

MINUTES
FREEPORT TOWN COUNCIL MEETING #12-22
TOWN COUNCIL CHAMBERS, 30 MAIN STREET, FREEPORT
TUESDAY, JUNE 21, 2022
6:00 PM

Chair Piltch called the meeting to order at 6:03 pm

	PRESENT	ABSENT	EXCUSED
Councilor Chair Daniel Piltch, 25 Quarry Lane	X		
Council Vice Chair, John Egan, 38 Curtis Road	X		
Councilor Matthew Pillsbury, 36 Todd Brook Rd	X		
Councilor Chip Lawrence, 93 Hunter Road	X		
Councilor Darrel Fournier, 3 Fournier Drive	X		
Councilor Jake Daniele, 264 Pownal Road	X		
Councilor Edward Bradley, 242 Flying Point Road	X arrived at 6:05 pm		

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood for the Pledge of Allegiance

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #11-22 held on June 7, 2022 and to accept the minutes as printed.

Chair Piltch asked that “Skate Park Update” be added to the minutes to clarify the Town Manager’s Report.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting # 11-22 held on June 7, 2022 and to accept the minutes as amended. **VOTE:** (Lawrence & Fournier)(5-Ayes)(2-Abstain-Bradley & Lawrence)

THIRD ORDER OF BUSINESS: Announcements (15 minutes)

- **NOMINATION PAPERS FOR THE NOVEMBER 2022 MUNICIPAL ELECTION WILL BE AVAILABLE ON JULY 28th** for the following offices in the Town of Freeport:
Town Council: At-Large and District 1- (3 year terms)
Sewer District: 2 seats - (3 year terms)
Water District: 1 seat -(3 year term)
RSU: 2 seats -(3 year terms) and 1 seat –(2 year term)
Papers are due back to the Town Clerk September 14, 2022.
- We have a Community Resilience Workshop in Town Council Chambers from 6-8 pm to learn about climate hazards, the impact to Freeport and the priority of projects.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes)

Council Bradley spoke about the Girl’s and Boy’s sports teams and their wonderful winning seasons. He recommends listening to the January 6th Hearings, regardless of your political standings. Lastly, the Wolfe’s Neck Center Board of Trustees met and have decided to not allow the launch of the Island Rover on their property.

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John Egan: Summarized the productive meeting last week with New England Mountain Bike Association (NEMBA) and the Conservation Commission regarding the building of mountain bike trails at Hedgehog Mountain. There is great enthusiasm for the project. He also will be working with the Conservation Commission on the idea of installing a completely ADA pathway into Florida Lake. It's relatively flat and a great resource. The Chair observed that the town has done a very good job at keeping things accessible.

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

Officer McManus is retiring at the end of the month after 35 years of service, 24 as School Resource Officer. He was recognized at a retirement party.

The Pride Crosswalk previously discussed will be painted in front of Town Hall at the start of the access driveway. The cost estimate is \$875 which the Council agreed to raise funds for and we are 7/8 of the way there (\$50 balance).

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

Andy Arsenault: He is treasurer of the Flying Point Cemetery. The cemetery only receives \$450 a year for Veteran grave maintenance. They want 10 mowings, but this pays for 3. The town is getting 1.6% on the investment, which he thinks is low. He hasn't heard a report on what happened. He believes we should ask Bangor Savings, who manages the account, why the return has been poor. He also attended the meeting with the Conservation Commission and NEMBA and hopes that we set a timeline to move this forward and when the Commission will come back to the Council. He commended Councilor Bradley for reporting back on the Island Rover issue and he encouraged the full Council to report to the public on this issue and the Downtown Revisioning progress. Mr. Arsenault also spoke against the Sustainability Coordinator position as we already work with GPCOG and this is duplication of services.

Chair Piltsch reported that himself and Councilor Pillsbury will be meeting with the Finance Director to review the investment policy.

Downtown Revisioning Process: There will be an Implementation Task Force meeting June 23rd at 6 pm via Zoom and everyone is encouraged to attend. They are in the progress of narrowing down the work plan to a dozen projects they will present back to the Council. Last Wednesday, there was a good size housing project, 67 units, that presented to the Project Review Board (PRB), so we do have exciting things going on.

The Conservation Commission have given themselves a December deadline to update the Management Plan. We can take Council action before that, but they are in charge of managing the land.

Councilor Bradley: There was a significant amount of talk around design during the Revisioning Process of what would look good for Depot Street. Does any of this get into that process or is it just what the investor wants and what the PRB will approve? We have not updated our Design Review Plans since the Downtown Revisioning process has been complete. There are a number of standards that would have to apply in the Downtown District. The PRB has to rule by what's on the books today. One of the items on the work plan is to update the Design guidelines with what came out of the Vision Plan. Is anyone in town talking with applicant to try to convince them that things in the Downtown Plan would be in their best interest. The applicant was involved in the Downtown Visioning Process and met with the Principle Group directly. Councilor Bradley wants to ensure that the items brought forward by Principle as options

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get filtered down into the first big project coming out of the process. He would like to be able to say that right out of the box we were able to provide housing in a style that is consistent with the feel of Depot Street.

When the Town met with FEDC, the idea of a TIF District was discussed for specifically that purpose so that we can say even though it meets the design standards officially, we are willing to incentivize it if you will consider making these design changes that the Town would like to see. It would be better to have that apply uniformly to all the projects coming before us rather than dealing with separate developers on different projects. FEDC is spearheading that. It's not too late to gather consensus and enthusiasm of what would be in that District. Everyone is encouraged to follow the Project Review Board meetings.

Councilor Fournier: In regard to Zoning and Design Review, do we need to prioritize that so we don't put needless roadblocks and hurdles up and we become a more friendly place to do business in. He would be in favor of fast tracking correcting those issues.

We can't add more restrictions and requirements and at the same time speed it up and make it friendlier and easier. We have to balance that. There is money set aside in this budget for a consultant to help us update our Design Review Guidelines. The Developer for this project, is not asking for anything from us and are designing according to the current standards. Councilor Bradley stated that the town has been through a \$200,000-\$300,000 Downtown Revisioning project that has identified housing and housing design as an important element of redoing our downtown. There is nothing to stop us from sitting down with the Developer, independent of the PRB, and talk with them about whether they would consider the items that would meet our design needs and wishes. Who is it that is taking our ideas to the Developers? Outside of the world of rules and regulations, we have the Downtown Revisioning which we are committed to. A new developer coming into town may be interested in doing some of what we would suggest to them and if it costs the Developer more money, the town is in a position to potentially be able to provide some of that or parking relaxation. He hopes we can find room to make sure we follow the benefits of having gone through the Downtown Revisioning Process and not get stuck in the world of today's Design Review. He is suggesting not telling them what to do, but ask them. There are multiple preapplication meetings with staff and developers. Who's sitting in for the town from a visioning point of view on these meetings? There are 7 staff members that are involved, with the Town Planner being the lead. Several developers had one on one meetings with Principle Group that contributed to the Vision. Another developer was convinced to come to Freeport because of the Downtown Revisioning Process as our needs aligned with his vision. We are ultimately limited in what we can force a developer to do, if our Ordinances don't support that.

Councilor Daniele asked if we would add something to our ordinances that would require developers to reference the Downtown Revisioning or that they are aware of it. We will follow up on that but it would need to originate at the Planning Board level.

Lance Fletcher: He is asking the Council to change the building code. The legislature and Council approved MUBEC which contains the 2015 Energy Code. The 2021 Energy Code was included by the Legislature last year in the Stretch Code. As codes go, the 2021 was a significant leap beyond the small incremental changes made from 2009 and 2021(they make changes every three years). Buildings built under the 2021 Code are 10-15% more energy efficient than those constructed under prior Codes. The cost of implementing this code is less than 1% of the construction costs and the payback starts the first winter. As the prices of energy go up, the savings go up. This is a small first step.

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

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ITEM # 119-22 To consider action relative to adopting the June 21, 2022 Consent Agenda.

BE IT ORDERED: That the June 21, 2022 Consent Agenda be adopted.

MOVED AND SECONDED: That the June 21, 2022 be approved. **VOTE:**
(Piltch & Lawrence)(7-Ayes)(0-Nays)

(Council Chair Piltch) (5 minutes)

ITEM # 120-22 To consider action relative to setting a public hearing to discuss a new liquor license for the Nicholson Inn. PUBLIC HEARING

John Boland spoke briefly about their desire to add a liquor license to their newly purchased business.

MOTION: To open the Public Hearing (Pillsbury & Lawrence)(7-Ayes)

MOTION: To close the Public Hearing (Pillsbury & Fournier)(7-Ayes)

BE IT ORDERED: That a new liquor license for the Nicholson Inn be approved.

MOVED AND SECONDED: That a new liquor license for the Nicholson Inn be approved. **VOTE:** (Pillsbury & Lawrence)(7-Ayes)(0-Nays)

(Town Clerk, Christine Wolfe)(10 minutes)

ITEM # 121-22 To consider action relative to setting a public hearing to discuss a new liquor license for the Sunrise Cafe. PUBLIC HEARING

The applicants have informed us that they are withdrawing the liquor license application so there is no need for the Public Hearing. Different options were discussed as to proper procedure in this instance (Table vs. Withdraw or Deny).

MOVED AND SECONDED: To table item # 121-22 indefinitely. **VOTE:**
(Piltch & Lawrence)(0-Ayes)(7-Nays)

MOVED AND SECONDED: To withdraw item # 121-22. **VOTE:** (Lawrence & Bradley)(7-Ayes)(0-Nays)

MOTION: To open the Public Hearing

MOTION: To close the Public Hearing

BE IT ORDERED: That a new liquor license for the Sunrise Café located at 475 US Route 1, Freeport be approved.

(Town Clerk, Christine Wolfe)(10 minutes)

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ITEM # 122-22 To consider action relative to setting a public hearing to discuss a new Special Amusement Permit for Freeport Oyster Bar. PUBLIC HEARING

MOTION: To open the Public Hearing **VOTE:** (Fournier & Lawrence)(7-Ayes)(0-Nays)

MOTION: To close the Public Hearing **VOTE:** (Fournier & Lawrence)(7-Ayes)(0-Nays)

BE IT ORDERED: That a Special Amusement Permit for Freeport Oyster Bar be approved. **VOTE:** (Fournier & Lawrence)(7-Ayes)(0-Nays)

(Town Clerk, Christine Wolfe)(10 minutes)

ITEM # 123-22 To consider action relative to the repeal of Freeport Ordinance Chapter 44: Pinball and Video Machines.

The Town Manager gave a brief history of Pinball Machines and Video Machines and the reasons why they became regulated. Chapter 44 regulates pinball and video games, coin operated or anything that takes cash in exchange for game play. Staff review of this agrees that this would just be a revenue for the Town if an arcade business was started in Town. This would generate \$100 per game per year. He gave examples of other types of activities that do not require a fee to the Town. There is the potential of a business coming to Town. There is a term we try not to use anymore. The applicant must be of "good moral character". That was generally used to disqualify people and is discriminatory. We try to get these requirements removed from our Ordinances.

We are required to hold a public hearing before repealing any Ordinance in Town.

BE IT ORDERED: That a public hearing be set for July 5, 2022 at the Town Council meeting that starts at 6:00 pm. to discuss the repeal of Freeport Ordinance Chapter 44: Pinball and Video Machines. **VOTE:** (Lawrence & Daniele)(7-Ayes)(0-Nays)

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.

(Town Manager, Peter Joseph)(10 minutes)

ITEM # 124-22 To consider action relative to a Use of Town Property request for Bow Street Park on August 6, 2022 and September 3, 2022 by ACAF.

This will be for folk music in Memorial Park. This is a chance to get more enthusiasm around the Downtown Plan. This will provide four hours of free music in Memorial Park on those two dates.

BE IT ORDERED: That the Use of Town Property request by ACAF for Bow Street Park on August 6, 2022 and September 3, 2022 be approved. **VOTE:** (Daniele & Lawrence)(6-Ayes)(0-Nays)(1-Abstain- Egan)

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(Vice Chair Egan)(10 minutes)

ITEM # 125-22 To consider action relative to a Use of Town Property request for The Met

The owners of The Met approached the Town about parklet in front of their building, but unfortunately that was not a feasible logistic option. We offered the suggestion of outdoor seating on the sidewalk instead. This will allow the restaurant to use the brick sidewalk for a few feet in front of the building. This is outside their lease envelope as about 3 feet would be on town property. They need one of the four tables to be ADA compliant. They also need a detectable barrier (planters or rope, 27" or less) for cane detection. Any umbrella needs to be up 8 feet and not extend into the right of way. They will need to add the Town of Freeport as additionally insured on the insurance policy.

BE IT ORDERED: That a Use of Town Property request for The Met be approved. **VOTE:** (Bradley & Lawrence)(7-Ayes)(0-Nays)

(Town Manager, Peter Joseph)(10 minutes)

(ITEMS # 126-22 TO # 129-22 ARE PRESENTED BY FINANCE DIRECTOR, JESSICA MALOY)(30 minutes)

ITEM # 126-22 To consider action relative to the acceptance of State Funds for Fiscal Year 2023.

There are two adjustments that were made including item #129-22 the Capital Budget was increased by \$37,000 from the public works truck chassis replacement. The bids came in higher than expected. The second item is #129-22 under "Be it Further Ordered" for the use of ARPA funding we included the \$40,000 for the Fire Rescue radio upgrades.

Councilor Fournier wanted to clarify that from here forward with future truck replacements, we will be looking at just replacing the chassis due to the purchase of stainless dump bodies that will last 2 chassis. He asked the Fire Chief about the EMA Center that we use in the event of natural disaster and whether the radios there would be compatible if we change over to digital. The Chief responded that there is only 1 analog radio there, so the answer is "no". The prior EMA Center location is now no longer being used in that capacity. They will discuss this in further length at another time.

Councilor Lawrence spoke in reference to the \$12,000 for GPCOG. The \$6,000 previously appropriated for GPCOG was for phase I of the plan. This amount is for Phase II. Phase II is to complete a Climate Action Plan, in addition to the Phase I work in place now. They were separate but together the phases will make up the complete Plan. He is concerned as we are seeing bids come in higher than expected due to the current environment with inflation and he doesn't see spending on that as prudent for the Town. We should be trying to save as much as can. This has been designated as one of the items to use ARPA Funds so removing it from the budget will not have a tax impact.

MOTION: Remove the \$12,000 for the GPCOG Climate Change Plan from the budget. **VOTE:** (Lawrence & Fournier)(1-Ayes)(6-Nays)

Councilor Egan: We specifically put this allocation in the Federal ARPA category as it's one-time money to spend on one-time items. That's why it's there and not our Operating Budget. The engagement with GPCOG is to collaborate with them and other communities to prepare a Climate Action Plan which

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is preparatory for our community to get ready for significant physical impacts from climate change. Councilor Lawrence gave other examples of where he felt the \$12,000 could be better used. Councilor Fournier feels we should focus on the part time Sustainability Coordinator. We do need to plan for climate change but he can't support this appropriation and the Sustainability position and he favors staying with GPCOG as it does work with multiple communities.

Councilor Pillsbury: Climate change is real and there will be a real cost to our town, the longer we delay we are doing ourselves a disservice. Money is tight, but this is a foolish initiative to try to squeeze some money from. He supports both the Sustainability position and GPCOG work.

Councilor Bradley supports the GPCOG allocation. It's hard to know what to do about climate change, but this is the right kind of money to spend now to help us decide what we're going to have to do later. We have not made a contractual commitment to GPCOG yet.

For a median household in Freeport, they would be paying \$.50 to \$1.00 for us to hire the Sustainability Coordinator.

MOTION: To not fund the part-time Sustainability Coordinator. **VOTE:**
(Fournier & Lawrence)(2-Ayes Lawrence & Fournier)(5-Nays)

Councilor Daniele thinks the Coordinator will help us collaborate with our neighbors more and have someone who is the point person for GPCOG and he supports the position. The idea is this position would be tasked with seeking out grant opportunities. We can reassess this position at any time if it does not produce results. We are currently looking for grant opportunities to fund this position, at least partially.

State Revenue Sharing update: We are budgeting \$1,150,000 which is the State's projection for FY23 which is the full 5%.

Non-Emergency Transport Budget: Are we going to try to generate revenues through Non-emergency transport (NET)? We have been working on getting it into a positive fund balance before we dissolve it and put it in Fire Rescue which will be in the general operations of the town. There are minimum NET runs at this point. The only thing currently budgeted are wage hours when they do that. As an enterprise fund, we are talking about taking that and absorbing that into general fund operations instead of having the enterprise fund. Councilor Fournier is asking that we look at NET as a revenue stream. We have discussed local low impact transports that would not be draining to the department. There is a staffing shortage that effects all NET transport services. We are trying to be a friend to Midcoast Hospital. We have been doing transports from Midcoast to home for Freeport residents. We need to look out for our emergency needs.

With inflation at 8%, the original budget had a tax levy increase of 4.25%. Since then, we have brought that increase down to 3.3%. The only portion that changed was the municipal levy.

BE IT ORDERED: That the following categories for State Funds be accepted for Fiscal Year 2023:

1. Municipal Revenue Sharing
2. Local Road Assistance

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3. State Aid to Education (including Federal pass-through funds and property pass-through funds and property tax relief)
4. Public Library State Aid per capita
5. Civil Emergency Funds (Emergency Management Assistance)
6. Snowmobile Registration Funds
7. Tree Growth Reimbursement
8. Veterans Exemption Reimbursement
9. Business Tax Reimbursement
10. All other State funds not included in items 1-9

VOTE: (Egan & Lawrence)(7-Ayes)(0-Nays)

ITEM # 127-22 To consider action relative to the Operating Budget for Winslow Park for Fiscal Year 2023.

BE IT ORDERED: That \$397,960 be approved for the Winslow Park budget from July 1, 2022 to June 30, 2023 and \$23,000 be approved for the Harb Cottage budget from July 1, 2022 to June 30, 2023. **VOTE:** (Pillsbury & Lawrence)(7-Ayes)(0-Nays)

ITEM # 128-22 To consider action relative to adopting a Non-Emergency Transport (NET) budget for fiscal year 2023.

BE IT ORDERED: That the Non-Emergency Transport Budget in the amount of \$74,021 be approved for fiscal year 2023. **VOTE:** (Fournier & Bradley)(7-Ayes)(0-Nays)

ITEM # 129-22 To consider action relative to the adoption of the Fiscal Year 2023 Operating Budget for the Town of Freeport.

The Operating Budget could be done as separate agenda items in the future.

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, 2022 to June 30, 2023 Municipal Budget.

<u>FY 2023 Appropriations</u>		
General Government	\$	2,034,295
Protection and Enforcement	\$	3,500,805
Health and Welfare	\$	42,000
Human Service Agencies	\$	40,800
Community Center Building	\$	45,600
Public Works/Solid Waste	\$	2,579,645
Library	\$	525,620
Unclassified	\$	2,834,760
Debt Services-Local	\$	70,700

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County & Transit Tax	\$	1,374,422
Bustins Island	\$	277,000
Abatements	\$	25,000
Total Appropriations	\$	13,350,647
<u>FY 2023 Estimated Revenues</u>		
Non-Property Tax	\$	2,076,000
Intergovernmental	\$	2,319,500
Charges for Services	\$	400,800
Licenses and Permits	\$	543,700
Fines and Forfeitures	\$	48,300
Miscellaneous	\$	116,000
Total Estimated Revenues		\$5,504,300
Amount Transferred from Undesignated Funds	\$	780,000
Amount to be Raised by Taxation	\$	7,066,347
Total Revenues		\$13,350,647

BE IT FURTHER ORDERED: That the following appropriations be made for the Capital items/projects listed below, and that the Capital Budget for FY2023 be adopted, as presented on the agenda, totaling \$1,462,000:

Police	New Patrol and Changeover Equipment	100,000
Fire	SCBA Bottle Replacement	77,000
	SCBA Fill Station	60,000
Rescue	Computer Aided Dispatch Units	19,000
Public Works	Truck Chassis Replacement, Plow & Wing (Truck 6)	227,000
Solid Waste	Skid Steer Replacement	70,000
Comprehensive Town Improvements	Arnold Road Rebuild	250,000
	ADA Compliance Work	75,000
	Road Condition Survey - Asset Management	25,000
	Planning Concord Gully Brook Watershed	25,000
	Restoration	
Municipal Facilities	Computer Upgrades -	125,000
	Townwide File Digitization	15,000
	Town Hall Bathroom	25,000
	Upgrades Library Door	30,000
	Replacements Town Wharf	7,500
	Repairs Revaluation	7,500
	Reserve Fund Town Wharf	100,000
	Steel Pilings	100,000
	PW Equipment Lift	30,000
	Red Light Upgrade	20,000
	Library Fencing Replacement	

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Cable Television		
	Equipment and other improvements (Channel 14)	4,000
	Equipment Replacement - (Channel 3)	20,000
Boards and Committees		
	Comprehensive Plan Update	50,000
	Total FY 2023 Capital Budget	\$ 1,462,000

BE IT FURTHER ORDERED: That the following amounts be appropriated from the Reserve Funds to provide for items approved, as presented on the agenda, totaling \$1,462,000:

Police Reserves	\$	100,000
Fire Reserves	\$	137,000
Rescue Reserves	\$	19,000
Public Works Reserves	\$	227,000
Solid Waste Reserves	\$	70,000
Public Infrastructure Reserves	\$	375,000
General Administration Reserves	\$	147,500
Building Reserves	\$	312,500
Cable Television Reserves	\$	24,000
Other Reserves	\$	50,000
Total FY 2022 Capital Transfer from Reserves:	\$	1,462,000

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 2023 be adopted, as presented below, totaling \$210,000:

Sidewalks	45,000
ACAF Performing Arts Center	25,000
Freeport Economic Development Corporation	140,000
Total FY 2023 Destination Freeport TIF Budget	210,000

BE IT FURTHER ORDERED: that the following appropriations from ARPA Funding be made for the items and projects listed below, totaling \$252,000:

Paving	100,000
Grants Match	60,000
Fire Rescue Radio Upgrade	40,000
Ordinance Work	40,000
GPCOG Climate Plan	12,000
Total FY 2023 ARPA Funded Projects	252,000

**** Councilor Lawrence changed the reading of the “BE IT FURTHER ORDERED” for the Reserve Funds to correct a typographical error in the total amount which should read \$1,462,000. VOTE:** (Lawrence & Daniele)(5-Ayes)(2-Nays Lawrence & Fournier)

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ITEM # 130-22 To consider action relative to awarding a bid for SCBA Bottles.

Our SCBA Bottles are going out of code. We are trying to get ahead of supply chain issues. We are about 12 weeks out for delivery. They did come in under budget. Bottles were estimated at \$77,000 and the estimate for the Fill Station came in at \$40,000.

BE IT ORDERED: That the bid for 70 - SCBA Bottles be awarded to Industrial Protection Services in the amount of \$67,408.00. **VOTE:** (Daniele & Lawrence)(7-Ayes)(0-Nays)

(Fire Rescue Chief, Paul Conley)(10 minutes)

ITEM # 131-22 To consider action relative to awarding a bid for a SCBA Compressor Fill Station.

We bought the last compressor from IPS, but they do not support the current compressor. The problem was Scott got out of the line and getting parts became the issue. The new compressor is Bower whose been in business 75 years. Twelve towns around the county have it, so we are comfortable going with that. Industrial Protection Services was just the dealer for Scott.

BE IT ORDERED: That the bid be awarded to Industrial Protection Services in the amount of \$40,012.00. **VOTE:** (Bradley & Fournier)(7-Ayes)(0-Nays)

(Fire Rescue Chief, Paul Conley)(10 minutes)

ITEM # 132-22 To consider action relative to a bid award for a Public Works Equipment Lift Replacement.

Councilor Fournier: We certainly need the lift. The advantage of this one is it can go under each individual wheel and you can move it around the garage and allows PW to free up space. This lift has the capability to pick up a fire truck which the last one couldn't do. This came in under budget by \$15,000.

BE IT ORDERED: That the bid be awarded to Vehicle Service Group of Windham, Maine in the amount of \$84,373.14. **VOTE:** (Egan & Lawrence)(7-Ayes)(0-Nays)

(Public Works Superintendent, Earl Gibson)(10 minutes)

Note: \$100,000 was included in the FY23 Public Works Capital Budget for the purchase of a new Public Works Equipment Lift. This will be a savings of \$15,626.86.

ITEM # 133-22 To consider action relative to a bid award for a new Public Works Plow Truck and Plow Equipment.

This came in over budget by almost \$37,000. Earl Gibson, Public Works Supervisor, reported that in a meeting with GPCOG he discovered we are in better shape than other surrounding communities. No one anticipated this much of an increase in one year. HP Fairfield took the initiative and bought trucks and per the Council's approval he will call them and sign a commitment letter in a few seconds because the

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price is going to increase tomorrow afternoon. The alternative of revamping the existing outgoing truck which would give a 2 year longer life to this truck. The alternate bid to this one is a potential 2 year delivery on the vehicle (still above \$190,000). The 20,000 to \$60,000 to rehab to the existing truck to keep it running would not equal the same amount of amortized value as buying the new truck now for \$37,000. Other bidders would not be able to supply a truck for 2-3 years. HP Fairfield would be able to have a truck to us for this winter.

BE IT ORDERED: That the bid be awarded to HP Fairfield in the amount of \$226,880 for a new Public Works Plow Truck and Plow Equipment. **VOTE:** (Pillsbury & Fournier)(7-Ayes)(0-Nays)

(Public Works Superintendent, Earl Gibson)(10 minutes)

Note: The exceeds the approved expenditure amount of \$190,000 by \$36,880. The Public Works Reserve is \$1,104,033 which would support this bid overage.

ITEM # 134-22 To see if the Town of Freeport will vote to change its plan for its eligible, non-Freeport Police Benevolent Association (FPBA) police officers effective July 1, 2022, for future service only.

This only affects a few non-union employees. The total amount involved is about \$7,000 for all people involved. Freeport was one of two municipalities in our comparable group that offered the lower retirement plan 2C instead of 3C. As part of our union negotiations we agreed to move to 3C. That is an increase contribution for the employee and the town. It offers a larger calculation at the end of retirement for what the annual pension would be. The contributions go up about 2%. We did this for union employees, but not for non-union employees which include the Harbor Master, Sergeants, Supervisors, Lieutenants and Chief. To be in the plan you must be a certified law enforcement officer. When officers get promoted some of their benefits go down, mainly the health insurance and retirement costs increase. It adds up to half of the raise they receive and they have the added job responsibilities. This is a disincentive to take a promotion.

Councilor Egan spoke in support of this change and referenced the difficulty in finding and retaining good officers like we currently have. He hopes this will help us recruit and keep excellent Officers.

BE IT ORDERED: That the Town of Freeport agrees to:

- a) Provide Special Plan 3C to its permanent, full-time, non-FPBA police officers who work 20 or more hours per week, 52 weeks per year for service rendered after June 30, 2022. Service for non-FPBA police officers rendered before July 1, 2022 remains under Special Plan 2C.
- b) Continue to provide Special Plan 3C to its permanent, full-time, FPBA police officers who work 20 or more hours per week, 52 weeks per year.
- c) Continue to provide Special Plan 2C to all other permanent, full-time employees who work 20 or more hours per week, 52 weeks per year.
- d) Continue to exclude all other employees who are not permanent and full-time (i.e. who work less than 20 hours per week and/or less than 52 weeks per year) and its elected officials from participating in the plan.
- e) To authorize Peter Joseph, Town Manager to sign the Amended Agreement between the Town and the Maine Public Employees Retirement System.

VOTE: (Fournier & Lawrence)(7-Ayes)(0-Nays)

(Town Manager, Peter Joseph)(10 minutes)

OTHER BUSINESS:

1. Discussion of Stretch Codes (Vice Chair Egan)(10 minutes)

Three topics to introduce: a) What are Stretch Codes, b) why are we talking about it and c) see if there is a plan to get something in place for a formal adoption. Councilor Egan heard from numerous constituencies, including the Climate Action Now group, building trades people, folks interested in promoting sustainable construction methods in Maine along with other people participating in Code compliance and adoption at the State level. The Stretch Code is an enhancement on certain elements of the Building Code that relate to energy efficiency and sustainability within building practices. A more efficiently built building is more energy efficient. We have a very old built environment in Maine. A lot of what we may be apply stretch codes may be in renovations where it's much harder to get those things accomplished. There is enthusiasm to set these parameters for encouraging our building trades and developers to go to these Stretch Codes and make more energy efficient and higher sustainability buildings. The flip side is that these could cost more money. There are already an array of Codes and building requirements to get a permit. If you don't have a design professional who knows how to apply these codes, a small contractor can be left with their head spinning. Codes and Planning were asked to talk about it and come back to the Council with ideas. We need an understanding and dialogue with our staff that deal with it on a daily basis. We don't want to create something that is more problematic to development.

Councilor Fournier would like to know what the square foot cost for a single-family residential home and multiple family home would be. He wants to do more research on this and see where it takes us. He recognizes the benefits of energy efficiency, but he wants to know what the associated costs are going to be.

Councilor Daniele: The Sustainability Advisory group discussed the benefits of surrounding communities adopting this too. This would ensure builders not thinking that it is hard to build in just Freeport, but the whole community endorses the Stretch Codes.

It is on the radar of FEDC.

Bob Stevens of Climate Action Now: Their group has interest in climate change, fossil fuels and the planet. There is a lot of building in Freeport right now including the 145 units on Desert Rd the Downtown Vision Plan contemplates building. In Freeport, we have the 2015 Building Code. The latest version is the 2021 Stretch Code. If the Department of Energy determines that the code makes significant improvements in energy efficiency the State has to look at the Codes within 2 years and certify they've looked at the residential codes. It doesn't have to happen immediately. The 2015 Code was mandated in 2021.

The had a table at the June election. They had 100s stop and get information. There were over 160 people who signed letters to the Council saying please do this and adopt the Stretch Code. Mr. Stevens read several of the letter's comments to the Council.

Andrew Arsenault: He's concerned that we come up with a Code so complicated the applicant can't understand from the Code what he needs to comply. The land owner should be able to figure it out before

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he comes to Code Enforcement. He's not against the Code as he hasn't read it yet. We should be business and building friendly.

Lance Fletcher: Spoke with 2 young but experienced builders who were eager to sign the letters in support of the Stretch Code. IECC Codes are developed with all the stakeholders present.

The Climate Action Now Group are going through options that will actually make a difference. Why is this a priority? How do we explain to a global warming denier that this is important now? Codes are minimum standards to start with. Cumberland has already adopted the Climate Action Plan which includes adopting this code. It's a small step but it's in the right direction.

What about incentives for meeting the extra code, similar to heat pump installations. For example, the building permit might be less for a more energy efficient home, along with the energy savings they get. Maybe there is grant leverage for that and it's a good job for our Sustainability Coordinator. We do have questions that need answering. Does this apply to commercial buildings too? How much would apply to renovations? The Code Officer and some builders are needed to come to a future meeting (July or August) to answer some questions.

Councilor Fournier wants the tax bills to include information about the tax program for people over 65 years of age as it needs to be done by December and has recently been expanded. When the State is ready to administer these programs we will definitely get the information out to residents.

It was requested that we add two more Free Dump Days in the fall.

Motion to adjourn at 9:15 pm (Bradley & Lawrence)

END OF AGENDA (Estimated time of adjournment 9:50 PM)
