria. When a grant comes up, the Town can look at it on a case by case basis and what kind of Town approval is needed. It can be limited to that particular item for which we want to get grant money. He does not feel it makes sense to bring before the Planning Board and he does not feel the Active Living Plan should be approved separate from the Comprehensive Plan. He doesn't think the Council should approve it separate from the Comprehensive Planning process. If anything, the Active Living Plan could go before the Comprehensive Planning process when the Comprehensive Planning process is done again as opposed to some special circumstances in trying to get an amendment to the Comprehensive Plan.

Councilor Wellen suggested that the Planning Department or any other department that looks at prioritizing wish lists that the community has, not only Active Living, but the charette, Hunter Road Fields and lots of things that people want to do that all may fit in the Comprehensive Plan. He would suggest that they get prioritized and if there is some particular activity within Active Living that they want to pursue, they can bring it to the Council for discussion and the Council will decide the cost benefit analysis to see whether it is worth doing.

Councilor Wellen feels it would be really important for the Active Living Plan to have specific cost estimates. He would not want the Town Engineer or the Public Works Department to spend a lot of time doing cost estimates unless they have free time and there are not other priorities. This needs to happen before the Council can consider any of the specific activities.

Councilor DeGrandpre agrees with Council Wellen that if we are going to make decisions going forward, cost estimates are really needed. Traffic and Parking asked for this information this morning and the Task Force is going to bring back costs for the recommendations in this Plan. Going back to No. 6. - effective implementation of the Active Living Plan, he sees this as something that goes through the Comprehensive Planning process and eventually going to the State of Maine to be ratified. He agrees that we can't make decisions on things we can't afford. He would like to have the maps printed in color to make some sense. The Plan needs to be fully vetted by the Planning Board.

Councilor Sachs pointed out that she is not on the same page as Councilor Wellen. She doesn't see the harm of putting the Plan through the Planning Board process because it will not preclude us from getting any grants but will help obtain any grants that are available. It can only help in getting public input. She noted that the Town spent a lot of money on this Plan and she would like to see it integrated with an actual method to do so. This will take more discussion. She mentioned the avenues that can be done and noted there are some low cost things that don't fall into any department. The publication of a Freeport Trail and Open Spaces Map is a priority that has been talked about at Municipal Facilities, Conservation Commission and Conservation Trust meetings she attended. It was in the charette as well. This has been a resident concept for many citizens and she would like to see this one done. She agrees that cost estimates and shared parking is important. She noted there is a lot in the Plan and it doesn't need to be done all at once but there needs to be a sense of coordination somewhere because it will just get lost.

Councilor Gleeson agreed with Councilor Sachs. He noted that the Council spent a great deal of money on this plan and approved it and it should be implemented. There was discussion that some of the cost items could be put off, delayed or not approved at all if they were outside of the budget that we could

actually afford. He noted that the Council should use this as a guideline and the Council should go through the process that many of the Council agreed to proceed with. Freeport has always been very committed to making sure our roads are paved and we have all sorts of things that are open to business. This is something that we can actually do for our residents in providing a healthy lifestyle while connecting our parks and our trails. He would like to see the Council move this in a forward direction.

Councilor Wellen stated he liked the idea of the whole plan but voted against spending $25,000 for a consultant. He does not feel the Council should be prioritizing costs for a very long time. He feels the low hanging fruit could have been developed in house. He has no problem with the low hanging fruit and also some of the higher hanging fruit. While he supports a healthy lifestyle, he feels the Council should be realistic about what it spends money on in town.

NOTE: Councilor Egan arrived at 7:25 p.m.

Chair Hendricks pointed out that the Task Force came back with six specific questions for the Council and the Council has gone back to the same point that it spent two hours discussing at the last workshop.

Six Councilors decided that the Plan should go to the Planning Board and have it go through their Comprehensive Planning process and if there is an opportunity to get more grant money, we want to do as much as we can for that. The Council already decided that it wants to move forward with this Plan. The Task Force requested specific input on these six specific recommendations. He mentioned that in looking at these six items, some of them are cart before the horse. It is difficult to talk about effective implementation until it goes through the Planning Board process and comes back in a final draft with recommendations. He feels the committee should continue on until it gets to a point where the Council decides that yes, we need a Coordinator. He is aware that there has been talk about a Parks and Rec Department but we are not yet at that point. The Council will need cost estimates.

For No. 5, Chair Hendricks feels it is important to have a Freeport Trail and Open Spaces Map. Regarding No. 4. it is difficult to look forward because the Council does not have cost estimates. He feels these activities should be explored. He feels it would be great to have No. 3 but doesn't like Yarmouth's most recent change to how they have done it. He would be all for No. 2 and would love to see an opportunity for kids to have increased walk ability to all of our schools. He does not know how he feels about No. 1 given the amount of traffic on Main Street already. He does feel we should have some bicycle parking but would like to see more of the Plan.

NOTE: Councilor Tracy arrived at 7:30 p.m.

Councilor Egan pointed out that there are members of the Task Force in attendance and their thoughts would be welcome. She mentioned that a lot of these things cannot move forward without having specific information and the Council will decide whether to spend the money or not. She advised what the Task Force is looking for tonight and are these some of the highest priorities they should continue to explore?The Plan is not going to be able to get into the kind of detail with the resources available and with the time to get to that fine “this is what the project will look like, here is some preliminary engineering and here is what the cost is.” These things are going to take a lot more time to develop at that level. She referred to the six priorities and noted that No. 2 is the highest for her and also making some long term connections to the Hunter Road Fields which could require a lot of money. A connection to Hunter Road Fields would require a grant application to the Federal Government under the Enhancements Program to start to get some money for design.

Councilor Wellen noted that a lot of consultants doing this kind of plan would have provided cost estimates. It is the normal thing to do. Without cost estimates, he feels it is tricky to prioritize and he would like the Task Force to put the time in to get cost estimates before it should be finalized.

Councilor DeGrandpre noted that we need to understand how bike traffic would work and he is concerned that we have a lot of delivery traffic. There are challenges there already but Traffic and Parking is willing to work with the Task Force. At the Mallett crosswalk, he understood it to be a controlled crosswalk where someone pushes a button and at some point the sign would say "walk". If this is incorrect, he needs to know that. Regarding No. 3, there has been talk about connecting it to Yarmouth. There is not a lot of room on the existing pavement. This will be an expensive extension of the walkway and needs to be discussed further.

Councilor Sachs referred to No. 6 and asked the Task Force if they had a sense of where they would like to see that implementation come from.

Anne-Marie Davee provided background information on what she is hoping to get from the Council tonight. Discussions around implementation have been extensive and the Task Force has felt that their charge was to work with the consultant to develop a Plan, a guiding document. Once the charge goes to the Planning Board, it will be completed. From that they felt there needs to be some sort of Advisory Committee that includes a broader range of stakeholders representing all parts of Freeport that would continue to meet monthly to serve in an advisory capacity. They also thought at a different level they

needed a Building Facilities Open Space Coordinator that would be a paid staff. She has discussed this with the Town Manager. They also feel they need an entity focused on safety because the Plan is based on safety. They view this as a multi faceted process and want to be sure they are connecting with all the appropriate committees and structures that currently exist to ensure that all of the pieces are working together. She is confident there are some things that can be started immediately that won't require funding.

Councilor DeGrandpre asked if the Task Force talked to anybody from the snowmobile club since they are good stewards of and extensive trail system. Councilor Sachs offered to provide a contact's name to Ms. Davee.

Chair Hendricks noted that the Council might have to start with an Active Living Advisory Committee with a staff liaison or even a Council liaison. He explained how the process works. If talking about a committee, he asked Ms. Davee to provide him with ideas on some sort of committee structure which can be discussed at a future date. At this point, there will not be a paid staff person or a Coordinator. There will be a committee and the grant writer will most likely be the Town Planner initially.

Ms. Davee offered to ask people that have been working together over the past year and a half if they would be willing to serve in an advisory position to help with implementation. She noted she would be happy to come back with commitments from people and any others where the Council might feel she is missing a particular interest or stakeholder. Chair Hendricks noted he would prefer to go through the normal Appointments process where everyone interested can apply. Ms. Davee advised that it can be posted on their website.

Councilor Wellen asked if the Council would decide there would be a committee and Chair Hendricks advised that the Council would decide. He asked Ms. Davee to come back with structure so it can be brought before the Council. The Council will then have further discussion on a committee and if the Council decides it wants to go forward, it can be put out to the public, it can be put on the Task Force's

website and it will go through the Appointments process to get applications. First, there needs to be some idea of structure before it can be put on an agenda.

Councilor DeGrandpre pointed out that Freeport's Comprehensive Plan has been approved by the State of Maine. It has a bunch of strategies for moving forward and who would be shepherding those things forward. If the Council works through an amendment process to our Comprehensive Plan, those very same items as we identify what they are in this Plan as we incorporate it, who is responsible for shepherding or moving those things forward would be assigned as we go through the process. It doesn't mean that we still won't need an Advisory Committee to kind of pay attention to this going forward. Traffic and Parking is going to deal with safety. Municipal Facilities may deal with access points or parking, etc. As long as we have the process laid out where we have a Plan that is incorporated into our Comprehensive Plan, we know what items are in our goals, and some of them may be too expensive to accomplish in the near future. If they are there, we can always be looking for opportunities through grants or partnerships with the State of Maine.

Councilor Tracy noted she would support having a committee that furthers the goals of the Plan in consultation with the other existing committees. We do struggle with having too many committees in Freeport but she is willing to figure out if there is something less active that the Council may be able to balance by adding this one. Her opinion is that there needs to be a body that is getting this stuff on the agenda and is driving it forward. Existing committees have other responsibilities. She would support converting the Task Force into a committee but shares Chair Hendricks' reservation about funding an actual paid position at this point.

Referring to the six recommendations, Councilor Tracy feels the publication of a Freeport Trail and Open Spaces Map and safety on Mallett Drive are her priorities. She mentioned there are a lot of people in Freeport that pay taxes and deserve to use its resources.

Stephanie Helms of Lunt Road complimented the Task Force on a well done report. She feels this is essentially a Planning function. Decisions about staffing for implementation, etc. is the stuff the Town's Planning Office does. As far as process is concerned, the Council could do the Town a favor by following the process already established with regard to Comprehensive Planning and the kinds of decisions that get made. This is something the Planning Board should take up with advice from Traffic and Parking and with advice from a potentially new committee established by the Town. At the end of the day, she feels it will be a very productive process if things are focused through the Planning process with the staff . The Town Manager will determine what kind of staffing is required. Her suggestion is to use the people that are on the Planning Board and start focusing on making the Planning process as viable and vibrant a focus of where we want to go as a Town.

Guy Quatrucci of South Freeport noted that he feels there is an argument to be made that the process is being jumped a little bit. This most likely should be happening at the Planning Board level where input and Comprehensive Planning and where requests for actionable items usually are first bedded. It feels a little backward but he gets how it evolved. In terms of the Coordinator's position, he feels the Town already has paid staff responsible for implementation of public projects. It is called the Planning Department. He doesn't feel Freeport needs to squander unnecessary financial resources on special project czars or patronage positions to push special interest projects. The activities discussed in the report really fall within the parameters of the Comprehensive Plan. It is a new and engaging presentation. He feels this Plan is grossly premature without cost projections.

Doug Leland advised that he is an unofficial member of the Task Force and attended a lot of meetings. Going back to Chair Hendrick's comments about the cart before the horse, the Task Force feels that way too. From the workshop last week, he took away that there was a sense in having this move through the

formal process so it could be considered by the Planning Committee. In order for the Task Force or anyone to get involved in the implementation, it almost seems like it has to go through some of that to get some guidance in terms of how we are going to get organized and structured to do that. What was discussed at this morning's Traffic and Parking meeting, that however this proceeds forward, there is going to be sometime involved in doing that and figuring out just the right way to do it and figuring out the cost components necessary. If you don't know how you are going to implement it, it is hard to get the structure to begin to identify what those costs are going to be. 75% of people surveyed indicated that they walk and their biggest concern about walking or not using the roads for walking was safety. We already have a structure for that and we have a committee that has that. There are recommendations in the Plan that do not cost any money but require coordination, some energy and some will to look at opportunities for education, to look at opportunities for encouraging people to get more involved in those aspects of the Active Living Plan. He emphasized that there is a piece here that we can begin to work on today while trying to figure out the best way to move the more ambitious aspects of the Plan forward.

Councilor DeGrandpre agreed that safety is a really big piece. We are not talking about something that is inclusive in this Plan. We are talking about State Statute for automobiles, cyclists, pedestrians and we can start an aggressive education plan right now. It is something recommended in the Plan but it is following State Statute so there are a lot of things we can start right away.

Chair Hendricks pointed out that there is general agreement to send the Plan to the Planning Board to go through the Planning Board process. It will go through the public process with citizen input, public hearings, etc. to become a Planning document. The Task Force's job is not done until it gets to that point and goes through the process. As that process is finishing up, the better idea is for the formation of some sort of Active Living Committee at that point in order to continue to foster the process.

Councilor Egan suggested calling the next draft Draft 2 and can still take public input and finalize it so they won't be presenting a final plan to the Planning Board. It will be something open for public comment. The idea of forming a committee could be something integrated as a recommendation in the Plan so the Planning Board could consider one of the slots that need to be filled and could be part of the public process and it can come back to the Council in that form. Because there is that low hanging fruit that can still be done, the Task Force has a lot of energy and has already started implementing things, she can see them continuing with that energy while it goes through the rest of the process trying to do these low cost safety improvements in conjunction with Traffic and Parking and the other committees you are liaising with. She thanked the Task Force for all their great work. It is a tremendous document and so many people are excited about it.

Councilor DeGrandpre advised that we have some realities to deal with as was discussed at Traffic and Parking this morning. They are developing their Capital program now so there are some things they need answers to sooner rather than later as they move forward. He suggested that we be mindful of that process. He mentioned that some of the maps are color dependent and asked if the maps could be printed in color. If color is not going to be used, he mentioned using little circles or dots.

Discussion regarding employee wages and benefits.

Chair Hendricks advised that last year during the budget process it was brought up by at least one Councilor that they wanted to have a discussion on either employee wages, employee benefits or both. Mr. Joseph went through the discussion at that time to determine what consensus was reached and he realized that there was no consensus reached nor was there a formal vote. Mr. Joseph and Ms. Yacoben would like the Council to come up with a formal plan if it is going to do it and whether it is going to be just wages, just benefits, wages and benefits or even if we are still going to do it. He asked Councilors to weigh in.

Councilor Wellen supports doing this and wished it had been done sooner. He recalled that it was a raising of hands during a workshop. He would support looking at salaries and benefits. He asked if it is possible to look at the years of experience when comparing employees from one town to another. He feels it is important to do it because this has not been done in a long time.

Councilor Egan noted that Freeport has a tremendous staff and we want to be sure we can attract and retain employees by having decent compensation levels. It is important for the Council to express its appreciation for the staff that it has. She does not feel that this conversation should consider cutting the benefits and salaries of any of our existing staff. In Maine there is a growing concern about unfunded liabilities we incur which are health care that we pay after people retire as well as pensions that we pay after people retire and the public sector has been slowly changing to try to reduce the generosity of some of those benefits. She would be interested in seeing some sort of study that would guide the Council as we hire new people. We have some senior staff that will be retiring within the next five years and the Town will be doing some hiring. At that point she would want to set Freeport up in the long term on a fiscally responsible path and not just take the benefits package in place right now and apply it to the new hires but really think through if it is going to be affordable. She would like to look at what the unfunded liabilities we have right now and then some sort of study that would look at compensation levels that might be more in alignment with the current day then they were 20 years ago when some of our staff were initially hired. She does not feel the Council should change the salary benefit structure we have for people we have on staff but we should consider it as we hire new people. She is interested in studying pension and health care when they are hired on and then when they retire.

Councilor Tracy advised that if the Council is going to look at it, it should look at all of the above to make sure we are adequately compensating people, that we are with the market so that we continue to attract smart, talented and dedicated people and part of that is compensating them accordingly. To do it by May feels very rushed. It is a very sensitive topic. She wants to assure our existing employees that we will do this very carefully. She would like to say that it will not affect our existing employees but she would need more information on what our packages are before saying that is absolutely the case. We need to know what the facts are if we cannot afford what we are currently doing and we are on a trip to a very difficult place so she guesses everything is on the table. She suspects that we are not in that place and we are under control and the salaries are reasonable and there is no need for alarm but we need to figure out what we've got before we make that determination.

Councilor Sachs agrees with Councilor Tracy. Councilor DeGrandpre asked what the Council will do with this information. He is not interested in adjusting salaries or benefits for existing employees. As far as gathering the information to make sure we are compensating our current employees fairly, and as we replace folks that are retiring, it is important to know what this employee is doing. We really can't make a determination that apples are apples because they are not. He sees no benefit having this done by May this year but it is a worthwhile process to take the time and do it internally with our peer communities which will be working with folks that are in our market. He is in favor of moving forward with the process but feels there is no rush to do it by May. He wants to know salaries, benefits and where the benefits go in retirement.

Councilor Gleeson noted that the Council went over this last year. He feels it would be prudent to go ahead and do a study and find out what other towns are doing in comparison. No matter what the Council finds, he is extremely reluctant to touch our existing employees' benefits or salaries. He is okay with looking at possibly going forward so that new hires know exactly what they are getting into when they sign on the dotted line. He mentioned the amount of credentials that our Town Clerk has and our Finance Director who has put together Town Reports voted best in the state. He would be extraordinarily reluctant to start messing around with a really well oiled machine right now. He is fine in getting the numbers. He

mentioned our Assessor is also our website updater. We are a very unique town and we can get a comparison but he doesn't feel it will be accurate if we get it.

Chair Hendricks agreed with Councilor Gleeson. He is really not for doing it because we will come out in the end there isn't much we will do with it. It would be hard to compare a Town Clerk in Yarmouth with a Town Clerk in Freeport. He noted that our Town Clerk puts together our agendas together along with other multiple tasks. Our Finance Director handles our I.T., E-Mail and website. When looking at the well oiled machine, he continues to be impressed with how much work our employees put in and their dedication to their work and the Town. In many cases, they are probably doing more work than they are being compensated for. He would not cut current employees' benefits and salaries but is willing to look at it going forward for new hires to make sure we are giving adequate benefits and salaries to new hires to ensure we are competitive with neighboring towns but also to make sure we are not skewed to the other side. He would reluctantly agree to do the study but it is not his want.

Councilor Wellen agrees we have great employees but feels we are risk if we don't look at this objectively. The Council needs to be careful because it can still be caring about employees and wanting to have loyalty and give enough compensation so we keep good employees. If things go over the top, some Councilors appear to be willing to adjust current ones because it is the right thing to do for the taxpayers. He feels it would be good to keep an open mind. He mentioned that a lot of employees in other small towns wear multiple hats and it doesn't mean that the hat is a higher pay grade hat. It is great that they can be flexible. He counted that four Councilors do not want to touch existing employees. He does not want to do this study quickly. He would prefer that it be done well. He asked Mr. Joseph if the study should be done in house or be an independent study from outside.

Mr. Joseph indicated that Freeport has the ability to do it in house. It would not take a long time to do this. Councilor Wellen would like the tenure information included. Councilor Sachs asked about the time line and asked when it could be done. Mr. Joseph indicated that a month or two would be plenty. Councilors indicated they would like to take this up after budget season, perhaps in June. Chair Hendricks does not favor spending any money on an independent study. Councilor Egan would like to see the unfunded liabilities numbers. She suggested talking to MMA to find out what are the benefits being offered and whether people are starting to cut back on benefits for new hires which is different than surveying the salaries and benefits that people have right now. She is aware of movement to start paring some benefits back at the State level for new hires. She suggested looking at Mass. Municipal. She is interested in the health care and pensions.

Chair Hendricks noted there was general agreement that we need to study both salaries and benefits. It is just a study. We do not want to cause any panic. The Council can always discuss what it will do with it.

MOVED AND SECONDED: To adjourn at 8:58 p.m. (DeGrandpre & Sachs)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #06-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, MARCH 4, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 6:34 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #05-14 held on February 25, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #05-14 held on February 25, 2014 and to accept the Minutes as printed. (DeGrandpre & Sachs) **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor Sachs reminded folks that on March 7 the First Friday Concert/Dinner Series will take place at the Freeport Community Center. A lasagna dinner is planned and Crab Apple Jam is the band that will be playing.

Chair Hendricks announced:

- The Trustees of the Freeport Historical Society invite the membership and public to the 45th Annual Meeting of Freeport Historical Society which will take place on Sunday, March 23 from 2-4 p.m. at the Freeport Community Library. Professor Richard Judd will be speaking and on display will be recent additions to the collections of the Historical Society.

- The Freeport Players and Freeport Family Performing Arts announce auditions for *The Wizard of Oz*. Roles for men and women ages 10 and up. Auditions will be held for leads and featured roles on Friday, March 28 from 7-9 p.m. and for ensemble and youth on Saturday, March 29 from 2-5 p.m. Both sessions will be at Freeport Performing Arts Center, 30 Holbrook Street. Actors should be prepared to sing an excerpt from a song of their choice from the musical and may be asked to read from the script. Performances are July 17-27 at FPAC. Full audition details, including a list of roles and songs are available at www.fcponline.org/auditions.

Councilor DeGrandpre noted that this is a busy week for the Withdrawal Committee. They are meeting with the

Working Group folks at the Freeport High School Library tomorrow night.

The RSU Board has taken the position that they are not going to advertise or notice Withdrawal Committee meetings. He feels this is a bad decision by them. They are noticing their Working Group meetings. He plans to speak to them about this because folks are always looking for more information and quite often go to the School website to find that. He mentioned it is important that if anyone has any connections at the Board level, they should encourage the Board to get the Withdrawal meetings onto their website. It is critical that people know when these meetings are. The Working Group does not take minutes at their meetings so if anyone wants to know what is going on, they have to attend those meetings. It is unfortunate that they are being difficult about this. Councilor Tracy noted that if the RSU Board does not agree to provide a link to the Town's website, Councilor DeGrandpre should bring this subject back to the Council and the Council can then make a formal request. Councilor DeGrandpre offered to follow up on this.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs advised that the Conservation Commission is going to notify Johanna Hanselman and the Appointments Committee that they have an opening. One of their members experienced a job change and is no longer able to serve on the commission. The Conservation Commission will not meet in March but they are planning a site walk in April. She announced to the public that if they have any interest in serving on this commission, they should fill out an application at Town Hall.

The Municipal Facilities Committee met this morning. They had a broad range discussion on open space as well as Municipal Facilities. No decisions were made at that time. They discussed management of open spaces and are setting goals for the year. On March 18 two items will be on the agenda. The Dunning Boat Yard Lease and hopefully the DiPietro property discussion will be brought to the full Council. She is aware that there is some community interest in this particular piece of property. They have a recommendation for a possible plan moving forward for the DiPietro property.

Councilor Tracy announced that on March 25 she attended the February meeting of FEDC. Keith McBride is here tonight to provide an update so she did not go into great detail about the new developments. She is aware that this is on his agenda. The FEDC Board is continuing to look at the process for accepting new membership applications for the Board and also the criteria with which to evaluate those applications to be on the Board. They are in the second round and close to finalizing that. If anyone is interested in a seat on the Board and they want to see what they are doing, they should contact Keith McBride to ask him about it.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph requested skipping over this because he will be providing a report at the next meeting. He is grateful that his wonderful staff is back from vacation.

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

> **MOVED AND SECONDED:** To open the Public Comment Period. (Egan & Sachs) **VOTE:** (7 Ayes)

There were none provided.

> **MOVED AND SECONDED:** To close the Public Comment Period. (DeGrandpre & Sachs) **VOTE:** (7 Ayes)

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

ITEM #33-14 To consider action relative to revocation of a Victualer's License for Cheer Up, Inc. d/b/a Doherty's North Freeport Store. **PUBLIC HEARING**

Chair Hendricks provided updated information. This item will be dismissed since the property owner has paid the taxes and is now up to date. There is no need to hold a hearing to revoke their license.

MOVED AND SECONDED: To dismiss Item #33-14. (Tracy & DeGrandpre) **VOTE:** (7 Ayes)

ITEM #34-14 To consider action relative to establishing the Freeport Emergency Rental Assistance Fund. **PUBLIC HEARING**

Chair Hendricks explained that this item was not advertised correctly and notified in the paper so we need to postpone this to March 18 and ensure that it is advertised correctly. There were no members of the public in attendance to speak to this issue.

MOVED AND SECONDED: To table this item to March 18 and get the advertising done as the notice requires. (DeGrandpre & Egan) **ROLL CALL VOTE:** (7 Ayes)

ITEM #35-14 To consider action relative to the proposed Capital Program for FY2015.

BE IT ORDERED: That a Public Hearing be scheduled for April 1, 2014 at 6:30 p.m. in the Freeport Town Hall Council Chambers to discuss the proposed Capital Program for FY2015.

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 3 and the Town's website. (Egan & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes)

OTHER BUSINESS

FEDC Update—Executive Director Keith McBride explained that he would be providing an abbreviated report this evening because the Maine Revenue Service has not posted the most recent sales data and also because they have a workshop scheduled with the Council next week. They will have more time to discuss activities going forward. He mentioned there has been an uptake on vacancies all over town. Unfortunately this quarter has seen the closure of Timberland, Claire Murray, Cranberry Island Kitchens, the wine store next to Buck's as well as some smaller businesses. Mr. McBride is excited about next week's opening of Four Season Alterations and Tailoring on Route One. Someone has purchased the former Red Wheel Antiques and has great plans for an overhaul on that property. He noted that inquiries in the last quarter have seen a huge uptake. He attributes this to the time of the year and also the general improvement in the economy.

Mr. McBride noted that they have an opening currently on their Board of Directors. An application will be made available on their website and they will be seeking applications so they can have a group of people that are

interested sit on this Board. They hope to keep the applications in a file should other openings come up. If anyone in the public is interested, Mr. McBride encouraged them to contact him. He pointed out that they did a presentation of the Vision 2025 for the Planning Board last month and offered to provide any data they would like to have. He requested that the Planning Board and members of the public provide feedback on the Vision 2025 Plan. To date comments on the content have been positive.

Councilor Tracy noted it has been a fun experience being a liaison to the Board. Serving on the Board would mean one morning meeting a month and she encouraged residents to apply if they have any interest. It is a great way to serve the Town. Councilor Wellen asked about Minutes. Mr. McBride mentioned that the Board has discussed Minutes but it has been difficult to find a vehicle for them on the website. He wants to avoid the website becoming an information "dump" and is trying to be judicious. He asked for guidance in what would be useful. He has them going back quite a ways. Councilor Wellen has thought about Minutes moving forward. He would like a button that says "Minutes" and feels it would be important to have one. Mr. McBride agreed the Minutes should be there and he will work with his web guy to make it happen.

Discussion RE: Public Peddlers Ordinance.

Councilor DeGrandpre explained that he has spoken to the Town Manager and learned that Mr. Joseph had been approached by the Town Clerk pertaining to an issue with the Town Ordinance. The problem is that we used to have lots of applicants for vendor spots and the Ordinance never contemplated that we would have more vendor spots than we have vendors so the Ordinance doesn't address what we can do after the lottery and we fill the spots with the available vendors who have applied. He and the Town Clerk feel we can fix the Ordinance very easily for this issue by simply stating that after the lottery terms and conditions have been met, applicants are served on a first come, first served basis. In this manner, we could move forward and fill all the spots because this generates revenue for the Town. There is an application fee that comes with this. The fee for the license is approximately $500 and there are other licenses along the way. In the past there have been instances of vendors trying to move from one spot to another or someone would quit and not run the spot. We would then have an open spot and someone would want to use it but the Ordinance kept us from doing anything about it because of the way it is written. He requested that the Council consider amending the language to read that once all the conditions in the lottery have been met, the Town Clerk could fill open locations on a first come, first served basis. He suggested making this a new "G" on page 5.

Councilor DeGrandpre pointed out that Rick Harrison and his son, Chandler are here tonight. Chandler is looking at running a small business which would be a vendor cart as a Senior Project and has an application into the Town. The Town had a lottery today and filled two of the spots but the other four are still open. He encouraged the Council to move a little quicker rather than slower.

Chair Hendricks noted that we are not looking at the whole Ordinance so we can simply draft language tonight and discuss it and mark it up for a public hearing on March 18. A 5-Minute recess was taken to draft language.

> **BE IT ORDERED:** That the following amendment to Chapter 43 "Public Peddlers Ordinance" be submitted for consideration by the Town Council:

The Freeport Town Council hereby ordains that Section 43-202, Subsection 5G of the Public Peddlers Ordinance be amended as follows: notwithstanding Section 43-202, subsection 1 and subsections 5 (a) through 5 (d), in the event that peddler locations remain unassigned after the lottery is held, or in the event that assigned peddler locations are subsequently abandoned or relinquished during the applicable calendar year, the Town Clerk may accept additional applications for peddler licenses *on a first come, first served basis* and may forward qualified

applications to the Municipal Officers for final action. The Municipal Officers shall grant new or renewal licenses to qualified applicants who have satisfied the requirements set forth in Section 43-202, Subsections 2 through 4. Existing Section 43-202, Subsection 5 G shall also be amended to be referred to as Subsection 5 H.

> **BE IT FURTHER ORDERED:** That a public hearing be scheduled for March 18, 2014 at 6:30 p.m. in the Freeport Town Hall Council Chambers to discuss the proposed Ordinance amendment.
>
> **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 3 and the Town's website. (Tracy & DeGrandpre)

Councilor Sachs mentioned that first come, first served basis was left off.

> Please note that we are adding in that the Town Clerk can accept applications on a first come, first served basis. (Sachs & DeGrandpre) **VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (7 Ayes)

Chair Hendricks thanked Councilor Tracy for the great wording. Chandler Harrison thanked the Council for consideration of an Ordinance change. Chair Hendricks requested that Chandler return and present his Senior Project and the results after it is finished. Councilor Sachs noted that Chandler should add the sustainable impact he had on creating an Ordinance amendment which was needed.

Capital Program Presentation.

Mr. Joseph noted that the Finance Director has done a lot of work on this project with him. Ms. Yacoben was outfitted with a portable microphone. Mr. Joseph mentioned that the Council has received two documents and will serve as working documents for the next couple of meetings. A final change will be made before the Council passes the final plan. He explained the legal sized document to Councilors. The inspiration to do this came after the last Capital season when we had vehicle data provided by the Public Works Department. Council asked why it couldn't see this for every vehicle and Mr. Joseph suggested showing every vehicle and every improvement we are doing on the 20 year plan and further. Any major infrastructure projects should be listed in this type of order. He noted that what the Council sees is not complete since we do not have data for every single item. Some of these items have been around longer than anyone remembers. Some of these items were paid for as part of a larger appropriation out of the Operating Budget or 40 years ago before anyone kept accurate financial records as to what Capital versus Operating expenditures were. The older projects won't have really accurate information about their original purchase price or when they were last done. The idea is that moving forward when we go to replace these items, we will always have the kind of life span of them. This is just for the Council's information and it will not have to approve this larger 20-year document. Mr. Joseph welcomes any suggestions from the Council on this working document.

Councilor Egan asked if it would be possible to do this type of analysis on our local roads that we are responsible for over time. Mr. Joseph noted that this is something that he wrestled with and something like this may be added in next year but it will entail a 5 or 6 page spread sheet and it will be very cumbersome. He suggested asking the Town Engineer about road conditions and what he uses to track and evaluate the roads when he comes for the Capital discussion.

Ms. Yacoben referred to the 5 Year Capital Improvement Plan and reviewed each department and provided a high level overview. During the workshop the Council will speak directly with department heads about specific requests such as police cars, ambulances, etc.

A decision has been made to move the purchase of police cars to the Capital Budget this year and propose that we alternate 2 cars one year, one car one year and then 2 cars one year and then one car, one car and keep them out of the Operating Budget. It depends on what the fleet looks like. Other items are also being proposed in the Police Department.

The Fire Department could see $14,000-$15,000 each year in protective clothing and Ms. Yacoben is proposing to move these items to the Operating Budget. Other Fire items are being proposed as well.

Councilor Egan mentioned that a lot of these expenses are going to be paid for out of reserve funds. She asked how the Council can understand the impact of what is being taken out versus the replenishment rate for the different accounts. Ms. Yacoben explained that the reserve proposal is just over $2M and we fund our reserves with the funding sources that we outline in our Reserve Policy which are any surplus funds that we have after we talk about where our fund balance is. More discussion followed.

Councilor Egan asked for a spread sheet of what has come in and what has gone out in the last 3-5 years. She wants to make sure we are being responsible in making sure that we have reserve funds going forward. Ms. Yacoben agreed to provide this information. It is something that staff talks about.

Ms. Yacoben then discussed Rescue and that they are asking to replace two Ambulances, breathing apparatus and protective clothing which may impact the Operating Budget. Public Works was discussed next and how various truck items will appear throughout the schedule. For Solid Waste there was Council interest in the closure of the remaining active landfill at a cost of $150,000. In the future the Council will see a roughly $17,500 impact on the budget each year to truck off the waste we currently put into the landfill. This is a flexible proposal but we have up to next year to do this.

Regarding Comprehensive Town Improvements, there is a proposal for Wardtown Road. There is strong community support for paved shoulders at a cost of $300,000. The Pownal Road Storm Water improvements are proposed for 2015. This is not optional.

Mr. Joseph noted he was asked to include a railway safety fence at Memorial Park by the Train Safety Committee. Councilor Gleeson will be discussing it a little later this evening. Mr. Joseph mentioned that there are demands for public infrastructure work and road reconstruction work. A lot of these roads really need work and they cannot be pushed off 5-10 years.

Ms. Yacoben noted that the Council can discuss Municipal Facilities during the workshop. They range from computer upgrades to LED Lighting, safety cameras, computer replacements, printers, software upgrades, etc.

Mr. Joseph mentioned that there is a reduction for the Public Works generator from last year. $7,500 is to wire the building for a transfer switch that would be capable of running a generator to power the entire building. We have worked out an agreement where there is one on stand-by rental from a local contractor. It represents a once to five times a year use item that cannot be justified in purchasing an adequately sized device. We can always decided to purchase one later.

Councilor Sachs asked about the insulation of the attic at Public Safety and that it is not scheduled until FY 2016. She asked if this was being pushed up to FY 2016. Ms. Yacoben indicated the answer is no but thanked her for pointing this out. Ms. Yacoben mentioned the Cable TV items but noted that Rick Simard will talk about them at the workshop. Mr. Joseph explained that the Town pays for the RSU Channel because it is only broadcast to Freeport residents.

Article 9—Mr. Joseph heard today that the Historical Society will be reducing their request from $27,600 for the Archiving project to $16,000. He will get a revised letter on this project.

Ms. Yacoben briefly went over the TIF and this will be discussed during the workshop. The annual revenue from the TIF is approximately $269,450. Councilor DeGrandpre noted that sidewalk equipment was funded 50% out of the TIF and this is a lot different TIF Capital Plan than the Council saw many years ago. Mr. Joseph agreed but explained that the sidewalk equipment was funded this way because it is primarily used in the downtown area for sidewalk maintenance. Councilor DeGrandpre noted that that revenue stream is captured in the TIF reserve account so it made sense to use that money to purchase sidewalk equipment. Mr. Joseph advised that there is a little bit of windfall between what we are taking in and what we are planning to spend in the next few years. He cautioned the Council that there are some larger replacements scheduled more than five years out. 2029 is the expiration date on the TIF being discussed. Ms. Yacoben advised that the cap on the TIF is $17M and she believes there is more value there.

Chair Hendricks thanked Mr. Joseph and Ms. Yacoben and noted this is a good start. Councilor Tracy mentioned that in the interest of transparency, if people ask questions and get a response from a department head those responses should be recirculated back to the whole Council so that everyone is working with the same information. She mentioned that this will fall on Mr. Joseph since he is going to be the general contractor. Sharing the information in written form will be great.

Chair Hendricks explained that if Councilors have questions and need information, and wait until the meeting night, they might not get answers. Mr. Joseph noted that Councilors should feel free to go over this information with him as well as department heads and suggested setting up a meeting time in a week or so. All department heads with a Capital request will be at the March 18 meeting. Councilor Tracy suggested that if Councilors are scheduling meetings, if there isn't three people already there, they should let others know that it is going on so that others may be able to attend if interested without asking for multiple meetings. Mr. Joseph indicated that this would be helpful to him as well as the department heads.

Update on Train Safety Committee.

Councilor Gleeson provided an update on what the committee has been working on since last July when the Council approved designating a Quiet Zone. He thanked his Co-Chair, Councilor Sachs for her help in putting this report together. He read his report into the public record. One of the four recommendations of the committee is to install an ornamental fence from the length of Bow Street to the edge of the Hilton Garden Inn. He mentioned how difficult it is to do any work in the Pan Am right-of-way without getting a $5M umbrella policy.

Councilor DeGrandpre mentioned there are four or five small projects along the crossings such as holes, etc. He asked if these could be lumped together and done as one project. Councilor Sachs agreed that this would make sense. Councilor Tracy is interested in knowing what the Town will be on the hook for the fencing. Councilor Gleeson mentioned there is a $6,000 difference between a chain link fence and an ornamental one.

Update on RSU Withdrawal Committee activity.

Councilor DeGrandpre reminded folks that there is a meeting tomorrow night with the Working Group at the High School Conference Room beginning at 6:30 p.m. He encouraged everyone to attend.

Review Draft Memorandum of Understanding with Freeport Sewer District RE: Notification of Building Permit Applications

Mr. Joseph explained that this item came up in a workshop with the Sewer District. There have been no complaints and this is not considered additional work for our staff. Councilor DeGrandpre indicated that he is fine with this.

Councilor Tracy noted she heard a complaint that there was some delay in giving notification. She suggested tweaking No. 4.

> **MOVED AND SECONDED:** To amend No. 4 to read: The District will issue a "proof of notification" certificate in a timely manner so that the application of a building permit is not stalled. The District will not withhold the issuing a "proof of notification" if the applicant has ***any*** other outstanding bills. (Tracy & DeGrandpre) **VOTE:** (7 Ayes)

> **MOVED AND SECONDED:** To adjourn at 8:50 p.m. (Hendricks & DeGrandpre)
> **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #07-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, MARCH 18, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x (late)		
Melanie Sachs, 84 Kelsey Ridge Road			x
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street			x
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 6:32 p.m. He explained that Councilor Gleeson is on vacation and Councilor Sachs is ill. Councilor Egan will be arriving shortly. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #06-14 held on March 4, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** to waive the reading of the Minutes of Meeting #06-14 held on March 4, 2014 and to accept the Minutes as printed. (DeGrandpre & Tracy) **VOTE:** (4 Ayes) (3 Excused-Egan, Gleeson and Sachs)

THIRD ORDER OF BUSINESS: Announcements

Chair Hendricks announced:

- The Library's Annual Book Sale will take place from Saturday, April 5 at 10 a.m.-Thursday, April 10. Come hunt for your favorite genre at bargain prices!

- The Library will also be holding its First Annual Edible Book Festival on Wednesday, April 16 proving that you CAN have your books and EAT them too! For more details go to the Library's website at www.freeportlibrary.com.

- On Tuesday, April 8 at 6 p.m. there will be an Information Session about Affordable Home Ownership Opportunities with Habitat for Humanity at the Community Building at Village View Apartments. Learn about their program, houses and requirements for all applicants. Applications will be available at the end of the meeting. For more information, call Amy at 772-2151.

- The Trustees of the Freeport Historical Society invite the membership and public to the 45th Annual Meeting of Freeport Historical Society which will take place on Sunday, March 23 from 2-4 p.m. at the Freeport Community Library. Professor Richard Judd will be speaking and on display will be recent additions to the collections of the Historical Society.

NOTE: Councilor Egan arrived at 6:35 p.m.

- On Saturday, April 5 from 9:30 a.m.-12:30 p.m. there will be a workshop on Elder Abuse and Financial Exploitation at the Congregations Church in Cumberland. Learn how to recognize abuse and how to protect ourselves from frauds and scams. Speakers include Denis Culley, Senior Staff Attorney, Legal Services for the Elderly, and Lindsay Laxon, Investor Education Manager, Maine Office of Securities. For further information, contact: Lin Peyton (865-4067).

- The Freeport Players and Freeport Family Performing Arts announce auditions for *The Wizard of Oz.* Roles for men and women ages 10 and up. Auditions will be held for leads and featured roles on Friday, March 28 from 7-9 p.m. and for ensemble and youth on Saturday, March 29 from 2-5 p.m. Both sessions will be at Freeport Performing Arts Center, 30 Holbrook Street. Actors should be prepared to sing an excerpt from a song of their choice from the musical and may be asked to read from the script. Performances are July 17-27 at FPAC. Full audition details, including a list of roles and songs are available at www.fcponline.org/auditions.

Chair Hendricks read a memo into the record from Winslow Park regarding dogs, bad owners not taking care of their dogs and dogs at large. No dogs are ever allowed on the beach or in the vicinity of the playground. Dogs must be under control at all times. Police will be monitoring the park and notices will be given to violators.

The Historical Society also reminded folks that dogs are not allowed on all parts of Pettengill Farm and Police will be monitoring that area. There have been instances of dogs running loose and people not cleaning up after their pets.

Councilor DeGrandpre announced:

- Folks at Hunter Road should be paying close attention to their pets. These fields are for athletic activities but dogs have been running at large. The committee does not want to have to change the rules for this area.

- The Traffic and Parking Committee met this morning and folks from the Active Living Task Force joined them. They discussed some of their recommendations going forward. Traffic and Parking is looking forward to a meeting with the Council next week in workshop.

- The Withdrawal Committee is meeting with the Working Group tomorrow night at at High School Library at 7:30 p.m. and everybody is welcome. The Withdrawal Committee will also be meeting the following night at Town Hall at 6:30 p.m.

The Gas Committee has received the rfps back from the two gas companies that serve Freeport and will be meeting next week to discuss what they included in their answers to our requests and also what next steps we might take or might not take.

2013 Citizen of the Year Award Presentation

Councilor Wellen, Chair of the Special Events Committee announced that this year's Citizen of the Year is Ed Bradley. Councilor Wellen invited others to say a few words and Adam Nappi, Ed Bonney, Fred Palmer, Gar Roper, Bob Stevens and Lesa Andreasen shared their thoughts. Mr. Bradley thanked everybody for coming and acknowledged that this is a wonderful honor and very meaningful to him.

Councilor Bradley announced that a reception hosted by the Bradley family would follow at the Community Center and everyone was invited.

7 p.m. - 10 Minute Break was taken

Chair Hendricks brought the meeting back to order at 7:12 p.m.

FOURTH ORDER OF BUSINESS: Information Exchange

None

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes)

Mr. Joseph reported:

- Heavy Load Road Postings went into effect town-wide on March 10 and will continue until May 15, depending upon the weather. Posted roads are marked with orange signs, detailing the specifics of the posting. All regular delivery route trucks are exempt (including oil trucks, propane gas trucks, trash haulers, Municipal vehicles and other necessary vehicles). Posted Road Permits may be obtained at the Public Works Facility, Public Safety, Town Hall and can also be downloaded from the Town's website. A full listing of posted roads can be found on the Town's website. Please be advised that this list is subject to change based on road conditions. For current information, a permit to travel on a posted road, or questions, please contact the Public Works Department (865-4461). While inconvenient to some, posting of roads during the peak freeze-thaw cycle helps prevent damage to the roads from heavy loads. Your patience and cooperation is appreciated.

- The Public Works Department will begin their trimming program within the next 2-3 weeks, depending on the weather. In order to increase visibility for motor vehicles and provide adequate and safe room for pedestrian traffic, crews annually cut back tree limbs and brush within Town rights-of-way. The Public Works Department focuses on a different section of Town each year, and this year work will resume in the Lower Flying Point neighborhood, where it left off last summer. The equipment used last year produced unsatisfactory cuts, resulting in justified complaints from abutters. We are happy to announce that the Public Works Department has acquired a sheer pipe cutter this year, which will leave a cleaner looking cut than in recent years. Any feedback from residents on the new equipment would be welcomed, as we strive to improve our tree trimming program.

- The Police Department is proud to announce that Officer Moorhouse and K-9 Cassie have been moving through their training very quickly. Due to the rapid and successful progress shown by our K-9 team, they have decided to start their drug training early. The Police Department has decided to train her on drug detection for cocaine, heroin, ecstasy, methamphetamine and crack. Our K-9 team has shown to be an asset to Freeport, with several successful tracks both in town and in our neighboring towns. We wish them continued success in their training.

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

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre) **VOTE:** (4 Ayes) (3-Excused-Bradley, Gleeson & Sachs)

There were no public comments provided.

MOVED AND SECONDED: To close the Public Comment Period. (DeGrandpre & Egan **VOTE:** (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

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

ITEM #40-14 To consider action relative to adopting the March 18, 2014 Consent Agenda.

BE IT ORDERED: That the March 18, 2014 Consent Agenda be adopted. (Hendricks & Egan)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

ITEM #41-14 To consider action relative to a supplemental appropriation to establish the Freeport Emergency Rental Assistance Fund. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Egan & DeGrandpre) **VOTE: (**4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. Egan & DeGrandpre) **VOTE:** 4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

BE IT ORDAINED: That a supplemental appropriation in the amount of $12,000 be authorized for the purpose of establishing the Freeport Emergency Rental Assistance Fund. Said funds to come from a donation from Freeport Housing Trust and this appropriation shall be contingent upon the receipt of said funds from Freeport Housing Trust. (Egan & DeGrandpre)

General Assistance Administrator Johanna Hanselman thanked the Freeport Housing Trust for their generous donation. It will fill an unmet need for very deserving people that find themselves in extremely difficult circumstances beyond their control. She is pleased that the Trust has asked the Town to administer the program because it shows a lot of trust in the Town.

Councilor Egan thanked Ms. Hanselman for working with the Housing Trust and providing another benefit to our citizens.

Councilor DeGrandpre noted this helps folks who find themselves just a little short. It is a great program.

Councilor Wellen pointed out that there is a huge need out there and he thanked the Trust and Ms. Hanselman for doing this. Chair Hendricks also extended thanks to the Trust and to Ms. Hanselman.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

ITEM #42-14 To consider action relative to an amendment to Chapter 43: Public Peddler's Ordinance, Section 43-202 (5)(g). **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Wellen & DeGrandpre) **VOTE:** (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (DeGrandpre & Egan) **VOTE:** (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

BE IT ORDAINED: That Chapter 43: Public Peddler's Ordinance, Section 43-202 Subsection 5 be amended as follows by adding subsection (h):

"Notwithstanding Section 43-202 (1) and 5(a) through 5(d), in the event that peddler locations remain unassigned after the lottery is held, or in the event that assigned peddler locations are subsequently abandoned or relinquished during the applicable calendar year, the Town Clerk may accept additional applications for peddler licenses on a first come first served basis and may forward qualified applications to the Municipal Officers for final action. The Municipal Officers shall grant new or renewal licenses to qualified applicants who have satisfied the requirements set forth in Section 43-202 subsections 2 through 4." (Wellen & DeGrandpre)

Chair Hendricks explained to members of the public that typically each year the Town holds a Public Peddler Lottery and in many years past we have had more individuals than spots available in town. In the last few years we have had more spots than people that wanted them. This Ordinance change will allow us, if the spots are not filled following the lottery process, allow individuals to apply for those spots and gain them in the order they come in.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

ITEM #43-14 To consider action relative to approving a liquor license application for Amato's of Freeport, LLC d/b/a Amato's Freeport Public Market located at 20 Bow Street.

BE IT ORDERED: That a Public Hearing be scheduled for April 1, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving a liquor license application for Amato's of Freeport, LLC d/b/a Amato's Freeport Public Market located at 20 Bow Street.

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 3 and the Town's website.(DeGrandpre & Egan)

Mr. Joseph explained that the applicant is known but their new location is the former Fresh Batch. Keith McBride of FEDC explained that The Fresh Batch closed and the building was sold. He did not know who the new owner is.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

ITEM #44-14 To consider action relative to approving a lease agreement between the Town of Freeport and Falls Point Marine, Inc. for the site located at 3 South Freeport Road, commonly known as the Dunning Boat Yard.

BE IT ORDERED: That the proposed lease agreement dated March 18, 2014 be approved. (Egan & DeGrandpre)

Chair Hendricks noted that the owner of Falls Point Marine was asked to be here at 8 p.m. but it is now only 7:30. Councilors indicated they were willing to go ahead and approve it.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

ITEM #45-14 To consider action relative to the disposition of the "Dipietro" Property.

BE IT ORDERED: That the Town Council approve the recommendation made by the Municipal Facilities Committee regarding the disposition of the "DiPietro" tax acquired properties (Tax Map 017, Lots 55, 55-1, and 55-2).

BE IT FURTHER ORDERED: That the Town Manager is directed to complete a survey and legal review of the proposed lots, and to report back to the Council to obtain final approval (to include method of disposition) before offering the first property for sale. (Wellen & DeGrandpre)

Chair Hendricks read notes from the Municipal Facilities Committee since its chair is not in attendance this evening. The Town acquired the property for back taxes and has reached the point of deciding how to dispose of it. The Committee decided to survey for two house lots, selling one lot first with the hope that the Town would be able to recoup its costs for clean-up and back taxes. If not, the Town could look at selling a second lot. Councilor Egan explained that the property has an old building on it but there is a lot of space that backs up to Florida Lake. The committee has been working with folks to understand the ecological value of the land. The committee is weighing two things: recouping the lost taxes and the ecological value of acquiring property that can be a great add on to Florida Lake. Those two things are priorities that should be equally weighed. The committee's intent is to sell one lot that has a dilapidated building on it and do its best to get as much money as possible from the sale of that lot and preserve the land. They only have speculative numbers which is why they want to survey the second lot since it will be done at the same time. It is their hope that they will not have to sell a second piece.

Councilor DeGrandpre noted there is back tax money, the clean-up that has already been done, a structure out back that still needs to be removed and walls of a foundation that needs to be cleaned up. We need to understand what these numbers are going forward. Taxpayers have already contributed for the tax revenue not coming from that property and we need those numbers to know what we are doing. Chair Hendricks noted that the Town is not trying to make money selling the property but is interested in recouping the clean-up costs and trying to break even. Taxpayers have had to pay for the clean-up costs.

Councilor Egan explained that the Council heard from the neighborhood about making sure there would not be public access on Wilderness Drive which is a private road. She assured the public that the two lots being looked at would not use Wilderness Drive in order to access them.

Lauren Gilpatrick of 108 Wardtown Road indicated that the access for the property in question goes across her property. She wanted to go on record to say that she would prefer to not have any house lots back there. She offered to help obtain grant money so the Town does not have any costs to clean up the whole property. It would be more attractive as a whole parcel and not fragmented. She wishes the Town would reconsider putting any house lots back there and conserving all of it.

Councilor Egan thanked Ms. Gilpatrick for all the work she has done in pointing out the ecological value of this property. Hopefully the committee can work with her to recoup some of those clean-up costs and going after some grant money. The committee appreciates her offer.

ROLL CALL VOTE: (4 Ayes) (3 Excused-Bradley, Gleeson & Sachs)

OTHER BUSINESS

1. RSU#5 Educational Update.

Nelson Larkins, Chair of the RSU5 Board of Directors provided an update to give the Council an idea of what is going on in the schools. He answered questions for Councilors.

Chair Hendricks thanked Mr. Larkins for his update.

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2. Shellfish Habitat Resource Planning Study Presentation.

Darcie Couture provided a PowerPoint presentation and explained that this is a summary of all the findings of the work she did last summer. She explained that it was partially funded by the Town and also partially through a Maine Coastal Program Grant. She reviewed the data and answered questions for Councilors.

Note: Councilor Tracy arrived

Councilor Egan thanked Ms. Couture for writing up this report.

Councilor Tracy apologized for missing Ms. Couture's presentation but pointed out that the report is clear, well done and concise. She asked about the viability of a regional coordinator. Ms. Couture noted that she feels the concept is a really good one because there is so much work to do and so many things to try, it would be nice to take advantage of pooling the efforts among a region such as Casco Bay. The tricky part is when you start digging into who administers it and where does the money come from and where does the authority come from to do anything, who votes, who gets how many votes, what if a town is smaller than another town, does the bigger town get more votes? Is everybody even? Do you create some sort of elaborate legislature kind of thing? The idea is a really good one but it is hard to figure it out equitably so that everybody that is involved is going to be happy and that whatever resources they are putting into to the pool, they are getting a fair return and fair representation at the regional level. If somebody can figure this all out, she feels it would be a really good idea. Until that happens, she feels that towns on their own should keep the lines of communication open and stay in touch with the other communities.

Chair Hendricks thanked Ms. Couture for this easy to read and clear report. He hopes she will look forward to working with the Town again. Councilor Tracy noted that the council appreciates the donation Ms. Couture made to the Town.

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3. Freeport Withdrawal Committee activity update.

Councilor DeGrandpre pointed out that the committee has a document that they prepared that is the first cut at a contract and they will be discussing it with the Working Group tomorrow night. The biggest challenging thing is where the kids would go after and they are hoping to get a good conversation going. At their first meeting there were a couple of members missing but they are hoping to have a discussion on where the kids would go. This will give them information to discuss at their Thursday night meeting in the Town Hall. This will be their first real meeting setting up ground rules, deciding how to negotiate with each other and whether we will bring our attorneys each time. It should be a good meeting and he will have a lot to report next time.

Councilor Tracy asked if he would be asking Pownal and Durham what their progress has been in talking with yet other towns to get a sense of what they are thinking about in terms of their desire to work with Freeport versus possibly pursuing negotiations with other communities.

Councilor DeGrandpre noted that Pownal and Durham sent Freeport the same questionnaire that they sent to other communities regarding what our capacity is and whether we were willing to do the administrative side, etc. He is aware that they talked to Brunswick about school capacity and their ability to provide administrative. They have also talked to Cumberland about both of these things. The committee plans to talk about the Middle School students from Pownal.

Councilor Tracy asked if the Withdrawal Committee has conveyed formally its desire to welcome the other communities with Freeport going forward. Councilor DeGrandpre mentioned that Freeport had a program before consolidation that worked so there is no need to reinvent the wheel. We just have to figure out where folks are in this. It appears there is a big effort to keep the RSU together but we don't know where that is going to go. It was very preliminary and not all their members were there. The Withdrawal Committee's first few meetings were organizational and they were trying to get their feet on the ground.

Councilor Tracy feels that the charge of the Withdrawal Committee is to figure out the best arrangement for Freeport but in order to have the most options, it is important to convey to the other communities that the Town is open to having a variety of options and one of them is that all the kids are still together. Councilor DeGrandpre noted that the committee understands already that there is not room for all the kids at the high school so offering that does not appear to be a sensible thing to do.

Councilor Egan hopes that the Withdrawal Committee would actively talk to Pownal and Durham about keeping as many kids as possible in our school system to ensure that we have the critical mass for many of the improvements that the Council heard from Nelson Larkins tonight and that is something that is proactively being done to see if there is some sort of tuition agreement that we can reach with those towns. She hopes that Councilor DeGrandpre, as the Council's representative, is working as hard as possible to work with the other communities to see if we can reach an accommodation. Councilor Wellen pointed out that this is a very subjective point of view and not necessarily shared by the whole Council that we go the extra mile to make sure we keep it a big school. There may be reasons to do it but if the tuition is too low, it may be a reason not to do it. He suggested keeping this to a minimum.

Chair Hendricks noted that if anyone feels strongly about this, there is opportunity to discuss it at the committee's meetings. Councilor Egan pointed out that Councilor DeGrandpre is the Council's representative and it shouldn't be just his opinion on the Withdrawal Committee. The Council should hash this out and have a Council direction for Councilor DeGrandpre to represent the Council on this committee. The point of having a representative on the Withdrawal Committee was to represent the

Town Council. While the Council may not be able to come to a complete consensus, the Council may be able to direct Councilor DeGrandpre about some of the issues that need to be explored and the Council could have some particular directives that it does want to give him. Councilor Tracy entirely agreed with Councilor Egan's comment.

Councilor DeGrandpre noted that the committee has not had any discussion about Pownal and Durham students. The committee agreed to build a first document for discussion and they have done that and have purposely left some issues undetailed and indicated that there is a need to talk about them to gain an understanding of what they are thinking and share what we are thinking and then we will come back with more detail on those discussions. He is interested in what the Council is thinking because that helps him.

Chair Hendricks reminded the Council that it is not driving the process and the Town Council is not making the decision. The Council can meet and provide input but he does not plan to have a formal vote on what the Council would like to see or not. This is truly a citizen driven process. Councilor Tracy agrees that the Council has entrusted the Withdrawal Committee with the job of somehow figuring out what is the best withdrawal solution for Freeport, whatever that looks like and it will be presented to Freeport citizens for a vote and they can decide if they want to withdraw or not. The Council is the key leaders of this town and have different opinions but do have a role in providing feedback to Councilor DeGrandpre as our representative. He does represent constituents but Councilor Tracy does not view the Council as a totally passive voice in this process. The Council sees a lot of people and hears from a lot of people on this very important issue and she believes there is a role for providing feedback. We have a specified representative that the Council has chosen to sit on the committee and be an active participant. Chair Hendricks clarified that feedback is good but with direction, the Council needs to be careful. Councilor DeGrandpre pointed out that the document would be made available on the Town's website after tomorrow night. He encouraged folks to read though it and if they have any comments, send them back to the Withdrawal Committee.

Councilor Tracy requested that if Councilor DeGrandpre sees coming down the pike a key decision point that he feels it would be helpful to get some collective feedback from the Council, it would be helpful to have it put on an agenda so the Council will have time to discuss it. Whether it is appropriate or not for a vote would be up to the full Council.

NOTE: 5 Minute Recess to get ready for the workshop was taken

4. Council Workshop on 5-year Capital Program.

Chair Hendricks explained that he hoped to get through the whole Capital program tonight. The Council may reach a point where it needs to move on but it will have at least two other opportunities to discuss these items again. Mr. Joseph explained that if Councilors are interested in pushing something out for five years or so, we are going to continue to reserve money for it so if there is zero interest in pursuing something, it would make sense to take it off.

Destination TIF

Town Planner explained the $25,000 request for a Parking Management Plan. Employee parking is something that has been discussed for years and years with parking lot owners. Ideas such as building parking lots on the outskirts of town, getting shuttle buses, valet parking or incentives to encourage employees to walk. Discussion followed. Councilor Egan proposed to delete the $25,000 and Councilor Tracy and Chair Hendricks agreed. Councilor Tracy pointed out there is no data and the Council would need more evidence that this is a problem on a continuing basis. Councilor Wellen proposed to delete it. Ms. Larson was thanked for all the work she put into this. She mentioned that she is considering adding parking meters in the downtown as a proposal.

Councilor Wellen doesn't think the Council should be funding FEDC. He feels it should be done within the Town with a part-time position. He suggested cutting the $95,000 in half. Councilor Tracy appreciates FEDC reducing their budget by $10,000 but feels that a full-time FEDC is needed. It is important to invest in our thriving downtown and make sure we don't have empty store fronts. FEDC is working hard to expand its reach. Councilor DeGrandpre agrees with Councilor Tracy. Chair Hendricks also agreed with Councilor Tracy and DeGrandpre. He feels FEDC does a great job. He pointed out that the Chamber has increased their membership to 200 and is not asking for any money from the Town this year.

Cable

Abbe Yacoben explained that she is representing Rick Simard this evening. He wants to buy a new screen and a new projector. He also wants to replace some other aging equipment. Mr. Joseph noted that some of the current equipment is really old and backwards and is not even made anymore. He explained that this is all franchise money and not taxpayer money.

Councilor Tracy noted that the projector and screen appear to be a reasonable investment but she doesn't know about the camera switcher and if it can be pushed off another year. Since it is working, she asked what is the risk of trying to keep it. Mr. Joseph offered to check into replacement age and what is the standard. Councilor DeGrandpre mentioned that it doesn't always function correctly. Ms. Yacoben will have the information for the next meeting.

Boards, Committees, Community Groups & Other Requests

Chair Hendricks explained that the Historical Society's Archiving Project has been reduced from $27,600 to $16,000 at their request. Councilor DeGrandpre explained that we have used this information to determine what is an A, B or C Building and they hope to digitize their information. They are the only ones that do this. Mr. Joseph mentioned it would be a beneficial tool for Town Boards to use to revamp our classifications for certain buildings with historic value should our Town Boards choose to use that information for this purpose. This would be the justification for spending taxpayer money on a project that would essentially be for a non-profit.

Chair Hendricks mentioned that the Society has reduced the amount needed and it is a fairly light year under Boards and Committees. Councilor Wellen would like more information before he could make an appropriation decision. Chair Hendricks mentioned that the Council could request a quick comment from the Planning Board and Project Review as to how beneficial they see this project. Councilor DeGrandpre wants to get more information from the Historical Society on what the benefits would be. Chair Hendricks would also like to get input from Project Review, Planning Board or the Town Planner to weigh in on how beneficial it would be to the Town.

Mr. Joseph advised that the Council will not have a Capital Budget number until it has an operating budget number. The Council will not be making an appropriation decision until June 17 so the Capital Program is a planning tool that we use. The Council will look at what it can afford and what it needs to do. Ms. Yacoben pointed out the reserves and sources of revenue that is transferred into the General Fund every year as well as a million dollar tax rate stabilization fund. She has not yet put all the numbers into the Operating Budget. She does not foresee anything that is catastrophic where staff would come to the Council and recommend moving funds from the reserve funds into the General fund.

Police

Discussion followed on replacement squad cars and firearms being replaced. Councilor Tracy noted she would support purchasing four-wheel drive vehicles. She wants our Police Department to not

look mean in their squad cars and in her opinion four-wheel drive vehicles look sharp and give off a different impression. She referred to 2018 and mentioned the spike and asked if some things could be evened out. Chief Schofield offered to look into it and consider moving some things.

Fire

Chief Fournier explained what a Voter System is to Councilors. He noted that $50,000 is a solid number.

Councilor Wellen asked for a general idea on the justification of the Engine 3 replacement proposed in 2016. How often it breaks down and if it doesn't break down, what is the risk of keeping it for another five years. He also asked how many fire engines the Town has.

Chief Fournier advised that the Town did a significant fleet reduction in 2001 by two engines and a squad to one engine. He explained Freeport's ISO rating and that homeowners should seek a reduction in their fire insurance. We have three engines which are nationally required for minimum fire flows. Engine 3 is a 1988 vehicle and has been well maintained. He mentioned that it runs fine now and there may be an opportunity to sell it at some point. Unfortunately it does not have seat belts or airbags for crew safety.

Councilor Tracy requested information on Mobile Data Terminals which Chief Fournier explained. Councilor Tracy noted that it appears this is a heavy year and she would like to do something to defray the FY 2016 costs. Chief Fournier noted that with fire apparatus, there is typically a 4-7% increase each year. Councilor Wellen didn't feel the Council should worry so much about it because the reserves are meant to balance things out. Chief Fournier feels that the $750,000 number is high and this process could take up to 18 months. A committee is working on putting bids out for Engine 3 and will request three quotes.

Councilor Egan pointed out that not having seat belts or air bags is an argument for not deferring this expense. She wants Freeport's staff safe.

Rescue

Deputy Conley pointed out the proposal to replace two Rescues this year. One is a Ford 2001 and has had significant maintenance costs. The other one is a Ford 2005 and has had transmission and engine problems. The plan is to move to Chevrolet Diesels. He explained how a paramedic standing up was injured in the back of a Rescue along with a patient because the vehicle did not have any restraints. They are asking for $28,000 to purchase four self-contained Breathing Apparatus. Instances were discussed by Deputy Conley and Chief Fournier.

Councilor Tracy would like to spread it out and asked which one could be replaced this year. Deputy Conley pointed out that if we don't do two this year, we have to do one this year and one next year. The benefit is that we joined with other towns and agreed upon a standard ambulance and entered into a five-year agreement. We have two more years on this opportunity to get good pricing and get the same thing that we have presently.

Councilor Egan mentioned having the risk of breakdowns and on-going high maintenance costs and feels there is no reason for the Council to defer that particular purchase because we have the reserves. Councilor Tracy asked if we defer the 2005 rescue to next year, does it put the department at unreasonable risk? Deputy Conley advised that he can live with purchasing one truck this year and one truck next year but he cannot tell if he is going to send Rescue 2 down the road or Rescue 1 down the road. It will be a management decision.

Councilor Tracy advised that residents will notice that our Capital budget is at least twice as high as it was last year and while the Council can explain how it is not affecting taxes, etc. but that matters to her and her constituents. To the extent that we can even expenditures out without harming departments, it is something that should be in the consideration pool.

Municipal Facilities

Chair Hendricks reviewed the items being proposed. Councilor Wellen asked about LED Lighting and Ms. Yacoben explained that the Town has been trying to replace our old light fixtures with more efficient ones. She is unsure that the $50,000 is an accurate number. Discussion followed. Chair Hendricks clarified that this is simply appropriating the money now and replacing the lighting as needed. Mr. Gibson noted that it is the same price but we will get an energy saving credit. It's a wash but they have to be done by a contractor. Mr. Joseph offered to break it up to $10,000 over five years and if the cost savings come down, we may be able to eliminate one whole year. Mr. Gibson and Ms. Yacoben agreed that the project could be spread out.

Councilor Wellen thanked Mr. Gibson for his information regarding the back-up generator. Mr. Gibson advised that he can rent a generator for a day and two contractors have guaranteed him that they would hold one on reserve. He cannot justify buying a generator but it would be a “wish”.He does recommend putting in a wire for a transfer switch at $7,500 and removing the generator.

Councilor Egan referred to Computer Upgrades and asked if Ms. Yacoben could take out the $20,000 emergency fund since we have a reserve already and if we have an emergency, we can take the money from reserves at that time. Mr. Yacoben advised how difficult it has been upgrading to Windows 7 and would like flexibility to be able to buy things when needed but she is a little worried. She did not budget for upgrading from Office 2007 to Office 2010. She has been trying to be frugal. If the Council wants to remove the $20,000 for emergencies, it can, but it should understand that she may come back for a supplemental. She explained that she cannot move money from the Operating Budget to the Capital Budget. Chair Hendricks noted if it isn't spent, it will still be there. The Public Safety Camera System was explained.

Comprehensive Town Improvements

Chair Hendricks reviewed the items being proposed. Councilor DeGrandpre noted that he agrees with the $300,000 to add 3' shoulders on Wardtown Road. The road has an 11' travel lane. Councilor Egan is supportive of the 3' shoulders but the Active Living Task Force recommends 4'. She feels we should be clear that the 3' is for vehicle safety. On a high speed road like that, we are not creating a safe walking and biking lane but it will be safer than what we currently have. We may want to hear from the Active Living Task Force on this because we only have one shot every 15 years. She is not prepared to recommend one way or another but the question should be raised with the Active Living Task Force. She would be willing to get the information from them.

Mr. Presgraves advised that a bike lane is 5' and anything less than that is not a bike lane. He has not been able to locate any studies that talk about relative safety of a 2', 3', 4' or 5' shoulder. He has his own opinion. Mr. Joseph noted that the safety increase for pedestrians is marginal between 0' and 5' compared to a raised sidewalk.

Councilor Wellen asked about maintenance and the long-term health of the road. Mr. Presgraves advised that not having a paved shoulder and having a gravel shoulder causes edges of pavement to break off. Having a paved shoulder markedly decreases that problem. He feels we would need to go to a 3' shoulder to get some some reasonable amount of bicycle/pedestrian safety. Mr. Gibson advised that he can clear 14' plowing snow so he can cover the road with one pass.

Councilor Egan pointed out that if we have 3' shoulders on Wardtown Road, people will not feel comfortable getting out to walk or bike, given the traffic speed on that road. Mr. Presgraves mentioned that people should not feel comfortable walking on a 5' shoulder with speeds that high. Councilor Egan wants the Council to be cognizant of who we are benefiting and who we are not. She feels it is important to do the 3' shoulders from a road safety perspective for a vehicle driver and the maintenance perspective. For these reasons she would be supportive of the 3' shoulders but the Council cannot pretend it is bicycle and pedestrian friendly.

Councilor Tracy had questions about the Dennison Avenue Drainage Replacement. Mr. Presgraves advised that the road will need to be overlaid in the next couple of years and the drainage system that is in there is a technology that is not used anymore. There is benefit to doing the drainage first and letting it settle for a few years. He advised that if we could do it in-house, it would be half the estimated cost. He does not recommend putting it off for a year.

Councilor DeGrandpre mentioned Beech Hill Road and noted that the challenge is that parts of the road can be overlaid easily but other parts needs reconstruction. There are many reasons why the pavement is so bad. The overlay budget comes from a different place than reconstruction. He has been having conversations about Beech Hill. Chair Hendricks asked where it fits in over the next few years and asked if it takes place over South Freeport reconstruction, how much will it cost and when will it be done. Mr. Joseph advised that this conversation will not take place tonight because everything on this list is bad. Chair Hendricks advised that if this is something that needs to be put into the fully reconstructed schedule, he will leave it to Mr. Gibson and Mr. Presgraves' discretion. Mr. Joseph explained that it would not be a reconstruction project this year. Mr. Presgraves would like to talk to the Council about the whole road repair selection process but not tonight. Chair Hendricks suggested having this conversation this summer.

Mr. Presgraves pointed out that regarding Beech Hill Road, the Active Living Task Force has had meetings with the Traffic and Parking Committee and during their process there was a lot of public comment about the need for paved shoulders on the first part of the road. Right now a paved shoulder is not part of the overlay project being planned for that road. Chair Hendricks suggested having this conversation on the agenda when a conversation takes place with Mr. Presgraves.

Public Works

Chair Hendricks reviewed the items being proposed for 2014. He explained that Mr. Gibson started the very efficient memo process last year. Mr. Gibson advised that he feels he needs to get rid of the Pick-Up Truck with Plow because it is losing a gallon and a half of anti freeze a day. He has tried to not spend money and keep it off the road. He noted that being able to get a truck and paying for it immediately is big. Having reserves helps him hugely, particularly for the sidewalk machine.

There were no questions raised.

Solid Waste/Recycling

Chair Hendricks reviewed the proposed items.

Councilor Egan proposed moving the closure of the remaining landfill to 2016 since we are not required to close it until next year, given that we will save $17,000 in operating costs.

Mr. Presgraves advised that based on the ground water quality monitoring that we do every year there is no significant trend that indicates a problem. The most recent closure was done in 1996. It is not

likely to change in the next year. There is no strong pressure from DEP to close it even though we agreed to close it in 1997.

MOVED AND SECONDED: To adjourn at 11:35 p.m. (Egan & DeGrandpre)
VOTE: (5 Ayes) (2 Excused-Gleeson & Sachs)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #08-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, APRIL 1, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 6:33 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #07-14 held on March 18, 2014 and to accept the Minutes as printed.

Councilor Egan referred to page 3 where Councilor ~~Bradley~~ Tracy announced that a reception hosted by the Bradley family would follow at the Community Center and everyone was invited. She was incorrectly listed as Councilor Bradley.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #07-14 held on March 18, 2014 and to accept the Minutes as amended. (DeGrandpre & Egan)
> **VOTE:** (7 Ayes))

THIRD ORDER OF BUSINESS: Announcements

Councilor DeGrandpre pointed out that the Withdrawal Committee is still meeting every Thursday night in the High School's Conference Room. This Wednesday they will be meeting with the RSU Working Group in the High School Library. A Visioning Forum has been scheduled in the Community Center on April 17. A Social will run from 5:30-6 p.m. and the meeting will run from 6-9 p.m. They want to hear what people are thinking about regarding school size, curriculum, etc. There will be people on hand to answer questions.

Councilor Sachs advised that this Friday is First Friday Concert with a three-course dinner beginning at 6 p.m. The Band is called E-Town and Jennie Gwilym will be the caterer. Folks can call 865-3985 for this. The High School is putting on the Young Maine Playwrights Festival this coming Saturday at 7 p.m. Murphy's Law will be put on this Saturday as well as other featured Maine high school playwrights.

Councilor DeGrandpre advised that Bill Pushard passed away a week ago Friday. He will be fondly remembered in the community. He helped start Peewee Baseball and worked at L.L. Bean for many years.

Chair Hendricks announced:

- **The Library's Annual Book Sale** will take place from Saturday, April 5 at 10:00 a.m. – Thursday, April 10th. Come hunt for your favorite genre at bargain prices!

- The Library will also be holding its **First Annual Edible Book Festival** on Wednesday, April 16th proving that you CAN have your books & EAT them too! For more details go to the Library's website at www.freeportlibrary.com.

- On Tuesday, April 8th at 6:00 p.m. there will be an **Information Session about Affordable Home Ownership Opportunities with Habitat for Humanity** at the Community Building at Village View Apartments. For more information call Amy at 772-2151.

- On Saturday, April 5th from 9:30 a.m. – 12:30 p.m., there will be a workshop on **Elder Abuse and Financial Exploitation** at the Congregational Church in Cumberland. For further information, contact: Lin Peyton (865-4067)

- Regarding safety around the Silver Bullet location at the Public Safety Building, there have been a couple of issues where traffic is cutting behind the Public Safety Building to avert the light and zipping to West Street. People are asked to not do this anymore in the interest of safety. We will be looking at curbing this legally in the future and chances are, motorists will be ticketed in the future. Obviously employees are not expecting to see motorists zipping through back there and there have been children playing there as well while their parents are unloading their recyclables. There have been a couple of near misses back there and we would not want to see something to happen. If anyone wants to play, Freeport has different parks available.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Egan advised that the Appointments Committee will be meeting this Thursday at 8 a.m. in Town Hall and will be reviewing applications for five Boards and Committees—Coastal Waters, Library Board, Planning Board, Project Review Board and Recycling and Solid Waste. If anyone is interested in serving on any of these Boards or Committees, applications can be submitted on line at www Freeportmaine.com.

Councilor Tracy advised that the Ordinance Committee met this afternoon and discussed a Sewer District request regarding the payment of permit fees for road openings. They will be informing the Sewer District of their decision shortly. They also reviewed the Coastal Waters Ordinance which allows permits for charter boats. They have referred it to the Coastal Waters Commission but are considering changing the Ordinance to allow people to get permits to operate charter boats even after the deadline if all permits haven't been issued or if permits get turned back in. They will be meeting in another couple of months when there are more issues for them to resolve.

Councilor Sachs mentioned that the Conservation Commission also has an opening and anyone with an interest can go to the Town's website under Conservation Commission to apply. The Municipal Facilities met this morning at 7:30 a.m. On May 8 Johanna Hanselman coordinated with the State Fire Marshall's Office to have an Americans with Disabilities Act Accessibility consultant come to spend the day in Freeport looking at our Municipal facilities which includes some of our open spaces, if he has enough time. It is a real opportunity for us to look at our strengths and maybe some areas where we can improve as every community does. She is aware that there is some interest in Freeport for doing this.

They are looking ahead to 2015 to look at all the different contracts we have in town. Municipal Facilities does many contracts out so we are looking at a planful way to see if we can save money in some of these cases and are there things we can do in-house. They also discussed safety at the Silver Bullet at the Public Safety Building reminding folks to please be safe when they are around there. She urged motorists to not drive through there. Regarding the Silver Bullet down in South Freeport, Councilor Egan has held extensive meetings with folks that live there as well as all parties concerned. After looking at exhaustive options, it was determined that there is no place that will not impede either traffic or find another suitable

place at this time to do so. She thanked Councilor Egan for working so tirelessly with residents and the Town Engineer to look at alternatives. At this point it is really the safest and most effective place for that silver bullet. They meet on the first Tuesday of the month in Town Hall at 7:30 a.m. and everyone is welcome to come and speak about data or anything else.

Ben and Jerry's will be holding its Free Cone Day on April 8.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:
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Tax bills were mailed out Thursday, March 27, 2014 and are due on or before May 15, 2014. The mil rate for this billing cycle is $15.85 per $1,000 of assessed value. If you have not received your tax bills by April 7, please call the Finance Department at 865-4743 Extension 111 for a reprint of the bill.
~
Abigail Yacoben has passed the fifth and final examination, Retirement & Benefits, Risk Management and Procurement, required to achieve the prestigious Certified Public Finance Officer (CPFO) designation. Abbe's final score was95%, well above the mean score of 81%. Passing these five tests required a tremendous amount of time and dedication on Abbe's part and represents a significant achievement. Upon receiving notification from the GFOA, her CPFO certification will be official, and she will be one of only three people in the State of Maine holding such an impressive designation. Congratulations Abbe!
~
On 27 March 2014, Special Olympics Maine honored Sgt. John Perrino. He was inducted into the Maine Law Enforcement Torch Run Hall of Fame. The plaque presented to Sgt. Perrino reads, "As its newest member, your dedication to the run and to improving the lives of people with intellectual disabilities has gone above and beyond the call of duty. On behalf of over 2500 Special Olympics Maine Athletes, thank you for caring and sharing." We extend our congratulations to Sgt. Perrino for his contributions to this group.
~
At the March 2014 harbormaster training session and meeting, Jay Pinkham was re-elected to serve as the president of the State of Maine Harbormasters Association. Congratulations, Jay!
~
Please note that the Town Hall is no longer accepting batteries to be dropped off for disposal at the Recycling Facility, nor should other items such as light bulbs, be left at the Town Hall. Rechargeable batteries should be taken directly to the Recycling Facility and alkaline batteries can be disposed of along with your regular household trash. Fluorescent lamps (including compact fluorescent – CFL's) can be disposed of for a fee at the Recycling Facility or can be returned free of charge at the location they were purchased. As a reminder, Household Hazardous Waste (such as household chemicals or paint) should be disposed of at either the Riverside Recycling Center in Portland or at Clean Harbors Environmental Services in South Portland. The Town still has a limited number of Household Hazardous Waste Disposal Coupons available at the Town Hall and Recycling Facility (with a value up to $20.00 toward the cost of disposal at the Riverside Recycling Center). For more information, contact the Recycling Facility at 865-3740 or go to their page on the Town's website.
~
The Freeport Fire Department welcomed 6 new call members to the Department in March. They will now begin undergoing training and familiarization of operations with the Department.

The Freeport Fire Department responded to 2 structure fires during the month of March. The first structure fire was on Johns Way (off Flying Point Rd). The fire was in a detached work area with a lobster boat inside. The second structure fire was on Elm Street. The fire was in a detached garage that was only 10 feet from the residence. A quick stop by Department personnel saved the adjacent residence from the fire.

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

MOVED AND SECONDED: To open the Public Comment Period – 30 Minutes on Non Agenda Items Only (Egan & DeGrandpre) **VOTE:** (7 Ayes)

Keith McBride, Executive Director of FEDC also mentioned Ben and Jerry's Free Cone Day on April 8. He will be scooping from Noon to 1 p.m. He pointed out that FEDC is seeking applications to fill an opening on their Board of Directors. Applications are available in Town Hall as well as on their website, www. Freeportecon.com. They have received some applications and a few people have expressed interest but they are putting out a broad net to get as many applications as they can.

Guy Quartrucci of South Freeport requested that the Council consider televising all Council workshops, particularly at budget time. He also asked the Council to remind committees and boards to post their agendas and minutes on the Town's website by at least the Thursday prior to scheduled meetings to allow the public to become aware of the public business being conducted and allow the public to prepare to participate if they wish.

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

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

ITEM #48-14 To consider action relative to adopting the April 1, 2014 Consent Agenda.

BE IT ORDERED: That the April 1, 2014 Consent Agenda be adopted. (Hendricks & Egan)

Chair Hendricks reviewed the items for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #49-14 To consider action relative to approving a liquor license application for Amato's of Freeport, LLC d/b/a Amato's Freeport Public Market located at 20 Bow Street. **PUBLIC HEARING**

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

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

BE IT ORDAINED: That a liquor license application for Amato's of Freeport, LLC d/b/a Amato's Freeport Public Market located at 20 Bow Street be approved. (Egan & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes)

ITEM #50-14 To consider action relative to the proposed 5-Year Capital Program. **PUBLIC HEARING**

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

Chair Hendricks explained that further discussion on the Capital Program will be taken up later tonight under "Other Business". Residents will also have another chance to speak on April 15 when the Council will be adopting the program. He requested that speakers adhere to the three-minute time line even though the clock appears to be broken.

John Lowe of Ledgewood Lane spoke about the paving and rebuilding of Route 125 and it appears it is finally going to happen. He feels the shoulders should be paved and it will make the road last longer. Safety concerns on that road are because of speed. He feels it is time to spend the money in North Freeport. He agrees that it would be good to have 4' shoulders if we can find the funding. The Griffin Road is not part of the project and he wants to keep after the State by getting on our representatives. He pointed out that the Griffin Road has a 50 mph speed limit and it should be changed to 40 mph. He suggested cracking down on speeders by issuing tickets. He urged the Council to support this.

Wayne Hollingworth of Durham Road echoed what Mr. Lowe just said. He mentioned that we are not looking for a skim coat of asphalt which will be torn up during the first winter. We want to do a good job. There is a problem with some of the houses being so close to the road. He agrees there is a speeding issue that exists and would support the wider shoulders.

Patrick O'Donohue of 44 Wardtown Road noted he has a Christmas Tree farm and he has setback issues because his house is so close to the property line. In the preparation process, he wants to be made aware of the engineering that is being planned. He is interested in redirecting drainage. He is all for improving the accessibility of the road but would like to know how it will look in front of his house. Councilor DeGrandpre explained that the road design has not been done yet. He encouraged Mr. O'Donohue to get in touch with the Town Engineer because he can help him understand the design.

Lisa Turner of 79 Wardtown Road explained that she put notices on some of her neighbor's doors. She complained that most people were not aware that decisions are being made on their road. She would welcome a letter explaining that roadwork will be taking place asking for input on whether to have 1, 2, 3 or 4 foot shoulders. She lives on a long straight stretch and the road is in poor shape. When she does 40, people fly by her and she wonders what kind of shocks they have on their cars. She likes the road in this condition and welcomes the "speed bumps". She noted that part of her road has a higher speed limit than U.S. Route 1 South. She fears speeding will become worse with the appearance of wide shoulders on the stretch she lives. She is not a fan of paved shoulders. She mentioned the houses that are very close to the road and suggested that the Council ride down the road and observe how close they are and take into consideration that a ditch is going to be necessary. She does not want 4' wide paved shoulders and wants the speed limit reviewed.

Mr. Joseph explained that the Town can request that the State review a speed limit since it falls within their authority. Freeport asked for a review on South Freeport Road and the speed limit was increased from 25 to 35 mph. Once a review is requested, it cannot be taken back. Mr. Presgraves pointed out that he would be willing to talk to the MDOT about the 50 mph. on Griffin Road to determine what the likelihood is and then the Town can make a formal request. It is not possible for residents to make a request. Mr. Presgraves advised that every resident will get a written notice of all capital reconstruction projects like Wardtown Road. A meeting will be scheduled to sit down with everybody that wants to talk about the project and explain what is being considered. Every effort will be made to come up with a solution that the residents will be happy with.

Pat Cormier of 10 Wardtown Road agrees that they need a new road. She is fearful that widening the road in front of her house might impact her septic system. She would like to deter the traffic from going as fast

as it has. The Police are not patrolling that road like they did in the past. She wants the residents to be told what they can do to help out. If paving the shoulders is going to take away someone's property in the front, she doesn't feel they are needed. They need a better paved road and a reduced speed limit. She also mentioned that tour buses are using Wardtown Road.

Valerie Neilson of 75 Wardtown Road mentioned that cars pass broadside in front of her house. If paved shoulders are put on, she will lose mature trees and part of her lawn. The morning and evening commutes are an issue but traffic is heavy all day. The speed limit in front of her house is 40 mph. but people go 70. She wants the road rebuilt but feels paving the shoulders will be asking for more trouble.

Greg Violette of 106 Wardtown Road urged the Council to support fixing the road. He fears his property values will decrease because of the condition of the road.

Sue Barker of 52 Wardtown Road doesn't like frost heaves but they do slow people down on her road. She walks daily and wears bright orange and the traffic goes by very quickly. Motorists speed too fast all the time. She has mature trees and even at 3', the shoulder will be very close to her trees.

Ralph Turner of 79 Wardtown Road acknowledged that Sue Barker picks up all the litter on her daily morning walks. He appreciates that notices will go out before an engineering plan is made. He would like to be part of the process. He appreciates that engineering will be done on that road. He mentioned that culverts need to be upgraded dramatically. He encouraged Councilors to take a ride up before the snow is gone or while it is raining.

Pat Cormier thanked Sue Barker for making the area clean by picking up everyone's trash.

Sheila Merrill of 3 Griffin Road advised that she lost part of her property when they upgraded 136. She feels the setbacks are horrible in Freeport and it is almost impossible to do an add-on to her house. Drivers take the corner too fast by her house. Her grandsons can't play in front of her house because of speeders. She does not have a problem with widening the road but feels the speed limit needs to be reduced.

John Lowe asked for clarification that the overall width of the road would not be wider than it is right now and Mr. Presgraves assured him that it would not be made wider.

Ralph Turner asked the Council to ride up the road since there are areas where the ditch starts about six inches away from the edge of the pavement. There isn't 3 feet in many cases between the edge of the pavement and where the ditch starts so we are talking about widening, we are talking about extending away from the edge of the pavement where the ditches are. The road will encroach on people's property to get that 3 feet whether it is paved or not.

Patrick O'Donohue pointed out that three deer were hit this year because of speed. He noted that the speed limit is dangerous for wildlife. Sue Barker advised that she finds all kinds of birds and animals that were killed by motorists while she is out walking.

Guy Quartrucci of South Freeport read a statement regarding FEDC's claims. He pointed out that FEDC is a private business development corporation representing a self selected and small percentage of the overall business community. It has every right to exist and operate in that fashion with its own non-Municipal funding. FEDC is entitled to advance its position but he feels the Town should not be paying FEDC to do it. He has provided documents in the past explaining that true economic development that could benefit all of the sectors of the entire community housed and funded within the Town's Planning Department as a Municipal function answerable to the Town Manager, Council and the general taxpaying public. He explained that the Chamber is now self-sustaining as he believes FEDC should be and the Chamber receives a nominal annual membership contribution. As the Council requested, the Chamber has

demonstrated its merit through self-sustainability. He feels the same course of action is long overdue for FEDC.

Andrew Arsenault of U.S. Route One also spoke to oppose the funding of FEDC. Their brochures state that they represent Freeport's economic development, implementation, zoning, planning. He served on the first Comprehensive Planning Committee to designate zoning and that is the implementation strategy the State has set out and Freeport has followed since then. That is not FEDC. FEDC is a publicly funded private non-profit and he read their goals. It is a private development group that is not controlled by the Town Council and is not open to public scrutiny. He does not feel they should be housed in the Town Hall and should not be getting public money. They should not be stating that they are the economic arm of Freeport. We have a Town Planner and a Planning Department. We have a Project Review Board because we were told that the Planning Department did not have enough time to plan. We have had many Comprehensive Plans that steer our zoning and also steer our economic growth because we have had growth subcommittees. Mr. Arsenault served on one. He feels these people need their own office, their own funding and need to raise their own money. It is no different from any other development group living down the hall and steering things that the Council cannot control because they are out of the taxpayers' purview. He feels they should be cut loose and be out of this hallway.

Regarding rebuilding the Wardtown Road, Mr. Arsenault mentioned that when the South Freeport Road was rebuilt, there were four holes in front as one leaves South Freeport. They have reappeared. When 125 is reconstructed, he hopes the holes don't reappear.

Anne-Marie Davee representing the Active Living Task Force, was happy to learn that Sue Barker is walking on the Wardtown Road but probably taking her life in her hands. The 700 residents surveyed clearly showed that Route one, Route 136 and Route 125 were the most unsafe roadways in Freeport for walking and biking. The Active Living Plan recommends supporting the Capital Budget to include paved shoulders along the roadway to enhance safety for pedestrians and bicyclists. The North Freeport Center has limited opportunities for residents to bike and walk so a paved shoulder is critical. A 4' shoulder is the safest and 3' does not create a safe place for bicyclists and pedestrians with high speeds. On behalf of the Task Force and the residents that completed the survey, she highly supports paved shoulders where ever possible 3' and if at all possible 4'.

Stephanie Helms of 5 Lunt Road noted that regarding economic development, the economy is dependent on many things. It is not just dependent on business promotion which essentially is the mission of FEDC. They are funded out of Tax Increment Financing which is intended to benefit people that have contracted with the Town to provide services as private businesses. There are other things critical to the economy. One of them is roads. It is important to people that their roads are safe and that their front yards are not taken for the sake of making Freeport a destination. The biggest portion of the Town's economy is the people that live here and pay taxes. She asked the Council to think carefully when it comes to spending money on economic development that you are not just doing it for businesses but spending money on the roads. She feels that the way the Town views and considers the entire portion of the Town's economy is broken because the Town does not have within its own purview an entity which considers the economy of the Town as a whole. She asked the Council to fix her road.

Keith McBride, Executive Director of FEDC clarified FEDC's mission. He agrees with Ms. Helms that there is a lot that goes into an economy and there is very little that a legislative body or government can do to influence the entire economy and make it bloom. Their role is to be a facilitator in whatever way they can to implement what the community is telling them through the Zoning Ordinance, through the Comprehensive Plan that the community has put together is desirable, sustainable economic growth that gets us to a better Freeport in the future. He addressed Mr.Quartrucci's questions.

Scott Dugas explained that he just purchased the Red Wheel Antique property on U.S. Route one. He feels Mr. McBride is doing a great job for Freeport and he is happy to come to Freeport.

Sheila Merrill pointed out that the majority of homes are similar to hers on 125. They sit close to the road so the zoning pertaining to what she can do with her property is not helpful. She asked how the Town can change zoning on a home that does not meet setbacks. Councilor DeGrandpre explained that zoning in Freeport is fairly new and how the setbacks were established. While there are challenges out there, Freeport has a mechanism to address them. He offered to work with Ms. Merrill.

Lisa Turner pointed out that Ms. Davee mentioned that they surveyed 700 people and 136 was considered to be a dangerous road after it was reconstructed and had 5' shoulders put on. She learned that the perception of safety is not improved by a shoulder. She noted that perhaps the Town is not going to make this road feel safe for anyone because of the speed on the road.

Ralph Turner pointed out that he has had a concern about FEDC for a long time. If we are going to provide public money to FEDC to do work related to economic development, he feels it would be appropriate before the money is spent making phone calls or trying to help people with zoning or whatever to do a fundamental review of Freeport's economy and what amount of business is sustainable. There was a point in time where it seemed FEDC had the sole purpose of trying to encourage more pizza restaurants to come to Freeport. If as a taxpayer and a business owner, he makes the investment to privately start a business in Freeport and then finds out that the Town is funding the efforts of people who actively promote competing businesses to come in and compete against him, he has a problem with that. There is always a point of saturation in any market where we just cannot tolerate anymore of something. He has never seen any evidence with FEDC in the past that there is a comprehensive economic evaluation of what level of which kind of business is sustainable. If any money is going to go to FEDC, he recommends that the Council consider some type of evaluation to determine whether or not economic development that we are pursuing is going to have an unintended negative consequence on existing businesses in Freeport.

Sande Updegraph with the Greater Freeport Chamber of Commerce encouraged the Council to support funding for FEDC. She thanked the Council for its support of the Chamber in its early years but they are now self-sustaining. FEDC is a critical element to the Chamber. They provide information about new businesses and information about existing businesses. Funding for that kind of process through TIF funds is entirely appropriate. State law says that TIF funds can be used for economic development.

Andrew Arsenault does not recall authorizing FEDC to do Freeport's economic development when he served on the Town Council. He does not remember them having a contract with the Town. They are beholden to somebody because they get money from somebody but the problem is that they are not beholden to the taxpayers.

Stephanie Helms pointed out that she believes it is possible to integrate public funding of economic development within public structures. We are talking about rebuilding 125 and it serves Durham and Lisbon Falls and a number of workers live in these two towns and that road serves the businesses in many more ways. That is a piece of the economy. She believes that $95,000 spent would benefit the broader scope and is something worthy of consideration. She feels that Mr. McBride does a great job for people coming in and considering locating in Freeport. He works hard and she feels he should be working for the Town in the context of economic development in the broader sense.

Councilor Tracy read a statement from one of her constituents, Roben Voigt, reflecting his views on FEDC and explained that they are not hers. He believes that FEDC should raise their own finances as other organizations do in Freeport. He suggested that the Council reduce FEDC funding over the next three or four years until it is zero.

Mr. Joseph read a letter from Irina Zhidovtseva of Four Seasons Alterations & Sewing advising that Mr. McBride urged her to open a business in Freeport. With his guidance, she was able to identify a need for

her services and he helped her to find a location. She is glad that the Town funded FEDC so that those services would be available to her and encouraged the Council to continue to see that these services are available to others in the future.

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

Chair Hendricks advised that the Capital Program would be discussed under "Other Business" and requested that Mr. Presgraves stay. Councilor Wellen requested that Chief Fournier and Beth Edmonds stay along with Mr. Presgraves. Councilor Tracy has questions for Abbe Yacoben.

Councilor Sachs asked Mr. Gibson if the Town should have a stand by contract agreement in place for the back-up generator. Mr. Gibson explained that he does not have a contract but he does have an agreement in place with contractors that do not generally rent out equipment.

ITEM #51-14 To consider action relative to approving a special amusement permit application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St, Freeport.

BE IT ORDERED: That a Public Hearing be scheduled for April 15, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving a special amusement permit application for Thomas Scannell d/b/a Theater of Awesome located at 5 Depot St, 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 3 and the Town's website. (Tracy & DeGrandpre)

Chair Hendricks noted this is simply a change of applicant.

ROLL CALL VOTE: (7 Ayes)

ITEM #52-14 To consider action relative to approving a public peddler's license application for Richard Harrison.

BE IT ORDERED: That a public peddler's license application for Richard Harrison be approved.

BE IT FURTHER ORDERED: That the Town Clerk shall issue said license once all requirements of the license as per Chapter 43: Public Peddler's Ordinance have been met by the applicant. (Sachs & DeGrandpre)

Councilor DeGrandpre asked if the Victualer's license can be issued prior to the State's inspection. Mr. Joseph offered to check with the Town Clerk.

ROLL CALL VOTE: (7 Ayes)

ITEM #53-14 To consider action relative to approving an expenditure of $24,975 to replace laptop computers in the Police Department vehicles.

BE IT ORDERED: That Patrol PC be awarded the police laptop purchase in the amount of $24,975.

Note: The Town Council appropriated $25,000 for this purchase in the FY2014 Capital budget. (DeGrandpre & Egan)

Mr. Joseph explained that this is not the lowest bid but the Chief felt that the Patrol PC was a better value.

ROLL CALL VOTE: (7 Ayes)

ITEM #54-14 To consider action relative to approving an expenditure of $14,980 for the Intake/Booking Station (sallyport construction) project.

BE IT ORDERED: That Crapotts Corporation be awarded the Intake/Booking Station (sallyport construction) project in the amount of $14,980.

Note: The Town Council appropriated $15,000 for this renovation in the 2011 capital budget. (Gleeson & DeGrandpre)

Mr. Joseph explained the bid results and that Mr. Pesgraves is comfortable that this company can complete the project on time and on budget.

Councilor Tracy mentioned that two of the bidders were local and asked if the location of a business has any play into the decision at all. Mr. Presgraves explained that there are times when it has but in this case it did not. The company selected is a company that can do a good job. Mr. Joseph explained that the Town does not have a formal local policy for bidding which would give us an advantage when evaluating costs. More discussion followed.

ROLL CALL VOTE: (7 Ayes)

OTHER BUSINESS

1. Freeport Withdrawal Committee activity update.

Councilor DeGrandpre explained that they are trying to move forward with the Working Group to having a substantive discussion. Since they haven't had an opportunity to talk to their legal folks, they are not prepared to talk about a lot of things tomorrow night. The Withdrawal Committee has put forward some topics to speak about such as where the students might be going, buses, etc. They are sorting things out trying to make sense of this.

Councilor Egan asked if the Withdrawal Committee has made a decision that the Pownal and Durham students have to go elsewhere and asked if we are offering an option for them to come to Freeport. Councilor DeGrandpre noted that they have not made these decisions. He advised there is not enough room at Freeport High School for all three towns to be there. Until we know what size the school is going to be and we learn what people are thinking from the forum planned for the 17th, this will help the Withdrawal Committee.

Councilor Tracy appreciates Councilor DeGrandpre's role on the committee but from observing the committee, she noted that the position of the Withdrawal Committee to date has been that they haven't wanted to take a position with respect to which communities should be invited to attend or how they see the structure in part because they want to get community input through the Visioning but in part also because of not wanting to put a stake in the ground that they can't with-track from. Her impression is that the other communities have been very fortcoming about their discussions with the non-Freeport

communities and Freeport has not yet taken a position and it makes it very hard to move forward on any substantive discussions without knowing what the landscape is. It is a Catch 22 because the facilities aren't quite large enough in their current instance to possibly take everybody but she argued that there may be options out of the box to figure that out. Her hope is that the Withdrawal Committee will transition from being slightly passive in receiving information from the other communities and will be more welcoming and start a real substantive dialogue about how possibly those communities could come to Freeport, knowing in the end that it may not work out. She hopes the transition will happen soon because she is worried we are missing the boat. This is her personal opinion.

Councilor Wellen pointed out that the Council has a lot of other things to cover and it should keep updates brief. Councilor DeGrandpre is the Council's representative and we are constituents. We can call Councilor DeGrandpre and share our opinions with him. If people want to throw out opinions, that is the way it is but he feels it is not helpful for the Council's process.

Councilor DeGrandpre advised that he cannot tell the Council everything he knows at this public meeting. They are working through a process that is messy at best. He is hoping after tomorrow night's meeting that they will be talking about where to place the stake in the ground. He noted that everything is a tentative agreement and subject to re-evaluation once they are put together. The Withdrawal meeting is open to the public tomorrow night at the High School Library.

Councilor Egan urged Councilor DeGrandpre to let the Council know when the committee reaches decision points and solicit input. Councilor Tracy feels that we are at a decision point right now. She noted the Committee is doing a really good job and it is a very messy and difficult process. She urged people interested in the future of of our schools to attend these meetings. If anyone has comments or questions, please e-mail the Withdrawal Committee www.fwc@freeportmaine.com.

Councilor Egan pointed out that when the vote happened in December, many people wanted to further explore withdrawing which meant they wanted more data. The Withdrawal Committee is holding a Visioning exercise which she takes as a positive sign that the committee is willing to go a little further to provide information to residents. She asked the committee to develop information, particularly cost per pupil of what withdrawal is going to cost the town. This is an important piece as we go into November. She also mentioned knowing what the academic impact will be if we have less pupils. What kind of course offerings will we be able to maintain if we go smaller and we don't have the Pownal and Durham kids. She feels these two pieces of information are very important for Freeport residents to consider.

Councilor DeGrandpre advised that the committee is hoping to develop a sample budget based on what the withdrawal agreement reflects and until they have figured out the number of students, that will be difficult. The course offerings will be a choice the School Committee makes. All the Withdrawal Committee can do is put together a budget as best they understand. Councilor Wellen noted that the cost per pupil gets complicated because it is an involved process. He mentioned that there are benefits to being small that have nothing to do with course offerings.

Councilor DeGrandpre mentioned that Tom Edwards will be discussing education with the Withdrawal Committee and Bob Lyman has offered to help in any way he can.

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2. Discussion on the proposed 5-Year Capital Program.

Chair Hendricks suggested that specific questions for department heads should be addressed first. Councilor Wellen asked Beth Edmonds if Freeport withdraws, would it impact the Library. Ms. Edmonds advised that the impact would be minimal. Freeport is expecting modest growth in the next 10 years.

Councilor Wellen asked Chief Fournier to explain how purchasing a fire engine will help Freeport meet fire flows. Chief Fournier explained them. The better the rating, the less insurance people have to pay. He saved $100 on his home fire insurance this year. Discussion followed. Chief Fournier feels it is wise to have emergency equipment with the most up to date equipment and explained how he got burned purchasing a used ladder truck. It was a maintenance nightmare and cost a lot more than planned.

Councilor Sachs referred to the proposed Breathing Apparatus. She understands that we have 22 of them which are approximately six years old. Chief Fournier advised that these are four additionals to the 22 that we currently have. They will be put on the Rescues. Councilor Sachs suggested staggering the 22 in a timely way since they only have four more years of expected life left. Chief Fournier offered to make sure they are upgraded at some point to extend their lives.

Councilor Sachs doesn't agree with bumping out the other Rescue. She appreciated Councilor Egan's safety concerns for the crew. She cannot find a compelling argument to bump it based on the discussion at the last meeting. She would prefer to leave it in this year.

Chief Fournier mentioned that there are pros and cons for either one. Both of those trucks will be part of the contract time that we are in which has worked very well for us.

Lieutenant Nourse was in attendance but there were no questions for her.

Mr. Presgraves was next. Councilor DeGrandpre pointed out that Wardtown Road has been in the Capital Budget for three years and we have kept moving it. It has been discussed many times when we heard from the State. John Lowe has been actively following development on that road. Chair Hendricks mentioned that two issues were discussed this evening. Some people didn't want the road widened because of increased speed and others were worried about infringement upon their property. Mr. Presgraves advised that very few roads have consistent geometry for a long length. There are places where there is not a 3' shoulder on Wardtown Road but he bets there is one in half of the length. It is similar to the situation on South Street and South Freeport Road where we were able to get a 3' shoulder almost everywhere except in a few isolated locations. It was not really a road widening, it was just paving the existing shoulder. He plans to work with resident owners to come up with a design to minimize impact as much as possible. Under drain and curbs can be put in so there won't be a ditch in places where the impacts would be unacceptable. He does not feel it would be appropriate to have a meeting with residents to talk about design before the project is funded. Mr. Presgraves answered questions for Councilors. He noted that the existing shoulder, whether we pave it or not, on Wardtown Road is pretty close to 3' and /or can be provided without adverse impacts. Where there are impacts, he will work with the residents and come up with a good solution.

Councilor Sachs asked if the road will last longer if we do 3' paved shoulders. Mr. Presgraves replied that it would last longer but we would get almost the same benefit of having 1' of pavement on a 3' gravel shoulder since it will reduce the break up of the edges. Councilor Sachs noted that speed has been a primary concern on that road. Councilor Egan asked if having a 3' or 4' paved shoulder would make a difference in the amount of speed. Mr. Presgraves did not have statistics to answer this question but noted it was a big concern with the South Freeport Road. His opinion is that the white lines at the 11' lane with the paved shoulders beyond that gives drivers the impression that this is still an 11' lane and whether the shoulder is 1', 3' or 4' is not material. He feels that people will most likely continue to drive fast after the road is improved. He has thought of calming measures but doesn't have a good answer.

Councilor DeGrandpre pointed out that a 1' paved shoulder does improve maintenance. However, if we don't maintain the gravel beyond that, the road falls away anyway. We will have to maintain the 2' of shoulder whether we pave it or not.

Councilor Egan asked if there is enough space within the right-of-way on both sides that Mr. Presgraves could work with the property owners' concerns that were expressed tonight. Mr. Presgraves feels he can with a 3' shoulder. There won't be any sidewalks added. With a 4' shoulder he has more concerns about fitting it into the right-of-way without having to do something special. He is confident that the State would not approve narrowing the lanes to less than 11'.

Councilor Tracy referred to the Train Parking Lot Paving. She asked for Mr. Presgrave's assessment. Mr. Presgraves advised that the lot is in really poor condition. It needs to be paved to keep it from failing to such a really poor condition that it really isn't worth overlaying. It's 20 year old pavement.

Regarding the Public Safety Apron, Councilor Sachs asked about it and Ms. Yacoben replied that it would become a full reconstruction in another year and will cost double the overlay cost. Mr. Presgraves advised that three years ago work was done to give it more life. The traffic it has is pretty serious traffic.

Police—Councilor DeGrandpre feels that we are buying a lot of police cars and our department size has not grown substantially. Chair Hendricks mentioned that the two being replaced have high mileage.

Councilor DeGrandpre offered to reach out to the Chief to get to the bottom of this and will have an answer by April 15. Councilor Tracy would like to know what other towns are doing that are similarly sized. How often do they replace their police cars? What is the pattern? Councilor DeGrandpre noted that when the towns got together and talked about things like this, they discovered that each of us is a little bit different. Councilor Sachs would like to know what is the shape of the two cars being replaced this year.

Fire—Councilor Sachs asked if the Communications Equipment proposed would be used for all Public Safety Departments and was told that it would be. No change was proposed.

Rescue—Councilor Sachs advised that she would like to add the second Rescue back into 2015. Councilor Wellen agrees that the Council should look at safety and he is leaning towards putting it back to 2015. Councilor Egan and Councilor Gleeson also agreed to move it up. Councilor DeGrandpre noted he would prefer to get all the value out of the present one before replacing it. He is confident it will go another year. It is in the Net Program. After discussion, Councilor Egan pointed out that Councilor DeGrandpre is very persuasive. Mr. Joseph noted that staff is not afraid to bump it off for another year but it is up to the discretion of the Council. Councilor Tracy will support keeping it in 2016 and Councilor Sachs will keep it in the 2016 budget since it does not appear to be a safety concern. There was general agreement to leave it in 2016.

Public Works—There was agreement to leave everything as proposed.

Solid Waste—Councilor Wellen noted that he would like to keep the closure in 2015. Councilor Egan requested more information from Mr. Presgraves that would suggest there is a public health issue with water quality. She is interested in moving the closure to 2016. Councilor Tracy agreed with her and Councilor Sachs would like the information for the April 15 meeting. Councilors DeGrandpre and Gleeson explained that they are comfortable moving the closure to 2016.

Comprehensive Town Improvements—Councilor Gleeson pointed out that the Hilton Garden is making a donation so the Railroad Safety Fence will be $7,000, not $11,000.

Councilor Tracy asked if Destination TIF money could be used for the Railroad Platform Parking Lot Paving. It sounds like we have to do it this year. Ms. Yacoben advised that she does not believe it is an eligible use but is not 100% sure. Mr. Joseph offered to get an answer and will provide it on the 15th. Keith McBride stated that the Council should not amend the TIF to do another project.

Wardtown Road Paved Shoulders—Councilor Tracy advised that she heard from some of the residents and the message was overwhelmingly clear to add 3' paved shoulders. Councilor Egan is confident that town staff can insert the 3' shoulders which will help to preserve the road but she asked the Council to consider 4' shoulders which could make people more comfortable walking and biking on that road. Councilor Sachs mentioned that this is an investment of 15 years amortized so she could support the 4' shoulder.

Councilor Wellen advised that he is not in favor of 4' shoulders because the Council has to look at costs and it needs to prioritize. He is open to paving a 3' shoulder. Councilor Tracy is in support of funding 3' paved shoulders. Councilor DeGrandpre noted he is comfortable with 3' but is concerned with the right-of -way. Councilor Gleeson is okay with 3' because of trees and lawns. Chair Hendricks is okay with the 3' shoulder. There was general agreement to leave the 3' paved shoulder at a cost of $300,000. Mr. Joseph explained that this is a decision to fund it and there is till a lot of flexibility.

Municipal Facilities—Councilor Wellen referred to Attic Insulation at Public Safety and explained that Mr. Presgraves will get a better estimate before the next budget season. Councilor Wellen asked why the windows at the Public Safety Building need to be replaced. Ms. Yacoben explained that the windows are allowing cold air to come through and the $150,000 is a place holder.

Cable—Ms. Yacoben advised that these are place holders.

Boards, Committees, Community Groups and Other Requests

Historic Society Archiving Project—Councilor Egan advised that she still does not have a firm understanding of the benefits of this item. Councilor Wellen noted he still does not know if it has value to the town and he is undecided at this time. Councilor Tracy explained that she is struggling with this and would like feedback from Town employees. She feels there is some town value in archiving our history but it is not a necessity. She is undecided. Councilor Sachs is leaning towards a yes because it is a benefit to residents. Councilor DeGrandpre advised that he was not in favor of spending almost $30,000 last year for this. He feels there is a lot of value in our history but he is still undecided. Councilor Gleeson pointed out that he visits with the Historical Society and finds value in this. They have gotten the figure down to $16,000 by utilizing an intern. He would be willing to support it in this brutal budget year. Chair Hendricks noted that he is leaning towards it but suggested that the Council invite Kristina White to come in on the 15th and discuss it. Others agreed.

Destination TIF—Councilor Wellen advised that he does not want to fund FEDC because a good portion of folks do not want to fund it. He recommended eliminating it and incorporating it within the Town under the Planning Department. There was no agreement from other Councilors. Councilor Wellen then proposed cutting FEDC to $85,000. Councilor Tracy pointed out that the amount has been reduced by $10,000 this year. Ms. Yacoben advised that the $85,000 shown in other years is a place holder. Mr. McBride suggested changing the $85,000 amount to $95,000. He hopes to reduce the funding request going forward or at least keep it at $95,000.

There was general agreement to change the $85,000 going forward to $95,000 as a place holder. Chair Hendricks explained that April 15 will be adoption night.

MOVED AND SECONDED: To adjourn at 11:35 p.m. (DeGrandpre & Sachs) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #09-14 - PART II
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, APRIL 15, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x (arrived late)		

Chair Hendricks welcomed everyone and called the meeting to order at 7:10 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance
Everyone stood and recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #08-14 held on April 1, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #08-14 held on April 1, 2014 and to accept the Minutes as amended. (Egan & Sachs) **VOTE:**(6 Ayes)

THIRD ORDER OF BUSINESS: Announcements
Councilor DeGrandpre noted that this Thursday evening at 6:00p.m., there would be a meeting on high school visioning at the Freeport Community Center. There will be a discussion on what is important for the schools, school size and education. The public is encouraged to join the conversation and share their thoughts. Light refreshments will be served.

Councilor Sachs noted that there are a few community events coming up. "Who Pushed Humpty Dumpty" will be at the Freeport Performing Arts Center the next two weekends. The performance is free for the family and there will be many first time performers.

Freeport Community Services will be showing an Earth Day Film on April 22nd which is Earth Day.

Free for children in preschool through second grade, on April 24th there will be story day presented by LL Bean. This will be at the Community Center. There will be stories, crafts and a free bag lunch. All children get a free book. Older siblings are welcome as well

On May 1st, Community Night will take place at 6:30p.m. at the Freeport Community Center. There will be community updates from groups, the Town and public safety. All are invited to attend to hear what is going on. There will also be a brainstorming session about what is important to people.
Councilor Egan noted that on May 8th, the Active Living Task Force will meet at 7:30 a.m. The draft Active Living Plan has been completed and they are excited.

Councilor Egan will be holding office hours on May 6th at 8:30 a.m. at the Bow Street Market.

Councilor Gleeson noted that there will not be a meeting of the Train Safety Committee tomorrow. It was listed on the Town calendar. There will probably be a meeting next month.

Chairperson Hendricks announced:

Wednesday, April 30th is Freeport Day At the Nordica Theatre. Residents of Freeport are welcome to view a movie absolutely free! Donations for the Freeport Middle School Sports Boosters will be collected. Proof of residency is required for adults.

The Freeport Police Department is once again participating in the National Drug Take Back Initiative on Saturday, April 26 from 10 a.m. to 2 p.m. Residents can bring unused, unwanted or expired medications to the Freeport Public Safety building for proper disposal. A list of acceptable items can be found on the Town's website at www.freeportmaine.com or for more information call 865-4800.

As a reminder, please note that the Town Hall is no longer accepting batteries to be dropped off for disposal at the Recycling Facility. Alkaline batteries can now be disposed of along with your regular household trash. Rechargeable batteries should be taken directly to the Recycling Facility where they can be recycled free of charge. For more information, contact the Recycling Facility at 865-3740 or go to their page on the Town's website.

Memorial Day will be on Monday, May 26th this year and Gloria DeGrandpre is the person in charge of planning the parade and events for the day. If you, your group or a group you know of, would like to participate in the parade and events, or help in the planning, please contact Gloria at GloriaD556@aol.com or at 232-6648. If anyone has ideas on how to improve on past parades and remembrances, Gloria would love to hear from you.

For many years Perry and Marlene have been providing free tax preparation assistance to elderly and low-moderate income people here in Freeport. Each year more and more people have come to rely on the AARP Tax-Aid program and Perry and Marlene have been joined by Bob, Ray and Wells in order to meet the demand for their services. This year tax preparation assistance was provided to well over 150 people in Freeport. Many thanks to Perry, Marlene, Bob, Ray and Wells for the countless hours of time and valuable assistance they provide to our residents.

FOURTH ORDER OF BUSINESS: Information Exchange
Councilor Sachs reminded everyone that the Freeport Conservation Commission meets at 6:00 p.m. tomorrow evening at the Freeport Community Center.

Councilor DeGrandpre reminded people that the Visioning Meeting is Thursday. Tomorrow at 6:30p.m. the Working Group will meet with the Withdrawal Committee at the High School Library.

FIFTH ORDER OF BUSINESS: Town Manager's Report
Mr. Joseph reported:

- If you have not received your property tax bill, please call the Finance Department at 865-4743 ext. 111 for a reprint of the bill. Taxes are due on May 15th for this billing cycle.
- Freeport Fire Rescue held its annual Awards Banquet on Saturday April 5th. This year's awards were:

  Officer of the Year - Jason Cass

EMS Provider of the Year - Erika Caron
Annual Service Award - Ricky Smith
Firefighter of the Year - Ben Mullane
Star of Life - Chaplin Sandy Williams
Freeport Fire Company Firefighter of the Year - Duncan Daly, Mike Yates, Bob Fusselman, Tom Daly
Unit Citation - Dan Brown, Paul Conley, Oscar Lopez, Nick Jewett, Gary Lane, Ben Mullane, Ray Smith, Jonas St. John, Eric Sylvain, Kevin Cassidy and Jeff Gouldup from Freeport Public Works. The Unit Citation was co-presented by George Clements of Lisbon. This was as a result to action taken from an accident that occurred this winter.

He congratulated everyone on their awards.

- The Public Works Department has moved from "Winter" to "Summer" hours this week. Hours are Monday – Thursday, 6:00AM until 4:30PM.
- He welcomed Rob Sutherland to the Town Hall staff. Rob will be working as an intern with Assessor Bob Konczal on this year's market update. You may see Rob either here in the office, or throughout town collecting property assessing data. The assessing staff will be out in Town over the next few months. They do have identification with them. People can call Town Hall or the Police Department if they have any concerns.
- On Friday, April 25th at 7:00 p.m., the Freeport Community Library will host Jazz & Poetry Night. The evening's festivities start with a live jazz performance by local musicians. Several well-known Maine poets will be there to read selections from their writing, including Betsy Scholl, Maine's Poet Laureate from 2006-2011. The evening will conclude with an open-mic segment for any audience member who would like to share their own poetry or favorite poem. A buffet of finger food will be served.
- Congratulations to the Officers who were involved last week in apprehending a suspect in a jewelry theft. The canine was also involved in apprehending the suspect. The canine was made possible mostly with donations from the community.

SIXTH ORDER OF BUSINESS: Public Comment Period (Non-Agenda Items Only)

MOVED AND SECONDED: To open the Public Comment Period (DeGrandpre & Egan) **VOTE:** (6 Ayes)

Chief Schofield provided an update on Cassie, who has begun drug training; she is progressing very well. As part of the training program, they recently did a search at the high school with dogs in the training program.

Councilor Sachs noted that canine Cassie will be at the library on April 30th and will be at Community Night. She is very popular.

MOVED AND SECONDED: To close the Public Comment Period. (DeGrandpre & Gleeson) **VOTE:** (6 Ayes)

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

ITEM #61-14 To consider action relative to adopting the April 15, 2014 Consent Agenda.

BE IT ORDERED: That the April 15, 2014 Consent Agenda be adopted. (Hendricks & Sachs)

Chair Hendricks reviewed the items for members of the public. Councilor Sachs noted that she did see the Wilbur's at a Rotary Activity and she did note that she lists the applicant as "Queen".

ROLL CALL VOTE: (6 Ayes)

ITEM #62-14 To consider action relative to approving a special amusement permit for Thomas Scannell and Deborah Doherty-Scannell d/b/a Theater of Awesome located at 5 Depot St, Freeport. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Wellen & DeGrandpre) **VOTE:** (6 Ayes)

There were no comments from the public.

MOVED AND SECONDED: That the Public Hearing be closed. (DeGrandpre & Sachs) **VOTE:** (6 Ayes)

BE IT ORDERED: That a special amusement permit for Thomas Scannell and Deborah Doherty-Scannell d/b/a Theater of Awesome located at 5 Depot St, Freeport be approved. (DeGrandpre/Wellen) **ROLL CALL VOTE:** (6 Ayes)

ITEM #63-14 To consider action relative to adopting the proposed 5-Year Capital Program for Fiscal Years 2015 through 2019.

BE IT ORDERED: That the 5-Year Capital Program for Fiscal Years 2015 through 2019 be adopted as presented (or amended). (Sachs & DeGrandpre)

Mr. Joseph noted that there was a handout with some information about questions asked after the initial presentation.

Police Department – Chairperson Hendricks noted that a question was asked why two cars were proposed for replacement as opposed to staggering them. Police Chief Gerald Schofield noted that this is the first year that the vehicles are being included in the Capital Plan. Previously, two vehicles were last purchased in 2007. He gave a history of the purchasing. They had been purchasing one per year, but the fleet is getting older and he had mentioned that there would be a point where they needed to start replacing two per year; altering with a 2 /1 plan. There are nine cars, and they have purchased one per year for the past seven years. He explained the rotation of cars in the fleet. He did work with the Finance Director and did talk to other Towns to see how they do it. They try to get vehicles off service at 100,000 miles as they tend to need more maintenance and cost more. Some secondary vehicles have more miles than that.

(Councilor Tracy arrived at 7:33 p.m.)

Councilor DeGrandpre thanked the Chief for working on this. He has a list of the current mileage. He noted that more towns are looking at SUVS; this is a bit of a change. There has been a challenge with parts for these Chryslers, and it takes a few days to get the parts.

Chief Schofield added that Crown Vic's used to be in stock and were easily available. Now, no one is really stocking them and they have to do an RFP (Request for Proposal). It can take a few months to get a car now.

Councilor DeGrandpre added at one point they could be purchased as dealer stock and they were cheaper when they were on the lot.

Chairperson Hendricks asked if any amendments were proposed. There were none.

Fire Department – Chairperson Hendricks noted that there were no items left to discuss since the last meeting.

Councilor Wellen suggested that the Council remove Engine 3 from 2016 and add it to 2019. He proposed an amendment that $800,000 be added in 2019. Engine 3 is in good shape and only adds about 2,000 miles per year. It is running well and he does not see a good need to drop it now.

Councilor Egan asked if there was a reason he was choosing 2019 as opposed to other years. Councilor Wellen stated that it was a balance, and based on the fact that it is running well now. Councilor Gleeson suggested that the Fire Chief come up.

Councilor DeGrandpre noted that this was the truck that was refurbished four years ago. Each year when coming up with the budget, he looks carefully at what is coming up in a few years. He does not see the need to move it right now, but would work with the Fire Department to look at this over the next year. The Department does a good job to see what they need next. Fire/Rescue Chief Darrel Fournier noted that he has started to put a committee together to look at specs.

Councilor Gleeson asked if he was comfortable with the running ability of the engine for a few years. Chief Fournier stated that it is a 1988 and has safety features of that time. He would like to see it stay on the schedule for the safety of his employees. The cost would also increase 3-5% per year. The longer it is put off, the lower value it would have. It is serviceable and it does respond to fires at this point. If there is a reported fire in town, it is the third engine that goes and it goes to the water source. It does have the Class B foam; the others have Class A. A newer truck would have both capabilities. Councilor DeGrandpre asked about condensed foam. Chief Fournier is not convinced that is the best thing now.

Chairperson Hendricks noted that if it is moved out to 2019, there will be a price increase; he noted what the increase would be at different rates, noting that if it was 5%, the cost would be $862,500. Councilor Wellen asked Ms. Yacoben how the increased cost would relate to the savings and questioned the financial benefit if there was a delay in purchasing it. Ms. Yacoben explained that it would depend on investments and market conditions. Ms. Tracy asked what the value of pushing it out would be for savings versus the increased cost. She asked if there was a value of keeping the $750,000. There also must be a value in overall reserves. Ms. Yacoben stated that other than how the investments perform, she is not aware of any other benefit to the Fund. The reserves are funded through various sources each year, anything above the fund balance policy will re-fund the reserves. She would replenish the reserve, whether it be today or five years from now. Ms. Yacoben explained the process for re-funding the reserve in relation to the five and twenty year plans. In addition, different reserve funds have different automatic revenues. She looks at the benchmarks and takes into consideration what is coming up.

Chairperson Hendricks noted that the proposed amendment made by Councilor Wellen was to move Engine 3 from 2016 to 2019.

Councilor Tracy wanted to hear from Councilor DeGrandpre first. Councilor DeGrandpre is inclined to leave it where it is. The truck goes through a pump test every year. Chief Fournier noted that is done in part with other things to determine the ISO rating. Councilor DeGrandpre noted that the price includes the truck and equipment. Chief Fournier noted that was correct and they are now purchasing equipment in the operating budget.

Councilor Wellen asked if he could withdraw the amendment. If Councilor DeGrandpre looks at it and he analyzes it further, that would be good. Councilor Wellen removed the proposed amendment and noted that they can look at it again next year.

Rescue Unit – Chairperson Hendricks stated that there were no questions left after previous meetings. He asked if there were any amendments. There were none.

Public Works - Chairperson Hendricks stated that there were no questions left after previous meetings. He asked if there were any amendments. There were none.

Solid Waste – Chairperson Hendricks stated that there was a proposal at the last meeting to move the closure of the landfill and the Councilors wanted the Town Engineer here to answer questions. Chairperson Hendricks asked for the Town Engineer's general opinion on the environmental impact and the addition to the cost.

Albert Presgraves, Town Engineer, noted that he sent a memo to the Town Council that included a map of the landfill and a short summary of the water quality issues out there. All of the investigations out there, many in the 1990s, determined that the landfill was not affecting the quality of drinking water out there. Nothing has occurred to change the finding. The longer it stays open, the more the potential risk than if it were closed sooner; nothing indicates that this is a realistic option in the next year or two. Chairperson Hendricks proposed to move it back to 2016, he is okay with that but wanted to know if there are concerns from Councilors. Councilor Wellen asked about the ways of measuring pollution, noting that they could not address everything. Mr. Presgraves noted that there are always some unknowns. There are 20 or so constituents whose wells are monitored and we look at trends every year. There have been more downward trends than upward trends. Councilor Tracy noted that she understands that the original closure date schedule was 2016, and the Council moved it up to 2015, so the Council would be moving back to how it was originally scheduled. Mr. Presgraves noted that it was changed during the discussion last year. Mr. Joseph noted that it was also talked about with the Hunter Road Field discussions.

Chairperson Hendricks asked if there were any amendments proposed for this article. He noted that the swap shop and closure were in 2015. Councilor Egan noted that they were listed in 2016. Mr. Joseph clarified that the proposed plan as the beginning of the year, and as recommended, was for $150,000 this year, but it was moved to 2016 as requested by the Council. If approved as shown, that is how it would be.

There was agreement to keep it as shown for 2016.

Comprehensive Town Improvements- Chairperson Hendricks noticed that the rail platform parking has been moved to the Destination TIF. Mr. Joseph noted that it would be okay, but would have to be kept as general parking, not just for rail if TIF funding was used. Councilor Tracy asked if some could be designated to transit. Mr. Joseph noted that he was not sure; they may need to reimburse. Councilor Tracy questioned if parking was designated. Mr. Joseph said that if that was the intent, this should not be done now. Councilor DeGrandpre noted that the lot is not the solution for long term parking in the village.

Councilor Tracy proposed to move the Litchfield Road construction to 2016. Her understanding is that it is placed as is because the road has totally failed and South Freeport Road is on the edge. Councilor Tracy asked for clarification. Mr. Presgraves noted that was correct. He thinks that Litchfield Road has completely failed. He does see value in moving it up to 2016, but leaving other projects where they are. The reason is because South Freeport Village roads and Litchfield Road are in such bad condition; it would be good to repair both in 2016.

Councilor DeGrandpre stated that one of the challenges with South Freeport Village will be what areas the Freeport Sewer District needs to do work in. This may become a two year project. Until they put a camera in the pipes, they will not know how bad they are. Mr. Presgraves stated that there is that unknown that could affect Main Street and South Freeport Road, but we should know better by the time they need to budget for 2016. Chairperson Hendricks asked about the estimate. Mr. Presgraves noted that it includes repairing as is now; it does not include curbs and sidewalks.

Chairperson Hendricks noted that would put FY 2016 up over $1million. Ms. Yacoben noted that fund has $2.1 million in it and they are proposing to spend $1 million now. When there is excess balance in the general fund, the conversation may be to move some to reserves. We will use all the ways we can to replenish the funds. Chairperson Hendricks noted that worse case, they may need to delay. Ms. Yacoben noted that Department Heads try hard to save money in their operating budgets to have some to move to reserves.

Chairperson Hendricks noted that there is a proposed amendment on the table to move Litchfield Road up from 2017 to 2016, and leave the rest as is.

Councilor Tracy noted that she did drive the road and there are craters all over it. She has had constituents come to her. Litchfield Road is really bad and she has driven both roads. She is comfortable moving it up.

Roll Call vote on Motion as proposed by Councilor Tracy to move Litchfield Road up from 2017 to 2016, and leave the rest as is. Vote: 7 Ayes / 0 Nays

Mr. Hendricks noted that after the last meeting, the only items left were from the Comprehensive Town Improvements so he assumed there were no questions. He asked if there were any other items to discuss.

Councilor Wellen noted that his only comment is that if the Town Council is going to talk about paving shoulders, maybe it would be good to look at which roads the Town Council wants to prioritize this on. He does not want it to be a precedent if it is done on Wardtown Road.

Councilor Tracy noted that at last meeting she heard Councilor Egan state that she did not want three-foot shoulders to be a precedent as four-foot may be needed in some cases.

Pat Cormier, resident of 10 Wardtown Road, stated that she thinks that a 1' paver with gravel would be sufficient as she does not feel that people would walk or ride on the road with the pavement due to all of the traffic. People would be put in harm's way if they are given the opportunity. No one is walking or biking there now. It is too unsafe and they are not going to use it if given more pavement. It is busy and noisy to begin with. A new road is needed, but 90% of the traffic does not live on that road. She wants a little peace and quiet so she can live on the road. The paved shoulders are not a good idea.
Councilor Wellen noted he is undecided on this. He would like to hear from more constituents first. It does need to be looked at on a case by case basis, but also as a whole.

Councilor Sachs referenced a memo sent out on the speed. Mr. Presgraves noted that he made a request to the Maine Department of Transportation to review the speed limit on Griffin Road. When a review is requested, a decision could be made to have the speed go up or down. He thought that Griffin Road was a safe request given the speeds on the other side.

Councilor Tracy asked about the affects of the smoother surface on the noise of the road. Mr. Presgraves noted that there are many factor such as pavement types; speed bumps are noisy and older bumpy roads are as well.

Councilor Gleeson noted that any benefit of extending the shoulder would also make the road last longer; this would be in addition to any active living goals. Mr. Presgraves stated that it would be a better constructed road with three foot shoulders. Councilor Gleeson noted that when one looks at sandy parts of shoulders and gullies, four-foot was felt would go into people's properties, noting that the three foot would be done in the best possible way and narrowed where needed for less effect on people's yards and landscaping. Mr. Presgraves noted that for the most part, the road has three foot gravel shoulders now, but there are a few spaces where it may fit. The four-foot shoulder would require more widening of the ditches and banks.

Councilor Egan noted that one of the things said was that we need to look at where we put and do not put shoulders comprehensively. There is a list of places in the Active Living Plan that notes where shoulders are needed. Three-feet would not be safe for bicycles and pedestrians; it would be more safe and better for road condition. Four feet would be safer. The past discussion was that the majority of the Council would prefer three feet. We are not saying it is safe to walk and bike on them. It is better than what is there now, but not up to the national standards for safety and we are missing an opportunity here.

Councilor Sachs questioned where the four foot could not be done. Mr. Presgraves stated that it could be done, but there would be more of an impact on people's properties than the three foot. Councilor Sachs stated that the Town Council could put the money in to have the flexibility, knowing that the design with public input needed to be done and three foot may fit some places and not others. Mr. Presgraves noted that they could put four, and although not the case, people would feel like their property was being taken.

Councilor DeGrandpre noted that the three foot shoulders would improve conditions but in some cases, the soil beneath would need to be replaced. If the shoulders are not done, there could be pavement breaking off. With three-foot shoulders, when they overlay in the future they would have nearly the same road. The investment will be paid when the road is overlaid in 20 years. Griffin Road has three-foot gravel shoulders and when it is rebuilt, they could pave three-foot. When you get to Grant Road and Lunt Road, there is no plan to continue shoulders beyond. This is why he is torn.

Councilor Egan noted it is important to think about if facilities connect and need to think about safety in the long term. The Council should look at pieces that do connect and this would connect to the Village. You can see the spidering out of a better network in some parts of Town. She urges the Council to be more visionary, as these are 20 year investments.

Councilor Tracy noted that the concept she just heard, was a hybrid approach of allowing up to four feet, but then to do an analysis. She asked if he could do a further hybrid and a three foot plan with some design work and then they could decide. Mr. Presgraves noted that the majority of the cost estimated for the road and the three-foot paved shoulders, is for doing the full depth thickness for the width of the pavement. A four foot shoulder could be easily put-in in some places, but not in others. Money could be added to allocate to pavement, with trying to minimize pavement to people's yards; he has not looked to

see how it would work with connectivity between roads. Councilor Tracy noted that it sounds like more research is needed, but it is conceivable that they could be different widths with some analysis on the impacts to abutters. She asked if he could do analysis on both options, to bring to the decision makers, or if he really needed to know now.

Councilor Wellen noted that he would not want to go more than three foot; he has a vision, just a different one. Councilor DeGrandpre noted that this Capital Budget starts July 1, and they would need to get started sooner than that. Chairperson Hendricks asked about the start date. Mr. Presgraves noted it would be once he has some direction. He needs to put a plan forward to show the Maine Department of Transportation since they are providing some of the funding. This would take a few weeks.

Chairperson Hendricks asked if any amendments were proposed. Councilor Sachs noted that it was an important discussion. No amendments were proposed.

Municipal Facilities- Chairperson Hendricks noted that previously there were two questions asked; about windows at Public Safety and insulation. Ms. Yacoben has asked some department heads to look at this over the next year. The Town Planner will work with Public Safety Department Heads to come up with a more precise budget. This is fine for benchmarking. Mr. Joseph noted that it is out to 2016 as the work has not been done to research this.

Councilor Wellen noted that he would probably go out and look at the attic and the building. Ms. Yacoben noted the attic conditions in that building. She stated that she would ask the Town Planner to contact Councilor Wellen so that he could go on one of the walk throughs.

Councilor Wellen stated that he looked at the library expansion and he proposed to reduce the expansion proposed for 2019 from $300,000 to $100,000. He thinks that the town is going to be in for some sticker shock when it comes to expansion of the high school and where the funds are spent. He does not think that this is as big of an issue as some of our other needs. He noted that some towns fund such projects with private donations.

Councilor Tracy noted she is also interested in money for the schools, but she is not sure how this change impacts that budget as it is a separate budget. Councilor Wellen stated that if we reduce Capital Plan spending, we will have more reserve funds and in certain years, could put reserve funds towards the operating costs, to reduce taxes. That could help pay for a bond for a certain year or help pay for the school budget. Councilor Tracy summarized Mr. Wellen's comments. Councilor Wellen added that the Town Council could move the reserve funds to help offset tax increases or give it straight back to taxpayers.

Councilor Egan noted that there have not been any discussion on the expansion, and it is so far out, so she would be hesitant to remove it tonight. Councilor Wellen noted that there is not a detailed sense, as it is so far out. We have talked about the reason in the past few years, and it was for office space and then for the children's area as it gets crowded. Placements way out do affect how we need to save for reserves.

Councilor DeGrandpre talked about reserve funds, noting that the Council still needs to think about the capital needs of the school whether or not they stay together. He is not willing to reduce something out five years. They may need to make changes down the road in the allocations, and this is a discussion to have going forward. The reserve accounts have allowed the Council to run the community the best they can in difficult times. Councilor Wellen noted that it is always a question of how much we need in reserves. He is a supporter of the library and the other expenses; he just thinks this is overkill in terms of other needs.

Councilor Tracy noted her agreement with Councilor Egan's comments on needing additional information. She thinks that there is a discussion to be had on balancing how much to spend and on keeping too much and over reserving. She also questions if the overlay that we have is excessive. She proposed this discussion be at a later date when there is time to get information together.

Chairperson Hendricks noted that there is a proposed amendment made by Councilor Wellen to reduce the expansion proposed for 2019 from $300,000 to $100,000. Amendment seconded by Councilor Tracy. Roll call vote: 1 Ayes (Wellen) / 6 Nays

Councilor Tracy suggested a workshop in the summer to better understand the financial policies and the overlay. Mr. Joseph noted that the overlay is set by the Assessor and we are at about 2%. Overlay is standard practice. Councilor Sachs noted that there were extensive notes taken a few years back on this. Councilor Egan noted that the other option would be a tutorial from the Finance Director and then decide if we want to revisit policies. Ms. Yacoben stated that would be great and it works well in a smaller group so people could ask questions. Mr. Hendricks noted they were thinking of a Council workshop. Ms. Yacoben noted that would be fine.

Chair Hendricks asked for any other changes. There were none.

Cable – Chairperson Hendricks noted that there were no outstanding items after last discussion. There were no comments.

Boards and Committees – Chair Hendricks noted that Council asked Christina White from Freeport Historical Society to be present tonight. Christina White, Director of the Freeport Historical Society was present to give the Board a summary of the proposed request and Freeport's interest in its history. She referenced historical signage, references to Freeport's history on local organizations' websites, and the Comprehensive Plan. She showed the Council a sample of a historical data sheet for data collected in the past noting how they are used by the Society and people that come to them. She noted that Freeport has two designated Historic Districts, with the Harraseeket Historic District being the largest designated in the State of Maine with 3,200 acres. It has been 17 years since this information has been updated. The Council received a letter from the Chairperson of the Planning Board with her sentiments noting the benefits of the project. The request has been reduced from $30,000 to $16,000 since the initial request was made last year. The full amount of money will go to the process and the materials that get produced; not to the Historical Society. Copies will also go to the State who is a secondary depository.

Councilor DeGrandpre asked if the information would be digitized. Ms. White stated no. It was noted that they do have the ability to scan and send information to people. Mr. Gleeson noted past mention of an intern. Ms. White noted that they have an intern this year, a recent graduate from SUNY, who picked their Historical Society due to the pieces of work they could put together for her.

Councilor Wellen asked Mr. Joseph what feedback he got from Town Employees. Mr. Joseph noted that information went out to the Council with information from the Town Planner, Codes Officer, Planning Board and the Project Review Board. The Project Review Board and Codes Enforcement Officer were neutral as it was not information they would use and the Planning Board and the Town Planner were in favor of the project. Ms. Yacoben noted that she emailed the information out to the Council.

Mr. DeGrandpre noted that the Project Review Board and the Planning Board have used the Society's information for their reviews. Having the depth of information available provides information on the history and this gives them a tool to work from. Councilor Gleeson noted his agreement. Due to the cost

reduction, this is a great opportunity this year and he likes that there will be a secondary repository. In the future, he would like to see their records better protected such as with fire protection. Councilor Tracy noted that she watched the Project Review Board discussion on this. They brought up that they deal more with the downtown district and at some point someone did this project in the village and they use it now. As a Town, we have a responsibility to preserve our heritage and to not lose the knowledge where we can. She supports this.

Chair Hendricks asked if there were any amendments. There were none.

Destination TIF Village Improvements - Mr. Wellen asked if the TIF was different than the Capital Program and if it would be adopted separately. Mr. Joseph noted that it was part of the Capital Program. Mr. Yacoben noted that the Charter is silent on the TIF, it has been put in here so it can be treated as a planning document.

Mr. Hendricks noted a typo under FY 2018 to change the amounts from $85,000 to $95,000.

Mr. Wellen noted that if he were to make an amendment he would reduce the Freeport Economic Development Corporation to $50,000 to hire an assistant and to bring it back into a function of Planning. He thinks it is time to bring it back in to the Town.

No amendment were proposed.

BE IT ORDERED: That the 5-Year Capital Program for Fiscal Years 2015 through 2019 be adopted as amended. (DeGrandpre & Egan) **ROLL CALL VOTE:** (6 Ayes) (1 Nay – Wellen)

ITEM #64-14 To consider action relative to authorizing the Town Engineer to sign all construction over-limit permits on behalf of the Town Council from this date forward.

BE IT ORDERED: That the Town Engineer be authorized to sign all construction over-limit permits on behalf of the Town Council from this date forward. (Gleeson & DeGrandpre)

Mr. Hendricks noted that there were two memos from the Town Engineer on this. Councilor DeGrandpre asked when a permit was last issued. Mr. Presgraves noted that none have been issued since he has been here. This is an agreement that we will issue a permit if requested, but we can add conditions such as a bond. Mr. Joseph noted that this would save the Council from taking this up on their agenda.

ROLL CALL VOTE: (7 Ayes)

OTHER BUSINESS

1. Freeport Withdrawal Committee activity update. (Rich DeGrandpre) (20 minutes)

Councilor DeGrandpre noted that there have been some discussions and they did get a new redlined draft from their attorney. They believe they have the ability to educate everyone who is in the building who would be grandfathered and for the ability to educate people from Pownal, as there is no room in Durham.

Tomorrow they will be discussing the grandfathering, some capacity information, and transportation and busses which cannot be figured out until we know where the kids are going to go. He is hoping everyone will be present tomorrow along with the groups' attorneys. He encourages anyone to attend the discussions. The Council has the obligation to work through that information as well. They are hoping to have up to 10 tables of people to discuss their vision for Freeport High School going forward and to get a vision of Freeport schools in four years and some ideas on how to get there. There will be a moderator. The meeting will be taped but he is not sure if it can be broadcast live. If anyone as thoughts or ideas to share, please come to their meetings or email fwc@freeportmaine.com

Councilor Tracy noted that last time there was a discussion about the outreach of the Withdrawal Committee to other communities. She asked if there was an update. Councilor DeGrandpre noted that the grandfathering piece is this and there are 40 or so in the middle school and we have the capacity for them to go to Freeport going forward. The capacity at Freeport High School is 80-150 of high school students from other communities, largely because we know we have a renovation project before us. In regards to building capacity to tuition students, it does not seem to be what people want. They have analyzed their best guess of the student population going forward. Everyone would come the first year, and then six years of Pownal and four of Durham in terms of grandfathering. The numbers we came up with were determined to be fairly accurate, but he does not have the capacity numbers in front of him. There is also the assumption that if they provide education for Pownal middle schoolers, they would most likely stay through high school. The last meeting was interesting and went well. It has been an interesting process.

Chair Hendricks noted that he has a memo from the Finance Director to the Town Manager regarding the Shellfish Project which ended in 2014. When a project ends and funds remain, they are typically transferred to the reserve fund. It was noted that all bills have been paid. Chair Hendricks noted that he had no problem with this, but the Finance Director was uncomfortable with that since it was a Council project, so it was brought to the Council.

Mr. DeGrandpre stated that Mr. Beal may need help or resources going forward. Chairperson Hendricks noted that they will have a workshop with the Shellfish Commission and Dr. Beal coming up. It was noted that the Council has committed to the traps. Mr. DeGrandpre noted that there was some discussion on this and they did agree to some equipment. There was no objection to Ms. Yacoben following her standard procedure.

Chair Hendricks noted that May 6th would be the first look at the operating budget. The next meeting will be Tuesday, April 29, 2014 at the Mallet Hall in Pownal. He has been trying to have the Council meet with the Town's neighbors to touch base, see if there are ways we can work together and maintain our good relationships. Mr. Joseph is going to ask Department Heads for feedback. If the Council has ideas they can send them to Mr. Joseph or bring them to the meeting.

MOVED AND SECONDED: To adjourn at 9:41 p.m. (Egan & Sachs) **VOTE:** (7 Ayes)

Respectfully submitted,

Caroline Crean Pelletier

MINUTES
FREEPORT TOWN COUNCIL MEETING #09-14 - PART I
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, APRIL 15, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road			x

Chair Hendricks welcomed everyone and called the meeting to order at 6:30 p.m. He took the roll.

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

EXECUTIVE SESSION

ITEM #55-14 To consider action relative to an Executive Session concerning a legal matter (1 M.R.S.A. § 405(6)(E)).

MOVED AND SECONDED: That the Town Council enter into Executive Session pursuant to 1 M.R.S.A. § 405(6)(E)) to discuss a legal matter with the Town Attorney. (Egan & Sachs) **VOTE:** (6 Ayes)

MOVED AND SECONDED: That the Town Council reconvene into Public Session. (DeGrandpre & Egan) **VOTE:** (6 Ayes)

No other action was taken on this item.

MOVED AND SECONDED: To adjourn at 7:05 p.m. (DeGrandpre & Sachs) **VOTE:** (6 Ayes)

Respectfully submitted,

Peter E. Joseph

MINUTES
FREEPORT TOWN COUNCIL MEETING #10-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, MAY 6, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road		x	
James Hendricks, 21 West Street		x	
Kristina Egan, 5 Weston Point Road		x	
Melanie Sachs, 84 Kelsey Ridge Road		x	
Andrew Wellen, 83 Hunter Road		x	
Scott Gleeson, 23 Park Street			x arrived @ 7:20 p.m.
Sarah Tracy, 75 Lower Flying Point Road			x

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #09-14 held on April 15, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #09-14 held on April 15, 2014 and to accept the Minutes as printed.(DeGrandpre & Egan) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Tracy)

THIRD ORDER OF BUSINESS: Announcements

Councilor DeGrandpre reminded folks that the Freeport Withdrawal Group is meeting with the RSU Working Group in the High School Library on Thursday evening. They will be discussing enrollments. He is hoping that copies will be available on things that have been tentatively agreed upon. If folks go to the Freeport Withdrawal Committee website, they will find the items that they have reached tentative agreement on.

Councilor Sachs pointed out that tomorrow night will be the last School Board Dine and Discuss at 5:30 p.m. at the Freeport High School Cafeteria. She encouraged residents to come and talk about this year's school budget. Any resident is welcome.

Councilor Egan noted that tomorrow night, May 7 the Planning Board will be hearing a presentation of the Active Living Plan. Anne-Marie Davee will be giving an overview of the Plan and there will be an opportunity for public comment for everyone that cares about walking, biking, hiking, swimming, kayaking and being more active in Freeport.

Chair Hendricks explained that he had an election notice. On June 10 the polls will be open from 7 a.m. to 8 p.m. in the Freeport High School Gym for the State Primary and the RSU5 School Budget Validation Election. Absentee Ballots for the State Primary Election will be available at the Town Clerk's Office beginning May 11 and for the RSU5 School Budget Validation Election on Thursday, May 29. The deadline to request an absentee ballot is Thursday, June 5 at 6 p.m. Please note that residents registering to vote by mail must do so by the State deadline on Tuesday, May 20, 2014. For details on absentee balloting and elections, please contact the Town

Clerk.

Please be aware that the RSU5 will be holding its annual budget meeting on Wednesday, May 28 at 6:30 p.m. in the Freeport High School Gymnasium.

Memorial Day falls on Monday, May 26 this year and Gloria DeGrandpre is in charge of putting together the parade and events for the day. If your group or a group you know of would like to participate in the parade or help with the planning, please contact Gloria at Gloriad556@AOL.com or call her at 232-6648. If anyone has any ideas on how to improve on past parades, Gloria would love to hear what you have to say.

Chair Hendricks congratulated the nine students who were winners in the Paper Recycling Poster Contest sponsored by the Freeport Solid Waste and Recycling Committee. The contest was aimed to improve paper recycling in the schools and Municipal buildings. Winners include two students from Morse Street School and seven students from Mast Landing. They received a $25 gift certificate from Freeport USA.

Chair Hendricks mentioned that the Library has a number of events this month that residents will not want to miss. Two award-winning author friends Christina Baker-Kline and Kate Manning will give book talks and dialogue on writing at the Library on Monday, May 12 at 6:30 p.m. For a complete listing of Library events, residents can visit the Library's website at www.Freeportlibrary.org.

Chair Hendricks announced that he had a safety announcement coming from concerned parents as well as our Freeport Fire and Rescue Department and Police Department. There is a growing trend on Face Book called the Polar Plunge where students and adults are being challenged by their friends with a video from another friend who is jumping into freezing cold water and challenging four friends to do the same. He explained how dangerous this can be because jumping into ice cold water can land a person with hypothermia quite quickly as well as the danger of jumping through ice into a frozen pond. There is danger of becoming confused from hypothermia and drowning. Another bigger danger is the shock to one's heart which can cause an attack and other heart-related issues, especially with teens having an unknown heart condition which can lead to sudden death. Chair Hendricks is trying to say that if anyone receives a dare from his or her friends and is worried about being challenged by it, please contact an adult—a parent, school counselor or even Fire, Rescue or the Police Department. He is advising kids and parents to not advocate this event.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Egan pointed out that the Active Living Task Force will be meeting this Thursday at 7:30 a.m. The agenda should be on line.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

Reminder—if you have not received your property tax bill, please call the Finance Department at 865-4743 Extension 111 for a reprint of the bill. Taxes are due on May 15 for this billing cycle.

The Public Works Department has lifted all seasonal heavy load limits effective April 28, 2014.

Winslow Park will open to seasonal campers May 19th and to all campers on May 22nd. A Calendar of Park events for 2014 is available on the Town's website.

How should the skating pond at Leon Gorman Park be reused? Come to Leon Gorman Park at the skating pond on Saturday, May 31, 2014 between 9-11 a.m. to find out more and tell us how you think the area should be used. Presentations will be made at 9:15 and 10:15, but you don't have to hear a presentation to participate. Coffee and muffins will be served.

The Active Living Task Force will be presenting their plan to the Planning Board on Wednesday, May 7th at 6 p.m. The public is welcome and encouraged to attend. This is a great opportunity to learn more about the plan, ask questions and/or make comments. The plan is online and paper copies can be picked up at the Planning Department counter during business hours.

Free "Earth Machine" compost bins are available to the first 15 residents! Freeport residents can once again sign up to receive a free compost bin. This offer is intended for residents who have never composted or who have tried and been unsuccessful. In exchange for the free compost bin, residents must agree to attend a Recycling Committee meeting on October 15, 2014 to share their stories of success and/or failure with committee members. This will be an informal meeting from 6:30-7:30 at the Freeport Community Center, 53 Depot Street. Refreshments will be provided. Interested residents who would like instruction on how to compost can arrange a time to speak with Suzanne Duplissis, Recycling Center Manager for a free composting lesson. Compost bins will be given away on a first come, first served basis. (Remember, this offer is for residents who are not already composting). Application forms are available at Town Hall, the Recycling Center on Hedgehog Mt. Road, on the Town's website or by Emailing sduplissis@freeportmaine.com. Please call 865-3740 with any questions.

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

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre)
VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

Councilor Sachs stepped down from her position on the Council.

Melanie Sachs, Executive Director of Freeport Community Services thanked Suzanne Duplissis publicly for coming to the Center to talk about recycling with them. Ms. Duplissis advised that the Center is recycling a large amount appropriately and provided some good tips. FCS has been trying to save taxpayers money by distributing goods they would have to dispose of. Ms. Sachs plans to continue to work with Ms. Duplissis. Ms. Sachs explained that the Center donates electronics to Good Will and if they have clothes that are badly stained or beyond repair, they are donated to the Salvation Army because they can shred them for newspaper. She mentioned that in-kind donations to Good Will and Salvation Army totaled $82,000 worth of items in six months and they hope to do even better in the next six months with Ms. Duplissis' help.

MOVED AND SECONDED: To close the Public Comment Period. (Egan & DeGrandpre)
VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

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

ITEM #71-14 To consider action relative to adopting the May 6, 2014 Consent Agenda.

BE IT ORDERED: That the May 6, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

ITEM #72-14 To consider action relative to approving a liquor license application for Lobster Cooker located at 39 Main Street, Freeport due to a change in ownership.

BE IT ORDERED: That a Public Hearing be scheduled for May 20, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving a liquor license application for Lobster Cooker located at 39 Main St, Freeport due to a change in ownership.

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 3 and the Town's website. (Egan & DeGrandpre)

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

ITEM #73-14 To consider action relative to the use of Town property for the annual Independence Day road race.

BE IT ORDERED: That a request for use of town property submitted by LL Bean to use Bow Street Park on July 3 & 4, 2014 for its annual road race be approved. (Wellen & Egan)

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

ITEM #74-14 To consider action relative to the use of Town property for the RSU#5 Port Teen Center kayak display raffle.

BE IT ORDERED: That a request for use of town property submitted by RSU#5 Port Teen Center to use the Public Safety Building land for its kayak display raffle for three weeks until June 1st be approved. (Sachs & Egan)

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

ITEM #75-14 To consider action relative to appointing a Town Auditor for FY2014.

BE IT ORDERED: That the firm 'Runyon Kersteen Roulette' of South Portland be appointed as Town Auditor to review the Town's year end FY2014 finances at the cost of $22,000.

Note: The Town Council accepted the bid price of $21,500 for auditing services for FY2013 last year, with the option to renew for FY2014 at a slight increase.
(DeGrandpre & Egan)

Ms. Yacoben explained that she was pleased with this firm's work last year and is confident she will be pleased this year as well. Councilor DeGrandpre noted that he found them to be very personable.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Tracy)

ITEM #76-14 To consider action relative to expending $50,000 from the Boards & Committees reserve account for the purpose of funding the Freeport Withdrawal Committee activities as approved by the voters of the Town of Freeport by referendum on December 17, 2013.

BE IT ORDERED: That $50,000 be expended from the Boards & Committees reserve account for the purpose of funding the Freeport Withdrawal Committee activities as approved by the voters of the Town of Freeport by referendum on December 17, 2013. (Egan & Sachs)

Councilor DeGrandpre suggested changing the wording in the BE IT ORDERED: to read: That *up to* $50,000 be *encumbered.* Others agreed that this wording would be fine. Mr. Joseph pointed out that the actual money was voted upon by the voters. This is more of a clarification than an actual appropriation.

MOVED AND SECONDED: to amend the order to read: That up to $50,000 be encumbered from the Boards & Committees reserve account for the purpose of funding the Freeport Withdrawal Committee activities as approved by the voters of the Town of Freeport by referendum on December 17, 2013. (Egan & DeGrandpre) **ROLL CALL VOTE:** (5 Ayes) (2 Excused-Gleeson & Tracy)

ROLL CALL VOTE ON AMENDED ORDER: (5 Ayes) (2 Excused-Gleeson & Tracy)

OTHER BUSINESS
Freeport Withdrawal Committee activity update.

Councilor DeGrandpre explained that a Visioning Meeting was held before school vacation and it was a huge success. At least 100 people attended. He noted that the food was good and the company was good. The Withdrawal Committee spent most of the evening listening to make sure they weren't missing something along the way. They are all reviewing the information which was recorded. He mentioned that this information is available electronically and he can forward it to anyone interested. Since the week before was school vacation, there were not a lot of folks around. They only had one meeting of the Withdrawal Group last Thursday and there was some preparation for their discussion with the Working Group. This week he believes our attorneys will be attending. There are at least a half dozen items that need a language change or a word change so he is hoping to get through those. They will then move on to enrollment. He encouraged interested folks to attend. They are still working on capacity and several other things. The tentative agreements are on concept and not necessarily numbers. Finances are still up in the air.

Councilor Egan mentioned that she is interested in learning what the impact to taxpayers will be. Councilor DeGrandpre noted that the actual budget going forward would be built by a yet to be formed School Committee if Freeport withdraws. Their goal is to get through their process by June 30. They plan to have it on the ballot in November.

FY14 Operating Budget Presentation.

Mr. Joseph referred to pages 88-257 in the binders and noted that some of this is additional new material that was not in the budget previous years. This is taken from the format of the GFOA Model Budget. Ms. Yacoben has the framework ready from last year and we take it and move things over and she and the department heads write up all the accomplishments from last year and then it is ready to go. We are now three or four months ahead of where Ms. Yacoben would have been last year. The Council would have passed this in June and in a couple of months she would have worked on putting this together and then putting it on the web for the general public.

Councilor Egan noted that this is a fantastic piece of work and congratulated Mr. Joseph and Ms. Yacoben. She feels that the level of detail is fantastic and every resident should read it if they have time. She noted that Mr. Joseph through his Town Manager Reports, highlighted some of the things that went on in Town government. She suggested that he compile a one page document that says these are the major highlights from last year that we accomplished and these are our major goals for next year and post it on the home page of the website.

Mr. Joseph pointed out that also new for this year in the front of the budget, Councilors will see Budget and Brief which is a recommended practice by GFOA for budget presentations. This is one sheet for budget purposes only. For the general public, the cover letter is on page 6 of 257.

Ms. Yacoben cautioned that there would be a couple of minor changes between now and when she submits the recommended GFOA practices. She explained the funds. She estimates a seven cent increase on the tax rate. Mr. Joseph noted that the Council's goal for 2014 was to minimize tax increases and the directive to department heads was to not propose new programs or services that have not been discussed in detail with the Council. There is one program in this budget which has been discussed for more than a year which is the Library's proposal to switch their on-line cataloging program to Minerva. It is going to be an approximate $21,000 item when it is netted out in the budget. There are two new proposals that will be discussed in the budget cycle but are not in the base budget in front of the Council. A request was made by the Shellfish Commission for approximately $90,000 for a Shellfish Coordinator's position. It will be discussed later this evening. The second request is a staffing request by the Fire Department which would have a budget impact of approximately $155,000 which would add another eleven cents to the tax rate. This is not included in the base budget in an effort to keep our increase down to seven cents or slightly lower in the tax rates. Mr. Joseph considers these two items as an optional add-on for this year's budget. He noted that a few things are always presented as optional items that the Council can discuss. If the Council decides they are very important, they can be added to the budget. If not, we can leave the budget as is.

Councilor DeGrandpre asked for more information on time of day calls and which are emergency and which are NET. He feels it would be helpful. Mr. Joseph will discuss staffing levels and calls with the Fire Department. Mr. Joseph agreed this is important.

Ms. Yacoben discussed the revenue sharing decrease of $140,000 last year. This year the decrease is $175,000 and she plans to increase the transfer in from Fund Balance which makes her a little nervous and she would like to decrease it over the next few years. She feels that we will be okay in the General Fund but has concerns that there may be other unexpected items in the General Fund and the ability to fund the reserves. Councilor DeGrandpre pointed out that its our tax dollars not coming back. Ms. Yacoben explained that we have not seen our investment earnings come back and interest rates have not risen. Mr. Joseph pointed out that they are proposing a cost of living adjustment of 1.8% for Town employees which amounts to about $65,000 across all departments. We typically survey what our neighboring communities are doing and take the average of their cost of living adjustments to get a balanced number. Mr. Joseph referred to Eco Maine and the net impact is $80,000.

The Shellfish Commission has requested an additional $5,000 to increase their equipment purchase fund which is in their budget.

Mr. Joseph mentioned the Fire Department's Pay Plan. They run different types of calls—emergency calls, non-emergency calls, emergency ambulance calls and non-emergency ambulance calls. They have a pay scale that pays employees two different rates for doing the same job depending on the time of day and what truck they are riding on. There is no set step plan like all employees are held to here so there has not been any standardization on rates. He has been working to come up with a plan and hopes to finalize it within the next few weeks. They estimate it will cost $15,000 to implement it.

The Library's Minerva has already been discussed but it will cost us $21,500 but $18,000 had been offset by donations so this can be discussed with the Library's Director. It will be close to $39,000.

Councilor Sachs asked about passport services. We make $6,500 in revenue for this service but we expend significantly more than that in staff time. It takes approximately 1 ½ or 2 hours per passport. Mr. Joseph explained that we do not have a home for passport services at this time. He has not proposed adding additional staff for this service. Councilor DeGrandpre would like to know if we are obligated to charge the same amount for a resident as we are for non-residents. Chair Hendricks noted that this will need to be discussed.

Mr. Joseph pointed out that Parking and Traffic talked about trail blazing signs. They want to budget $5,000 for Public Works to have the money on hand to revitalize and replace the trail blazing signs over the year.

Mr. Joseph mentioned that the Police Department cruisers moved from the Operating budget to the Capital budget this year which is $35,000. Mr. Joseph feels it is more accurate to classify the protective equipment for the Fire Department as an Operating line expense because each set is $1,000-$2,000 so it doesn't meet the requirement for Capital. They are not purchased in bulk so it is more of an Operating line expense.

Councilor Sachs asked if residents can understand what has been added that is not traditionally funded by property taxes. Ms. Yacoben explained that this information is shown on page 10 of the submittal letter which can be found under the budget information on the Town's website. They are labeled major budget changes. Mr. Joseph also referred to page 11 which has a chart showing the five-year revenue sharing history. In six years it has been cut in half.

Councilor Egan pointed out that we are saying we have a decrease in the budget but we are still looking for a tax increase. She asked Ms. Yacoben for an explanation. Ms. Yacoben explained that the new format has an electronic bookmark and folks sitting at home can click on the transmittal letter (Control G and go to page 10). To answer Councilor Egan's question, she explained that the Council has items that came out of the budget that were not paid for by tax revenue last year such as paving. If we remove passports from our budget, we have to pay for them with taxes. She also noted the decrease in investment earnings of $15,000. Services supported by taxes are not down.

Councilor Wellen asked for clarification on the mil impacts. Mr. Joseph noted that if the RSU5 budget is passed as proposed, it will mean an approximate fifty-three cent increase to the tax rate. He explained some of the other items that will impact the tax rate. The Municipal portion of the property tax will be responsible for a 2% increase. More discussion followed on the tax rate. Mr. Joseph explained that the average taxpayer in Freeport owns a $221,500 home so a seven cent tax increase on our average taxpayer would equate to $15.00 more in property taxes per year for the Town portion. Mr. Joseph would prefer it to be zero since he too is a taxpayer in Freeport but realizes how much effort has been put into the budget. He is proud to work with Ms. Yacoben and the Department heads that have been doing such a good job keeping their departments in check financially.

Councilor DeGrandpre pointed out that if Freeport withdraws from the RSU, there will still be needs in the high school. The school folks want to move as quickly as they can with the bond if the RSU stays together.

Mr. Joseph noted that the Chamber is only asking for $1,000 in dues instead of $8,000 in Capital funding.

Ms. Yacoben pointed out that we have an open door policy and people can make appointments to come in and talk with certain department heads about anything they want to review. This is for the Council and the public. We schedule a night and a morning for folks that have different work schedules so they can come in and ask questions on any topic. A session is scheduled on Wednesday, May 14 from 5-6 p.m. and another is scheduled on May 15 from 7:30-8:30 a.m. Both sessions will take place in the Council Chambers. On May 20 there will be a workshop on the Operating, Capital and TIF budgets. On Tuesday, June 3 there will be a public hearing for folks that want to come and speak at the podium. June 17 is the target date for the adoption of all these budgets and the makings of the appropriations. Mr. Joseph explained that the Charter deadline for the adoption of the budget is the end of the fiscal year which is June 30.

Chair Hendricks noted that May 20 will be the Council's first budgetary workshop. If more information is needed from that discussion, it will be discussed after the public hearing is over on June 3. The goal is to have most of the hard work done in those two sessions. On June 17 we will go through the budget but most of the hard decisions should have been made and perhaps only clarification will be left. He mentioned that if Councilors are asking questions that they feel are important, they can assume that the rest of the Council will think that the answers to those questions are just as important. He encouraged Councilors to share the answers to their questions with the rest of the Council prior to the session. He will make sure any information he receives will be decimated and shared with the Council ahead of time. He encouraged the public to take advantage of the sessions scheduled on May 14 and 15. On May 20 there will not be any public input that night. The first chance to speak on the budget will be on June 3 and another opportunity to speak will be on June 17 prior to the Council's discussion when it does the adoption. He encouraged Councilors to get a clear understanding of the budget. They were encouraged to send their requests to department heads in advance of meetings and copy Ms. Yacoben and Mr. Joseph and share their information.

Councilor DeGrandpre reminded folks that we will have our department heads here and they are happy to talk to folks on any subject. He noted that these meetings are generally sparsely attended and are very informal.

Mr. Joseph pointed out the amount of detail and the amount of work generated by our Finance Director. She is three weeks ahead of schedule. Ms. Yacoben was thanked for the amount of detail she provides and received a round of applause. Ms. Yacoben noted that she thinks it is fun!

Request for Funding for Shellfish Coordinator Position in FY15.

Mr. Joseph advised that Delbert Arris and Erik Horne were asked to arrive at 8:30 since adding up all the agenda items, he didn't think they would be on until 9 p.m. He is not sure they received a message to come earlier. He pointed out that the entire Shellfish Commission was invited but Nora Healy has a work schedule conflict so he was not expecting her.

Chair Hendricks explained that the Shellfish Commission commissioned a consultant approximately three months ago to come up with an analysis and a job description for what was going to be a Regional Shellfish Coordinator. While they commissioned and voted to look into the possibility of regionalizing shellfish programs with other communities in our area, when they got half way through the process which was when they received a report and had one meeting to review it, they came back at their next meeting with a short amount of discussion, changed their path quickly to believe that the idea of a regional coordinator was not going to be feasible or may

not work and came back with a proposal for a Freeport-only Shellfish Coordinator in lieu of our Shellfish Warden at a cost of $90,000.

Councilor Gleeson advised that he and Mr. Joseph attended the meeting. The chair was not there and Delbert Arris ran the meeting. A motion was made to do a Freeport-only position. He was expecting more of a discussion on a regional coordinator because the last thing being discussed in our meetings was the $5,000 that was going to be expended to have a two-step plan to a) find out what would be involved with a Regional Shellfish Coordinator and b) to then have an outreach program with neighboring towns to try to get consensus. Councilor Gleeson disclosed that he was very interested in getting a Regional Shellfish Coordinator and was surprised when the commission rapidly went to a Freeport-only Coordinator.

Chair Hendricks mentioned that he sat down with the Chief of Police, the Town Manager and Shellfish Warden, Tom Kay. He tried to discover where we are at in terms of enforcement, time and position. He has learned from newspapers that some of the shellfish diggers appear to feel we do not need a Shellfish Warden. His duties can be done elsewhere or not needed as well as the idea that our Police Department could do the same job as the Shellfish Warden without having a Shellfish Warden. This was the idea behind having a Shellfish Coordinator.

Chair Hendricks asked the Police Chief about this and was advised that part of the enforcement goes directly with the Ordinance and it has to be enforced. While we do have a regional marine warden, they are not here in any sort of capacity to enforce Freeport's Ordinance. From what the Chief advised, unless we wanted to simply change Mr. Kay's position to full-time police officer, it would be the same either way. The Chief does not have enough manpower currently to monitor and patrol and do the job that Mr. Kay is doing now. His basic thought was that in either situation where the name is changed and he becomes a police officer and does the same job or in a situation where we eliminated the Shellfish Warden, we would have to hire a person from within the Police Department to do that job. It has been brought up that there are not a lot of summonses being written while our Shellfish Warden is patrolling and doing all this work. Chair Hendricks learned that the issue has not been the unwillingness to write summonses but there has been an unwillingness at the District Attorney's level to prosecute these summonses and the amount of time involved for something that is not prosecuted many times. Mr. Kay feels a better practice is what he has been doing is to give people warnings if they have short clams or illegal clams. He then confiscates and destroys them. This is a situation where there are things going on but they have chosen to handle them in a different method than writing tickets and court summonses.

Chair Hendricks asked the Chief and Mr. Kay if they have ever had a conversation with the Shellfish Commission about duties or jobs or enforcement and if they can be of service in a different way. He learned that there has not been an up-front discussion. Often discussion has occurred after the fact. Sometimes discussions from members that are not on the Shellfish Commission getting upset about things that are not done or asking for things to be done. It appears there is a communication breakdown between the Commission that is supposed to be giving direction to our Warden about what needs to be done. Chair Hendricks got from the Chief and the Warden a complete willingness to compromise work with the Commission whether it is coming up with a list of duties as far as what they see needs to be done beyond the scope of just being the enforcement of our Ordinance. Mr. Kay has indicated that he is more than willing to take on extra duties. He is not unwilling to work with the Commission. The Chief brought up the fact that at one time Freeport did have a Coordinator and it was funded by grant money. It was a part-time position and did some of the duties described in this job description. The Chief feels it would be worth making inquiries to see if there is grant money out there for a position such as this. Chair Hendricks mentioned that once we have an idea of what is needed and what may not be done by a Warden, we could talk to the DMR about the idea of getting more State Biologists' time. Mr. Joseph explained that water sampling is done by our Shellfish Warden when there is a closure. It is not traditionally done by a police officer but Mr. Kay has learned how to take samples and send them off to a lab. When they come back, clean areas can be reopened with confidence. He mentioned that he and the Chief are glad to examine the duties of the Warden if

they are within his abilities to do any other functions and for the Shellfish Commission to prioritize those duties. They could say, "Chief, Peter, the priority is not on bagging people on short clams or digging in closed areas (we are still going to need to do this some of the time) but priority is going to be X, Y, Z." We would be glad to reallocate his time to a great extent on how the Commission would like to see it used but this conversation has never been held at the Commission level and we have never had a formal discussion from our governing unit that oversees the shellfish functions of Tom Kay's position. There has been a lot of talk about how we are reluctant to change, but there has still not been that discussion or debate in front of the Shellfish Commission for at least the two years he has been here.

Councilor DeGrandpre noted that he only has a recommendation in front of him for a Regional Shellfish Coordinator. He explained that he and the Town Manager have offered to go out and meet leaders from other communities but it doesn't appear that it was done. He mentioned this is what we have and this is not what we are going to do.

At the Shellfish meeting, Mr. Joseph explained that a formal request of the Town Council was made to have $89, 234 appropriated for a Freeport-only Coordinator. Councilor Gleeson suspects that there was possibly some hold-up on the regional outreach and it was determined that it would be quicker to have a Freeport-only Coordinator.

Delbert Arris arrived and explained that the Shellfish Commission voted on a Freeport-only Coordinator's position which was a surprise to him. He was caught off guard with the motion made by Walter Coffin. He voted yes to keep things moving. He is still for the Freeport-only position but is not opposed to exploring a regional coordinator. He has reservations about taking on the whole financial package.

Councilor DeGrandpre thanked Mr. Arris for coming tonight. He noted that the only recommendation the Council has is for a regional coordinator's position. He was hoping that someone would come and explain why we only have the original proposal. Mr. Arris did not see any information from other communities getting involved. He does not have any information on why outreach was stopped and why they came to the conclusion that a Freeport-only position would be quicker. He is not sure this is a one-person job and has financial concerns with Freeport paying for the entire position.

More discussion followed. Councilor Sachs pointed out there was an invoice submitted to the Town for $2,400 for the first $5,000 allocation. Within that we paid $50 per hour to craft a job description which took 8 hours. It cost the Town $600 to craft a budget and $1,400 to research and analyze the public information and to attend the Orono Summit. For $2,400 She suggested that Mr. Arris ask for an analysis of this first phase and that on page 3 they planned to use the $2,600 to do the outreach. She recommended that if the Commission is now proposing a Freeport-only Coordinator's position to the Council, they should ask those advocating for that to bring forth a proposal on how it differentiates from a Regional Coordinator in more than four minutes of conversation. She plans to attend the Shellfish meeting on Thursday.

Chair Hendricks explained to Mr. Arris that it is acceptable for anyone acting as a chair to speak up and say "I am not comfortable with this and I need more information." The problem is that this request of looking for $90,000 which would represent a significant tax increase is something the Council is not going to approve. Mr. Arris agrees with the Council about this financial request and he is not comfortable taking on this whole number.

Councilor Sachs mentioned that before Mr. Arris arrived, the Town Manager talked about how he would welcome some direction from the Commission as a whole as to what it would like to see in the Shellfish Warden's position. There has not been very specific direction. She suggested starting this conversation. Chair

Hendricks would like to see direction from the Shellfish Commission to the Town Manager, Police Chief and Shellfish Warden saying:

- This is what we would like to see done by our Warden
- What can you do?
- Can we meet in the middle?
- Can we get some of these things done?

After talking to the Chief and the Warden, Chair Hendricks advised that they never got this direction from the Commission. They are willing to take on more things, but have never been asked. This discussion needs to take place. He has learned that they are willing to help and are even willing to change the direction of some of the Shellfish Warden's duties but a conversation needs to be held. Technically the Warden works for the Shellfish Commission and he has indicated that he doesn't necessarily get all the direction he needs.

Mr. Arris mentioned that leadership is very important. He feels the number one step is to get a discussion started. He talks to the Chair once a month at meetings. He is opposed to getting rid of the Shellfish Warden's position. He is nervous about putting more work on Mr. Kay since he is nearing retirement.

Chair Hendricks explained that this position did not get added to the budget because there was not enough information provided. He would like to see an effort made to meet with the Warden with some compromise and at least come up with an idea of duties. The Commission might come to realize that it really doesn't need a $90,000 Coordinator. We may need a part-time person to help Warden Kay and perhaps we can get some grant money or State money to help fund it.

Councilors appreciated Mr. Arris coming to tonight's meeting. Councilor Egan advised that the Council wants to work with the Shellfish Commission to figure out the best path forward. She sees the value of regional coordination as being something we have to pursue if we want to sustain the resource. We already know that Freeport cannot do it alone. We need to cooperate in some way. She has been thinking about all the problems we are trying to tackle and this proposal jumped right to a solution whereas we might benefit by backing up a little and saying we want to do something regionally and we want to have coordination. What are the different ways can we do that coordination? The other piece is what can we do in Freeport right now that is not being done to conserve the resources that we have? Given that we have the existing staff that we have, we should think through what skills Warden Kay may have and that we have some duties that are listed in here that might be absorbed by Warden Kay. The next thing to think about in the future is when he retires, what is the restructuring we want to see with the Harbormaster, the Shellfish Warden and any kind of a Coordinator? She views this as a three-step thing. We continue to explore what is regional collaboration and how do we make it happen? What can Tom Kay take on, other duties in here given his skill set, his history and where he is in his career that is reasonable to expect? Let's come up with a long term plan for what is the best staffing structure for us to really conserve the resource and enforce what we really need to enforce.

Mr. Joseph advised that the Council had not considered the regional position and was expecting it to come to us before we even knew the Council would support it so we could take it to other towns and say that the Council supported it. He talked directly with Nora Healy and Delbert Arris prior to the meeting and we were approaching budget cut-off dates where we had written a budget and were looking for all Board and Committee input. They were really going under a deadline to get it to the Council for consideration so this comes around to what Delbert said about it getting mixed up at the last minute with a last minute change. They were asked to have something done by the end of the meeting or else it wouldn't get Council consideration for this budget cycle. This was an artificially imposed deadline because we didn't want to see a proposal coming to the Council on June 3 or June 17. That is why it got ahead of itself here right now.

Chair Hendricks asked how long the Commission can go with interim leadership. Usually every committee and board yearly votes on leadership positions and this commission has been coasting with interim leadership. Mr. Arris noted that the chair is willing to step down but communications have been off. Chair Hendricks feels this may be a good time for someone to step up and take a leadership role. Mr. Arris agreed. He feels it is important to have better communication between the Council and the Commission. Chair Hendricks explained that the door is always open and the Commission can always reach out to he and Vice Chair Egan.

Councilor Wellen appreciated Mr. Arris' honesty but noted it could be too late to come up with a big proposal for this budget year. The Council will not rush into something and hopes the Commission will work with the Warden on another level. Chair Hendricks advised that there will be a Councilor at all future Shellfish meetings. Councilor Sachs will be there Thursday night.

Councilor DeGrandpre thanked Mr. Arris for coming. He realizes that he has been thrust in this position and is doing a good job. He is confident that there is a way forward but we need to figure out what it is. Mr. Arris noted he would do the best he can in translating this on Thursday night and hopefully narrow it down to something that everyone agrees makes sense. Councilor Wellen suggested that Commission members be asked to review a tape of this Council discussion.

Chair Hendricks mentioned the 9 p.m. meeting rule in Pownal.

MOVED AND SECONDED: To adjourn at 8:56 p.m. (DeGrandpre & Egan)
VOTE: (6 Ayes) (1 Excused-Tracy)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #11-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, MAY 20, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:35 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #10-14 held on May 6, 2014 and to accept the Minutes as printed.

Mr. Joseph referred to page 4 under Item #75-14 and pointed out that the firm's name of Runyon Kersteen *Roulette* is actually Runyon Kersteen Ouellette. Councilor Egan also mentioned that the xs indicating attendance should have been under Present and not Absent.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #10-14 held on May 6, 2014 and to accept the Minutes as amended. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor Sachs announced that the public is invited to come and see the movie *Bag It* which will be shown at the Freeport Performing Arts Center Friday, May 23 at 7:30 p.m. There will be free admission and free food. You will support two Freeport High School Senior projects trying to raise awareness around the use of plastic bags here in Freeport. It is quite well done.

Councilor DeGrandpre announced that the Withdrawal Committee will be meeting this Thursday in the High School Conference Room. Their next negotiations meeting with the Working Group was scheduled on Wednesday but now it has been changed to June 4. Following that they will meet on the 10th, 18th and 19th. Their plan is to wrap this up by the end of the month so they can get on to the other things they need to do. He wanted folks to know there is a bit of a schedule change.

Chair Hendricks announced:

- **Memorial Day** is this coming Monday, May 26. The Parade begins at 9:30 a.m., followed by the Memorial Day Ceremony at Bow Street Park at 10:00 a.m.

- **How do you think the Skating Pond Area at Leon Gorman Park should be reused**? Come to Leon Gorman Park at the skating pond on Saturday, May 31, 2014 between 9-11AM to find out

more and tell us how you think the area should be used. Presentations will be made at 9:15 and 10:15, but you don't have to hear a presentation to participate. Coffee and muffins will be served.

- **Applications for Recreational Shellfish Licenses for the period July 1, 2014 to June 30, 2015 will be available at the Freeport Town Clerk's Office during regular business hours beginning Monday, June 2, 2014.** Licenses are limited and will be sold on a first-come, first-served basis. For more information, call the Freeport Town Clerk's Office at 865-4743 Ext 123 or email tstevens@freeportmaine.com

- **ELECTION NOTICE:** On June 10th the polls will be open from 7:00 a.m. to 8:00 p.m. at the Freeport High School Gym for the State Primary & RSU#5 School Budget Validation Election.

  Absentee ballots for the State Primary Election are now available at the Freeport Town Clerk's Office, and will be available for the RSU#5 School Budget Validation Election on Thursday, May 29, 2014. The deadline to request an absentee ballot is Thursday, June 5, 2014 at 6:00 p.m. The deadline to change parties from one party to another for the June 10 Primary Election is this Thursday, May 22 at 6 p.m. For details on absentee balloting and elections, please contact the Town Clerk's Office and, please be aware that **RSU#5 will be holding its annual budget meeting** on Wednesday, May 28, 2014 at 6:30 p.m. at the Freeport High School Gymnasium.

- The Portland Eons are going to be part of the new Northern New England Vintage Baseball Association. The Association has two other teams—the Presumpscott Baseball Club and the Dirigo Vintage Baseball Club. Vintage baseball teams try to recreate as much as possible baseball as it was played in past eras. In our case, we play the version of baseball that was played in 1860s and 1870s. The Eons will be joining the association as a new team this season. They are currently looking for a home field as well as a sponsor for uniforms. Jeff Yop of Freeport is the team manager and can be reached at (207) 351-6822 or jeffrey.yop@GMail.com.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs advised that the Conservation Commission is not meeting tomorrow night but will be having a site walk on June 18 at the Quarry Woods property. The next Municipal Facilities meeting will be held at 7:30 a.m. on June 3. They plan to talk about contracts and continue discussion about the ADA evaluation that we just had on May 8 and also talk about open spaces if time permits. She urged residents to come to Town Hall on June 3.

Mr. Joseph explained that he has not yet received any documentation on the Study but pointed out it was an all day trip and there were a lot of small items but no big items that need to be addressed immediately. Pretty much every building had some minor detail that needed to be replaced or changed when we are repairing or replacing something. He took about four pages of notes and will compare them with the State representative's notes when they are typed up. Mr. Joseph assumes he will receive a letter or a memo. Councilor Sachs reminded the public that this was a free service requested through the Maine Municipal Association to see if we are in compliance. As expected, it sounds like there are just a few tweaks here and there.

Councilor Egan had two issues which were discussed at this morning's Traffic and Parking meeting which are relevant to South Freeport Village residents. The first is whether to install new parking at the Sayles Field trail head. The Conservation Trust was there to talk about the history of the parking and the usage of that area. There will be a site walk that will be conducted by the Traffic and Parking Committee. The date will be posted on the Town's website when it becomes available. The second issue is consideration of reconstruction of Main Street in South Freeport Village. It is scheduled to be reconstructed next year as part of our Five Year Capital Plan. The Town Council will be looking for a recommendation from Traffic

and Parking around January. Safety is a concern. It is a very busy road going down to Brewer's and the Harbor. One of the possibilities mentioned is the installation of a sidewalk. There will be a public process to get comments from neighbors and other potential users of Main Street as we go forward. The meetings will be posted on line.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

Freeport residents will once again have the whole month of June to bring one free load of waste to the Recycling Center using the Cleanup Coupon contained in the Town mailer that residents should be receiving in their mailboxes this week. Residents will also be required to have a 2014 facility sticker ($6.00) which can be purchased at the Recycling Center the day of disposal or can be purchased ahead of time. As in years past, some material will have fees associated with them, so please review your flier for the list of acceptable items and fees (also available on the Town's website.)

New this year during Spring Cleanup is the "free" electronics event hosted by eWaste Solutions on the first Saturday, June 7 when people use their coupons that day. The rest of the month, there will be a charge for CPUs and Laptops, $5, monitors $6, TVs $6, printers $10.

Saturdays are always busy at the Recycling Center and are especially so during Cleanup Month, so if you plan to bring your material on a Saturday, please be aware that there may be wait times. Additionally, in years past, the Recycling Facility has closed the Swap Shop during Cleanup days as there isn't sufficient manpower to supervise the donations. It would be great to keep the Swap Shop open so the Recycling Facility is looking for anyone who is interested in volunteering to manage the Swap Shop on the four Saturdays in June. If you are interested, please contact Suzanne Duplissis at 865-3740.

The Freeport Police Department is happy to announce the addition of two new officers to the Department. Michael Raymond has two years of experience with the Farmington, Maine Police Department, and is a Maine Criminal Justice Academy graduate. Nathan Leger is an eight-year veteran of the United States Coast Guard and has several years of drug enforcement experience with that agency. Both began employment with the Town this Monday, May 19. Congratulations to both new officers and welcome aboard!

I'm happy to announce that the Town's Community Development Block Grant (CDBG) application for energy audits and air sealing of up to 75 low to moderate income residences was approved! This grant will match $4,470 of Town funding with $17,880 of CDBG funding. More details, including how to apply, will be announced as we develop the program in the next month or so.

Councilor DeGrandpre pointed out that they talked at Gas meetings and several other places that one of the first things a resident needs is an audit to move forward before he/she decides to change from oil to gas, wood or anything else. That audit will help one figure out where the big holes are in their program. This grant is a great opportunity so if folks have an interest, they should stay tuned and jump in.

Mr. Joseph noted that they will actually be doing some minor air sealing and things like that around homes. The results could save 100 gallons of fuel.

SIXTH ORDER OF BUSINESS: Public Comment Period – (Non-Agenda Items Only)

> **MOVED AND SECONDED:** To open the Public Comment Period. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

There were no public comments presented.

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

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

ITEM #82-14 To consider action relative to adopting the May 20, 2014 Consent Agenda.

BE IT ORDERED: That the May 20, 2014 Consent Agenda be adopted. (Hendricks & Egan)

Chair Hendricks explained that he would be recusing himself since he serves in a leadership role in the Freeport Rotary Club.

ROLL CALL VOTE: (6 Ayes) (1-Recused-Hendricks)

ITEM #83-14 To consider action relative to approving a liquor license application for Lobster Cooker located at 39 Main Street, Freeport due to a change in ownership.
PUBLIC HEARING

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

There were no public comments provided.

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

BE IT ORDERED: That a liquor license application for Lobster Cooker located at 39 Main Street, Freeport due to a change in ownership be approved. (Egan & DeGrandpre) **VOTE:** (7 Ayes)

ITEM #84-14 To consider action relative to the adoption of the Fiscal Year 2015 Operating, Capital, and TIF Budgets for the Town of Freeport.

BE IT ORDERED: That a Public Hearing be scheduled for June 3, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss the proposed Fiscal Year 2015 Operating, Capital and TIF Budgets 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 3 and the Town's website. (Wellen & DeGrandpre)

ROLL CALL VOTE: (7 Ayes)

ITEM #85-14 To consider action relative to an application for a Special Amusement Permit for live musicians submitted by The Lobster Cooker located at 39 Main Street, Freeport.

BE IT ORDERED: That a Public Hearing be scheduled for June 3, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss an application for a Special Amusement Permit for live musicians submitted by The Lobster Cooker located at 39 Main Street, 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 3 and the Town's website. (Tracy & DeGrandpre)

Councilor Tracy asked if there are rules regarding how late the music can go. Chair Hendricks explained that they have to adhere to the Town's quiet hours. Mr. Joseph offered to research the quiet hours before the end of the meeting or definitely by next week.

ROLL CALL VOTE: (7 Ayes)

NOTE: 5 Minute Recess was taken

OTHER BUSINESS

1. Council Workshop on Operating, Capital & TIF Budgets.

Chair Hendricks suggested doing the first two blocks of the FY 2015 May 20, 2014 Schedule while department heads are in attendance. He asked each department head to provide an executive summary of their budget for the year and explain any changes.

Ms. Yacoben provided a recap for the folks watching on television. This budget can be found on line on page 13. The Town's budget is down $52,000 but the tax proposal is up 2%. The reason is a decrease in paving from last year to this year. Last year we had a one hundred thousand dollar transfer in from impact fees and this year we have discontinued the expenditure and the offsetting revenue. Eco Maine has paid off all of its long term debt and has what the Board right now feels are sufficient reserves to reduce our assessment from $102,000 to zero dollars. In the Solid Waste budget you will see a proposal for $20,000 transfer into a Capital Projects Reserve Fund because we will be absorbing the volatility in the recycling market so it is an $80,000 decline in the budget. We have other non-property tax sources of revenue that are down this year—investment income, revenue sharing and other revenues. Department heads were directed to follow the Council's goal of 2014 which meant a minimal tax increase. They took it to mean no major increases and no new services unless they were discussed before.

Mr. Joseph had a graph posted showing the consumer price index versus cumulative percentage property tax increase for 2011-2015 and explained the lines to members of the public. We are at .5% over the rate of inflation this year in our tax rate increase.

Codes Enforcement—Fred Reeder indicated he did not have a speech but explained that the supply line was increased since he goes over budget every year. He will enjoy a small increase and explained that his travel has decreased.

Town Clerk- Tracey Stevens explained that her supply line decreased because last year she had money in there for tables for the elections but it is now down to the level that she had the prior year. Advertising is decreased this year since she is getting a good advertising rate from *The Tri Town Weekly.*

Train Station—Ed Bonney explained that there has been a significant drop in ridership this month. There were 28 places that experienced winter damage which is requiring Pan Am to make adjustments. All of these problems should be resolved in early June. His budget is down from the previous year. He overestimated the platform heating number but now has more knowledge.

General Assistance—Johanna Hanselman advised that she has not seen any changes at the State level. She assisted 60 households this year with heating. She also provided one month of Emergency Rental Assistance this year. She plans to be asking the Council to shift some of the General Assistance funds to the Heating Assistance Fund. She is also excited about the CDBG Grant and is hoping that the 75 families will be able to save 100 gallons of fuel oil because the Town will not be expending that 7,500 gallons of fuel oil. She gave credit to Donna Larson for always coming up with energy saving ideas. She noted that Child Care no longer exists and she did not receive a request from Woodfords.

Councilor Sachs noted that Ms. Hanselman and Sue Mack from FCS are not helping duplicated families. Councilor Sachs recused herself before the discussion on Human Service Agencies began

Human Service Agencies—Ms. Hanselman explained that Dr. Weatherhold has agreed to take on the dental portion and she feels fortunate to have him. He has already seen 17 patients and will see more over the summer. She thanked Dr. Weatherhold for taking this on.

Councilor Egan asked if requests have been flat for a long time and Ms. Hanselman indicated they have been flat and also explained how these agencies have been funded through the years. The Port Teen Center changed its request from $5,000 to $7,500. Councilor DeGrandpre could remember when the list of agencies was twice as long as it is now.

Councilor Wellen asked how Freeport compares to other towns sometime ago. It looks like Freeport is on the high side of nine towns. He suggested for discussion that the Council move more towards the middle if if wants to be frugal and fair to taxpayers. He would be willing to reduce agencies such as the Red Cross and give consideration to low income taxpayers.

Chair Hendricks asked if there is general agreement to keep the budget the way it is. Councilor Egan noted we are going down 10% based on attrition. In looking at the numbers, it is apparent that almost half of the number is being spent on FCS. The Council has discussed how FCS provides services that relieves the Town from providing similar services that other towns do. Freeport prides itself on taking care of its young, old and low-income residents. This is an important value and she couldn't necessarily say which agency needs to cut. She feels comfortable knowing that we are already reducing that line item by 10% this year.

Councilor Tracy noted she would not be open to revisiting funding of our organizations. It is fair next year to ask Johanna to take a look to the extent that she can, to gauge finances on the outside groups. She feels they all do great work and some are at different funding levels. She feels it is always good to revisit where we are and take a look at some of the more State-wide organizations and to the best of our ability gauge whether they really need the money from us. If they really need money, she is fine with it.

Ms. Hanselman explained that the Town's policy has been that we don't consider new requests. She noted that there are a lot of small organizations that are looking for new funding and asked if she should continue with the policy of not considering new requests or consider all requests each year. Councilor Tracy noted it seems like a high administrative burden to take new requests every year but it would be fair

periodically to revisit our list because there may be organizations doing great work and benefiting our citizens that would merit consideration. There also maybe organizations that traditionally focused on Freeport and are now less focused than they had been or are really well funded for other reasons and it would make sense to transition them out. As part of that analysis ,she would support a reconsideration of who that is without getting a tidal wave of new ones on our list.

Councilor Egan agreed with Councilor Tracy that it would be too much to do it every year but it would make sense for us to look at the full list with recommendations about which ones are most needed for Freeport. every three years. Councilor DeGrandpre suggested looking at how much is actually spent on client services. He does not want to turn folks away that help our community.

Councilor Gleeson noted that each community is different and he gets that we are trying to see if our budget is comparative to other towns but feels we can't take a broad approach in saying that we are like Yarmouth, Westbrook or Topsham. We may have bigger needs than what Yarmouth has. He would not want to take any programs out but would be willing to do an analysis in future years but is not prepared to do it this year. Councilor Tracy clarified that she was talking about outside agencies that are not Freeport-based agencies. Councilor Egan noted that we should be able to listen to requests and turn them down if necessary.

Chair Hendricks noted that we are talking about spending $3,500. He would be against cutting the Port Teen Center, FCS or the Food Pantry. If we are going to open it up next year to new agencies, we need to think about the amount of cap money we are going to spend. There was no support to change anything this year.

Councilor Sachs returned to the Council.

Library—Beth Edmonds explained that the increase is mostly due to the implementation of Minerva, the State-wide inter-library loan system. She provided a memo regarding passports. They issued 214 passports and half of them were for out-of-town people. It means 30-40 hours per month of staff time. While it is a nice service to offer, she feels it is not worthwhile for the amount of money we get. People can go to the Brunswick Post Office to get a passport. She noted that it could be discontinued as of July 1. Councilor Wellen thanked Ms. Edmonds for doing the cost analysis.

Mr. Joseph noted that if the Council wants to keep it, we will have to add staff. Ms. Edmonds advised that she plans to increase staffing because of Minerva and explained that she is anticipating her needs. She wants to get through a year of Minerva before figuring out how many books she will not have to purchase. She suspects it will show up in her book budget. She explained that she is hoping to go live in January. She invited Councilors to visit the Library and see the new garden.

Winslow Park—Neil Lyman explained that their budget pretty much stayed the same but in the next 2-3 years, the ramps will have to be replaced. He is not expecting any major projects, just painting and fixing small bridges. Ms. Yacoben pointed out that he is very frugal. Their fund balance is now at $420,000. Councilor DeGrandpre mentioned that the Council simply oversees Winslow Park. He feels it has been managed quite well.

Planning—Donna Larson explained that she is seeing development pick up. She wouldn't be surprised about $10M in new values over the next fiscal year. We are seeing more commercial development coming up than we have in the last few years. She feels we are climbing out of the Recession and vacancies don't stay vacant long. There are no major changes in the budget this year. Councilors thanked Ms. Larson for the CDBG Grant.

Board of Appeals—Fred Reeder explained that he never knows how many meetings the Board will require. It is all driven by property owners' needs or desire to get things changed. Some years will be very busy and some years won't.

Coastal Waters—Harbor Master Jay Pinkham explained that there really are no changes in the budget this year except for the fuel increase. Ms. Yacoben explained how she is going out to bid for fuel. Mr. Pinkham purchases boat fuel and oil in Freeport. He mentioned that his engine may break or it may not but the boat is fine.

Conservation Commission—Councilor Sachs provided an update for the Commission and explained that they are pretty frugal.

Shellfish—Mr. Joseph mentioned there is a $5,000 increase in the event the Commission wants to purchase something. They had several ongoing projects such as a student that wanted to start a marine program at Winslow Park. He did not have any documentation. Councilor Gleeson recalled that a student came to the Shellfish Commission along with his Science Teacher and explained he wanted to start a Marine Program at Winslow Park for his Senior Project which would include other students and they wanted to request supplies. It sounded like it was going to be a miniature study of the study we already did but it was going to be a school project. Contributing to Dr. Beal's Study was also mentioned at the Shellfish meeting.

Mr. Joseph noted that the Shellfish Commission voted to give the students the conservation closure for their experiment.

Chair Hendricks noted that he is not apt to support the $5,000 increase without receiving specific information from them on what it is going to be spent on and that it is worthwhile. He suggested putting an asterisk and getting information on what the Shellfish Commission plans to spend the money on in writing with back-up information. They just spent $2,500 on a report that they are not going to use. Councilor Gleeson added that the student and the teacher present had a serious well-thought out request. It was not a random request. Mr. Joseph noted that it was educational, not scientific in purpose. Councilor Tracy suggested that they ask the RSU for educational funding. The deadline is in two weeks. Mr. Joseph offered to talk to Delbert Arris, the new chair.

Councilor Wellen asked to see written material on what they generally spend money on. Councilor Sachs advised that the $2,400 study they did came out of the Clean Water Fund. She is unclear when a discussion takes place on this fund. Ms. Yacoben explained that part of the license fee goes into the General Fund and this other new portion goes into this special revenue fund and the Council does not budget that. When they do their normal water testing, we are able to use those funds.

Cable TV—Rick Simard explained that Streaming will be coming up in June. Their truck will be 15 years old and will be needing maintenance. It has 5,000 miles on it. He plans to spend $150 on batteries.

Councilor Egan asked when the Council will get to see the final actual expenditures. Ms. Yacoben explained that the books are left open for the month of July. She will have finalized numbers at the middle of August. Councilor Tracy noted that it seems that the budget number is a little fat. Mr. Simard explained that he replaces equipment when it breaks. He does not have the luxury of replacing equipment on a schedule. Discussion followed.

Councilor Tracy moved to entertain a reduction in supplies of $5,000.

Chair Hendricks suggested tabling it until we get a more up-to-date number on what has been spent so far.

Councilor Tracy is open to more information. Chair Hendricks asked for more up-to-date numbers and Ms. Yacoben agreed. Councilor Sachs pointed out that the overs and unders are minimal and this department is not under spending overall. Ms. Yacoben pointed out that this department is mostly funded by franchise fees.

Councilor Egan noted that the over/under issue is an important one for the Council to think about. She asked for historic information over the past five or six years from Ms. Yacoben that shows how much over we have been for the entire budget or under we have been. If it is 5%, that is significant and it would mean that we could lower our tax rate this year. She understands we have to have something for emergencies but that is partly why we have reserve funds. We also have contingencies. She does not want to budget so close to the line that we get into trouble, but feels we have safeguards in place so that if we are consistently coming under budget, we don't want to punish department heads but we also do not want to punish taxpayers. Having this historic information will give the Council a better understanding of where we are. Councilor Tracy agreed this would be helpful.

Ms. Yacoben pointed out that the more we tighten up our estimate of revenues and the more we tighten up our estimate of expenditures, at some point we are going to have to start using those transfers in from fund balance. She agreed the Council should look at this and we should be responsible budgeters. She offered to bring the historical information to the next meeting. Chair Hendricks requested that she prepare some scenario type information such as what the impacts might be. Mr. Joseph explained the tax implications to taxpayers. More discussion followed.

Councilor DeGrandpre pointed out that the Council had the luxury of moving Litchfield Road forward and adding shoulders to 125 because of the use of discipline along the way. The Council should keep in mind that those projects would have had to remain where they were or be something different if we didn't pay attention each year. Having a little flexibility allows the Council to react to challenges going forward.

Traffic and Parking—Albert Presgraves explained the trail blazing sign system and mentioned the whole system needs to be maintained now.

Police—Chief Schofield explained that his budget is a flat line budget. He explained the radar maintenance costs and fluctuating ammunition costs. Cars have been put into the Capital budget. Overtime was explained. He had two vacancies and was able to find replacements. He explained the shift swapping that takes place but two patrol officers are generally on per 24 hours. Mr. Joseph advised that two is a safe number but it is also a minimum number.

Councilor Tracy noted she would like to see some historic numbers more than the 2013 actuals for the other wages account, the clothing account as well as equipment repair. Chief Schofield explained that the clothing account does not mean clothing. If they need to purchase radar units, taisers, guns or holsters, it comes out of this account. It is more than uniforms but is not clear. Councilor Tracy recommended getting information of 2010, 2011 and 2012. Ms. Yacoben offered to figure it out.

Councilor DeGrandpre asked if it is possible to look at our strategy by possibly adding another officer and reducing the overtime budget. Chief Scofield pointed out that he was asked to present a budget with no new programs and no new staffing. Adding another officer would cost $55,000 but he would have to sit down and figure out overtime. Mr. Joseph offered to work with Chief Schofield, Lt. Nourse and Judy Hawley to determine better service and cut the overtime cost. Chair Hendricks would like to see how much it would cost to add another officer and cut overtime.

Special Enforcement—Chief Schofield explained that this covers the Shellfish Warden's position and includes a small cost of living adjustment for salary, but it is the exact same budget. The boat is running fine. Uniforms and boots are included.

Police Reception - Chief Schofield explained that Ms. Yacoben does all of the salary aspects. The Dispatch contract was signed in 2010 and he is comfortable with the reductions shown. Since the Dispatch contact will expire in 2016, Councilor DeGrandpre suggested that we start exploring this sooner rather than later.

Fire—Chief Fournier advised that he is presenting a budget with true needs. He explained the call wages category. Paramedic pay for calls is low and there are two different types of calls for employees. Mr. Joseph explained that he is planning to have an agreement in place by July 1 to take care of this. Chief Fournier answered questions for Councilors and explained his budgeting process. Councilor Tracy asked if it would be good to go back and look at five years of historical numbers. Chief Fournier doesn't have any problem looking at this. Councilor Tracy mentioned that if consistently the Chief is not getting to the budgeted amount, it appears that it needs to be adjusted. On the other side, if the Chief is constantly going over, then there needs to be an adjustment on the up side. If there is a legitimate need and Chief Fournier is going over his budget, she instructed him to bring it to the Council. Mr. Joseph pointed out that we should be budgeting accurately. Ms. Yacoben advised that our contingency fund is $30,000. Councilor Tracy noted that if we don't have enough contingency, we still have reserves. Mr. Joseph noted the Town is in a very safe position if we had a real million dollar emergency.

Rescue—Chief Fournier explained the cost of living increase in the payroll line item and that vehicle maintenance is being reduced because of the new vehicles. Protective clothing was moved to the Operating Budget. Other line items are flat. He provided a history of calls to Councilors and noted that they are on track for 2,800 calls per year. The dead hours are 1 a.m., 2 a.m., 3 a.m. and 4 a.m.

Chief Fournier was able to save $110 on his fire insurance policy because of dropping his fire insurance rate from a Class 10 to a Class 4. He feels the department and its personnel have done a great job in training and we are seeing those savings. He wanted to get the word out.

They are still struggling with call fire fighters. Four fire fighters are trained to get to calls within six minutes. He is looking for two per Diem from 6 p.m. to 6 a.m. at a cost of $155,000. This would add an additional 11.5 cents to the tax rate. Councilor DeGrandpre would like to know how much money we transfer from NET revenues to the General Fund because we put it there and also fund the Reserve Account for ambulance replacements. The more information we have, the better we can analyze it. Ms. Yacoben offered to write it up.

Councilor Sachs noted we have a 60 person department and asked how it compares with other towns. With the increase in call pay, will it mitigate response times since morale will be improved? She would like a cost benefit analysis of this significant proposal. Councilor Tracy suggested using a real sit down effort to get this information to taxpayers in the next Town mailer, on the slide, a very concise message "You can save money on your insurance. You need to look at your map and this is what you need to tell your insurance company and ask them if your insurance rates will go down." Chief Fournier noted he did this last November and would be willing to do the same this November. He can put this information out. This saving is already realized and has no correlation to the proposal.

Public Works—Albert Presgraves explained that we have plenty of signs that need to be upgraded. Some are faded and worn out. His increase in vehicle fuel charges are based on Ms. Yacoben's estimate. The Clothing number includes a boot reimbursement allowance for all of the crew which is inaccurate. An accurate number would be $9,250. This cost is typical for departments such as Freeport's. Salaries are salaries. Councilor DeGrandpre feels purchasing two pairs of boots per year is not unreasonable.

Summer Roads—Albert Presgraves explained the 13% reduction in Hot Top Roads account which is the pavement overlay. We spent a little less money in the paving account over the past few years than was budgeted. We spent more this year. He mentioned there was talk about using some of the impact fee

money for the reconstruction of Litchfield Road because a lot of the damage came from the subdivision construction.

Winter Roads—Mr. Presgraves mentioned there is a small increase in the Gravel line which covers winter sand. They almost did not go over their salt budget of $120,000 where other departments in the area did go over their budgets. He mentioned it was because of the good metering equipment that Freeport has and the monitoring that Mr. Gibson does.

Councilor Tracy referred back to Summer Roads and asked about paving material and ledge. Mr. Presgraves noted that pavement materials is pot hole patching, trench repairing and is not really a road project. He suspects they will be spending more money on this item and may go over this year. As for ledge, Mr. Presgraves noted they take it out if it presents a problem in a culvert project, etc.

Trees and Parks—Mr. Presgraves advised that he will not rush out and spend these budgets right away. He suspects he will be pretty close to the budgets.

Solid Waste—Mr. Presgraves explained that the big decrease is in the tipping fee in the 3500 Account offset by an increase in the Demo Tipping from $35,000 to $40,000. He recalled that this number had been as high as $45,000 at one time but it was reduced when the economy kind of fell out. We are starting to see those numbers come back and we have been really tight the last couple of years. Revenues are higher also. The telephone number includes alarm monitoring. The big increase is in contingency recycling which is the potential that we will be charged for disposing of our recyclable material by Eco Maine. Mr. Joseph advised that he personally would like to have a reserve fund with twice the amount sitting and never putting anymore into it until we need it. If approved, Ms. Yacoben advised that she will probably put this money in the Capital Projects Fund as opposed to the Reserve Funds because of the way that money is invested. Mr. Presgraves noted that once there is $40,000 in that account, we shouldn't put any more in there for awhile. He mentioned that we shouldn't get complacent because every now and then we do have the 2007 type of contraction where we could get hit really hard by Eco Maine. Councilor Tracy asked about the water testing line. Mr. Presgraves couldn't explain why it was so far under in 2013. The laboratory and sampling people were just out to the landfill last week and we only do that annually in May for monitoring wells. He expects it will go to $10,500 but it varies from year to year. Ms. Yacoben offered to look at 0404 3465.

Councilor Tracy asked about Electricity and if Mr. Presgraves expects to pay the full amount this year. Mr. Presgraves indicated that he expects to come in well below that budget, perhaps $800 under. Councilor Tracy asked if he could come up with an actual.

Engineer—Mr. Presgraves explained that no substantial changes are proposed here. He mentioned that he wrote a long memo about storm water topics last fall. There are a lot of unknowns involved in the storm water expense area. Right now we are going through a watershed management study for the Concord Gully Book and it is hard to say right now what it may end up requiring or encouraging the Town to do.

Hunter Road Fields—Mr. Presgraves noted that this category is showing a 9% increase and the big item is pest control which deals with field compaction and pest issues out there. $5,000 is for a one year program but the Aeration part will be done two years at a cost of $10,000.

Councilor Wellen noted that the fields are used extensively and the goal is to treat it organically. Mr. Presgraves advised that the Hunter Road Fields Committee is aware that having these fields available has improved the condition of all of the RSU fields. They are not used so hard. This is the first year of budgeting for Hunter Road Fields that we are just completing. The building maintenance amount is going up by the same amount that the water budget amount is going down so we are getting a handle on what these costs really are. There is a revenue line in the General Fund - $4,200 this year and we are estimating $3,500 next year.

Chair Hendricks noted this concludes the budget discussion for this evening. He proposed putting off the Quarterly Update on Council Goals to the next meeting.

2. Freeport Withdrawal Committee Activity Update.

Councilor DeGrandpre explained that there have been some changes over the last couple of days. The RSU and Working Group Chairs will be meeting with Jim Rier in Augusta on the 29th along with their attorneys to get some understanding around the eleven requirements in the Withdrawal Agreement. A lot of that is centered around enrollments and what the term "School of Record" means and some of these kinds of things. These things have been bounced around between us and we had our attorneys with us and they talked about them too. A decision was made to contact Mr. Rier to see if we could sit down with him and get a better understanding. After that meeting we will have a better idea of what he is talking about. Tomorrow night's Working Group meeting has been canceled. We have to work on some of the financial pieces and he and Kate Werner have been working with Ms. Yacoben to pull some numbers together in order to have more discussion around that. They will be meeting this Thursday again also to flush it out and they will be meeting next Thursday when they return from Augusta sometime around Noon here in Town Hall. On the following Wednesday, June 4 they will be meeting at 6:30 p.m. at the high school. They hopefully will have a better understanding of this and will be able to get closer on the enrollment issues and have a better understanding of finances. They will have a lot more information to talk intelligently about at that point. They have talked about the finance pieces. A lot of it is math if you can agree on the philosophy and we have some agreement around pieces of it. They have a pretty aggressive schedule and it looks like they will be meeting with the Working Group on June 10, 18 and 19. They are interested in getting this agreement together by the end of June so they can move on to try to figure out what this agreement really means to us in terms of education, in terms of dollars and then we can answer those tough questions about what a budget is going to look like going forward and what the actual cost will be. Once we structure where kids are going to be going, what transportation is going to look like and all those kinds of things, we will have a better idea for a whole lot of the answers for tuition, grandfathering, etc. The dynamics are changing very quickly right now. He is hoping to have a lot more information for the Council's next meeting.

MOVED AND SECONDED: To adjourn at 11:42 p.m. (Egan & Gleeson) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #12-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JUNE 3, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	arrived at 8:47 p.m.		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks welcomed everyone and called the meeting to order at 6:35 p.m. He explained that Councilor Sachs will be arriving later this evening and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #11-14 held on May 20, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #11-14 held on May 20, 2014 and to accept the Minutes as printed. (Egan & DeGrandpre)
> **VOTE:** (6 Ayes) (1 Excused-Sachs)

THIRD ORDER OF BUSINESS: Announcements

Councilor DeGrandpre announced that there have been changes with the Withdrawal Committee's process. They will be meeting next Monday with a facilitator or mediator and it will be posted as soon as he has more. On Monday the Withdrawal Group is meeting with the Working Group and their attorneys and Mediator. They will be circling around enrollments, which is what the challenge is at this point. The problem is that the DOE has not had a school with the high school withdraw before. They will be sitting down and trying to determine where the middle ground is and if we can move forward from there. He will know more by the next Council meeting. The Withdrawal Committee will also be meeting this Thursday at the High School. They are still working on the finance side trying to get a better understanding of capital projects, etc. They are working with the schools to understand how and where vehicles are used and what the best way is to take it apart so that everybody ends up with what they need. While he feels they are moving forward, he noted they need to sort out the enrollment issues. He encouraged residents to join the Withdrawal Group on Thursday nights at the high school conference room at 6:30 p.m.

Councilor Tracy announced that the Wolfe's Neck Club and the Thomas Means Club are having a joint picnic on Sunday, June 8 at 6 p.m. She encouraged all of the members and neighbors to attend because David Herring of the Wolfe's Neck Farm will be talking about their plans for the future. They have some interesting things going on and would like people to attend so they are up to speed on what are some upcoming events for the farm.

Chair Hendricks announced:

- **ELECTION NOTICE:** On June 10th the polls will be open from 7:00 a.m. to 8:00 p.m. at the High School gym for the State Primary & RSU#5 School Budget Validation Election. The deadline to request an absentee ballot is Thursday, June 5th at 6:00 p.m. For details on absentee balloting and elections, please contact the Town Clerk's Office. *Please note that it is now too late to change parties for the Primary election, but a person not currently enrolled in a political party can enroll in one anytime and vote in the Primary. Unenrolled voters can still vote the RSU#5 Budget Validation Referendum ballot.*
- **The Third Annual Town Council District Workshop** will take place for District 1 residents at the next Town Council Meeting on June 17th at the Freeport Community Center. The Workshop will begin at 6:30 p.m. with a meet and greet session and an open discussion related to District issues, followed by our regular Town Council Meeting.
- Freeport residents will once again have the whole month of June to bring one free load of waste to the Recycling Center using the Cleanup Coupon contained in the Town mailer that residents should have received by now. As in years past, some material will have fees associated with them, so please review your flier for the list of acceptable items and fees.

  New this year is the "free" electronics event hosted by eWaste Solutions on the first Saturday, 6/7 when people use their coupons that day. The rest of the month, there will be a charge for electronic items.
- Printed copies of the Town of Freeport Annual Report for the Fiscal Year ending June 30, 2013 are now available at the Town Hall. It is also available online on the town's website.
- There will be a public health information session on tick borne and mosquito borne infections (such as Lyme Disease and West Nile Virus) on Wednesday, July 2nd from 5-5:45 pm in the Town Council Chambers. Kate Colby from the Maine Center for Disease Control will lead this presentation and discussion.
- ***Freeport Players announce*** **AUDITIONS for ALMOST, MAINE** June 16 & 17, 7-8:30 p.m. at Freeport Performing Arts Center. Roles for adult men and women (approx. late 20s to early 50s). Actors are encouraged to e-mail their intent to audition to info@fcponline.org.

FOURTH ORDER OF BUSINESS: Information Exchange

There were none.

Chair Hendricks skipped the Town Manager's Report at this point.

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

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre &) **VOTE:** (6 Ayes) (1 Excused-Sachs)

Thomas Wilson, Marketing Director for Gritty McDuff's, introduced Rick Cromwell of Merrymeeting Wheelers Bike Club explained that they have been placing bicycle safety signs throughout Freeport. He thanked the Council and presented one of the signs. He explained that Gritty's sponsors a Bike Ride every year and during that ride they raise money for charitable organizations. Last year one of those organizations was the Merrymeeting Wheelers and they used the money to purchase signs. He displayed one of the signs and mentioned that they are starting to pop up around town. He thanked the Council, the Town Manager, the Town Engineer and the Active Living Committee for their support.

Rich Cromwell pointed out that in April of 2012, four serious bike accidents occurred in Brunswick. They were perplexed and asked what they could do about this. Since they couldn't do anything about the past, they decided to concentrate on the future. He mentioned that they all got together and this will be the 37th sign that they put up. They are also putting out brochures to people registering their cars explaining that there is a 3' law. He also mentioned that Chief Schofield has agreed to heighten enforcement. They are hoping that all of this information will move the 3' law and bicycle safety to the front burner. They hope to continue until they have signs up in all of the surrounding towns.

Councilor DeGrandpre explained that bikers do not necessarily adhere to the law. They don't stop at stop signs or stop lights. They ride past cars and pull out in front of them. He asked if the heightened enforcement would pertain to bikers as well. As a Town Councilor, he hears these complaints. Mr. Cromwell noted that those bikers have a death wish but he did point out that bikers are allowed to ride two abreast as long as they are riding as far to the right as practical. They teach bicycle safety classes. The heightened enforcement they are trying to get from the Freeport Police is specifically for the 3' law. Councilor DeGrandpre pointed out that sharing the road is a two-way street. Chair Hendricks thanked Mr. Wilson and Mr. Cromwell for coming and offered to meet with them in a workshop setting at another date.

Tammy Davenport, lifelong Freeport resident, representing the Village Improvement Association explained some of their projects that exist in Freeport and noted that it all was provided by donations from businesses and individuals. They are beginning a fundraising campaign and would love to have more support from the businesses. She asked everyone to look for invitations to support them in their mailboxes or they can be reached at www.Freeportcia.org. They have a website that shows a lot of pictures of their projects.

Connor O'Neil, a Colby College Senior and Pine Street resident, read his comments in support of Freeport's Marine Resources.

MOVED AND SECONDED: To close the Public Comment Period. (Egan & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Sachs)

Chair Hendricks asked Mr. Joseph to provide his report.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph advised that he wouldn't talk about the signs that were just discussed earlier.

He pointed out:

- On Wednesday, May 28th, the L.L. Bean Maintenance crew accompanied by a group of L.L. Bean employees and local landscape architect, Travis Pryor completed a massive spring clean-up of Leon Gorman Park. All materials were donated by L.L. Bean. Trail mulch was put down, walkways were cleared of debris and flowers were planted. The park looks great and is ready for any and all summer use. If you haven't been to the park, this is a great time to check it out. It's a downtown gem. A big THANK YOU to all who helped. This was a volunteer effort. There's always work to be done in all of our public spaces. If you're interested in volunteering some time, contact Donna Larson, Town Planner at dlarson@freeportmaine.com. A short session still needs to be cleaned up.

- Assuming that our budget as proposed without the passport fees goes through as we expect it will, starting July 1, 2014 the Freeport Community Library will no longer be a passport acceptance facility. As of that date, if you would like to obtain or renew your passport, get passport forms, or ask questions about passports, you may visit http://travel.state.gov, call the National Passport Information Center at 1-877-487-2778 or contact one of the passport acceptance facilities in our area including:

Brunswick Post Office (725-2542
Prince Memorial Library (Cumberland) (829-2215
Portland Post Office (871-8423)
Town of Brunswick-Tax Office (725-6657
Topsham Town Hall Planning Dept. (725-1724

- There will be a public information meeting about the Wardtown Road Reconstruction project on Wednesday, June 18th at 5:30 p.m. in the Town Hall Town Council Chambers. Residents are encouraged to attend this meeting.

- **LOTTERY—Commercial Shellfish Licenses**
  One (1) Resident Commercial Shellfish License and One (1) Resident Student Commercial Shellfish License (age 14 to 26) are available for the 2014-15 licensing year.

  Applicants must provide identification and proof of primary residence when applying. Applicants for a student license must provide proof of age. High school students must provide a letter from the Principal to show proof of attendance. College students must provide proof of a minimum of twelve (12) college credit hours per semester to be considered full-time students. Applicants under the age of eighteen (18) must also have the signature of a parent or guardian on the application.

  Applications will be available at the Freeport Town Clerk's Office beginning on Monday, June 2, 2014 and the deadline to submit an application is Sunday, June 15, 2014 at 4:00 p.m. Since Town Hall is closed on Friday, Saturday and Sunday, June 13-15, 2014, applications shall be dropped off at the Freeport Public Safety Building located at 16 Main Street in Freeport on those dates.

  The lottery drawing will be held at the Freeport Town Hall in the Town Clerk's Office on Monday, June 16, 2014 at 2:00 p.m. Applicants do not need to be in attendance at the lottery, but must pay the license fees by June 19, 2014 at 6:00 p.m., or will forfeit the license. If a license is forfeited due to non-payment, the next person drawn at the lottery will win the license.

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

ITEM #89-14 To consider action relative to adopting the June 3, 2014 Consent Agenda.

BE IT ORDERED: That the June 3, 2014 Consent Agenda be adopted.

(Hendricks & Egan)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Sachs)

ITEM #90-14 To consider action relative to an application for a Special Amusement Permit for live musicians submitted by Lobster Cooker located at 39 Main Street, Freeport. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Egan & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Sachs)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (Egan & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Sachs)

BE IT ORDERED: That a special amusement permit application for Lobster Cooker located at 39 Main Street, Freeport be approved. (Egan & DeGrandpre)
ROLL CALL VOTE: (6 Ayes) (1 Excused-Sachs)

ITEM #91-14 To consider action relative to the adoption of the Fiscal Year 2015 Operating, Capital, and TIF budgets for the Town of Freeport. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Wellen & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Sachs)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (Wellen & Egan) **VOTE:** (6 Ayes) (1 Excused-Sachs)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Sachs)

ITEM #92-14 To consider action relative to a Request for Use of Town property application submitted by Terry Cockburn of Freeport Yoga Company & ReTreeUs for a guided yoga practice set to live music by Moriah Salter to benefit ReTreeUs.

BE IT ORDERED: That a Request for Use of Town property application submitted by Terry Cockburn of Freeport Yoga Company & ReTreeUs for a guided yoga practice set to live music by Moriah Salter to benefit ReTreeUs be approved. (Tracy & DeGrandpre)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Sachs)

OTHER BUSINESS

1. Continued Council Workshop on Operating, Capital & TIF Budgets.

Mr. Joseph explained that all department heads are here tonight. He asked who should stick around for the workshop. The Council did not have further questions for some department heads. Chair Hendricks noted that any department heads that were not asked to provide any additional information could leave. He asked Mr. Presgraves, Mr. Gibson, Chief Fournier, Chief Schofield, Mr. Simard and Ms. Yacoben to stay.

Brief Recess was taken at 7:15 p.m. to set up a round table discussion

Chair Hendricks called the meeting back to order and referred to Page 22 for **Town Council,** which is where the Council left off at its last meeting. Ms. Yacoben pointed out that we are projecting a $10,000 decrease in Legal Services and Audit is up. There are no other major changes in this budget. Councilor Tracy suggested looking at succession planning in Legal Services since our great attorney is thinking about retirement at some point and consider putting our services through a less senior attorney, while retaining quality. Mr. Joseph noted that this contract has not been put out to bid for twenty years. It was renegotiated about five years ago. Discussion followed. Councilor Egan noted that since Geoff Hole is considering retiring, it may be a good time to bid out when he retires. Councilor Tracy knows there are very competent attorneys in the same firm that are at a lower price structure who still have all the access to the more senior attorneys. Mr. Joseph explained the relationship the Town now has with this law firm and we will have to have a discussion at some point.

Chair Hendricks referred to the next page on **Town Manager.** There were no questions or comments.

Finance—Ms. Yacoben explained that under Other Wages, historically in 2011 we had a quarter time to half-time employee shared with the School Department. It proved to be too thin and we hired an outside contractor to perform our IT Services and she has since moved it down to 0102-7200 hoping it will flow okay. She increased it by $10,000 because we have been over spending. They did have growing pains but things have smoothed out. We have been with them three years and she feels things are good. Mr. Joseph pointed out that Ms. Yacoben and Rick Simard have done a lot in house.

Assessing—Ms. Yacoben advised that supplies were increased because historically they have been going over.

General Admin & H.R. - Ms. Yacoben noted this includes postage and paper. There is not a lot of difference. She answered questions for Councilor Gleeson.

Building Maintenance—Mr. Peter explained that the biggest changes are the electric bills. Ms. Yacoben decreased the numbers. Councilor Tracy urged her to use caution because CMP has requested a rate increase on the delivery rates. Ms. Yacoben advised that we may leave it there for a year and if it goes up, it will. She will watch it.

Employee Benefits, Page 31—Ms. Yacoben noted there is a big change here. She does not know who is retiring in 2015. She reduced it by $5,000 to keep the budget in line. If we don't spend $25,000 this year, it will go into Fund Balance and then it will drop down to the Unassigned Fund Balance and the Council will talk about it after the financial statements come out. Mr. Joseph noted that they are watching vacation accrual very carefully. Discussion followed. Councilor Egan agreed that this is something to keep an eye on and the Council should take a look at how we are appropriately planning. Ms. Yacoben agreed.

Councilor Tracy asked if department heads could provide a heads up on who is likely to retire in the next few years. Mr. Joseph does not know who plans to go out in the next year or in two or three years.

Insurances on Page 33—Councilor Gleeson has no problem with the number but feels a decrease of $2,000 would still be safe.

Public Utilities—Ms. Yacoben advised that this covers street lights and hydrant rental for South Freeport Water and Maine Water. Councilor DeGrandpre noted that Traffic and Parking tried to reduce the amount of street lights but ended up adding more lights. He feels the streets are now safer and he knows where they are all located.

Bustin's Island—Chair Hendricks pointed out that the Bustin's Island trip will be on August 19. Councilor DeGrandpre advised that there will be a rematch of the Bustin's Island Tournament. Mr. Joseph explained the contractual agreement with the Bustin's Island Village Corporation. We retain 40% of the taxes and return 60% of the taxes. He feels we have a really good working relationship with them.

Promotions—Page 55. Mr. Joseph explained the increase in the Chamber line from $350 to $1,000. We are happy to contribute $1,000 versus the $36,000 we provided a few years ago. Councilor Tracy asked about the $1,000 for the parade. She suggested keeping an eye on this. Ms. Yacoben pointed out that L.L. Bean pays for the fireworks.

Misc. & Contingency—Ms. Yacoben pointed out that this is where you see the large transfers out to reserves. The Contingency Fund is $30,000 for our whole budget. Purchases have to be authorized by the Town Manager and Council Chair and Vice Chair.

Debt Service on Page 64—Ms. Yacoben pointed out that we are close to paying off our Town debt and this is where you see the Eco Maine assessment drop off the books.

Mr. Joseph noted that we talked about putting $20,000 which is the Recycling budget aside and setting it aside to balance volatility in recycling prices. Mr. Presgraves advised that we won't get a bill for that until July 1, 2015 so we could fund it all next year. He suggested cutting it in half to $10,000 and then we will know how much it will cost next year. Councilor Egan suggested reducing it to zero this year and Councilor Wellen agreed with her. Mr. Joseph and other Councilors agreed to reduce it to zero this year.

County Tax on Page 65—Chair Hendricks noted is what it is. It's a 2.4% increase over last year.

Abatement on Page 66—Ms. Yacoben explained that there are 15-20 of them. Mr. Joseph offered to have the Assessor come in and workshop with the Council this summer about assessing practices.

Chair Hendricks pointed out that this concludes making it through the budget once.

Speaker System—Mr. Joseph provided a memo about the P.A. Systems. One is down and not repairable and the other one is broken. This is normally something we would spend out of the Contingency Fund but we should deal with it now at the budget process. Mr. Simard explained that the 8-year old P.A. System cannot be repaired. It is something we need and the $4,000 necessary will come out of Cable Reserves. There will be no impact on the taxpayer.

Shellfish Budget, Page 60 - (This is not the Coordinator's part.) Ethan Roney is proposing to do a Senior project at Winslow Park. He will set up a Study area for the Middle School to use to do different studies on the Coast and also on the green crab issue the Town is facing. He went to the Shellfish Commission and was granted two acres of land at Winslow Park as well as $5,000 budget for materials and a kiosk to put out on the area to let people know what that area is being used for. He and Science Teacher, Kathleen Brown worked up a list of materials that they would need. She is willing to use some of her science budget to buy some of the smaller items. He explained that a collection permit is granted to the Middle School every year and gathered items end up in a touch tank in the Science Class. This will be a field lab

for the school. He noted that the High School Science teacher indicated that she would welcome an opportunity to go out there as well but he is concentrating on the Middle School at this time.

Delbert Arris, Chair of the Shellfish Commission, feels that 2-3 acres is a big area and is confident it could be reduced. He explained that this area is considered non-productive and has not yet been staked out. He hopes that Tom Kay can accompany them. He will also talk to the DMR about closing that piece of mud. They will be studying erosion, food chain, netting techniques and water temperatures. If it proves successful, he would be willing to approach the RSU in the future. Councilor DeGrandpre suggested possibly having Dr. Beal work with some of the classes for a short time.

Councilor Wellen noted he feels this is odd that it is coming to the Council. It feels like the Council is being asked to supplement the educational budget. Councilor Egan would like to have some communication directly with the teachers managing this budget and having an understanding of their commitment to the longevity of a project such as this. This is outside of the scope of what the Council usually funds and it appears to be a wonderful way for kids to learn about science and start to appreciate the marine resources and build some sort of conservation ethic. She imagines this sentiment is shared among Councilors but we have to understand who is going to manage this on the RSU side.

Councilor Tracy would like to see a developed budget showing how the money would be spent and when. She would like to see a demonstration that Ethan has asked other sources that are more traditional for funding these kinds of projects. The Freeport Educational Foundation has money and they give grants every year to things that are not in the regular RSU budget for things like this that are unique and deserve funding. They probably don't have $5,000 but they might have money for things that do not need $5,000 in the first year.

Chad Coffin pointed out that the money approved by the Shellfish Commission was to come out of the Special Studies Account. Ms. Yacoben advised that a portion of the license fee is put in a special revenue account and Shellfish has complete discretion to spend it as they see fit. Mr. Arris was advised that he has $16,000 in the Special Studies Account and offered to take the request back to the Shellfish Commission and clarify that this was what they intended.

Ethan was thanked for coming. Chair Hendricks pointed out that it looks like it is going to be a great project. He suggested reaching out to the teachers and getting a commitment from them. Councilor Egan pointed out that the Coastal Studies for Girls would be a great reference and are open to working with the Freeport community. Ethan advised that he plans to attend the University of Maine next fall.

Police Staffing Levels—Chief Schofield explained that he is proposing to add a floater position to reduce overtime expenses. The person would need to be hired and trained and that person would also have to go through the Police Academy which would incur costs. The savings in the first year would not be significant but would be greater in the second year. Councilor DeGrandpre brought up scheduling and Chief Schofield explained the formula he follows. Councilor DeGrandpre had questions about the overtime hours shown. A full-time officer costs $50,000 or $60,000 and they provide 2,000 hours of service. He asked if the Chief could change his scheduling practice and pointed out how fire fighters are scheduled. Councilor DeGrandpre mentioned that the overtime amount is 50% more than what has been budgeted but we have been spending more than we have been budgeting. Discussion followed. Councilor Gleeson noted that Freeport has the volume of tourists coming through and he would like to know if we are properly staffed. He feels a conversation needs to be had on the benefits of an extra officer.

Chair Hendricks pointed out that the Council does not have to come to a final decision tonight. He suggested giving some serious thought to considering hiring another officer this year which could reduce overtime a little in the first year and more the following year which would mean a second-year savings more than a first year savings or the idea that we keep the budget the same this year and take the year to

look at our real staffing issues and decide if we are adequately staffed, adding another officer or not. He suggested leaving it at that.

Chief Schofield mentioned there is another new round of Cop Grants becoming available in June. While Freeport doesn't look very good in it, one never gets anything without asking and he has no problem asking for a grant. Should we be lucky enough to get a grant, it would cover 75% of the cost of an officer for a three-year period. Our only other agreement after that is that we would agree to maintain that person for one full fiscal period which would give us an officer for four years. He feels it would be helpful. Chair Hendricks and Councilor Egan noted they would support applying for the grant.

Water Testing and Electricity at the Land Fill—Mr. Presgraves noted that the electricity item is such a small item and advised that we can go from $4,300 to $4,000 if the Council wishes to do so. The bigger issue is the water testing. There have been changes in the testing over the past few years. Our long-term consultant went out of business and Mr. Presgraves went out to bid and found a new testing firm which is just a laboratory and not the engineering analysis of it. He was able to get the DEP to accept the report from the laboratory without having to do all the statistical analysis stuff. This has brought out costs over the past two years and probably this year in the $6,500 - $5,500 range. He hopes we will be able to keep that but he was reminded of the conversation regarding the Recycling Contingency number meaning that he feels the DEP will continue accepting the kind of testing we have been doing recently which costs us less money. Formally our testing program is supposed to include that statistical analysis and he suspects at some point the DEP will ask for it and he will need to hire an engineering firm and it will cost more money. This is the reason he left $11,000 in the budget while spending $6,500 over the past two years. If we don't have to spend it, we won't but he is not sure he is all set for this year.

Recap About Net Funding—Discussion followed. Ms. Yacoben pointed out that departments that generate revenue do not necessarily "get" that revenue. It goes into the General Fund for core services and is supplemented by State revenue, property tax money, transfers in from Fund Balance and things like that. She noted that Mr. Joseph does not get his photocopying revenue, and she does not get the property tax revenue that is collected. It is not theirs. While Ms. Yacoben listed it this way so the Council can see the revenue that the department generates, she does not want folks to think that we attach revenue and their expenditures in the General Fund, because we don't. Half of the fund is property tax which is not really attributable to anyone. The other thing that is notable is that you see a large increase in the NET Funds. There was a donation "or transfer in" of equipment from the Emergency side that is recognized in that fund, in addition for three fiscal years she has not made the transfer from the NET Fund to the General Fund to offset wages for people that do both types of work. She let the Fund's net position increase in value because in 2011 the Ratings Agency was concerned that the equity in the Fund was going to become negative and that was a problem. She answered questions for Councilors.

Fire -Councilor DeGrandpre asked Chief Fournier how many full-time equivalents is it to have a paramedic in the building 24/7. Is it 4.3 or 5.6? Mr. Joseph advised that the answer is 4.2. Chief Fournier stated that he has one position that is full time. They work 24 hours a day—24 on, 24 off, 24 on and then they get four days off. The second position is four days a week and is per Diem so we don't pay any costs for vacation, insurance, etc. His proposal for the two staffers would also be per Diem so there won't be any additional costs. They will not be full-time positions. He is nervous because he is finding more and more that we take the two people working there 24 hours a day and go on Emergency Transport because of our obligation with Parkview Hospital and nursing facilities in the area, and they are gone for 2 or 2 ½ hours and no one is here. He does not like it. It takes their response times from 7 minutes up to 12 when the crew is out. Councilor Egan asked how many times we have had an emergency call and have not had a crew at the station over the course of a year. Chief Fournier did not have the answer but mentioned that this situation happened tonight two hours ago when the crew was pulled out. Chief Fournier explained that the program works fine during the day but the challenges occur at night when the big challenge is having a paramedic available. More discussion followed. Councilor Sachs noted that she is not understanding the scope of the problem. Chief Fournier referred her to the call information he provided at

the last budget. Councilor Sachs pointed out that she is seeing a program that is optional and generates not enough revenue and in most years is diverting resources from our Emergency. The only reason there was an increase in revenue was for billing. Chief Fournier did not believe this to be true and explained how it was set up. He has asked for this staffing level for four years. More discussion followed.

Councilor DeGrandpre mentioned that we are talking about staffing and whether the NET program is keeping us from responding to emergencies. He doesn't think the Council has enough good information to make a decision. Councilor Tracy asked about total calls and Chief Fournier advised that last year his department had 2,800 calls and to date they have had 1,100 calls.

Chair Hendricks noted that questions need to be answered before the Council can consider the Chief's request. What are the response times in our community? When are they lacking? How is that NET program affecting our response times and are we making enough money off of it to pay for additional staffing? Councilor DeGrandpre noted that we are saying that the NET program is keeping us from responding to emergencies but we are actually responding during the day to emergencies with NET personnel so we cannot say that NET is losing money if it is providing NET personnel to respond to all our emergency calls all day long.

Chief Fournier offered to get the number on Mutual Aid calls and when he doesn't have proper staffing. He passed out information on ISO Rates.

Shellfish Coordinator's Position—Delbert Arris and Sarah Randall were in attendance. Chair Hendricks explained that the Council likes to have written information provided and all he has is an e-mail from Nora Healy. Mr. Arris, Chair of the Shellfish Commission explained that this position started out as a regional position but it appeared awfully big and the commission could see that they needed to get something done soon so it was changed to a Freeport-only Coordinator's position. He mentioned that Harpswell has already hired a part-time Coordinator and Brunswick has an Assistant Warden which makes Dan Devereau the Project Coordinator. Mr. Arris is hoping to get this program going this year and move forward with it.

Councilor DeGrandpre pointed out that this is budget time and the Council has been at it for a while. He has not seen anything about the Freeport-alone position. The only thing he has is the original proposal that was provided three months ago and generally, people come with a narrative. Nora Healy provided her personal take on the position. Sarah Randall explained that she edited the original proposal to reflect what a Freeport-only proposal looks like but she didn't have copies for the Council.

Councilor Egan noted that the Council does not have adequate documentation to make a decision tonight. She would like to better understand the proposal. It is clear we need to do something to conserve our resources that is more than just enforcement and the question becomes how do we do this in a cost-effective manner and how do we do that with the personnel we have on staff right now? Is it possible to do this with the people we have on staff such as the Harbor Master, Shellfish Warden and Town Planner and what are some of the things listed in Ms. Randall's report or Ms. Healy's e-mail that might be picked up by this staff or what might not be?

Ms. Randall advised that the Warden could be asked to do everything but it is not happening now. There are things like project coordination, project development and project management in terms of research projects going on, helping someone like Ethan getting set up. There is more to do besides water quality testing. Someone is needed to act as a liaison and more of a support staff to the Shellfish Commission as things come up and keeping track of the conservation points and what duties were performed by diggers to earn their conservation points.

Councilor DeGrandpre pointed out that there has never been any request from the Shellfish Commission to change the Warden's duties, just a lot of rhetoric, complaints and noise. Chair Hendricks noted it is

clear there has been a communications breakdown between the Shellfish Warden, Town Council and Shellfish Commission. Council Egan pointed out that this is an opportunity to start fresh and put this behind us. She asked the Commission to make a recommendation that these are the kinds of things we want the Warden to take on to conserve the resource. It may turn out that he does not have the skills or the time and he may even be considering retiring. At that point, how can the Council design afresh what that job description might look like to make sure we are conserving the resource as well as enforcing it.

Ms. Randall offered to sort through what would be appropriate for the Warden to take on. She mentioned that the cost of a Freeport-only position would be reduced by $20,000 from the original $90,000 request. It could even be reduced more if the position was part-time. Councilor Sachs suggested that the Shellfish Commission and Ms. Randall consider talking to Mr. Joseph and Tom Kay about the duties of the position before it comes before the Council. Chair Hendricks advised that he sat down with the Chief and the Warden and determined they are open to getting direction from the commission. Mr. Arris spoke to the Warden and offered to sit down with him to discuss what kind of work he is willing to do. Chair Hendricks advised that the Warden is not going away even though some people feel he is not needed.

Councilor Tracy noted it is important to break it down into steps. One of the things discussed is what are the tasks that the Shellfish Commission as a whole feels are needed and what are those tasks required by the Ordinance? Another piece is an expansion of cultivating the resource and not just managing it.
As you are looking at the tasks, it would be helpful to know what is absolutely required versus the next steps to the shellfish position. She feels it would be helpful for her to know a sense of what other towns are doing and how does this compare to what they are doing in similar communities like Harpswell or Brunswick so we will get a sense of the industry standard and what they have committed in terms of their Town resources. She feels it is appropriate to talk about changing the Warden's roles somewhat. While enforcement is important, the Council is recognizing that the landscape is changing. What can we get out of him since we are paying him a salary and benefits and it makes sense to incorporate some of this stuff into his job description.

Councilor DeGrandpre advised that he would like a recommendation that is different from what he has in his hands for a Regional Shellfish Coordinator. Councilor Wellen is looking for a 3-4 page description of the job's responsibilities, etc. for an on-going position. Not everyone here has said they would not look at it.

Chair Hendricks advised that the budget would be adopted on June 17 and information will need to be provided on June 12. Mr. Arris pointed out that the Shellfish Commission meets on June 12. Chair Hendricks suggested having the Commission meet earlier. This is a complete change from where we started and the harsh reality is that it might not happen this year. It really depends on what happens between now and the 17th. Councilor Sachs asked for an explanation on how $5,000 was spent. Mr. Arris offered to compile the information. Councilor Egan wondered if it would be possible to have a conversation with Harpswell to see if their part-time person would have some hours available to Freeport to get some of the regional learnings and begin to work in partnership.

Mr. Arris advised that he would try to put something together and he hopes to do a better job of communicating in the future. He does not plan to give up on this position. If the date of the next shellfish meeting is changed, Mr. Arris was asked to let Councilors Egan, Sachs and Tracy know.

2. Freeport Withdrawal Committee Activity Update.

Councilor DeGrandpre advised that the Withdrawal Committee will be meeting with a Mediator at 9 a.m. on Monday here in the Council Chambers to try to sort through some of the issues as they best understand them. They met with the State with a purpose to try to resolve whether the withdrawal agreement had to contain a resolution of where the students have to attend. They were told by the Commissioner by telephone that it did not. When they went to Augusta, they found that the story had changed. This is the first time the withdrawing school has the high school and they are trying to find their way through this. It is not as clear as they thought it was. The Withdrawal Committee doesn't know if there is or isn't a formal offer from Brunswick to be the school of record. They may have contacted the Working Group but not the Withdrawal Committee.

They have a meeting scheduled on Monday and Wednesday and are going to continue to meet on Thursday nights. They are still working on the finance side trying to get a better understanding of capital projects, etc. They are working with the schools to understand how and where vehicles are used and what the best way is to take it apart so that everybody ends up with what they need. While he feels they are moving forward, he noted they need to sort out the enrollment issues. That is where they are headed. He is hoping that there will be two more substantial meetings. At the end of the day if the Withdrawal Committee and the Working Group can come to an agreement, he hopes the agreement will be close enough to the middle of the deal that the DOE will not be too troubled with. The school of record issue is the important one. We do not have capacity for a ten year commitment. That is where they are at and are hoping to move forward. The meeting schedule posted is correct.

3. Quarterly Update on Council Goals—Councilor Hendricks proposed moving this to a night when we don't talk about budgets.

EXECUTIVE SESSION

ITEM #93-14 To consider action relative to an Executive Session to discuss the acquisition of property (1 M.R.S.A. § 405(6)(c)).

MOVED AND SECONDED: That the Council enter into Executive Session.(DeGrandpre & Egan) **VOTE:** (7 Ayes)

MOVED AND SECONDED: That the Council reconvene into Public Session. (Sachs & Egan) **VOTE:** (7 Ayes)

MOVED AND SECONDED: To adjourn at 10:58 p.m. (Tracy & Egan)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #13-14
FREEPORT COMMUNITY CENTER, 53 DEPOT ST
TUESDAY, JUNE 17, 2014
IMMEDIATELY FOLLOWING THE DISTRICT 1 WORKSHOP
WHICH BEGINS AT 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

After the close of tonight's workshop, Chair Hendricks called the meeting to order at 7 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #12-14 held on June 3, 2014 and to accept the Minutes as printed.

Councilor Egan referred to page 9, the bottom paragraph where she asked Chief Fournier how many times have we had an emergency call and not had a crew at the station over the course of a year? Chief Fournier did not have the answer but mentioned that this situation happened tonight two hours ago when the crew was pulled out. The Minutes should have reflected that Chief Fournier did not have the answer but mentioned that he didn't have a crew at the station when they were out on a NET call a couple of hours ago but no emergency call came through at that time.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #12-14 held on June 3, 2014 and to accept the Minutes as edited. (DeGrandpre & Egan) VOTE: (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor Sachs announced that it is that time again to plan for the Fourth of July Parade. She noted it's a partnership between the Town, L.L. Bean and Freeport Community Services and she encouraged individuals and community groups to join them on the Fourth of July. If anyone has questions, she can be reached at 865-3985. This year's theme is Outdoor Fun on the Fourth. The person heading up it up is Gino Giumarro. Councilor Sachs has permission to provide his personal cell phone number—373-8071. He can also be reached at www.Giumarro@GMail.com

Councilor DeGrandpre announced that the Withdrawal Committee will be meeting Thursday at 6:30 p.m. at the High School Conference Room. He encouraged folks to please come to these meetings and share their thoughts and ideas. They have had limited input from the public.

Chair Hendricks announced:

- A schedule of Freeport events for the Fourth of July can be found on the Town's website. Activities include the traditional Blueberry Pancake Breakfast, L.L. Bean Road Race, Parade, Concert in the Park and the Fireworks at 9:15 p.m. Please remember that Consumer fireworks are not permitted at anytime throughout the year in Freeport.

- Freeport residents still have the rest of the month of June to bring one free load of waste to the Recycling Center using the Clean-up Coupon contained in the Town mailer that residents received. As in years past, some material will have fees associated with them, so please review your flier for the list of acceptable items and fees.

- Printed copies of the Fiscal Year 2013 Town of Freeport Annual Report are now available at the Town Hall and on the Town's website. We are currently looking for photographs or artwork of Freeport for the next Report. It can be of any scene, event, or activity around town taken during Fiscal Year 2014. Digital pictures are preferred but paper copies will be accepted. Photos and artwork will be used as space permits. If you have an item you would like to contribute, contact Caroline Pelletier at the Town Hall.

- There will be a public health information session on tick borne and mosquito borne infections (such as Lyme Disease and West Nile Virus) on Wednesday, July 2 from 5-5:45 p.m. in the Town Council chambers. Kate Colby from the Maine Center for Disease Control will lead this presentation and discussion.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor DeGrandpre reported that Traffic and Parking had a site walk in South Freeport Village last night and a lot of folks joined them. They met at Church Road and Pine Street and looked at parking and access points to Sayles Field. They then walked down Main Street. The message has been pretty clear that villagers do not feel there is a need for a sidewalk on Main Street. One of the elements of the Active Living Plan suggested looking again at sidewalks and an interesting discussion took place. Largely people use the street. It is wider than originally thought. The street is 23' between the curb lines and there are places where it is 27'-29'. At this time, Traffic and Parking still does not have any recommendation but he thanked all the folks that came and joined them.

Councilor Sachs pointed out that the Conservation Commission will meet at Mast Landing School at 6 p.m. tomorrow and do a site walk at Quarry Woods and go over the Site Management Plan. She suggested that people participating bring bug spray and dress appropriately for ticks. Councilor DeGrandpre asked that the Commission look at the trail head where it meets Lower Mast Landing and provide their observations to Traffic and Parking.

Councilor Tracy reported that she attended the Shellfish Commission's meeting last Thursday night, June 12. They went through a number of business items. She was pretty impressed with the discussion on clam flats opening. The question was when to open the flats from 5 or 6 days a week. Instead of opening to six days on June 15, they decided to wait until July 1 to allow the clams more time to settle into the mud and grow, which is against their financial interests. They approved a description of the kinds of tasks they hope would be accomplished by the Shellfish Warden or a possible Shellfish Coordinator. They also discussed a lottery system on how to distribute parking passes for the Harraseeket Yacht Club.

Councilor Egan advised that the Active Living Task Force will be meeting on July 10 at 7:30 a.m. On June 25 the Planning Board will be meeting to consider the Active Living Task Force Plan and decide what should be the position of the Town on the Plan. It was commissioned by the town, and paid for by the Town. They will decide whether to adopt it, accept it or make it part of the Comprehensive Plan, etc.

As Chair of the Appointments Committee Councilor Egan advised that they would be officially meeting on July 24 here at Town Hall. Anyone interested in serving on a Town Board or Committee is encouraged to apply. We have positions coming up and encourage anyone that wants to serve to please come forward.

Councilor DeGrandpre will provide a report on the RSU Withdrawal Committee after Regular Business this evening.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Chair Hendricks started reading Mr. Joseph's report since Mr. Joseph left the room to make some photocopies.

The Freeport Elders Association bus has arrived! The bus was bought primarily with money obtained over several years of fundraising efforts by the Elders Association, but also was funded partly with a $15,000 CDBG Grant secured jointly with the Town of Freeport. Congratulations to the Elders Association on their acquisition. Pictures of the bus were shared.

Mr. Joseph continued with his report:

Election Results for 06/10/14—Contested Races Only

Cumberland County Sheriff—DEM. Primary

Michael Edes—271
Kevin Joyce—298
Blanks—114

U.S. Senator—REP. Primary
Susan Collins—338
Erick Bennett (declared write-in candidate) -2
Blanks—31

RSU Budget Validation Referendum
Yes—946
No—366
Blank—14

Please note that South Freeport Road will be closed to through traffic between Porter's Landing and Cushing Briggs Road from 9 a.m.-2 p.m. at least until this Friday, while the Freeport Sewer District completes emergency replacement of approximately 2,000 feet of failed sewer force main between the pumping station at Porter's Landing and the Sewer District's Treatment Plant on South Freeport Road. During these hours, Pine Street, Main Street and West Street (or alternatively Bow Street) should be used to detour around the construction. Restriction to one lane of traffic with delays should be expected at all other times between approximately 7 a.m. and 7 p.m. each day, with both lanes of traffic expected to be open at night between approximately 7 p.m. and 7 a.m. He thanked everyone for patience during this construction and is confident the Sewer District thanks everyone for their patience. He urged residents to use caution in that area in the next two weeks, particularly in the evening after construction because it will be a construction zone but cleared for two-way traffic.

Councilor Egan is aware that this has been a real pain for a lot of people in the area, not knowing when the road was closed, when it was open or had one lane or not. She is happy having a consistent time of day that the road will be closed and knowing when one lane will be open. There will be updates on the Town's website. She noted that the Sewer District is a separate entity from the Town but the Town does

host their information. Updates will be put up showing when the project is expected to be finished. It is not known at this time, but she is hoping for Friday but it may be the middle of next week and the website will continue to keep residents posted.

Councilor DeGrandpre advised that he looked at the project and discovered that when the line was installed in the early 60s, it was back filled with not very good fill. A camera has shown that the damage to the line is not on the inside, it is from the outside. He feels confident that the Sewer District has the right folks doing the job and they are doing a good job. He asked residents to please be patient. If anyone has questions, they can contact Town Hall. He would be willing to go and take another look if necessary.

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

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre) **VOTE:** (7 Ayes)

John Egan pointed out that he feels it is important to not always be cranky. He wanted to reflect on the great job that our Manager is doing. The atmosphere in Town Hall is great and he believes it begins at the top. He is pleased that funds are appropriated to resurface Route 125. He lives in that district and noted that the road is in really tough condition. He feels it is almost impassable on a bicycle and is aware that there are a lot of people out there that like to use bikes. Route 136 is now fairly safe to navigable on a bike. He thanked the Council for this. He attended a meeting this morning of a Midcoast Business Group and Brunswick was waving its flag talking about having 31 community events over the course of a year. He added up in his head and noted that Freeport has 50 over the summer and it's great being part of Freeport.

Delbert Arris pointed out that we can't under estimate what the Sewer District has done by installing 2,000 feet of temporary line while keeping the old line running in the process. They did not have to shut down the whole road for an extended time to replace the old pipe. That one extra step was significant and he does not want it overlooked.

Stephanie Petkers, owner of the Wishful Moon advised that some of the local business owners in the No Bow area (north of Bow Street) are getting together to try to move some foot traffic out their way and around the block. She listed the nine businesses that will be holding an Open House this Saturday.

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

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

ITEM #97-14 To consider action relative to adopting the June 17, 2014 Consent Agenda.

BE IT ORDERED: That the June 17, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #98-14 To consider action relative to approving a request submitted by Stephanie Petkers, owner of The Wishful Moon, to place a ground sign within the public right-of way at 12 School Street.

BE IT ORDERED: That a request submitted by Stephanie Petkers, owner of The Wishful Moon, to place a ground sign within the public right-of way at 12 School Street be approved with the following conditions: obtain a Design Review Certificate from the Project Review Board; execute a Highway Encroachment Certificate; and meet any conditions required by the Town's insurance carrier. (Egan & DeGrandpre)

Mr. Joseph explained the layout of the property at the corner of Middle and School Streets and the right-of way actually almost goes to the steps of the Wishful Moon. The walkway out to the sidewalk is in the public right-of-way. There isn't any place in the front yard where Ms. Petkers can place a sign that is not within the right-of-way. This is typically done from time to time and specifically here there is no alternative for this business because they do not have a front yard.

Councilor DeGrandpre feels it is a great idea to help our businesses be visible but looking up School Street depending upon the height of the sign, it might block vision. The height might need to be adjusted one way or another. Chair Hendricks is confident that this can be taken into consideration with approval of the sign. Mr. Joseph offered to have the Town Engineer look at it to see if it blocks vision.

ROLL CALL VOTE: (7 Ayes)

MOVED AND SECONDED: To take an item out of order. The item is under Other Business entitled Freeport Withdrawal Committee Activity Update. She moved to discuss that now. (Tracy & Egan)

Councilor Gleeson advised that he is fine with moving this discussion up but is concerned that there are people anticipating that this will be taken up later on the agenda. He received a lot of e-mails on this topic. Councilor Wellen suggested that if people show up later, they be permitted to speak and Chair Hendricks agreed.

VOTE: (7 Ayes)

Councilor DeGrandpre explained that the best place to start is that we need to remember there are 11 items we need to reach agreement on in this withdrawal agreement and we have tentative agreements on 10 of them. The biggest challenge we have at this point and once it is resolved, he is confident we can resolve whatever financial issues are left, being the school of guaranteed acceptance which the DOE continues to use at this point. The committee met here a week ago yesterday with a Mediator to try to work through some of the ideas that were already on the table. They broke into two groups and the Mediator talked to the Withdrawal Committee first about how far they have gotten and the grandfathering that they offered. The Working Group had no tentative agreement on it because they want us to be their backstop school for 10 years. The Withdrawal Committee told them we would not be able to do that but we would be willing to grandfather the kids one year after withdrawal and any kids in the system would stay. They would be able to finish their high school careers here. This was offered early on because the Withdrawal Committee felt it was the right thing to do. They had some discussion around coming up with a cap or some number of kids that we would make sure we had room for. This is where we left the discussion with the Withdrawal Committee, Working Group and attorneys one evening. When we started this process, we outlined all of it for the Mediator. He came back fairly quickly with a handout of the alleged RSU's position. It was frustrating since Peter Murray is a member of the RSU and serves on the Withdrawal Committee and he had never seen the document before. He advised that it was never voted on. The Mediator pointed out to the Withdrawal Committee that Freeport needs to be the School of Guaranteed Acceptance for 10 years. The Withdrawal Committee was puzzled because they felt they had gotten past this. It was unclear whether the Working Group forgot this or their legal counsel recommended going back to square one. They spent five hours going back and forth and they never retreated from their position that we had to be the

school of guaranteed acceptance. By this time, it was getting to be 1:30 or 2 p.m. and our attorney had to leave and we were all packed up and walking out the door when John came back and said they now want to talk about how many students to guarantee. If this discussion had been started in the morning around 9 a.m., it would probably have been finished that day. It is his opinion that they stonewalled the Withdrawal Committee for the whole day. Councilor DeGrandpre noted he is frustrated by this because he feels unless they sit down in a room and agree that we have to work this out and find a way to do it, it will be difficult to move forward. The two committees are trying to figure out when their next together meeting will be and how it will be constructed, whether it will be the Working Group and the Withdrawal Group and with our attorneys or whether it will be with a Mediator. He does not have the answer tonight. This is where it has been left.

Jim Reir, Acting commissioner of Education, has changed his position. Early on he advised that State Law did not contain a requirement for resolving the ten-year School of Guaranteed Acceptance and he would not hold up an approval based on that. That position changed when we all met in one room. There is a concern that the 10-year School of Guaranteed Acceptance was something that they were going to be looking for. When asked a difficult question that it was not contained in the law and how could they require it, they did not have an answer to that but talked a little more about it. They asked if we had considered getting mediation and perhaps the committee should get a Mediator which is what we did. He has not been clear that there is a hard line saying if you don't resolve the 10-year School of Guaranteed Acceptance, (he did not say) he would not approve this. The Withdrawal Committee's question to them originally was pretty simple. If we don't resolve that because it is not one of the required items, and it is not required for withdrawal, would they allow the Working Group to approve this plan? At the end of the day, there is no clarity around this. The Committee spent time in Augusta and asked some tough questions. They appeared to have a position but that position melted a little when follow-up questions were asked. They are not sure where they are at on this. He explained that SADs came together of their own volition which is far different than the RSU which we were forced to form.

Councilor Egan asked if we asked for written clarification from the DOE on exactly what they are requiring us to do. Councilor DeGrandpre mentioned that Peter Murray did ask at some point. Councilor Egan noted it appears that a confusing answer was provided and it was not completely consistent. If we had something in writing we would better understand what is required of us. Councilor DeGrandpre mentioned that somebody from the Attorney General's Office was in the room and this may have prevented them saying a hard “yes” or “no”. He noted that he feels we can go back and ask for this but does not know what we will get and is not sure it will mean anything. He offered to move this forward and get them to put something in writing.

Councilor DeGrandpre mentioned the issue of capacity at the school. Discussions have taken place around the size capacity of the school. There are two capacities in general. One is the physical and how many desks or humans you can put in the building. The other is our programming capacity. He has information from the architect that designed the school which the bond was passed for. He estimated that the school at 80% efficiency is about 500 students. In his letter dated May 13 he states that the high school is presently overcrowded with 530 students in it. Councilor DeGrandpre noted that everybody has this information. He does not want to tie the hands of a future School Board for programming and needs to work back closer to what the real capacity of the building is now. We will need to renovate but we will not have to add on to the school. Additional capacity is another component of this.

Councilor Tracy asked if the Withdrawal Committee has digested this information and come up with what it believes the appropriate range of number of capacity we could take without having to do an addition. Councilor DeGrandpre indicated that the answer is yes, they are willing to talk about the 440 range and it could be 20, 30 or 40 more than that, depending on how the renovation works out. He does not want to commit this community to overcrowding our school. He would leave that option to the School Board in the future. He wants to be as fair as

possible but does not want to tie our own hands. He did not have population numbers from each town. More discussion followed.

Chair Hendricks opened the meeting up to the public and asked speakers from the audience to adhere to the three minute rule.

John Egan thanked Councilor DeGrandpre for the explanation. He feels that the negotiation process for Freeport to take back control of its school is being hijacked. The two sides that went in to negotiate this plan agreed that they would negotiate in a fair and productive manner and we are stuck on a point that is not a part of State Statute so how is this a fair and productive negotiation? He has attended some of the meetings. The Working Group is insisting that they want the RSU kids to be able to go to Freeport High School and that is why they are sticking on the absolute language of the School of Guaranteed Acceptance. It is curious that the net result of a withdrawal from Freeport is that Pownal and Durham is then given high school choice. The families of those students would have the choice to go to any of the local high schools that they can arrange transportation for. It is now public knowledge that the community of Brunswick is far under capacity and offered to be the School of Guaranteed Acceptance and that would be one of several choices and would relieve this entire issue and bring back the ability which is where it was the RSU where those communities can elect which high school they want to send their kids to. What is being proposed by the Withdrawal Committee is coming from what we actually have capacity for. The effort in watching the Group negotiate to include grandfathering is extremely fair and generous. It was up to seven years for families to continue to send their kids to Freeport. That was the guarantee. He pointed out that every single school budget is voted down by Pownal and Durham. Freeport has to carry it and that is the single compelling reason why Moving Freeport Forward brought this issue in front of us now.

Jack Matheson, Freeport resident noted he attended a lot of these meetings and also a Brunswick school meeting. He asked the Brunswick Superintendent about a proposal for school of guaranteed acceptance agreement that might be in place. He said it was in the Working Group's court. Mr. Matheson would like to see what that proposal is. It has not been brought forward by the Working Group. He is confident that constituents in Durham and Pownal would also like to see it. He is confident that there is something on their desk. He agrees with Mr. Egan's comments. He would like to see this moved forward by both groups and wrapped up.

Kate Werner of the Withdrawal Group shared a newspaper article on West Bath that is dealing with the issue of School of Guaranteed Acceptance as well. The attorney for the RSU mentioned some issues with the RSU there and the School of Guaranteed Acceptance for West Bath. Some of the things mentioned is “if you agree to that, you have to be sure you have room and capacity to take all those kids but you wouldn't have a guarantee that any of those kids would come.” She continued reading the issues listed in the article. She mentioned that keeping the capacity number low allows for flexibility as far as being able to leave it to the School Board to deal with these issues. It is really not the purview of the Withdrawal Committee, it is theirs. They have an army of experts to tell them how to manage these types of situations. We want to make sure that we have continuity which is why we came to grandfathering immediately because we felt it was the right thing for the kids. Keeping the number lower allows for management and facilities planning because we are talking about things like taking the Industrial Arts Building down and reducing the footprint of the high school which is best for our taxpayers. Given there are as many as 600 seats identified in the region for these kids to have school choice, it does not make sense for our taxpayers to be expanding the building and perhaps it makes more sense to reduce the footprint. Overall, we want to give them options going forward to make sure we are providing the kids that are there the best facility possible and the best education possible. She feels the reason this is not in the Statute is because this is really not what we should be discussing. It is not our place to discuss this issue. She hopes to get this agreement done and then we have another year of the RSU to figure it out.

Councilor Tracy noted that of the 11 points that are in the Statute that need to be agreed upon, 10 have been discussed. She asked what the 11th point was. Councilor DeGrandpre replied that finishing up the financial calculations. Some of it buses, where will they go, pieces of equipment, where will they go. The Committee has not gotten to them. The two things left to resolve are the enrollment issue and the finance piece. They figured they would start with enrollment but have been unable to get a movement on this issue. They believe they can resolve the finance piece pretty easily. He advised that our agreement has to include those 11 items to be considered complete and the RSU Board needs to approve it.

Councilor Wellen suggested sending the written agreement to the Department of Education and asking for clarity. If we don't get clarity, perhaps it is time for the Town Council to step in and put pressure on our elected officials to put pressure on them to get clarity. That is a big sticking point right now.

Chair Hendricks noted that the Council has received numerous e-mails from citizens voicing their frustration with the process. The Committee is not able to move forward. The Council has been officially asked by constituents to step in and help or find out how to step in and help. He asked Mr. Joseph to reach out to the Town Attorney to learn what legal rights we have as a Town. He does not have any information tonight. He had a nice phone conversation with Sara Gideon on Friday and she will see if she can get more information for us as well. She will get back to Chair Hendricks. He likes the idea of a formal letter to them asking them to get clarification and getting them to put it on paper.

Councilor DeGrandpre mentioned that in an article the Working Group alleges that the RSU is under no obligation to transfer ownership of the high school to the Town of Freeport unless their core principles are agreed to in the withdrawal agreement. He suggested to the Mediator: "why don't we let them keep it. They can buy it from us because it was ours to begin with. They can buy our high school and we will build our own." The Assessor indicated that he could come up with a value for the high school.

Councilor Tracy noted that it seems to her that the Withdrawal Committee is trying to move things forward and it sounds like it is almost there on the items that are in the Statute. It would be great given that this is a brick wall, if the Withdrawal Committee could work really hard to get the 11th item negotiated so that in the event if we have to bring it to the Department of Education, we can say, "all the things in the Statute are accounted for." To the extent that the Working Group is unwilling to discuss that 11th item because you haven't gotten to the school record, it gets back to the commitment that both sides made to negotiate in good faith and everyone agrees that this is a very difficult issue and it is important for all of us to try to resolve the things that can be resolved and chip away at the things that are difficult. She encouraged the Withdrawal Committee to get the 11th item squared away. She agrees with getting it in writing. She feels there are a couple of ways to make it happen. 1) The Withdrawal Committee could ask the Department of Education to express its opinion on it. That could be a joint letter from the Town Council and the Withdrawal Committee assuming the Council approves it and the Withdrawal Committee feels it would be helpful. Another variation is to ask the Department of Education to get an Advisory Ruling from the Attorney General's Office on the Statute. She believes there is a process for getting Advisory opinions but she may be wrong on this. It also may be helpful to have a workshop with the Town Council and the Withdrawal Committee about how the Council can help. It is clear that the committee is doing its best to come to the best agreement for Freeport and the voters deserve an opportunity to have a vote. It is hurting all of the towns that this is not getting resolved. The longer this drags on, people will get frustrated and send their kids away or move away. This is not a good situation. To get the best candidate for a Superintendent, we want this resolved. She feels it is incumbent for the Council to help the Committee in anyway it can to get to some resolution.

Councilor Wellen asked if the Committee is planning another Mediation session. He noted that things can shift and the Working Group may be getting pressure to get this resolved. He understands that these things take time and we may not be able to have a November vote. A special election could be held later if necessary. Councilor Sachs asked what is required in the Statute for grandfathering. The answer is one year but under the current offer, seven years are being offered. Council Tracy encouraged Councilor DeGrandpre to keep a dialogue to see if mediation can occur.

Chair Hendricks asked if the Committee would like to workshop with the Council. Councilor DeGrandpre explained how difficult it is for Peter Murray to meet on Mondays, Tuesdays and Wednesdays. He will mention the option to workshop with the Committee. He mentioned that they are meeting on Thursday and they will discuss if there is some way to nudge the Department of Education through legal channels or our representatives in Augusta.

Councilor Gleeson indicated that his concern is that the Council should do something aggressively to show our full 100% support behind our Withdrawal Committee so that his voters will get a fair vote on this. Emotionally he is supporting our Withdrawal Committee as a Town Councilor. Councilor Tracy has come up with some fantastic points and he agrees with her that we need clarification. The part he found most disconcerting was the oped that was written in the *Tri-Town* by the Working Group that there were no Minutes taken at the June 9 meeting since the meeting was pretty much in Executive Session. However, a Guest column apparently clarifies everything that happened in the meeting. He pointed out that nobody knows what happened because there are no Minutes to verify it. You are getting the Working Group of the RSU writing opeds in the paper without any opportunity for our Withdrawal Group to have a rebuttal or statement. He is unsure if we are going to get in a war with the press, where our Withdrawal Group has to write something in the *Tri-Town* stating this is what happened. He can see this getting very nasty quickly if we do not very quickly get some resolution to this.

> **MOVED AND SECONDED:** That the Town Council take a vote on whether the Council would support signing a letter of clarification or alternatively a request for an Advisory Ruling as to the issue of School of Guaranteed Acceptance and whether that agreement is required for purposes of bringing the Withdrawal Agreement before the Department of Education. (Tracy & Sachs) **ROLL CALL VOTE:** (7 Ayes)

Chair Hendricks noted that everyone wants an agreement in order to make a decision. Whether we choose to remain an RSU or choose to withdraw, at least we want the ability to make a decision. Councilor Sachs pointed out that we have charged this committee with putting together what they believe as our Freeport representative is the best deal that takes into consideration the surrounding towns but also does not burden the taxpayers. It appears we are stuck on a point which could be about beach balls, it is not in the Statute. She embraces the frustration that others are feeling and wants the Withdrawal Committee to know as a parent and Councilor, that she is with them.

Councilor DeGrandpre asked Chair Hendricks to keep in touch with him about his communications with the Town Attorney. Councilor DeGrandpre thanked everyone for their help and urged folks at home to send their thoughts or ideas to the committee.

ITEM #99-14 To consider action relative to the acceptance of State Funds for fiscal year 2015.

> **BE IT ORDERED:** That the following categories for State Funds be accepted for fiscal year 2015.

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 ca pita
5. Civil Emergency Funds (Emergency Management Assistance)
6. Snowmobile Registration Funds
7. Tree Growth Reimbursement
8. Veterans Exemption Reimbursement
9. Business Tax Reimbursement
10. All other state funds not included in items 1-9 (Wellen & DeGrandpre)

ROLL CALL VOTE: (7 Ayes)

ITEM #100-14 To consider action relative to the operating budget for Winslow Park for fiscal year 2015.

BE IT ORDERED: That $246,530 be approved for the Winslow Park budget from July 1, 2014 to June 30, 2015 and $13,700 be approved for the Harb Cottage budget from July 1, 2014 to June 30, 2015. (Tracy & Egan) **ROLL CALL VOTE:** (7 Ayes)

ITEM #101-14 To consider action relative to adopting a Non-emergency Transport (NET) budget for fiscal year 2015.

BE IT ORDERED: That the Non-Emergency Transport Budget in the amount of $572,019 be approved for fiscal year 2015. (Sachs & Egan) **ROLL CALL VOTE:** (7 Ayes)

ITEM #102-14 To consider action relative to the adoption of Fiscal Year 2015 Operating

Budget for the Town of Freeport.

Mr. Joseph explained that the Human Service Agencies for $40,000 and Community Center Building for $40,000 should be removed and handled separately so that Councilor Sachs can recuse herself on these two items.

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, 2014 to June 30, 2015 Municipal Budget.

FY 2015 Appropriations	
General Government	$1,426,280
Protection and Enforcement	$2,391,980
Health and Welfare	$101,980
Public Works/Solid /Waste	$2,229,690
Library	$442,980
Unclassified	$1,845,587
Debt Services-Local	$184,862
County Tax	$879,073
Bustins Island	$172,000
Abatements	$25,000
Eco Maine Debt Contribution	
Total Appropriation	**$9,778,232**
FY 2015 Estimated Revenues	
Non-Property Tax	$1,306,300
Intergovernmental	$1,050,375
Charges for Services	$285,350
Licenses and Permits	$356,240
Fines and Forfeitures	$94,400
Miscellaneous	$32,300
Library Lease Proceeds	$175,000
Total Estimated	**$3,299,965**
Amount Transferred from Undesignated Funds	$675.000
Amount to be Raised by Taxation	$5,803,267
Total Revenues	**$9,778,232**

BE IT FURTHER ORDERED: That the following appropriations be made for the capital items/projects listed below and that the capital budget for FY 2015 be adopted:

Police	Replace Bullet Proof Vests	$16,000
	New Squad Car and Changeover Equipment	$35,000
	New Squad Car and Changeover Equipment	$35,000
Fire	Communication Upgrade-Voter System Upgrade	$50,000
Rescue	Rescue Replacement (2001)	$186,000

	4 Self-Contained Breathing Apparatus	$28,000
Public Works	One-Ton Plow	$45,000
Solid Waste	Swap Shop Roof Replacement & Improvements	$12,000
Comprehensive Town Improvements	Wardtown Road/Route 125 (50% DOT Funding Under the MPI Program	$1,000,000
	Wardtown Road/Route 125 Paved Shoulders (3 feet)	$300,000
	Pownal Road Fields Storm water & Parking Lot Improvements	$138,000
	Dennison Avenue Drainage Replacement	$50,000
	Railroad Safety Fence at Memorial Park	$7,000
	Public Safety Apron Paving	$95,000
Municipal Facilities	Computer Upgrades-Town wide	$53,000
	Public Works Garage Overhead Door Renovation	$15,000
	Brickwork at Public Safety	$25,000
	Brickwork at the Library	$10,000
	Fuel Pump Computer and Software Upgrade	$11,000
	Back Up Generator at Public Works	$7,500
	LED Lighting Outside at Library/Public Works/Town Hall	$10,000
	Public Safety Camera System	$50,000
	Revaluation Reserve Fund	$10,000
Cable Television	Equipment replacement	$34,000
	Equipment & Other Improvements	$2,000
Boards & Committees	Historical Society Archiving Project	$16,000
	Total FY 2015 Capital Budget	**$2,240,500**

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

Police Reserves	$78,000
Fire Reserves	$50,000
Rescue Reserves	$214,000
Public Works Reserves	$45,000
Solid Waste Reserves	$12,000
Public Infrastructure Reserves	$1,086,500
General Administration Reserves	$74,000
Building Reserves	$117,500
Cable Television Reserves	$36,000
Other Reserves	$16,000
Total FY 2015 Capital Transfer from Reserves:	**$1,729,000**

BE IT FURTHER ORDERED: That the following appropriations be made for the items and projects listed below and that the Destination Freeport TIF budget for FY 2015 be adopted:

Sidewalk Improvements-Main St, East, North of Village Station	$20,000
Sidewalk Improvements-School St., Main St. to first driveway	$22,000
Theater Payment	$20,000
Railroad Platform Parking Lot Paving-Moved to Destination Freeport TIF	$45,000
Freeport Economic Development Corp.	$95,000
Operating Expenditure-Rubbish Collection/Downtown Beautification	$45,000
Total FY 2015 Destination Freeport TIF Budget	**$247,000**

(DeGrandpre & Sachs)

Chair Hendricks pointed out that the Council has gone through all the budgetary items once and made some decisions along the way. He has heard from some Councilors that they would like to propose some smaller changes to some of those. He suggested discussing the three optional items the Council has been having discussion on as of late which would be Police Department, Shellfish and Fire Department. There have been proposals from the Fire Department to add personnel, from the Shellfish Commission to add a Coordinator and look at hiring another officer for the Police Department to see if we can save money on overtime.

From what Chair Hendricks has heard from Councilors regarding the Fire Department, there is not enough information provided yet to make a viable decision to add personnel to the Fire Department. He has heard that Councilors would like a more in-depth process similar to what we went through a few years ago with the Municipal Facilities Committee looking into staffing at all levels and departments. There has been comments that the NET staffing is taking away from the Emergency Department in the building and that is why there is a need for more staff. He feels it might be a larger scope than just the NET Program.

Councilor DeGrandpre advised that he feels this will be a lengthy process since every time he asked a question, more things were brought forward. He would be willing to work with the department heads and staff on this going forward. He agrees the Council needs more information to go forward. Councilor Sachs advised that Municipal Facilities is willing to take this topic up again. They will be meeting in September.

Councilor DeGrandpre noted we are not keeping track of the NET calls at 3 a.m. This would appear to be an emergency call at that time of the morning. He feels the need to take a look at our contracts. Councilor Tracy suggested an earlier communication be provided about what kind of information that will be needed and agrees that in the interim before Municipal Facilities will look into this, this will be a good chunk of time to collect some good data about what is going on. Councilor Wellen agrees we need more information to even consider whether we need extra staffing. This would mean a huge sum of money that would affect the tax rate considerably.

Mr. Joseph advised that the Fire Chief has submitted an e-mail stating he would be perfectly amenable to working through that process. Councilor Egan suggested that the Council ask them to start collecting data. Councilor DeGrandpre mentioned that he has already done this.

POLICE - Chair Hendricks noted that in trying to decrease the large amount of overtime, adding an additional officer would not generate a lot of savings in the first year but there would be some potential decrease in the second year. While we can't guarantee a decrease in overtime, we would be increasing presence on the street, etc. It is like spending to save.

Chief Schofield explained how he calculated he could possibly shift swap to save some overtime and also utilize some reserve officers. He also explained the officer ratio compared to other communities even though Freeport is different from them. Discussion followed.

Councilor Tracy asked the Chief what he felt about adding an additional officer on the beat to save some overtime. Chief Schofield noted an additional officer would allow him to provide some extra service to the community and also reduce some of the overtime. It would also free up some of the Shellfish Warden's time to help with Shellfish.

Councilor Gleeson pointed out that adding an officer is an additional expense but it appears we could even get someone on foot patrol in the downtown and possibly schedule it so that person could offset some overtime hours. Chief Schofield advised that the goal is to have a “floater” position to focus on long-term requests for time off and assurance that they are filling those hours and providing service to the community and yet not paying overtime. This would not be a contract violation. He estimated this extra officer would cost $56,500 in the first year. Mr. Joseph pointed out that the overtime costs being offset would increase proportionately.

Councilor Gleeson noted he is very serious about the budget but would be willing to add another policeman. Councilor DeGrandpre indicated he would support this position going forward. Councilor Sachs noted that speed enforcement has been a goal and she is mindful of the Shellfish Commission's request for more of Tom Kay's time and the officer at the High School needs to be there more than being pulled. She sees the value of adding a position at this cost.

Councilor Tracy noted that she is struggling with this. She agrees that it is a prudent investment of resources but she is mindful that the Council has a big budget year. She feels it would be a good thing for the Town but is not feeling the urgent need for this position. It would be great to encourage some dedication of that resource toward speed issues or road safety. She is on the fence.

Councilor Wellen asked about the proposed tax rate increase. The Council is looking at a pretty big tax increase this year and he keeps hearing about taxes from his constituents. He feels the Council could have done a better job reducing costs in other areas. He is not convinced the Town should be putting more time and hours into the Shellfish Program. He would not support this new position. Mr. Joseph explained that the tax increase will be 4.2%

Councilor Egan explained that the Council asked the Chief to look at this in an attempt to reduce our budget. We now understand that to reduce the overtime, we have to hire people and the overall cost will be more for the taxpayer. She does not support this particular solution at this moment. The Council did not look at a problem out there with police enforcement and let's figure out how to solve it. We looked at the budget and ways to reduce the costs this year. If there is a real problem, she would be open to adding more police enforcement. She agrees speeding is an issue but we have seen data that shows that people slow down with the mechanical signs. She suggested looking at it comprehensively to understand if it staffing or if there are other ways to get at speeding, for example. She would be willing to add police if we were able to take on some of the Shellfish conservation issues through the Warden's position but that is not fleshed out right now. She suggested to better understand what the problem is, figure out if the solution is staffing or if there are other ways of solving the problem and have a more detailed understanding of what Tom Kay can do and whether it makes sense to have additional enforcement hired at the Police Department to allow him to do those things. She suggested sending this to the Municipal Facilities Committee just as we are doing with the Fire Department proposal and get more detail and understanding of the costs and benefit of this. Councilor Tracy thanked Councilor Egan for expressing what she meant to say.

Chair Hendricks advised that he would support adding another officer this year. It is not a wash but we will be decreasing overtime which we would be spending anyway, and increasing services.

Councilor DeGrandpre asked about a grant opportunity and if there is any funding for a training component. Chief explained that he got a grant back in 2008 but feels it doesn't look very good for us this year. It would be good because it would cover 75% of our costs for three years. He noted that if the position is approved and he was awarded a grant, he wouldn't be able to accept it.

Chair Hendricks asked for a hard yes or no vote:

Hendricks (yes)
Gleeson (yes)
Egan (no)
Wellen (no)
Tracy (no) but open to reconsider
Sachs (yes)
DeGrandpre (yes)

Chair Hendricks pointed out that an officer will be added.

Shellfish Coordinator—Chair Hendricks asked Councilor Tracy to provide a summary of where they ended up at the Shellfish Commission meeting. Councilor Tracy advised that the Shellfish Commission midway through the budget process proposed a $90,000 budget item to fund a Freeport-only Shellfish Coordinator. They had been looking at a Regional Shellfish Coordinator and the commission provided $5,000 to study that. Because of the speed of getting the duties met, the Commission decided it was wise to request a Freeport-only position. At meetings Councilors have requested additional information and back up regarding that proposal. One of the things we asked for at the last meeting was a description of the duties that are needed to be accomplished by the Shellfish Coordinator. At their June 12 meeting the Shellfish Commission considered, voted on and approved the draft job description for the Shellfish Coordinator that the Council has in front of it. At the same meeting there was discussion about whether the existing Town Warden, who is under the auspices of the Police Department, and has enforcement responsibilities but also has been taking on additional responsibilities such as water quality testing and other items that are not even in his job description at this point and whether there is some synergy between the request and the Warden who we already pay, could do to take on some of these responsibilities. She understood that the outcome of that meeting was that the Shellfish Commission voted to recommend this job description as a request for what the Commission needs to accomplish and needs somebody to do. They also voted to request that the process begin in discussing with the Police Department, the Town Manager and anyone else that needs to be in the room to figure out which of the responsibilities can be taken on by the Town Warden. To the extent that there are remaining responsibilities, the Town fund or find someway to get the remaining duties covered. There was discussion as to whether there should be some revised budget item proposed because clearly if the original proposal for a full-time position was $90,000 and if some of the responsibilities could be taken on by the existing Warden, Tom Kay, then they won't need to fund a full-time position. The Commission discussed what that number should be and came to the conclusion that it would be a guess. They did not end up proposing a revised budget number but did discuss that the Council could adopt some lower number in the budget so that in the event the Shellfish Warden cannot take on those remaining responsibilities, that the Council in its budget would have the flexibility to get the remaining duties accomplished.

Delbert Arris explained that he could not have said it any better. He thanked Councilor Tracy for attending the meeting. He felt it was a productive meeting. The Commission is willing to work with the Council and go the distance with negotiations. The Commission made a unanimous decision to redirect some responsibilities to the Warden's position. They cannot advise the Council what they are going to do with that without having conversations with the Police Chief and the Town Manager. The fact that they are willing to do that is a big step forward. He thanked the Maine Clammers Association for doing the

research in determining how the Warden's job description is broken down. It appears there is room to add more. They also did a great job in bringing the Coordinating process to the front. They recommend if it is possible, that the Council hold on to some money because they do not know if they are going to make it work with the Warden and would welcome a contingency plan to have a part-time Coordinator come in if needed. He is trying to focus on Freeport but is aware that Harpswell has a part-time Coordinator and two full-time Wardens. In Brunswick Dan Devereau is a project Coordinator and he has an Assistant Warden that goes out and enforces the clam flats.

Chief Schofield pointed out that Freeport had a Shellfish Coordinator many years ago and he is not opposed to having a Shellfish Coordinator. He noted that we need enforcement for health reasons and preserving stuff but the Coordinator is important too. Freeport's Shellfish Program is comparable to Brunswick. We have pretty much the same area available for digging and issue the same amount of licenses. We had a half-time Coordinator and full-time Warden. We have been running our program with one person over the years and the job has to change with it. We had out of town diggers coming in and taking everything. When we have shut downs, the Warden has to go out and do water testing. He has seen the job description and noted there is a lot in there but there is no way one person is going to be able to do all of those tasks. He feels some sort of help would be beneficial.

Mr. Arris introduced Commission member, Andy Wilbur. Mr. Arris agreed that there is work to do and the commission has come this far and is willing to try to make the right decisions to keep the numbers in an appropriate place. He hopes we can put some money away in a contingency fund in case we cannot get the Warden to do it all. From the start, it was apparent that the position itself is more than a one-person job. Now that we have whittled it down to a part-time Coordinator, he feels there is room for them to work if need be.

Councilor Tracy noted that she forgot to convey one piece about the Shellfish meeting. She indicated some things she felt would be useful to the Council but not necessary for tonight's budget position. She conveyed to the Commission that for that process it would be helpful to know within this job description what is already being done by Warden Kay in terms of his actual job description. She understands that overtime he has taken on some of these duties that are not in his job description but he regularly does them. This is a middle category so which of these duties does he already do in helping to get them done but he is not required to and then which of the duties are above and beyond what is in his job description or he is doing.

She asked how much money the Council would be willing to set aside and what is the will of the Council to give some sort of indication whether the Council as a whole supports getting the relevant parties together to have that discussion. It sounds like Chief Schofield is ready, willing and able to do that. She mentioned that for some of these guys, this is the fifth time they have been through this and there has been a lot of talk and not a lot of walk. It is important on some level to fish or cut bait and really take a vote on it.

Councilor Wellen feels it is unfair to suggest that the Council has delayed giving the Commission some answers. The Council has not gotten detail until now. So now the Council can do some serious deliberations. He wanted to hear from the rest of the Council before deliberating.

Andy Wilbur explained that he has been on the Commission for ten years and recalled discussing the need to modernize the Shellfish Coordination Program at his first meeting. The frustration is that this is not a new issue and it is not an issue about whether the current Town Council is acting on it quickly enough. He mentioned there has been a letter addressed to the Council from the Commission trying to begin discussion on this for eight of the past ten years. Thanks to the Maine Clammers Association the Commission has the most professional researched information regarding what they really need. This is a concrete example of what could make this program modernized to the point so that the diggers out there working are able to gain the resources they had 10-20 years ago that they do not have now.

Councilor Egan asked if the Commission has a specific monetary request. Mr. Arris advised that everybody was throwing numbers out during the Shellfish meeting. $30,000 was discussed at that meeting. Councilor Tracy explained that no vote was taken on a number but somewhere between $30,000-$45,000 was discussed. Chair Hendricks asked about the Clean Water Fund which has approximately $10,000. He asked what it is earmarked for. Mr. Arris noted he would prefer to leave that money there. Chair Hendricks noted that the Council doesn't know what is needed and some of the things could be done at Town Hall administratively. Mr. Arris asked for one-quarter of the $68,000 to set aside in order to keep it simple. There is a lot of work and other things that will involve the DMR and the DEP and it will take time.

Chair Hendricks mentioned that effecting a town-wide change is something all the taxpayers will be paying for to help a small group of people. We will be protecting the resource but truly are also protecting the license holders. Perhaps the license holders could kick in an extra $5 on their license fees to help with a Coordinator. He is thinking outside of the box and different ways to fund a part-time Coordinator. Mr. Arris pointed out that he feels this is more than funding a group of license holders. There is economic value for the Town. These license holders pay taxes and shop locally. He does not know what Tom Kay is going to be able to do so he can't say a number. Councilor Tracy asked what caused the reduction from $90,000 to $68,000. Mr. Arris explained that $90,000 was regional and $68,000 was for Freeport-only.

Councilor DeGrandpre noted it would have been helpful to know what is already being done by Tom Kay and what things are not being done at this point. Mr. Arris mentioned some of the duties are just mental work. A lot is pretty fundamental work.

Councilor Egan pointed out that clamming and fishing are traditional historic industries in Freeport and are important to our heritage and our future. She feels strongly that the Council needs to preserve the resource. It has made a significant investment in looking at the green crab program. She feels we need to modernize our Shellfish Program. She would support putting $25,000-$30,000 aside.

Councilor Wellen noted that he feels municipalities are not meant to do research. It should be done with State or Federal dollars. He agrees we should be doing enforcement and helping to do water quality testing and this can be done by the Warden. He does not feel it is fair to taxpayers to say we are going to support the clamming industry with grant writing or research. He would like to get the list of duties manageable for the Warden. His constituents have been resentful that the clammers might get a $90,000 position.

Councilor Tracy feels the dialogue is needed and it is reasonable to assume there are duties that Tom Kay cannot take on. She is willing to consider a place holder but has significant concerns about how this will go. She feels the Council has to be deliberate about whether we actually spend the money or not. She watched how the job description was adopted. It was put forward by some work by Sara Randall with support of the Maine Clamming Association. The Commission unanimously adopted it which is totally fair. From her perspective, she feels the Council has a little bit of a different calculus which is what is appropriate for the Municipal body to take on of all of these things that are needed and what is the appropriate level of which we should be dedicating Town resources? It may not be the same list so she feels the Council should do a little homework about what is reasonable to do. Maybe it is the whole list but maybe it is 80%. The Council should get some other perspective to figure it out. If it takes $2,000 to hire a different person who is looking at it from the Municipal perspective, this will set the tone for years to come. It is important to the clamming community and to the taxpayers to get this right. She would condition support on a condition of investigation by the Town as to which of these responsibilities is appropriate and direct the Town Manager and the Police Chief to figure out what to do. She feels it should come back to the Council and then it can make a decision on what is the appropriate level to fund. If the Council votes to support it, she feels it deserves another look.

Councilor Sachs noted she is not going to vote to put a placeholder in. She explained that this is a good start and we don't know if this is an accurate needs assessment. She mentioned the Conservation Commission manages 456 acres of our natural resources with seven volunteers and wonders what would stop them from coming and requesting a staff person to fulfill the administrative needs of the Conservation Commission. She feels the Council is on the right track but would not vote to put a funding impact on it because she has no sense at all of whether this needs assessment is within the capacity or for that which is within the capacity.

Councilor DeGrandpre already asked who is doing any of this now and how are they doing it. He does not have a good sense of what Tom Kay is doing on this list. It appears there are some requirements here that need to be done on an annual basis. He questioned who is doing them now. He explained that we need to move forward and we need to coordinate our efforts better. He is saddened that we were not able to do it regionally. Because the Council is trying to put our budget to bed, he would be willing to support some number to fund the needs that were identified that are not being done. He really needs to know what we are doing, what we aren't doing and who is doing them to move forward.

Councilor Gleeson pointed out that he always supported a Regional Coordinator's position and was hoping to work with other towns. He is not for a large sum of money but will support some amount of money and is not sure about raiding the Clean Water Fund. He agrees there are things the Warden can do. He would favor putting some money aside but not necessarily $30,000 but would want a full discussion before releasing money. He is open but leery.

Councilor Wellen would like to get the list down to a more manageable list where we probably won't need any more money.

Chair Hendricks mentioned he would be comfortable earmarking $15,000 tonight. It would impact the budget one penny per thousand. He asked if Councilors supported this—yes, no or take more time?

Hendricks (yes) $15,000
Egan (yes) There is something happening in the ocean right now. She wants to preserve the resource.
Wellen (no)
Tracy (yes) willing to go to $20,000 but they have to come back. We need to do our homework.
Sachs (Lukewarm yes) $15,000 Holy mother of pearl! No more than that.
DeGrandpre (yes) $15,000-$20,000 but needs to know what Tom Kay is doing and what he can do.
Gleeson (yes) $15,000 but wants to review it. This is a good faith token.

Chair Hendricks noted that $15,000 is the comfortable number for a placeholder. Mr. Arris thanked the Council for their support.

Chair Hendricks explained that this is the time for amendments. Chair Hendricks had no amendments. Councilor Egan had no amendments. Councilor Wellen had no amendments.

Councilor Tracy referred to page 34 of 257 regarding Police Clothing. She looked at the historic budget amounts of all the line items in this budget. Where there were amounts that were consistently underspent, she is looking to trim it down. She wants it to be a realistic number. Chief Schofield explained that adding an officer will justify the number so Councilor Tracy withdrew her amendment.

Councilor Tracy referred to page 34 of 257 regarding Police and made the following amendment:

> **MOVED AND SECONDED:** To reduce 0200 4301 Equipment Repair from $4,500 to $3,000.(Tracy & Wellen) **ROLL CALL VOTE:** (2 Ayes- Tracy & Wellen) (5 Nays)

Councilor Tracy referred to Page 36 of 257 for Boat Maintenance.

MOVED AND SECONDED: To reduce 201 4045 from $4,000 to $3,000.
(Tracy & Wellen) **ROLL CALL VOTE:** (5 Ayes) (2 Nays-Egan & DeGradnpre)

Councilor Tracy did not have any further amendments.

Councilor Sachs did not have any amendments.

Councilor DeGrandpre did not have any amendments.

Councilor Gleeson did not have any amendments

10:50 p.m. - 5 Minute Recess

Chair Hendricks asked Ms. Yacoben to read the amended numbers.

Ms. Yacoben advised that the changes are short:
$52,500 for the Police because it is $56,500 for the new officer net of the decrease of $4,000 in overtime.
$15,000 for Shellfish
$1,000 decrease in the Special Enforcement Budget.
Total Impact to the Budget is an increase of $66,500.

FY 2015 Appropriations	
General Government	$1,426,280
Protection and Enforcement	~~$2,391,980~~ $2,426,200
Health and Welfare	$101,980
Public Works/Solid /Waste	$2,229,690
Library	$442,980
Unclassified	~~$1,845,587~~ $1,877,867
Debt Services-Local	$184,862
County Tax	$879,073
Bustins Island	$172,000
Abatements	$25,000
Eco Maine Debt Contribution	
Total Appropriations	**~~$9,778,232~~ $9,765,932**
FY 2015 Estimated Revenues	
Non-Property Tax	$1,306,300
Intergovernmental	$1,050,375
Charges for Services	$285,350
Licenses and Permits	$356,240
Fines and Forfeitures	$94,400

Miscellaneous	$32,300
Library Lease Proceeds	$175,000
Total Estimated	**$3,299,965**
Amount Transferred from Undesignated Funds	$675.000
Amount to be Raised by Taxation	~~$5,803,267~~ $5,869,767
Total Revenues	**~~$9,778,232~~ $9,844,732**

ROLL CALL VOTE ON THE BUDGET AS AMENDED EXCEPT FOR THE HUMAN SERVICE AGENCIES AND THE COMMUNITY CENTER BUILDING.
(7 Ayes)

Councilor Sachs recused herself.

BE IT ORDERED: Under FY 2015 Appropriations add Human Service Agencies for $38,800 and the Community Center Building for $40,000 (DeGrandpre & Egan) **ROLL CALL VOTE:** (6 Ayes) (1 Recused-Sachs)

MOVED AND SECONDED: To adjourn at 11 p.m. (DeGrandpre & Sachs)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #14-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JULY 1, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street			x
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Vice Chair Egan called the meeting to order at 6:32 p.m. and explained that the videographer will be arriving later so the Council would be moving some agenda items around in order that the most interesting for the general public will be covered. She took the roll and noted that Chair Hendricks is excused this evening.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #13-14 held on June 17, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #13-14 held on June 17, 2014 and to accept the Minutes as printed. (DeGrandpre & Tracy)
> **VOTE:** (6 Ayes) (1 Excused)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

- Councilor DeGrandpre announced that the Withdrawal Committee will be meeting with the Working Group next Wednesday at 6 p.m. He is not sure of the location at this time.

- Councilor Sachs announced that the Fourth of July Parade will take place on Friday. It is being put on by Freeport Community Services, the Town and L.L. Bean. If anyone has a last minute desire to be in the parade, please call Gino Giumarro at 373-8071. If anyone would like to march in the parade without a float or any other adornment, Councilor Sachs asked them to come and march with FCS. Please call her at 865-3985. Kids are welcome to walk or ride bikes with their parents. Animals are welcome as well but no horses or candy. The parade starts at 10 a.m. but forms on Kendall Lane by the Freeport Middle School at 9:30 a.m.

- Councilor DeGrandpre pointed out in the last few years he and the Fire Chief have announced the floats, etc. in the parade. If anyone does want to be in the parade, please get your information to Gino so the announcers can get it. This year Chief Fournier is not going to be here so Jim DeGrandpre has been commandeered to help on Friday.

- Councilor Tracy announced that St. Jude's Church on Main Street will be holding its annual Pancake Breakfast on the Fourth before the parade. It begins at 7 a.m. and there will be fabulous pancakes at a low price.

Vice Chair Egan announced:

- There will be a public health information session on tick borne and mosquito borne infections (such as Lyme Disease and West Nile Virus) on Wednesday, June 2 from 5-5:45 p.m. in the Town Council Chambers. Kate Colby from the Maine Center for Disease Control will lead this presentation and discussion.

- A schedule of Freeport events for the Fourth of July can be found on the Town's website. Activities include the traditional Blueberry Pancake Breakfast, L.L. Bean Road Race, Parade (at 10 a.m.), Concert in the Park and the Fireworks at 9:15 p.m. Please remember that Consumer fireworks are not permitted at anytime throughout the year in Freeport.

- The 2014 Winslow Park Summer Concert Series begins on Thursday, July 10 with the Pine Tree Coastal Winds Band. Concerts take place at 6:30 p.m. on Thursday evenings in July and August at the Winslow Park Bandstand.

  MOVED AND SECONDED: To move the Information Exchange part of the agenda to when the Council has the video recording start. (Wellen & Gleeson) **VOTE:** (6 Ayes) (1 Excused-Hendricks)

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

He is happy to report that the utility construction work that has been undertaken during the past three weeks by the Freeport Sewer District has been completed as of today. Clean-up will be completed prior to the Fourth but the paving will not have been done. A paving date has not yet been set. Compacted gravel and reclaimed surface will be in a lot of those areas. He urged motorists to drive carefully and stay in their lane. He thanked everyone for their patience. It was unfortunate that the road had to be closed between 9 a.m.-2 p.m. but it allowed for the construction work to be done much quicker.

Public Works has begun paving. They have started Torrey Hill Range Road, West Street and Beech Hill Road. These projects will be done in several steps and as motorists drive in those areas, they will see a lot of joints and seams, particularly at intersections with driveways and other side roads. The grades will be matched up and the seams will go away when the final pavement is applied. He asked that residents be a little patient between the base coat and the top coat paving.

Congratulations to Deputy Chief Paul Conley. Mr. Joseph noted that he recently received a letter from the Maine Fire Chief's Association that Deputy Chief Conley has received the Fire Chief Officer Level 3 Certification. He will formally receive it on July 17.

We have several events coming up on the Fourth—from 7 a.m.-10 a.m. there will be a Blueberry Pancake Breakfast. Starting at 7:30 a.m. there will be a 10k L.L. Bean Road Race. He urged early morning motorists to use caution on the roads, especially in the South Freeport Road area where there will be

gravel and reclaimed surface sections. People should not swerve from oncoming traffic because there may be runners. The parade kicks off at 10 a.m. and begins on Kendall Lane and goes down Main Street to

Holbrook Street. Traffic will be closed off. At 7:30 p.m. there will be a summer concert with Toad the Wet Sprocket and fireworks at dark. He reminded residents that commercial fireworks are prohibited within Freeport on the Fourth and at all times. He urged residents to not burn our town down.

MOVED AND SECONDED: To move the Public Comment Period part of the agenda to when the Videographer arrives. (Sachs & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Hendricks)

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

ITEM #108-14 To consider action relative to adopting the July 1, 2014 Consent Agenda.

BE IT ORDERED: That the July 1, 2014 Consent Agenda be adopted. (Wellen & DeGrandpre)

There were no questions.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

ITEM #109-14 To consider action relative to approving proposed amendments to Chapter 46: General Assistance Ordinance Appendix A for the period July 1, 2014 to June 30, 2015.

BE IT ORDERED: That a Public Hearing be scheduled for July 15, 2014 at 6:30 p.m. in the Council Chambers at the Freeport Town Hall to discuss amendments to Chapter 46: General Assistance Ordinance Appendix A for the period July 1, 2014 to June 30, 2015.

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 3 and the Town's website. (Tracy & DeGrandpre)

Mr. Joseph provided some background information on the amendments. Councilor Sachs asked about the State's recent edict to deny general assistance to those people who are not citizens. Mr. Joseph noted that the Town has received notification from the Governor saying that illegal immigrants will no longer receive funding from any of the municipalities in the State or else the State will no longer reimburse those municipalities for any of their General Assistance money. We have also received guidance from the Attorney General that this may be unconstitutional so we have two conflicting bits of evidence. This is really a quandary. He mentioned that this is not a common occurrence in Freeport. Ms. Hanselman could only recall two cases over the past three years where someone may have been an illegal immigrant and applied for assistance. Mr. Joseph is looking for guidance and whatever we are supposed to do, we will do. In the future Ms. Hanselman will ask if the applicant is a U.S. citizen or a documented immigrant. It may come down that we may assist someone but we may not spend general assistance money since we have been told that we could be sued.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

ITEM #110-14 To consider action relative to approving annual Special Amusement Permits.

BE IT ORDERED: That a Public Hearing be scheduled for July 15, 2014 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving annual Special Amusement Permit applications for the following:

Azure Café, located at 123 Main Street, Freeport
Freeport Grill, located at 175 Lower Main Street, Freeport
Gritty McDuff's, located at 187 Lower Main Street, Freeport
Hilton Garden Inn, located at 5 Park Street, 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 3 and the Town's website. (Sachs & DeGrandpre)

Mr. Joseph explained that this is our standard Special Amusement Permit.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

ITEM #111-14 To consider action relative to a Request for Use of Town Property application submitted by Coastal Humane Society for the purpose of holding a Paws for a Cause Fund raising 5k Run and Walk at Bow Street Park on August 23, 2014.

BE IT ORDERED: That the application for a Request for Use of Town Property submitted by Coastal Humane Society for the purpose of holding a Paws for a Cause Fund raising 5k Run and Walk at Bow Street Park on August 23, 2014 be approved. (DeGrandpre & Sachs)

Mr. Joseph explained that this is something that we have had for several years. There were no public comments.

ROLL CALL VOTE: (6 Ayes) (1 Excused

ITEM #112-14 To consider action relative to authorizing a contract for information technology services for FY2015 to FY2017 (36 months).

BE IT ORDERED: That the Town Manager be authorized to sign the contract between the Town of Freeport and Winxnet of Portland, Maine for an "all-in" agreement to provide information technology services for FY2015 to FY2017 (36 months).
Note: Winxnet has been providing information technology services for the Town for three years, so the relationship will not change other than the financial terms of the agreement. The estimated cost is $5,805.65 per month. (Gleeson & Sachs)

Finance Director, Abbe Yacoben explained that the Town went out to bid with the Town of Yarmouth in 2011for IT services. There were several bidders and eventually awarded the bid to Winxnet of Portland. For the most part, she has been satisfied with them but there were blips and bumps.

Councilor Tracy asked Ms. Yacoben why she didn't go out to bid. Ms. Yacoben explained that she has been satisfied with Winxnet. The original bid process came down to two firms that were of high quality and she went with the one that was the lower of the two prices. She went through such a thorough process and as long as the relationship stays steady, she may not go out to bid. If the relationship does not, it could go out to bid. It was a smooth transition when we went to them but it was a huge learning curve for both parties. She felt it was not necessary at this time.

Councilor Tracy encouraged Ms. Yacoben to consider going out to evaluate the market after six years.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

NOTE: Vice Chair Egan announced that the Council is now being video taped at 7:05 p.m. She regrets that the first 35 minutes were done by a sound recording only. The Council will now take up items that were previously moved to when the videographer joined us. The first item is Information Exchange.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor DeGrandpre advised that the Withdrawal Committee is still in negotiations. They met for quite a few hours on Thursday night and didn't leave until after Midnight. Some of the discussions were held face to face and they discovered that there were some items we were both trying to address in different ways. There are about 6-10 pieces of the last part of the negotiation that involve enrollment, tuition rate and some of the transportation. They have broken out enrollment between the Middle School and High School because they are different somewhat. They discussed notification and how the RSU and Freeport system would notify each other about capacities, etc. They discussed the tuition rate itself and what it would include and not include going forward. He mentioned there would be an article in the Tri Town Weekly tomorrow from the common part of the meeting at the very beginning. Some of it is a little accurate and some of it is not really very accurate. He feels the good news is that we are making progress and have identified all the pieces that need to be answered. As some change up or down or to the left or right, there will be other changes in some of the other ones. He feels they understand each other's biggest concerns. He doesn't like being cryptic but this where they are right now and are still negotiating. The good news is that they left that night not angry with each other and not frustrated like they were at the previous meeting. If they can put these last pieces into place, much of the rest of it is math because they talked about how to resolve a lot of these things. Until we know what enrollment will look like, they cannot put numbers on paper but he feels they are getting there. He feels they made progress and the Withdrawal Committee and the Working Group have a pretty good idea of where each other is. He is confident that they are going to get some real work done at the next meeting and get to the point where all they have to do is develop language around their agreement. The ten items they have tentative agreement on has been sent to Augusta. They will start working on them to ensure there are no red flags there. The Withdrawal Committee's attorney advised that the agreement he worked on last year did not get final approval until August 15 and there was still enough time to put all the public hearings together.

Councilor DeGrandpre wants to get this agreement in place so they can start working on a sample budget so people can make a decision on the finance piece as well. He feels they are in a better place than they were a couple of weeks ago.

Councilor Tracy noted she is encouraged by Councilor DeGrandpre's report. Following up on the school of guaranteed acceptance issue, she understands that Brunswick has formally come out and offered to be the school of guaranteed acceptance. Councilor DeGrandpre explained that that information came out

during the public session. There is no guarantee because they do not yet have a letter but there is an understanding that the Brunswick School Committee will consider this at their next meeting. They did not see any big red flags going forward. That has changed some of the negotiating. Councilor Tracy mentioned the workshop scheduled on July 15 with the Withdrawal Committee and asked if there is anything the Council can do to support the Committee's on-going work. She suggested that Councilor DeGrandpre shoot something out in an e-mail in advance of the workshop so the Council could think about it and be ready, willing and able to act that night in terms of making motions and taking actions if needed to support the Committee's work. Councilor DeGrandpre noted that as soon as they have something to report, he will make sure all Councilors get it and will post it as well.

Mr. Joseph advised that on the Fourth of July, starting at 7:30 a.m. there will be a 10k L.L. Bean Road Race. Part of the race route includes South Freeport Road. South Freeport Road will be open and the sewer line replacement construction will be finished but there will be gravel and reclaimed surface on part of that roadway. The Police will be there and will be taking precautions. He asked anybody out and about between 7:30 a.m. until the 10k ends, probably 1 ½-2 ½ hours later, to use extra caution in this area and to please stay in their lanes during that event. He reminded residents that commercial fireworks and home-made fireworks are prohibited in the Town of Freeport even though they can be purchased in other places in Maine. This pertains not only to the Fourth of July but year round. Fireworks in Freeport must be provided by a professional company by permit only. He asked residents to please not use illegal fireworks in Freeport and burn the Town down on the Fourth of July. He wants to keep it standing.

Vice Chair Egan advised that the Appointments Committee will be meeting in late July and encouraged any residents willing to provide their time, thoughts and expertise to a Board or Committee, to please put in an application for the many openings we have. Residents received in the mail an application to file with the Town and the Committee will be taking them up. The Town would love to have the talents of interested residents on Town Committees.

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

> **MOVED AND SECONDED:** To open the Public Comment Period. (DeGrandpre & Sachs)
> **VOTE:** (6 Ayes) (1 Excused-Hendricks)

Vice Chair Egan welcomed public comments and asked residents to come up and share three minutes of their thoughts but not move the microphone.

Jack Matheson, resident, explained that last night he decided to go over to the Working Group's meeting in Pownal at 6 p.m. and met up with one of the advisers in the parking lot. He was told in so many words that while he was not prohibited from going in, his presence was not necessarily wanted. Since this was a public meeting, he asked why would they do that. He was told that "it might inhibit their talking about their negotiations with withdrawal." He asked if Pownal and Durham residents would be allowed in and was told "probably". He respected the adviser's wishes and did not go in. The reason he wanted to go in the first place is because they do not audio tape their meetings and their Minutes are rather bleak. He simply wanted to get a little more information. He wanted to share this information with the Council. Although the meeting was public, they pretty much did not want it to be public.

Councilor DeGrandpre pointed out that the Withdrawal Committee meetings are public and the public is encouraged to attend. They do not care where the attendees come from.John Egan, Freeport resident in District 4 thanked Councilor DeGrandpre and Kate Werner for their attendance at a very long meeting. He noted that he heard for weeks that the RSU Working Group was insistent that Freeport be the school of

guaranteed acceptance and that was absolute firm. There was discussion back and forth about what it means, for how long, how many kids and there were various counter offers by the Withdrawal Committee. During that time there was anecdotal evidence that the offer from Brunswick had been brewing and which now, thankfully, is out in the light of day. Suddenly there is not a lot of oxygen in that issue at all and the Brunswick School District could be and very likely will be listed in that sort of perfunctory manner of being the default for students should Freeport decide to withdraw. Another point—there is an insistence on negotiating a dollar amount per pupil cost for the two towns to send students to Freeport schools, particularly the high school. It is curious that in Durham their own town-sponsored poll indicated that 64% of families with school-age children overtly said in that poll that they would like to send their children to a school other than Freeport High. One of the benefits of withdrawal is school choice. It feels strange to have such a hard issue hold up the negotiation and yet there is plenty of public evidence that most in Durham would like to have school choice. All in all, everybody wants an agreement to come forward and both sides have the interests of their children at the top of the pyramid. We are at risk of not having an agreement on a particular item that is not even a requirement of the Withdrawal Petition and the 11 Point Plan back to the DOE. He requested that the Council keep the pressure on through Councilor DeGrandpre and other channels it has ,to make sure that the Department of Education can really articulate what is required in that plan and what would be what is sort of nice but not required in that plan and make sure we are not being held hostage on a particular point that is not even required in the plan. He, too, was with Mr. Matheson last night and decided not to go into the meeting and make any waves. They might be going to those meetings going forward and it is frustrating not having all of the information.

Councilor DeGrandpre asked Mr. Matheson if it was an Advisory Group meeting or the Working Group meeting? Mr. Matheson replied that both groups were there. He believed it to be a Working Group meeting and the Advisory Group is there as well.

Vice Chair Egan noted she was concerned to hear Mr. Matheson's report since the Council has a commitment and the Withdrawal Committee also has a commitment to transparency and making sure people feel welcome. She suggested requesting from the Working Group complete Minutes or an Audio of their meetings similar to what is provided by the Withdrawal Group. Councilor DeGrandpre agreed that the question could be asked but cautioned about the way the question is posed.

Councilor Sachs noted that we were not first to cast the first dispersion. She is “Holy Mother of Pearl” dismayed at the report by these two gentlemen who have been very involved and very informed citizens. She would support every Freeport resident attend every Working Group meeting if that is what is needed to show we are interested in full transparency and disclosure despite the parking lot urgings of someone else. She is completely distressed and does not believe it is the conduct of these two fine men that have occasioned any such warning in the parking lot not to enter the building but that any other member of the other two communities are more than welcome to come in. She feels it is ridiculous.

Councilor Wellen suggested perhaps creating a motion where the Council agrees to encourage transparency in the Working Group where it could include Minutes, or Audio as well as welcoming the public. It may not be created tonight but maybe for the next meeting where we have a motion where we all support a statement to that regard in a respectful manner to make that point known. It is a balancing act but there is a problem here for sure. He is open to considering this.

Mr. Matheson explained that it was mostly because of transparency that he went over there. He did respect their wishes but asked the question: "could you ask the question of the Group why they do not at least audio tape?" They thought it was a fair question. He feels that question should have been posed and he followed up on it in an e-mail today but has not yet received a reply. Councilor Wellen pointed out that perhaps it is not all of the people on the Committee that we have to be careful with. Perhaps it is only the one person Mr. Matheson talked to or half the committee. Who knows?

He does not know enough. Mr. Matheson explained that the person was an Advisory and not part of the actual Working Group.

Councilor Tracy agrees that the report is disconcerting but our overarching goal is to get an agreement and her sense is that this is the first time we have had forward movement between the parties. She cautioned the Council to hold off and let it play out for a little bit. While transparency is very important, our Withdrawal Committee is negotiating for what we believe to be the principles that protect Freeport. At the end of the day, while we may be lacking some information, the end goal is not to rock the boat so much that we cannot get to the agreement which is where we want to be. Every time the Council weights in, it has a lot of weight and we should use it judiciously and this might play out privately. She proposed taking a wait and see approach. She suspects some of this will get back to the other communities and hopefully they will be responsive to the concerns about wanting transparency.

Councilor Sachs agreed to wait until the 15th but the issue of school of guaranteed acceptance which finally lost its air so to speak, because it was called out into the public to say "by the way, we know that they have made this offer tentatively". The reason they are sticking again is yet again, an issue that is not one of the eleven and so she really hopes that someone in the name of transparency is watching our Council meetings and knows that enough is enough. She looks forward to the 15th and hopes there will be some movement on Councilor DeGrandpre's meeting on Wednesday. She is aware that the Withdrawal Committee knows the Council supports them moving forward on the eleven points and if there are other issues hindering it, that this push for transparency around those issues will move this forward.

Councilor DeGrandpre mentioned that the Working Group folks are interested in getting this agreement done. They see that we are not helping education in any of our communities by prolonging this and recognize that we need to get this done. We have eleven items to resolve and we are working through them. If we are finally able to move forward, he would like to see where that momentum will take us before digging in his heels and saying we don't have to do this at all. Everybody recognizes that this is one of the things that is not clear as one reads through the Withdrawal Law. There are places where they reference things one way but they don't identify it as one of the eleven things you need to do. Much of it is fairly fuzzy because the SAD Withdrawal Law was picked up. Those communities came together and wrote their own contract because they wanted to be together. We consolidated because we were required to. By the 15th, the Committee will either have something to hand out or we will have a really good discussion.

Councilor Tracy noted that if it still isn't resolved by the 15th, she asked at what point do we say we are going to cut bait and send the agreement forward without a tuition agreement if that is the holding point. She mentioned that the Council has discussed that a budget is very helpful for people to understand what the financial ramifications of a potential withdrawal are. Without a tuition payment being agreed upon, she imagines a budget might be hard to put together. Even though it is not legally required and we should keep that in mind, we should not be held hostage to other issues we do not think are required by Statute. As a pragmatic matter, it may make sense to resolve this because it is helpful knowing just what the parameters of the landscape are.

Kate Werner, a member of the Withdrawal Committee, clarified on the budget side, they had an analysis done based on grandfathering which is essentially what the budget going forward will look like whether

we do a tuition agreement or not going forward. Those kids will be there at a certain tuition rate that is potentially separate from this. She clarified that the Withdrawal Group does produce Minutes but they are bare bones which is why she feels attendance is the only way folks will get any idea of what is going on as far as discussions. She did not know when the RSU5 Working Group would be meeting again. They usually meet on Monday nights.

Vice Chair Egan agreed with Councilor Tracy that we are in a delicate time in the negotiations. She feels that a motion may be too formal for the Council to take and it might be dealt with privately. She proposed having leadership call the RSU5 Working Group and suggest that they make it easier for residents of all towns to understand what is going on at their meetings and do it politely. She noted it would be an easy phone call to try to address the issues that Mr. Matheson brought to the Council's attention. It would not be a formal action.

Councilor DeGrandpre pointed out that the appropriate place to request Minutes or better communication should be to the RSU5.

Vice Chair Egan asked if the Council would be all right with more informal communication to encourage them in a polite way? Councilor Tracy suspects this discussion may be sufficient and believes that the Council getting involved is a big statement, and that it may be an appropriate statement but if all Councilors vote to do that, that is fine. Her instinct is let it ride. She suspects that Mr. Matheson, Mr. Egan and others will attend the meetings and they will know there is increased focus on that issue. I would encourage the Council to hold off and not "meddle" at this point. Councilor DeGrandpre is sure that all of the Council's discussions will get back to the folks in the Working Group. His goal tonight was to report what he could and to keep the committee from getting too crazy. The Council will be meeting on the 15th and work shopping with the Withdrawal Committee. Their next negotiating session is scheduled on the 9th. He encouraged the Council to wait until the workshop on the 15th and if we are not where we need to be to get an agreement together, then we can add pressure if we need to. Councilor Sachs agreed.

Vice Chair Egan noted that this is something that will percolate. She does not like to rely on the grapevine to make sure that important information is conveyed but is confident that calls will be made. They may not be from the Council but they could be from Councilors or from Working Group members to make sure the transparency issue is at least raised as an issue we know will be considered by the Working Group.

MOVED AND SECONDED: To close the Public Comment Period. (Sachs & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Hendricks)

ITEM #113-14 To consider action relative to expending funds from the FY2015 capital budget for the purpose of purchasing a 2014 PL Custom Ambulance and Rescue Vehicle from Sugarloaf Ambulance and Rescue Vehicles.

BE IT ORDERED: That the Town Manager be authorized to sign the contract between the Town of Freeport and Sugarloaf Ambulance and Rescue Vehicles for the purchase of a 2014 PL Custom Ambulance and Rescue Vehicle in the amount of $178,321 to be expended from the FY2015 capital budget. (Gleeson & Sachs)

Deputy Fire/Rescue Chief Conley provided background information. Vice Chair Egan advised that $186,000 was appropriated for this purchase.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

ITEM #114-14 To consider action relative to approving an expenditure of $38,030 to replace a 1-ton truck with stainless steel dump bed and plow for the Public Works Department.

BE IT ORDERED: That Weirs Motor Sales, Inc. of Arundel, Maine be awarded the purchase of a 1-ton truck with stainless steel dump bed and plow for the Public Works Department in the amount of $38,030.

Note: The Town Council appropriated $45,000 for this purchase in the FY2015 capital budget. (Wellen & Sachs)

Mr. Joseph provided some background information and Vice Chair Egan pointed out that we are saving almost $7,000.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

OTHER BUSINESS

1. FEDC Quarterly Update

FEDC Director, Keith McBride provided a general overview and explained what they have been involved in. He explained the Quarterly Economic Indicators Report. They elected two new Board members during their June Annual Meeting—Ed Bradley and Mary Davis. Mr. McBride is thrilled about the new composition of the Board. He noted that all their meetings are always open to public participation. Their next meeting is the last Tuesday in July at 7:30 a.m. at FCS on Depot Street.

Councilor Wellen noted that sales tax is an important number because we want to keep vacancies low and indirectly we get revenue sharing from the State where the sales tax goes. He asked if Mr. McBride tracks whether or not the business community is providing more property taxes to the Town or less or the same, either through businesses expanding where their property tax bill increases or new businesses being created. This is a big factor for him whether economic development investment is paying off for the residential taxpayer. Mr. McBride pointed out that the property tax revenues that come in are handled through Assessing and that information is available, and doesn't fluctuate as much because reassessment is usually done every so often and they do taxes on an annual basis. He wouldn't track those figures on a quarterly basis. This is not anything he has reported but maybe he should be. He offered to get back to Councilor Wellen on this. The idea of generating additional property tax revenue goes hand in hand with vacancy rate and sales tax. A member of his Board is very fond of saying that FEDC's role is to be a place setter; to present that the conditions here are very favorable to new businesses to come whether they be tenants, whether they be new development to make sure we have set the right conditions for new businesses to want to be here and whether it is because of the community resources to be here or the business conditions. We have the tourist traffic and have open and free available parking or the right type of neighbor businesses for somebody that wants to do light industrial use, all of those things. He explained what new developers look for before deciding to build more commercial space.

Councilor Wellen advised that some of the residents he has spoken to have indicated they do not want any more economic development in Freeport but he is saying if we are going to put more economic development dollars into things, when we look at the cost benefit analysis, we are putting a certain

amount in just to maintain what we have but it is just a piece of it. Mr. McBride asked if this information should be presented to the Council during the budget season or at different times of the year. Councilor Wellen deferred to Mr. McBride's knowledge that would give him good data. To an Economic Development person, Councilor Wellen feels that piece is important as well as sales tax and vacancy rates. He would like to see this information.

Councilor DeGrandpre noted that the actual value of property is set on April 1. After the first quarter, it would be as good a time as any to get some idea of what happened. He is not sure how rental stream for commercial properties is tracked. He suggested that Mr. McBride talk to the Assessor because he may be able to give Mr. McBride a better time of year to give the Council that information. If it is after the first quarter, it will still be in the Council's budget season. Mr. McBride agreed a conversation with the Assessor is a good idea.

Councilor Wellen asked how Mr. McBride compares Freeport's vacancy rates to Maine or nationally? He asked if Freeport is in the ballpark. Mr. McBride advised that comparing nationally is extremely hard. For Maine we are well below the Maine Mall area in South Portland but as far as fluctuations, Freeport is comparable. Councilor Wellen asked when Mr. McBride's budget year ends. Mr. McBride indicated it ends the end of June. Councilor Wellen asked if they receive donations from outside folks or businesses. Mr. McBride advised that they went outside for funding for certain projects. For his time here, the only one he is aware of is the Vision 2025 Plan. Other than that the answer is no. Councilor Wellen asked if it is public knowledge as to who donated and how much? He noted he is asking the question in the spirit of transparency. Mr. McBride believed they identified the amount that they fund raised but did not know if the businesses and individuals that contributed had an expectation of privacy when they contributed. He would not want to announce this right now.

Councilor Sachs advised that she went to a lot of meetings on Vision 2025 and asked Councilor Wellen if he has any concerns with companies donating money. Councilor Wellen noted that when one has a town like Freeport with strong business interests and when you have a private Economic Development Corporation, that if a private business gives $30,000 or whatever for Vision 2025, that business will behind the scenes try to influence how the final document on what the policy will be and he feels there is always that potential when you have that type of setup. This is one area where there is a lack of transparency and it is potentially concerning because it could lead to closed door decisions where there is influence that the Council does not know about.

Councilor Tracy explained to Mr. McBride that at some point it would be helpful to know the magnitude of outside contributions. It is certainly a benefit to Freeport citizens if businesses are contributing to the Economic Development effort. It will mean less money coming from the General Fund. She doesn't want to dissuade people from contributing to the Economic Development effort of the Town by the threat of exposing them to claims that they are trying to influence something. It would hurt our citizens. The less money they get from elsewhere, they will come and ask for funding from the General Fund. Councilor Wellen agrees this is something to look at.

Councilor Sachs understands where Councilor Wellen is coming from and agrees it is valid but objects with the inference that there is some possible conspiracy theory out there without any evidence. She feels it is damaging and it is not very kind. She does not have any problem with his donor list or his request for that.

Vice Chair Egan suggested wrapping this up. Councilor Wellen pointed out that Councilor Sachs heavily criticized him in public and he should have a right to respond to those totally unfair criticisms. He explained that he made no inference. He said in general that he has no idea of whoever donated money

had more influence than they should have had but the possibility is there. That is all he is saying. He is being totally transparent in his mind and totally disagrees with everything Councilor Sachs said about what he said.

Mr. McBride would like to come back and give the Council a report on the bigger projects that they will be undertaking for this fiscal year. He left it at that. Vice Chair Egan noted that the Council will look

forward to hearing the progress on the many action items in the 2025 Plan. She thanked Mr. McBride for his report.

2. Discuss proposed plastic bag ban in Freeport.

FHS graduated students, Meredith Broderick & Elly Bengtsson explained their Senior Project. Tonight they have a draft ordinance and they are hoping to get feedback from the Council and the Council's blessing to move it forward to the Ordinance Committee.

They explained that disposable plastic bags are the No. 1 consumer item in the world. There are approximately five billion plastic bags distributed each year which comes down to one million plastic bags a minute all over the world. They see plastic accumulating in Freeport's environment and indirectly ending up in our bodies. There are a lot of health effects that go along with it. Plastic bags are made out of petroleum oil. There are at least 260 species affected by plastic in the ocean. They ingest plastic because they think it is food or plankton. Birds are also dying because of eating too much plastic. Freeport has a really big fishery economy and it is a gateway to the ocean. When visitors come, we are putting seafood on our tables when these animals are containing toxins found in plastic. They feel this is a really big problem here.

Their goal is to protect Freeport's pristine coastline and educate the community about the health effects of plastic. They felt that creating an ordinance would help reduce the community's consumption of plastic. They also held a movie night and showed the movie **Bag It** that inspired them to do this project. They brought an extra copy for the Council to share. 70 people attended the event. They have met with different store owners in Freeport and put a survey together to get a general consensus to determine what Freeporters thought about an ordinance which they shared with the Council. They also put a petition together as well. They found people to be very positive and learned that some Freeport stores are already using paper bags. L.L. Bean switched over to paper bags four years ago and does not use plastic. They offered to answer questions from Councilors.

Councilor Sachs clarified that they want their draft ordinance to go through the Ordinance Committee next after securing Recycling's blessing. Ms. Broderick and Ms. Bengtsson agreed that this is their hope. Councilor Sachs agreed that this deserves an opportunity to go to the Ordinance Committee.

Vice Chair Egan asked Ms. Broderick and Ms. Bengtsson if they looked at the Styrofoam example. They replied that they used some of the same language in their draft ordinance. Councilor DeGrandpre noted that he has received comments from residents and it appears they have a lot of questions. He mentioned that there are a lot of second, third and fourth uses of these plastic bags and they just don't go away. He advised that most of the plastic bags being discussed that are obtained from the grocery stores end up being used secondarily for trash at home. They end up going into the other bin and get turned into electricity. He is sure there is a problem with them fouling up machinery. He has the same problem at the farm when they wind up in equipment. He mentioned that coated paper is not recyclable and there are a lot of other pieces to this. He has seen some of the reusable bags people bring in to put their groceries in and he wouldn't want to put his groceries in them because they needed to be washed. They end up being thrown in the trunk of cars where they reside with spare tires until it is time to get more groceries. He had

more questions for Ms. Broderick and Ms. Bengtsson and indicated he wanted to talk about real sources and real solutions. He applauded them for taking this on as a project.

Councilor Wellen advised that most ecological organizations would say that overall plastic is worse for the environment than paper. There is no absolute solution. Paper is ecologically better than plastic and the other piece would be encouraging people to bring cloth bags for reuse. He feels this would be a great

ordinance to look at more seriously and it will be interesting to see how the business community responds because of increased costs. We could say "hey, we are taking a stance in this town" and encourage folks that visit to bring their reusable bags. He feels this is a great start and appreciates all the work they have done.

Councilor Tracy thanked Ms. Broderick and Ms. Bengtsson for their presentation. She pointed out that she is on the Ordinance Committee and asked when they did this ordinance, did they look at ordinances that have already been passed in other towns and cities or did they craft it from the Styrofoam Ordinance. Ms. Broderick and Ms. Bengtsson replied that they looked at the Portland Ordinance that was recently passed as well as the San Francisco Ordinance. Councilor Tracy mentioned that it would be helpful to see some of those other examples and Ms. Bengtsson offered to e-mail the information from the other places. She mentioned that no other towns in Maine besides Portland have banned plastic.

Councilor Gleeson noted that he is on the Ordinance Committee and is very familiar with this issue. He noted the responsibility the United States has taken over the past 20 years and compared driving down 95 and how little trash is thrown out now. If one looks at where most of the global trash is coming from, they will discover it is coming from Asia. He does not like it when a town dictates what to do. He wouldn't mind looking at the ordinance but he has some concerns. He doesn't believe this would cause a retailer to pull out of town but there are a lot of things to think about with unintended consequences. He loves the fact that our high school seniors going to college are doing things like this. He has some reservations because it is a statement. If it goes to Ordinance, he would expect that the Council would allow the public to vote on it.

Councilor DeGrandpre wanted to state that he is not really a bad guy.

Councilor Tracy does not want to throw cold water on this because she thinks it is great to take something and run with it. She noted that Ms. Broderick and Ms. Bengtsson will be going to college and she is concerned that this effort will take a lot of work and while they are willing to do it, they probably have a time frame that is shorter than the time frame it will take to resolve this issue. There will be a lot of effort if it is brought to the Ordinance Committee by townspeople on both sides to really vet the issue and give it the attention it is due. She encouraged them to think about what their transition plan is.

Ms. Bengtsson explained that they have spoken with the teacher that is supporting their project and runs the Environmental Club and learned that she would be willing to take this on as well as the Environmental Class. Sandy Thompson from the Recycling Committee indicated that she put it up to a vote with the Recycling Committee. They voted unanimously to back it after they go to college. They also have a Study done in Ireland which they offered to send along to the Council.

Councilor Wellen supports sending the ordinance to the Ordinance Committee. Vice Chair Egan mentioned the trade off between the paper bags and the plastic bags and the environmental impact of each which other Councilors have discussed. It would be helpful to understand those trade offs a little bit more if the Council moves this forward. Paper is a renewable resource and it can be really renewable if it is sustainably forested. It would be good to have some evidence and research on that. She mentioned a point that Councilor Wellen brought to her attention is when you define a disposable bag, be sure you have the

word “plastic” in there because now as it is read, it doesn't define plastic as you are looking at the ordinance.

She asked for a poll to determine if Councilors support sending this to the Ordinance Committee. There was unanimous support to send this to the Ordinance Committee. Vice Chair Egan explained that she expects there will be a lot of public comment on this and it will generate a lot of questions. She feels Ms.

Broderick and Ms. Bengtsson have done a wonderful job in their research and provided a lot of answers. The Council appreciates their bringing this to them and love having residents, particularly high school students bring things they feel can make the community better. She thanked both of them for being here. She apologized for not having a projector for them.

Mr. Joseph explained that an appointment of an acting town manager for the weekend is necessary because he will be out of cell phone range. This is usually done under the Consent Agenda but this came about after we had printed the agenda and numbered everything. The Charter states it has to be with approval by the Town Council.

> **MOVED AND SECONDED:** To appoint Judy Hawley as the designated Acting Town Manager during Mr. Joseph's absence from Thursday, July 3, 2014 to Sunday, July 6, 2014. (Egan & DeGrandpre)

Councilor Tracy asked how to get the word out that Judy is the person to talk to during this period because the Town Hall will be closed over the weekend. Mr. Joseph will leave a message on his telephone and department heads will get a copy of this tomorrow.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

MOVED AND SECONDED: to adjourn at 8:55 p.m. (DeGrandpre & Sachs)
ROLL CALL VOTE: (6 Ayes) (1 Excused-Hendricks)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #15-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JULY 15, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road			x
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:38 p.m. and advised that Vice Chair Egan is excused this evening. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #14-14 held on July 1, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #14-14 held on July 1, 2014 and to accept the Minutes as printed. (DeGrandpre & Gleeson)
> **VOTE:** (6 Ayes) (1 Excused-Egan)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

Councilor Tracy pointed out that a ban on plastic bags was discussed at the last Council meeting. The Council decided to submit it to the Ordinance Committee. The committee has set the first meeting to consider an ordinance banning plastic bags for next Tuesday, July 22 at 6 p.m. in Council Chambers.

Councilor Sachs announced that Free Lunch Friday will be held at FCS at 53 Depot Street this Friday. A delicious entree will be served as well as vegetables and a huge salad from the Teen Ag Program at Wolfe's Neck Farm. She invited folks to come at Noon and noted it is air conditioned.

Chair Hendricks announced:

- Nomination Papers will be available beginning Monday, July 28, 2014 in the Town Clerk's Office for persons interested in seeking the following offices in the Town of Freeport. Nomination Papers are due back to the Town Clerk's Office no later than 6:00 p.m. on Wednesday, September 10, 2014.

  COUNCILOR AT-LARGE – 1 seat
  COUNCILOR DISTRICT 2 – 1 seat
  COUNCILOR DISTRICT 3 – 1 seat

RSU #5 Board of Directors – 2 seats
SEWER District Trustees – 2 seats
WATER District Trustee – 1 seat

For more information, call Freeport Town Clerk Tracey Stevens at 865-4743, Ext. 123 or email tstevens@freeportmaine.com

- Stick around after the Brett Dennen LL Bean Summer Concert on Saturday, August 30 for a special fireworks display (fireworks starting around 9 p.m.). We needed to reschedule the 4th of July fireworks due to weather conditions, so the fireworks have been scheduled to go off after the last scheduled concert in the 2014 LLBean Summer Concert Series! Come to both the concert and fireworks and end your summer with a bang!

- The 2014 Winslow Park Summer Concert Series has begun! Concerts take place at 6:30 p.m. on Thursday evenings in July and August at the Winslow Park Bandstand. This Thursday's band is N.E.Town. They will be playing Soul, Folk, R& B, Blues, Swing Rock, and more! Grab a blanket, pack a picnic dinner and enjoy a relaxing evening at the Park.

- The Freeport Community Library will be holding a summer concert on Friday July 25th at 7:00 p.m. "Dreams and Imaginations" will be performed by internationally acclaimed musicians and recording artists: Timothy Burris and Timothy Neill Johnson.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs announced that the next Municipal Facilities meeting is scheduled on August 5 at 7:30 a.m. here in Council Chambers. There has been some really nice collaboration around a grant the Conservation Commission as well as RSU5, the Active Living Task Force and Winslow Park Commission are applying for through the National Park Service. It is around the trails and fields around the Hunter Road, Pownal Road and Hedgehog Mountain. We have had round table discussions with all of those groups about what to do and how to coordinate and better plan for that. They have gotten together to apply for a National Park Service Grant. There is no town money, no town match at all. She wanted to let the Council know about it. Will Beck from the Conservation Commission is here to let the Council know about the support from the Conservation Commission. The grant application is due August 1. Donna Larson called the National Park Service because of the Council's schedule, they couldn't get it on the agenda. The Council has to endorse the application and formally acknowledge that this is going in but it will be after the fact on August 5.

Will Beck, 20 Acorn Ridge Road, Chair of the Conservation Commission noted he wanted to come to the Council tonight and voice support for this grant. He mentioned that they manage over 400 acres. One of the areas they lack in is the expertise the National Park Service has for laying out trails, looking at the topography and how it all works together, making sure we wouldn't be laying out trails in sensitive vegetation and also looking at how to integrate mixed use facilities whether it is the Hunter Road, the traditional uses we have at Hedgehog or what has been going on at Pownal Road and having it all work together and still maintain their character that the Town wants them to have. He offered to answer questions.

Councilor Sachs noted that with so many of our outdoor resources being talked about now, it is very nice that Mr. Beck came to talk about the collaboration that is happening and an integrated effort to hopefully go forward and pursue this grant. Donna Larson has worked on it as well.

Councilor Tracy advised that the Appointments Committee is meeting on July 24 at 8 a.m. in the Town Hall to review applications for serving on Town Boards and Committees. She encouraged residents to submit their applications through the Town Office along with any relevant experience. There are two terms on the Appeals Board that are expiring, two terms on the Assessment Review that are expiring, two terms on the Cable Board that are expiring, three terms expiring on Conservation, one vacancy on the Recycling and Solid Waste Committee, three terms on the Shellfish Commission, two terms expiring on Traffic and Parking and one vacancy on the Project Review Board.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported that:

The solar panels at the Freeport Community Library generated 9,395.35 kWh last fiscal year. The Library's total electrical consumption last year was 85,520 kWh, with the sun producing over 11% of the electricity requirement of the entire Library. Also notable is the decline in total electricity demand at the Library through over the past ten years. In FY04, the Library used 128,760 kWh. Compared to FY14's demand, this represents a 34% decrease over this time period.

A graph and table was attached to Mr. Joseph's report that outlined solar production by the Library solar array in detail over the last 4 ½ years.

- Nomination Papers will be available beginning Monday, July 28, 2014 in the Town Clerk's Office for persons interested in seeking the following offices in the Town of Freeport. Nomination Papers are due back to the Town Clerk's Office no later than 6:00 p.m. on Wednesday, September 10, 2014.

Office	Term	Signatures required
COUNCILOR AT-LARGE – 1 seat	3 years	100 signatures
COUNCILOR DISTRICT 2 – 1 seat	3 years	50 signatures
COUNCILOR DISTRICT 3 – 1 seat	3 years	50 signatures
RSU #5 Board of Directors – 2 seats	3 years	100 signatures
SEWER District Trustees – 2 seats	3 years	25 signatures
WATER District Trustee – 1 seat	3 years	25 signatures

For more information, call Freeport Town Clerk Tracey Stevens at 865-4743, Ext. 123 or email tstevens@freeportmaine.com

The Codes Enforcement Office is reporting another steady year of new home construction and residential growth in town. This past fiscal year saw 44 building permits issued, compared to 45 permits issued in FY2013, which was the year with the most permits issued since 2006. This does not include commercial growth.

As many are already aware, the Town of Freeport has been awarded a grant from the Cumberland County Community Development Block Grant (CDBG) program to provide eligible Freeport Homeowners with energy assessments and cost-effective measures (air sealing) to reduce their heating costs. Participation in this program typically saves 100 gallons of heating fuel per household. Up to 75 households will benefit from this program. Priority will be given to low-moderate income households in Freeport with a preference to those in greatest need. Interested applicants must meet with the Energy Grant Coordinator to complete an application. Please contact Johanna Hanselman at the Freeport Town Hall, 30 Main Street, Freeport or at 865-4743 x120 for more information.

After this year's wet spring and early summer, we have received several well founded complaints about the state of roadside growth throughout the Town. As a result, the Public Works Department has accelerated its normal schedule for roadside mowing from mid-August to present. We also plan to re-evaluate the situation later this year, and next year at budget time, in order to determine if roadside mowing should take place on major roadways in town twice per summer instead of once. The approximate cost to mow collector roads in town is $3,000-$5,000 per mowing, and this activity is critical to maintain lines of sight for safety purposes at intersections and on corners.

Councilor DeGrandpre asked if the Town has purchased the limb cutting machine. Mr. Joseph did not know but offered to find out.

Due to the cancellation of the Independence Day fireworks for severe weather, the fireworks display has been rescheduled for August 30th at dark (approximately 9 p.m.) More details will be released as we approach the date. I would like to thank L.L. Bean (sponsor of the fireworks) for working closely with our public safety departments over the Independence Day weekend in order to make the decision to call off the fireworks.

Since January 1 of this year, the Freeport Fire/Rescue Department has responded to 1,371 calls for service, or an average of 7 calls per day. During the Fourth of July celebration, Freeport EMS services were taxed with 8 calls during the 10K road race, to evaluate participants with various medical issues. Mutual Aid was used to cover these additional calls, since all of Freeport's EMS units were committed. We are happy to report that all calls were adequately covered. Thanks go out to our neighboring mutual aid communities—Yarmouth, Brunswick and Cumberland as well as the firefighters and EMTs who worked over that weekend.

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

Chair Hendricks explained that the Council would not take public comment during the Council's workshop with the RSU5 Committee in order that the Council will have an opportunity to work with the Committee. If anyone is here tonight and wishes to make comments about the RSU's Withdrawal situation or about the committee, they can do that during the Public Comment Period even though it is on the printed agenda.

MOVED AND SECONDED: To open the Public Comment Period.
(DeGrandpre & Tracy) **VOTE:** (6 Ayes) (1 Excused-Egan)

Ed Bonney explained a problem that he suspects cannot be resolved but wanted the Council to be aware of it because if someone gets injured, the Council will at least be put on notice. He manages the train station down on Depot Street which is at the foot of Mill Street Hill and ls directly across from a very sharp curve on Depot Street leading to Bow Street. Now that school is out, Freeport's annual group of skate boarders find it thrilling skate boarding down Mill Street Hill, never stopping at the stop sign entering Depot Street, doing pop wheelies as they go around the corner by Petrillo's. When they are tired of doing that, they try using the Downeaster's platform which Mr. Bonney feels he has practically under control at this point. Last Friday he saw a young man come down Mill Street Hill and almost get hit by a car in front of the Nordica Theatre and it scared him. He doesn't think the Town has any ordinances to prevent them from doing that and is not aware of any safety classes. He doesn't think the Police can do anything because had he called them, the kids would have been long gone when the officer got there. This is a problem that really concerns him.

Joe Migliaccio thanked the Council for its service. He is here tonight to speak about the matter of the withdrawal negotiations and coming up with a proposal that can be brought to Freeport's people so that they can vote hopefully in November on the status of our school system's so called withdrawal. He asked the Council to do whatever it can to try to move the negotiations along and he also wanted to speak to his School Board members from Freeport, and the folks from Pownal and Durham that he knows, and say that he can see we are at a stalemate. As a businessman, he is aware that it is difficult to do a contract with somebody that doesn't want to do an agreement. It appears that the committee is kind of at that point here. He proposes that members of the School Board, the Council and Freeport citizens ask for a reasonable plan to be brought forward so that we can get something to vote on. He asked the people of Pownal and Durham to tell their school committee members and send their Boards a message that their children, if polled, would not want to be a different type of class citizen if they attended Freeport High School. The fact that we can't ask a town that wants to send kids to our high school to pay the rate that we all pay in that high school seems pretty unfair. The Town of Freeport is having to subsidize or make accommodations to bear on our backs, to have additional children at the school. What kind of message is it sending saying that "we want to come to the Town of Freeport's school system but we don't want to pay much. We don't want to pay as much as everybody else." He hopes these committees can come together. He suggested that we all pay whatever it costs to educate our kids and move forward.

John Egan of Curtis Road explained the impetus for generating the bond to expand the high school due to severe overcrowding. The number of children that was creating that overcrowding was in the 500-550 range. It was seen as too many children in that building. It is disheartening to him that that range in the 500-550 is now seen as the new normal and that if Freeport pulls out, it should accept that many students when we cannot. We decided that two years ago when we concluded that we needed to have a bond to renovate and expand the high school. He brought up that cost fairness and the original negotiations in the RPC were hard fought by a lot of good work by all those good citizens but the compromise is there that Freeport is not in a completely equitable position. The next point is local control over our educational investment motives. Freeport over the life of the RSU, has demonstrated its investment motive with its vote on the budget and on the bond and the other two towns have demonstrated their motive. It is not working. Thirdly, it is time to get out of an ineffective and forced union that frankly nobody is very happy with. The School Board has done a very good job of working within the confines of RSU law and has tried to accommodate everyone. There have been a lot of accomplishments in our school system as a result of the RSU but the cost of the compromise and overcrowding has been too much and he believes that the RSU as it stands now, within the confines of State law, is not being effective for what Freeport deserves for its educational motives.

Elizabeth Stone, Director of Center for Wildlife Health Research and Community Spay/Neuter Clinic explained that they are going to be hosting Freeport's Arts Festival in Bow Street Park next Saturday, the 26th. It has already been approved but she is asking for an additional approval for an acoustic instrument player for one hour from 11 a.m. -12 Noon and then take a break and then play for another hour in the early afternoon. Dave Gill is a one-person band and plays at a lot of farmers' markets. She asked if this would be okay. Mr. Joseph explained that the original application did not include music. This request for outside music came to the Town at the end of last week and if it is okay with the Council, it will go through the permitting process with the Codes Officer for a temporary use permit for those functions. A vote is not necessary. There were no objections from the Council.

Lindsey Sterling, Freeport resident and parent of children in the school system, pointed out that she has gathered from newspaper articles that we can't agree on something that we don't even have to agree on. She asked why we cannot present to the Department of Education all the agreed upon line items and write a brief letter state the one item of dispute and appeal to them to consider the lack of legal framework for this situation and use their authority to authorize what has been agreed upon in the negotiations and agree to let this disputed item go. In this letter, it seems within reason for the department to look at the larger view of seats available in the region and where kids could be educated if there were a statement by another town. She is confident that the Department of Education would not want taxpayers to be building

buildings to house students that could fit in a nearby building. They would be able to see the big picture to fit students in.

MOVED AND SECONDED: To close the Public Comment Period. (DeGrandpre & Sachs) **VOTE:** (6 Ayes) (1 Excused-Egan)

NOTE: Chair Hendricks explained that following the four public hearings, the Council will be taking some business out of order which will be the RSU Workshop and followed by the Executive Session.

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

ITEM #118-14 To consider action relative to adopting the July 15, 2014 Consent Agenda.

BE IT ORDERED: That the July 15, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #119-14 To consider action relative to approving an annual Special Amusement Permit.

BE IT ORDERED: That a Public Hearing be scheduled for August 5, 2014 after the conclusion of the District 3 Workshop which will be approximately 7:30 pm at the South Freeport Church to discuss approving an annual Special Amusement Permit application for the following:

Buck's Naked BBQ, located at 568 US Route 1, 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 3 and the Town's website.(Wellen & Sachs) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Egan)

ITEM #120-14 To consider action relative to approving an amendment to Chapter 21: Zoning Ordinance Section 202(C)(1), Section 202(C)(4) and Section 601(G)(2)(d) as proposed by the Freeport Board of Appeals.

BE IT ORDERED: That a Public Hearing be scheduled for August 5, 2014 after the conclusion of the District 3 Workshop which will be approximately 7:30 pm at the South Freeport Church to discuss approving an amendment to Chapter 21: Zoning Ordinance Section 202(C)(1), Section 202(C)(4) and Section 601(G)(2)(d) as proposed by the Freeport Board of Appeals.

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 3 and the Town's website. (Tracy & DeGrandpre)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #121-14 To consider action relative to approving proposed amendments to Chapter 46: General Assistance Ordinance Appendix A for the period July 1, 2014 to June 30, 2015. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Sachs & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Egan)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (Tracy & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Egan)

BE IT ORDERED: That proposed amendments to Chapter 46: General Assistance Ordinance Appendix A for the period July 1, 2014 to June 30, 2015 be approved. (Sachs & DeGrandpre)

General Assistance Administrator, Johanna Hanselman explained the reason for the amendments.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #122-14 To consider action relative to approving annual Special Amusement Permits. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (DeGrandpre & Sachs) **VOTE:** (6 Ayes) (1 Excused-Egan)

Edward Bonney explained that he lives at 183 Lower Main Street or a ½ block from the Freeport Grill and is separated from Gritty's Pub by a small row of pine trees. He is not here asking the Council to deny Gritty's or Freeport Grill's permits but wanted to make the Council aware of some problems that occur and hopefully when the Council approves them, it will be able to put some reasonable restrictions on those permits. Last year the Freeport Seafood Company, which is now the Freeport Grill, ran outdoor rock concerts on Friday nights until 10 p.m. This year their premise is only the bar and if this is true, he has no problem with that because it is not outdoors.

Regarding Gritty's he mentioned that they have always been a pretty good neighbor. When they have outdoor music, it seems to end around 9 p.m. He feels this is a reasonable hour for people who may have to get up at 5 a.m. to go to work as he does. There are a couple of things that happen at Gritty's each year. If one were to drive by Gritty's right now and view their back lawn, one would think it is a fair without the ferris wheel. There is a huge tent and lots of outdoor activity. Their application for a special amusement permit indicates that they are going to have outdoor music at several venues on their property. At the present time there are no restrictions on what they can do. The other thing that happens each year at Gritty's is an annual clambake and they elect to cook the outdoor clambake in the part of the parking lot right adjacent to 183 Lower Main Street which fills their building with smoke and the smells of a

lobster bake. For those tenants that do not have air conditioning and are required to keep their windows open, this is a real, real problem. Also at this event, they apparently bus people in or at least have one bus, and that bus is allowed to be in the apartment house parking lot on idyl until at least after midnight. Last year, it was there until 1 a.m. This is really not being a good neighbor. He called over once and was told that they had a Town permit to do this. He feels there has to be some accommodation to the people that live there. He requested that the Council exercise some authority to at least keep the outdoor activities to end at a reasonable level which would be fine with him as well as the other tenants. He does not have any reason to be against them having permits for special amusements but wanted assurance that there is something reasonable attached to them so that they will have to comply.

Joe Migliaccio noted it is great to see those businesses trying to bring entertainment to Freeport which is what we have been trying to do for the past 20 years. Everyone knows that Freeport is dead after 9:30 on any given night, even on Fridays and Saturdays. From his observations, most of these businesses are doing this on a sporadic basis. He asked the Council to please be tempered in whatever requirement it makes of these businesses and to keep in mind that the more valuable these businesses are, the more taxes they pay. This helps with everything. These things are part of progress and change. He feels that 10:30 or 11 at night is a decent cut off.

> **MOVED AND SECONDED:** That the Public Hearing be closed. (DeGrandpre & Sachs) **VOTE:** (6 Ayes) (1 Excused-Egan)
>
> **BE IT ORDERED**: That annual Special Amusement Permit applications for the following be approved as amended.
>
> Azure Cafe, located at 123 Main Street, Freeport
> Freeport Grill, located at 175 Lower Main Street, Freeport
> Gritty McDuff's, located at 187 Lower Main Street, Freeport
> Hilton Garden Inn, located at 5 Park Street, Freeport (DeGrandpre & Sachs)

Councilor Gleeson pointed out that Freeport's Noise Ordinance already has it in there. He read the curfew and noise portion of the Ordinance into the public record. The Village Commercial I, II and III has a decibel of 55 at night and night is considered 8 p.m. He doesn't know that the Council has to do anything. He would be inclined to approve the permits but be very sensitive to fielding any complaints should anything be going excessively. Chair Hendricks pointed out that any permit can be revoked with continual complaints from the public. If businesses are not being good neighbors, the Council can revoke the permits. He is confident that a discussion with Mr. Soule to perhaps find a better place to cook the clambake could be helpful. He suggested that Mr. Bonney discuss with his landlord if that bus is parking in his lot, they have to be getting permission from the landlord to park there. They do not own that parking lot. Perhaps they could be asked to shut the bus off during those hours as a good neighbor. As for noise, it is definitely addressed in the Noise Regulations and it has some teeth to it. If the Council continues to get the same complaints about outdoor music, there is something the Council can do about it.

Councilor DeGrandpre agrees that outdoor music can be a challenge. He read through the permits and suggested addressing it in the permit itself. An idling bus is illegal. It must be shut off. He would hope that the Town Clerk will pass on the concerns the Council heard tonight and suggested that the Council adjust its permit application to reflect whether it is outdoor music or indoor because it makes a difference. He suggested passing on to the applicants that there are some complaints and anything they can do to work with their neighbors will make this process easier.

Councilor Gleeson advised Mr. Bonney that if he has any issue, he wants to hear it and he will address it with the Town Manager.

Darryl Murray, owner of the Freeport Grill advised that they have discontinued outdoor music. They now have a single or occasionally, a duo of musicians on Fridays playing from 5-8 p.m. or 6-9 p.m. It's the only time they have any live performance at all. They either play in the pub or right in the doorway of the pub.

Councilor Tracy agrees with Chair Hendricks that if the same information was brought to Jon Soule's attention, he would be responsive. Maybe what the Council can do is include references to the Ordinance to specifically bring business owners' attention to it. The Council can reference that it has had a few complaints and we expect our businesses to abide by our ordinances and the specific provisions that apply by default to outdoor music. She suggested leaving it at that for the moment and if there are further issues, then the Council can address them.

Councilor Wellen agrees that the Council needs to address this and be sensitive to the noise and also be sensitive to the balance between keeping noise down and allowing businesses to flourish. This should be an on-going discussion and this is the first he has heard of the concerns. He is open to looking at it more carefully.

Joe Migliaccio noted that sometimes there is an event that may go above the decibel issues. He asked if there is a way that once a year someone can have an event that perhaps goes over and temper it. Chair Hendricks pointed out that if someone knows there is going to be a once a year type of event that they will not adhere, they can come and request a Special Permit from the Codes Officer. He suggested as part of this motion that we include Chapter 21, Section 515 that the holders of these permits must adhere to that chapter. Councilor Sachs suggested putting a note on the bottom of the application: Please note that all special permit applications should adhere to the Noise Ordinance found in Chapter 21, Section 515. She thanked Mr. Bonney and pointed out that the Council is willing to help in whatever way if this is not adhered to. Mr. Joseph suggested a motion.

> **MOVED AND SECONDED:** To add to the application: Condition of Approvals: Must follow all relevant Town codes and Ordinances, including but not limited to, Chapter 21, Section 515 (Noise Regulation) and Chapter 39 (Loitering, Curfew and Noise.) (DeGrandpre & Sachs) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Egan)
>
> **ROLL CALL VOTE ON AMENDED ORDER:** (6 Ayes) (1 Excused-Egan)

Chair Hendricks noted for the record that this was done backwards but it is approved.

> **MOVED AND SECONDED:** To take the Workshop with the RSU Withdrawal Committee out of order. (DeGrandpre & Sachs) **VOTE:** (6 Ayes) (1 Excused-Egan)

1. Workshop with RSU Withdrawal Committee.

Seated around the table with the Council and Town Manager were Peter Murray, Dennis King, Kate Werner, Attorney Geoff Hole and State Representative Sara Gideon. Mr. Murray thanked the Council for the opportunity to provide an update on the progress by the Withdrawal Committee. He provided some background information and what work has been done to date, what the current agreement status is and what are the next steps. He asked that everyone follow through the slides he provided. He explained the charge of the committee and introduced the committee.

He noted that there are eleven points the committee is supposed to negotiate which is required in the

Withdrawal Agreement. It is then passed on to the Commissioner and the Commissioner approves it at which point there is a series of other public hearings and other required communications efforts before it gets voted on by the withdrawing town. They discovered that the Withdrawal Law has not provided any path for dispute resolution. It also does not specify that the Withdrawal Agreement needs to address the requirement of a school of guaranteed acceptance. The eleven points does not include anything about the school of guaranteed acceptance. The Withdrawal Law does not require any tuition agreement negotiated as part of the Withdrawal Agreement and it is not in the eleven points. When one looks at the law, one questions if it is the intention of the Legislature that this be a law that only provides for withdrawal by mutual consent or is there some ability for a town to say "we need to get out of that." He mentioned the problem that existed in Wiscasset.

He felt that what we were trying to do with the Withdrawal Agreement is build a foundation upon which Freeport can build a great school system. The committee firmly believes that it has a commitment to the individual students that are in the school system to provide a great education to students, no matter where they come from. They offered to grandfather all the students that are currently in our system in the Middle School from Pownal and the high school from Pownal and Durham for the rest of their careers if they should choose to stay, even though our high school is operating beyond its capacity. This still has not been agreed to by the RSU but it is still on the table.

Mr. Murray pointed out that there is a lot of change going on and he feels we need flexibility in a school district to be able to respond in that environment to provide a good education. There is a need for visibility for planning purposes regarding student populations. The budget is one of the sticking points. Education costs money and it is the most expensive thing we do as a town with our taxpayer dollars. The committee believes that the students coming into the district need to be adequately funded so that great programming can be delivered to them and to all the students throughout the district.

The high school is operating over its capacity and we need to expand the school to accommodate the students that are there today and the kids projected in the future. They want to be sure that whatever they commit to, they are not signing the Freeport taxpayers up for an expansion beyond what would be required to service Freeport students. They are talking about in the context of this agreement a ten-year commitment in the case of school of guaranteed acceptance but it could be any number of years for a tuition agreement. It's a commitment being made by a body that is not a school district, that's not operating a school district. The Committee does not know what the actual enrollments are, what the teacher conversation plans are going to be or what the renovation plans are going to be at the high school yet. They are trying to lay the foundation upon which they will build that district that will make those decisions. Whatever they commit that district to in the form of a tuition contract as part of a withdrawal agreement is a baseline. They won't be able to do any less than what they commit to but if we agree to take a certain number of students, they will have to make sure that that number of students is in whatever future plan for the next ten years or whatever it is, for that school district. He is confident that they will be able to do more if we have more seats and would like to attract more students and have a bigger school. This agreement forms a baseline for the future.

Mr. Murray explained that this committee has met 30 times since January. Of the 30 meetings, 10 have been with the Working Group and we have agreed on 10 of the 11 required points. No agreement can be reached on No. 10 without agreement on No. 11.They met with the Commissioner of Education and brought to him the questions about the requirement that we negotiate about things outside of the scope of the law. His response was: "you guys should have an agreement. Please go back and get a Mediator and

try again." The committee has done that. They explored a lot of territory and found some things that overlap but have not been able to get a satisfactory outcome.

Mr. Murray explained what has been agreed to but they have still not agreed on what to do with fund balances remaining at the end of the next school year. Any financial settling has not been agreed to. They have been held up by the enrollment piece. He noted that it was announced that Brunswick has offered to be the school of guaranteed acceptance but it has not yet been officially offered. It is on the table and they need to vote on it. They have discussed finding a school of guaranteed acceptance for the Pownal Middle School students. They also discussed the Freeport high school capacity number and what number the high school can comfortably accommodate. This is a difficult number to get to. As the high school is currently being operated, the architect came in and put a school capacity number at 492. Ultimately we will have to make a call on how many seats we can offer and how we structure tuition arrangements. We need some advance planning on how many students we will have on mutual commitment from another district.

Tuition -what is the amount we pay for a student and how do we calculate that? There are a variety of reasons why a district might offer discounts or might not offer discounts. Here we are talking about reserving capacities for students that may or may not attend and this is a maximum tuition number that we can offer. There is no official position on this issue.

The Withdrawal Committee will be meeting on July 30 with the RSU 5 Board to discuss a specific proposal that the Withdrawal Committee will make and can be voted on if the Board is so inclined. If this is not successful, the Withdrawal Committee will ask the DOE for a six-month extension on negotiations so they can continue negotiating and at that point, they will not be able to meet the November deadline for a vote and will continue negotiations. They will be working with their Brann & Isaacson attorney as well as the Town Attorney from Bernstein Shur to explore legal options and work with our legislators to explore legislative clarification of the law so that they can move forward. Both of these will take time but they don't want to put Freeport in the same position as the Wiscasset position where they had to cut a deal that was bad for the town in order to get out of the RSU. It is ultimately bad for students, taxpayers and the community.

Councilor DeGrandpre pointed out that the law never contemplated that the community with the high school would be the withdrawing one. It is written for smaller communities to withdraw from the larger district. He noted that the groups share frustration but do not dislike each other. They have had enjoyable times working together. He would like to nail down the flapping tent corners and move education forward and bring anyone that wants to come with us.

Mr. Murray answered questions for Councilors. Ms. Werner pointed out that there is a leverage point for the tuition contract because they do not want to return the high school unless they have access to it. They are also using another law that relates to the return of buildings and that it can't cause a significant disruption to education so this is a legal issue that has come up that has made this tuition contract necessary to be negotiated. That is the sticking point on that one particular transfer and is the big issue that is still left. She believes there is evidence that there is some deferred maintenance that needs to be done at the high school and Morse Street and that the committee will have to look at if we are going to talk about detail son claw backs for capital costs. With regard to that one issue, she feels it is one of the reasons why it has not been resolved. Councilor DeGrandpre is confident that that one will be resolved easily and quickly.

Representative Gideon thanked the four Withdrawal Committee members as well as members of the Working Group for taking on this tremendous responsibility. She represents Freeport and part of Pownal and watched from the sidelines. She is willing to help as needed without taking a side. She noted that it sounds like Point No. 10 cannot be agreed upon unless the tuition point and the school of guaranteed acceptance point is agreed on and additionally all the other agreed on points are only tentative. Mr. Murray noted that this is correct. Councilor DeGrandpre mentioned that he is confident that the school of guaranteed acceptance will resolve itself. The Brunswick School Board will take this item up at its next meeting scheduled on August 3 or 5. He feels the challenge is tuition and enrollment.

Councilor Tracy referred to a statement made by Mr. Murray earlier that he feels that under no circumstances could they come to an agreement on No. 10 without coming to agreement on tuition and enrollment. Mr. Murray advised that the message they are getting from the RSU Working Group is that there is no agreement on No. 10 without an agreement on enrollment. He is convinced that this is not a legal requirement but in order to get agreement from the Working Group, they have to talk about that request. He is not convinced that if they asked the law courts to settle this out, they would have to do that. Councilor Sachs asked if they could ask for the DOE's opinion. Mr. Murray agreed that they could provide an agreement that contains the 11 things and ask them to accept it. It would be better if we had agreement from the RSU Board on it. It is his opinion that the DOE could accept it but they have not shown a willingness to get too ahead of this kind of thing. They would likely need some encouragement from the Legislature or the law courts.

Councilor Tracy noted that when a decision is made on paper, it had better be supported by the law and one had better be able to back it up. Mr. Murray explained that they have only received oral direction from the DOE and nothing in writing. Councilor Sachs asked about the Mediator. Mr. Murray advised that the Mediator has put in a lot of time and worked hard. He indicated that the Withdrawal Committee has a problem in trying to negotiate with someone who doesn't necessarily want a deal.

Councilor Sachs noted that this really is impacting Durham on the tuition and enrollments because we can accommodate 60 Pownal students comfortably. Councilor DeGrandpre explained that Pownal came and asked if we would be the school of guaranteed acceptance for Pownal and we were perfectly happy to do that. Mr. Murray pointed out that the committee has not been trying to drive a wedge and explained that historically there were a lot of Pownal students coming through the Freeport system and elsewhere. There were a lot of Durham students going to Brunswick, Freeport and elsewhere. It worked pretty well. This 60 number is not meant to be targeted at anybody. It is a minimum commitment from the RSU to Freeport for any kids. The fact that we are the school of guaranteed acceptance for Pownal Middle School students solves a problem because Pownal needs a Middle School that they can go to. Ms. Werner explained that in essence, we are trying to build an opportunity for them to return to school choice in a real way while protecting Freeport's interests but not requiring such a huge amount of guaranteed kids coming that they would have to be forced to go to Freeport High School in a large number of spots. As far as Pownal or Durham in this agreement, the committee feels there is a mutual benefit to being able to return them to school choice and it will be good for the region. It makes sense. She feels there are some wins-wins here as opposed to going forward with the RSU and having to expand the high school and having them required to be here. Councilor DeGrandpre pointed out that Pownal and Durham get choice back which they both gave up when the RSU was formed. The difference is rather than having to pay the tuition because you are part of the RSU, your school department will be paying that tuition and that is significant.

Mr. Murray advised that if we miss the November deadline, we are essentially talking about next November. There will be another cycle if we miss the deadline and there are costs involved that everybody will feel.

Councilor Tracy asked Attorney Hole for his opinion if we can't get agreement on the outside issues such as tuition and enrollment, what is the strength of Freeport's position if we were to bring to the DOE what we believe to be the tentative agreements on 1 through 11, provided we could get the last piece, No. 10. Attorney Hole replied that it would be the first time, to his knowledge if there was not total agreement, that the Commissioner would act on it. Councilor Tracy asked if there is a basis for the Commissioner to hold up ruling on that agreement if the 11 points are there. Attorney Hole would prefer to see something done in the Legislature. In one of the points there are two sentences the second of which suggests that the Commissioner may have the right to worry about all the students. The main thrust is that the withdrawing school has to make arrangements for their students. There is a more subtle and vaguer statement later on that might cause a problem with litigation. If it goes to litigation, we would be talking about a decision in two years. If we could address it in the Legislature so that the RSU that doesn't want to withdraw is prevented from doing that either by the process before the Commissioner or even better wording in the Withdrawal Law itself would be extremely helpful. He would have a provision that says if the parties cannot agree, somebody would make a decision. If they don't want you out, it will be a tortuous process and may never happen. The voters in the Town of Wiscasset paid $500,000 in ransom money.

Mr. Murray explained that they do not feel it was the Legislative intent to create a law that puts us in the bazaar position of negotiating with an entity that has no incentive to really negotiate. He plans to bring the entire agreement to the meeting on the 30th. He will request that an agreement be reached on No. 10 so that they will have half a chance to move this forward by putting it front of the DOE.

After doing this Councilor Tracy mentioned that we can say: “we can't come to agreement on these other issues. Here's the two sides. We can come to agreement on 1-11. It is the Working Group's position that that is a condition precedent to everything else.” She does not know that this is the full Board's position.

Councilor Sachs noted she is completely supportive of the Withdrawal Committee going into that meeting saying: “this is what is reasonable based on data. The 430 to 450, the tuition at a reasonable rate, not cost because if we have heard nothing else, cost is a factor and this is actually one cost that we can project, which is cost per pupil based on a third party. We know the enrollment numbers. As a parent, she can tell that it is untenable in that high school to the point that we are making decisions for her 7th Grader because her current Junior is impacted by this administrative battle. It is about the kids. She plans to attend the meeting and is supportive of not being held ransom and supportive for using facts and data in the plan that the committee is moving forward.

Councilor Tracy pointed out that the Working Group is not moving forward because they feel they haven't gotten enough to move forward. There is obviously a difference of opinion here. They are not doing it just to do it. They are doing it because they believe there is not enough in the package.

Representative Gideon asked if there is a precedent for the DOE granting an extension. Attorney Hole indicated that the answer is yes. Mr. Murray advised that Freeport has already gotten an extension. Councilor Tracy mentioned there is a cost to asking for another six-month extension. The Town Council files a letter saying “please rule on this. We have agreement on what the law requires and ask our State Representatives to rule on this. Please don't kick it. Allow the communities to have a vote and have their say.” Whatever they do, it has to be supported by the law as it is written and they will have to examine it and make a very careful decision about what they are going to do.

Chair Hendricks asked the Committee if there is anything they need from the Council. Mr. Murray noted that the committee appreciates having access to Attorney Hole, the budget and support from the Town Administration. If the RSU Board fails to move forward on this, they would like the Council's input and support in moving it to the DOE. We should take this seriously. It is the most important decision we are

making as a town since we decided to consolidate. He believed the meeting is scheduled for the 30th but mentioned it has not yet been posted.

Chair Hendricks noted the Council will meet again on August 5. He advised that Representative Gideon can reach out to Attorney Hole. Mr. Murray mentioned that he would meet with Representative Gideon and Attorney Hole to draft up something for the Legislature. He noted he could get a committee together very quickly.

Chair Hendricks thanked everyone for all their good work.

EXECUTIVE SESSION

ITEM #125-14 To consider action relative to an Executive Session concerning a legal matter. (1 M.R.S.A. § 405(6)(E)).

MOVED AND SECONDED: That the Town Council enter Executive Session pursuant to 1 M.R.S.A. § 405(6)(E)) to discuss a legal matter with the Town Attorney. (Sachs & Tracy) VOTE: (6 Ayes) (1 Excused-Egan)

MOVED AND SECONDED: That the Town Council reconvene into Public Session at 9:33 p.m. (Tracy & Sachs) **VOTE:** (6 Ayes)(1 Excused-Egan)

Chair Hendricks explained that this is mutually beneficial to both parties and will allow the Island Rover a chance to finish his project and at the same time protects the town in many different ways if he fails to reach his goal or defaults on the agreement. It also avoids substantial legal fees from litigation.

MOVED AND SECONDED: That the Council approve the memorandum of agreement and supplemental memorandum of agreement subject to clarification of two items related to the interim deadlines that were discussed in Executive Session. (Tracy & Sachs)

Councilor Tracy pointed out that the Town Attorney does not need to come before the Council again but probably needs to run it by the Town Manager, Chair and Vice Chair. Chair Hendricks mentioned that as long as it adheres to what was agreed to in Executive Session, we should be all set.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #123-14 To consider action relative to accepting the draft Active Living Plan dated May 19, 2014 as recommended by the Planning Board.

BE IT ORDERED: That the draft Active Living Plan dated May 19, 2014 be accepted as recommended by the Planning Board.

Note: The Freeport Planning Board moved to recommend that the Town Council either accept or receive the draft Active Living Plan dated May 19, 2014. The Planning Board finds that this plan is consistent with the Vision of the Comprehensive Plan. (Gleeson & DeGrandpre)

Chair Hendricks explained that the Council is pretty well aware of the Active Living Plan having seen it many times. He asked Ms. Davee to provide a summary and a little bit of information on the process she went through with the Planning Board. Councilors will have an opportunity for questions and then he will

open up the meeting for public comment.

Anne-Marie Davee, Freeport resident and appointed volunteer Chairperson of the Active Living Task Force explained that she is pleased to announce that the Task Force has completed its charge. The Plan was initiated on the premise of safety. It began with residents, particularly parents who did not feel comfortable having their kids bike or walk to school in Freeport. Over the past two years, hundreds of residents have reiterated these safety concerns. In August, 2012 the Town Council appointed the Task Force with the specific charge. Over the last two years the Task Force has successfully obtained input from 800 residents and worked closely with a nationally renowned expert to develop our Active Living Plan which we now have.

The Plan was written by the people and for the people. It was a public process from start to finish and the Task Force held 26 public meetings, two public forums, two public meetings with trails stakeholders and collected hundreds of surveys on Election Day and through the Town's website. All the information has been posted on the Town's website and notices have been included in the Town's E bulletin. This represents a thousand hours of volunteer time including Task Force members and Town residents. She publicly thanked Kristina Egan for her guidance (knowing she is not here tonight) as a Councilor and all of the Task Force members and residents who have generously given their time and interest to support active living. She asked them to stand up. On June 25, the Planning Board confirmed that the vision of the Town and the Active Living Plan are consistent and are both intended that Freeport be a desirable place for residents to live. The Plan provides a multitude of project recommendations based on expert advice to improve safety and enhance opportunities for outdoor recreation for all residents. The Task Force is hopeful that the Plan will be used as a resource by town officials and staff for future planning. It will enable the Town to seek external sources of funding. The recommendations are not a mandate for Town funding and they expect all the project recommendations to undergo a public process to proceed. As a resident, she urged the Council to accept the Active Living Plan and thanked the Council for the opportunity to serve as Chair of the Task Force.

Councilor Tracy advised that the Council wish that all committees and task forces would have the energy that they all have and the drive. They really appreciate the endless hours that have been put in. She feels this is a good piece of work and recognizes that the Task Force worked hard on it. She thanked them.

Councilor DeGrandpre recognized that the Task Force has done a tremendous amount of work and what it brought to the Council is some good guidance for the future. He thanked the Task Force.

Chair Hendricks thanked Ms. Davee and the volunteers. The Council obviously recognizes the amount of time it takes to volunteer for Municipal service.

Councilor Gleeson also thanked Ms. Davee and the Task Force for their good work.

Chair Hendricks opened the meeting up to public comment and asked people to adhere to the 3-Minute rule.

Julie Coleman explained that she has been a member of the Task Force since its creation nearly two years ago. She thanked the Council for giving them the charge of creating a visionary document. She explained the strengths of the Plan. She noted that they are proud of what they created. She hopes that the Council will support the Active Living Plan. It is far too great to simply sit on a shelf.

Susan Chavillay noted she is not a Task Force member but urged the Council to accept the Active Living Plan. Accepting it is very important. It is really like a menu where one does not choose everything. One chooses what one can order at that time and at that price. Everything in it is to be a choice.

Doug Leland of Cushing Briggs urged the Council to accept the Plan as well. The Merrymeeting

Wheelers in Brunswick approached the Task Force unsolicited because they had a committee and a contact point and they came and offered Freeport eight signs identifying the 3 foot rule. There was no cost to Freeport other than the cost to put the signs in place. The Portland Area Comprehensive Transportation System approached Freeport and wanted to know if we had a project that was worthy of their contribution. They were unsolicited but they had a place to go, a contact and $60,000. This pretty much covers the cost of the consultant as well. He referred to the Leon Gorman Park and the possibility of re-imagining and re-engineering that park. He suspects it will be a gem of a park when it gets done and there will not be a lot of cost to Freeport for doing it. The Active Living Committee was actively involved in that process because it was a place to go. The National Parks Service we heard about tonight, met with the Active Living Committee. There are more opportunities. Three weeks ago there was an opportunity at no cost to receive 12 pedestrian flashing light signs. Imagine Main Street in Freeport on a dark winter afternoon and the benefit for an automobile to see a flashing light that says not only is this a cross walk but someone is in it. Those were no cost but the only catch was that the first town to raise its hand was going to get them. We didn't have the structure in place to respond that quickly. They are hoping to be able to respond to these opportunities because we have a plan, we know what the priorities are and what the opportunities are and we can respond to that. He feels this committee has delivered big time everything the Council has asked for. He urged the Council to accept it, embrace it and get enthusiastic about it because it is that good.

Guy Quartrucci, Freeport resident, read a prepared statement. He noted that the costs associated with this document range conservatively between 9-16 million dollars and this does not include design and engineering fees, legal fees, right-of-way leases, permitting fees, environment review fees as well as on-going maintenance of upkeep costs. This averages out to a range of $2,800 to $5,000 per Freeport households based on 3,200 households. Even if Freeport were wildly successful over a 20 year period getting 50% of all of the project funding from external sources, at 50% it would add between $225,000-$400,000 annually through the comprehensive Town improvements and Municipal Facilities line item budget. He feels the Plan has a long way to go in terms of public vetting analysis, costing, reality-checking and revisions before it becomes any resource used for capital planning in Freeport.

Gretchen Giammaro, member of the Task Force urged the Council to accept this document in the strongest way it can. She reiterated what her colleagues said. There are about 80 suggestions in this document. Everything that happens from here on out needs to go through every approval process. It was not part of their charge to figure out how much each one of these would cost.

Chair Hendricks read an e-mail from Kathy Damon into the public record. She explained how impressed she was by the outreach from Freeport to her as a newcomer. She strongly urged the Council to approve the Active Living Plan.

Sally Leland of Cushings Briggs Road pointed out that it takes a village and 800 community respondents took part in this. That is 10% of Freeport's population. She encouraged the Council to strongly accept this Active Living Plan.

Councilor Tracy read a letter into the public record from Councilor Egan who regretted that she could not be here tonight. She urged the Council to accept the Plan tonight and the Minutes will reflect a discussion that is clear that the Council enthusiastically embraces the Plan and will actively use the Plan as a guiding document for the Town. The Town and its residents have invested too much time and treasure for this Plan to sit on a shelf or for there to be any question whether this Plan serves as a guiding document for the Town. She thanked the Active Living volunteers for giving their time and talent to Freeport.

Councilor Tracy asked Attorney Hole if there is any legal significance to accepting the Plan and whether it binds the Council in any way as opposed to “receiving” it. Attorney Hole does not see any binding effect as long as it is clear that when the Council accepts the Plan, it is not committing itself to any particular Capital projects or particular ideas. He feels there is a substantive difference between “accept”

which shows some judgment involved and "receive" which is really a non-judgmental act in his mind. Councilor Tracy noted that she feels the Council should accept the Plan. The Task Force has put in a lot of time and the Plan is a great product. She is totally comfortable with accepting the Plan and the Council should discuss tonight what is the next step, figuring out what low hanging fruit can be accomplished and how to go about doing that. Chair Hendricks mentioned that this discussion will happen at a future Council meeting.

Councilor Gleeson agreed with Councilor Tracy and noted that the Council is very wise in how it spends money and it is important to have a guiding document. Accepting the document lends credibility to the Town as far as if there were any grants or outside money that needed to come in.

Councilor DeGrandpre reiterated what he said earlier. This was a lot of work and the consultant did a good job of organizing it all. The Council knew that many of these projects would be incorporated as it looks forward to future Capital plans. This document will give us answers to questions we have had all along. He is happy to accept the Plan this evening.

Councilor Wellen appreciates all the hard work. In his mind, it may be too expensive to do most of those things but some of the low hanging fruit may be good. He would rather use the word "receive". He has a problem with "accept" because it implies that the Council strongly supports it and maybe we need to spend money. He is hesitant that it will be interpreted that way. He does not see how the Council can say that we see this as correct or valid when we don't know the detailed costs. In his mind, even if some Councilors are open to spending a fair amount on this Plan, he would like to look at action items more seriously one at a time. For example, The Active Living Plan recommended 4' wide shoulders on the Wardtown Road but while discussing it, it was determined that it would cost additional money and a lot of Wardtown residents stood up and said that they didn't want 4' shoulders because it was too close to their houses. Down the road, he feels the Council has to be careful when looking at specific projects. He recommends that the Planning Board, Town Planner, Town Manager and the Council look at prioritizing and continuing to get public input before making decision. He recommended using caution. He promotes using "receive".

Councilor Sachs advised that she accepts, she embraces, she endorses, celebrates and thanks the Task Force. She believes the return on investment for the investment the Council made, the time and talent of the volunteers that went into this will be a wise investment in Freeport's future.

Chair Hendricks noted he accepts the Plan fully and thinks it is great. He doesn't feel it binds us to any cost. Any project will have to go through all the approval processes. We need to decide where we move from here and we will discuss it at another meeting.

Councilor Wellen asked Chair Hendricks if he is okay saying he accepts the Plan even though part of the Plan he didn't accept and voted against. Chair Hendricks clarified that he accepts the Plan fully and because he accepts the Plan as a visionary document, doesn't mean that he has to agree with every little piece of the Plan. The Council chose to not go with 4' shoulders on Wardtown Road because it made more sense and chose to not go with the recommendation in the Plan.

Councilor DeGrandpre advised that Traffic and Parking is looking at what to do in South Freeport. They heard loud and clear from the folks that live on main Street in South Freeport that they did not want a sidewalk. Someone from Active Living suggested taking a look at it. They did not say "do it!" He is confident that this document will make us stop and look at projects and this is something the Council will do going forward. He is willing to accept the document.

Councilor Tracy pointed out that one of the big reservation is the concern about fiscal impact. Within the parameters of what the Council can do, we need to support this Plan so that we can leverage all the future resources that are available and reduce the fiscal impact. The goal is to get these things done. Those

projects that the governing body has determined are appropriate with the appropriate fiscal tag and when you can get other outside agencies or federal agencies or non-profits to foot some of the bill, that is a good thing. This is a fiscally responsible move to accept this Plan because it will help in the effort to get other resources.

Councilor Wellen advised that he thinks "accept" is vague. He doesn't know what the Council means by "accept". Councilor Gleeson noted that he is the District I Councilor and his District accepts the Active Living Plan. He has received no dissent in an overwhelming amount of e-mails. He was elected to represent his district and his district overwhelmingly accepts this Plan as a guiding document.

Councilor Tracy advised that "accept" means to her that this is a Plan that fulfills the mission that the Council sent the Task Force to do which was to go out and get recommendations and ideas about how to make this Town more accessible from a non-motorist perspective and how to give people more opportunities to be more active. Accepting this plan means that the Council accepts that this document fulfills that mission. It does not mean that we accept every recommendation in it.

ROLL CALL VOTE: (5 Ayes) (1 Nay-Wellen) (1 Excused-Egan)

ITEM #124-14 To consider action relative to casting a vote for Freeport's delegate to the Maine Municipal Association's Legislative Policy Committee.

BE IT ORDERED: That Freeport casts its vote for Peter Joseph to represent Freeport on MMA's Legislative Policy Committee from July 1, 2014 to June 30, 2015. (DeGrandpre & Gleeson) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Egan)

OTHER BUSINESS

2. Discuss Council Goals—Chair Hendricks suggested postponing this to another meeting when we have a full Council.

MOVED AND SECONDED: To adjourn at 10:26 p.m. (Sachs & DeGrandpre)
VOTE: (6 Ayes) (1 Excused-Egan)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES

FREEPORT TOWN COUNCIL MEETING #16-14

SOUTH FREEPORT CHURCH – 98 S. FREEPORT RD

TUESDAY, AUGUST 5, 2014

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road			x
Scott Gleeson, 23 Park Street			x
Sarah Tracy, 75 Lower Flying Point Road	x		

Following the workshop, Chair Hendricks called the Council meeting to order at 7:22 p.m. He took the roll and announced that Councilor Gleeson is excused and Council Wellen may or may not be on his way.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #15-14 held on July 15, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #15-14 held on July 15, 2014 and to accept the Minutes as printed. (DeGrandpre & Sachs)
> **VOTE:** (4 Ayes) (1 Abstention-Egan) (2 Excused-Gleeson & Wellen)

THIRD ORDER OF BUSINESS: Announcements

Councilor DeGrandpre announced that the Withdrawal Committee has an agreement with the RSU to go forward. The vote was 11-0. He explained that more discussion will take place later this evening and asked residents to stay posted.

Councilor Sachs reminded everyone that Free Summer Lunch is available for all kids 18 and under every Monday through Friday from 11:30-Noon at Freeport Community Center, 53 Depot Street, Wildwood Acres, 12 Elm Street, Mast Landing School, 20 Mollymauk Lane and the Village View Community Room, 26 Village View Lane until August 29.

Chair Hendricks announced:

- **NOMINATION PAPERS** are available in the Town Clerk's Office for persons interested in seeking the following offices in the Town of Freeport. Nomination Papers are due back to the Town Clerk's Office no later than 6:00 p.m. on Wednesday, September 10, 2014.

  COUNCILOR AT-LARGE – 1 seat

  COUNCILOR DISTRICT 2 – 1 seat

  COUNCILOR DISTRICT 3 – 1 seat

  RSU #5 Board of Directors – 2 s*eats*

  SEWER District Trustees – 2 seats

  WATER District Trustee – 1 seat

For more information, call Freeport Town Clerk Tracey Stevens at 865-4743, Ext. 123 or email tstevens@freeportmaine.com

- The Town of Freeport has been awarded a grant from the Cumberland County Community Development Program (CDBG program) to provide income eligible Freeport Homeowners with energy assessments and cost-effective measures to reduce their heating costs. Priority will be given to low-moderate income households in Freeport. Participation in this program typically saves 100 gallons of heating fuel per household. For more information, contact Donna Larson or Johanna Hanselman at the Town Office or Sue Mack at the Freeport Community Center.

- The 2014 Winslow Park Summer Concert Series has begun! Concerts take place at 6:30 p.m. on Thursday evenings in July and August at the Winslow Park Bandstand. Come out this Thursday to hear some Rhythm & Soul by Kenya Hall. Grab a blanket, pack a picnic dinner and enjoy a relaxing evening at the Park.

- As a reminder, the 4th of July fireworks needed to be rescheduled due to weather conditions, so the fireworks have been scheduled to go off after the last scheduled concert in the 2014 L.L. Bean Summer Concert Series! Stick around after the Brett Dennen L.L. Bean Summer Concert on Saturday, August 30 for a special fireworks display (fireworks starting around 9 p.m.). Come to both the concert and fireworks and end your summer with a bang!

- The District 2 Workshop with the Town Council will take place on September 2, at the Mallet Barn at 625 Wolfe's Neck Road. The workshop will begin at 6:30 p.m. and will be followed by the regular Town Council Meeting.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs pointed out that the Municipal Facilities Committee met this morning at 7:30 a.m. One of the questions the Council asked during the Operating Budget discussions was to start the NET analysis. There was a staffing request from the Fire Department and there were a lot of questions regarding the budgetary impact of the NET program. The process has started and they made a formal request to the Town Manager today and outlined all the questions the Council had. Hopefully they will begin and come back by the Council's October meeting with budget and staffing analysis. She is confident that this will be in plenty of time for next year's budget season.

The committee also discussed Open Space Management. There are about 500 acres under direct Town ownership and management. There are lots of gems all around Freeport and are managed by seven wonderful volunteers on the Conservation Commission. The committee is starting to talk about how to support these different areas and better advertise and better manage these amazing environmental properties. If anyone has any thoughts or feelings, please let her know.

Councilor Tracy reported that FEDC met last Tuesday morning, the 28th of July. The Board welcomed its newest members, Ed Bradley and Mary Davis. She explained that Keith McBride assisted Core Fitness in finding a new location on Mallet Drive. They had outgrown their space on Route One and were looking at Yarmouth and Freeport. She is pleased to keep a local business in Freeport. Mr. McBride reported that he attended the grand opening ceremonies for the Kendall Tavern Inn and Shady Glen Nurseries. The Board discussed efforts to market Freeport as a great place to live, work and open a business and also discussed the artists community's on-going efforts to make arts in Freeport more visible. FEDC's next Board meeting will be on August 26 at 7:30 a.m. at Freeport Community Services. The public is welcome to attend.

Councilor Egan advised that the Active Living Plan was accepted by the Town Council. It was the result of two years of work by many residents in an effort to make it safer to walk, bike and run as well as make our trails more connected. The Planning Board found that it was consistent with the Comprehensive Plan which is to provide a great quality of life for our residents. She is proud of the group that put the Plan together. A couple of the Task Force members and a lot of District 3 members are here tonight that worked on it. Later this evening a discussion will take place to put together a committee to oversee the implementation of that Plan. She mentioned that residents can check it out on line under Freeportmaine.com.

Councilor Egan also chairs the Appointments Committee and works with Chair Hendricks and Councilor Tracy. There are vacancies on the Recycling Committee and the Project Review Board. She urged residents to fill out applications for these openings if they have any interest

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported the following:

A friendly reminder about tax bills—bills for fiscal year 2014 were due May 15, 2014. In order to avoid additional interest and lien fees, please make sure your taxes are paid by the end of August!

The finance Department is very excited to announce that the Town of Freeport has been upgraded by Standard and Poor's Rating Agency during the annual recalibration/re-rating process. This means that a competitive bond sale by the Town would most likely result in an interest rate savings, as well as a greater number of competitive bidders, as some investors prefer AAA rated debt. The Town of Freeport is one of only seven municipalities in Maine which have achieved this distinguished AAA rating. The Town is very proud that among the items cited were budgetary flexibility, strong liquidity and good financial management practices. The Town Council should be proud of implementing and adhering to the strong fiscal policies that helped us achieve this rating!

The Library's new courtyard "rock garden" has been completed! As you come into the library, be sure to look out the northwest windows of the lobby and enjoy the new garden. With landscape design by Susan Cherluli8ez and stone work by Matt Carter of Green Island Stonework, the Library Board has given a great gift to the library. Utilizing the space between the two wings of the library building, Susan and Matt have created a dry stone stream and plantings that provide a restful, beautiful garden for viewing.

Shortly after 1 p.m. on Friday, July 25, the Freeport Fire/Rescue Department responded to a reported house filling with smoke on Balsam Lane. Upon arrival, crews found smoke exiting the structure from the basement area. This fire presented some challenges as crews responded, including access to the building, using a tanker to shuttle water from the end of Staples Point Road, and minimal personnel initially. Due to heat and humidity that day, we well as the distance to the structure, mutual aid was requested from numerous communities for water shuttle and manpower for fire ground operations. Due to other ongoing incidents at the same time in our neighboring communities, aid to the scene was provided by 11 communities, from as far away as Bath. The efforts of the Fire Department and out mutual aid responders contained the fire to the basement, preventing the fire from advancing upstairs. Investigators from the State Fire Marshall's Office were requested for a determination of cause, since work crews had been in the structure prior to the fire. It is estimated that damage to structure is above $300,000. One Freeport firefighter suffered from heat exhaustion and was seen in the ER that evening, but was treated and returned to duty the following day. Fire/Rescue crews were kept particularly busy following this fire, with over 16 various calls over the next 24 hours. Thanks to all of our Fire/Rescue employees who worked that weekend, as well as our neighboring communities who provided mutual aid.

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes)

(Non-Agenda Items Only)

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

Billy Richardson of 66 Varney Road explained that this is the first Council meeting he has attended. He is a retired high school teacher and has lived in Freeport since the mid-1980s. He has attended South Portland's City Council meetings regarding the Clear Skies Ordinance. He was impressed watching local democracy in action. He plans to attend future Freeport Council meetings. He noticed that the agenda indicates the meeting will end at 11:30 tonight and he cannot promise to stay until the end.

MOVED AND SECONDED: To close the Public Comment Period. (Tracy & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

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

ITEM #131-14 To consider action relative to adopting the August 5, 2014 Consent Agenda.

BE IT ORDERED: That the August 5, 2014 Consent Agenda be adopted.

Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public. Councilor Tracy thanked L.L. Bean for donating $3,000 for Police holsters. This is a very generous donation.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #132-14 To consider action relative to approving an annual Special Amusement Permit. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened.(Egan & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (Egan & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

BE IT ORDERED: That an application for an annual renewal for a Special Amusement Permit for Buck's Naked BBQ, located at 568 US Route 1, Freeport be approved. (Egan & DeGrandpre)

Councilor Tracy asked if we are going to to include on the approval or on the permit for music or entertainment, a reference to the Ordinances in an effort to point the property owners to them. She asked if this will be done for simply outside applications or for all. Mr. Joseph noted that this application was submitted almost a month ago and before the Council's discussion. He has asked the Town Clerk to look up some information on outside entertainment and the Council will see this on the next application it receives.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #133-14 To consider action relative to approving an amendment to Chapter 21: Zoning Ordinance Section 202(C)(1), Section 202(C)(4) and Section 601(G)(2)(d) as proposed by the Freeport Board of Appeals. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Tracy & Egan) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

There were no public comments provided.

MOVED AND SECONDED: That the Public Hearing be closed. (DeGrandpre & Tracy) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

BE IT ORDERED: That an amendment to Chapter 21: Zoning Ordinance Section 202(C)(1), Section 202(C)(4) and Section 601(G)(2)(d) as proposed by the Freeport Board of Appeals be approved as submitted. (Tracy & Egan)

Codes Enforcement Officer, Fred Reeder explained the amendments.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #134-14 To consider action relative to amending Chapter 48: Traffic & Parking Ordinance, Section 48-301, No Parking Zones, as recommended by the Traffic & Parking Committee.

BE IT ORDERED: That a Public Hearing be scheduled for September 2, 2014 in the Mallet Barn located at 625 Wolfe's Neck Road following the District 2 Workshop starting at 6:30 p.m. to discuss amending Chapter 48: Traffic & Parking Ordinance, Section 48-301, No Parking Zones, as recommended by the Traffic & Parking Committee.

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 3 and the Town's website. (Sachs & DeGrandpre)

Albert Presgraves, Town Engineer explained that the Traffic and Parking Committee discussed improving the parking situation for the Sayles Field area by prohibiting parking on Pine Street from close to the corner of South Freeport Road around the bend, far enough to provide good sight distance from the bend to where the no parking zone would end. Mr. Presgraves answered questions for Councilors.

Councilor Egan agrees it makes sense to ban parking on Pine Street because it is a very dangerous place to park. She wants to be sure the Council is protecting safety. Chair Hendricks reminded Councilors that they are not making decisions tonight. They are setting a public hearing. He offered to allow questions from the public since the Town Engineer is in the room tonight.

Evelyn Potter asked where cars could be parked. Mr. Presgraves explained that parking is permitted on South Freeport Road and on Church Road and even at the Soule School without interfering with property owners. There are differences of opinion as to whether that is adequate or not.

Ms. Nielsen asked how many people use Sayles Field. Mr. Presgraves noted that the Freeport Conservation Trust would have ideas and more information on this. Councilor Egan urged interested residents to attend the next Council meeting on September 2 to share their thoughts and express their opinions.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #135-14 To consider action relative to purchasing four AED's with cabinets with funds from the AED donation account.

BE IT ORDERED: That the Town of Freeport hereby accepts donations to the AED donation account in the amount of $1,951.35 from Freeport Fire Auxiliary; $1,785.25 from Matt & Michele Morrison; $1,000 from Freeport Women's Club; and $1,892 from Freeport Rotary Club.

BE IT FUTHER ORDERED: That the following ordinance be submitted for consideration by the Town Council: "The Town of Freeport hereby ordains that a supplemental appropriation in the amount of $7,722 be authorized for the purpose of purchasing four AED's with cabinets. Said funds to come from the AED donation account and this appropriation shall be contingent upon the receipt of said donations."

BE IT FURTHER ORDERED: That a Public Hearing be scheduled for September 2, 2014 after the conclusion of the District 2 Workshop which will be approximately 7:30 p.m. at the Mallet Barn located at 625 Wolfe's Neck Road to discuss a supplemental appropriation in the amount of $7,722 for the purpose of purchasing four AED's with cabinets with funds from the AED donation account.

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 3 and the Town's website.

Note: The current balance of the AED donation account is $7,798.07.
(DeGrandpre & Egan)

Councilor Sachs explained that she would be recusing herself from the vote since she is the Executive Director of Freeport Community Services and can't vote to appropriate money to have a cabinet placed in the Freeport Community Center.

Deputy Fire Chief, Paul Conley explained how this project was started in Freeport to have all public buildings covered including schools. He will manage the program. Deputy Fire Chief Conley explained that purchasing more AEDs will also help Freeport maintain its "Heart Safe Community" designation.

Councilor Sachs thanked all the donors and Deputy Fire Chief, Paul Conley as well as Brenda White who has pushed this forward for the past eight years ago. Chair Hendricks and Vice Chair Egan also thanked

everybody for their donations.

ROLL CALL VOTE: (4 Ayes) (1 Recused-Sachs) (2 Excused-Gleeson & Wellen)

Mr. Joseph suggested skipping to Item #137-14 since Beth Edmonds had not yet arrived.

ITEM #137-14 To consider action relative to supporting METRO expansion.

BE IT RESOLVED:

WHEREAS, the Towns of Freeport, Falmouth, Cumberland, and Yarmouth have been working collaboratively with the Greater Portland Transit District (METRO) to develop an option for public bus transit services to connect the four towns to Portland by regularly scheduled bus service, and

WHEREAS, METRO has provided a proposal for such services that appears to provide substantial public benefit based on potential funding support through PACTS, the State of Maine, indirect financial support by METRO, and with annual funding support from the Towns of Freeport, Yarmouth and Cumberland; and

WHEREAS, the Freeport Town Council endorses the METRO bus service plan as presented at this meeting and seeks to encourage METRO, PACTS, and the cooperating towns of Yarmouth and Cumberland to pursue the necessary funding requests and refinement and implementation of the proposed bus route starting in 2015; and

WHEREAS, the Town Council finds that the an estimated cumulative funding commitment of approximately $20,000-$40,000 per year from the Town of Freeport for the first three trial years of the program, (and estimated to rise to approximately $80,000 per year thereafter if the towns and METRO elect to continue the service after the initial three year trial period) represents a good value and worthwhile public expenditure achievable by the collaborative regional work of the Towns of Freeport, Cumberland and Yarmouth working together in good faith with METRO, PACTS and the Maine DOT;

NOW THEREFORE BE IT RESOLVED by the Freeport Town Council that the proposed three year trial public bus service by the Greater Portland Transit District connecting Freeport, Yarmouth, Cumberland and Falmouth to Portland and the METRO bus interconnections is hereby endorsed and encouraged; and

BE IT FURTHER RESOLVED the Freeport Town Council and staff shall work together with the Towns of Yarmouth and Cumberland as well as with METRO and PACTS to finalize plans, funding requests and commitments to be voted at a future date subject to satisfactory resolution of such issues, funding requests and commitments and service plan details.

(Egan & Sachs)

Town Planner, Donna Larson provided some history on public bus transit services to connect the four towns to Portland by regularly scheduled bus service. She introduced Greg Jordan, General Manager from METRO. He introduced Bonny Rodden from Falmouth. Mr. Jordan explained that this service is envisioned to be primarily a commuter-oriented service so service only on weekdays is being recommended as a starting point. If they get a green light from the three towns, they will be pursuing grant funding through the State.

Councilor Tracy asked Mr. Jordan to comment on what the town's financial contribution will be. Mr. Jordan explained that in the first year the cost per town will be $20,000. The second year the cost will be $30,000 and the third year the cost will be $40,000. If the project is successful and there is consensus to make it permanent, each town will have to come up with $80,000.They will still be getting grant money. He also mentioned fare revenue and advertising on vehicles.

Sebastian Meade of Guptil Avenue feels it is time to bring public transportation to Freeport and he would benefit from it. He knows a lot of people that live in Portland and work in Freeport. Kathleen Meade noted she has been hoping for bus service for Freeport for years. She has heard from people on Facebook that are hopeful for a bus service.

Kristen Dorsey asked if the bus would drive through downtown Freeport. Mr. Jordan noted that a route has not yet been decided but most likely they would drive on Route One from Desert Road.

Dale Whitmore, Project Review Board member pointed out that transportation has been an issue for Freeport's elderly residents. Many do not drive. Some of them make a contribution to the Freeport Elders to use their bus. He feels the lack of transportation affects the quality of life for the elderly. He read information provided by Vickie McCarty from The Consumer Council System of Maine urging the Council to approve the Metro's proposal.

Amy Cartmell echoed everything that Mr. Whitmore said. She is a member of the Freeport Housing Trust and believes this bus service will benefit Freeport's residents. She noted that she supports this proposal.

Chair Hendricks brought the discussion back to the Council.

Councilor Sachs asked for clarification on the trial period. Mr. Jordan explained that the trail period is for three years but they will begin looking to evaluate the project at the beginning of the third year. The service is anticipated to begin in mid-2015. He estimates it will cost Freeport $82,118 for the three-year period. If successful, Freeport would then join METRO. The cost of the fourth year would be $77,742 and the fifth year cost would be $80,280. Councilor Sachs pointed out that the total cost to Freeport taxpayers

for five years would be $240,148. She noted these are costs estimates and there are lots of variables. She is mindful that the train service costs us $100,000 per year for maintenance.

Ms. Rodden advised that Falmouth has been paying $100,000 per year ever since it joined METRO. Their ridership is 77,000. She is confident that Freeport's numbers are fair. Mr. Jordan advised that Freeport's cost is right on as long as the service stays the same.

Councilor DeGrandpre asked where cars would be parked and whether a transfer to another bus would be free. He also asked where we go after five years? Mr. Jordan addressed his questions. Councilor DeGrandpre pointed out that the Council is six months away from budget time. He noted that bringing public transportation to Falmouth is a different demographic than bringing it 30 miles away to a different community.

Councilor Tracy had questions for Mr. Jordan regarding the other communities involved. He mentioned that Yarmouth passed the resolution which only gives them a green light to go and pursue grant funding and then return and work out details on what the service would look like. They plan to visit Cumberland on August 11. He envisions a few more check-ins with the Freeport Council about where they are heading and whether or not they will participate. Ms. Rodden pointed out that there may be decisions along the way but they expect the community to take this very seriously and they are looking for a commitment. Unless there is something really outrageous, approving the resolution means that the Council goes along with it. She feels Mr. Jordan is being very flexible but they have to make decisions at METRO and would appreciate that if the Council approves the resolution, its intent is to stick with it. They want to work with Freeport.

Councilor Sachs noted she is interested in having some public input as to interest and use for Freeport's tax dollars. Councilors can then make a decision knowing public sentiment and that it probably will be more expensive than what it is but that is based on public input.

Vice Chair Egan pointed out that she supports the resolution. She likes the idea that it is a pilot for us to experiment and see if we have the ridership that can support the service.

Chair Hendricks read Councilor Gleeson's statements into the public record. He has strong reservations about supporting a program that partially duplicates what can be done by the Downeaster. He suggested considering whether Freeport has identified a need for the METRO service versus the METRO identifying a need for us. He does not feel this is something we should rush into.

Chair Hendricks suspects that Councilor Wellen has reservations about the METRO but has not submitted any comments. He thought he would be here but did not show up tonight and Chair Hendricks cannot guess what he would say.

Chair Hendricks advised that he would support the pilot program. He feels it would be a good investment for the first three years but may not say the same in five years. He does not feel the Council should be putting Mr. Jordan and Ms. Rodden through the paces of going out to get funding and when it comes time for us to have another vote, we say no.

He asked for sentiment from Councilors. Councilor DeGrandpre noted he would prefer to put this in front of the whole Council at its next meeting. He would have trouble supporting this if he has to vote tonight. He has more homework to do.

Councilor Tracy advised that she has concerns about the expenditure and the ridership. She feels the numbers are fair and are based on reasonable fact. In the context of our budget, even the pilot program is a significant expenditure for us. While we have heard some really compelling testimony about people who are low income, who need to get to medical appointments, people that cannot drive, the reality of this is that this proposal is really getting at commuters in the morning and evening. Maybe some of those people can go into Portland for the whole day or get the first bus in and the third bus out. Perhaps later it can be expanded at a greater cost to incorporate some of the greater needs, those she would be more inclined to vote for. Right now she is concerned that it is a pretty significant expenditure to have some of the philosophical and environmental benefits we are talking about rather than some of the concrete needs that we are hoping for. She is not opposed to them but they are at a cost. She feels the Council is doing this a little in a vacuum. There has not been a broad base of public input and she noted this is just a resolution and it has not gone to public hearing. She feels uncomfortable with the expenditure and it makes sense to get some more input from people that don't know this is even existing. In order to be able to make the good faith commitment we are talking about, she feels all of the Councilors should be here and she would prefer to have some more public input. Councilor Sachs would like to hear from businesses in Freeport. Ms. Larson advised that this was sent out to Freeport USA, the Chamber and Jim Hatch of the Freeport Housing Trust and he sent out information to his residents.

Councilor DeGrandpre feels it is great to have workshops in the districts but prefers to do Town business in the Town Hall. Councilor Tracy suggested delaying this and advertising it in the newspapers to bring it to the public.

Chair Hendricks mentioned that it appears there is no majority support for this so he suggested putting it off to September 2.

MOVED AND SECONDED: To table this item to the meeting in the Mallet Barn located at 625 Wolfe's Neck Road on September 2. (DeGrandpre &Tracy)

Councilor Tracy asked for information on the demographics for the people that are going to use this program. It makes a difference to her if they are high income commuters and we are doing it for environmental reasons and taking away significant potential revenues that are available for helping low income people on the other side. It would be a worth effort if it would help low income people. She mentioned the need to support the Active Living Plan. Mr. Jordan was confident that he could compile an analysis.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

Chair Hendricks asked the media people to put up some really big articles to get people at our next meeting. The next meeting will be in the Mallet Barn and he has asked the Town Manager to Google its location so everyone will be able to find it.

Kathleen Meade requested that the meeting be held in Town Hall. District 1 people are wanting this service and it is a disservice taking the meeting out to Wolfe's Neck. It should be held in District 1. Councilor Tracy asked if it could be postponed to September 16.

MOVED AND SECONDED: To amend the date to September 16 in Town Hall. (DeGrandpre & Tracy) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

Councilor Tracy is interested in hearing from the Active Living people. This is all about spending your active lifestyle and your active dollars.

Chair Hendricks thanked Mr. Jordan and Ms. Rodden for coming tonight. He asked that they let him know the results of their meeting with Cumberland.

ITEM #136-14 To consider action relative to approving the expenditure of funds from the Library Donation Fund for the purpose of hiring a part-time worker for 15 hours per week for the months of September 2014 through June 2015 for the purpose of preparation and ultimate participation in the statewide inter library loan system, Minerva.

BE IT ORDERED: That the expenditure of funds from the Library Donation Fund for the purpose of hiring a part-time worker for 15 hours per week for the months of September 2014 through June 2015 for the purpose of preparation and ultimate participation in the statewide inter library loan system, Minerva be approved. (DeGrandpre & Sachs)

Chair Hendricks noted that Ms. Edmonds is not going to attend this meeting tonight.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #138-14 To consider action relative to approving placement of a returnable container at the Hunter Road Recycling Facility (silver bullet location) in support of the Freeport, Pownal & Durham Education Foundation.

BE IT ORDERED: That the placement of a returnable container at the Hunter Road Recycling Facility (silver bullet location) in support of the Freeport, Pownal & Durham Education Foundation be approved. (Egan & Sachs)

Town Engineer, Albert Presgraves provided an update. He and the Recycling Committee are supportive of this proposal. Kristen Dorsey pointed out that they have a collection box at the North Freeport Store and a cylinder at Winslow Park. The proceeds have covered their administrative expenses.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #139-14 To consider action relative to contracting for road reclamation, cement stabilization, and paving services on Wardtown Road.

BE IT ORDERED: That Harry C. Crooker & Sons, Inc. be awarded a unit price contract for Roadway Reclaiming with cement, and asphalt hot mix pavement for the Wardtown Road Reconstruction Project to be performed starting after May 1, 2015 for the bid amount of $1,134,800.90.

Note: The Town Council appropriated $1,300,000 for this project in the FY2015 Town Capital Budget, which included additional drainage and road improvements.(Tracy & Egan)

Town Engineer, Albert Presgraves explained that the Public Works crew has been doing a lot of work and they have a lot more to do. He advised that the culverts are failing out there and they are replacing virtually every culvert on the road. The Public Works crew is short two full-time people so they are not able to process the work as fast as they were hoping to. Awarding the contract for the work to be done next spring means the quality of the work is likely to be better because they won't be under a tight weather window schedule. This is most likely the biggest road reconstruction project the Town has ever done. He recommends awarding the contract for next spring. He is aware that people would like to see the road fixed as soon as possible. We are doing the paving of all the trench work now so that it will survive the winter comfortably.

Vice Chair Egan noted she is comfortable going with Staff recommendations. Other Councilors agreed.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #140-14 To consider action relative to endorsing the recommendations of the Traffic & Parking Committee regarding amendments to the Freeport Zoning Ordinance that would include parking standards and Site Plan Review permit requirements.

BE IT RESOLVED:

WHEREAS, the Traffic & Parking Committee was asked by the Council to investigate the issues concerning parking, road safety, and congestion at recreational trail head sites in Freeport; and

WHEREAS, the Traffic & Parking Committee received correspondence from Freeport residents on this subject matter and met with residents and representatives of organizations that are concerned with this issue; and

WHEREAS, the Traffic & Parking Committee as a group conducted a public site

walk at the Pine Street and Church Road area in South Freeport on June 16, 2014; and

WHEREAS, individual members visited other recreational trail heads in Freeport in order to observe parking and traffic safety conditions; and

WHEREAS, the Traffic & Parking Committee finds, based on observations and reports of others, that the public use of recreational trails has increased and is likely to continue to increase; and

WHEREAS, the number of public recreational trails in Freeport is likely to increase; and

WHEREAS, the use of recreational trails and especially the parking at trail heads can have significant impacts on abutting properties and the neighbors; and

WHEREAS, some trails have adequate and safe off road parking facilities, most do not; and

WHEREAS, many of the recreational trail heads depend upon on road parking which is unregulated and can create safety problems; and

WHEREAS, the likely increase in the utilization of these recreational trails may overburden existing parking facilities and increase safety problems especially where on-road parking is utilized; and

WHEREAS, the Town currently does not exercise any planning, approval, or regulatory authority over the creation, design, and location of recreational trails and their parking facilities, the Traffic & Parking Committee concludes that such regulatory authority is needed;

NOW THEREFORE BE IT RESOLVED that the Traffic & Parking Committee requests the Planning Board to consider and recommend to the Town Council amendments to the Freeport Zoning Ordinance that would include parking standards and Site Plan Review permit requirements. (Sachs & DeGrandpre)

Vice Chair Egan explained that she does not have a problem with the ending part of the resolution to send this for further work but she is not in agreement that everything needs to have a safe off-road parking facility. Mr. Presgraves pointed out that the definition of an off-road parking facility could be something just off the driving lane on the shoulder. Vice Chair Egan noted she would be fine with that. Mr. Presgraves explained that this is largely a formality in asking the Council to endorse this resolution because it has already gone to the Planning Board. They are aware of it and want to work on it. They know that it is an issue. The Traffic and Parking Committee did not feel they had the authority to do something directly without Council support.

Vice Chair Egan requested that the Minutes reflect that the Council is hereby defining off-road facilities as including shoulders. She asked Mr. Presgraves if the Freeport Conservation Trust is aware of this and in favor of this. Mr. Presgraves noted they are aware of it and he doesn't believe they are opposed to it at all. Vice Chair Egan asked if this includes only Town-owned trail heads or every trail head. Mr. Presgraves replied that it includes every trail head going forward. Vice Chair Egan suggested adding this into the resolution to make sure it is clear. Mr. Presgraves pointed out that if the Planning Board changes the Ordinance, it will only affect new projects but making it more explicit would not be a problem for him. Councilor Sachs explained that she does not agree with all the amendments included in the "BE IT RESOLVED" but understands these are recommendations. She is perfectly comfortable saying "job well done".

MOVED AND SECONDED: To amend and strike the First Whereas Clause through the last Whereas Clause and leaving the final NOW THEREFORE BE IT RESOLVED Clause. (Tracy & Egan) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

ROLL CALL VOTE ON AMENDED ORDER: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #141-14 To consider action relative to casting a vote for election of Vice President and Executive Committee Members of Maine Municipal Association.

BE IT ORDERED: That Freeport casts its vote for Stephan Bunker, Selectman, Town of Farming ton as Vice-President and Cynthia Mehnert, Councilor, Town of Orono; Laurie Smith, Town Manager, Town of Kennebunkport; and Patricia Sutherland, Chair of Select board, Town of Chapman as Executive Committee Members for Maine Municipal Association. (DeGrandpre & Egan)

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

ITEM #142-14 To consider action relative to supporting a grant application for technical assistance to the National Park Service submitted on July 30, 2014.

BE IT RESOLVED: That the Town Council is in support of the grant application for technical assistance to the National Park Service submitted on July 30, 2014. The purpose of this grant is to obtain technical assistance in improving connectedness in way finding between Hedgehog Mountain, Pownal Road Fields, and the Hunter Road Fields parcels.

Note: There is no expected local contribution for this grant.(Egan & DeGrandpre)

Vice Chair Egan commended everyone involved in drafting the grant application. It has been done perfectly with the right process.

ROLL CALL VOTE: (5 Ayes) (2 Excused-Gleeson & Wellen)

OTHER BUSINESS

1. Workshop with RSU Withdrawal Committee.

Peter Murray, Chair of the Withdrawal Committee advised that last week the RSU5 Board met with the Withdrawal Committee for five hours. The Withdrawal Plan was accepted by a vote of 11-0. It represents that everyone feels it is a reasonable compromise. The agreement was reached in time to get it to the Department of Education. He is hoping to hear from them by the 15th of this month. Once they receive a preliminary approval, they can go ahead and set a public hearing date. At the public hearing they will have an opportunity to present the plan in detail and hear from the whole RSU. The DOE will then issue a final approval and then they will be able to go to the voters in November. They anticipate that it will be a fairly smooth process since there is no debt involved and the agreement is non-controversial. The public hearing is called by the DOE but run by the chair of the RSU5. He opens the meeting and then the Withdrawal Committee explains the Withdrawal Agreement. The Working Group should also be there. The Agreement is posted on the Withdrawal Committee's website which is www.Freeportwc.org.

Mr. Murray noted that one of the things talked about as a community is how to understand the financial impact of doing this withdrawal. He noted the difficulty in trying to crystal ball what will happen in the future. One of the important things to understand is what will happen if some kids choose to not come to Freeport High in the future and what will be the financial impact. The answer is how will the School Board react—will it reduce staffing or programming at the high school? Will it keep the same staffing in place for fewer students? These are decisions that will be made by a future School Board and it is difficult to predict how they will do it in a future model. They have looked at how other school systems have done this and how successful they have been. It has been shocking to discover how unsuccessful they have been. Sometimes they have been off by millions of dollars causing great pain and discomfort to their taxpayers. Taking a step back, the primary question is does the fact of withdrawal shift the financial burden onto Freeport or off of Freeport. One way to look into this is to look at last year's budget where we know all the facts and we know how we paid for them as an RSU. We can then ask how would we have paid for that exact same scenario if Freeport had withdrawn? There is very little judgment that needs to be made except that the Pownal and Durham kids will pay the tuition agreed to in the Agreement rather than the cost sharing system that was in place. To his mind, this is a nice objective exercise that could be done pretty rapidly by Abbe Yacben and will answer the question if there is a structural shift of financial burden onto or off of Freeport by virtue of this Agreement. It provides a platform where we can ask what happens if 50 kids didn't come? Is there a cost associated with that? We can discuss the options of how to respond to that and not necessarily put a number on that because it is totally hypothetical and the response is hypothetical. He mentioned that more questions can be asked but these are the things he has been thinking about and he wanted to throw them out to see what the Council thinks.

Councilor DeGrandpre noted that he knows what the first year after withdrawal will look like. If we take a look at last year, we can forecast next year pretty easily. Mr. Murray pointed out that they have an estimate from the State on what the State Subsidy will be.

Councilor Tracy thanked everyone for all their good work. She had three questions to discuss. 1) Should we do a financial analysis? 2) If we should do it, who should do it? 3) What should be done?

Chair Hendricks advised that he feels the Council should do it but has reservations about doing any sort of analysis without letting the general public know that this is going to be a best ballpark guesstimate. It will not be exact. Things we will not be able to foretell is what will the new School Board do? What is the new superintendent going to do? How are they going to educate our kids? Is the curriculum going to change? Will there be layoffs? These are things we will just not know. He does like the idea of reviewing what we did last year. He knows that the Town Manager and the Finance Director are willing to do some grunt work but being public employees, they do not want to be in the forefront waving a banner.

Vice Chair Egan noted that many people indicated they wanted to explore withdrawing before they made up their minds. She feels the Withdrawal Committee has done a fabulous job in getting the Council to understand how many kids will come in and what the tuition numbers are which will give us the data to do some number crunching. She feels strongly that the Council owes it to the residents to provide financial analysis. She also feels it is important to do an educational analysis such as was done last summer. As our residents go to the polls in November, they should be thinking of those two things together. What is the impact on our kids and what is the impact on our pocketbooks? She feels a financial analysis should be done. For Councilor Tracy's second question, she feels it should be done by a neutral objective party that is going to be respected. She feels the analysis should be done by advocates that are not for withdrawal or against withdrawal. She feels it would be worth hiring someone without political pressures but will get advice from all the people that have knowledge but is not responsible to a certain entity that has a particular point of view on this contentious and important issue. She feels a consultant can do this.

Chair Hendricks does not agree to hire a consultant to do what can be done in house. He does not want to spend money on it.

Councilor Tracy feels the Council needs financial numbers around this. For some people it is do you want local control over your educational system where for others, it is really about how it will impact personal and town resources. It is critical for a decision. It is time and money well spent. As for who would do it, she thanked the Withdrawal Committee for offering to continue to do it which is what she is reading from the presentation. She is confident they can do a very good job at it and she has no qualms with the product that they would produce. She feels they would present it in a way that would be understood by the residents. She has concerns with the Withdrawal Committee doing it because the nature of the Withdrawal Committee is to advocate for withdrawal. She is concerned that no matter what is produced, it would be discounted because of the source. She has been thinking about how to neutralize that piece and provide information that would have the best chance of helping the voters. One possibility is hiring a consultant but she was disappointed with the first go round with the consultant and worries about relying on someone who is not intimately familiar with our school budget, workings, etc. She is mindful we have some real talent in this town and there is economic efficiencies using that talent. One way to get around that is to have a consultant along with an Advisory Committee comprised of two members from the Withdrawal Committee and two members from the RSU5 Board that are neutral. The consultant would

have a team but ultimately would decide on the best way to present the information. Another way to go about it is to appoint a committee structured similarly with equal representation from both ideological sides. Another idea which has less attractiveness to is for the Council to ask the RSU5 Board to basically take this on and they decide how best to do it which may not produce a product as efficiently. She could do either of the first two options. She is interested in what people have to say. In terms of what should be done, how should it be done, she is elected to weigh in on that. What has been talked about here makes sense to her but there are other ways it could be structured in addition or differently. She feels it is worth discussing. It would be part of the job for whoever is assigned to do this to come to some agreement on what is the best information that Freeport voters could have to make the decision about whether financially, withdrawal is in Freeport's best interest. She vehemently supports doing a financial analysis and feels it is important that it be quality and that it hold up.

Councilor Sachs noted that she is the exact opposite. She cannot think of a worse idea than putting out bad data. She cannot think of a greater abdication of our leadership responsibility than to put out something that we know is wrong on day one. She feels the Council is replaying the conversation from last August when Councilor Egan said we need an educational and financial analysis. Councilor Sachs said “no, we don't” because we had a neutral party with financial and educational analysis that was so wrong, so embarrassing and so poorly managed that all it did was confuse the voters. She vehemently feels that this is absolutely the wrong strategy. For the Freeport voter going into the voting booth, the management of those assets, the management of those expenses is the primary question that they are being asked. “Do you wish this administrative structure for not?” Is that the best way to allocate whatever resources they happen to be? Councilor Sachs believes it is more harm to be putting out a $4M estimate one day and then a $1.6M estimate another day. She believes that any discussion of pro and con simply talks about political qualifications as opposed to financial expertise which is what is needed in this. There are many ways to discuss this issue to provide information regarding impact rather than putting out a budget that is wrong on day one. She would not support this in any way, shape or form.

Councilor Egan pointed out that the report that came out last summer clearly showed that it would cost money to withdraw for the taxpayer. Many people disagreed with the assumptions and many of the proponents for withdrawal were involved in the selection of the consultant and the scope of that work. There was dispute over data. She feels strongly that this decision will have a financial implication and we will not nail it to an exact dollar amount because it will be a guesstimate. This is a huge financial and educational decision for Freeport. We committed as a community when we talked about the withdrawal vote, withdrawal advocates and other folks needed more information. There isn't any other information for voters to make a decision right now. All we have is a Withdrawal Agreement. It doesn't tell us anything about the impact on our kids or on our taxpayers. While we won't have perfect data, she feels it is critical as leaders of the community, that we do as much as we can in as neutral and objective way, with the best data that is possible to develop to provide that information to voters. She does not feel the consultant's report was terrible and embarrassing. She does not feel it is the total story of what happened last summer. She feels the Council owes it to the voters to be able to do the right thing and provide additional information.

Councilor Tracy noted that if the Council does not do it, the voters will surely not have the information they feel they need. If we do try and do it, it may not be as successful as we would like, but at least we

have tried to fulfill our responsibility to provide the voters with the kinds of information they need to make an informed choice. She does not agree that this is "bad data". Often times there are lots of financial calculations that people need that are based on contingencies in parts. She feels the Council should do its best to to do the best product it can.

Councilor DeGrandpre noted that as a Council, it promised its community to provide the best information it could going forward. That is as much detail as we can put into an Executive Summary. Having observed the negotiations with the Working Group and the School Board, it is clear to him that many are not familiar with the Agreement and may not have even read parts of it and are also not very familiar with their own budgets. The committee members are positioned to understand the Agreement and why they selected different parts of it. Going forward, the first year is pretty much a carbon copy of the year before. What changes are the things that clearly moved in this agreement—transportation, Special Ed, nuances around tuition. What is unknown is how many students from Pownal and Durham will take advantage of their new found choice and go someplace else. He is confident that a model can be built that reassigns the revenue streams. The first year we are obligated to duplicate what we have already.

Councilor Sachs asked if this is the true cost of withdrawal because this is what people need to know. It is not year one, it is beyond that. It could be tripled the next year. If you are doing a carbon copy based upon the current administrative structure, and the second year you are assuming it is all the same using Peter Murray's model. Mr. Murray quickly stated that this is not his model. He stated that if last year was the first year, this is what it would have looked like. He is not saying this is what it is going to look like the next year. All the things we know are no longer variables if we look back at last year. The only variable we would explore is how we are paying for it, whether we pay for it with a tuition model or an RSU model. The first year will be different because choice is a big variable and we don't know how many kids we will get. If we don't know how many kids we will get, we won't know how the Freeport School Board will respond to that in changing its programming and staffing. All of a sudden there may be a lot of decisions made differently so it is a very dynamic situation. More dynamic than if we stay in the RSU. Whether it is better or worse depends on a couple of factors. 1) Whether you believe this is a better way to manage the assets and the inputs and outputs, whatever they may be. 2) Whether or not there is a structural inherent shift of cost on to Freeport as a result of this withdrawal and the agreement that has been put in place. He personally does not want to get involved with any kind of predictive hocus pocus about the future. He is happy to be involved in any kind of information about the agreement and would be happy to help apply that agreement to a historical context with no judgment calls about kids coming in or going out. He is nervous about getting into too much crystal balling.

Councilor Tracy noted that the Withdrawal Committee is here tonight talking to the Town Council and there are other stakeholders in this process that are not here. For her, the two relevant questions are: "do we do it?" and if so, "how do we do it in a way that is going to be helpful to the voters?" She suggested that the Council deal with the first two pieces and then figure out the next step on how it should be done. Vice Chair Egan and Chair Hendricks agreed but Chair Hendricks pointed out that he would not be willing to hire a consultant. He would use our Financial Director but Councilor Sachs advised that Ms. Yacoben is not available until August 22 because of our audit. She mentioned that if the Council puts out a $4M number or a $1.6M number, the substantive issues we are talking about and everything Mr.

Murray just said about the real discussions we should be having around whether this is the right structure get lost.

Councilor Tracy noted that just because people go to the $4M number does not mean the Council should withhold it. Vice Chair Egan pointed out that with the exception of Councilor Sachs, four Councilors have indicated they would like to go forward with a financial analysis and it is necessary to move the process forward.

Councilor Tracy raised the question: do you feel a financial analysis should be done in terms of the monetary impacts of staying in versus withdrawing from the RSU5?

POLL VOTE: (4 Ayes) (1 Nay-Sachs) (2 Excused-Gleeson & Wellen)

Question #2: Councilor DeGrandpre noted that this question is more complex. There was a unanimous vote to send the agreement to the voters and he believes the only information is to apply the agreement to next year's school budget which has just been passed. We could say here is what this budget would look like if Freeport withdraws. At that point the caveat is pretty simple. We do not know what the future Board will do or how it will react to changes. At the end of the day, we may end up with 490 or 505 kids in our system for the next five years because they are all here now and they are all grandfathered.

Vice Chair Egan suggested looking at the different models that have been proposed. We decided we didn't want to talk about how to do it; we just want to talk about who can do it and how can we set that up. She mentioned she talked about a consultant doing it but Chair Hendricks doesn't want to hire a consultant but he is only one vote. Councilor Tracy laid out a couple of different options. We talked about having Ms. Yacoben do it or having her do it with an advisory council or we ask the RSU5 Board to do it. She suggested focusing on how to get it done.

Councilor DeGrandpre suggested asking Abbe and Kelly apply the agreement. Councilor Tracy feels they are both good and should be involved in the process. The Council has been talking about a scenario where there is an analysis that is a straight mathematical calculation. She is positive there may be others who think there should be different analyses done. She does not know what is right at this time. While there may be other kinds of analyses to be done, she does not feel it is fair to ask Abbe and potentially Kelly to make those kinds of policy decisions, whatever they may be. She feels we need people invested in the process in a different way to be responsible and to present those kinds of decisions, whatever they may be. It is not fair to ask Abbe to get up in front of the whole town and present the Withdrawal scenario. While Abbe and Kelly could do it, she feels the Council needs to put together a bigger team that are accountable in the process and involved in more angles than the financial angles.

Vice Chair Egan feels it is really hard to figure out how to do this in a mutually objective way because the people that are most knowledgeable are also advocates on both sides with the exception of Abbe and Kelly. She feels they could do an admirable job but agrees with Councilor Tracy that there could be larger questions that come up around what exactly we should do over and above what Mr. Murray just described. She cannot support putting advocates of both sides together and trying to come up with something and this leaves her with two options: 1) The Council asks staff to do it which would be unfair

and they are not able to make some of those policy calls or 2) we ask a consultant to do it and the whole Council should have a little openness to that option.

Councilor Sachs thinks that the Council is trying to get to a budget number and asked who it should ask. She noted there are two budget people, one from both sides who could do it. If we do this retroactive exercise, there are no policy decisions to be made. If there is, and there is something the Withdrawal Committee has overlooked, Abbe and Kelly could certainly E-mail both sides and ask "what is your understanding of what this number means in this category?" If the solution we are trying to say is that we simply want a number with a neutral budget, the best way to go is to go to the people that have that expertise.

Councilor Tracy pointed out that what if people ask if we can do some sensitivity analyses about presuming some of these contingencies where there are less kids and we might have to move some things around. Presumable there is some judgment there and who exercises that judgment? Councilor Sachs noted that this is where we say a future school board and they can't possibly know that this is the ballpark and we can't possibly know. We need to be okay with that. Councilor Tracy disagreed. She feels there is a possible scenario where there could be sensitivity analyses done for a couple of reasonable scenarios that people might ask for. She still does not feel it is fair to appoint Abbe and Kelly to do that because they cannot make those decisions and nor should they. There might be a role for something more than the very baseline that Mr. Murray is talking about. She is not sure it should be done and she is not advocating for it. Her proposal would be that if we have a small group of people who are reasonable (four) who will advise and discuss what is the kind of information that the Freeport voter needs and will work with Abbe and Kelly to actually do the work. She proposed that those four people consist of two people from the Withdrawal Committee and two Freeport members selected by Nelson Larkins. She assumes they will be from the RSU5 Board.

Vice Chair pointed out that she is comfortable with Councilor Tracy's proposal but if the Council does not feel this is a perfect solution and does not want to resolve it right now, the other alternative would be to ask Abbe and Kelly to work together right now and surface any issues that might come up, a policy type issue, that they do not feel they can resolve. The Council could then take it up at its next meeting to see if there is any additional analyses it could be doing.

Chair Hendricks agreed with the proposal of Abbe and Kelly working together under the leadership of two chosen members from the Withdrawal Committee and two chosen Freeport School Board members.

Councilor DeGrandpre agrees with Councilor Tracy's proposal. Councilor Tracy explained that she sees the committee members coming together and having a discussion about what is the type of information that would be fair to represent the analysis about the costs of staying in versus withdrawing. They come to some sort of agreement about what that would look like. They may well land exactly where Mr. Murray is right now. That is the safest way or they may say okay it is that and a couple of different scenarios. If they can't come to agreement, they can come to the Council for backup to make a decision. Hopefully they will make a decision and they direct

Abbe and Kelly to do it. If Abbe and Kelly have questions, they first go to the committee. If they don't get the right feedback that they need, they come to the Council.

Councilor Sachs asked if the Withdrawal Committee is interested in volunteering two members to serve on this committee. Mr. Murray noted he is not comfortable with the invitation to volunteer for another committee. It's 11:30 p.m. and he feels the committee has worked hard in this process. Kate Werner pointed out that in this proposal there will be two sides that are polar opposites on what they want to accomplish. That is why they chose to look at the scenario doing math and not making policy decisions which will be completely subjective and could take faith out of the number.

Vice Chair Egan suggested asking Abbe and Kelly to do the analysis and then workshop at the next Council meeting with the Freeport members of the RSU5 Board to think a little more on how to deal with some policy questions that might come up and how we might structure some additional advice coming from experts but we don't put everything off until that time. We actually get going with our two staff experts. She asked Councilors how they felt about this.

Since Abbe is not available until after the 22nd,. Kelly could be asked to begin earlier. Councilor DeGrandpre offered to talk to Nelson Larkins and perhaps the superintendent tomorrow about asking Kelly to do this work. Chair Hendricks mentioned that a workshop would be held on the 2nd of September.

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2. Discuss proposed Active Living Advisory Committee.

Chair Hendricks explained that a discussion took place about the possibility of having a Town Active Living Advisory Committee to help with the advisement and implementation of the Plan. This committee would come up with ideas on some of the smaller items. He put this item under Other Business to have a discussion to see if there is Council sentiment to move forward with what Ms. Davee proposed. If there is, it will be moved forward to an agenda at a later date and then go from there. Tonight we should decide whether or not to do it by a formal committee. He agrees the Council needs to appoint a committee and he likes the way that Ms. Davee has put one together and would agree to it.

Vice Chair Egan agrees that a committee is needed and is confident there will be plenty of volunteers willing to serve. It will help ensure that the Plan is a truly living document which is what everyone has been saying all along. She supports what Ms. Davee has put together. Councilor Tracy also agreed that it is important to continue with the work so that the document will not grow stale and unused. Councilor Sachs also supports this item. Councilor DeGrandpre is not certain he wants to form any more committees. It feels like we might be appointing a committee to advocate for one document. He is unsure what this committee is going to do. He would like to have it come back on another agenda.

Chair Hendricks will put this on the agenda for September 16 back in Town Hall. Anne-Marie Davee was thanked for staying so late.

Councilor DeGrandpre advised that if we are going to have a potentially new SAU, we will need Charter amendments to appoint a 7-Member Board because the State of Maine has a default 3-Member Board. We will need to start the process pretty quickly and there are requirements for public hearings, etc. if we are going to have it on the ballot in November. A vote will be needed to change the Charter.

MOVED AND SECONDED: To adjourn at 11:55 p.m. (Egan & DeGrandpre) **VOTE:** (5 Ayes) (2 Excused-Gleeson & Wellen)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #17-14
MALLET BARN – 625 WOLFE'S NECK RD
TUESDAY, SEPTEMBER 2, 2014
IMMEDIATELY FOLLOWING THE DISTRICT 2 WORKSHOP
WHICH BEGINS AT 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 7:52 p.m. following the workshop and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the pledge.

Chair Hendricks explained that tonight the Council will go through the first two agenda items and then will take an item out of order which is going to be the workshop with the Withdrawal Committee and our Freeport representative RSU5.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #16-14 held on August 5, 2014 and to accept the Minutes as printed.

Councilor Egan referred to page 18, regarding the school, in the 3rd paragraph the second sentence should read: Many people disagreed with the assumptions and many of the proponents for withdrawal were *not* involved in the selection of the consultant and the scope of that work. On page 17, third paragraph, the sentence should read: She feels the analysis should *not* be done by advocates that are not for withdrawal or against withdrawal.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #16-14 held on August 5, 2014 and to accept the Minutes as amended. (Egan & DeGrandpre)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor Wellen announced that the Volunteer Recognition Barbecue will be held on October 12 from 2 p.m.-4:30 p.m. Invitations to our great volunteers will be mailed out shortly and businesses will be asked for some donations.

Councilor Sachs announced that the Freeport Half Marathon and 5k will take place this Sunday. If anyone is interested in volunteering, they should call FCS at 865-3985. 20% of the proceeds goes to FCS but also the Education Foundation and the RSU5 Education Foundation which has funded thousands of dollars of projects to all of the RSU5 schools. Parent volunteers from across the RSU5 help teachers with those special projects that wouldn't be funded in the budget otherwise. People can register on line at www.Freeport halfmarathon.com. The 5k starts at 9:15 a.m. and the Half Marathon starts at 9 a.m. She requested that residents see her if they are interested in volunteering or call her at 865-3985.

There is a brand new early readiness program for kids and their caregivers. They are targeting preschoolers. It is run by the YMCA and is absolutely free. It will be held at the Freeport Community Center from 9:30 a.m—11:30 a.m. next Tuesday, September 9. Folks can call Trish at 865-9600.

Chair Hendricks announced:

- There is a Traffic Alert for road closures on September 6 for the Lobsterman Triathlon. The Staples Point Road will be closed to traffic beginning at 7:15 a.m. and will reopen when the majority of the athletes are done with the race, somewhere in the vicinity of 12 Noon. Biking and running portion events will occur on many of the local roads: South Freeport Road, Lower Mast Landing, Flying Point Road, Pleasant Hill Road. Motorists should be aware of athletes running or biking on these roads.

- Nomination Papers are available in the Town Clerk's Office for persons interested in seeking the following offices in the Town of Freeport. Nomination Papers are due back to the Town Clerk's Office no later than 6 p.m. on Wednesday, September 10, 2014.

  COUNCILOR DISTRICT 2 – 1 seat
  COUNCILOR DISTRICT 3 – 1 seat
  RSU #5 Board of Directors – 2 seats
  SEWER District Trustees – 2 seats
  WATER District Trustee – 1 seat

  For more information, call Freeport Town Clerk Tracey Stevens at 865-4743, Ext. 123 or email tstevens@freeportmaine.com.

- The Town of Freeport has been awarded a grant from the Cumberland County Community Development Program (CDBG program) to provide income eligible Freeport Homeowners with energy assessments and cost-effective measures to reduce their heating costs. Priority will be given to low-moderate income households in Freeport. Participation in this program typically saves 100 gallons of heating fuel per household. More than twenty Freeport households have already had energy audits completed! For more information, contact Julie Fraser at the Town Office.

- Attention Freeport Voters: If you have moved since the last time you voted, please stop by the Town Clerk's office with proof of residency by October 30th so that your name will appear on the correct district voting list. There is a Municipal Election in November, so the voting lists will be split by district. If you cannot make it to Town Hall by October 30th with your proof of residency, there will be a Voter Registrar available at the polls on Election Day to make address changes, but please make sure to stop by the Voter Registrar's table before you proceed to the check-in line to vote, as the Registrar will need to give you the proper paperwork and direct you to the correct District table. Thank you for your cooperation in making the lines shorter on Election Day!

- There will be a 9/11 Remembrance ceremony on September 11 from 9:30 a.m.-10:30 a.m. at the corner of Main Street and West Street. It will be held by the Freeport Flag Ladies and they advise that folks should plan to arrive early.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilors did not have any information to share.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

1. Energy Audit Program Update—The Freeport Home Energy efficiency Program is off to a great start. To date, twenty-five Freeport households have been approved for a free energy audit and air sealing and the contractor, The Heat Doctor, has completed the work in twenty-two of these homes. Recipients of the program have been very pleased with the contractor and several homeowners with additional needs have been connected with other resources to assist with necessary furnace repairs and replacement. Participation in this program is estimated to save up to 100 gallons of hearing fuel per household and with cold weather just around the corner, program participants should start feeling the positive impact of the program soon. To find out more about this program, contact Julie Fraser at the Freeport Town Hall at 865-4743, Extension 121.

2. Participants in the Library's Summer Reading Program have read over 4,800 books so far, and there is a week left to go in the program! Congratulations to all of the children who participated in this very successful program. A big thank you too to all of the donors, including the Freeport Elders, Friends of the Freeport Library, Island Treasure Toys, Wilbur's Chocolate, Frosty's Donuts, Ben & Jerry's Ice Cream, L.L. Bean's, the Sea Dogs and all of our therapy and service dogs.

3. The Freeport Police Department has installed a secured permanent drug drop-off box in the lobby of the Public Safety Building. Residents can now drop off expired, unwanted or outdated drugs at the Public Safety Building during their normal business hours. (Sunday thru Saturday 8 a.m.-4 p.m.) The Police Department will continue to take part in the semi-annual drug take back program. The next scheduled drug take back day is scheduled for Saturday, September 27, 2014 from 10 a.m. to 2 p.m.

4. On August 13th, Freeport received over six inches of rain, causing flash flooding and washouts on may public and private roads. The Freeport Fire, Police and Public Works Departments responded that night to many calls for road closures and flooding in homes. The Public Works Department worked overtime shifts on Thursday, Friday and Saturday to repair damaged roads, and spent the following week repairing eroded shoulders throughout town. Thanks to their hard work, we now have mostly repaired the damage sustained during that storm. Public Works Director and Town Engineer, Albert Presgraves estimates that the total cost of the damage will be in the range of $120,000. We have filed damage reports but have not yet heard a decision regarding whether disaster declaration will be made. Barring any disaster funding, our current plan of action is to cover the damages out of the Public Works Summer Road Work budget unit, which will result in the postponement of routine projects that were scheduled this summer. If anyone sees any road damage that has not yet been addressed, please call it in to the Public Works Department.

He is happy to hear that a private road that washed out is now receiving some private assistance from CPM Construction of Freeport. They are organizing a group of contractors to help in this project.

5. The deadline for submission of Nomination Papers for the upcoming local election is September 10th at 6 p.m.

6. Town Clerk Tracey Stevens is finishing up her four-year term on the New England Municipal Clerks' Institute & Academy (NEMCI&A) Board of Directors this year. The NEMCI&A Board of Directors is made up of two Clerks from each of the six New England States and is responsible for all aspect of running the Clerk's School. They do everything from developing the curriculum and working with faculty, registering students, collecting and managing funds, fundraising,

managing the scholarship program, website management, developing the informational brochures, marketing & promotion, logistics, evaluation, advising students, working with the college staff on the food service and housing accommodations, preparing for the graduation banquet, to monitoring classes to make sure the curriculum meets IIMC guidelines and to make sure students are present to earn points toward their certification. Tracy intends to return to
NEMCI&A next July; not as a Board member, but as a student in the Academy to begin earning advanced education points toward her MMC designation. She intends to once again apply for scholarships to help with the funding for this program that provides professional as well as personal growth.

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

MOVED AND SECONDED: To open the Public Comment Period. (Egan & DeGrandpre) **VOTE:** (7 Ayes)

Gary Profenno, Chair of the Traffic and Parking Committee advised that they will be holding a public hearing on September 23 in the Town Hall Council Chambers at 7:30 a.m. to discuss the reconstruction of Main Street in South Freeport.

John Egan, District 4 thanked everybody involved for setting up the Prescription Drug Take Back Program. Regarding the Withdrawal, he supports all of the fantastic work that the Withdrawal Committee and the RSU5 Working Group have done to get to a good compromise agreement. He hopes that Freeport residents will read the agreement and understand the context and think what a Freeport-stand alone school district would look like.

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

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

ITEM #147-14 To consider action relative to adopting the September 2, 2014 Consent Agenda.

BE IT ORDERED: That the September 2, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #148-14 To consider action relative to amending Chapter 48: Traffic & Parking Ordinance, Section 48-301, No Parking Zones, as recommended by the Traffic & Parking Committee. **PUBLIC HEARING**
MOTION: That the Public Hearing be opened.

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

Gary Profenno, Chair of Traffic and Parking explained the issues that brought this amendment forward. They are recommending that there be no parking on both sides of Pine Street.

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

BE IT ORDERED: That Chapter 48: Traffic & Parking Ordinance, Section 48-301, No Parking Zones, be amended as recommended by the Traffic & Parking Committee (Egan & DeGrandpre)

Councilor Egan noted she is in favor of banning parking on both sides of Pine Street. She thanked the Traffic and Parking Committee for doing so much work in the district. She is delighted to hear that there may be some room on Church Street that would allow some parking there. She feels that many people that go to the Sayles Field are actually walking and there is quite a lot of parking on South Freeport Road in addition to Church Street. She encouraged the Council to not be building more or paving more than is needed.

ROLL CALL VOTE: (7 Ayes)

ITEM #149-14 To consider action relative to a supplemental appropriation in the amount of $7,722 for the purpose of purchasing four AED's with cabinets with funds from the AED donation account. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Wellen & Egan) **VOTE:** (6 Ayes) (1 Recused-Sachs)

Councilor Sachs recused herself because the Freeport Community Center will be receiving one of these AEDs.

Deputy Fire Chief Conley provided an update on the locations where these AEDs will be placed and thanked everyone that donated. There are still two schools that need to be covered—Morse Street and Mast Landing and he is hoping for more donations. He noted that this is truly a community effort.

John Goran of Webster Road asked if there are funds in these account to maintain these AEDs over the period of time of their life. Deputy Chief Conley advised that the battery lives are a two-year rotation and the lives of the pads are between two and three. He explained the system he will be using and that the price of the batteries are a couple of hundred dollars.

Jefferie Wetherhold, Rotarian, thanked Deputy Fire Chief Conley for all his hard work in bringing this to fruition. She feels the AEDs are an important aspect to Freeport. Councilor Tracy advised that Brenda White, school nurse and District 2 resident, asked her to register her support for this item.

MOVED AND SECONDED: That the Public Hearing be closed.

BE IT ORDERED: That the Town of Freeport hereby accepts additional donations to the AED donation account in the amount of $50.00 from Bill Gifford; $500.00 from Jeannette Ricci; and $100.00 from Diane Bennekamper and Lorraine Martin.

BE IT ORDAINED: That a supplemental appropriation in the amount of $7,722 be authorized for the purpose of purchasing four AED's with cabinets. Said funds to come from the AED donation account and this appropriation shall be contingent upon the receipt of said donations.

Note: The current balance of the AED donation account is $8,448.07. (Wellen & DeGrandpre)

Chair Hendricks thanked Deputy Fire Chief Conley and Ms. Wetherhold for getting this done on behalf of the Town Council and the Town.

ROLL CALL VOTE: (6 Ayes) (1 Recused-Sachs)

MOVED AND SECONDED: To consider our Other Business Item 1-Workshop with Freeport Withdrawal Committee and Freeport Representatives on the RSU#5 Board of Directors to this time on the agenda. (Egan & Tracy) **VOTE:** (7 Ayes)

Chair Hendricks provided a simple agenda that he and the Town Manager put together to direct conversation tonight. He explained that Abbe Yacoben had been working closely with Kelly Wentworth who is the RSU5 Financial Director. Kelly was putting together a draft analysis with Ms. Yacoben doing the proof reading and working with her. Abbe is worrying that she does not have the exact expertise to do the final product and there are some specific things she needs help with. Kelly was pulled from working on the budget and Chair Hendricks feels we need more cooperation from her in order to get this product done.

Councilor Tracy asked what was the concern with the use of Kelly as a representative of the RSU5 finance staff to assist Freeport in developing an accurate financial picture in a way that was described for purposes of educating Freeport voters about the benefits and potential costs of withdrawing.

Nelson Larkins explained that we have two new superintendents who had concerns about the amount of time that the Finance Director was using to complete this. There were also concerns about how it was affecting her in how she was being portrayed when some information was released that she created and she was becoming politicized. The superintendents were concerned about how the school in general was approaching the withdrawal process and how much the RSU, as a unit should be involved in the process of Freeport's expiration of withdrawal down to the point that we have always had a link at the very top of the Home page of RSU5 to all the withdrawal information and everything else. It is still there. There has not been a decision to take it off but it was the superintendent's recommendation that we really shouldn't even have that. It is not the school's role to be involved in the process of the withdrawal that way. It was strongly recommended by the superintendents that Kelly not be continued in the process the way she was. He understands there were guidelines provided for Kelly and Abbe to put together a budget and the budget was put together. There was a question about which years to use—whether it be the 2013/2014 budget or the current 2014/2015 budget, which is what was used. The superintendents did note that if the Town has specific requests, they could be directed through them and they would then get any information necessary to the Town of Freeport relative to budget figures, how certain items on the budget work, school funding formulas, etc. They are happy to do that but want it directed through them.

Valy Steverlynk pointed out that the Board did not vote to take Kelly off the project. It was a request by the superintendents that she be removed.

Ms. Yacoben explained that she has concerns about not working with Kelly other than having to make requests through someone else to her. She mentioned that there are things about our general fund that she knows that people may not even think of asking. If we want to get precise, Kelly is really the person that knows this well. When we received the assignment, she took a crack at the numbers and did a great job. She sat down with Abbe and went over the methodology and Abbe noted she understood it. This is

something they worked together on and Abbe does not feel she can do it by herself. If it were the Town's General Fund, she could do any calculation the Council wanted her to do. In this case, Kelly would need to help Abbe. They do not share software. If there is a different assignment that they need to do, Abbe does not feel she can do it by herself.

Councilor Egan noted that the Council has a draft budget and asked Ms. Yacoben what else needs to be done. Ms. Yacoben did not know. Councilor Egan advised that the work the Council asked for appears to be complete at this point. Ms. Yacoben explained that it was the work that they understood was asked for.

Mr. Murray stated that in his opinion, there is a good deal more work to be done. The direction was to try to reduce as much uncertainty about the budget as well as opinion or estimation in putting together any kind of numbers and the way to do that was to look at a fully completed school year where there were actuals to look at—actual numbers of students, salaries for actual teachers, actual buildings and transportation requirements, costs, etc. and do a comparison strictly by analyzing the revenue side as if we were to fund the district the way we funded it last year in the RSU model versus if we were to fund it through a withdrawn model and do that comparison as a starting point. The analysis that was performed was done on this upcoming school year and we don't have certainty of enrollments, numbers of Special Ed kids, kids going to Voc 10 and transportation requirements, etc. There is a good amount of speculation about what the revenue side looks like. In addition, it appears that the revenue calculations were not performed correctly vis-a-vis the Withdrawal Agreement and it was not clear how Special Ed was treated and that is a significant piece that is especially called out in the Withdrawal Agreement. While the work was done in good faith, it is not complete and does not reflect the charge discussed at the last meeting. He feels there is work to be done and if we do that, it should be on the last year completed 2013/2014. There is not a whole lot of mystery and he agrees with Abbe that there are probably some line items that they will need input from the RSU Finance team. He feels confident that if Abbe goes through an initial pass, she will be able to consolidate her questions so that they can be dealt with without an undue burden on Kelly.

Councilor DeGrandpre pointed out that the School Board has had this document longer than the Withdrawal Committee. He noted that the goal was to work with the revenue stream and the numbers the State give us for tuitioning, etc. We have separated the tuition numbers from the budget by two years and what is significant is that this year's budget is $1M more than last year's budget. His point is getting the one year separation which is what we started out to do, would give us an accurate number so folks could make a good decision. He had questions concerning some of the capital stuff because we would be doing capital differently from the RSU. He noted there are some numbers that are inaccurate and some that are just two years separated rather than one. This is his concern.

Councilor Tracy pointed out that there appears to be a difference in methodology between what was put together versus what was discussed at the meeting which is which year do we use for expenses. Do we use the last year or the upcoming budget year that was already approved? She asked where was that decision made and whether we need to reconsider that methodology.

Kate Werner advised that if they use the 2014/2015 year, the tuition number is not correct because the Law requires a change in tuition as of December 1. We will not have that number for 2014/2015 until December 1, at which point it will be adjusted. We do not have the accurate revenue. Mr. Murray noted that we do have the proper tuition for last year.

Councilor DeGrandpre advised that when they left the South Freeport Church, they were not instructed to do anything. They were getting a lot of pressure from folks to do something and Ms. Yacoben and Kelly had started doing some of this work and in our zeal to try to move forward, we were not specific that we

should be using 2013/2014 instead of 2014/2015. If someone has to take responsibility, he offered to fess up and say he did it but he thinks it was a misunderstanding.

Mr. Larkins pointed out that there are judgment calls to be made and we don't have this year's tuition rate, which chances are will go up. On the flip side, we have added positions this year so the school costs more than it did a year ago. The superintendents are very hesitant to have their Finance Director involved in those decisions. She attempted to do with the 2014/2015 year was this is what the budget is now and was passed by the voters last June. She applied it to our current staffing levels, our current student levels, etc. Mr. Larkins is not saying it was right or wrong. She just did it and she may have made mistakes which is why you want due diligence going over the figures. She spent the better part of two or three days doing this. If there are directed issues and need for information, the superintendents have suggested that they are happy to try to provide it. He noted that we need to get it right but realize that no matter what we do, there will be lots of wiggle room in all directions by folks. He feels we need to get information out to the public that is as accurate as possible but it is a moving target.

Kate Werner mentioned that the Withdrawal Committee knows the agreement and suggested that they have an opportunity to look at the numbers themselves so they can determine if they agree with the agreement in the most basic terms. It would have avoided a lot of the issues coming up right now.

Councilor Tracy noted that marrying the revenues and expenses for the same year makes sense and it requires a little bit less judgment. Abbe may be able to take a first cut because there is a structured product that she can work with. She suggested that the Council ask the RSU5 Board to allow for a certain amount of time for Abbe to sit down with Kelly to ask questions in real time as opposed to feeding questions through he superintendents. Perhaps Abbe could put together some questions and have a structured period of time to work with Kelly to fill her in. If the superintendents want to be there, it would be fine.

Councilor Wellen pointed out that this is a Freeport issue and the Withdrawal Committee are all Freeport residents. He is confident that there are folks that can figure out the best way to get accurate information. Whatever we present, we say this is a ballpark and they can weigh all the issues.

Councilor Sachs advised that she was clear in the South Freeport Church how she feels about the financial analysis. For the first time, she agrees with Mr. Larkins that if the motive is to give information to the Freeport voter, that's the reason we are doing this. We owe it to the Freeport voter to be as accurate as possible. She agreed that 2013/2014 is the way to go because it will minimize the amount of work that is needed. She asked the RSU5 folks what the mechanism is to go back and talk with the superintendents about what is the next step. She wanted to go on record saying that she doesn't think this is good information for the Freeport voter no matter what because of the variance. She feels this is the best bet but believes that any financial analysis changes the minute it is on the paper because of going to many school board budget meetings over the past years. It will change no matter what. She is confident that Abbe and Kelly will do a great job but it will not provide the magic bullet for the information for the Freeport voter that is accurate and timely when they go into that booth. It will not.

Mr. Murray and Mr. Larkins agreed that the first step is to try to work it out with the superintendents and the request should come from the Town Council. Mr. Larkins noted that the draft agenda for the School Board will be released on Friday and somebody would have to request that this become an agenda item. We can request information on 2013/2014 to examine. Chair Hendricks noted that this could be requested by Mr. Joseph tomorrow to the superintendents explaining the situation and advise that we need to get on the School Board agenda. Members of the Withdrawal Committee can sit down with Abbe on the first

pass and establish some guidelines and then ask for Kelly's time.

Councilor Egan suggested having all of the Freeport School Board members involved in the discussion along with the Withdrawal Committee. Chair Hendricks advised that once we add a quorum from any group, it becomes a public meeting. Only two members could be included without making it a public meeting requiring notices.

Councilor Tracy explained that some analysis needs to be done and it makes sense to give Abbe some assistance. There is some value in having some additional representation beyond the Withdrawal Committee. She feels that Kate Werner and Peter Murray should also be involved in the process. She suggested two people from the Withdrawal Committee and two people from the RSU5 Board that would be actively involved in helping Abbe with this issue. She recommended that the Council request that the superintendents put it on the agenda. If they agree that they are willing to allow the meeting, we then can pull it off the agenda. Mr. Joseph will make the request. Mr. Murray advised that it appears we have the numbers for both years for comparison and we can work off the spreadsheet. The request is for Kelly's real meeting time for a few hours.

Councilor Sachs doesn't want to politicize this process any more than it has been. Her understanding from the Withdrawal Committee was simply to apply the parts of the agreement that were voted on 11-0 to literally say yes, you are right Abbe, that in the agreement it says the staff go to Freeport. It is not an interpretation thing. It is not a fight and it is not even a judgment. She doesn't know what the value would be for other folks since the School Board voted on it as well. To demand to have two Board members there is politicizing it. Mr. Murray added that there will be a lot of levels of details for this and gave examples. He agreed there would be some level of judgment involved. If folks are concerned about school costs, they must keep an eye on the School Committee since that will determine whether it is costly or not. We ran a school district for Freeport alone for many years with a lower population in the high school and had cost per pupil that was a little higher than it is now. There is not a lot of savings and not a lot to be gained by being withdrawn or staying in the RSU.

Councilor Gleeson agreed with Councilor Sachs and noted we have gone this far with our Withdrawal Committee and we should give them a shot to finish it up. He does not favor splitting it two and two and feels the Withdrawal Committee should work with Abbe. They have done the best job they can to serve Freeport's best interest as far as what the costs will be. He worries about politicizing this. It is a moving target. If we have to do it, let's do it as quickly as possible.

Mr. Murray explained that the more quickly we get it done and get it out there as long as it is done transparently and with open analysis so everyone can see where the numbers came from and what the allocations were, it can then be scrutinized by everybody. The intention would be to get it done so there is plenty of time for scrutiny and public debate and everybody can shoot at it.

Councilor Wellen asked members of the School Board if they feel it is okay for the Withdrawal folks to work with Abbe or if it makes sense to have someone else join in. Mr. Larkins noted it is not their position to make that decision. As a Board, they are trying to stay out of the process from here on out and advised that he is not an expert on these numbers and how they apply.

Councilor Wellen decided it would be fine with him to have Peter Murray and Kate Werner to work with Abbe because he trusts their judgment. This is the best way to go and suggested getting moving and getting it done. Let's get it out there so people can be looking at it.

Chair Hendricks noted he is seeing that we should get a copy of the 2013/2014 budget and for the Withdrawal Committee's Kate Werner, Peter Murray and Councilor DeGrandpre to work with Abbe in

the first pass and make decisions on what information will be needed from Kelly. Mr. Joseph will reach out to the superintendents tomorrow requesting a few hours of Kelly's time for which they can be there, be involved, etc. If that is to the positive, the Council will not have to make an official request to the School Board. Should it be negative, the Council will make that official request by contacting Mr. Larkins. Mr. Joseph will be in touch with Mr. Larkins either way. There was agreement from the Council that this is where it is.

Moving to No. 2 and No. 3, Chair Hendricks does not know when the Council's public hearing will take place because we haven't heard from the Commissioner of Education as to when our election has been set. We all assume it will be a regular election day in November. Mr. Joseph advised that the hearing needs to be held at least10 days prior to the election. Once we hear from the commissioner, the Town Clerk will contact the Council immediately and the Council will immediately set a date for a public hearing. This may involve an emergency meeting depending on how far away we are.

Chair Hendricks feels the Council should give voters the most amount of time prior to the election to get that information. He suspects the Council will probably hold its public hearing either late this month or early next month, but we don't know an exact date. The Council will have to decide what exact information it wants to provide beyond the draft budget.

Mr. Murray noted that assuming that we are going to be voting on November 4, the requirement is that the public hearing needs to be held at least 10 days before. If we give ourselves a little padding, we might look at at public hearing scheduled on October 16. October 23 would be the latest we could have it. Adding an additional public presentation of a financial analysis for critique and discussion in the end of September time frame, we would have released the financial analysis and then have a meeting to have discussion. We could revise it if there are critiques that make sense and then get it all done in the September 23-25 week. This could be presented by the Withdrawal Committee or Abbe. We will put it up on a screen and have print outs. It could also be done electronically so people can look at it.

Chair Hendricks noted the Council is scheduled to meet on October 14 but Mr. Murray feels this public hearing should be held separately because this is a big issue. Chair Hendricks suggested planning on having this public hearing on October 14 and the Council would meet on the 7th and 21st. The September public workshop needs to be televised and can be held on September 23 or September 30. People will have a chance to ask questions. The Council is meeting on September 16 and will ask for an update to see how things are going and everyone is clear.

Councilor Sachs asked if the renovation project could be included in the discussion. Mr. Murray asked the architect to come in and prepare a 15 minute presentation at our public hearing to say here is what he would recommend for a process of analyzing what would be required at the high school and here is what was outlined prior for the renovation and what wasn't. We would get a rough ballpark estimate of what kind of magnitude of cost the renovation of the existing building envelope with no expansion for the 500 students. project might do. The architect offered this up at a cost of $500 to put together a presentation and provide a professional opinion on that. Mr. Murray did not feel it was within the Withdrawal Committee's purview to spend money on that without the council knowing about it. He is sure there is $500 left in their budget. Councilors felt it was reasonable to have the architect do this.

Councilor Tracy mentioned that Rod Regier asked that there be a variation on the analysis assuming less than the full number of students that are currently attending. He made the point that there will be obvious attrition. She feels his request is reasonable and it needs to be entertained and we should make a reasonable effort to identify the range.

Mr. Murray offered to talk this over with Abbe and see what they can come up with and will discuss it on October 16 to make sure we are all square on this. He feels it would be easy to talk about what the impact would be if a number of kids decide not to come and the variety of ways the School Board might respond to that. Valy Steverlynck explained that the State has benchmarks that can be referenced.

Councilor Sachs feels that having the extra hearing on the 23rd or 30th is good because folks will be able to make the argument or discussion point at that hearing. Our job is to provide that base. The variances can be infinite. Ms. Werner suggested taking the population growth determined last year that was going to be about 423 for Freeport only and we have 60 that are guaranteed and then look at 37% that choose Freeport as their high school mentioned in the Durham survey. We are looking at 50 more. We should make sure that we have a benchmark that is truly the extreme on the other side if we are only going to compare 60 to what we projected. That is not an appropriate comparison. Mr. Murray noted we can debate this all night long. We can say if you believe enrollments are going to go slamming down, that is how much revenue will be lost, then we can put it into our calculation and decide whether you support this or not. If you believe we are going to build a great system together and will have people that will want to come and will be a destination school district, then we won't have a problem filling 500 seats. There are other things we can do as well. The School Board could lower tuition and attract more students that way.

Chair Hendricks mentioned that if in fact Freeport votes to withdraw in November, we have to talk about a charter amendment. If we withdraw, per the Department of Education, we will go to a three member school board. It is unclear whether we would have to have another election to elect our school board members again. We need to decide to make an amendment to our Town Charter and go back to seven members. Our legal Counsel does not suggest that the Council set any sort of Charter amendment or election on the same date as the withdrawal vote. We will have to have a special election and it would be the cleanest and best way. Mr. Murray noted that if we have a November election to withdraw, we could have a January election of new school board members. He asked if we could do a conditional ballot measure that says if the withdrawal measure does pass, then I vote to amend the Charter. Chair Hendricks advised that our attorney advised against doing that. Mr. Murray is not convinced it would be bad to start off with three School Board members and then move to seven members in some other time frame because a smaller committee can meet easily. He asked if the Council could appoint additional school board members. Mr. Joseph explained that if it was written into a transition provision of the Charter, it could make that happen. Anything to amend the Charter will need to be approved in an election.

Chair Hendricks noted it appears we will have to have two special elections: one to amend the Charter and another to elect School Board members. Councilor Tracy mentioned having an election in January and we would say there will be a measure on the ballot saying: do you approve a seven-member school board and then you have as many people who put their hat in the ring and if it ends up being three, the top three win. If it ends up being seven, you have the top seven. Mr. Murray was fine with this. Councilor DeGrandpre noted he is fine with it as long as our attorney says we can choose three or seven in a special election in January but is concerned that there is a lot of work to put a budget together.

Mr. Joseph pointed out that there needs to be a lot of legwork done in terms of developing what the Town wants the Charter amendment to look like. The Council will need to hold meetings, needs to have a committee or the Ordinance Committee develop it. The process generally takes months. Chair Hendricks asked Mr. Joseph to reach out to our legal Counsel to see what all of our options are and see if we can do a January election and we can do all the public hearings and due diligence in November and December with plenty of time. We would then have that Charter change whether or not we decide to go with the exact Charter we had before and then have a special election for school board members. We could possibly choose up to seven. He is pretty confident that people will not come out and say they only want three school board members.

Councilor Tracy thanked everybody for coming on such short notice. We have a plan for the next meeting to have an update from the Withdrawal Committee. Chair Hendricks is aware how many meetings the Withdrawal Committee has been involved in and he also thanked everybody for coming tonight. He thanked them for their time. He feels as elected officials of Freeport, it is up to the Council to come up with the best information for voters. Whatever decision is made in November, at least we want to know that we gave them enough to make their best informed decision. He feels we have a great schedule and will go from there.

ITEM #150-14 To consider action relative to the annual renewal of Automobile Graveyard and/or Junkyard Permits.

BE IT ORDERED: That a Public Hearing be scheduled for September 16, 2014 at 6:30 pm in the Council Chambers at the Freeport Town Hall to discuss the annual renewal of Automobile Graveyard and/or Junkyard Permits for John Ingerson d/b/a Freeport Auto Parts located at 33 Allen Range Road and David Bolduc d/b/a D.A.B., Inc. located at 13 Allen Range Road.

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 3 and the Town's website. (Sachs & DeGrandpre)

Chair Hendricks referred to a memo from Fred Reeder noting there are no violations involved.

ROLL CALL VOTE: (7 Ayes)

ITEM #151-14 To consider action relative to an application for a Special Amusement Permit submitted by Jameson Tavern located at 115 Main Street, Freeport.

BE IT ORDERED: That a Public Hearing be scheduled for September 16, 2014 at 6:30 pm in the Council Chambers at the Freeport Town Hall to discuss approving an application for a Special Amusement Permit submitted by Jameson Tavern located at 115 Main Street, 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 3 and the Town's website.(Tracy & DeGrandpre)

ROLL CALL VOTE: (7 Ayes)

Councilor DeGrandpre mentioned that he wants to be sure they are provided with all of the information regarding time of day, sound, etc.

ITEM #152-14 To consider action relative to amending Section 614.1 of the Administrative Code (Establishment of the Traffic & Parking Committee) as recommended by the Appointments Committee.

BE IT ORDERED: That a Public Hearing be scheduled for September 16, 2014 at 6:30 pm in the Council Chambers at the Freeport Town Hall to discuss

amending Section 614.1 of the Administrative Code (Establishment of the Traffic & Parking Committee) as recommended by the Appointments Committee as follows:

SECTION 614—TRAFFIC AND PARKING COMMITTEE
614.1 Establishment
The Traffic and Parking Committee shall consist of ~~seven~~ nine members appointed by the Town Council for staggered three-year terms. The membership shall include the Police Chief, a representative from L.L. Bean, a representative from ~~the Freeport Merchants Association~~ Freeport USA & the Greater Freeport Area Chamber of Commerce, a Town Council member, a Project Review Board member and ~~two residents~~ four residents, with a preference for each resident being a member from each of the Town of Freeport's four voting districts. The Committee shall elect a Chair and a Vice-Chair.

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 3 and the Town's website. (DeGrandpre & Sachs)

Chair Hendricks provided some background information. Councilor DeGrandpre asked if this recommendation was provided to the Traffic and Parking Committee. Chair Hendricks advised that it did not but Mr. Presgraves was asked about it but the Chair was not aware of this. Chair Hendricks advised that they could reach out to the Chair and he in turn could reach out to the committee members. They can be present at the public hearing and at least comment on their opinion. Mr. Presgraves advised that Mr. Profenno learned about this today and did not have strong feelings. Mr. Presgraves agreed that we should let the committee know and let them have feedback. Chair Hendricks asked Mr. Joseph to let Mr. Profenno know and ask him to reach out to the committee and encourage them to comment during the public comment period. We are only adding two more members. Councilor Sachs thanked the Appointments Committee for doing so much work. She read their report. They filled a lot of slots.

ROLL CALL VOTE: (7 Ayes)

ITEM #153-14 To consider action relative to contracting for the Dennison Avenue Storm Drain Replacement Project.

BE IT ORDERED: That Scott Dugas Trucking & Excavating, Inc. be awarded a contract for the Dennison Avenue Storm Drain Replacement Project for the bid amount of $59,690.

Note: The Town Council appropriated $50,000 for this project in the FY15 Town Capital Budget.(Gleeson & DeGrandpre)

Chair Hendricks explained that this was the lowest bid. This is coming out of the Public Infrastructure Reserve Account and there have been other projects that have come in under budget in more than that $9,000 number. Ms. Yacoben and Mr. Presgraves explained where the extra money will come from. Mr. Joseph explained that he has the authority to transfer the money from already appropriated amounts in the Reserve Fund as long as the Council is okay with it.

ROLL CALL VOTE: (6 Ayes) (1 Absent-DeGrandpre)

ITEM #154-14 To consider action relative to contracting for the Pedestrian Bridge Replacement Design-Build Project at Hedgehog Mountain.

BE IT ORDERED: That Chesterfield & Associates be awarded a contract for the Pedestrian Bridge Replacement Design-Build Project at Hedgehog Mountain for the bid amount of $48,000.

Note: The Town Council appropriated $25,000 for this project in the FY12 Town Capital Budget.(Egan & Sachs)

Town Engineer, Albert Presgraves explained that he got the proposals last Thursday, just before the agenda went to the Council. This is not the same situation as the previous project where there is available, unused unallocated money in the Boards and Committees Capital appropriation. He feels these prices are higher than we should have to pay and he hopes he can spend time over the winter coming up with a design in the more traditional bidding process in the spring and we can get prices lower than the ones we got this time, but perhaps not $25,000 but possibly that low.

MOVED AND SECONDED: To table this item indefinitely. (DeGrandpre & Egan)

Councilor Sachs stressed that the Conservation Commission would really like this project done as a priority in the spring. It has been put off multiple times. She urged Mr. Presgraves to find the time. Councilor DeGrandpre noted that 6 feet are need at this location, not 4 feet.

ROLL CALL VOTE: (7 Ayes)

ITEM #155-14 To consider action relative to replacing audio recording equipment for the Public Safety Building.

BE IT ORDERED: That ACORN Recording Solutions be awarded a contract to replace the audio recording equipment for the Public Safety Building for the bid amount of $11,115.19.

Note: The Town Council appropriated $20,000 for this project in the FY2012 Town Budget, and the funds will be spent from the Public Safety Recording Equipment Account created as a result of the 2012 appropriation. (Egan & Sachs)

ROLL CALL VOTE: (7 Ayes)

ITEM #156-14 To consider action relative to a Request for Use of Town Property application submitted by Michael Amarello of 3C Race Productions for use of the train station parking lot for the purpose of holding a Half Marathon and 5K on September 7, 2014.

BE IT ORDERED: That the application for a Request for Use of Town Property submitted by Michael Amarello of 3C Race Productions for use of the train station parking lot for the purpose of holding a Half Marathon and 5K on September 7, 2014 be approved. (Egan & DeGrandpre)

Chair Hendricks advised that this event was successful last year and it has already been approved by the Police Department. All the bills were paid last year.

ROLL CALL VOTE: (6 Ayes) (1 Recused-Sachs)

OTHER BUSINESS:

1. Discussion regarding Legal Services and the upcoming retirement of Town Attorney, Geoff Hole.

Chair Hendricks referred to a letter provided by Attorney Hole dated July 21. Anyone who has had a chance to work with Attorney Hole knows what a pleasure it was to work with him and how long he has worked for the Town of Freeport. For now, we will be working with Phil Saucier and have worked with him for many years. He has given us advice about our financial policies and things like that.

After a discussion with Attorney Hole, Chair Hendricks noted that Attorney's Hole's institutional knowledge will still be granted to his legal firm so as long as we are still in contract with Bernstein Shur, we still will have access to him throughout that process. He noted that he will always be part of that firm. Chair Hendricks is aware that we have been getting a reasonable rate from them for many years and having institutional knowledge with Attorney Hole, even though we will be working with another attorney, he feels we can't put a price tag on that.

Mr. Joseph mentioned that there had been discussion about looking at other firms. He suggested in the interim that we consider appointing Phil Saucier as Town Attorney for a period of time until we decide that just to keep the continuity. Mr. Saucier said he would be willing to come in on the 16th and have an informal meeting with the Council. He has been the primary Counsel for Planning, Project Review Board and Zoning Board of Appeals. He has some history with us but Mr. Joseph is not trying to dissuade if we need to look at other options. He would like to consider meeting with him in the interim to see if the Council is comfortable with it. If not, he will do whatever the Council would like.

Chair Hendricks feels the Council should appoint Attorney Saucier as our Town Attorney. He would not want to go out to bid on this. Councilor Egan is in favor of appointing Attorney Saucier for the interim. We want to make sure we are getting the best price possible but if the bidding actually hurts us in trying to get the best price possible, we also lose the institutional knowledge, this is something we should weigh heavily. Councilor Wellen agreed to keep Phil Saucier for now. In terms of going out to bid, he does not have enough information at this point and he would need to learn more about the process. As for prices, he does not want to assume that they are the best price without somehow looking at it further. Councilor Sachs noted she is fine with the current plan. Councilor Tracy supports hiring Attorney Saucier. She disclosed that she used to work at Bernstein Shur and is familiar with their strengths and weaknesses. She feels it makes sense to continue with the firm. She feels the Council should set this for a reevaluation point and have a discussion in a year. We will have a year with Attorney Saucier under our belt and can then take the temperature of the Council as to whether we want to go out to bid. She does not know what the rates are Freeport is paying Bernstein and also does not know what other rates are. She suspects the Council could find cheaper rates but sometimes they double bill for things that you don't have to be double billed on. It is not as simple as finding a cheaper rate. It is a complicated analysis. Councilor DeGrandpre echoed other's thoughts. He feels the institutional knowledge is helpful. After the November election, the Council gets together in a legal workshop with the Town Attorney. It is a great way to get to know the attorney. Councilor Gleeson noted he is fine with the plan.

Chair Hendricks discussed this with Mr. Joseph and noted that he doubted we might get a deal if we went out to bid. They would probably give us their normal bill rate rather than the institutional rate. Mr. Joseph has the information. Chair Hendricks explained that after appointing Attorney Saucier for a year, the

Council should assess that relationship. If we are all comfortable with it next year, we can continue to move forward or we may decide to go out to bid. He asked Mr. Joseph to e-mail the information concerning rates to Councilors.

MOVED AND SECONDED: To adjourn at 10:20 p.m. (DeGrandpre & Egan)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #18-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 16, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:35 p.m. and took the roll call of attendance.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #17-14 held on September 2, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #17-14 held on September 2, 2014 and to accept the Minutes as printed. (Egan & DeGrandpre)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Councilor DeGrandpre announced that Traffic and Parking will be meeting on September 23 at 6:30 p.m. at the South Freeport Congregational Church. The discussion will be centered on the proposed street improvement design within the village. He mentioned that interested citizens can view four designs on line but stressed that nothing has been yet settled. The committee would like comments on those designs. The committee has heard loud and clearly from South Freeport residents that they do not want a sidewalk. There is one design that shows that. He urged anyone interested to please attend the meeting.

Councilor Tracy announced that the Ordinance Committee will be meeting Thursday at 6 p.m. in the Town Hall Chambers. They will be discussing information regarding the pros and cons of having a plastic bag ordinance. They will also be discussing the next steps in terms of setting the public process.

Chair Hendricks announced:

- There will be a Leon Gorman Park Fall Clean-Up on Saturday, September 27 from 9 a.m.-Noon. The park needs some weeding and some general clean-up and the Town needs your help. The Town will provide tools and snacks. Please come for all or some of the time. Whatever you can do will be a big help. Parking is available on the School Street entrance. Please rsvp to Dlarson@FreeportMaine.com.

- The Freeport Home Energy Efficiency Program still has energy audits available! Participation in this program typically saves up to 100 gallons of heating fuel per household. More than thirty Freeport households have already had energy audits completed! The Income eligibility for the Freeport Home Energy Efficiency Program starts at $43,300 for a household size of one. Please contact Julie Fraser at the Freeport Town Hall, or at 865-4743 x121 for more information.
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- The Freeport Police Department has installed a secured permanent drug drop-off box in the lobby of the Public Safety Building. Residents can now drop off expired, unwanted or outdated drugs at the Public Safety Building during their normal business hours. (Sunday thru Saturday 8 a.m.-4 p.m.) The Police Department will continue to take part in the semi-annual drug take back program. The next scheduled drug take back day is scheduled for Saturday, September 27, from 10 a.m. to 2 p.m. at the Public Safety Building. Medications may be disposed of in their original container but it is highly recommended that the labels be removed from the container or by drawing a black line through the information. Intravenous solutions and injectionables and syringes cannot be accepted. Liquid products such as cough syrups should be sealed in their original containers if possible or should be placed in a sealed zip-lock bag.

- A Public Flu Vaccination Clinic for Seasonal Flu will take place on October 22nd from 9:00 – 11:00 a.m. in the Freeport Town Council Chambers. For information on "What you need to know this Flu Season" and a list of other Flu Clinics in the area go to: www.midcoasthealth.com/flunews.

- Nominations are now being accepted for the 2014 Citizen of the Year Award. Each year the Freeport Town Council presents a Citizen of the Year Award to honor those who have contributed significantly to the Town. Nomination forms are now available at the Town Office, the Freeport Community Library and can be found on the Town's website. Deadline for nominations for the Award is December 4th.

- Freeport Fire/Rescue Auxiliary will be holding a Craft Fair at the Freeport Fire Station on Saturday, September 25 from 9 a.m.-4 p.m. If anyone is interested in renting a table, they should call 865-6568.

- Each fall the Town Council invites volunteer members of Town Boards and Committees and their families to attend the Volunteer Recognition Barbecue at the Harb Cottage in Winslow Park in appreciation of their commitment and contributions to the Town of Freeport. This year's Barbecue is scheduled on Sunday, October 12, 2014 from 2:00 – 4:30 p.m. Please remember to RSVP with number attending to 865-4743 x120.

Councilor Sachs announced that next Friday, September 19 the Freeport Community Center will be hosting at Noon its Third Friday Free Lunch. It is free to anyone in the community. They will be serving chile made with organic beef. She urged folks to come and share a meal with their neighbors.

Councilor Sachs also announced that the Freeport Woman's Club will be hosting meteorologist Charlie LoPresti this Friday at 1 p.m. in the Community Library. This is free and residents are urged to come and check out the Freeport Woman's Club. It is celebrating its 90th year in Freeport.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Sachs advised that the Conservation Commission will be meeting tomorrow at 6 p.m. at the Freeport Community Center. Their meetings are open to the public. She pointed out that the Municipal Facilities Committee is not meeting this month. They are gathering the information the Council requested on for the initial look at the NET analysis through the Rescue Program that was discussed during the last

budget preparation. They are looking at this early in preparation for the budget figures that will come out all too soon. She understands that the Rescue team is doing a nice job of getting some of those initial questions answered along with data which everyone loves.

The Cumberland County Finance Commission will be starting to meet next week. Councilor Sachs sits as Freeport's representative for the region. She is Freeport's representative as well as the regional's representative for the Cumberland County Budget. If anyone has any questions, please let her know. She has information to inform residents where the 5.5% tax increase for Cumberland County comes from and why.

Councilor Egan advised that she attended a very interesting meeting that came out of the Active Living Task Force which is no longer in existence. They had a debriefing of the experience of the Task Force which involved all new people that had not been involved in town business previously, about how the Town can better serve its volunteers. We also have new appointees serving on the Recycling Committee and we do not have the institutional knowledge on some committees that we do on some committees that have had volunteers around for 10-15 years. Anne-Marie Davee took the time to list some of the things that would help volunteers understand—all meetings are open and they have to be held in public spaces, etc. Also, ways that we may be able to train our volunteers so they can understand the Council process. The result is that the Town will be putting together a little "cheat sheet" that talks about all the different committees, what their charges are, who their staff liaison is and what is the expectation of a committee chair. In January and February, they will be convening with all the chairs and volunteer committee members are also welcomed for a training which will also include some legal training from our attorneys. She is excited that we are institutionalizing a way to make it easier for our residents to get the most out of their volunteer service.

Councilor Wellen reported that he attended the Shellfish Commission meeting. He noted it was a good meeting in terms of different points of view, good debates and discussion. He learned that the shell fishermen did a community dig and raised approximately $1,800 which will benefit different community groups.

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes)

Town Manager's Report

Mr. Joseph reported:

The Town Assessor's office is completing Freeport's quadrennial update of market values of properties, which will take effect with this September's tax bills. The Town Assessor reports that there have not been many significant changes to valuation during the process so far. This is to be expected, as the local real estate market has only grown moderately over the last few years. If you have any questions about this process or your property's taxable value specifically, please feel free to contact the Assessor's Office at 865-4743 x105.

Town Clerk Tracey Stevens was honored last week by the Maine Town and City Clerks Association who named her the 2014 municipal "Clerk of the Year"! Congratulations Tracey, on this well deserved honor. Nominees for this award are judged both on their service to their local community, as well as their involvement at the state level through professional associations and municipal groups. I am fortunate enough to have observed Tracey's involvement at both the local and state levels, and I know that they could not have picked a better candidate.

Due to the threat of rain showers, this year's 9/11 Memorial Service was held indoors in the apparatus bays at the Freeport Fire and Rescue Department. The event was well attended, with crowds filling the Fire Station. Joyce Veilleux served as Emcee again this year. A special thank you goes out to the Freeport

Flag Ladies for their work on this ceremony each year, as well as all the local residents, veterans, and public safety employees who participate in this important ceremony.

This year's Fire Prevention Open House is scheduled for Wednesday, October 8, 2014, from 5:00 – 7:00 p.m. The Open House is expected to be as interactive as last year with additional displays and activities from the Freeport Fire and Rescue and Police Departments as well as the Brunswick Dispatch/E911 Communications Center, and other community agencies. Stop by on the 8th if you can, and bring the entire family!

The Town will be hosting a fall clean-up day at Leon Gorman Park on Saturday, September 27th from 9:00 a.m. to noon. Weeding and general clean-up will be the theme of the day. Snacks and tools will be provided, just bring yourselves and appropriate clothing for outdoor work. Please RSVP to Donna Larson at dlarson@freeportmaine.com. Parking will be available at the School Street entrance.

The Freeport Home Energy Efficiency Program still has free energy audits available for income eligible* Freeport Homeowners! Eligible participants will receive energy assessments and cost-effective measures (air sealing) to reduce their heating costs. Participation in this program typically saves 100 gallons of heating fuel per household. Over 30 households have already benefited from this program! Income eligibility for the Freeport Home Energy Efficiency Program:
Household Size of One – $43,300
Household Size of Two - $49,500
Household Size of Three - $55,700
Household Size of Four - $61,850
Please contact Julie Fraser at the Town Hall, or at 865-4743 x121 for more information.
Freeport Home Energy Efficiency Program
For information on "What you need to know this Flu Season" and a list of other Flu Clinics in the area go to: http://www.midcoasthealth.com/flunews.aspxSeasonal Flu Vaccination Clinic
Freeport Town Council Chambers Wednesday, October 22nd9:00 a.m. – 11:00 a.m.

Prescription Drug Take Back Program Now Everyday! The Freeport Police Department has installed a secured permanent drug drop-off box in the lobby of the Public Safety Building.
Residents can now drop off expired, unwanted or outdated drugs during their normal business hours. (Sunday thru Saturday 8 a.m.-4 p.m.) The Police Department will continue to take part in the semi-annual drug take back program. The next scheduled drug take back day is scheduled for Saturday, September 27, 2014 from 10 a.m. to 2 p.m.

Nominations are now being accepted for the2014 Citizen of the Year. Each year the Freeport Town Council presents a Citizen of the Year Award to honor those who have contributed substantively to the quality of the Town. Nomination forms are available at the Town Office, the Freeport Community Library and can be found on the Town's website at www.freeportmaine.com. Deadline for nominations for the 2014 Citizen of the Year Award is December 4, 2014.

Freeport Community Library Fall Events/The Freeport Community Library has a whole host of wonderful events planned for the fall for people of all ages! To make sure you don't miss some of these great events, go to the Library's website and click on the Newsletter which lists all the events from September through November. You can join the Library Book Club, enjoy Free Thursday Movies, attend Author Talks and children can make mammal tracks with Wolfe's Neck State Park's park rangers, make beeswax holiday candles and more! Check the Library's website for details on these and other great fall programs at: www.freeportlibrary.com.

Volunteer Recognition Barbecue will be held on Sunday, October 12, 2014, from 2:00 – 4:30 p.m. at Harb Cottage, Winslow Park. Each fall the Town Council invites volunteer members of Town Boards and Committees and their families to attend this fun event in appreciation of their commitment and

contributions to the Town of Freeport! Please RSVP with number attending to 865-4743 x120.

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

> **MOVED AND SECONDED:** To open the Public Comment Period. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

Mike Doyle, Famouth resident pointed out that he plans to speak about the Metro service. He asked if he would be permitted to speak and how long he would be able to speak. Chair Hendricks indicated that the Council would be taking public comment later and they would each be granted three minutes. Mr. Doyle noted he served in the Army Reserve Corps for six years and he believes the flag position in the Council Chambers is incorrect. The flag should be located to the right of the Town Manager.

Sande Updegraph, representing the Freeport Community Improvement Association explained that they existed for 13 years and raises private funds for the beautification and upgrading of Freeport. She pointed out all the projects that they have completed around town. This year's project is installing a welcome sign to Freeport at Exit 24. It will be on private property but with the property owner's permission. It will echo the look of Freeport's other signs. They continue to raise funds and anyone so inclined can reach her through the Greater Freeport Chamber of Commerce. They are also excited about the possibility of working more closed with the Town to develop some public/private partnerships particularly around the Arts or upgrading the look of Freeport.

Rod Regier of South Street explained that he has been watching what the Council's decisions have been to date regarding withdrawal and the financial analysis. He thanked the Council for the positions taken so far. He feels it is a really good start. He encouraged the Council to do three things: 1) Finish it. 2) Itemize the non-budget costs discussed so far and 3) explain to residents what an actual SAU is and what the lines of authority are and what will be the likely changes proposed in the Town Charter should this pass. He attended the public hearing last fall where withdrawal was discussed and there was a common sentiment of "let's see where this goes. Let's actually do an analysis and see what the finances bring us to." Most recently this has been landing where there are too many moving parts, wrong data, too much uncertainty and a real financial analysis is not possible. He does not buy that. That attitude is a betrayal to folks last fall who actually were talking about wanting to have an understanding of what the possible consequences are of withdrawal. There has also been a sentiment recently that it is not even a financial matter. It's more administrative and management. Perhaps it is for some folks but for someone for whom property taxes in this town are a burden, the financial component is very, very important. He is confident that the outcome of that vote last fall would have been very different if folks had been informed that there is no way to do a credible financial projection of the possible withdrawal from the RSU. Where the Council started is a very good starting point for all the reasons discussed with regard to the data it is working from and going forward. He feels the Council should understand that it is also a best case scenario with full enrollment and full tuition income which he feels is fine. He feels it is not necessary to do tens of thousands of iterations to figure out other possibilities. The Withdrawal Agreement gives two limits. 1) is with a high school enrollment of about 500 and 2) with an enrollment of about 400 for a minimum. Those are really the guardrails that the Council needs to use for any kind of analysis. If the Council can do the one, the other is very easy. The point if not to predict how Councilors or a School Board will respond to the differences but the point is for residents in Town to understand what the possible consequences are—the range of consequences should Freeport withdraw. The rosy scenario might be right and that would be great. If in fact, it is not and there is a substantial reduction in enrollment and income, people in town will need to realize that that will take all of the oxygen out of any room where there is a discussion of public education, budgets, programs and staff. That will also bounce to the Council's table if, in fact, there is substantial lesser enrollment than is projected. He suggested that the Council give folks an opportunity to know what the range is. People in town can figure out what it is, what they think is important and what is credible.

Mr. Regier noted there are a number of costs that have not been discussed so far. It's everything from the fees we are paying for professional and other advice. We are in a crazy position that Freeport residents are paying opposing experts to argue both sides of this withdrawal case. In the Withdrawal Agreement there is a $360,000 lump sum payment due three months after withdrawal should there be withdrawal. He asked where this would come from. Would it come from the Capital Budget? There is a differential for what the tuition payments will be for the first 60 students enrolled in the high school from the RSU. They won't have to pay the full freight. Mr. Regier assumes it will be incorporated in any kind of budgetary analysis. If not, he wants to be sure it is listed there. He mentioned the other thing is inflation. The basis the Council is using he feels is good but it is also 2013 data and is a year and a million and a half dollars for the budget out of date. The Council needs to incorporate looking forward with an inflation figure. He urged the Council to have the Town's Finance Department finish the work that it directed them to start.

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

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

ITEM #162-14 To consider action relative to adopting the September 16, 2014 Consent Agenda.

BE IT ORDERED: That the September 16, 2014 Consent Agenda be adopted. Hendricks & DeGrandpre) **ROLL CALL VOTE:** (7 Ayes)

ITEM #163-14 To consider action relative to the annual renewal of Automobile Graveyard and/or Junkyard Permits. **PUBLIC HEARING**

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

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

BE IT ORDERED: That the annual renewal of Automobile Graveyard and/or Junkyard Permits for John Ingerson d/b/a Freeport Auto Parts located at 33 Allen Range Road and David Bolduc d/b/a D.A.B., Inc. located at 13 Allen Range Road be approved. (Egan & DeGrandpre)

Chair Hendricks explained that the Codes Enforcement Officer has indicated that there have not been any violations and Councilor DeGrandpre noted that the DEP has not had any issues.

ROLL CALL VOTE: (7 Ayes)

ITEM #164-14 To consider action relative to an application for a Special Amusement Permit submitted by Jameson Tavern located at 115 Main Street, Freeport. **PUBLIC HEARING**

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

There were no public comments provided.

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

BE IT ORDERED: That an application for a Special Amusement Permit submitted by Jameson Tavern located at 115 Main Street, Freeport be approved. (Wellen & Sachs)

Councilor Tracy suggested including the reference to the regulations since this is an outdoor music application request. Mr. Joseph explained that all of the information was sent to the applicant. No conditional language needs to be included in the approval. Councilor Sachs noted that the hours in the application are different than what is noted in the Council's memo. She asked if this information would be included on the permit. Mr. Joseph offered to check to ensure that the hours have been changed on the permit.

ROLL CALL VOTE: (7 Ayes)

ITEM #165-14 To consider action relative to amending Section 614.1 of the Administrative Code (Establishment of the Traffic & Parking Committee) as recommended by the Appointments Committee. **PUBLIC HEARING**

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

Chair Hendricks explained the reasons for the amendment. Rod Regier, a member of the Traffic & Parking Committee noted that he will be term limited out after this present appointment. He explained that these amendments are fine. He asked Councilors if the enlarged committee is consistent with the Council's view for the charge of the committee as described in the Administrative Code. It lists a variety of duties for the committee. The primary focus of the committee shall be the Village and the Route One corridor. It may be fine but if, in fact, the enlarged committee needs to somehow be reflected in the committee's duties. He asked the Council to take a look at it.

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

BE IT ORDERED: That Section 614.1 of the Administrative Code (Establishment of the Traffic & Parking Committee) as recommended by the Appointments Committee be amended as follows:

SECTION 614—TRAFFIC AND PARKING COMMITTEE

614.1 Establishment

The Traffic and Parking Committee shall consist of ~~seven~~ nine members appointed by the Town Council for staggered three-year terms. The membership shall include the Police Chief, a representative from L.L. Bean, a representative from ~~the Freeport Merchants Association~~ Freeport USA & the Greater Freeport Chamber of Commerce, a Town Council member, a Project Review Board member and ~~two residents~~ four residents, with a preference for each resident being a member from each of the Town of Freeport's four voting districts. The Committee shall elect a Chair and a Vice-Chair. (Egan & DeGrandpre)

Chair Hendricks explained that changes may possibly be made and there is the possibility that we could reach ten members on this committee when we normally prefer to have an odd number. There has been some discussion to changing the

wording to a representative from Freeport USA **or** the Greater Freeport Chamber of Commerce. Councilor Egan clarified what came out of the Appointments Committee. The intention was to have nine members so there is an odd number of members. The other intention was to recognize that the Greater Freeport Chamber of Commerce has been established since this Ordinance was put together. The Appointments Committee's intention was to have just one business organization and it would be drawn from either the Freeport USA or the Chamber and that would keep us at nine members. She noted there is a backlog of many people interested in serving on this Board. Traffic and Parking is looking at the parking situation all throughout Freeport and not just in District One, where the business community tends to be mostly located. The idea was to have more residents as being the diversification factor not additional business associations that are in the downtown.

Councilor DeGrandpre explained that Traffic and Parking rarely has every member in attendance and they operate by consensus more than any other way.

Councilor Egan suggested that if the Council decides to keep just one business organization, that the wording be changed to Freeport USA **or** the Greater Freeport Chamber of Commerce. One representative will be drawn from two organizations. Councilor Wellen noted that he likes the idea of having more residents involved. Discussion followed. Chair Hendricks suggested looking at the charge and sending it off to the Appointments Committee and then have the Ordinance Committee consider whether the charge for Traffic and Parking should be expanded and not driven by the Appointments Committee's amendment to the membership. Councilor Tracy agreed and feels there is adequate time to address it and ensure we are doing it right. Councilor Egan noted she feels there is clarity and is not sure it has to go back to Appointments. She would be open to Appointments not seeing this again but having it come straight to the Council depending upon what the Ordinance Committee decided.

Chair Hendricks noted this could be tabled and have Ordinance take a look at it and they can make proposed changes and bring it back any time. No decision needs to be made tonight. Councilor Egan asked that the Minutes reflect that this item will come back and the Council will take it up and take action.

MOVED AND SECONDED: To table this item indefinitely. (Egan & DeGrandpre). **ROLL CALL VOTE:** (7 Ayes).

ITEM #166-14 To consider action relative to approving an expenditure of $53,578 to purchase two police department vehicles.

BE IT ORDERED: That Wiscasset Ford be awarded the purchase of two police department vehicles in the amount of $53,578.

Note: The Town Council appropriated $70,000 for this purpose in the FY2015 capital budget. (DeGrandpre & Egan)

Chair Hendricks advised that the Police Chief is ill tonight. Abbe Yacoben will play his role. She advised that the Chief if recommending that we purchase the two vehicles from the lowest bidder, Wiscasset Ford. Councilor DeGrandpre noted that these are all-wheel drive pursuit vehicles. They will provide variety in our patrol vehicles and get about the same mileage.

Councilor Tracy thanked the Chief for factoring in her comment during the budget process that it was her personal opinion that some of our recently purchased vehicles look very "mean". We are a small, welcoming town and she did not feel they reflect the image that our Police Department should be conveying. She feels these are really sharp vehicles and represent our town. Councilors appreciated that these vehicles are coming in under budget.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Wellen) (out of room)

ITEM #167-14 To consider action relative to supporting METRO expansion.

BE IT RESOLVED:

WHEREAS, the Towns of Freeport, Falmouth, and Yarmouth have been working collaboratively with the Greater Portland Transit District (METRO) to develop an option for public bus transit services to connect the four towns to Portland by regularly scheduled bus service, and

WHEREAS, METRO has provided a proposal for such services that appears to provide substantial public benefit based on potential funding support through PACTS, the State of Maine, indirect financial support by METRO, and with annual funding support from the Towns of Freeport and Yarmouth; and

WHEREAS, the Freeport Town Council endorses the METRO bus service plan as presented at this meeting and seeks to encourage METRO, PACTS, and the cooperating town of Yarmouth to pursue the necessary funding requests and refinement and implementation of the proposed bus route starting in 2015; and

WHEREAS, the Town Council finds that the an estimated cumulative funding commitment of approximately $20,000-$40,000 per year from the Town of Freeport for the first three trial years of the program, (and estimated to rise to approximately $80,000 per year thereafter if the towns and METRO elect to continue the service after the initial three year trial period) represents a good value and worthwhile public expenditure achievable by the collaborative regional work of the Towns of Freeport and Yarmouth working together in good faith with METRO, PACTS and the Maine DOT;

NOW THEREFORE BE IT RESOLVED by the Freeport Town Council that the proposed three year trial public bus service by the Greater Portland Transit District connecting Freeport, Yarmouth, and Falmouth to Portland and the METRO bus interconnections is hereby endorsed and encouraged; and

BE IT FURTHER RESOLVED the Freeport Town Council and staff shall work together with the Town of Yarmouth as well as with METRO and PACTS to finalize plans, funding requests and commitments to be voted at a future date subject to satisfactory resolution of such issues, funding

requests and commitments and service plan details. (Gleeson & DeGrandpre)

Chair Hendricks explained that the Council has discussed this but there have been some changes since the last discussion. He brought Greg Jordan up to speak.

Greg Jordan, General Manager for METRO introduced Bonny Rodden, Ed Suslevic and John Thompson. He explained the changes that are proposed in relation to the prior project talked about in prior months. He appreciated all the feedback he has received. The revised plan proposes weekday service from 6 a.m. to 8 p.m. coinciding with the Amtrak Downeaster passenger train. Saturday service is still on the table. A flat fare of $3 is proposed. After year two, they will come to Freeport and make a recommendation whether or not this service warrants continuation. It may require some recalibration. After three years, if the service is deemed successful, Freeport will have to become a METRO member. In years four and five, if the service is made permanent, the cost will be about $50,000-$60,000 per year. The average boarding is expected to be 8 per trip. He explained the positives of the METRO.

Mr. Jordan offered to answer questions for Councilors. Councilor DeGrandpre thanked Mr. Jordan for coming. He asked about transfers from the bus to the train. Mr. Jordan explained that there will be an arrangement people buying multi-ride tickets or passes, the bus passes will be honored on Amtrak. If someone is buying a single fare of $3 to go one way, there probably would have to be an up charge for that single fare to work on the Amtrak. Councilor DeGrandpre asked how they manage purchases for new buses. Mr. Jordan advised that they have a long-term plan in place that looks 15-20 years out. They bond for their local match and get federal funding for 80% of their fleet purchases and 20% of their local match.

Councilor Tracy noted that Mr. Jordan mentioned that the boardings per trip metric would be the key benchmark that he would be looking at when it is time to decide whether to go from the pilot program to the permanent phase. She asked if he would know at that time where the boardings per trip in each town originate. If the Freeport part of the route is under realized, would we be able to tell? Mr. Jordan indicated that he would take steps to make sure they know what the boardings are per jurisdiction.

Councilor Egan noted that one of her constituents is interested in how METRO fits into the overall Comprehensive Transportation Plan for the area and whether there are other alternatives that have been considered for how to use the CMAC funds. Mr. Jordan indicated that the State does the evaluation on how to allocate these funds. He noted that survey work will be done in the future.

Councilor Wellen had questions about seating capacity on a bus and fare recovery. Councilor Sachs asked if these metrics and performance measures based on financial viability or were there other things such as environmental impact, mobility of residents, etc. Mr. Jordan explained that the metrics provided in Table 5 talk about financial viability in terms of boardings per mile, fare recovery ratio and cost per passenger per trip. Items below are more quality of service indicators. The quality of service is a huge driver in whether we can attract boardings and keep people using the service. They have not done analysis because they lack some of the information they need on trip length. He offered to do some work on this and get it to the Council.

Councilor Sachs noted that as Mr. Jordan evaluates, it may be important to talk about if there is a way to measure some of these other factors that have been in the conversation because these measure consumer satisfaction and safety which are very important. She noted there are other measures as well that are important. She is a big proponent of Mr. Jordan actually measuring what he wants to find out. If he is getting data, it is for a reason. In future Councils, they may want to know some of those things so if we are talking about environmental impact or business, etc. , know that those are some of the other measurements that are coming forward. She appreciates the work done now but there is some additional

data that could be very important. Councilor Egan noted that some of the other data that would be interesting is to understand the demographic in Freeport that would use this. It is hard to predict exactly right now but it will be important to know if people have access to a vehicle, are they lower income, are they living in our affordable housing facilities, are they people of color, do they drive. Those things will help the Council understand who exactly we are serving in the community if we choose to move forward with this proposal.

Chair Hendricks asked how this would be determined. Mr. Jordan noted they will be doing survey research on this. Their target group would be people using their service every day. He will provide the profile of rider that they are providing service to. He explained their strategies for getting more people to use the bus. There is no fare increase in sight at this time. METRO has policies where withdrawing communities have an obligation to refund their portion of obligated debt in relation to their overall proportion of service. Since Freeport will have already paid for the buses through a local match, it will not have incurred any debt as a result of this service. There would not be a withdrawal amount that Freeport would have to refund METRO for. Mr. Jordan could not come up with a number that would pertain to year seven. If Freeport is at the table and METRO makes a large facility improvement, Freeport would be a part of that. He does not have exact numbers at this time.

Chair Hendricks opened the meeting up for public input and explained that each speaker will be granted three minutes.

In opposition were:

Mike Doyle, Falmouth resident advised that he grew up in Cape Elizabeth and is now a Falmouth resident. He rode the bus many times to Portland during the rush hours and found the bus mostly empty. He feels Freeport would be better served giving $80,000 to the Food Pantry or the Fuel Fund. He is confident that there won't be that many people riding the bus.

Peter Harrison of Lunt Road advised that his taxi business will lose 20% of business. He suggested that the Council not give the METRO $90,000.

Speaking in favor of extending the METRO service to Freeport were:

Sebastian Meade of Guptil Avenue
Roy Driver, 240 Flying Point Road,
Sunday Chapman, Freeport resident
Jim Cram, 9 Church Road
Fred Robie, Pleasant Hill Road and on the Board of the Bicycle Coalition of Maine
Kathleen Meade of Guptil Avenue
Jonas Werner, business owner
James Chute of Richards Lane
Edward Bonney, Freeport resident and Manager of the Downeaster Station in Freeport

Ed Delesser advised that he is representing the City of Portland and is on the Downeaster Station Committee and is looking forward to next week's meeting here in Freeport.

Ed Suslevic is here as the Vice President of the METRO Board and also the President of the Greater Portland Council of Governments that is involved in some of the studies on this. He is also on the PACTS Policy Committee so he has a lot of fingers in the pie. He is also a Portland City Councilor and they had a meeting last night and his goal is to hit a Council meeting every night this week. He thanked the Council and its staff and the people of Freeport that have worked really hard to get them to this point this evening.

He is excited personally as well as wearing all those different hats about the possibility tonight of entering into a partnership.

Linda D'Amico of 12 Chapel Street
Kate Butler of Desert Road

Mike Doyle requested another opportunity to speak. Chair Hendricks allowed him 30 seconds.
Mr. Doyle pointed out there are 14 crosswalks between the Fire Station and Harraseeket Inn. If the bus goes up and down U.S. Route One on Main Street, that is 28 possible times the bus will stop and it will be difficult for the bus to maintain this schedule. That would mean 28 minutes for a round trip route for the bus.

Asking the Council to give METRO a chance was Jim Hatch of the Freeport Housing Trust.

Councilor DeGrandpre asked Mr. Jordan if he would go back and revisit Cumberland. Mr. Jordan indicated if they get a green light tonight, he plans to call the Cumberland Town Manager to see if there is an opportunity to reconsider and of course, they would talk about it.

Councilor Gleeson explained the strong reservations that he shared at the last Council meeting. His reservations concerned the duplication of service provided by Amtrak. Freeport spends $100,000 a year for Amtrak and he wanted to ensure we were not competing with something we are already spending money on. He appreciates all the scheduling changes that have been made. He is leaning towards supporting this service and noted that the Council is data driven. He loves the fact that the bus can be located with GPS and how many riders are on it. From the input he received, there is definitely an interest to give this a shot so he feels it will be worth it. He has learned that rushing into something without weighing the pros and the cons, ends up costing us big time on the back end. This is not something he plans to do for at least the next two years of his term. He would really like to look at the budget to find $20,000.

Councilor DeGrandpre noted he was concerned also but when the answers to Councilor Gleeson's questions started to show up, it made more sense. Mr. Jordan said: “if this doesn't make sense for METRO, it doesn't make sense for Freeport either,” and he has developed a set of metrics that gives the Council an idea what that number is. He has also answered a lot of questions this evening. He noted the Council struggles every year at budget and we have a lot of things vying for tax revenues. He is willing to support a pilot on this.

Councilor Sachs shared her experience with running the Food Pantry and Freeport residents and transportation is their number one issue. She feels there is no better use of appropriate tax dollars. She thanked everybody for coming and sharing their views. The only opposing views were provided by Mr. Doyle from Falmouth and Peter Harrison.

Councilor Tracy advised that she supports the pilot in its current configuration. She feels it is appropriate to take a leap of faith and make a reasonable investment for the promise of a service that can support all of our residents. While it may turn out that way, she feels it is worth trying to make this public transportation work. At the previous meeting regarding METRO, she expressed some significant concerns.

First, it was unclear to her based on the proposal's design, who would use this service. It was designed as a commuter service yet the people that showed up in support of the service were mostly people talking about public transportation and didn't reflect the proposal that was on the table. They talked about using the service for access to medical appointments and to get into Portland for more social access. It didn't appear to her given the proposal that was on the table at the time, that it really reflected what the interest

was from the Town. Her second concern was that the Council had an insufficient amount of feedback from residents regarding the proposal in light of the magnitude of the expenditure. The amount was a lot of money and the Council struggles over whether to fund The Port Teen Center at a level of $5,000 or $8,000 and that is to keep at risk youths off the street and everyone agrees that is a good idea. She noted this is a great proposal but is not an easy decision. She will pay attention to the benchmarks and the data when it comes back. She hopes Mr. Jordan will come back on an annual basis and give the Council feedback on what he is seeing in terms of ridership and the various benchmarks discussed. Her support today is largely due to the work done by METRO to address our concerns and to adjust the proposal. She appreciates that it was not easy to be turned down by one town and tabled by another in short succession. She feels it is worth a try but doesn't know if it will work out. It seems like a prudent investment at this time.

Councilor Wellen noted that he has been skeptical about this for various reasons. He feels the last rework of the proposal came in Thursday night and it doesn't give him or others enough time to adjust it and get input. He feels it should be tabled until another meeting. To hear tonight that it will be $50,000, $60,000 is better news. He feels it is a shame that the business community did not speak up earlier or the Council did not have an economic development person within the town to do a neutral analysis of what the economic development aspects would be. It is partly to benefit residents and partly to benefit businesses. The part benefiting business needs to be looked at. Is it going to provide new property taxes or a bit more profit for the companies in Town. The Council needs to have someone do the economic development analysis and he doesn't think it has happened yet. Businesses should have been involved from the beginning to give the Council their perspective. He suggested that the Town Planner and Keith McBride could do the analysis. We as taxpayers are spending $90,000 for the train per year and he is not seeing a lot of economic growth in Freeport. It may have brought in a few more sales dollars to the businesses. He mentioned that if it looks like it really is not going to benefit residents, perhaps we should look at the businesses paying 50% of the cost for it. The Council has a hard time saying no to special interest groups. It is always tricky to decide whether there is enough benefit for enough people to justify the cost. All those $20,000 items add up. If this goes forward, He feels we should have benchmarks on how much ridership is happening and how many riders are getting on in Portland or coming off from Portland,.

Councilor Egan advised that she is an enthusiastic supporter of this proposal. She likes it because we are going to have an infusion of federal dollars providing residents a service. This is a pilot but it is low risk since we have this match coming in from the federal government. We have a built in time frame where we can reconsider it. In that time we can play with the service and try to figure out how we can maximize the ridership. She likes the way METRO has designed the proposal. It services everyone and helps reduce greenhouse gases. She ended on a quote: “Public transportation, some of use use it, all of us need it.

Chair Hendricks agrees with much that has been said. He supports bringing the METRO to Freeport. He thanked everyone for coming out tonight and sharing their opinions. He noted he would like Mr. Jordan to provide a semi-annual report. He has had preliminary discussions with the Town Manager about funding and whether some of this can be taken from our Capital Budget as well as our Operating Budget. He will support the pilot but if the data does not come back in a positive way, he will be the first one to say after two years that he will no longer support it. We will at least guarantee those two years.

Councilor Wellen advised that he is a big supporter of mass transit. He noted we are more rural than parts of Europe. If we restructured society and got people out of cars, it might work in Freeport. He is happy that other Councilors expressed comments about if this doesn't work, we are not going to continue. If it is not benefiting enough people, he feels we just cannot do it. He agrees it will cut greenhouse gas if there is enough ridership.

ROLL CALL VOTE: (6 Ayes) (1 Abstention-Wellen)

ITEM #168-14 To consider action relative to filling a vacancy on the Project Review Board.

BE IT ORDERED: That Henry Gallant be appointed to the Project Review Board with a term to expire in May 2015. (Egan & DeGrandpre)

ROLL CALL VOTE: (7 Ayes)

ITEM #170-14 To consider action relative to appointing a Voting Delegate and Alternate Voting Delegate to the Maine Municipal Association's Annual Business Meeting to be held on October 1, 2014.

Mr. Joseph explained that he plans to attend this meeting. Chair Hendricks suggested appointing Mr. Joseph as the delegate and Abbe Yacoben as the alternate.

BE IT ORDERED: That Peter Joseph be appointed as the Town of Freeport's Voting Delegate to the Maine Municipal Association's Annual Business Meeting to be held on October 1, 2014.

BE IT FURTHER ORDERED: That Abigail Yacoben be appointed as Freeport's Alternate Voting Delegate. (Sachs & DeGrandpre) ROLL CALL **VOTE:** (5 Ayes) (2 Excused-Egan & Wellen) (out of room)

OTHER BUSINESS

1. Continued discussion regarding the RSU withdrawal process and update on financial analysis.

Kate Werner advised that Abbe Yacoben and Peter Murray have been coordinating as far as the financial analysis. They are waiting for some information to come back from the RSU. They are looking for the financial analysis to come out next week. They propose to have a September 30th workshop on the financial analysis and also will invite the architect to come back and give information and an update on what renovation might look for under a Freeport-only school system. This would be in addition to the statutory public hearing on October 14. It could be here or at Freeport Community Services. Chair Hendricks advised that it would have to be in the Town Hall because we are doing upgrades to our video system. Both meetings will begin at 6:30 p.m.

Councilor Tracy commented that in terms of where the informational forum is held, she feels it is important to stream that live as well as the other public hearing. She has heard from others that it is frustrating to not be able to come down to the meeting in person and not be able to see the meeting on TV. She feels that the Council should make every effort to be in a place where the public can watch it from home while it is happening. She proposed having both meetings here in the Council Chambers. Councilor Sachs brought up the capacity issue. Councilor Egan suggested bringing in more chairs to accommodate more people.

Councilor DeGrandpre noted that the meeting on the 30th is largely to make sure that everyone gets as much information as they can on the budget work we are doing and we get questions. This gives us two weeks from there until the official public hearing so we can get answers to questions. That is the reason for having this on the 30th so we would have time to get any other information that folks are requesting. The statutory public hearing will be held here on October 14.

Chair Hendricks mentioned that the Council has heard concerns from different residents that want best or worse case scenarios going by the 500 enrollment or the 400 enrollment. Mr. Regier mentioned that if you go by the agreement and you go by the 500 enrollment or the 400 enrollment, what sort of difficulty is

there. Mr. Regier explained that he felt it was easy to generate the difference in enrollment between 400 and 500. These questions are going to come up and the Council needs to be prepared to answer them.

Councilor Tracy pointed out that they already answered this question. She referred back to the Minutes of September 2. She was told that it would be run and she is assuming that it is still the case. Councilor DeGrandpre wanted to make it clear that they certainly can do that but they will have to make assumptions. A school with 400 students that is designed and staffed for 500 will have teachers running up and down the halls trying to steal kids out of a classroom. They will have to make some assumptions for staffing level.

Ms. Werner is confident that there are a lot of people out there that will be wanting different scenarios. They went down that road last year and it didn't end well. To put Abbe on a road where we have one scenario that is the worse case scenario, we will no longer be looking at a funding formula model difference, we will be looking at what potentially what could be perceived as a forward thinking speculative budget. We will open a Pandora's box.

Councilor Tracy's understanding of the request that was made at the September 2 meeting was not a forward, bottom up speculative budget. It was just the same financial analysis but it was assuming something less than the existing levels of students. Yes, it requires an assumption and yes, it could be a slippery slope in terms that other people could ask for other assumptions. She mentioned the September 2 Minutes where she asked Kate, Peter and Abbe to get together and make one reasonable assumption about a lesser number of students that had some basis. She is concerned that the existing financial projection that Abbe and Peter are working on assumes the same level of students that were there last year are in the Freeport-only scenario and everybody knows there is a risk that there is some level of attrition. To not present some sensitivity analysis would not present a realistic range of what the possibilities are. Peter said he could do that and Councilor Tracy will hold him to his word.

Councilor Wellen remembered that Councilor Tracy was talking about and asked what if it is a lesser number and should we do that scenario. Then the Council discussed who does what and then tabled going any further. He did not recall anyone making a commitment to anything that Councilor Tracy recommended. Other Councilors had disagreements and he suggested deferring to Peter, Abbe and Kate to do it because he didn't know enough about whether it is a slippery slope or not. The Council stopped the discussion and it was left up to the three of you to decide. We can debate what was said but what do we do?

Councilor Tracy read from the September 2 Minutes where it was recorded that "Mr. Murray offered to talk this over with Abbe and see what they can come up with and will discuss on October 16th to make sure we are all square on this. He feels it would be easy to talk about what the impact would be if a number of kids decide not to come and the variety of ways the School Board might respond to that."

Councilor Egan noted that Councilor Tracy made that recommendation and Peter Murray said he would do something. There was not Council consensus about asking for that. There is no reason why we can't talk about it tonight. We have some additional information from Rod Regier and Mike Healy and it is perfectly reasonable for the Council to decide whether there should be some additional analyses done. We have a concrete proposal from Rod and Peter Murray said he could do it. Ms. Werner did not believe that Mr. Murray indicated he could do Rod's proposal. He said he might be able to go down that road and would look at it. She suggested doing a different scenario where we have an overcrowding at the high school which is also a concern. There are other scenarios like factoring in the renovation potential costs.

Ms. Werner does not feel that Mr. Regier and Mr. Healy's scenarios are any more important than anyone ease's scenarios. Councilor Egan noted that they are the only two the Council has gotten. She asked Ms. Yacoben to come to the podium and advise if it is possible to do this variation to do the different enrollment levels. Councilor Sachs mentioned that the Council has talked about it twice and Councilor

Egan is not giving other people a chance to talk about it. She is simply plunging into "can we do it?" Do we want to do it is an important question because we have talked about it twice. Councilor Egan clarified that she is just looking for a piece of data here and whether it is possible.

Councilor DeGrandpre noted that Councilor Egan and Councilor Sachs have described several different scenarios and that is fine. The problem is that none of us have ever developed a school budget even though we have looked at a lot of them. We don't have any way to forecast staffing levels for classroom sizes or any of that kind of thing and we are about to ask Abbe to do the very same thing. Without serious help from other folks, he doesn't feel we can put enough context into those numbers to make them any more accurate than what we are trying to do right now.

Councilor Tracy understands Mr. Regier's proposal, which she feels is a reasonable one to run, and she would look for input from Peter before it is run. He is not even in the country tonight. She understands that request is not asking Abbe to decide future staffing levels. It is to take the financial projection of the Freeport stand-alone scenario which will be produced next week which assumes the same number of students are there in that scenario that were there last year. It just reduces the number of students by some hypothetical number that accounts for what is a one projection of attrition. It may not be the right one. It does reflect the possible future decisions of a school board that might correspondingly reduce expenses by changing staffing levels. It gives a different picture of a possible budget. It might not be the right one but it will give a range of potential costs. That is the request.

Councilor DeGrandpre stated that what they set out to do was apply an agreement that has a revenue stream and is one year behind the school budget. What Kelly and Abbe worked on the first time separated them by two years which is why that information is not as valuable as it could be. Councilor Tracy is asking to staff that school and have the same transportation and everybody in the school as we have for 500 kids but calculate like we have revenue stream from 400. He asked how that is valuable.

Councilor Tracy noted that it gives a potential range and we all know that neither projection may be accurate. We may not end up with 500 students. We may not end up with 400. There is a different approach which would be to ask Abbe to change the staffing levels but we all know that that is a very difficult exercise.

Councilor Wellen's observation is that we have total disagreement within the Council and the only way to get through this is to give Kate, Peter and Abbe the final authority to make the decision. We are not making proposals tonight and our time is ticking.

Councilor advised that if the Council decides to go forward and not do a sensitivity analysis, she would be in favor of doing it. It would be a valuable additional data point for voters but understands it is complex. If the Council decides not to and just have a couple of members of the Withdrawal Committee oversee this, the Council is open to the charge that there are advocates working on the numbers. Kate and Peter have been vocal advocates for withdrawal and it lessens the credibility of the numbers we put out there. She would not stand behind them and say that they are Town-blessed numbers.

Ms. Werner noted she is not interested in putting out numbers that are not accurate. If we look at the budget, we show a gigantic increase in benefit to Freeport as Saco showed when they did their analysis. When they withdrew, they found that they didn't save the amount they thought they would save. We want accurate numbers. She takes great personal offense that Councilor Egan would think that she would intentionally falsify numbers. Councilor Egan advised that it is hard to have numbers developed by people actively advocating for one position. She is confident that Ms. Werner wants to do the best job she can but as a Town official, it is important for our numbers to have credibility and that means that they are developed by a body over all that is neutral. There is a perception issue there and as Town Councilors we really want to make sure that there is good information out there for voters and that it is credible.

Councilor Tracy feels that everybody that has worked on the numbers is trust worthy and she does not have any concerns about falsification or skewing of the data and feels that Councilor Egan also does not. She feels there is an outside perception and she was responding to Councilor Wellen's suggestion that we leave the decision as to whether a sensitivity analysis is run up to those who are working on the numbers who happen to be two public advocates for withdrawal and Abbe who has stated that she does not want to be involved in policy decisions. She wants to be directed as to what she should do and she will perform a mechanical analysis which Councilor Tracy feels is entirely appropriate for a position of a Freeport staff person to take. She totally understands why the first crack at analysis is what it is. It is the best objective measure we could come up with to give a sense of what a Freeport stand-alone budget would be versus the RSU5 budget. It includes a very integral assumption that the student enrollment from last year would maintain the same even if we go through withdrawal. When we say that is the accurate budget, it is important to underscore that it includes the critical assumption that the student numbers don't change. That is an assumption that many people would disagree with so as a Town official to not provide some attempt to reflect a relatively widely held view that there would be likely some attrition by virtue of the fact that withdrawal will allow for school choice and people might not come anymore to Freeport when they did in the past. To not provide some sensitivity analysis in her opinion would be an abdication of the Council's responsibility to provide a full picture of the possibilities of what's going on; mindful she understands this is a difficult task to undertake to figure out how to accurately represent that sensitivity analysis.

Councilor Sachs advised that we are simply trying to do the neutral analysis of what was last year so that the information we are trying to provide to the voters is the financial analysis of how it was in last year's budget and with the Withdrawal Agreement ,what it would have looked like. Her understanding of the notes is that each and every assumption will be asterisked with explanation. This Council wanted that baseline so it could go into the information session and talk about the variances so that every view could be talked about with the transparency of having that one starting point. She does feel it is negligent to be prepared to talk about any variance anyone wants to bring up on the 30th for the financial analysis. She understands the analysis will be made available at least a week before hand so people can bring it to the public information session. That is the whole point that we, as Councilors, are trying to be as neutral as possible, keeping the Freeport voter in mind. Our whole goal was just to provide that baseline.

Chair Hendricks agrees with Councilor Sachs. He believes the Council needs to be prepared to answer questions. While Councilor Tracy's, Rod Regier's and Mike Healy's ideas were good, the Council is under a time crunch and he doesn't feel it can do any of them justice. He agrees it is valuable information but he questions how to present it without presenting it incorrectly. He mentioned that the baseline analysis is coming together for the Council.

Councilor Egan agrees that the Council will probably get additional requests for additional information at the public meeting and we should anticipate that we will have to put in a little more work on some of them. We will not do all of the scenarios but rather just the top ones that really could change the equation for the taxpayers. Councilor Wellen is willing to leave the process the same and defer to them as he said. He suggested to Councilor Tracy and Councilor Egan that if they think an alternative process makes sense but they feel these are advocates, at the last minute they will have to come up with an alternative for doing that. It will not be Councilors micromanaging how to do a budget. Experts would have to be gotten and there was already discussion on having an RSU person there to mix it up but they didn't want to go there so now we are left with this. It is not practical to reduce the enrollment by 100 and not reduce expenses but he is not certain that is what is being said. It get complicated and that is why he would defer to them.

Councilor Tracy mentioned that she understands the concerns around sensitivity analysis and that there are more assumptions to be made. There was an initial concern expressed at the meeting at the South Freeport Church about staying away from subjective judgments. At the end of the day, she feels it is the Council's responsibility to provide some reasonable pictures for the residents to consider with all the

appropriate caveats that it isn't going to be right. Here are the assumptions that were made. Her impression in talking to Peter is that it is not beyond the realm of capability of people working on the numbers to put together a reasonable sensitivity analysis and then a discussion can be had about all the different factors that might change. She strongly encouraged that it be asked for by the Council and a subsequent discussion could be had on how best to do that. To just rely on the one baseline starting point that we have right now, does not provide an accurate picture. She is concerned that the Council is not providing people the information they want and they need to make this decision. She believes that if they don't have the information they need, they will default to the status quo because they don't know and are concerned. She believes this would short shrift the magnitude of the decision that needs to be made and short shrift the withdrawal movement. She is frustrated but knows that other people are trying to do the right thing. She is not getting traction tonight but wanted the record to reflect that she believes it is a mistake not to provide some analysis that assumes a lower level of students than are currently enrolled in the school system. School choice is part of this agreement and certain students will decide not to come to Freeport.

Councilor Sachs is very open to having that discussion on the 30th and is open to having all residents speak about their biggest concerns. She wants to give residents transparency and total accessibility to talk about whatever they want to talk about. She wants this public session publicized.

Councilor DeGrandpre advised that they are trying to apply their Agreement to an existing budget. Going forward, if we are going to try to create a model that is 400, the only way to make a fair comparison of the expense side of that would be to use either Freeport's benchmarks or the State of Maine benchmarks and they would be assumptions. On the 30th, if that is what people want to do, we can construct something that reflects that information as best they can. He may have misunderstood that Councilor Tracy suggested that they should keep all the expenses and reduce the revenue side from tuitioning to the 400 or whatever number. Councilor Tracy is open to a robust discussion about the most reasonable way to construct this sensitivity analysis. She is not advocating for a particular way to do it but is saying it is an important thing to do. Councilor Wellen noted that Councilor Tracy did not look at the opposite side to be fair and perhaps we will have more then 500 students. Councilor Tracy responded that if it happens and we have many more students, she feels it would be a great thing. No one is worried about that scenario because it would mean that we are financially better off. The risk that people are worried about is that the cost will be greater than people anticipate. She cautioned that time is running out. Starting the sensitivity analysis on the 30th will not give people adequate time.

Councilor Gleeson agreed with Councilor Sachs and Councilor DeGrandpre's views. He is skeptical that the Council can come up with an accurate number.

Chair Hendricks reined Councilors in. He noted that the Council is not meeting again until the 30th and then we will have one Council meeting on the 7th. The public hearing will be held on the 14th and we have to set the public hearing tonight. He is hearing that there seems to be a majority that would prefer to go with the baseline and take it to the meeting on the 30th taking questions that night. It is not going to be easy to to put any of these other scenarios together. Mr. Joseph advised that Abbe will need 4-8 hours to put together a scenario. It would not take three weeks to do two scenarios. Abbe mentioned she would like folks to do proofreading but she can turn around models.

Councilor Egan noted she would like to provide a rosy scenario and a non-rosy scenario and requested that the Council vote on it. She wanted to go on record saying that the Council is making a very big mistake tonight to not ask for this analysis and she thinks given the discussion that was had, it will be very hard for us after the public hearing to on the spot filter through all the public comment that we have gotten to then discuss it again. She is feeling a resistance from four or five Councilors to doing any kind of sensitivity analysis whatsoever. She feels this is a tremendous mistake and a tremendous disservice to the voters and wants to be on record as being opposed to moving forward in this fashion.

MOVED AND SECONDED: That the Council vote on whether to request additional sensitivity analysis tonight. (Egan & Tracy)

Councilor Gleeson clarified that the Council is voting and putting on the record that it does not wish to go through a sensitivity analysis and possibly this can be construed because we are not confident we can come up with an accurate number and Councilor Egan wants to put it to vote that the Council is not interested in any number so that we may be remiss in our duties as Councilors.

Councilor Egan offered to amend her motion.

MOVED AND SECONDED: That the Council direct Abbe, with advice from a neutral body to develop a sensitivity analysis. (Egan & Tracy)

Councilor DeGrandpre asked where the neutral body would come from. Who would choose this person? Councilor Tracy mentioned that Nelson Larkins indicated he would participate if he was formally asked but this was not pursued.

ROLL CALL VOTE ON THE ORIGINAL MOTION: (1 Aye-Tracy) (6 Nays)

ROLL CALL VOTE ON THE SECOND MOTION: (2 Ayes-Tracy & Egan) (5 Nays)

BE IT ORDERED: That a public hearing be scheduled for October 14, 2014 at 6:30 p.m. in Council Chambers at the Freeport Town Hall to discuss the questions of Freeport's withdrawal from Regional School Unit 5 subject to the terms and conditions of the Withdrawal Agreement approved September 5, 2014.

BE IT FURTHER ORDERED: That copies of the proposed Withdrawal Agreement 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 that notice be placed on Freeport's local Channel 3 and the Town's website. (DeGrandpre & Sachs) **ROLL CALL VOTE:** (7 AYES)

ITEM #169-14 To consider action relative to amending the Town Council meeting schedule for July to December 2014 by adding dates to be determined.

BE IT ORDERED: That the Town Council meeting schedule for July to December 2014 be amended by adding the following meeting dates: September 30, 2014 and October 14, 2014.

Note: The Town Council intends to add meetings to its current meeting schedule to discuss the RSU Withdrawal Agreement prior to the anticipated vote on the matter on November 4th. These meeting dates will be discussed on September 16, 2014. (Egan & DeGrandpre) **ROLL CALL VOTE: (7 AYES)**

Chair Hendricks advised that the format for the September 30 meeting will be a workshop. There was agreement to have the meeting in the Town Hall. Mr. Joseph offered to bring in extra chairs.

Chair reminded Councilors that they are all on the same team.

MOVED AND SECONDED: To adjourn at 10:37 p.m. (Sachs & DeGrandpre)
VOTE: (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #19-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, OCTOBER 7, 2014 – 7:30 P.M.
******PLEASE NOTE LATER START TIME DUE TO DISTRICT 4 WORKSHOP AT 6:30 P.M.******

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road			x
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 7:44 p.m. and took the roll. He explained that Vice Chair Egan is excused this evening.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #18-14 held on September 16, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #18-14 held on September 16, 2014 and to accept the Minutes as printed. (DeGrandpre & Sachs)
> **VOTE:** (6 Ayes) (1 Excused-Egan)

THIRD ORDER OF BUSINESS: Announcements

Chair Hendricks announced:

Absentee Ballots are now available at the Freeport Town Clerk's Office for the November 4, 2014 election. The deadline to request an absentee ballot is Thursday, October 30th at 6:00 p.m. There are 5 ways to request an absentee ballot:

1) In-person at the Town Clerk's Office during the hours of the Town Clerk: 7:30 a.m. to 6:00 p.m. Monday-Thursday.
2) Electronically at http://maine.gov/cgi-bin/online/AbsenteeBallot/index.pl
3) By Mail – call the Town Clerk.
4) Immediate Family Member – must fill out an application at the Clerk's Office.
5) 3rd Person – application required. Call the Town Clerk or stop by the Clerk's Office. Ballots cast using this method must be witnessed by either the Town Clerk, Notary Public, or Clerk of Courts, or by two other witnesses.

For More Information contact the Clerk's office at 865-4743, Extension 123.

Public Flu Vaccination Clinic for Seasonal Flu will be held on October 22nd from 9–11 a.m. in the Town Council Chambers. For information on "What you need to know this Flu Season" and a list of other Flu Clinics in the area go to: www.midcoasthealth.com/flunews.

Nominations are now being accepted for the 2014 Citizen of the Year Award. Nomination forms are available at the Town Office, Freeport Community Library and on the Town's website. Deadline for nominations is December 4, 2014.

Fire Prevention Open House, Wednesday, October 8th, 5:00 – 7:00 p.m. This year's Open House will include a number of displays and interactive activities from Fire-Rescue, the Police Department and the Brunswick 911 Communications Center. This is a great opportunity to have your family learn how to take important health and safety precautions. Ambulances and fire engines will be on display and K-9 Cassie will be in attendance as well. The Maine Public Safety Pipes and Drums will be performing and hamburgers and hot dogs will be available for purchase.

In the spring, people were given an opportunity to discuss how they would reuse the skating pond at Leon Gorman Park. We listened, and have conceptual plans that show how your suggestions would look in this area. Join us for a meeting on Thursday October 9th at 6:30 p.m. The meeting will take place by the campfire next to the covered pavilion at the School Street entrance. Let's talk and have s'mores! FMI contact Donna Larson at dlarson@freeportmaine.com or 865-4743 x103. Rain date, Thursday October 16th.

Councilor Wellen explained that the Town will be celebrating its volunteers this Sunday at Harb Cottage. He thanked all the businesses that contributed gifts for the volunteers.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor DeGrandpre noted that the Facilities Committee for RSU5 and several RSU5 Board members had a field trip today. They visited all the schools in the district. They covered things in the immediate plan. They looked at things that were approved last year and are now being completed. They looked into the future a bit. They have three different formats for capital plans up to 5 years and there is a 20 out there that they have been developing to get some life times into it so they can start to develop a reserve account policy.

Councilor DeGrandpre announced that the RSU5 Board meeting tomorrow night in Pownal will contain a workshop on selecting a superintendent. It's the process for a search. He encouraged anyone interested to attend.

Councilor Sachs explained that the Conservation Commission normally meets on the third Wednesday of the month but in October they will be meeting on the fourth Wednesday, October 22, 2014 at 6 p.m. at the Community Center at 53 Depot Street.

Councilor Tracy advised that the Ordinance Committee met on September 18 and considered the disposable bag ordinance proposed in late summer by a couple of graduating high school students from Freeport High. The Ordinance Committee agreed to gather some additional information and staff has assisted the committee with this effort regarding the environmental pros and cons of banning or limiting the use of plastic bags versus paper bags and also some other information they felt would be helpful to their exploration of this issue. They considered the information they obtained and also surveys conducted of local businesses by the Greater Freeport Chamber of Commerce and Freeport USA. The committee decided to survey residents and will be conducting an exit poll on election day. They have a card survey that they will be passing out and asking residents to quickly fill out. This will give them a sense of what people are thinking as the Ordinance Committee and the Town Council consider whether to pursue this effort. They will be meeting to finalize the survey either on October 14 or 21 and will gather the information on election day. They will decide where to go from there.

From the Train Safety Committee, Councilor Gleeson explained that the Public Works Department is going to erect the fence at the Park Street Memorial Park where the snow fence exists rather than subbing it out. They have made contact with people from the Hilton Garden who are still up for doing some sort of co-op to save the town some money. They will be given some selection choice on material to be used on the fence. The ground work should be done, hopefully, before the ground freezes. There should be no chance of any inadvertent wandering onto the train tracks.

Councilor Gleeson attended his first meeting with FEDC as the new Council liaison. Councilor Tracy stepped down because her family member was appointed to the Board. He felt it went well. He will be providing updates as needed.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

- Absentee ballots for the November election were made available this Monday, October 6th. The deadline to request an absentee ballot is Thursday, October 30th at 6 p.m.

- The Freeport Fire/Rescue Department is happy to announce that an Automatic External Defibrillator (AED) was successfully used on September 17, 2014 to save a life in Freeport. When an individual exercising at the YMCA went into cardiac arrest, YMCA staff successfully performed CPR and utilized an on-site AED before Freeport Fie/Rescue personnel arrived on scene. The quick action by both the YMCA and Freeport Fire/Rescue personnel saved the individual's life, and he/she has since fully recovered.

- A reminder that the Fire/Rescue Department Open House will take place tomorrow, October 8, 2014 at the Freeport Fire Station from 5-7 p.m. We hope residents and children alike will be able to attend this fun and informative safety-oriented event.

- Another reminder from the Fire/Rescue Department-people should have their chimneys cleaned and heating appliances maintained in order to be prepared for the upcoming heating season. They should also make sure their smoke detector and CO2 detectors are working properly.

- We are happy to announce that the Town has been awarded a National Parks Service Community assistance Grant, for trail planning surrounding the Hedgehog Mountain, Hunter Road Field, Pownal Road Field and Transfer Station parcels. This grant is intended to bring together the large number of stakeholders that currently are involved with these properties to engage in long-term planning. Any residents who are seeking more information or who would like to participate in this program, should contact Donna Larson, Town Planner at dlarson@freeportmaine.com or by phone at 865-4743, Extension 103.

- The Leon Gorman Park clean-up day last Saturday was a huge success. Thank you to all the volunteers who participated. A group of hard-working volunteers weeded, pruned and planted throughout the park, and it made a huge difference. If you are interested in helping out on a future clean-up day, please contact Donna Larson, Town Planner at dlarson@freeportmaine.com or by phone at 865-4743, Extension 103. There is a picture on line that is in color.

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

MOVED AND SECONDED: To open the Public Comment Period. (DeGrandpre & Gleeson) **VOTE:** (6 Ayes) (1 Excused-Egan)

Lindsay Sterling advised that she is running for the School Board and appreciated the opportunity to meet voters through cable television. She explained her experience and future plans. She asked voters to vote for her. If anyone wants more information, she has a website. It is www.lindsaysterling.com.

Bill Rixon of 66 Varney Road explained that he is a 30-year resident and is running for the Town Council's At Large seat. He is a retired teacher and looks forward to serving on the Council and working for the common good. He urged residents to check out his Facebook page which is Facebook.comBillhrixon.

Stephanie Helms of Lunt Road explained that this is a unique opportunity as we evaluate and try to decide whether to stay within an RSU format or whether to be a town school district. She threw out the possibility of thinking long term. Not just in the next six months or a year but in terms of a 15-year plan to make some decisions about what we want to have for educational infrastructure. We have a great plan for the renovation of the current high school. She raised the possibility of creating an educational district or center on the Pownal Road that we currently own which would incorporate new construction, a new educational facility close by the infrastructure we have already built for recreation that could incorporate the high school and some of the functions that some of the older buildings in the school district currently fulfill and maybe it's time to do some real visioning. Perhaps it is time to take a real leap and give some thought to building a modern facility for the children of Freeport and/or Pownal and Durham, regardless of how we decide. Perhaps we can take some time to think big about some things that could make the educational opportunities in this community and the surrounding towns better and make Freeport a real magnet community for education. She urged the Council to give it some consideration.

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

ITEM #175-14 To consider action relative to adopting the October 7, 2014 Consent Agenda.

BE IT ORDERED: That the October 7, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre) **VOTE:** (6 Ayes) (1 Excused-Egan)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public. It was noted that the hours for the Town Clerk and Registrar of Voters will be open during normal business hours the week prior to the election. Chair Hendricks advised that new voters can register on Election Day.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #176-14 To consider action relative to a commendation for the citizens and businesses of Freeport who helped repair storm damage on Turkey Ridge Lane.

BE IT RESOLVED:

WHEREAS, the Town of Freeport experienced a severe flash flooding event on August 14th, 2014, during which time over six inches of rainfall was recorded; and

WHEREAS, this storm caused a severe washout on Turkey Ridge Lane, a private road, causing the road to be completely impassable to vehicular traffic, and

leaving the homeowners and residents of the road without vehicular access to their properties; and

WHEREAS, the cost to repair the damage to Turkey Ridge Lane was estimated at over $80,000, an expense that would have rendered repairs by the homeowners cost-prohibitive; and

WHEREAS, Mr. Andrew Kittredge of CPM Constructors, Inc., seeing a need in the community, organized a group of local companies to provide donations in the form of materials, manpower, and financial assistance, and working with this group, was able to reconstruct and reopen Turkey Ridge Lane in just over one month's time, reestablishing access to the two homes that had previously been inaccessible.

NOW THEREFORE, BE IT RESOLVED, that the Freeport Town Council hereby recognizes and commends Mr. Andrew Kittredge, along with the following Companies:

CPM Constructors
Vanasse Hangen Brustlin
Midcoast Paving
Everett J. Prescott
Ray Labbe & Sons
Sunbelt Rentals
Freeport Rotary
Doug Tortellotte Excavation
Anderson Equipment Company
Matt & Amy Cartmell—Keller Williams Real Estate
Heather Shields—Legacy Properties Sotheby's Intl. Realty
Alexa Oestreicher—Legacy Properties Sotheby's Intl. Realty
Scott Dugas Trucking & Excavating
Anne Cianchette—RE/MAX By the Bay
Gendron & Gendron
Main Line Fence
Brett Davis Real Estate
Bob Knecht – Town and Shore Real Estate
Chadwick BaRross

for the contributions which they provided to assist in the effort to reconstruct and reopen Turkey Ridge Lane, in the spirit of volunteerism and dedication to their neighbors and fellow residents of the Town of Freeport. (Tracy & Sachs)

Chair Hendricks asked Mr. Kittredge to come forward and presented him with a certificate indicating the Town's appreciation for spearheading the generous contributions made by so many. He was also provided one for CPM Constructors.

Councilor Tracy explained that this is why people live in a town like Freeport. It takes people like Mr. Kittredge to take the ball and run with it. This is a small town and it brings back the faith that people are still willing to help each other out and businesses are still willing to get behind people in town. She thanked Mr. Kittredge.

Mr. Kittredge explained that he was simply the catalyst for this project and there were over 30 contributors involved. The work was done during the construction industry's busiest time of the year. He explained the material that went into that project. Everything was donated and there was no cost to the homeowners. He noted that people were proud to do it and felt good about doing it. It was a good thing for their industry and for this community.

Councilor Tracy suggested putting this up on the Town's website. She urged residents to consider going to some of these businesses the next time they are planning on doing a construction project or needing a

realtor, to thank them with their business as they have helped us. Mr. Joseph explained that other certificates with cover letters will be mailed out to the other companies involved.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #177-14 To consider action relative to awarding a contract to install a fiber connection between Town Hall and the Freeport Community Center in order to provide live cablecasting of Town meetings held at the Freeport Community Center.

BE IT ORDERED: That Tidewater Telecom be awarded a contract in the amount of $8,500 for the purpose of installing a fiber connection between Town Hall and the Freeport Community Center in order to provide live cablecasting of Town meetings held at the Freeport Community Center.

Note: Said funds to be expended from the remote site broadcasting fund. The balance of the fund is currently $36,534. (Wellen & DeGrandpre)

Councilor Sacks advised that she will recuse herself from this discussion even though it is not about whether or not to do it. She will not vote on this item.

Rick Simard explained that the funds are available to do this project and explained the difficulty that came about trying to do it differently. Councilor DeGrandpre noted that meetings were not able to be broadcast from the Community Center so this will help in a lot of functions. Mr. Joseph noted this will be a Town-owned fiber line and any problems can be addressed immediately.

ROLL CALL VOTE: (5 Ayes) (Excused-Egan) (1 Recused-Sachs)

OTHER BUSINESS

1. Continued discussion regarding the proposed RSU withdrawal agreement.
2.

Chair Hendricks explained how he would like the discussion to go this evening. There will be follow-up discussion on the information provided at the workshop last week. Next will be a plan to provide further information other than what was provided. There were a lot of requests last week for more information as well as determine what information we plan to provide next week in the public hearing.

Councilor DeGrandpre noted that he communicated with Kate, Peter and Dennis. The question is what function does the Council want the Withdrawal Committee to provide? They are all willing to attend and can provide answers to questions about the Withdrawal Agreement.

Chair Hendricks pointed out he was not overly happy with how last week's workshop went. He feels it got a bit out of hand on both fronts. There was some incivility in the audience as well as at the podium. Since he has been chair, this is something he will not tolerate. There should not be any bullying, clapping or cheering. He would like to see the Withdrawal Agreement outlined by a member of the Withdrawal Committee, or the chair. He does not feel the need for a full presentation of a financial analysis. It can be available for people but we fully vetted a lot of those questions at the informational workshop. There has been question about the financial impact on a household and he spoke with the Manager and Abbe can come up with different scenarios as far as if the school budget is x, there will be this amount of tax on this house. If the bond is x, it will be this amount of impact whether it is on $6M or $9M. This would be easy information and not based upon a budget or financial analysis. Mr. Joseph noted it would be easy to show the amounts of change such as if there is $100,000 or a million dollar change to a budget, that would be x

on our current tax rate and this would be x on a median valued home. It wouldn't be making a judgment of what the budget will go up or down but will say, if you believe the school budget will go up $50,000, we can tell you what it will cost. If you believe it will go down a million dollars, you can use that to calculate what you would save. This would be information for people to use to make their own judgments. It is a 30 minute exercise for he and Abbe to do.

Councilor DeGrandpre noted that the tax rate has just been set and there was an adjustment to the mil rate so it will change the calculation some. People may not be aware whether their home valuations have gone up or down. Mr. Joseph advised that the tax bills are out. Chair Hendricks noted the information will be available on line shortly.

Chair Hendricks advised that this is the minimum of information he would like to see beyond what was already provided. For the public hearing, he would like to just see public comment and a conversation back and forth with the podium, Withdrawal Committee and Council be zero. It became too much of a distraction last week and things got out of hand. If people ask specific questions, they can be jotted down and the Council can try to answer them for the specific individual or wait until the end of Public Comment to answer them. He really wants to limit the back and forth conversations. As for the Council, there really isn't much discussion to be had other than just setting the vote for withdrawal. We will vote yes or no to move it forward and put it on the ballot. It's not about what we think about withdrawal.

He asked if the Council feels that having basic tax information would be helpful and would they want it presented?

Councilor DeGrandpre feels the impact per $100,000 of valuation is enough information. Folks can do the math from there pretty easily. It should be as simple a calculation as possible.

Councilor Tracy noted that the RSU5 Finance Director provided the tax impact from the high school renovation bond, presented it in the amount of tax per hundred dollars that one pays. She did it in a way that people could convert it in what they actually pay. That was another way to present it. She feels there is value in showing the tax impact. Chair Hendricks advised that Abbe can come up with a couple of different scenarios. If the Council decides to do that, Council Tracy feels that the Council should quantify the tax impact of the range we already provided versus doing a tax impact of if you think it is going to be a million dollars more and we have really tried to stay away from that. Her proposal would be to quantify the tax impact of the two ranges presented in the financial analysis. Councilor Sachs asked to clarify that also it include the range in the high school as well and the $6M or $9M versus the $14.9M but Freeport only had a portion of that. Chair Hendricks noted that if we have the highest number, it would roughly equate to the same number.

Councilor Wellen advised that the numbers the Council chooses to use to base the financial impact analysis on is a value judgment in itself. He saw that in the press, they took those numbers and was inaccurate. Given that the sensitivity analysis should not have been done, the direction of the Council was not to do the sensitivity analysis which showed us in a hole of $330,000 if we have 60 less students. He does not want to legitimize that number any more. He wishes it could disappear but it has already been stated. If we vote to make it disappear, people will have a field day with that one. If the Council has any impact analysis, it should just do the $275,000 saved. With the Council, there is bantering whether to use the $6M or the $9M so in his mind it gets to be a judgment call on the numbers we use unless we use that one number that we all agreed to do, and just that number. With the $270,000, what is the tax impact? He definitely does not want to legitimize that $330,000 number. It should never have been done. The Council directed the committee to do something different from what they did. It was a bit loose and it happened.

Councilor Gleeson explained that a lot of the reasons that it came that way was that we didn't have access to Kelly and we had to try to get some outside help. It is unclear why we can't have an open conversation with the RSU5 Finance Director. The citizens are looking at a what if scenario. What if we had lower

enrollment. The number 60 lends credibility to the people that are nervous but he has been bothered by it. He doesn't believe it was discussed enough that it was truly a lopping off of 60 less with zero correction. One would assume that our newly elected School Board would go ahead and adjust to that. He doesn't like that number but it is there and it has already been presented. People will be expecting it. He agrees with Councilor Tracy that we should do the impact. He would really like to make it known that it does not account for any kind of adjustment in a very large drop in students. He hopes everyone gets that. If anyone is watching this at home, this is one of the major things that concerns him taking 60 off, assuming that Freeport would be sitting there saying we lost 60 students and what do we do? The common sense thing is that they would adjust the budget. He is open to discussing the financial impact about the minus 60 students.

Chair Hendricks asked if there is agreement to provide some kind of tax impacts.

Councilor Gleeson voted yes, Councilor DeGrandpre voted yes, Councilor Sachs voted no. She does not feel this is correct information to give to voters or that it will be correct in any way. She understands the motivation for people wanting it. They want a number to cling to and say that is the magic number. Councilor Tracy voted yes. She feels it is helpful to provide the household impact on numbers that the Council put together that try to approximate what it would have been like a couple of years ago if we were in versus out.

Councilor Wellen voted no because he feels if we have to do tax impacts, we have to use two numbers and one is ridiculous. Chair Hendricks voted yes because he would like to see some impact.

Chair Hendricks advised that he would split up the next question. He mentioned that the Council has the original baseline financial analysis, he asked if the Council would like to see a tax impact for a median household on that, just the financial part.

Councilor Gleeson voted yes. Councilor DeGrandpre voted yes. Councilor Sachs voted no, Councilor Tracy voted yes, Councilor Wellen voted yes and Chair Hendricks voted yes.

Chair Hendricks asked his next question. Would the Council like to see a tax impact on the range of the budget that would mean minus 60 students or any sort of range therein.

Councilor Wellen voted no. He is open to not doing anything or using just the one number. Councilor Tracy voted yes. Councilor Sachs voted no. She believes the range can be interpreted in so many different ways. Councilor DeGrandpre was not sure what the range would be. He doesn't feel we need a range but believes we need to tell people how to calculate it. Councilor Gleeson noted he is struggling. Lopping off 60 students is not accurate. It gives a bad scenario. He would like to find a way for people to formulate their assumptions. Perhaps Abbe could give residents a way to come up with their own assumptions.

Councilor Tracy asked if there is a way to do a calculator similar to those mortgage calculation things people get all the time. She suggested doing a simple calculator that contains “if you believe the savings are “x”, here is the tax impact that would be on a median household in Freeport.” Or, if you believe it will cost more, here is the tax impact that would be on a median household in Freeport. Mr. Joseph noted he could design it on paper but the question is how to get it on line. He doesn't know how to do it but that anyone can do it on a napkin. Councilor Tracy worries that we could make it so complicated that we would lose everybody and there would not be any benefit.

Councilor Wellen noted there are advocacy groups, and if they want to promote certain numbers, they can come to Town Hall and talk to Abbe and ask for help in coming up with calculations.

Chair Hendricks pointed out he is not comfortable with the range number and the majority of the Council is not comfortable providing that number. He likes the idea of a calculator but would like it to be very

simple for non-financial people to plug in their own information if they want to try and calculate it themselves with instructions. He does not feel the need to go to the umpteenth level and provide a web program on our website.

Chair Hendricks asked the Council if we give Abbe some direction to try to come up with something that is simple and applicable for this question, would you want to do it.

Councilor Wellen would be fine doing that but doesn't feel there should be any set increments ahead of time or set bottom or set top. She should just set up something that people can come up with whatever number they want to. We won't say anything more about financial analysis except they can go to Abbe if they want to plug in a number.

Councilor Tracy asked if we give Abbe a week to come up with an idea, is there anything that would prevent us from discussing it that night? Chair Hendricks feels that if the Council wants to do it, he believes Abbe can come up with something that is straight forward enough. He could reach out to Councilors by phone if he looks at it with Vice Chair Egan and the Town Manager and decides that this is something that is good. He could send it out individually and Councilors can reply whether they like it or not. He asked if staff should attempt it.

Councilor Tracy advised that she would like staff to attempt it and would be comfortable delegating the decision about what is the best representation to Chair Hendricks, Vice Chair Egan, Town Manager and Finance Director. Councilor Sachs agreed with Councilor Tracy. She feels it is attainable. Councilor DeGrandpre also agreed to support it. Councilor Gleeson and Chair Hendricks also agreed to support it. Councilor Wellen thinks that whatever number people want to plug in, there is no pre-programmed numbers to choose from. Chair Hendricks explained that we would not program anything. It is going to be the ability for people to put their "x" in here, put their house value there—it will be very simple. Councilor Wellen wanted the record to be clear that this is what the Council is directing Peter Joseph, who is accountable to us, to direct Abbe to do. The last time it did not work out well.

The last question—we asked the architect to give us a range of from the minimum cost of a Freeport alone renovation to the very highest cost (somewhere between $6.5M -$9M) would you like to see the low and high range as far as the tax impact as well?

Councilor Gleeson hopes residents realize that if we stay in the RSU, they are going to get a tax bill for a fairly large bill anyway. We can do it as a comparison of what we already have a bill for. He feels it is important for people to realize that should we remain in the RSU, we already have a bill of "Blank". Should we decide to go it alone, our range would be between $6.5M and $9 M.

Councilor DeGrandpre feels the point we need to make is that our obligation going forward is this much. If we decide to go it alone, we still need to renovate and the cost information we have today is the $6.5M to $9.6M. He is good with this.

Councilor Sachs said barely because it is a guesstimate based on no visioning, no anything. It could be as much as $20M. She changed her vote to no.

Councilor Tracy voted to support the comparisons. The range she wrote down is $6.5M to $9M for the Freeport-only scenario. Our Freeport share is $9.6M of the RSU5 renovation in the RSU5 scenario.

Councilor Wellen voted no. He agrees with Councilor Sachs that these are pretty vague numbers. He feels the tax impact over the life of the bond, the difference between $6.5M and $9.6M is not worth doing.

Chair Hendricks voted yes. He feels it is helpful information.

Chair Hendricks recapped—Councilors agreed to provide tax impact for the original historical financial analysis to be politically correct there. Councilors are going to include a calculator for which citizens on their own can possibly calculate differences in analysis or their own impact. We will provide a tax impact for the possible renovation costs if Freeport goes it alone in a school budget or also the tax impact for the already approved RSU bond.

Chair Hendricks asked if a brief overview should be again provided on the Withdrawal Agreement. Councilor DeGrandpre agrees that a 10 minute overview would work, not 30 minutes. Councilor Wellen would prefer none at all. Councilor Tracy believes a lot of people will be tuning in for the first time in terms of watching the information so she feels it would be best to keep it under 10 minutes. Councilor Sachs agreed that 5-10 minutes on the Withdrawal Agreement would be fine. Councilor Gleeson and Chair Hendricks also agreed that it should be very brief.

Councilor Sachs pointed out that there have been some Councilors who have expressed clearly their own views and others have tried to be fairly neutral. She asked if Councilors would want to take three minutes to state their own positions on it or do we want the public hearing to be just a public hearing.

Chair Hendricks feels that the Council should not do that. We should discuss the item which is do you agree or not agree to put this on the ballot? He asked if there is consensus for this. He would vote no. Councilor Wellen voted no. He does not feel he should use his position to push his own agenda on this since it is a referendum for the Town. Councilor Tracy voted no. She agrees that personal opinions are helpful. She would he happy to share her personal opinion if someone is interested but a public declaration of the Council's position has the potential to be detrimental. Councilor Sachs indicated she could vote either way but didn't want any surprises. She would be happy to share her opinion privately. Councilor DeGrandpre is fine with the Council not sharing its own personal thoughts. It's a public process and we want to make sure everyone has as much information as they can. He is confident that the Council would be willing to share its thoughts with anyone who asks but there is no need that evening. Councilor Gleeson agreed with this as well as long as the Council commits to do that. He noted he has been somewhat quiet on his opinion because he has been honoring the chair's trying to keep us out of the public spotlight. If anyone wants to ask his opinion, he is willing to share as well.

Chair Hendricks noted he will talk to Vice Chair Egan.

Chair Hendricks mentioned the Volunteer Barbecue which will be held on Sunday. He has a family commitment and he might not be able to attend. Councilor Tracy advised that she will not be able to attend. Councilor Wellen and Councilor Sachs noted they would be there. Councilor DeGrandpre noted he would try to be there. He will let Councilor Wellen know before Sunday. Councilor Gleeson advised that he possibly may be there. His son may have a soccer tournament. Chair Hendricks asked that Councilors provide some nice words to our wonderful volunteers. Councilor Sachs pointed out that this event is fun and Chair Hendricks advised that the food is usually good.

MOVED AND SECONDED: To adjourn at 9:15 p.m. (DeGrandpre & Sachs)
VOTE: (6 Ayes) (1 Excused-Egan)

Respectfully submitted,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #20-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, OCTOBER 14, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:35 p.m. He took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

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

ITEM #178-14 To consider action relative to discussion on the upcoming referendum question regarding the Town of Freeport's withdrawal from Regional School Unit No. 5, subject to the terms and conditions of the withdrawal agreement dated August 25, 2014. **PUBLIC HEARING**

Peter Murray, Chair of the Withdrawal Committee, explained the Withdrawal Agreement and summarized the terms of the agreement. The charge of the Council-appointed committee was to negotiate a withdrawal agreement that meets the requirements of the Withdrawal Statute. This agreement is a baseline, it is not what is actually going to happen. Different parameters can be negotiated based on what actually happens as time unfolds. He explained the meetings that took place before an agreement was met. He displayed the next steps on a screen for all to see should the vote to withdraw pass. A town-wide vote will take place on November 4. Residents can find the Withdrawal Agreement on line.

Mr. Joseph provided four hypothetical budget scenarios impacting the tax rate and the impact to the median residential taxpayer involving withdrawal from RSU#5 and potential future construction costs at Freeport High School. All hypotheticals were calculated using current year tax valuation figures and a median residential tax valuation of $235,400. He explained that staff was also asked to create a calculator tool that would allow residents to calculate similar tax impact figures for any other hypothetical situation, using their specific property valuation. A draft of this calculator has been completed and it will be made available on the Town's website by the end of this week at the latest.

Chair Hendricks set some ground rules for tonight's discussion. His intent is to keep it as orderly as possible He asked that speakers adhere to the three-minute rule and respect other people's comments/opinions. If necessary, he will be banging the gavel in order to keep order. There should be no clapping, booing or sneering. This is a public hearing required by law before the November election. Councilors will be taking public comments but will not take any action on this item. He noted that Councilors will be sharing their opinions tonight.

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

Fred Palmer of Pownal Road explained that the financial information provided by the Withdrawal Committee to the Town Council a couple of weeks ago, was based on the 2013/2014 budget. In order to provide a more comprehensive view, a small group decided to analyze the 2014/2015 budget since it is $1.4M higher than the 2013/2014. Ed Bradley, Rod Regier and he as concerned citizens, got together to review the impact of using the current budget. As the analysis shows, the impact on local funding could be significant. They used the same template used by the Withdrawal Committee, the only difference being the 14/15 budget. He reviewed different scenarios using different enrollment figures.

Rod Regier of South Street noted he worked with Mr. Palmer and Ed Bradley on this project and they agreed they were going to agree. The difference between last year's budget and this year's is $1.4M. For this additional $1.4M, students enjoy the benefit of additional teachers and the faculty enjoys the benefit of higher salaries and the RSU is having to confront paying tuition for charter schools. Those are among the drivers for the change. The data from last year basically pretends that none of these happened. He displayed the template on a screen and explained the information. They are on public figures. He asked if it could be put on the Town's website. Chair Hendricks advised that if it is not work done by the Council or Town Staff, it can't be posted on the Town's website. He mentioned that Mr. Regier could disseminate it however he would like tonight. Mr. Regier noted he would not accept “no” or “maybe”. This document will be sent to all Councilors and the Town Manager. It will make it a public record but it means that people will have to ask for it rather than being able to find it. He hopes this will be available on the Town's website as early as tomorrow morning as a public document.

Ed Bradley noted he worked with Mr. Regier and Mr. Palmer on this project. Mr. Palmer presented the analysis and Mr. Regier talked about the idea that they wanted to make an apples to apples comparison to what Mr. Murray did for the Withdrawal Committee. He understands that Mr. Murray provided a snapshot of what the difference was between the Withdrawal formula and what would happen if there were the same number of students with the tuition agreement. He feels the three of them did something important to give the taxpayer a sense of what the margin of discretion would be for a future school board faced with the 2014 budget. It is not a criticism of what Abbe and Peter did. It is an attempt to go beyond that to give the taxpayer a sense of what the tax impact would be of Withdrawal if we use the 2014 budget. He recognizes the difficulty of what they did in terms of producing an accurate projection. He noted there are significant assumptions in this and feels he should point them out. The first is the 60 student assumption. The second thing they made assumptions on is about the Special Ed budget. The third thing is Fund Balance and the 5% expense figure assumptions. Chair Hendricks cut Mr. Bradley off at this time because he exceeded his three minutes.

John Egan explained that he is a Freeport resident and supporter of a “yes” vote. He feels it is a more grave economic situation for Freeport if it stays in the RSU. The high school is the crucible of this forced consolidation. It is overcrowded and he is a proponent for renovation of the physical plant. It needs to accommodate the number of students that are there today and will be there tomorrow and next year. He pointed out that there will be tax increases for Freeport but there will be significant tax increases for Durham and Pownal and mentioned the five years of “no” votes from those communities on the school budgets.

Ann Fuhrer, Freeport resident, noted that she is in favor of voting “yes”. She shared her experiences serving as a chaperone over the years when her daughter was in Freeport schools.

Kate Werner of District 2 thanked the Council and Town Staff for being a credit to the democratic process. She is a member of the Freeport Withdrawal Committee and a proud member of the “Yes For Freeport.” She explained how many meetings they attended. They are the faces advocating for the

educational health of our schools. They are speaking on behalf of all our kids and our wonderful staff. Consolidation has not lived up to its promises. She urged residents to vote "yes" on November 4.

Laura Geer of Bow Street advised there her two children went through the Freeport system. She worked at the high school before consolidation until last spring. She attended many meetings and she believes it would be best to withdraw but understands it is unsettling to not know what the enrollment will be.

Mandana MacPherson of Upper Mast Landing Road is a member of "Yes for Freeport". She is in favor of a "yes" vote. She offered a brief snapshot of why it is safe to withdraw. She feels Freeport can support its own school system.

Eric Bryant of East Street read his wife's (Shari Broder) statement into the public record since she is ill this evening. He noted that he shares her views. She is a supporter of withdrawal. In the past most of Pownal's kids attended FHS under a tuition agreement as well as a few kids from Durham. It worked very well. She noted that some of our highest achieving students have left Freeport for private schools. Their parents know we can do better for our kids and they are supporting withdrawal. If we want these kids back, we should vote "yes".

Charly Haversat-Matheson of Harbor Ridge Road indicated that she is a "yes" vote for withdrawal. She feels she made a mistake five years ago when she voted in favor of consolidation. She noted that she has spent the last year looking at data and feels she could probably spend the next year looking at more data. She encouraged residents to ask themselves how they can make sure that every child that steps across the door into a Freeport school will get the best education possible and how we will make sure that every student that graduates from Freeport High School is prepared for a 21st century economy? Those are the reasons she voted "yes" this afternoon. She asked people to vote with their hearts. She thanked the Council. It has been an amazing year of due diligence and the Council should be commended on that. She thanked Mr. Joseph and asked that he extend her thanks to Abbe as well. She requested that the Council give an up/down vote tonight so that residents can benefit knowing where their Councilors stand.

Heather Dodge of Sandy Beach Road pointed out that she is a "no". She has had a high school student for nine straight years. She would like to know the numbers of students that have left to go to other schools. Before the RSU, two of her sons lost many classmates to private schools. She mentioned that Freeport is surrounded by many wonderful private schools and she is not convinced that will change. She compared her sons' experiences attending Freeport High School before consolidation and after consolidation. Now Freeport and Durham families have an investment and voice in their children's education and to assume they will choose Freeport without that voice, is short sighted. The momentum has been towards unity and best shown by approval of the high school renovation. She would hate to lose the momentum and the richness of that experience for her children. She plans to vote "no".

Liz Andrews, Freeport resident read a statement into the public record advising that with the RSU and more students, programming has increased. In the past, electives were offered but if enrollment was low, classes did not run. She advised what is being offered for classes at the high school. She mentioned that Pownal and Durham families shop, work and play in Freeport. They now have more reasons to get in step with Freeport in terms of emotional and financial support. It takes a critical mass of students to effectively fund a school system. With withdrawal, she is convinced that enrollment will decline and with that the money that follows them. The budget process has been painful, arduous and confusing. There will be a process no matter the outcome and feels it is preferable to work with our neighbors rather than trying to pass a school budget at Town Hall. With withdrawal, taxpayer input will be diminished. She feels that remaining in the RSU will bring us into the future with a bigger, brighter and better district and joins our communities with a renovated technological high school that includes a necessary modernized addition. She is unconvinced that with withdrawal we can improve education, save money and improve our schools

for all students. She is convinced that with withdrawal we will pay more and get less. We are better together.

Jonas Werner displayed charts showing the top 10 reasons to remain in the RSU and the top 10 reasons to withdraw from the RSU. Mr. Werner advised that he plans to vote "yes" to leave the RSU.

Carolyn Krahn of Roos Hill explained that she has been a Freeport resident for 28 years. Her two children graduated from Freeport High School. She and her husband were happy with the education her children received at FHS. They were pleased with the faculty and the challenging classes. There were cool things that they got to do. Both of her children have really great careers now with top ten companies. She has been concerned with so many students leaving Freeport each year. She plans to vote "yes" on withdrawing.

Jerry Antl noted he is a Freeport resident and a member of "Yes For Freeport" and is in favor of a "yes" vote. He has two children in the system and became alarmed when he learned under the RSU model, significant resource cuts were made across all the buildings in our system. He explained what took place. He feels that families are no longer moving to Freeport and some families are considering leaving. While upset about all that has been going on during the past five years, he is encouraged about the opportunity we have here. If we vote to withdraw, we can then decide as a community what is best for us and focus on building a school system that we can all be proud of. He believes Freeport will make the right decision and we will gain back our self determination and we can chart a new course. For more information, please visit www.Yesforfreeport.org.

Chris Parker of Spar Cove pointed out that he is a "no" voter. He noted that the savings and all that has been spoken about tonight are big ifs and on the best rosy case they can find. The reality is that it is not as rosy as everyone would like to see. When the new high school bond was passed, it was passed by Durham and Pownal. They want to be here. He feels Freeport has the governance. It controls the Board and has the votes to control what is best for us. He recalled trying to get school budgets passed in the past and the Town Council has always fought back on budgets. With the RSU we have guarantees—we have guarantees of population. We have guarantees of a new school. We have guarantees of growing bigger and better. With the pull out, there are no guarantees. This is a very important decision for our children and he would like to see a united community that grows together. If we separate, it is all in jeopardy and we will lose budget control to the Town Council. He would prefer to not roll the dice and gamble on this.

Mary Ann Doyle, Freeport parent and resident, noted that leadership plays a key role in the success of a school district. Freeport will face the need to recruit a new superintendent after this year. She feels that if we become a local district, we will attract better candidates for that position. It's difficult to imagine a top flight leader choosing to come to a district that faces on-going budget battles and relies on one town to overwhelmingly outvote the others. She urged residents to consider supporting a local school district.

Jeremy Plouffe of Holbrook Street explained that they moved here because of the strong reputation of Freeport's schools. They liked the innovative nature of Freeport's schools. They became upset when their kids got to Mast Landing School only to discover that a lot of those innovative programs had been gutted with the excuse that Common Core was pushing everything. From everything he has seen, the schools have had to go "vanilla" because of the existence of the RSU and we have lost our ability to be nimble and the ability to do these innovative programs that Freeport was known for. For education reasons, he would support withdrawal even if it meant higher taxes. He does not understand why discussion on the cost of the expansion is not coming up more often. It will most likely cost all three towns at least in the neighborhood of $7M to pay for something while excess capacity exists in other towns right next door. He feels this financial analysis appears to be left out of too many discussions. He noted that the condition of Morse Street School is not very good and he shudders at what will happen if we try to renovate Morse Street School as part of an RSU. He will support a "yes" vote on withdrawal.

Kristen Dorsey of Lavers Pond Road explained that the RSU5 arrangement was, and continues to be, fundamentally flawed. Consolidation legislation was an imposed administrative and financial structure determined by nothing more than proximity on a map. The deal was sealed on the premise of the elusive penalty and the spoils of the less compliant. Our three towns have different economic bases and municipal structures. This is not a statement about class, status, righteousness, sophistication or wealth. The last census shows that Pownal's median income is higher than Freeport's. Each town has its own culture, character and priorities. She urged everyone to embrace that and use it to everyone's advantage. She recalled all the meetings she attended. This opportunity to withdraw is unquestionable to her on two basic premises. Educational decisions should be made locally and had consolidation never come to fruition, our three towns would never have entered into a binding financial arrangement, remotely like the one we find ourselves in now. She feels Freeport is subsidizing Pownal and Durham. She advised that she is a "yes" vote.

Joe Migliaccio of South Freeport Road provided some background information. He moved here when he was twelve and has served on various Freeport committees and the Town Council. He noted that the better governance model and the less complicated model is the model that is proposed under the unanimously agreed RSU and Town of Freeport's Withdrawal Agreement. Since the RSU he has seen the Council divorced from the Town's school budget which represents two-thirds of our tax dollars. He has seen the entire town's needs not being able to be discussed in the context of two-thirds of our budget. The model we would move back to would welcome in Pownal and Durham and allow Freeport to take the needs of its schools under consideration with the entire needs of the Town. He knows many parents in Pownal and Durham support this RSU and are proud "Falcons". They will come here.

Jennifer Libsack of Bristol Road is interested in addressing class size. She believes the classes at the high school have always remained below State maximum number for students and that the academic integrity of those classes have remained unchanged even if the numbers have increased slightly. She read the list of the class sizes that her son took his Junior and Senior years of high school. The average student per class in her son's Junior year was 15.1 and the average student per class in his Senior year was 12.8. If withdrawal occurs, we will have fewer staff. She asked if with fewer staff to support the learning population if a Science teacher would be allowed to dedicate an entire year of class to just seven students?

Mary Martin of Harbor Ridge Road pointed out that it's about students and academics. There has been a lot of talk about the governance and the tri towns but ultimately it is about the students and how well they are taught. With the RSU, it has been clear that there has been increased programming and with that the hiring of energetic, fabulous new teachers. The class size is average. She is concerned that if the withdrawal happens, we will not be able to offer the number of choices we have been able to offer in the past couple of years. This is a big concern for her. She pointed out that our sports programs have prospered. After speaking to other people, it is clear that the football program will no longer be offered if the withdrawal happens. Her two daughters are very sports oriented and they have made friendships both inside the classrooms and on the fields. She fears that if withdrawal happens, many inspiring teachers will be cut. With our three towns there is a great mix of students, many creative teachers, improved academics and the improved booster program. She feels the three towns are better together.

Pat Palmer of Pownal Road explained that she worked in the Freeport School system back in the 1980s and 1990s and also most recently worked in MSAD51 which is where the Greely Middle School and High School are located. MSAD51 is a North Yarmouth/Yarmouth combination so she experienced both. While she was at Freeport High, she felt it was a fantastic school system over the years. Back then the high school had 325 students. She understands that there is currently no agreement with Pownal or Durham and at the time we have to vote, there will still not be any agreement. We are going to trust that they will sign the agreement that will promise us that they will send us 60 students. She recalled traveling

to Durham and noted that Durham could send their students to seven different schools, but she was in the desperate business of recruiting. She pointed out that money can do a lot of things but it cannot buy children for teams and those kinds of things. Small schools are wonderful but there is a difference between public schools and private schools. Private schools can get by with 300 students but public schools cannot. 325 students in a public school is a small public school. She has three grandchildren in Greely which has 750+ students. She has one two-year old grandchild in Freeport and she is desperate to know ten years from now, that he will have a comprehensive high school to go to. The dilemma is that she has not been told that yet. She has been told that we would create a destination high school. She mentioned that Freeport will be in competition with phenomenal private schools and phenomenal charter schools. We have in our area the best public high schools in the State and the dilemma is that we have to convince people to leave those schools to come to us in numbers enough to make that high school large enough to keep it a comprehensive high school. She encourage citizens to question what they are hearing and talk to some of the people that have been here for the last thirty years.

Lindsay Sterling advised that she is for withdrawal. The promise that bigger is better or more students bring greater cost efficiencies to a school district has been disproven by the Town Council's financial analysis. RSU5 has not shown promised cost savings and improvements. It has led to depressed teacher salaries in Freeport, a higher superintendent's salary for a larger school district, added district-wide positions and a planned $7M addition at the high school to fit a higher student population. Consolidation has proven to be more expensive than anyone thought. She mentioned that students and teachers are leaving Freeport which adds more cost inefficiencies like a growing bill for charter schools. It is a morale problem which leads to more teachers and students leaving. The RSU budget wars have cut at the heart of our schools. She hopes voters will vote to withdraw to stop the exodus and help us build excellence in our schools. She hopes families in Pownal and Durham understand that their kids are the best thing that ever happened to the RSU. She hopes they will continue to grace Freeport schools with their energy and hard work and we can work together as parents in the schools in support of the next generation.

John Lowe of North Freeport advised that he graduated from Freeport High School back in the early 60s. His daughters also graduated from Freeport High. He believes Freeport has always had a good school system but was not always able to offer everything we would have liked. There were limited classes when his daughters were in school. He supports and likes the idea of the RSU. He feels it has worked well. He has spoken to a lot of young people and learned that they like it. If we are going to have Pownal and Durham students in our school system, it is important that they have a vested interest. He mentioned that the numbers are all over the place. He has heard everything from it will cost money to $4M. No one knows what a new school board is going to want to do. He recalled watching the Town Council cut the budget over and over again in the past. The taxpayers had more input with the Town Council than they now do with the School Board. The budget goes to the voters in a manner such as a mini town meeting. He feels the RSU is working but he knows it is not perfect. They are doing a good job and he encouraged everyone to keep it going.

Valy Steverlynck of Pine Street provided enrollment numbers. She pointed out that enrollment has dropped 6.5% since the inception of the RSU. 13% of the Freeport High School population has left but their families are still in town. 20% of Eighth Graders did not matriculate to the high school this year. She feels the drop in enrollment is a real problem. She feels the way the structure is set up now is at the root of students leaving. She is confident that there will be more years of fighting over the budget and more years of students and teachers leaving. The next step

is to find a superintendent and the competition is fierce for superintendents. Next year there will be 20 openings in school districts looking for a superintendent. The year after that, the projections are for 30 openings.

Tara Johnson of Deer Hill Road advised that she is strongly in favor of staying in the RSU. She has a daughter who is a Senior at Freeport High School and a son at NYA. He left Freeport not because of any shortcomings, but to follow his passion for playing hockey. Their daughter was given the same choice but she chose to stay in Freeport because she felt this was where she belonged. She has friends from Freeport, Pownal and Durham. Ms. Johnson noted she is a huge proponent of the RSU and feels that the Pownal and Durham students offer great qualities to our schools. She is confident that our athletic teams will suffer without the Pownal and Durham students. She does not feel Freeport should look at Pownal and Durham students as commodities and not assume that they will choose Freeport as an option when we tell them no, we don't want them anymore. She encouraged everybody to think and vote with their heart.

Joe Migliaccio requested 20 seconds more. He pointed out that before the RSU, Freeport was a very special place. The reason those debates had to happen about the budget and the way they went was because every year we would open the school budget and our property values had gone up because we are doing a good job of growing this town and our student enrollments remained the same or went down a bit. That means we get less money from the State. Those were what those debates were about even if we kept the same, we lost money and had to fill it locally. That is what Pownal and Durham will be going through for the next 10, 15 or 20 years and it is not right to force them into this business model. We are still together.

Eric Horne of Pine Street advised that he is a “yes” voter for withdrawal. He recognizes that the presence of the Durham and Pownal students have been a net positive for Freeport schools. He is glad to see in the Withdrawal Agreement that that legacy can continue. He feels that Freeport is a great place to come to and people are coming here. They believe in this place. When he looks at the voting records of the three towns, Freeport is carrying the ball right now and it is getting heavier and heavier as a burden. He fears we will see more tension, not less. It is better to be together but we can be together without fighting every budget season. Funding that bond will cost a tremendous amount of money to all three taxpayers which is in addition to anything else we want to do with the school budget. He feels we can welcome Pownal and Durham and can make Freeport a great place. If one day we want to expand, great, but why should we be forced to expand right now. We have an opportunity to consolidate our own gains as a town and get outside of the RSU structure and resume the path we were on before.

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

Note: This is a public hearing required by law before the November election. The Council will be taking public comments, but will not be taking any action on this item.

Chair Hendricks opened the floor for Councilors' comments.

Chair Hendricks advised that he has been adamant that the Council try to remain as neutral as possible during the entire process and really tried to make sure that we provided and decimated all the information

that we could. He suggested that no one give undue weight to his opinion. He is not telling anyone how to vote or how they should vote. It is his personal opinion. From all the information he has seen, he feels that the governance model in the RSU is not ideal. He supports withdrawing from the RSU. It has nothing to do with the towns of Pownal and Durham. He hopes Freeport will still continue to have a great relationship with those two towns but for him, it is more about regaining local control of our schools.

Councilor Egan advised that she feels withdrawing would be a mistake for Freeport. This is her personal opinion and she shared it with her constituents in a letter to the editor. She has looked at the numbers and is compelled to think that we have a very rosy scenario of expecting Pownal and Durham students to come to Freeport if we say we don't want them to be part of the governance structure. If we lose students, we will be losing revenue and it means we will have a smaller school. She is concerned that we will lose educational opportunities. She has a son in the Fourth Grade and she believes strongly in a strong education system. She would love him to have a comprehensive education. He is also an athlete and is on a peewee football team and would like him to continue to that. She feels it is a bad deal for the taxpayers and a bad deal for our kids. She will be voting “no” in November.

Councilor Wellen advised that he will voting “yes”. He believes Freeport should withdraw from the RSU. The biggest reason is based on the budget voting in the last five years. Pownal and Durham seem to vote differently overall. It appears that Freeport residents have different priorities than Pownal and Durham. By withdrawing, he believes Freeport will be able to create what it wants in a school system while still cooperating with Pownal and Durham. Budget wise, he believes a Freeport-only school system could easily cost a similar amount or less or a little more. The analysis from the original consultant was quite flawed. They did not take into account reduced costs or reduced enrollment. The Withdrawal Committee did another analysis. He feels comfortable with Abbe's input. It was as neutral as it could be, knowing that judgment calls had to be made. After talking to folks, he feels the budget issue is a wash. It all depends where the priorities are and he does not feel it is a reason to vote one way or another. What we are looking at is local control and the biggest reason in terms of curriculum, we can have the same type of curriculum pretty much. That is not a reason to stay together. There is a lot of research out there to suggest that small schools have other qualities besides curriculums. Certain size schools seem to be ideal for personal ability, adaptability and all the things that people mentioned. Also there is the issue of currently paying 66% of the costs when we have 59% of the students and there will be savings there when we are not paying more than our fair share like we are paying now. Sitting here all these times, he was not not developing a set opinion for a while because he didn't think the Council would need to do it. Since one Councilor made her opinion public, he felt that he should make his opinion public to level the playing field. This is why he is speaking out tonight and changing from what was decided last week. He noted that other Councilors may give their opinion as well.

Councilor Tracy advised that she has struggled with this decision since the beginning. She has three children in the school system and she is a graduate of all Freeport's public schools. In looking at the issue, she feels there are three considerations. 1) Would Freeport provide a better education in an RSU situation or in a Freeport-only school district? 2) What is the relative cost to Freeport in an RSU situation versus a Freeport-only school district? 3) Is staying in the RSU or returning to a Freeport-only school district better for the town as a whole over the long term?

She believes Freeport can provide a better quality education in a Freeport-only school district. She supported consolidation on the promise of larger enrollments and the avoidance of State penalties. She has seen over the past five years, bare bones budgets that reflect an attitude of reluctance to make needed investments in our school system. Personally, she attributes that to the fact that our School Board and Administration served three masters. Two out of those three communities have shown a strong opposition to making needed investments and have opposed various increases in our budget on investing in our school infrastructure. She believes this has shaped, and will continue to shape, the overall planning toward our future. We can always outvote the other towns but what we get and what we were voting on

has been lean and she believes it will continue to be lean as long as those three communities continue to be together. Maybe that is the way it should be, but she believes we can do better. Freeport is a unique community and she believes that if we are relieved of the weight of significant opposition to investment by other communities, we will have the opportunity to make smart, prudent, long-term investments in funding education and improving our infrastructure to distinguish our school system.

She believes the relative costs of staying in the RSU versus returning to a Freeport-only school district are not significant enough to sway the decision one way or the other. The numbers are all over the place. We do not know how this this is going to turn out. It is a gamble but she has confidence in a future Freeport School Board that they will balance the relative needs of the school system with the ability of our community to pay. We will be able to use our money wisely to make smart and prudent investments for the future.

She believes that returning to a Freeport-only school district is better for our town as a whole. A rising tide floats all boats. She will cast her vote for withdrawal because she believes in the future of supporting education and investing in our system, a system that reflects Freeport's unique qualities. She is casting her vote in favor of withdrawal because the status quo of lean budgets, budget battles and forcing our will on other communities, who are legitimately concerned about their tax increases, is not the way to build a strong, creative and vibrant school system. That sucks the air out of the room every single time. We are a strong community. We will make it work if we continue to be part of the RSU. She believes those kids from the other communities have added to our school system and have brought great benefits to us and our families here in Freeport but the question has been asked, what is the best path forward? For her personally, she believes the best path forward is in a Freeport-only school district.

Councilor Sachs pointed out that she is 100% voting “yes” for withdrawal. In case that is not clear, she advised that her vote will be “yes” on November 4 for withdrawal. She summarized by saying that sound and strategic fiscal management she believes is better in that administrative model of a stand-alone. She believes that sustainable vision is better in a Freeport stand-alone model. She believes that being able to plan for your size and the evidence states that 425-500 student model is an effective creative model as supported by evidence and data. Her heart says that the kids will be fine and will flourish. She grew up in an SAD model in Farmington, Maine. She was in Freeport before consolidation and voted for consolidation for many of the same reasons that Councilor Tracy has. However, she does not believe that that administrative model is the best one moving forward for the strategic and financial fiscal management and planning for the students. She does not believe in the RSU model. Lastly, on a personal standpoint, she challenged those for withdrawal, how many budget, working group and withdrawal meetings have they been to? How many School Board meetings have they been to? She has been there as a parent to many, many of those meetings. That is not a sustainable administrative model for making decisions regarding our fiscal management nor our strategic vision for our students.

Councilor DeGrandpre advised that he graduated from Freeport High School in 1970. There were 69 students in his class. Many headed off to college. Some made it through college but some made it until the Viet Nam draft was over. A lot of folks have done well and have returned to Freeport. He has spent a lot of time working with the Withdrawal Committee. From the very beginning when we created the RSU, the cost share model was flawed and unfair. He didn't support it then and he does not support it now. Freeport is paying for a larger share of kids than we put in the system. Going forward on the bond that has already been passed, when we borrow that money, the repayment of that bond uses the same cost share model. We will also be paying more than our share back on that.

We have worked through budgets and he has talked to folks that are here tonight about budgets and what their ideas are. At one point the Withdrawal Committee started with the 2014/2015 budget. One of the things that came to mind tonight was that with $1.5M of additional spending, the calculated cost by the State of Maine would have been higher so the revenue stream from tuition would have been higher as

well. This is not about the math. Others have said this is deciding what Freeport's path forward is. Can we do this better alone sharing the resource we built with out neighbors? Three years ago we would have been consolidated witth Pownal. We had already talked to them about moving their Middle School here. They are here now. There are a whole bunch of ways where we can work better together. While on the Council, Joe Migliaccio said it would be easier to combine three towns than three school systems. Councilor DeGrandpre feels he may have been right at the time. The challenge we had is we created a fourth entity—the RSU and each of the communities have been at odds with it for the last five years. He believes we can do this better and he supports the withdrawal vote.

Councilor Gleeson advised that he will also be voting for withdrawal. He mentioned that the Council has been very involved in the process. His main reason is that he believes the main question has always been about local control and how we as a town wish to manage our school system. The costs are certainly a factor but should not be the only factor. Complete independence to decide our educational features for our children is a very difficult thing to place a price tag on. He commended the work done by the Council-appointed Withdrawal Committee. They have worked tirelessly and have done a very good job. He disagreed with the number of meetings the Committee attended. Rather than 30, Councilor Gleeson feels it is closer to 35 or 40. He knows for a fact that Mr. Murray worked through an anniversary and some children's birthdays, which was very difficult.

Councilor Gleeson disclosed that he has a Third Grader at Mast Landing. Going back to the budget work done by the Withdrawal Committee, he does not subscribe to the rosy scenario. The meetings he sat in proved the opposite. Many times he struggled with things such as Special Ed. There are items like Special Ed that do not favor Freeport and he thinks there was a struggle to create a fair budget on certain items because we did not know and the budget numbers were all over the place. This entire budget process was a very difficult budget. He believes there is a point where we have to just go with the trust that a newly elected School Board under a Freeport-only model will be able to manage the budget. He would look forward to building our own system and allow us to try to retain any students that we worry about losing. There should be no reason if we build an excellent school system, to lose those students. If we do lose those students, it might be somewhat telling about what our current RSU model has right now that we are going into. He has friends in Pownal and he looks forward to welcoming them into our new Freeport-only school system. He really would look forward to building a system that would attract students and instead of being options to go to our southern neighbors, they will be wanting to go to Freeport.

Chair Hendricks thanked everyone for coming in this evening. It was nice to have a large crowd in the room and he appreciated each and everyone that got up to speak. If he was curt, he asked them to not take it personally. He was trying to keep the civil unrest from going to unrest.

OTHER BUSINESS

1. Discussion with Town Attorney regarding legal services.

Attorney Phil Saucier from Bernstein Shur introduced himself and explained that he is a Municipal lawyer and has been practicing for ten years. He joined Bernstein Shur about four years ago where he met his colleague, Geoff Hole. He explained his firm and noted that they are specializing more and more. Attorney Saucier has been working with Donna Larson and Fred Reeder over the last two or three years. Geoff Hole stepped down due to an ailment but remains available for the firm.

Councilor Tracy welcomed Attorney Saucier and noted it is important to note that Geoff has been invaluable to Freeport for decades and he has served us well. She is sorry she could not tell him personally. We appreciate his work and constant availability to our questions. Attorney Saucier offered to let Geoff know.

Chair Hendricks pointed out that Geoff always had a quick story and will be missed. Attorney Saucier has big shoes to fill.

Mr. Joseph advised that the town has a legal contract with the firm but Geoff was appointed as Town Attorney at some point. Freeport's charter calls for a Town attorney and he/she has to be appointed by the Town Council. Attorney Saucier indicated that he would be honored if the Council made him Freeport's official Town attorney.

> **MOVED AND SECONDED:** That Phil Saucier be appointed as the Town's Attorney. (DeGrandpre & Sachs) **ROLL CALL VOTE:** (7 Ayes)

Attorney Saucier was welcomed aboard. Attorney Saucier mentioned that Freeport's Charter is silent on school budget issues. The Council has room to fill in for the powers of its School Board. Under Home Rule the Council has authority in what it would want a future School Board to do if the referendum passes.

Councilor DeGrandpre had a question about timing. He mentioned that the Council will have a lot of discussion about what we want to build for the language. The Council removed it a year after the RSU was formed. He asked about the timing to add it back into the Charter. We would have to have a meeting and mark up a Public Hearing. From there, there are a certain amount of days before we can actually have a vote. Attorney Saucier agreed that this was accurate. It is all laid out in the amendment to the Charter Statute.

Councilor DeGrandpre mentioned that if Freeport does decide to withdraw, the challenge it will have is that the default for School Board is three members and there will be a lot of work for three members. He noted that the Council may need to place this on the fast track if we decide on a seven member board. The Statute speaks to how long they have to circulate papers, how much time for a vote, etc.

Attorney Saucier offered to provide a basic one-page time line to talk about how it would work. Mr. Joseph mentioned that if we withdraw, we will have to elect a School Board sometime in January looking backwards at the paper times. He asked for an opinion on that along with the Charter Amendment process and if they could dovetail. He noted that any Charter Amendment has to be ratified by the voters.

Councilor Tracy mentioned the Disposable Bag Ordinance and that the Ordinance Committee has decided to do a survey on Election Day as an exit poll. If anyone is going to be there and is willing to take a shift for an hour, she feels it would be helpful. Councilor Sachs and Chair Hendricks indicated that they may be able to help out.

> **MOVED AND SECONDED:** To adjourn at 8:55 p.m. (Egan & DeGrandpre)
> **VOTE:** (7 Ayes)

Respectfully,

Sharon Coffin
Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #21-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, OCTOBER 21, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:35 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #19-14 held on October 7, 2014 and to accept the Minutes as printed, and to waive the reading of the Minutes of Meeting #20-14 held on October 14, 2014 and to accept the Minutes as printed.

Councilor Sachs referred to the Minutes of October 14, page 2 and noted the word "decimate" should be changed to disseminate.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #19-14 held on October 7, 2014 and to accept the Minutes as printed, and to waive the reading of the Minutes of Meeting #20-14 held on October 14, 2014 and to accept the Minutes as amended. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

Councilor Sachs reminded folks that the holiday season is upon us and Freeport Community Services is taking applications for Holiday Helpline, the Bruce Roberts Toy Fund as well as if folks would like a box for Thanksgiving Dinner or if they would like to come to the Community Dinner at the Community Center at 53 Depot Street on thanksgiving Day. For any of these reasons, please visit them between 9 a.m.-4 p.m. at the Freeport Community Center at 53 Depot Street.

Councilor DeGrandpre noted there are political signs everywhere. He requested that folks putting up signs or maintaining them for anyone, to please put all of them up while they are there. Some signs have been removed because they are too high and folks at intersections cannot see through them. If anyone is missing signs, they should check with Public Works because they will have them. If anyone is putting up signs, he urged them to try to keep them low enough so folks sitting in an automobile can see at the intersection. We don't want to create a safety issue.

Chair Hendricks announced:

- Absentee Ballots are now available at the Freeport Town Clerk's Office for the November 4, 2014 election. The deadline to request an absentee ballot is Thursday, October 30th at 6 p.m. To find out how to request an absentee ballot, contact the Town Clerk.

- A Public Flu Vaccination Clinic for Seasonal Flu will be held on October 22nd from 9:00 – 11:00 a.m. in the Town Council Chambers. For information on "What you need to know this Flu Season" and a list of other Flu Clinics in the area go to: www.midcoasthealth.com/flunews.

- Nominations are now being accepted for the 2014 Citizen of the Year Award. Nomination forms are available at the Town Office, Freeport Community Library and on the Town's website. Deadline for nominations is December 4, 2014.

- The Town of Freeport offers Food Scrap Drop-Off Program—Beginning on November 15th, Freeport residents visiting the Hedgehog Mountain Road transfer facility will be able to compost their food scraps free of charge! Simply bring your food scraps in a separate bucket or container during your regular trip to the transfer facility. At the transfer facility, just deposit your food scraps into the designated compost totes. The food waste will be collected by a local composting company, *We Compost It!* and converted to compost. Compost will be donated to our local Freeport Schools. Questions? Contact the Freeport Transfer Station at 865-3740 or for a list of acceptable food scraps visit the town's website.

- Nominations are being accepted for the 2014 Citizen of the Year Award. Nomination forms are available at the Town Office. Freeport Community Library and on the Town's website. The deadline for nominations if December 4, 2014.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

Councilor Sachs announced that the Conservation Commission will be meeting tomorrow, October 22 at 6 p.m. at the Community Center at 53 Depot Street.

Councilor Tracy advised that the Ordinance Sub-committee met this afternoon before tonight's meeting and finalized the Disposable Shopping Bag Survey which is going to be a survey of residents on Election Day as they exit the polls. It is a short survey asking residents if they would support a ban on disposable shopping bags in Freeport and if so, what type of bags they would support a ban on. If they do not support a ban, would they support a per-bag fee on disposable shopping bags. If so, what type of bags—paper or plastic or both? She explained that the Council received a proposal in the late spring by two graduating high school students from Freeport High to institute an Ordinance banning plastic shopping bags in Freeport and the consideration of whether to institute an Ordinance in Freeport was referred to the Ordinance Committee. The committee has conducted a survey of local businesses in terms of their concern or support of such a ban or per-bag fee. It makes sense to survey residents if they are surveying businesses and that is what they plan to do. She requested that as residents exit the polls, stop by the tables that will be set up and take the time to fill out four quick questions. Councilor Tracy hopes Councilors will be manning the table. She plans to pass around a sign-up sheet this evening and asked Councilors to indicate if they will be available on Election Day to talk to residents as they come through.

Councilor DeGrandpre reported that Traffic and Parking met this morning and talked about a safety plan for bikers, pedestrians and motorists. They believe that there should be a responsible entity and a budget developed for an educational program since it will involve some targeted issues, printing and other costs. They believe it will take more information from statutes, the Police Department. MDOT has some rules

and the Active Living Task Force's Plan that was accepted has some information in it. He noted that the Council will be receiving this in a while to talk about how to move forward with developing the information and how to get it out. They identified that it is important to not just get to cyclists and kids at the high school, but also motorists and people walking. If we don't all understand what is expected of us, walking, biking or driving, it makes it really difficult. The Traffic and Parking Committee has said that they are not the group to do this but feels it needs to get done.

Traffic and Parking discussed road work in the South Freeport Village. There will be a recommendation coming forward on that as the Council gets to budget time on reconstruction. Albert Presgraves is working on this now.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

All of the donated AEDs have been installed at Town schools and at the Community Center Many thanks to all those who gave private donations for this important cause.

The Fire Department Open House was a great success. It is estimated that over 400 visitors attended this year. Attendees were able to view Fire/Rescue apparatus, get their blood pressure checked and learn how to extinguish a cooking fire, among other things, Participating vendors, area hospitals, the Red Cross, the Freeport Police Department and other service providers set up displays at the event. The weather also cooperated, resulting in a wonderful community event. The Fire/Rescue Department would like to thank all those who attended and supported the Open House.

The Town's of Freeport's 2013 Annual Report was awarded second place honors in this year's Maine Municipal Association Annual Report competition. Competing in the very competitive 5,000+ population category, our report was judged second only to the City of Caribou. Copies of the report are still available in print at the Town Hall and can be accessed online at http://www.freeportmaine.com/inc/scripts/file.php?file id=7124. A huge congratulations is in order to our Assistant to the Town Planner, Caroline Pelletier, who is largely responsible for coordinating and editing the Annual Report each year. Although all of the department heads provide content for the report, Caroline's hard work and persistence is what really brings the entire multi-month project together.

On October 7 and 8, members of the Freeport Police Department competed in the State of Maine Police Challenge. The two-day event consists of several events: 1. Marksmanship with handguns and rifles, and 2. Physical Fitness and marksmanship. The events simulate situations where officers have to run, perform different physical events or endue different stressors, then accurately shoot and hit the designated targets. The Freeport PD team took first place this year. There were nine other teams competing in this year's events that consisted of other Municipal Police Departments, as well as teams from the U.S. Marshall's Office and the Maine National Guard. Congratulations to our team from the Freeport Police Department: Keith Norris, Nathan Leger, Gino Bianchini, Tom Gabbard and Rick Ray.

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

> **MOVED AND SECONDED:** To open the Public Comment Period. (DeGrandpre & Sachs) **VOTE:** (7 Ayes)

Keith McBride, Executive Director of Freeport Economic Development Corporation announced that they are seeking applicants for a vacant Board member position. Applications are available in Town Hall both at the Town Clerk's counter and the counter closest to the Manager's office at the end. They are also

available on their website www.freeportecon.com. They are looking to get a wide range of diverse candidates and he encouraged anyone with an interest to apply. He suggested that residents contact him for more information. He noted that he leaves applications up and running in the hope of having a bank of them when a Board vacancy becomes available. For this particular seat, they are hoping to have it filled by the new year.

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

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

ITEM #180-14 To consider action relative to adopting the October 21, 2014 Consent Agenda.

BE IT ORDERED: That the October 21, 2014 Consent Agenda be adopted. (Hendricks & DeGrandpre)

Chair Hendricks reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #181-14 To consider action relative to proposed amendments to Chapter 21: Zoning Ordinance Section 526A to add the uses and definitions of "artisan food and beverage" in the VC 1-4 Districts and "artisan food and beverage with food trucks" in the C1, 3 & 4, LB, I 1&2, and MD A&B Districts, and to add performance standards for food trucks, as recommended by the Planning Board.

BE IT ORDERED: That a Public Hearing be scheduled for December 2, 2014 at 6:30 p.m. in the Council Chambers at Town Hall to discuss proposed amendments to Chapter 21: Zoning Ordinance Section 526A to add the uses and definitions of "artisan food and beverage" in the VC 1-4 Districts and "artisan food and beverage with food trucks" in the C1, 3 & 4, LB, I 1&2, and MD A&B Districts, and to add performance standards for food trucks, as recommended by the Planning Board.

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 3 and the Town's website. (Egan & DeGrandpre)

Councilor Tracy pointed out that she plans to recuse herself from this matter because the law firm where she is employed has represented a proponent of some of the language changes. She will not participate in this item nor when it is taken up at public hearing on December 2.

Mr. Joseph explained that this has come through the Planning Board and initially through an application from the Maine Beer Company requesting a food truck outside of their shop. It became apparent that there really isn't a method in the Zoning Ordinance to deal with this so the language the Council is seeing is to enable the use of food trucks for places that have brick and mortar businesses that are doing artisan food production and toilets will have to be provided and it will have to be off the street, etc. for certain periods of time. The Town Planner will be here to explain this in much more detail.

ROLL CALL VOTE: (6 Ayes) (1 Recused-Tracy)

ITEM #182-14 To consider action relative to proposed amendments to Chapter 21: Zoning Ordinance Section 514 to allow flexible parking standards for open spaces in all districts provided the plans for the parking areas receive Site Plan Review approval, as recommended by the Planning Board.

BE IT ORDERED: That a Public Hearing be scheduled for December 2, 2014 at 6:30 p.m. in the Council Chambers at Town Hall to discuss proposed amendments to Chapter 21: Zoning Ordinance Section 514 to allow flexible parking standards for open spaces in all districts provided the plans for the parking areas receive Site Plan Review approval, as recommended by the Planning Board.

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 3 and the Town's website. (Wellen & Egan)

Mr. Joseph explained that this has to do with parking for example at Sayles Field or Quarry Woods. This will affect how the Project Review Board reviews it. It is adding the parking requirements into the Site Plan Review language. It will apply to new projects coming forward. It will also apply to any amended plans.

ROLL CALL VOTE: (7 Ayes)

ITEM #183-14 To consider action relative to proposed amendments to Chapter 46: General Assistance Ordinance Appendix B (Food Maximums) and Appendix C (Housing Maximums).

BE IT ORDERED: That a Public Hearing be scheduled for December 2, 2014 at 6:30 p.m. in the Council Chambers at Town Hall to discuss proposed amendments to Chapter 46: General Assistance Ordinance Appendix B (Food Maximums) and Appendix C (Housing Maximums).

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 3 and the Town's website. (Tracy & Egan)

Peter Joseph explained that the Town has been using these minimums and maximums because we do not have a choice if we want to receive reimbursement from GA. Every six months or so we have to bring our local guidelines into compliance with State law.

ROLL CALL VOTE: (7 Ayes)

ITEM #184-14 To consider action relative to recognizing the 90th anniversary of the Freeport Woman's Club.

BE IT RESOLVED:

WHEREAS, the Freeport Woman's Club is a community organization whose mission of service, education and support for the well-being of others has been benefiting the greater Freeport community for 90 years; and

WHEREAS, this organization provides critical funding for a variety of educational needs in our community, including support for elementary and middle school students, college scholarships for high school students, and innovative grants for adult women pursuing further education; and

WHEREAS, this group of concerned members has provided throughout its long history, and continues to provide, significant donations and volunteer hours for other community organizations, town improvement projects, and emergency services; and

WHEREAS, the Freeport Woman's Club delivers free educational monthly programming to the community on informative topics such as legislative initiatives, health care issues, and art or community programs, that benefit the public.

NOW THEREFORE, BE IT RESOLVED, that the Freeport Town Council hereby recognizes and commends the members of the Freeport Woman's Club for their charitable contributions and service, both today and for the last 90 years, to our community. (Sachs & Egan)

Nita Voskian, 48th President of the Freeport Woman's Club, explained how the club evolved over the past 90 years. She expressed her appreciation to the Town Council for this recognition.

A signed resolution was provided to Ms. Voskian. Councilor Sachs disclosed that she is a member of the Freeport Woman's Club.

Councilor DeGrandpre asked if men are welcomed and he was advised that they are. Nancy Clark, past president of the Freeport Woman's Club, explained that she is now chairperson of the Publicity Committee. She noted that the club has a current brochure that accurately reflects their mission, the fun and enjoyment they share among one another as well as the benefits and service that impact our communities. She placed them with the Council Secretary for distribution to the Council. She thanked the Council most sincerely for this recognition. She explained that information is included in the brochure on how one can become a member. Membership is a real asset. She encouraged anyone with an interest to please come on the third Friday of each month in the Community Room of the Freeport Community Library at 1 p.m.

Betsy Roper of Merganser Way and also a member, noted that articles about upcoming meetings of the Freeport Woman's Club are listed in the Ti-Town *News.* She encouraged residents to watch for their announcement in the Freeport section. It usually comes out two weeks before the meetings. They would love to have visitors and their next meeting will take place on the third Friday of November. The Falmouth Audubon Society will be speaking about the constantly changing bird population in Maine. Everyone is welcome and they have good food as well.

ROLL CALL VOTE: (7 Ayes)

ITEM #185-14 To consider action relative to accepting a bid for a Public Safety Voter System for Police/Fire & Rescue.

BE IT ORDERED: That RCM be awarded a contract for a Public Safety Voter System for Police/Fire & Rescue for the bid amount of $31,946.

Note: The Town Council appropriated $50,000 for this project in the FY15 Town Capital Budget. (DeGrandpre & Egan)

Fire Chief, Darrel Fournier explained the need for radios in certain areas of Freeport and the locations considered. A decision was made to go with the site at Harb Cottage at Winslow Park.

Councilor Tracy thanked Chief Fournier for finding a savings of $18,000. It is a nice boost.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Sachs)

ITEM #186-14 To consider action relative to the expenditure of up to $4,800 from the Shellfish Commission General Fund Budget for the purpose of contracting with Marine Consultant Sara Randall to conduct stock assessment surveys.

BE IT ORDERED: That the expenditure of up to $4,800 from the Shellfish Commission General Fund Budget for the purpose of contracting with Marine Consultant Sara Randall to conduct stock assessment surveys be approved.

Note: The Town Council appropriated $13,500 in the FY15 budget for the purpose of hiring outside technical and/or scientific staff for the Shellfish Commission. The balance in the account is $13,500 as of October 14, 2014. (Gleeson & Egan)

Del Arris, chair of the Shellfish Commission, pointed out that working with staff has made his job easier. He explained the need for a three-year stock assessment program. He mentioned that the Shellfish Commission has already approved $1,200 for the materials needed for the surveys and numerous people are working to get the surveys going.

Mr. Joseph explained that the Council approved that money in the budget but asked that before any of it was spent, either he or the Shellfish Commission was requested to come to the Council and explain the plan on how it would be spent. A condition was that the money be used for a task that the current staff, the Shellfish Warden or Town Office staff is not up to conducting. The intent of the Shellfish Commission is to be taught how to do this this year. It will not be a recurring expense.

Mr. Arris agreed the $4,800 would not be a recurring expense. The money will be used to train certain individuals this year so they can hand that responsibility over to either a warden or project coordinator (they don't know yet). He is hoping this fits under the category of how to use this money. `The Commission decided that they cannot move forward with a conservation program without an established data process.

Councilor Egan asked for assurance that the contract that would be put in place with Sara Randall, if approved, would cap the amount at $4,800 even if her hours went over. Mr. Arris assured her that the amount would be capped at $4,800.

Chair Hendricks mentioned that he and the Town Manager did some checking and found that this was a pretty fair rate for the work that is being done, if not more than fair.

Mr. Arris explained that under the Harraseeket River Management Plan, they are required to run a

conservation program. The major part of the commission and diggers is to keep the Harraseeket River open. It is a DMR requirement. He explained the DMR's way of doing surveys.

Councilor DeGrandpre mentioned that he attended the Shellfish Commission meeting where there was a lot of discussion around Sara's training some Shellfish members and other folks so they will be able to do much of the assessment next year with supervision from the Shellfish Warden or a coordinator. There \ may be a small budget item requested next year but the materials were purchased this year with money they had. This will help them get the program up and running and the training done so they can go on to the next cove, etc. He thanked Mr. Arris for his work in chairing this committeeand noted he is doing a great job.

Councilor Tracy noted that she appreciated the proposal and the explanation about why it is needed. To the extent that the goal is to have this be transferred next year to our in-house people, she wants to make sure that we have the same programs that Sara has so that as she is going through it, we know that we will be able to transfer it next year to whatever we have. Mr. Arris noted that that is where they are headed. DMR is involved in this and they are aware that they have to come up with a different mathematical solution to figure out our surveys. He pointed out that they are not rushing to make these decisions but have thought this through and feel this is the way to start this whole program moving forward.

Councilor Wellen expressed his appreciation for the way Mr. Arris has been conducting the meetings. He asked if there were other pockets of money the Shellfish people could use for the $4,800. Mr. Arris explained their annual operating budget as well as the possibility of having to purchase seed. It is important that they have the money available for the seeding program. He mentioned having come so far and now is asking to use money that was set aside and earmarked by the Council. He would prefer to use that money. Mr. Arris advised that he will be overseeing Sara's work and ensuring that it is going according to schedule. He works with her every other day. He is confident the commission is heading in the right direction.

Councilor Gleeson thanked Mr. Arris for doing a great job. Councilor Tracy noted that it is totally within the purpose for which the Council set aside the money. Councilor Sachs noted the data is good and it is a wise investment to move forward with a full conservation program. Chair Hendricks noted it is a pretty wise expenditure.

Councilor Wellen pointed out that this appears to be a prudent use of money but he would prefer that the money come from the State. He feels the Council has already spent quite a bit of money on the clamming industry and is torn on this. He needs to decide how he will vote.

ROLL CALL VOTE: (7 Ayes)

Chair Hendricks mentioned that Mr. Arris has done a very good job and hears that he is a resident at Town Hall during the week for many days. Mr. Arris noted there isn't one person in town Hall that doesn't help him in some way. He thanked the Council for their support. He really appreciates it.

ITEM #187-14 To consider action relative to a construction easement with L.L. Bean, Inc.

BE IT ORDERED: That a temporary construction easement be granted to L.L. Bean, Inc. in connection with the construction of repairs and improvements at 6 Holbrook Street. (Gleeson & Egan)

Mr. Joseph provided a summary on the easement. This was approved by the Town Attorney.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Wellen)

ITEM #188-14 To consider action relative to establishing the Active Living Advisory Committee.

BE IT ORDERED: That the Active Living Advisory Committee be established as of October 21, 2014 to carry out the terms of the Active Living Plan dated May 19, 2014 and accepted by the Town Council on July 15, 2014. Some number of Freeport residents shall be appointed by the Town Council to the committee for staggered three-year terms, as recommended by the Appointments Committee. There shall be representation from all four Freeport voting districts, as well as representatives with interests in local trail systems, the school system, bicycle and pedestrian initiatives, and public safety, as well as a Town Staff liaison. The committee shall meet monthly to review progress, continue planning, monitoring and evaluation of the implementation of the Active Living Plan. (Egan & DeGrandpre)

Councilor Sachs pointed out that she has been a proponent of Active Living and also chairs the Municipal Facilities Committee. They have been talking about the Town's open space management across the town. While the Town has an enormous number of amazing properties, but does not have allocated the resources thus far to really manage them so that our residents have access and the properties themselves are well taken care of. She mentioned the pieces of Freeport that have open space but the management of this open space has been a concern of hers. She feels the amazing Active Living Task Force has put that in stark relief. When this came up to establish the Active Living Advisory Committee, to her it is part of a broader conversation about open space management. It is not just one piece of it. It is a broader thought about what she feels we could use more of in Freeport. She mentioned that she is not in favor of establishing an Active Living Advisory Committee right now because she believes more time is needed to flesh out the open space management policies within Freeport. She welcomed discussion from her fellow Councilors on 1) do they think it is good to further explore some of our open space management policies? One way to do so might be to extend the original charge that we had with the Active Living Task Force so they can continue to be a resource in education and go to things like Traffic and Parking which they did this morning to provide valuable input and not have that work end. Extend their charge through next June as their Task Force charge. In the meantime, be talking to Municipal Facilities about more of a plan of open space management for all of Freeport's land. She would like to see it end up where Peter Joseph does a needs assessment within his Planning Department to see if there is capacity within existing staff to take on some of these issues that were also identified in the Active Living Plan, and the fact that we have seven sort of developed management plans through the Conservation Commission with no staffing support and cannot get those brought up to snuff. Mr. Joseph indicated that he is willing to look at these capacity needs to see if there is already capacity within our Planning Department to do that. To take on some of these things and staff some of the various commissions and track the two grants that have been a direct result of the Active Living's involvement. Mr. Joseph will bring that forward during the budget season as we normally do to see if full time, part time or if there is already capacity within. Then there is a transparent process and a designation that this is important and we need to think about this thoughtfully. She would like to propose some language after Council discussion, to extend the charge of the Active Living Task Force so that they will continue to work on some of these issues while at the same time we talk about Municipal Facilities as well within the budget process about whether we would like to move forward with designated staff, if that is needed. She is not willing to go with a Parks and Recreation Committee only because this step process should determine what is needed and what capacity is there.

Councilor DeGrandpre mentioned concerns he had serving on the Hunter Road Fields Committee. Scheduling field time is one component that could potentially roll into a larger function. Managing and mowing the Pownal Road field would remain with Freeport if the town withdraws. He asked how we

could provide better parking for all those facilities and how we will do trail improvements? The Town Planner is starting to schedule Volunteer Days to clean up some of the park areas, etc. He feels there may be an opportunity to coordinate this better. When we add managing what we have to managing a process to go forward, he would be in favor of it.

Councilor Wellen is not supportive of this motion. He likes the idea of looking at a broader picture. If we are going to have some sort of a committee, it should be a broader committee. Having an Active Living Committee right now would be either duplicating existing Town functions because a lot of these plans sit with the Town Planner and Planning Board. If there is not enough staff to prioritize and implement, that is something to look at for all these different projects. We are a small town and the Active Living Plan according to some estimates is $9M-$16M without any maintenance calculated. The high school renovation is estimated between $6M-$9M and he feels we cannot do everything. He suggested prioritizing and perhaps we will get some of the conservation stuff that needs to be done and maybe a little of the Active Living, but it is such an ambitious project, given all the other Town priorities. He does not want to duplicate Town functions with this committee by adding another layer of bureaucracy. It would be extra cost and would waste Staff time and he feels the money could be better spent elsewhere. He noted that this would potentially service an advocacy group within Town government and he would say that this would give them an unfair advantage over other residents. He referred to the language "to carry out the terms of the Active Living Plan." He mentioned that it could easily be interpreted that the mission is to carry out all the action plans of the Active Living Plan. He feels the Council has to be careful of the wording. The Council did not define what the word "accept" meant. They did not define it that they agree to spend money on all the projects and this language could be interpreted as such. He would eliminate the whole first section if it passes and he would eliminate part of the bottom section but that will be up to others who believe the motion might be there. He feels Councilor Sachs' idea is interesting and that is a broader discussion in terms of expanding it.

Councilor Sachs asked if it would be helpful for Councilors to hear her amendment as opposed to the language that was read. She read the following amendment.

> **BE IT ORDERED:** That the Active Living Task Force's original charge from the Town Council in 2012, which was "to develop an Active Living Plan that supports the Town's Comprehensive Plan and considers resource constraints" be amended to include "and to monitor and to act as an additional resource of information to the Town and its citizens for the initiatives outlined in the accepted Active Living Plan until June 30, 2015.

Councilor Sachs explained her amendment. Councilor Wellen noted he is hesitant to give this group that extra legitimacy that some other special interest group does not have. He mentioned the Task Force ended. They did the Plan and he is concerned about extending it for those reasons. Councilor DeGrandpre mentioned that the Council is not appointing a whole new committee but will ask those folks to continue to shepherd this along until the Council makes a bigger decision. Councilor Wellen noted he has to give this more thought.

Chair Hendricks mentioned that he spoke to Councilor Sachs today and thinks the Council needs to have a larger discussion about Parks and Rec and how to manage our open spaces. The Council already discussed taking a look at our Traffic and Parking Committee and their charge. They are doing a lot more work than is in their charge. Some updates are needed there. As part of this process a big conversation needs to be had to see how it all fits together. He likes the idea of continuing the Task Force in their current form with the ability to continue on with what they have been doing until the Council has a broader discussion amongst ourselves and maybe with the Planning Department to see how we are going to move forward with our open space and open space management.

Councilor Gleeson echoed Chair Hendricks' comments. He agrees with Councilor Wellen that it is uncommon but wants the Task Force to have a way to communicate. This is a way to keep them in tact but also feels uncomfortable appointing a committee until the Council discusses it. He agrees that Freeport has a lot of real estate and open spaces. It is all about being efficient, especially with budget crunches. Adding an employee is not going to help that. At the same time, Active Living could have an avenue to say we are part of the Active Living and have a reason to meet. He is okay with Councilor Sachs' plan. He would like to see it written down because he did not have any idea about it.

Anne-Marie Davee advised that she is not sure her Task Force members want this to be a never-ending charge. She will confirm with Councilor Sachs that there is a need for a bigger, broader picture of the Plan. They were aghast when they learned there were 30 public lands and spaces that need to be managed. The Plan recommends that there be the Active Living Task Force transition to an Advisory Committee. It also recommends that there be an Open Space Parks and Rec Coordinator employed by the Town. It is intended to improve safety and improve the quality of life for all the residents in our community. There is momentum. She explained the two grants that were received as well as signs for bicycle safety. She feels there is a lot that can be done. She applauded Councilor Sachs' amendment and noted there is a need for a bigger plan. She is ready to do that.

Stephanie Helms of Lunt Road advised Ms. Davee that she hopes the Task Force members want to continue in contributing to the success of some of the ideas that were brought forward in the Plan. She echoed some of the sentiment she heard. There is tremendous talent in this town and tons of people have brilliant ideas, these folks are among them. They can bring them to Traffic and Parking at 7:30 in the morning and a lot of them do without the Town seal. They can do it as citizens and they should do it as citizens. We should work together to make sure there is productive dialogue and the Council needs to set up the parameters where everybody has an equal playing field and everybody knows where to go. If you want to change Traffic and Parking into the Transportation Committee, consider doing that. That is where everyone will gather to talk about transportation issues. She would like everyone to come together as a community and none be particularly empowered. Everyone should try to work together and she thinks they can and the Council will let them.

Andrew Arsenault advised that he is on the Conservation Commission. He noted that we should take time to figure out where all the other committees are going. Do they have enough people? He mentioned that the Task Force is done and it is time for them to come and advocate as citizens and for the Council to put it into the system. There are a lot of open spaces that need a little clean-up. He doesn't attend Traffic and Parking meetings in the morning but feels we should take a longer look at this instead of rejuvenating a committee that has really done its job. We should encourage these people to come and advocate for what they have done but they have done their job. Until we come up with something bigger and go through the process that Councilor Sachs is talking about, it is time for us to think of something bigger or rethink what we are doing already.

John Lowe of North Freeport feels the Active Living people have done a super job. He asked if the Plan would be shelved and lost somewhere. He asked what group is going to decide how the all the groups will work together or where all the information will be funneled to. Will it be the Planning Department? He does not want to see the Plan stop.

Councilor Sachs advised that she is advocating for the exploration of a part-time person within the Planning Department. That person could look at the Active Living document, farm out pieces, work with Public Works, compile a list of volunteers and schedule the Volunteer Days. This is why she is saying this is part of a larger conversation about our open space management. She agrees that the work on the grants cannot lose momentum. This is why she proposed the time-limited extension of the Task Force if they are willing.

Katrina Van Deusen, Executive Director of the Freeport Conservation Trust and not on the Active Living Committee advised that she has been participating throughout because there are a lot of overlapping interests. She requested that the Council own this Plan and not be scared that people are making out to be special interests now. We are all in this together and we can do it. She asked the Council to not distance itself. This is stuff we need to do. It is not scarey.

Deede Bennel, Freeport resident, advised that she served on the Active Living Task Force and wanted to put people at rest. She noted that they are not planning to spend millions of dollars. This Plan is designed to be grant ready. She heard tonight that the Task Force is the "empowered ones." She reiterated what Ms. Davee said. They are all in this for the interest of every community member. There is nothing special about the Task Force. They are interested to make this a really safe, active and healthy community. They welcome anybody to every meeting if it continues. She does not like the sense of "we versus them energy". This is not what it is about. They are not out to spend every taxpayer dollar. She wants everybody to be clear about what the intention is. They are not going to do anything behind closed doors and suddenly everyone's tax bill will go up.

Guy Quartrucci of South Freeport provided written comments earlier in the week responding to the motion that was originally printed. In view of the redirection of where the Council might wish to explore going with this item, that view has to change somewhat. He likes good process so it is not so much about any particular group or their agenda, it is about the process that surrounds it and how it gets done. He read his statement into the public record. Local government trusted this group to come forward with a credible plan and now it is time for this group to reciprocate with the same trust and step back and let government do its job to decide how we all work to bring all the components into a network that manages and promotes our lands.

Doug Leland noted that he is getting a sense that the Council is moving in one direction. He explained that the Task Force has represented the entire community. It is not a special interest advocacy group. It's a group of people who looked at all the open spaces. They are a part of the Active Living Plan. There were 700 questionnaires from community members whose information got reflected in that Plan. There were two public workshops and multiple public hearings so it is not just a small group of people trying to push an agenda. He mentioned the National Parks Service Grant which would not be a conversation tonight if it wasn't for the Active Living Task Force. PACTS approached Freeport with $60,000 because of the Active Living Task Force. The bicycle safety signs were valued at $2,000. He mentioned that there are any number of grants within the field of active living which includes open spaces, trails, waterways and bicyclists and pedestrians. One of the first questions asked is "do you have an active living committee or something equivalent in your town?" If not, chances of getting a grant go down substantially. He fears that if we lose focus on this, we will start to lose some of those opportunities. He pointed out that up to now, no money has been spent. The Active Living Task Force has attracted over $100,000 into the Town. In the last six days he has become aware of five grant opportunities that we could act on today. He noted that it takes a lot of work to put together a grant and without the energy of the people that have done it up to this point, those grants are not going to be acted upon. Without a place of focus for people like that to come to and say you represent where we want to put our money, then we won't have to worry about spending any money and we won't have to worry about getting it either.

Chair Hendricks brought the discussion back to the Council. Councilor Tracy pointed out that that what Councilor Sachs is talking about makes sense with respect to broadening the discussion before we decide what the structure is of the Active Living Committee. It makes sense to see what framework that fits into. With all the activity that Mr. Leland is talking about, it makes sense to have some Town resources behind that in terms of labor and organization and not have it be entirely volunteer driven as the Plan continues and we have some continuity. With respect to what happens in the interim, she feels it would be wise to extend the mission of the Active Living Task Force. She noted that the Council spent good taxpayer money on this Plan and the biggest shame would be for it to gather dust and people to lose the enthusiasm

that they have out of a sense of feeling that they are not recognized or legitimized. She is not saying that the Council give them special status. Everybody can come and say their opinions but there does need to be a body that is responsible for making sure that this document stays alive in the interim while the Council figures out the bigger picture. She feels the need for structure and it is made even more compelling by Mr. Leland's comments that you don't get funding if you don't have the structure in place. She supports Councilor Sachs' proposal and believes it is important to extend the mission. She wholeheartedly supports the work that the Active Living Task Force has done to date. She regrets that they keep coming and hearing resistance. She feels it has been great visionary work thus far and we need real conversations down the road about what this town can afford when we get to the point where we decide whether to spend taxpayer money but she doesn't feel we are there.

Chair Hendricks noted he is not against the formation of a committee but feels there is a possibility that Active Living could be part of a larger committee that we decide we want to make, whether or not it is a Parks and Rec Committee or a Parks and Rec/Open Space and Active Living Committee. It would not necessarily be so focused on the Plan and many different components could be entwined in that Plan. He wants to keep the Task Force going but wants a broader conversation so that we are a little more efficient with all our open space and all of our active living aspects. It is being managed completely by volunteers at this point. The broader discussion will be on how to manage that, what staff resources we do have, do we need to think about bringing on more staff just to take care of those issues. We don't really have staff enough now to maintain all the things that we do have. He stated he is not against active living or the task force as a whole. He is confident that they are looking out for the entire town but asked them to hold out a little longer in order to have a bigger, broader discussion. He advised that part of this will happen in Mr. Joseph's office and part will happen with the Municipal Facilities Committee and another part will happen with the Council on where we go with some of the other committees. Traffic and Parking is a prime example where we need to look at their charge. He feels we need to look at the whole picture and integrate what we can. He is not trying to squash this and throw it on the shelf to gather dust. He wants to do it the right way and not have to take a second look and say we wish we would have done something different.

Councilor DeGrandpre agreed with Mr. Leland, without Active Living, we wouldn't have that money to spend. He noted that the Council will be starting its budget process pretty quickly and he is aware that there are a lot of pieces of low hanging fruit in the Plan. As they start to work on the Capital Budget, they need to see what projects are already in the pipe line because they have a five-year plan. He suggested looking at places where we are planning to do some work anyway. He feels it is critical that the Committee continue to work because they have a better idea of where the pieces fit together. He feels we need to manage all of our committees better. He encouraged everybody that helped to build the Plan to stay with it.

Councilor Wellen appreciates that he heard that they are looking at the tax impacts of the Plan because he feels it is important. He supports active living and open spaces. He noted that it is not an easy process and it would be hard to do everything.

Councilor Egan mentioned that if the Council moves forward with Councilor Sachs' motion, she thanked the Active Living Task Force even though this is not the intended outcome of tonight's motion. It did spark us to think about a much bigger and holistic way to go about planning. Councilor Sachs' idea of thinking about how open space can be coordinated and managed in a much more intentional way in Freeport came out of the Task Force's work. This is a really great outcome tonight. She recognized all the members here tonight representing the Task Force for doing an amazing job. She noted she is incredibly grateful to them for the hundreds of hours they put in trying to make our community safer and more healthy. She echoed Councilor Tracy's comments in that she is sorry that there is some discouragement. It's tough getting some innovative and visionary moving forward. She thanked the Task Force for providing a great service to Freeport.

Councilor Gleeson explained that he, too, noticed some discouragement. He echoed some of Councilor Egan's comments. He feels the Task Force has done a great job and it should be obvious that most of the Council is very supportive. He wants to be very clear that he is supportive of active living. He hopes that members do not get frustrated but keep going on. He supports Councilor Sachs' motion of extending the task force so that it will have something from the Town that encourages them to keep this together until we figure it out. He wanted to go on record for that.

Sally Walsh, Freeport citizen and a member of a nameless task force, pointed out that she is listening to a Council that really wants to implement some of the things that this document has but no one seems to have a mechanism by which to do this. Not to create another task force, but perhaps there could be a bridge where there is an extension of the task force with members from the Active Living Task Force that could be members of the implementation task force or committee with some members of the Council to explore how to best implement/utilize/blend some of the recommendations that have been put forth by some of the structures already within the Town committee. It is a mystery to her of who to go to. It would be great to have a group of people that would work together to implement this.

Councilor Sachs loved Ms. Walsh's suggestion. She feels the simplest solution would be to extend the Active Living Task Force so that we can do exactly that. The next meeting of the Municipal Facilities Committee is November 6 at 7:30 a.m. Open space management is on the agenda. To begin this conversation, Peter Joseph has been asked to begin a needs assessment. Her point is what is there within our current structure to be able to support whatever we do moving forward. The first question is if there is current capacity within our Planning Department? The second is the question of committee structures. Do we, as a Council, move forward with perhaps proposing an entire Parks and Rec Department? Is it a part-time position? She doesn't know the answers but doesn't want the momentum to end now because that structure of the Task Force is currently in place. There are two grants on the table. She formally proposed an amendment to the BE IT ORDERED: to state:

> **BE IT ORDERED:** That the Active Living Task Force's original charge from the Town Council in 2012, which was "to develop an Active Living Plan that supports the Town's Comprehensive Plan and considers resource constraints" be amended to include "and to monitor and to act as an additional resource of information to the Town and its citizens for the initiatives outlined in the accepted Active Living Plan until June 30, 2015." (Sachs & Egan)

Note: The reason for June 30, 2015 is because that budget process with this transparency and these conversations will happen immediately. Once we get to the end, if we haven't figured anything out, Councilor Sachs fully anticipates that this exact motion should come back up. If we have punted or decided not to do that, she invited this motion to come back up. If we have made some other decisions, but she would imagine during that transparent public process we will find out the structure that we are going to want to do it with.

Councilor Wellen suggested that Councilor Sachs take the original motion out and replace it with the amendment. Councilor Tracy felt it should be amended, not replaced. She hopes before the budget season starts, that the Council can have the structural discussions so that when we are in the budget process, we have already essentially made a decision about what we want to do structurally. It is really a question of whether we put an item in the budget to reflect that decision or not, not the structural decision itself because the budget season as we all know, is too much as it is. Councilor Sachs noted she would welcome Councilor Tracy at the November 6 Municipal Facilities meeting. Chair Hendricks suggested shooting for a broader based discussion sometime during January, February and March which are considerably slower times of the year for the Council to see where we are at and where we are going. The Council needs to put

the Traffic and Parking discussion on an agenda at some point. Perhaps Municipal Facilities can look at some of the other committees as well and have Appointments also do some of this work. They could take a look at what charges need to be tweaked or changed. He is confident it can be done in the slow periods.

Councilor DeGrandpre suggested that if the Council is going to take a look at committees, that all the committee charges be gathered up and distributed to everybody. Once things start down a trail for one committee or another, it is hard to put them in reverse. As we schedule our meetings with Municipal Facilities, Ordinance or whoever it is, we will have the information already and will be able to participate in that particular process. Chair Hendricks noted that committees intuitively know what they are doing best and maybe if they want to do more. It would be good to start by having each of the committee chairs review their charge and see what part they are meeting and what part might be antiquated. Have them brainstorm on some ideas of where they see their committees going. It could be brought back to Appointments.

Councilor Egan mentioned that she feels that is a fantastic idea. A practical way to make that happen is that Ms. Davee worked with some Councilors and the Town Manager to think about how volunteers for the Town can be better informed about the Town processes and the different committees they need to go to to get things done. It was decided to have a training session with chairs and vice chairs and, of course, all members of committees are welcomed to attend this coming January that would give people training with the Freedom of Information Act as well as the requirements for putting together a committee, where they can be and what needs to happen. This may be a good place to ask chairs to think through the charge. It will be more of a discussion piece. She feels this is something that can be tackled all at once in January.

Councilor DeGrandpre encouraged Chair Hendricks or Mr. Joseph to contact all the committee chairs because we are coming to the end of October. As we go through our November meetings, it would be great for all committees to add one item to their agenda which is a short discussion around what their actual charges are. Chair Hendricks noted this is an easy one and Councilors should consider it done.

ROLL CALL VOTE ON AMENDMENT TO #180-214 (6 Ayes) (1 Nay-Wellen)

ROLL CALL VOTE ON THE ACTION ITEM FOR THE ITEM AS AMENDED. (6 Ayes) (1 Nay-Wellen)

Chair Hendricks asked the Task Force to please continue the good work and not get discouraged. This process will move forward in a positive way. The Council wants to be sure to do it in the right way.

ITEM #189-14 To consider action relative to a Request for Use of Town Property application submitted by FreeportUSA to close off the parking lot in front of the train station for the Sparkle Express event on Saturday, December 6, 2014.

BE IT ORDERED: That the application for a Request for Use of Town Property submitted by FreeportUSA to close off the parking lot in front of the train station for the Sparkle Express event on Saturday, December 6, 2014 be approved. (DeGrandpre & Sachs)

Kelly Edwards, Executive Director of FreeportUSA explained that this is the 21st year that they are celebrating the Sparkle celebration. They are expecting 300-400 people to attend this event. Two holiday decorated trains will go to Brunswick on Saturday afternoon. The conductor will read a holiday story and carols will be sung. Santa will also be there. With so many children on the premises, they are hoping to eliminate motor traffic at the platform.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Egan)

ITEM #190-14 To consider action relative to amending the Town Council meeting schedule for November of 2014.

BE IT ORDERED: That the Town Council meeting schedule be amended to add a meeting on Wednesday, November 12, 2014.

BE IT FURTHER ORDERED: That Rule #6 of the Council Rules of Order and Procedure be suspended for the meeting on Wednesday, November 12, 2014, in order that the Council may discuss items of business other than the election of officers and the recognition of outgoing Councilors.

Note: Section 6 of the Council Rules of Order and Procedure specify that the first meeting following an election is reserved for organizational meeting business only. The Council can suspend this rule with a simple majority vote. (Gleeson & DeGrandpre)

Chair Hendricks explained that he brought this up because he wants to make sure that there is enough meeting time. If there is a yes vote on withdrawal in November, the Council will need to move fast on some things and get some things moving. Given the fact that we have holidays in both November and December, he is worrying about the timing of meetings. If we need to have any additional meetings in November, it would put the Council at the week of Thanksgiving which he feels is a bad idea since one or more would be away and he would not like to limit anyone's family time during a holiday week. He is worried about timing. The Council would only meet on November 18 if necessary.

BE IT ORDERED: That the Town Council meeting schedule be amended to add a meeting on Monday, November 10, 2014.

BE IT FURTHER ORDERED: That Rule #6 of the Council Rules of Order and Procedure be suspended for the meeting on Monday, November 10, 2014, in order that the Council may discuss items of business other than the election of officers and the recognition of outgoing Councilors. (Egan & DeGrandpre)

ROLL CALL VOTE ON AMENDMENT: (7 Ayes)

ROLL CALL VOTE ON ITEM AS AMENDED: (7 Ayes)

Chair Hendricks asked Mr. Joseph to make it clear on the Town's website and on Cable that the organizational meeting has been changed in the event people want to attend that evening. He hopes the people in the press would not it somewhere.

OTHER BUSINESS

1. Discussion regarding a salary survey.

Chair Hendricks explained that there was a request made to do a salary survey on employees and compare them to some of our neighboring towns. It has now been completed.

Mr. Joseph explained the comparisons on the five spread sheets provided to the Council regarding employee salaries and benefits. He answered questions for Councilors. He noticed that the highest paid

employees are not necessarily from the biggest towns. He suspects it may have something to do with property values and the demographics of a town.

Chair Hendricks thanked Judy Hawley and Mr. Joseph for putting all the information together. He knows it was not easy.

Councilor Wellen had questions which were addressed by Ms. Hawley. He noted he is curious how median incomes were compared.

Councilor Egan thanked Mr. Joseph and Ms. Hawley for providing this information. The data provided is very clear and transparent and easy to understand. She feels comfortable with what was given to her and she does not feel any more investigation needs to be done on this. She wanted to know how we compare to other towns and this information has fulfilled that need.

Chair Hendricks noted he is comfortable with where we are at and we don't need to delve into this any more.

Councilor Wellen noted he plans to meet with Mr. Joseph separately to analyze comparable towns. He feels it could make a big difference if median incomes are way higher in all those towns. This is an issue for him and he would also consult with people that are experts in this field to get their ideas. If we look at these comparable towns, it appears we are in the middle but he pointed to his own research which seems to be confirmed by this that on benefits he sees that we are higher than anyone else by a fair amount. He plans to bring that up during budget season. He questioned if every person had to give the same percent. Mr. Joseph noted that it varies very widely and explained there are alternative plans.

Chair Hendricks explained that instructing the Town Manager and employees to get any more information than what was provided would be at the purview of the entire Council and not just one Councilor. Councilor Wellen clarified that he has the right to meet with the Town Manager just to get information and he sometimes offers to do a little research, nothing big and he is very conscious of Staff time. He is happy to do his own research if the Council is not interested.

Mr. Joseph indicated that this is something he is more interested in talking with Councilor Wellen on than anyone else at the table. He finds demographic stats fascinating.

Councilor Gleeson thanked Ms. Hawley and Mr. Joseph for all the information. He looks at the high/lows and recalled the Police Department that just got those accolades. In looking at this information, it appears they are paid average to below average. They are not at the highest but we seem to have an above average police department. He also mentioned the Finance Department and that the Council could go both ways on this. He is pretty good with this because he feels we are getting a lot of bang for the buck. He does not mean to leave out other employees.

Councilor Egan pointed out that the Council wants to have something competitive and retain the great talent that we have. We are consistently seeing how our staff perform when they are put up against peers in the State. It is important to think about how we can make sure we reward merit and appreciate it. Hopefully the Staff understands how much the Council appreciates the service and the talents that they give to the Town.

Councilor DeGrandpre pointed out in looking at demographics, Freeport is a little different from other communities. We post four million visitors each year along with our regular residents. We have a regional school and there are bits and pieces that do make us different from some of the ones that appear to have the same demographics. He feels it is great that Councilor Wellen and Mr. Joseph are going to look into this but asked them to make sure to take all things into consideration as well. He mentioned that we have

some senior employees nearing retirement and some of the percentages may be a bit skewed because of that. He thanked Ms. Hawley and Mr. Joseph for the information they provided.

Councilor Wellen noted we have good staff and we want to retain good staff but the balance is that we have residential taxpayers paying the bill. He suggested looking at the big picture and it wouldn't be easy to reduce the retirement thing but it is something to look at. He needs to look at it more carefully. He just got the information tonight.

Mr. Joseph encouraged everyone to look it over and if they have any questions, 90% of it can be explained. He would be happy to answer any questions.

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

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL ORGANIZATIONAL MEETING #22-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, NOVEMBER 18, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
Rich DeGrandpre, 11 Timber Ridge Road	x		
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		

Chair Hendricks called the meeting to order at 6:34 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #21-14 held on October 21, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #21-14 held on October 21, 2014 and to accept the Minutes as printed. (DeGrandpre & Egan) **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: That the Town Clerk report on the returns of the November 4, 2014 Election.

Town Clerk, Tracey Stevens reported:

- The total number of registered voters at poll opening time—6,453
- The number of registration cards handled by the Registrar on Election Day (new voters and change of address, name or party) - 326
- The total number of ballots cast: State-4,712; Town-4,710
- Percentage of voters who cast ballots—72%. The State average for this election was 60% so Freeport experienced quite a high turnout.
- The number of Absentee ballots requested -1,182
- The number of Absentee ballots cast—1,131
- The number of Absentee ballots never returned to us—51

Overall, things went very smoothly and we didn't receive many complaints from voters.

We didn't have any poll watchers during this election, but we did have three petition groups collecting signatures, which is the maximum amount allowed due to space constraints in the hallway. There was 1 group who had reserved a petition table that did not show up, so I called to confirm that she wasn't coming and gave the open space to another interested group who would've otherwise been turned away due to said space constraints.

During each election, we have space in the foyer for groups wishing to sell items, conduct surveys, or get information out to the public. We require that people call in advance to reserve a table because we only have enough room for 7 tables according to the fire code. I had the Deputy Fire Chief inspect the area

and he confirmed that the amount of tables we had setup was the maximum that we could allow. Our main concern needs to be the safety of the voters, as well as the students who attend Freeport High School. We did receive a complaint from one person because they advertised that they would be doing a fundraiser on election day, but they never called to reserve a table, and we didn't have any space left for them. I called her in advance because we noticed the advertisement, and we worked out a plan so that she could share a table with another group. She originally wanted 4 tables, but we simply didn't have enough space.

This was our third election with the new voting machines, so things ran more smoothly than they did this past June because voters were more familiar with the process. We did experience a diverter error on a couple of the machines throughout the day due to the high volume of ballots in the ballot boxes which were sitting up against the diverter and causing it to stop working. We had to shut down the affected machine for a few minutes and reboot it, and then remove some of the ballots and place them into a locked tamper-proof container so that the diverter would begin working again. The diverter on the machine is the mechanical part that places a ballot either into the fully counted bin to the left of the machine, or the write-in bin to the right of the machine if a voter voted for a write-in candidate, and it's important that it is functioning properly so we know which ballots we need to count by hand when the polls close at 8:00 p.m. However, it's important to note that the diverter error in no way affects the ballot tabulation which occurs through the voting machines themselves, not the ballot box.

We did have a couple of people tell us that they didn't realize the RSU referendum was located at the bottom of the ballot, even though it was clearly located directly above the words "You Have Now Finished Voting", which is set in a larger font purposely. Once it was brought to our attention, we began telling voters where the question was located when handing the ballot to them. There really isn't anything different that we can do in the future with the ballot design though. The voting machine company prints the ballots and they design the format based on State Law and how the voting machines work. We do work hard at posting sample ballots around Town, on the website, and at the polling place to accommodate voters so they can educate themselves before voting.

Because of the high voter turnout, lines were long most of the day, but no-one had to wait more than 5-7 minutes in any of the lines. The longest lines occurred at the Voter Registration table because the process to register to vote takes around 3-5 minutes per person.

One issue we do have during a high turnout election is parking space availability. When you count the number of people who are there working, plus the people who are collecting signatures on petitions, plus the groups who are selling items in the foyer, plus the candidates there greeting voters, plus pollwatchers, we could be taking up around 30-40 parking spaces just for those people, which makes it harder for voters to find a place to park. I think we need an alternate plan for parking for these groups. Perhaps we could have them park in the Town Hall back lot and provide a shuttle service or something similar. It's definitely something for us to look into for our next big election.

As you know, we conducted a recount yesterday on the at-large Town Council seat. The recount found an additional vote for Rich DeGrandpre because the voter had placed a very light check mark beside his name, and because it was so light, the voting machine would not pick that up, so it counted it as a blank for that race. All in all, the recount showed that the voting machines are extremely accurate, and the results on Election Night stand. We received very good feedback from several people regarding how efficient and transparent the process was as well, so I'm happy about that

COUNCIL MEETING #22-14
NOVEMBER 18, 2014

STATE BALLOT—CANDIDATES

United States Senator:

Bellows, Shenna	1831
Collins, Susan	2797
Lyons, Christopher	1
Stubenrod, Deril	0
Blanks	83

Governor

Cutler, Eliot	479
Lepage, Paul	1720
Michaud, Michael	2482
Stephens, Barry	0
Blanks	31

Representative to Congress

Misiuk, Isaac	1234
Murphy, Richard	359
Pingree, Chellie	2922
Stephens, Barry	0
Blanks	197

State Senator

Gerzofsky, Stanley	2349
Horch, K. Frederick	665
Johnson, Jennifer	1454
Blanks	244

Rep. To Legislature

Gideon, Sara	3070
Schulz, Paul	1431
Blanks	211

Judge of Probate

Mazziotti, Joseph	3403
Blanks	1309

Sheriff

Joyce, Kevin	3504
Blanks	1208

District Attorney, District 2

Anderson, Stephanie	3362
Blanks	1350

Country Commissioner, Dist. 3.

Gorden, Stephen	3330
Blanks	1382

STATE BALLOT - REFERENDUM

No. 1.	Ban Bear Baiting	Yes	2718
		No	1894
		Blank	100

No. 2	Maine Agriculture Bond	Yes	2932
		No	1570
		Blank	210

No. 3	Small Business Loan Bond	Yes	2876
		No	1590
		Blank	246

No. 4	Research Center/Cancer Bond	Yes	2926
		No	1547
		Blank	239

No. 5	Bio Lab for Tissue Repair Bond	Yes	2459
		No	1968
		Blank	285

No. 6	Clean Water Bond	Yes	3154
		No	1350
		Blank	208

No. 7	Marine Business Bond	Yes	2901
		No	1561
		Blank	250

MUNICIPAL CANDIDATES

Councilor At-Large (vote for one)

DeGrandpre, Richard	2070
Rixon, William	2076
Write-ins	17
Blanks	547

Councilor—District 2 (vote for one)

Tracy, Sarah	976
Write-ins	11
Blanks	281

Councilor—District 3 (vote for one)

Egan, Kristina	823
Write-ins	23
Blanks	340

RSU 5 Board of Directors (vote for two)

Haversat Matheson, Charyl	970
Larkins, Nelson	1454
Parker, Beth	1901
Sterling, Lindsay	2010
Write-ins	40
Blanks	3045

Sewer District Trustee (vote for two)

Ashby, Michael	1663
Kennedy, Gerald	1705
Leland, Sally	2360
Write-ins	27
Blanks	3665

Water District Trustee (vote for one)

Hudak, Thomas	2561
Write-ins	30
Blanks	1259

MUNICIPAL REFERENDUM

Question 1	RSU Withdrawal	Yes	2152
		No	2228
		Blank	330

MOVED AND SECONDED: That the Town Clerk's report be accepted. (DeGrandpre & Sachs)
VOTE: (7 Ayes)

The Town Clerk administered the oath of office for new Councilors:
Kristina Egan, 5 Weston Point Rd
Sarah Tracy, 75 Lower Flying Point Rd
William Rixon, 66 Varney Road

Everyone clapped and Chair Hendricks noted he would allow it this evening but he normally would not permit it. Councilor Rixon took a seat on the Council.

ROLL CALL OF NEW MEMBERS:
Kristina Egan, 5 Weston Point Road
D. Scott Gleeson, 23 Park Street
James Hendricks, 21 West Street
William Rixon, 66 Varney Road
Melanie Sachs, 84 Kelsey Ridge Road
Sarah Tracy, 75 Lower Flying Point Road
Andrew Wellen, 83 Hunter Road

Chair Hendricks stepped down and presented outgoing Councilor DeGrandpre with a plaque and a gift certificate to the Sunrise Cafe as well as well as to the Maine Model Company for his 12 years of dedicated service to the Town. He noted that Councilor DeGrandpre would be greatly missed.

Councilor Tracy advised that she felt that Rich was the heart of the Council and represent the heart of the Town and will be sorely missed. She thanked his family for allowing him to give so much of himself to the Town.

Johanna Hanselman, on behalf of the Town employees, advised that it has been a privilege and a delight working with Rich the past 12 years. She mentioned she would be hard pressed to find anyone that cares more deeply about this town or cares more about the people in this town. She shared a list of ideas Rich could do on Tuesday nights as well as other times. She suggested that he consider creating a sidewalk plowing machine out of old tractor parts and scrap metal.

Rod Regier of South Street pointed out that he served on the Council with Rich and are friends. He mentioned that Rich likes nuts and bolts. Everyone recognizes Rich's exuberance but they should realize how much time he put into this and acknowledge the toll on the family for all this time.

Darrel Fournier, Fire Chief, advised that he grew up with Rich and suggested getting dirt bikes out for Tuesday night fun. Earlier this week he gave Rich a replica of a 1939 LaFrance which is a to scale model. He noted he appreciated his guidance over the years on vehicles and thanked him for his years of service.

Edward Bonney welcomed Rich into the illustrious group of individuals that have chaired the Council. He mentioned that there is an initiation process to go through. He recalled that Rich always told him what he was doing wrong and what he should be doing while serving on the Council. Mr. Bonney advised that he told Rich he should be elected to the Council and two years later he was. Mr. Bonney is happy to see that Rich never gave up knowing everything. If he didn't have an answer for something, he made it up. He pointed out that life goes on and now Rich can still be critical of what's going on in the Council but realize that you sat up there once and by the time you completed at least two terms, and if you hadn't made everyone angry in town, you were pretty well on your way to doing so. If you served three terms, you have alienated 99.9% of Freeport's citizens. He asked Councilor Rixon to bear this in mind. Mr. Bonney sincerely appreciated all of Rich's service to the Town.

Mr. Bonney congratulated Councilor Rixon for winning the election. He mentioned that he has great people to work with and suggested that he seek their counsel as he progresses along. Being a Councilor is not an easy task and the position is under appreciated by most folks in town. He admires Rich and is confident that Rich has the admiration of most citizens in town.

Outgoing Councilor DeGrandpre thanked everyone. He recalled being elected many years ago and pointed out that he feels this is kind of the best job in the world and no one can imagine how much fun and how much work it is. He urged Councilor Rixon to roll his sleeves up and not be scared. The nuts and bolts rarely fall off. He welcomed him to the Town Council.

Councilor DeGrandpre thanked everyone for their support over the years. He noted it has been an honor to serve and he has had a lot of fun. He served with some incredible folks and feels it was an adventure. He feels it has been the most rewarding 12 years of his life.

RECEPTION FOR OUTGOING COUNCILORS:

At 7:04 p.m. Chair Hendricks explained that the Council will recess to say goodby to Rich and welcome Councilor Rixon. He suggested reconvening at 7:30 p.m.

At 7:30 Chair Hendricks reconvened the meeting.

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

ITEM #191-14 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 opened. (Tracy & Sachs) **VOTE:** (7 Ayes)

MOVED AND SECONDED: To nominate Melanie Sachs for the position of Council Chairperson. (Wellen & Gleeson)

MOVED AND SECONDED: That the nominations for the position of Council Chairperson be closed. (Gleeson & Tracy)

BE IT ORDERED: That Melanie Sachs be elected Chairperson of the Town Council. (Wellen & Tracy)

MOVED AND SECONDED: That the nominations for the position of Council Vice-Chairperson be opened. (Tracy & Wellen) **VOTE:** (7 Ayes)

MOVED AND SECONDED: To nominate Scott Gleeson for the position of Vice- Chairperson. (Wellen & Sachs)

MOVED AND SECONDED: That the nominations for the position of Council Vice-Chairperson be closed. (Tracy & Sachs) **VOTE:** (7 Ayes)

BE IT ORDERED: That Scott Gleeson be elected Vice-Chairperson of the Town Council. (Wellen & Sachs)

ROLL CALL VOTE: (7 Ayes)

Chair Hendricks passed down the gavel to Chair Sachs. On behalf of the Council, Councilor Egan thanked Councilor Hendricks for serving as chair for the last few years. She noted some of the many things he has accomplished for the Town. Under his leadership it is always civil in this room and residents can come here and always feel welcome. She presented Councilor Hendricks with a new personal gavel. Councilor Hendricks thanked everyone and advised that he looking forward to having a break from chairing the Council. It has been a bit of work but he has been happy to do it. He is delighted that residents feel comfortable that they can come to the podium and speak their piece.

Chair Sachs noted that Chair Hendricks and Vice Chair Egan have done an amazing job these past two years and thanked them for their service. She feels it has been an interesting two years.

OTHER BUSINESS:

MOVED AND SECONDED: To take up under OTHER BUSINESS the matter of an appointment of a Freeport representative on the RSU5 Board in light of the fact that RSU5 Board member, Peter Murray announced his resignation yesterday and that resignation was accepted by the RSU5 Board and Superintendent today. (Tracy & Hendricks)

It is incumbent by the Council to set forth the process for his replacement. In the context of that motion, she noted that we lost a great resource when Mr. Murray decided to resign. He feels he can be more effective as an advocate rather than sitting on the Board. He has given an amazing amount of time serving on the Board and on the Withdrawal Committee. While the vote did not go in the manner he hoped, he did a great job setting forth the parameters of the decision. As a Councilor and a private citizen, Councilor Tracy thanked Mr. Murray for his time and service to the Town of Freeport.

ROLL CALL VOTE TO TAKE THIS UP UNDER OTHER BUSINESS: (7 Ayes)

Chair Sachs noted that the Superintendent of the RSU5 has accepted Peter Murray's resignation as of December 31, 2014. The process is in the Statute forwarded by Mr. Joseph yesterday that this Council must appoint an interim person to fill out the term for one year after which time an election would be

held.

Councilor Tracy had two process options to put forward for the Council's consideration. The first is following a process the Council followed in the past which is to advertise the opening and allow for applications, create a set of questions for applicants to answer in writing and then bring in the applicants to answer follow-up questions and then make a selection.

The other option, in light of the fact that we had an election not even two weeks ago that had four RSU5 Board candidates. Two were selected and the option would be to move to the next seat given that residents have spoken so recently and the next candidate received almost 1,500 votes. She encouraged the Council to move quickly. It is important to have all of our seats filled.

Chair Sachs pointed out that the RSU5 Board is intending to postpone their leadership vote until January 14, 2015.

Councilor Hendricks feels that the Council can make a decision at the next Council meeting on December 2. He suggested opening it up for advertisement to see who wants to apply. He feels Mr. larkins is a great candidate and did get the third most votes but feels the Council should stick with the process it followed in the past. He explained that the Council can come up with some questions tonight and do the same thing the Council did with the Withdrawal Committee.

Vice Chair Gleeson agreed but in the decision making process, it would hold some weight that Mr. Larkins did get the third most votes in the voting ranking of the four candidates. He feels it is important that the Council handle this in an open process and make a decision on the 2nd.

Councilor Egan agreed with Vice Chair Gleeson that it would be hard for her to go against 1,400 voters. Councilor Wellen agreed to put out applications. Councilor Rixon agreed with what has been said. Chair Sachs agreed that the transparent process would be the best. Discussion followed on timing.

Councilor Tracy noted that this is an important seat to fill and there is a lot going on. She would prefer to vote on this at the next Council meeting. Councilors Egan and Gleeson agreed that this should be put on the next Council agenda.

Councilor Tracy suggested using the following questions that candidates would answer in writing:

1. Why would you like to be a member of the RSU5 Board?
2. If you are appointed by the Council what would be your top three priorities?
3. What skills or characteristics do you bring to your service that you would like the Council to consider?
4. Is there anything else you would like the Council to consider regarding your application to serve on the RSU5 Board?

Chair Sachs noted she regretted not asking the Withdrawal candidates: Do you feel you have the time to put forth with this commitment?

Councilor Egan feels these questions are great but suggested adding: Are you committed to fulfilling the remainder of the term?

There was agreement that these are good questions and the process would be to have Mr. Joseph put these out on the website to be able to publicize them as best we can and also put it in the newspaper if possible in order to let people know a decision will be made on December 2. The deadline for accepting applications was determined to be by Noon on December 1. Candidates should plan to be at the meeting

and be prepared to make a 3- minute public statement as well as answer the questions. The Council will make a decision on December 2. Chair Sachs asked Councilors to please read the packets before the December 2 meeting.

Councilor Tracy will forward the questions to Mr. Joseph and include Councilor Egan's question.

EXECUTIVE SESSION

ITEM #192-14 To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) to consult with the Town Attorney regarding a fee waiver request made pursuant to 1 MRSA §408-A(11).

MOVED AND SECONDED: That the Town Council enter Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) to consult with the Town Attorney regarding a fee waiver request made pursuant to 1 MRSA §408-A(11). (Gleeson & Hendricks)

Before going into Executive Session, the following public discussion on the motion occurred. Councilor Sachs recognized Freeport resident Marie Gunning to speak.

Marie Gunning, Freeport resident, congratulated Councilor Rixon for running such a respectful campaign and was happy to see him sworn in tonight. She explained that she is requesting a fee waiver which the Town has estimated to cost to respond to her FOAA request. She is hoping to determine what, if any, information may be available within Freeport's Town Office regarding the anonymous publication that is put out under the name of *A View From The Crow's Nest,* also known as the *Crow's Nest.* She provided some background information on the publication. She believes it is in the public interest to absolutely confirm that none of Freeport's tax dollars ever went to help produce or distribute that very negative publication. She mentioned that the Town seal is evident in some of the publications which is not allowed under State law. She stated that she does not have a commercial interest in this.

Councilor Tracy disclosed that Ms. Gunning and her family were at her house on Saturday night because they are neighbors and their children are friends. She does not have any conflict with this request and does not have a financial interest in it. She asked Ms. Gunning if there has been any discussion about narrowing the amount of Town time to answer the FOAA request and the amount of the fees. Ms. Gunning does not feel it will ever take the suggested amount of time. She discussed narrowing the request and is confident it could be done a lot quicker than expected. Councilor Tracy asked if Ms. Gunning would be amenable to narrowing her request. Ms. Gunning mentioned being at a disadvantage because she doesn't know who will do the search. She is not expecting a treasure trove of information. She is interested in getting the list of people invited to the former Town Manager's retirement party.

ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION: (7 Ayes)

MOVED AND SECONDED: That the Town Council reconvene into Public Session. (Gleeson & Hendricks) **ROLL CALL VOTE:** (7 Ayes)

Councilor Wellen explained that Ms. Gunning makes a persuasive case on how the *Crow's Nest* has had a negative effect on the community for targeted individuals. He feels it is worth pursuing. It would be good to be more safe than sorry. He would be willing to waive the first 60 hours but did not put a motion forward.

Chair Sachs clarified that the FOAA request will absolutely be fulfilled no matter how long it takes.

Councilor Tracy noted that it is important to talk about the standard that we have. The standard is a matter of public record and is set forth in the statute. She does not believe there is a commercial interest behind this request. There is no financial interest or gain by obtaining this information. The Town is obligated to respond to FOAA requests. The request is quite broad and the cost is high. She could support a partial waiver of the portion of the fee but she would not support a full waiver.

Councilor Rixon agreed with Councilor Wellen. He feels the Council should support this request as best we can. Vice Chair Gleeson agreed with Councilor Tracy. He would be willing to look at a partial waiver. He is open to a compromise. Councilor Hendricks feels it would set a bad precedent by waiving the fee. This would involve the loss of staff time. People will have to work longer days and it will be a loss of efficiency. Councilor Egan explained that she would not support the waiver and feels it is not on legal ground. Chair Sachs would be willing to give a ten-hour waiver and explained that it is in the public's interest to get to the bottom of it.

MOVED AND SECONDED: Based upon the arguments that Councilor Tracy put forth earlier that the Town waive pursuant to 1 MRSA §408-A(11) B 20 hours of time which is one third and that be the limit. (Tracy & Gleeson)

Councilor Wellen feels the time should be amended to 30 hours. Councilor Rixon agreed to support the 30. Other Councilors did not agree to amend the number from 20.

ROLL CALL VOTE: (4 Ayes) (3 Nays-Hendricks, Egan, Sachs)

EXECUTIVE SESSION

ITEM #193-14 To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) to consult with the Town Attorney regarding the Town's potential participation in the Municipalities Continuing Disclosure Cooperation Initiative of the Securities and Exchange Commission.

MOVED AND SECONDED: That the Town Council enter Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) to consult with the Town Attorney regarding the Town's potential participation in the Municipalities Continuing Disclosure Cooperation Initiative of the Securities and Exchange Commission. (Hendricks & Egan)

ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION: (7 Ayes)

MOVED AND SECONDED: That the Town Council reconvene into Public Session. (Gleeson & Hendricks) **ROLL CALL VOTE:** (7 Ayes)

MOVED AND SECONDED: That the Council make the following order:

BE IT ORDERED: That the Town Manager and/or the Treasurer are hereby authorized to execute necessary documents and take all actions necessary to participate in the Municipalities Continuing Disclosure Cooperation Initiative of the Securities and Exchange Commission.(Tracy & Egan) **ROLL CALL VOTE:** (7 Ayes)

NOTE: Chair Sachs pointed out that there is a RSU#5 Board meeting scheduled at the Durham School tomorrow night at 6:30 p.m. People are encouraged to stay involved in the schools. They would like to see a big turnout. She requested that Mr. Joseph fax physical copies of the questions and applications for candidates to the RSU#5 Board so they can bring them to the meeting tomorrow night and make them available to anyone interested. Mr. Joseph agreed to do that.

MOVED AND SECONDED: to adjourn at 9:22 p.m. (Egan & Tracy) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #23-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, DECEMBER 2, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		
William Rixon, 66 Varney Road	x		

Chair Sachs called the meeting to order at 6:32 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #22-14 held on November 18, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #22-14 held on November 18, 2014 and to accept the Minutes as printed. (Egan & Hendricks)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements

Chair Sachs announced:

The Public Works Department would like to pass on a few friendly reminders to the Freeport residents for the upcoming winter season:

1. Freeport residents are allowed two (2) 5-gallon buckets of sand per storm. Sand is now located adjacent to the silver recycling bullet on Hunter Rd. in front of the Public Works Facility.

2. No parking is allowed on public streets or in turnarounds during winter storm events – please keep streets and turnarounds clear of vehicles (including trailers, campers, etc.) during a storm. Our winter parking ban is now in effect, from 11:00pm-7:00am, and will continue until April 15.

3. For residents who park vehicles in driveways, please keep sidewalks clear so our sidewalk machines are not restricted in doing their job.

4. On a final note, please do not push snow into sidewalks or public streets as this is not only against Maine state law, it is also costly and time-consuming for the Public Works Department to send vehicles and manpower out to go back to clean up a street or sidewalk.

For any residents who have questions or concerns, please feel free to contact the Public Works Department at 865-4461. Thank you in advance for your cooperation!

- 2015 Dog Licenses are now available. All dog licenses expire December 31st of each year. Dogs six months and older are required to be licensed by law. You may register at the Freeport Town Hall or online at: www.doglicensing.com. Please bring proof of the rabies vaccination and spay/neutering. The cost at town hall is $6 and $11, respectively.

  Please be aware that you must renew your dog license no later than January 31st of each year, or a late fee of $25.00 per dog will be charged.

- Dogs & cats are invited to a Rabies Clinic on Saturday, December 13, 2014, 9:00 am – 1:00 pm at the Freeport town hall. Rabies vaccines are $15.00 per animal. Freeport residents may also license their dogs at the clinic. For any questions: please call the clerk's office: 865-4743, ext 122 or 123

- Freeport Players presents the WFCP "TELETHON" at Freeport Performing Arts Center December 5, 6 & 7. From the creators of the WFCP HOME TIME RADIO HOUR, "TELETHON" is a family-friendly variety show that mixes music, dance and comedy acts in a spoof of Jerry Lewis telethons, MPBN pledge drives, and disaster relief concerts. Tickets are $10 in advance, $15 at the door. Tickets can be purchased in advance at the Freeport Community Center Thrift Store or on the Freeport Players' website www.fcponline.org.

- The Food Mobile from the Good Shepherd Food Bank will be at the Freeport Community Center Parking Lot tomorrow, December 3 from 2-4 p.m. Anyone can come whether you are from Freeport, Pownal or any surrounding towns can come to receive food at the Good Shepherd Food Mobile. It is free. They will try to move it indoors since the weather may be inclement.

- If anyone needs help with gifts or warm clothing this holiday season, please contact Freeport Community Services at 865-3985, Extension 205 by Friday, December 5.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Tracy advised that the Ordinance Committee met this evening before the Council meeting and discussed several matters, one of which was the Traffic and Parking Committee and the Traffic and Parking Committee Ordinance. They are in the process of making recommendations to the Council about changing the Ordinance to reflect some of the modifications proposed by the Appointments Committee and making some clarification changes and also reflecting that the Traffic and Parking Committee now addresses issues throughout the town rather than having a preference and focus on just the Village and downtown district. They will be taking up those issues and proposing recommended changes to the Traffic and Parking Ordinance if not at the next meeting, the meeting after that.

Councilor Tracy noted that the Ordinance Committee addressed the survey results from the plastic bag survey taken during the election. There were 779 respondents and 69.19% indicated they would support a ban on disposable shopping bags in Freeport, and 67.53% of the respondents indicated they would support a ban on plastic bags rather than paper or both. There was a question that if a ban was not imposed, would they support a per bag fee and 54.69% indicated they would. If they answered yes, on which type of disposable bags would they support a fee and 52.35% indicated plastic which was the most

responses. While they were pleased with the volume of responses, they experienced problems getting everybody to respond which is a concern. The Ordinance Committee is undertaking a process and will be returning to the Council in the next couple of meetings to give a sense of where it is at in terms of information gathering and getting Council input on what they should do next. Chair Sachs thanked Councilor Tracy for organizing the survey.

Chair Sachs pointed out that the next Municipal Facilities Committee meeting will be held on December 11 at 7:30 a.m. They will be continuing to work on NET analysis as well as Open Space management. She advised that the Conservation Commission will not meet in December. Their next meeting will be in January.

Chair Sachs mentioned that she serves on the Cumberland County Municipal Finance Committee and sent information to the Council. For the public, as Freeport's representative in District 3, she pointed out that she voted against recommending the Cumberland County budget. She sent a detailed memo to the commissioners and reported that the outgoing District 3 commissioner and the incoming commissioner responded favorably to her suggestions and as commissioners supported her changes as well. She sadly reported that the tax burden from Cumberland County will be again in the 5.5% range.

Chair Sachs advised that she has been working with Vice Chair Gleeson on committee structures. They will be sending out a memo in terms of preferences for committee assignments. This will be on the next meeting agenda on December 16. She noted it would be great to get feedback on this.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

- We recently received an annual review of Freeport's quiet zone status by the Federal Railroad Administration (FRA). Each year the FRA will calculate Freeport's Quiet Zone Risk Index" (QZRI), which is required to be below the "Nationwide Significant Risk Threshold" (NSRT). Freeport's current QZRI was 12,340.63, which is less than the current NSRT of 14,347. Since Freeport's QZRI is below the NSRT of 14,347, the existing quiet zone can continue and no further action will be necessary. If, in the future, the QZRI exceeds the NSRT figure, we will be notified.

- At the ll/04/14 election, Town Planner Donna Larson used a sign-up sheet to gauge interest of residents in participating in a "Solarize Freeport" program, and had over 115 residents sign up. We intend to issue an RFP to solar equipment providers for bulk purchase of equipment by residents. It is hoped that this could help residents purchase equipment at lower rates than what they might achieve by themselves. Other than staff time, there will be no Town expenditures on this program, however, similar programs in other areas of the country have realized savings for residents. If you are interested in receiving more information about his program, please contact Donna Larson at 865-4743, Extension 103 or by email at dlarson@freeportmaine.com. Ms. Larson explained that the deadline is April 1.

- The Freeport Community Library is in the final stages of transferring to the MINERVA catalog system. As a result of this changeover, the Library will be closed on Tuesday and Wednesday, December 16 and 17, in order to migrate Library records to the new database. The Library will reopen on Thursday, December 18, and the new MINERVA interface should be functional at that time.

- The Finance and Assessing Departments recently completed an upgrade that will now allow taxpayers to view their Real Estate and Personal Property Tax information online. This is one of the biggest requests that we receive on a regular basis here at Town Hall. We hope that this service will make it easier for taxpayers to view their current year's tax information without having to wait in line (or on the phone) at Town Hall while we look it up for you. Property tax data can be found under the online services tab of the Town's website, or by using http://freeportmaine.munisselfservice.com/citizens.

- The Finance Department is excited to announce that the Town of Freeport has been awarded the "Distinguished Budget Presentation Award" by the Government Finance Officers Association GFOA), for the third year in a row. Congratulations to Finance Director Abbe Yacoben, as well as our Department Directors, who all worked with her on the completion of this year's budget submission.

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

MOVED AND SECONDED: To open the Public Comment Period.(Hendricks & Egan)
VOTE: (7 Ayes)

Keith McBride, Executive Director of FEDC explained that they are cooperating with Mobilizing Maine to host an informal business round table discussion on December 10 from 5-7 p.m. at the Hilton Garden Inn. The goal is to bring together folks that are interested in starting a business, running a business or growing a business to discuss some of the issues that exist doing business in Maine. He noted the need for an open forum. He extended an open invitation to anyone interested to come and give input. He advised that there would be some resource providers in the room. It is open to anyone in the area.

Mr. McBride advised that they have launched a very interesting project cooperating with the RSU and graduating graduates bringing career information to students both in the Middle and High School. They have already had a great speaking event at the high school with Juniors. Representatives from L.L. Bean, Cianbro and Unun sat down and talked about their individual careers and discussed career paths. They took a lot of questions from the students. They have also organized some events at the Middle School to bring a variety of people in to discuss the types of industries in the hope of sparking interest in the younger students. This may be a little out of the normal boundaries of what people might think of when they think of economic development but Vision 2025 asks them to play a role and cooperate with the schools. He noted this is going to be a year long process and they are planning more of these events in the future.

MOVED AND SECONDED: To close the Public Comment Period. (Egan & Hendricks)
VOTE: (7 Ayes)

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

ITEM #197-14 To consider action relative to adopting the December 2, 2014 Consent Agenda.

BE IT ORDERED: That the December 2, 2014 Consent Agenda be adopted. (Sachs & Egan)

Chair Sachs explained the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #198-14 To consider action relative to proposed amendments to Chapter 21: Zoning Ordinance Section 526A to add the uses and definitions of "artisan food and beverage" in the VC 1-4 Districts and "artisan food and beverage with food trucks" in the C1, 3 & 4, LB, I 1&2, and MD A&B Districts, and to add performance standards for food trucks, as recommended by the Planning Board. **PUBLIC HEARING**

Councilor Tracy explained that she would be recusing herself from this item since one of the proponents of this action is represented by her employer.

MOVED AND SECONDED: That the Public Hearing be opened. (Gleeson & Egan)
VOTE: (7 Ayes)

Town Planner, Donna Larson explained that the request came from the Maine Beer Company. They want to have food trucks which is something typical for a micro brewery. They have a tasting room and feel it is important to offer food. The Planning Board looked at it and did not want to open the door to food trucks. They feel that this is a very limited use. The patrons of the food truck have to be allowed access to the bathrooms of the host company. Trash will become the problem of the host business and not the Town. She explained the differences in the districts.

MOVED AND SECONDED: That the Public Hearing be closed. (Gleeson & Egan)
VOTE: (7 Ayes)

BE IT ORDERED: That proposed amendments to Chapter 21: Zoning Ordinance Section 526A to add the uses and definitions of "artisan food and beverage" in the VC 1-4 Districts and "artisan food and beverage with food trucks" in the C1, 3 & 4, LB, I 1&2, and MD A&B Districts, and to add performance standards for food trucks, as recommended by the Planning Board be approved. (Gleeson & Hendricks)

Councilor Egan noted that food trucks bring vitality to cities and while they are competition to restaurants, that is not necessarily a bad thing. She asked why government should be in the business of squashing competition in the food retail. She is interested in learning about parking. Ms. Larson explained the reasons the Planning Board decided that Freeport should not have food trucks taking up parking spaces. They were not willing to open the door to food trucks but just in this limited way.

Councilor Wellen mentioned that there is a concern that food trucks would not be paying their fair share of fees. He asked if there is a way to assess extra fees on food trucks. Ms. Larson explained that there is a fee but it is nothing like a property tax bill. Councilor Wellen asked for clarification on how often Maine Beer Company can have food trucks which Ms. Larson explained. Councilor Wellen is interested in knowing what the fees are charged in Portland for food trucks. Councilor Wellen would like to hear how restaurant owners feel about food trucks. Ms. Larson explained how notices were provided to restaurants in the area. Ms. Larson advised that a food truck in Portland pays $200 annually. The fee in Freeport will be $35.00 but mentioned that the fees are assessed by the Town Council and she can always bring this back.

Councilor Hendricks clarified that there is a need to have a host with a bathroom connected to the Freeport Sewer system and the host business needs to be open. He would like to see some increase in fees. $35.00 is very inexpensive. He feels the Ordinance is good.

Chair Sachs pointed out that the Ordinance says that the Project Review Board may approve food trucks in the public way for special events. Councilor Hendricks advised that special events have to be approved by the Lt. Nourse of the Police Department as well.

Ms. Larson, using the Fourth of July as an example, if you are on private property, you don't need approval from the Planning Board or the Town Council. You do need to have a permit from the Codes Enforcement Officer. If roads are going to be blocked off and it appears it would be appropriate to have a food truck in the public way, this is when they need to go to the Project Review Board. If the Town Council approves a special event, and someone wants to have a food truck on a public road, the Council can approve it. If for some reason something is going to the Project Review Board, they too can approve it. More discussion followed.

Councilor Egan wants to be sure there is a level playing field if food trucks are allowed. She mentioned that we live in an era where we are trying to innovate and support small businesses. She feels the Council could address the issues of food trucks having too much advantage over local businesses. She agrees that fees are needed and that regulations should be comparable and we don't have trash problems and parking issues. She supports food trucks and would have to vote against this Ordinance. She feels a government body should not prohibit new businesses coming to Freeport. She would like the Planning Board to look at how food trucks can work in Freeport without trash and congestion issues.

Ms. Larson advised that the Planning Board didn't want food trucks all over the area. They didn't want food trucks in the downtown during the summer because of congestion. They didn't want food trucks in the village parking lots, on the road or on vacant lots taking up space. The Board didn't want them coming and going in a day and leaving trash behind. The Board also wanted limitation on the hours of operation and that they were not blasting music. The Board wanted to keep food trucks at a low key. In this case, they felt they were entirely appropriately. Maybe in the future if this hasn't been a problem, we could open the door a little bit more. Food trucks in Portland can park if they are 60 feet away from an established restaurant and this is not what the Planning Board wanted.

Councilor Wellen wants to make sure food trucks are paying their fair share and he would like to do more research. It appears that these food trucks are almost setting up a restaurant without paying property tax. He would be willing to do research on his own to determine what is fair to residential taxpayers and other businesses in terms of fees. He does not want to give it away. He wants to have the fee structure set up before he will vote for it. Ms. Larson offered to look at what other communities charge for food trucks.

> **BE IT ORDERED:** To amend that the Ordinance will become effective December 17, 2014 pending Council discussion on the fee schedule. (Hendricks & Gleeson) **ROLL CALL VOTE:** (4 Ayes) (2 Nays-Egan & Wellen) (1 Recused-Tracy)
>
> **ROLL CALL VOTE ON AMENDED ORDINANCE:** (4 Ayes) (2 Nays-Egan & Wellen) (1 Recused-Tracy)

Councilor Hendricks asked Mr. Joseph and Ms. Larson to provide a list of current fees in Freeport as well as fees charged in other areas.

Councilor Tracy, being mindful of having our Police Department waiting, feels it would be considerate to move Item #201-14 up.

> **MOVED AND SECONDED:** To take up Item #201-14 out of order. (Tracy & Egan)
> **ROLL CALL VOTE:** (7 Ayes)

ITEM #201-14 To consider action relative to recognizing the Freeport Police Department's Shooting Team.

BE IT RESOLVED:

WHEREAS, the Freeport Police Department's Shooting Team, consisting of Tom Gabbard (Team Leader), Gino Bianchini, Nate Leger, Keith Norris, and Rick Ray competed in the State of Maine Police Challenge on October 7 & 8, 2014; and

WHEREAS, this group competed against nine other five-person teams including other municipal and county police departments and the National Guard; and

WHEREAS, this group excelled in their skills of physical fitness and marksmanship with handguns and rifles; and

WHEREAS, team member Rick Ray finished as Freeport's top marksman and team member Nate Leger finished first for Freeport in the physical contest; and

WHEREAS, the Freeport Police Department's Shooting Team won the State of Maine Police Challenge.

NOW THEREFORE, BE IT RESOLVED, that the Freeport Town Council hereby recognizes and commends the members of the Freeport Police Department's Shooting Team for its hard work in preparing for this contest and skill in completing, and winning the challenge. (Hendricks & Egan)

Chief Scofield thanked the Council for bringing this forward and for recognizing the Police team. He explained what was involved in this competition. He feels they did a remarkable job and thanked them for all their hard work. Certificates were provided by the Council. Officer Norris was in attendance and was presented with a certificate.

ROLL CALL VOTE: (7 Ayes)

ITEM #199-14 To consider action relative to proposed amendments to Chapter 21: Zoning Ordinance Section 514 to allow flexible parking standards for open spaces in all districts provided the plans for the parking areas receive Site Plan Review approval, as recommended by the Planning Board. **PUBLIC HEARING**

MOVED AND SECONDED: That the Public Hearing be opened. (Egan & Hendricks)
VOTE: (7 Ayes).

Town Planner, Donna Larson explained the proposed amendments.

MOVED AND SECONDED: That the Public Hearing be closed. (Egan & Hendricks)
VOTE: (7 Ayes).

BE IT ORDERED: That proposed amendments to Chapter 21: Zoning Ordinance Section 514 to allow flexible parking standards for open spaces in all districts provided the plans for the parking areas receive Site Plan Review approval, as recommended by the Planning Board be approved. (Egan & Gleeson)

ROLL CALL VOTE: (7 Ayes)

ITEM #200-14 To consider action relative to proposed amendments to Chapter 46: General Assistance Ordinance Appendix B (Food Maximums) and Appendix C (Housing Maximums). **PUBLIC HEARING**

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

Chair Sachs explained that these need to be adopted in order for DHS to accept.

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

BE IT ORDERED: That proposed amendments to Chapter 46: General Assistance Ordinance Appendix B (Food Maximums) and Appendix C (Housing Maximums) be approved. (Wellen & Egan) **ROLL CALL VOTE:** (7 Ayes)

ITEM #202-14 To consider action relative to filling a vacancy on the RSU#5 Board of Directors.

Mr. Joseph confirmed that the Town Clerk received one application by Noon yesterday. Mr. Larkins submitted the one application.

BE IT ORDERED: That Nelson Larkins be appointed to the RSU#5 Board of Directors to serve until the next annual Municipal Election to be held on November 3, 2015. (Tracy & Egan)

Note: All interested applicants will be allowed 3 minutes to speak to the Town Council and may be asked brief follow-up questions by the Council.

Mr. Larkins explained that there is unfinished business that the RSU5 must address. A new superintendent must be found, the renovation of the high school needs to be done and new three-year contracts with teachers and staff needs to be negotiated. He feels it is important to create a school community for Freeport, Pownal and Durham. He feels confident he can help move the school forward and can help to mend fences. Discussion followed on communication and establishing budgets. Councilor Hendricks thanked Mr. Larkins for coming forward.

Councilor Wellen mentioned that folks supporting withdrawal brought up that Freeport pays 65% and has 58% of the students. He asked if Mr. Larkins feels this is fair. Mr. Larkins explained how this was established and how schools are funded. He noted that he recommended reviewing this at some point but because of the withdrawal vote, it was put on hold. He noted it is something that can be proposed. It is up to the School Board and the three communities.

Councilor Tracy thanked Mr. Larkins for being willing to step up and fill the vacancy. She hopes he will put himself forward in the chair position for RSU5 when it comes up. She brought up educational quality and that people on both sides of the issue wanted to facilitate improvements in educational quality in our school system. Now that we are an RSU5, she anticipates there will be some pressure to mitigate any increases in the budget because of the impact of the impending school renovation. She invited Mr. Larkins to talk more about about his approach as a representative of the Freeport components of the RSU5 Board with respect to this tension. Mr. Larkins advised that the tax impact based on the high school renovation will not hit us yet because of the way the bonding goes and we will not break ground until next fall. It is being pushed down the road but will have a tax impact on all three communities. He mentioned that this upcoming year all of our teacher and staff contracts will need to be negotiated. We need to make sure we are competitive in the market. School districts around us pay top dollar for their staffs and we have to

keep this in mind. This is something that will have a tax impact. While pitching really hard for the high school renovation, if we have a great teacher that person can teach in a trailer and the most important element is the person. He mentioned that the Board will need the support of the Town Council and the communities. He does not like the idea of eliminating positions. There were plans to revision the high school in terms of educational quality. With a lot of new space, he feels a lot can be done with how to present education. He is hoping for a lot of input.

Councilor Gleeson hopes that communications will be a top priority. He noted that the Town was evenly split and he hopes that Mr. Larkins realizes there is such a huge divide. He hopes Mr. Larkins can convince Freeport residents that wanted withdrawal that this is the best way. Mr. Larkins noted that the Town Council members are always welcome at School Board meetings. Mr. Larkins advised that Freeport is a very diverse community and has lived here because of that. He feels diversity can create strength.

Councilor Tracy suggested that if there is a major issue coming up before the RSU5 Board that does not require sending a representative to Council meetings, an email would be helpful which would signal to the Council that it is appropriate to attend. The Council has a lot of constituents that we communicate regularly with and we have email lists and ways to get the word out that we can use to assist in communicating with the community about what is going on in the RSU5 world.

Mr. Larkins advised that the Council is not on line to automatically get the RSU5 Board agendas and was confident that this could be rectified. The agendas are posted on line but it is a hassle to go and get them. He agreed that it could be done on the big ticket items, he certainly could do this ahead of time.

Chair Sachs pointed out that there have been two requests from the Chair to put the link for the vacancy of the RSU5 Board on the RSU5 home page to let people know there was a vacancy and to invite candidates. The requests were ignored. She hopes that communication gets better and is looking forward to moving forward.

ROLL CALL VOTE: (7 Ayes)

ITEM #203-14 To consider action relative to waiving the bidding requirements for FY2016 fuel costs due to the possibility of locking in next year's fuel prices this year while prices are low.

BE IT ORDERED: That the Town Council waive the bidding requirements for FY2016 fuel costs due to the possibility of locking in next year's fuel prices this year while prices are low. (Rixon & Egan)

Abbe Yacoben explained that she has been working with the Finance Director from South Portland and considering locking in at these low fuel prices for 2015/2016. She thought she would bring this to the Council to see if they are interested in locking in. She does not have a crystal ball as to whether we should wait to see if prices will decrease any further. Prices have dropped since she worked on this. She is not opposed to waiting a bit and offered to call her supplier. Ms. Yacoben wants the ability to lock in if she can find a really good rate.

Councilor Gleeson noted that he has not seen anything that would push prices higher but can see waiting. Councilor Tracy encouraged Ms. Yacoben to look at other suppliers or resources to make sure she is getting the best information possible.

ROLL CALL VOTE: (7 Ayes)

ITEM #204-14 To consider action relative to waiving the bidding requirements for LED light conversions at Town Hall, Community Library, Public Safety, Howard Place Parking Lot, and Community Center in order to take advantage of double rebates from Efficiency Maine in effect until December 31, 2014.

BE IT ORDERED: That the Town Council waive the bidding requirements for LED light conversions at the Town Hall, Community Library, Public Safety Building, Howard Place Parking Lot, and Community Center in order to take advantage of double rebates from Efficiency Maine in effect until December 31, 2014. (Gleeson & Egan)

Donna Larson, Town Planner, explained that the double rebate offer is substantial but it has to be done by December 31. This is the reason why she is asking to waive the bidding process. If the Town had to go out to bid, it could not get it done. Public Works was taken out because it has different types of fixtures and not the same level of rebate. They have a longer pay back. She advised that the contractor, Steve Day will be able to start tomorrow morning. He is the same contractor that brought this to her attention.

Councilor Tracy requested that Ms. Larson extend the Council's thanks to Mr. Day for bringing up this potential savings. Ms. Larson advised that the Design Review Board gave blanket approval in the Design Review District for these conversions. She has notified owners of private parking lots and encouraged them to take advantage of this. She explained that it is a different light and doesn't have the same glow that others have.

Chair Sachs advised that she is not recusing herself from this vote even though one light is in the Freeport Community Center lot.

ROLL CALL VOTE: (7 Ayes)

OTHER BUSINESS

1. Discussion regarding traffic and speed concerns raised during district workshops, and review the Traffic & Parking Committee recommendation that the Town not pursue local authority to set speed limits.

Councilor Tracy explained that the reason that the Council is taking on issues related to Lower Flying Point Road, Litchfield Road and also the issue of the authority to set speed limits is because at the District 2 meeting in particular, concerns were raised about speed and safety conditions. Some of the Police Department's work and the Traffic and Parking Committee's work was geared towards following up on those particular concerns. The data tonight deals with District 2 issues. The purpose of bringing this back to the Council is to have a global discussion on speed and safety because the Council did hear that recurring theme from its other district meetings. In our budget discussions, the Council funded another police officer for various reasons but one of the benefits the Council considered, was increased speed monitoring.

While it appears that this discussion is focused on a couple of roads in District 2, the purpose is to get at some of the larger issues. We happened to have data on two District 2 areas. Mr. Joseph referred to a memo provided by Town Engineer, Albert Presgraves mentioning a couple of actions that the Public Works Department will be taking unless there is objection by the Council. School bus signs will be requested by the RSU which follows the MDOT procedure. Mr. Presgraves will contact their facilities people. There is some trimming that needs to be done by next spring on Flying Point Road. The curve at Burnett Road at the intersection could use some additional signage. The dead end sign will be moved further down Flying Point Road. Mr. Presgraves did not find any significant turns in that area that are not

seen on all of Freeport's roads. He explained that the speed data was significant. He explained how speed limits are set.

Police Chief Scofield explained the two sets of data regarding speed surveys on Litchfield and Lower Flying Point Roads. They started with Lower Flying Point Road using covert speed signs that they use to collect speed data. It is posted 35 mph. They found that the average speed was the speed limit.
They also looked at Litchfield Road and that road is posted at 30 mph. The average speed in this study was 29. It appears that both roads are adequately posted.

Chief Scofield advised that they get the same complaints throughout town and they plan to address some of the other district's concerns. Councilor Tracy mentioned that she has seen more officers out. Chief Scofield advised that they want to spend more visible time running radar. The new officer is at the academy. Councilor Gleeson mentioned that he has received a complaint from someone in his district which the chief addressed. He noted that it is good to see a Police Officer enforcing the 15 mph. at Mast Landing School mornings. He, too, has noticed a difference in police presence.

Councilor Wellen asked if the Chief looked at Wardtown Road. The Chief explained that this is one of the faster posted roads in town and that they try to get on every road they can.

Councilor Tracy appreciated the attention the Chief has given to the concerns raised by residents in District 2 and also in response to her follow-up questions. She mentioned that people feel that even though the speed matches the posted speed limit, they can't safely walk or bike in their neighborhoods. This is something we should keep on our radar screen but she is not sure what the resolution is. As a legal matter, we are generally consistent with the posted speed limits. The Council has not wanted to go to MDOT to lower the speed limits because there is a probability they will actually get raised and we don't want that to happen.

Mr. Joseph also publicly thanked the Chief and the department for taking all the requests seriously. Chief Scofield advised that residents should forward their concerns to him, the Council or the Manager and they will do their best to address them. Chair Sachs also thanked the Chief.

Councilor Tracy noted that she got a lot of specific feedback from residents on her email on things that had not been considered and objections to things that had been considered and she will be forwarding them to Mr. Joseph, Mr. Presgraves and Mr. Gibson for their consideration.

Authority to Set Speed Limits: Chair Sachs read a memo from the Town Engineer stating that at the Traffic and Parking Committee meeting on October 21, 2014, the committee unanimously approved a motion to recomm4nd that the Town should not pursue local authority to set speed limits because of the complexity of the rules needed to be followed, the burden on Town staff resources, and the likelihood of numerous requests.

Rod Regier of South Street advised that he serves on the Traffic and Parking Committee. He noted that the Council has the ability to have the authority to set speed limits around town. Traffic and Parking recommends that the Council respectfully decline accepting this authority and let MDOT continue to do this. He referred to the radar data that is collected and asked to what degree the Council would want it submitted to them. He asked if the Council wanted it forwarded on a routine basis or is the Council happy knowing that it is out there. It is currently reviewed by Traffic and Parking and then resides in the Police office. They are looking at how effective the speed bump is on Bow Street. Councilor Sachs indicated that she doesn't need boatloads of data but would like to hear from the Traffic and Parking liaison.

Chief Scofield advised that he keeps a file in his office on requests from the Council or members of Traffic and Parking. The data is in the computer. Most of the roads in Freeport have had this equipment on them. The data is out there and they are willing to share it.

Gary Profenno of the Traffic and Parking Committee mentioned that they have started to be more proactive in looking at the data that is coming in. Complaints routinely come to Traffic and Parking. There's a lot more that comes to them that the Council doesn't hear about. He asked if the Council wants them to take a more proactive stance on looking at the data every time they are out. They started doing this voluntarily but asked if the Council would like them to specifically pay attention to it.. Chair Sachs embraced this. Councilor Hendricks noted that it sounds like the Chief has been looking at the data to determine what times of day he should be employing more traffic studies during commute times. He is happy with that point of view. If there are problem areas, he is confident it will come back to the Council. Mr. Profenno offered to continue asking the Chief what he is seeing.

Councilor Tracy suggested that it would be a good thing for Mr. Profenno to check in to make sure there are no problem areas when he has opportunities and he is not overloaded with other items. The Council has heard in every district that speed and safety are our residents' biggest concerns and we have a lot of issues to deal with but that has been really consistent. If we can be proactive, that fulfills the mission of the Town trying to make people's lives a little bit easier and a little bit better. Chair Sachs thanked Mr. Profenno and Mr. Regier for all the work they have done.

Chair Sachs reminded Councilors that they will be receiving a flurry of emails regarding committee work and Council Goals. If anyone is serving on a committee and serving as chair, what are the top couple of issues you are working on and also look at the charge in terms of any changes you might want to make. This is a good opportunity to do so. Finally, committee work, the Council Goals and calendars will be discussed at the next meeting on the 16th. She requested that the goals be submitted to her and if a goal is submitted, explain how you would like to see that goal enacted. It is not enough to have a goal but explain how it should be enacted.

MOVED AND SECONDED: To adjourn at 9 p.m. (Tracy & Hendricks) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary

MINUTES
FREEPORT TOWN COUNCIL MEETING #24-14
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, DECEMBER 16, 2014 – 6:30 P.M.

	PRESENT	ABSENT	EXCUSED
James Hendricks, 21 West Street	x		
Kristina Egan, 5 Weston Point Road	x		
Melanie Sachs, 84 Kelsey Ridge Road	x		
Andrew Wellen, 83 Hunter Road	x		
Scott Gleeson, 23 Park Street	x		
Sarah Tracy, 75 Lower Flying Point Road	x		
William Rixon, 66 Varney Road	x		

Chair Sachs called the meeting to order at 6:30 p.m. and took the roll.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #23-14 held on December 2, 2014 and to accept the Minutes as printed.

> **MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #23-14 held on December 2, 2014 and to accept the Minutes as printed. (Egan & Hendricks)
> **VOTE:** (7 Ayes)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

Chair Sachs announced:

- Please note that the Library is closed Tuesday and Wednesday, December 16th and 17th for our migration to MINERVA and reopening on Thursday at 10am.

- Food for Fines at the Library! During the entire month of December, overdue charges will be eliminated from your account in exchange for donations of non-perishable food items that are comparable in value to your fines. All the proceeds collected will go to the FCS Food Pantry.

- The winter storm season is upon us. Don't forget:

  1. Freeport residents are allowed two (2) 5-gallon buckets of sand per storm. Sand is now located adjacent to the silver recycling bullet on Hunter Rd. in front of the Public Works Facility.

  2. No parking is allowed on public streets or in turnarounds during winter storm events – please keep streets and turnarounds clear of vehicles (including trailers, campers, etc.) during a storm. Our winter parking ban is now in effect, from 11p.m.-7 a.m., and will continue until April 15.

For a full listing of winter reminders from the Public Works Department or if you have questions or concerns, please feel free to contact the Public Works Department at 865-4461 or go to the Town's website at www.freeportmaine.com.

- 2015 Dog Licenses are now available. All dog licenses expire December 31st of each year. Dogs six months and older are required to be licensed by law. You may register at the Freeport Town Hall or online at: www.doglicensing.com. Please bring proof of the rabies vaccination and spay/neutering. The cost at town hall is $6 and $11, respectively.

  Please be aware that you must renew your dog license no later than January 31st of each year, or a late fee of $25.00 per dog will be charged.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

Chair Sachs noted that the committee assignments will be put on the Town's website. Mr. Joseph agreed and explained that all the appointments will be revised and entered into the main committee schedule.

Councilor Wellen explained that he is the new liaison to the Shellfish Commission and he attended a meeting last week. The Shellfish Warden is retiring and the Commission is looking at the job description and figuring out ways to incorporate other things they would like to see included. The Commission has been participating in discussions with Chief Schofield and Mr. Joseph. Other ideas were floated such as combining the Harbor Master and the Warden's position together as well as other shellfish tasks. He is looking forward to hearing more about this and whether the Council will get involved in any of those discussions at some point. He noted it was a good meeting.

Chair Sachs pointed out to residents that we now have a Shellfish Commission liaison and a Coastal Waters liaison.

Chair Sachs announced that the Municipal Facilities Commission has voted to have Peter Joseph and Albert Presgraves move forward with some of the contract term negotiations that will end on 2015.They have done a very comprehensive review for Municipal Facilities in terms of which contracts could be taken over by the Town. It appears there will be a cost savings of approximately $10,000. It will require adding onto staff. Between the availability of this staff and doing the open space management that was discussed earlier such as trail work on Hedgehog Mountain, as well as having the flexibility of having the team fill in on some of the other issues such as brush removal that residents have asked for during the year, this appears to be a good use of dollars and we will see it coming up for discussion during budget workshops.

Councilor Hendricks clarified that these are maintenance contracts such as trash disposal on Main Street, sidewalk work on Main Street and things like that becoming part of Public Works. There could be some overlay of things that Public Works could not get to because of timing. Councilor Tracy asked if this would pertain to things such as plowing the train station parking lot and Councilor Hendricks indicated that it would be part of it.

Chair Sachs explained that they have been working on the NET analysis and trying to distill what impact that program has. She anticipates it will take another couple of months before the Council will see the impact of that program.

Councilor Tracy explained that there has been some interest in proposing an analysis about whether a remote alternative fire station in District 2 is needed. Municipal Facilities will take the next step on that. Municipal Facilities will complete the NET analysis before it looks at the remote fire station proposal.

Chair Sachs mentioned the Open Space discussion which is looking at staffing. Mr. Joseph has been discussing it with the Planning Department and we are just getting feedback around it. As she goes off the committee, having looked at all the committees and the needs both in Public Works and Planning, she plans to write a memo disseminating all that information for the Municipal Facilities Committee.

Chair Sachs noted the Conservation Commission will be meeting in January and Bill Rixon will be taking over as liaison to that commission.

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes)

Mr. Joseph reported:

Our Finance Director has resigned but we are happy to report that we have had a very successful recruitment process for the Town's Finance Director position. The Town Manager's Office has been working with the Council Chair and Vice Chair to select qualified candidates through the interview process. We have been fortunate to receive many strong applications, and we expect that we will be able to bring a finalist to the Council for appointment at the January 6th Council meeting.

The Freeport Community Library will be closed until Thursday, December 18th. The Library staff is currently in the process of changing the Town Library's database over to the statewide MINERVA system. Once this system is up and running, Library patrons will have access to the entire statewide system. If you have any questions about the new system, feel free to stop by the Library for a tutorial. He congratulated the Library staff for doing such a great job.

Please note the following Town-wide holiday hours: Town facilities will close at 2 p.m. on December 24 and will be closed all day on December 25 and January 1.

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

There were no public comments provided. The Council moved on.

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

ITEM #207-14 To consider action relative to adopting the December 16, 2014 Consent Agenda.

BE IT ORDERED: That the December 16, 2014 Consent Agenda be adopted. (Egan & Tracy)

Chair Sachs reviewed the items on the Consent Agenda for members of the public.

ROLL CALL VOTE: (7 Ayes)

ITEM #208-14 To consider action relative to approving an amendment to Chapter 21: Zoning Ordinance Section 501, Temporary Activity, as proposed by the Freeport Planning Board.

BE IT ORDERED: That a Public Hearing be scheduled for January 6, 2015 at 6:30 pm in the Council Chambers at Town Hall to discuss approving an amendment to Chapter 21: Zoning Ordinance Section 501, Temporary Activity, as proposed by the Freeport Planning Board.

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 3 and the Town's website. (Hendricks & Gleeson)

Councilor Tracy recused herself since the original proponent of the food truck issue is a client of her employer.

Mr. Joseph explained the proposed amendment and noted that the Town Planner will be in attendance on January 6. He answered questions for Councilors. Chair Sachs noted that right now, as a non-profit, she pays a temporary activity fee when the Community Center has a tent sale for the annex. She pointed out that Freeport-based non-profits are charged a fee for a temporary activity. For some reason, that was not the case for non-Freeport based non-profits. She pointed out that there is no discussion in this amendment of non-profits not paying the fee.

Councilor Egan mentioned that at the next meeting, a discussion should take place on fees and whether non-profits deserve an exemption. Mr. Joseph advised that fees related to food trucks will be discussed this evening and there is no distinction made on that item between for-profit and non-profit. Chair Sachs mentioned that there is currently nothing there for activity permits and it could be amended or not at the public hearing. Mr. Joseph agreed.

Chair Sachs mentioned she is planning to ask for clarification whether the unlimited ability to do these tent, rack and container sales is for the for-profit businesses. She mentioned When Pigs Fly and Arlberg Ski share a parking lot. This Ordinance would mean that Arlberg who does tent sales, could set up a tent sale every single day and how would that impact the parking of the hair salon and When Pigs Fly. She feels the Council needs to make vendors aware that that is now allowed in this particular Ordinance. She is confident that there are other shared parking spaces around town. Councilor Hendricks advised that the Council should ask the Town Planner to bring up the parking requirements. Vendors cannot set up a tent and take up ten other spaces in front of those businesses.

Chair Sachs mentioned that if there is going to be a discussion around fees, she plans to recuse herself. If the intent of the Council is to discuss fees regarding non-profits in the next item, she also will recuse herself from that.

ROLL CALL VOTE: (6 Ayes) (1 Recused-Tracy)

ITEM #209-14 To consider action relative to amending the Summary of Town Fees document adopted on May 31, 2008.

BE IT ORDERED: That the Summary of Town fees document adopted on May 31, 2008 be amended as presented. (Rixon & Egan)

Chair Sachs noted this is an item from the last Council meeting. She asked if there would be a discussion about the impact on non-profits. There doesn't have to be but if it looks sticky, she will recuse herself.

Councilor Hendricks pointed out that he does not feel non-profits should be given a break on fees. He

asked where the town would end. He noted that the Council does not need to have that discussion. Councilor Tracy noted she would like to have a discussion at some point but not necessarily now. The Council may want some input from staff. There was general agreement that this could be considered as a separate item and discussed at some other point. Chair Sachs mentioned that this should be done promptly while it is still fresh in the Council's mind.

Mr. Joseph explained the Food Truck Fees Survey compiled by our Town Clerk. He and Ms. Stevens suggest the following tiered fee structure: The Codes Officer will issue the licenses.

$30 for one day
$100 for up to 30 days
$500 for up to 365 days.

Councilor Wellen mentioned the Food Truck Fees and that Cindy's Fish & Chips on Route One pays $1,200 in real estate taxes. He wants to be sure the food truck operators to pay their fair share. He at least wants to go $500 for 365 days and would be willing to increase the fee for 30 days.

Councilor Hendricks noted he is fine with the fees since we are limiting where they can be. We do have the ability to limit what types of businesses we want in our town. He doesn't feel they can be compared with a business that owns land. He feels this is a good place to start. These fees appear to be comparable with other fees and he is confident the Council can always address them next year.

Councilor Wellen agrees with Councilor Hendricks that this is a good place to start. Regarding food carts, some spots work out better than others. At some point we should consider whether we should charge a little more for good locations. He noted that Portland did a bidding process for some of their food cart locations in hot spots. Councilor Hendricks mentioned that most of the hot spots are located on private property and it might be a moot point.

Councilor Gleeson mentioned he likes the $30 per day fee and $500 for 365 days but is not enthusiastic about the $100 for 30 days. He is inclined to go with $45 for 7 days which Waterville uses or even $100 for 7 days. He suggested specifying which 30 days the fee covers, whether it is contiguous or if the 30 days can be mixed or matched during the year. Mr. Joseph agreed that it could be specified this evening.

Councilor Egan suggested charging $30 for 1 day, $150 for up to 30 consecutive days and $500 for up to 365 consecutive days. Others agreed.

MOVED AND SECONDED: To amend the fee schedule to read $30 for 1 day, $150 for up to 30 consecutive days and $500 for up to 365 consecutive days. (Gleeson & Egan) **ROLL CALL VOTE:** (7 Ayes)

ROLL CALL VOTE ON AMENDED TOWN FEES: (7 Ayes)

ITEM #210-14 To consider action relative to the sale of tax acquired properties.

BE IT ORDERED: That the following Tax Acquired Properties be sold using auction with terms to be approved by the Town Manager.

1) Prior Owner: Valecia Harriman
   Map/Lot 018-001-000-000
   Land Only
   Total taxes owned as of 12/16/14 = $536.15

Reserve / minimum bid: $1,000

2) Prior Owner: DiPietro
Map/Lot: Portion of 017-055-000-000
Land & Building
Total taxes owed as of 12/16/14 = $62,897.10
Reserve / minimum bid: $ 63,000 (Wellen & Egan)

Chair Sachs reminded Councilors that the DiPietro property off Wardtown Road has been discussed a few times. Mr. Joseph explained that the Harriman property is located on the edge of Town on Route One North headed toward Brunswick. It is a non buildable lot. It is a wetland and is wooded and is of interest to the abutters. It was abandoned by non-payment of taxes.

Municipal Facilities reviewed this and recommended the sale of the property.

Mr. Joseph explained the DiPietro property. We are talking about one piece of the property. There is one house that was built on it. Parcel A has the existing house and 2.62 acres of land. It reserves a right-of-way between Parcel A, Parcel B and the remaining land. Municipal Facilities reviewed this and determined there are clean-up costs of between $20,000 - $30,000. Public Works has undertaken some of that already but they will be undertaking cleaning up the refuse that is left on the property. The clean-up that they did contained oil products that were not leaked off. Municipal Facilities looked at this and wanted to recoup the back taxes and also the costs sunk into the property for clean-up. Mr. Joseph hopes to be able to do that by selling Parcel A and evaluate whether it comes close enough to the costs sunk into the property. They suggest a starting bid at the taxes owed. There will be an analysis done by Municipal Facilities to recommend to the Council whether there is value in keeping Parcel B. Potentially there has been a lot of talk about conservation land since this abuts wetlands that abut Florida Lake. With the remaining land in Parcel B, there has been talk about keeping both of those and whether the value in keeping additional land as open space would outweigh the costs that have already been sunk into the property. That will be totally dependent upon what we make back from the sale of Parcel A. There will have to be a value judgment made by the Municipal Facilities Committee and ultimately by the Town Council when it comes to the Council.

Councilor Hendricks pointed out he would be happy to see the DiPietro property go after discussing it since he joined the Council. After looking at the Harriman property, he agrees it has no value except to abutters. It is not a buildable lot. He hopes the town can recoup its taxes on the DiPietro property.

Mr. Joseph explained that the Council is authorizing the sale of these properties this evening. On the DiPietro property, it will be at whatever amount over $63,000 someone is willing to pay. Chair Sachs pointed out the DiPietro property is beautiful and she is hoping to sell it for more than the minimum bid. Mr. Joseph explained that if the DiPietro property sells for $100,000, it would cover the majority of the clean-up costs. Councilor Egan clarified that the Town is selling it as a single unit lot. The piece being sold is not sub-dividable. Chair Sachs added that the intent is for the Town to envelope the rest of the property into Florida Lake.

Mr. Joseph indicated that these could be handled by auction or sealed bid.

ROLL CALL VOTE: (7 Ayes)

ITEM #211-14 To consider action relative to the adoption of the Town Council meeting schedule for the calendar year 2015.

BE IT ORDERED: That the Town Council hereby adopts the Town Council meeting schedule for the calendar year 2015 as presented under ITEM #211-14.

Date	Time	Location	Meeting Type
January 6	6:30 pm	Town Hall	Regular
January 20	6:30 pm	Town Hall	Regular
February 3	6:30 pm	Town Hall	Regular
February 10	6:30 pm	Town Hall	Workshop
February 24	6:30 pm	Town Hall	Regular
March 3	6:30 pm	Town Hall	Regular
March 10	6:30 pm	Town Hall	Workshop
March 17	6:30 pm	Town Hall	Regular
March 24	6:30 pm	Town Hall	Workshop
April 7	6:30 pm	Town Hall	Regular
April 21	6:30 pm	Town Hall	Regular
May 5	6:30 pm	Town Hall	Regular
May 19	6:30 pm	Town Hall	Regular
June 2	6:30 pm	Town Hall	Regular
June 16	6:30 pm	TBD	District 1 Workshop
June 16	7:30 p.m.	Town Hall	Regular
July 7	6:30 pm	Town Hall	Regular
July 21	6:30 pm	Town Hall	Regular
August 4	6:30 pm	TBD	District 2 Workshop
August 4	7:30 p.m.	Town Hall	Regular
August TBD	6:30 pm	Bustin's Island	Bustin's Annual
Sept 1	6:30 pm	TBD	District 3 Workshop
Sept 1	7:30 p.m.	Town Hall	Regular
Sept 15	6:30 pm	Town Hall	Regular
Oct 6	6:30 pm	TBD	District 4 Workshop
Oct 6	7:30 p.m.	Town Hall	Regular
Oct 20	6:30 pm	Town Hall	Regular
Nov 10	6:30 pm	Town Hall	Organizational
Dec 1	6:30 pm	Town Hall	Regular
Dec 15	6:30 pm	Town Hall	Regular
(Gleeson & Egan)			

Chair Sachs explained that the District Workshops will start at 6:30 p.m. and then move to the Town Hall for a 7:30 p.m. start. This will allow District folks to have a conversation and get their concerns heard.

Councilor Egan suggested changing the September 1 District 3 Workshop meeting to September 15 because RSU5 has not yet set the first day of school. She wants good attendance at her workshop.

Chair Sachs agreed and clarified that the regular Council meeting will take place on September 1 and the District 3 Workshop will be scheduled on September 15 at 6:30 followed by the regular meeting beginning at 7:30 p.m.

Councilor Hendricks referred to the Council meeting scheduled on April 21 and explained that this will be a school vacation week. He suggested shying away from that week. Chair Sachs suggested moving the April 21 meeting to April 28. After discussion with Abbe Yacoben, it was decided to move the April 21 meeting to April 14. Mr. Joseph noted that proper notification would be taken care of.

> **MOVED AND SECONDED:** To adopt the Town Council meeting schedule for the calendar year 2015 as presented under Agenda Item 211-14 with the following changes: The April 21, 2014 meeting be changed to April 14. The September 1 District 3 Meeting be moved to September 15 at 6:30 p.m. and the regular meeting will begin at 7:30 p.m. The regular meeting scheduled on September 15 will be moved to September 1 at 6:30 p.m. (Gleeson & Egan) **ROLL CALL VOTE:** (7 Ayes)
>
> **ROLL CALL VOTE ON ENTIRE MEETING SCHEDULE AS AMENDED:** (7 Ayes)

OTHER BUSINESS

1. Annual Financial Statement Audit Presentation.

Jen Connors, Auditor of Runyon, Kersteen, Ouellette provided a financial overview for FY 14. She mentioned that the Town of Freeport did not have any findings both for internal controls over financial reporting and compliance with laws and regulations. She explained the graphs provided.
Ms. Connors explained the unassigned fund balance as a percentage of budget in some of the surrounding communities. She did not have a figure for Yarmouth and Councilor Tracy indicated she would appreciate getting that particular number.

Councilor Tracy requested copies of Ms. Connors' slides. Chair Sachs congratulated the Finance Director and Town Staff for another good audit.

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2. Discuss Council Goals for 2015.

Chair Sachs explained that she sent draft goals to Councilors based on their input and thanked them for their input. She framed the discussion as goals are a way to frame many discussions. There are overarching areas of focus that as the Council deals with the myriad of issues every year, that we keep these few goals as a priority and perhaps integrate them into all of the work we do whether it is in committee or with constituents. She noted there were three goals that at least five Councilors expressed an interest in having as Council goals. There was another one that at least three people had mentioned and there was one additional goal that didn't seem to fit any of the categories.

She suggested that the Council take each goal, read it and talk about it. She also asked for ideas on how to operationalize this, not to be included necessarily in detailed bullet points as part of the goal. Just let us know what you were thinking. Last year it was suggested that we do regular check ins, whether it's twice a year or quarterly. She suggests twice a year, once in June and once in December to track progress.

For example, we'll take Goal One, if Council wants to tweak that language, this is the time to suggest it. She will take the temperature of the room, take a straw poll and then move on to the next one to get through these as efficiently as possible to see if there is discussion around each one. She suggested that the Council not have one at the end for adoption unless there is a really super strong majority vote of six-to-one. Anything less, this is supposed to be a signal to the public on which way the Council is going. What are the priorities as a Council, not personally. Her personal goal is to work on the Open Space Management stuff. That does not necessarily have to be a Council goal, she just wants to see it through. She did not propose it as a goal for the whole Council.

Councilor Egan is confident the Council will get through its goals efficiently since they are similar to last year's goals. She raised a concern about a super majority vote but is confident the Council will not get to that tonight. She noted that the Charter indicates that the Council takes majority votes. If we were going to do something on a super majority, we would need to come up with a process on how we change our voting on certain items. She does not want the Council to take it lightly. If there is a six to one, it really empowers a small minority. She agrees that the Council should do goals that are mostly shared but has a concern about changing the way we make votes without having a thorough discussion about it. She does not feel the Council has to spend any time talking about this tonight.

Councilor Hendricks pointed out that the Council will only be voting on the numbered goals and not these operational inputs from other Councilors. Chair Sachs clarified that this is an exercise to let people know where the Council's focus and priorities are for the coming year. It is not set in stone or forever and ever.

Councilor Egan noted that she would like the opportunity to put these goals, whatever we come up with tonight, out to her constituents for feedback. She has not had the opportunity to do this since the Council is only looking at it tonight because the goals did not go out with the agenda. She would like the discussion but the formal adoption to take place on January 6. Others agreed they would be fine waiting until January 6.

Councilor Tracy asked when this information goes up on the website, will pages 2 and 3 be posted or just page 1. Chair Sachs noted it is all public information and would prefer to do the draft Council Goals being discussed tonight. Councilor Tracy agreed but noted that Pages 2 and 3 have strong opinions proposed by certain Councilors and she would be concerned that they would be perceived to be widely shared by the other Councilors. She doesn't want there to be any misconception about that.

Councilor Wellen admitted that he may be the strong opinioned Councilor, he agreed that it could be perceived that all the Councilors agreed with those. Councilor Hendricks mentioned he wants to avoid pitchforks, Librarians and Library constituents. There is no need to create undue panic.

Chair Sachs explained when the Council is done, hopefully posted on the website will be the proposed Council Goals for 2015.

Goal One (proposed by five Councilors) Prioritize, evaluate and control expenditures in Operating and Capital Budgets to minimize the impact on the taxpayers and maintain a stable tax rate to provide the highest quality of services possible within the resources available.

Councilor Tracy highlighted a difference between this language and the language proposed by Councilor Egan. This language includes Capital and Operating Budgets where Councilor Egan had language that addressed only the Operating Budget. Councilor Tracy proposed “mitigate” the impact on the taxpayers rather than “minimize”. After her explanation, other Councilors agreed to substitute “mitigate”.

Councilor Egan explained that she likes the use of Operating and Capital Budgets, rather than just Operating Budget.

Councilor Wellen feels there are areas in the budget where there are inefficiencies and the Town is spending money in areas where it doesn't make sense or gets good bang for the buck. Councilor Egan suggested changing "*to provide*" to "*while providing*".

Chair Sachs read Goal One with suggested changes:

Goal One: Prioritize, evaluate and control expenditures in Operating and Capital Budgets to mitigate the impact on the taxpayers and maintain a stable tax rate while providing the highest quality services possible within the resources available. (Agreed to by all Councilors)

Goal Two: Promote efforts to engage Freeport residents in decision making.

Councilor Hendricks feels the Council is already doing this by doing mailings, doing surveys, and e-mails. Councilor Gleeson agrees the Council is doing this but feels it is good to have it in there. He suggested adding "*Continue to*" promote efforts to engage Freeport residents in decision making. Councilor Egan agreed with Councilor Gleeson.

Councilor Wellen feels the Council has done a fine job and the Council can have a goal of continuing to engage residents.

Councilor Tracy hopes the Council will look to proactive measures to get people engaged and involved so the Council can do things that are proactive rather than reactive. This is something she feels the Council could use a little bit of improvement on. She feels the Council does a very good job of analyzing what comes before us and making deliberate decisions. We need to figure out as a Town body, how to make people's lives better or easier and think out of the box of just the items that come before us, but to proactively solicit feedback from residents to figure out what those action items could be. She did not feel it was necessary to say: Continue to promote efforts to engage Freeport residents in decision making. She feels this is sufficient for how she envisions it.

Chair Sachs noted having this goal actually helps her more in committee work. She doesn't always think to do the next step. They did it much more at MFC last year around the DiPietro property making sure we had several opportunities for feedback. It is a nice reminder particularly in committee work to proactively do that feedback.

Chair Sachs read **Goal 2** as agreed upon: Continue to promote efforts to engage Freeport residents in decision making. (Councilors were good with this)

Goal 3: Increase communication and the working relationship between the Town Council and the RSU5 Board. (Proposed by 4 or 5 Councilors)

Councilor Tracy proposed amending it to read: Increase communication and strengthen the working relationship between the Town Council and the RSU5 Board.

Councilor Hendricks liked the change. He mentioned he would like to see the RSU5 Board appoint a Finance Committee which they claim they are going to do but have not yet done it. He would like them to schedule informal workshops with the Council and invite us to a meeting and let us listen to them speak. He would like to add some teeth by putting this on record, put it in the paper and let them know this is what we would like to see. When it doesn't happen, there can't be excuses. At least half this town did not want to be part of an RSU but now we are and we need to make it the best RSU we can. We need input from leadership from our counterparts.

Councilor Egan suggested that Council leadership meet regularly with the chair and vice chair of the RSU5 Board as well as chair and vice chair of the Pownal and Durham Councils. She mentioned attempts to bring the full Councils together with the RSU5 Board. With so many people involved, there is no substance that she perceived when we tried to do that. It has all been good intentions but there needs to be personal relationships and more of a rapport. It is easier for 7 to talk than it is for 25 to talk. She feels everyone needs to be realistic about how the Boards can interact. She made that public comment at the first meeting and several RSU5 Board members picked up on that. She wants to put this forward as a very specific strategy that might overcome what she feels has been more of a structural issue in communication and not necessarily any bad intent on anybody's part. She mentioned the school renovation plan and that it will need to be scaled back. She feels the Council should be apprised of the revised plan because our debt service has been going down. Now the Town as a whole, when we consider the debt piece, will see the debt service go up and it will have an impact on the taxpayers. She feels the Council should be involved in those discussions in some way. She also feels someone from the Council should be tracking the Building Committee and be on top of what is happening in that process.

Councilor Hendricks feels the communication problem has been between the Town Manager, the Superintendent, Council Chair and Chair of the RSU5 Board. There has been a big disconnect. When the Council Chair asks for something and gets no response from the Superintendent, it just doesn't work. We need to have our RSU Board buy in and have it be a priority; not only for them but for their superintendent to work with the towns that are paying the education bills. We want real communication. He would like to see the Council be officially part of the Superintendent search and the interview process. For the record he wanted to say that there has been poor communication between the Town Manager and the Superintendent and this is not because the Town Manager has not been trying in the past. This goes back to our former Town Manager as well. With the RSU, it starts at the top. It starts with their leader and that person needs to be open to working with the three towns that they are basically facilitating education for.

Councilor Wellen mentioned that the structure for the Superintendent search is being set up. He did not know if they were looking for Town Councilor participation.

Chair Sachs asked if the Council wants to include this goal. Councilor Tracy feels it is an important goal but does not agree with all of the sub bullets. She wanted the record to reflect that she might take a different approach to the school budget than she would take on the Capital or Operational Budgets. She would like to have a discussion at another time about communicating to the RSU5 on several different levels but agrees with the general goal.

Councilor Gleeson agrees this should actually be a goal and how the Council can structurally make this happen is up to us. He agrees a lot with what Councilor Hendricks said. If we are not getting this communication and not fulfilling this goal, we have something to go back on. Councilor Egan feels that if the Council adopts this goal, she encouraged everyone to take a fresh start and tone down our critical words because we have a new superintendent coming on, a new principal and new representatives on the School Board. She would like to sit down with the superintendent and the Board and explain that this is something the Council really cares about, and it means prompt responses, etc. She wants to start on a positive front.

Chair Sachs read the proposed goal: Increase communication and strengthen the working relationship between the Town Council and the RSU5 Board. (Everybody liked it).

While not adopting these goals until January 6, Chair Sachs noted she would reach out regarding the Superintendent search and see if we can get a designated Councilor involved. She asked Councilors to let

her know if they have any interest in participating in the search. She feels certain that they welcome that. She agrees with Councilor Egan that all intents are very good on both sides at this point.

Additional Goal (promoted by 3 Councilors in some form or another and the language was taken from last year's goals.)

Goal 4: Operate cohesively as a group and promote intercommunication information exchange and collaboration on direction and process between Councilors while conducting Town business in an efficient manner and promoting transparency in Town government.

Chair Sachs would like Councilors to regularly report on the committee work that they do. For example, say Traffic and Parking is talking about this or the Conservation Commission is reviewing the management plan, or whatever we happen to be doing so we will have a little bit more connection with the committee work we are doing. She feels certain it will help with the cohesiveness and the intercommunication as well as give a heads up if there is another committee having these issues come up. It is what you are working on. If some of us are not able to make a meeting, she suggested that they check in with the committee chair so that they know what happened at the meeting and they will also know that you are interested.

Since this was not widely promoted among Councilors, Chair Sachs suggested talking about whether to have this as a goal or not. There was general agreement that this goal was fine.

Goal: Lead the State in green practices.

Chair Sachs asked for thoughts about this goal. Councilor Egan advised that she proposed this goal and does not expect it to be adopted by everyone. She pointed out that Freeport has a history of being an environmental leader on Styrofoam and many other things. We have solar installations going up and we have done great work on energy efficiency. The Active Living Plan tries to promote the reduction of greenhouse gases in the transportation sector, etc.

Councilor Rixon agreed with Councilor Egan and is willing to support this goal. Councilor Hendricks likes it but doesn't view it as a Town Council goal. Councilor Wellen noted that as a town, we are investing in energy efficiency and alternative energy when there is a payback period and it is cost effective. It is a worthwhile goal to put in but would want to rework it a bit. Unless there are more Councilors that would like it as a goal, he doesn't feel the Council should spend time tweaking it or people may want to consider it the next time the Council meets.

Councilor Tracy agrees with Councilor Hendricks. On a project by project basis, these considerations are worth considering and striving towards but in terms of our overall goals that the whole Council is working towards as a reflection of the entire body of our town, she has concerns that it will tip the scales on individual project considerations because we would be obligated to follow this goal. She feels the Council should have a clean slate with each project and be able to figure out what the cost base analysis of it is on a case by case basis. She stated that she would not support this as a Council goal but is in favor of the effort and would be supportive for doing this on special projects.

Councilor Gleeson advised that he agrees with Councilor Hendricks and Councilor Tracy. He is supportive of Active Living. He feels these are great personal practices but this should not be a Council goal on the town level.

Chair Sachs advised that she is a proponent of Active Living and Open Space Management but within the framework of this, for example, she noted she supported 4' wide shoulders and others did not. They liked 3' and others just wanted to do the overlay. An overarching goal like this doesn't give that room. With the

DiPietro property we are supporting land conservation. This is such a complex issue on a case by case basis. As a Council goal it is hard to operationalize.

Councilor Egan thanked the Council for discussing this. She appreciates everybody's thoughts. For her, it is something that builds on who we are already in Freeport and what we have done and is something that is important to us that we consider protecting the environment moving forward. She never intended this to be a way to railroad people into certain project decisions.

Councilor Gleeson mentioned we are already doing a lot and noted the LED conversions that the Council just voted on and land conservation such as Florida Lake. More discussion followed. Chair Sacks asked how many Councilors want an environmental goal. There were 3 Ayes (Egan, Wellen and Rixon) and 4 Nays (Hendricks, Tracy, Gleeson & Sachs).

Chair Sachs pointed out that on January 6 there will be four goals that we will vote to adopt. She will retype these and they will be sent out. She urged Councilors to share them around.

Councilor Hendricks wished Councilors Happy Holidays and to the Town employees, he hopes there will not be a snowstorm on Christmas so Public Works does not have to work and that there will be no fires, rescues or accidents so our Public Safety people will not have to work. He acknowledged all the people that work those jobs and protect those aspects of our town. Chair Sachs echoed his sentiments.

MOVED AND SECONDED: To adjourn at 9:07 p.m. (Tracy & Hendricks) **VOTE:** (7 Ayes)

Respectfully submitted,

Sharon Coffin, Council Secretary