

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #06-22**  
**TOWN COUNCIL CHAMBERS, 30 MAIN STREET, FREEPORT**  
**TUESDAY, MARCH 15, 2022**  
**6:30 PM**

Chair Piltch called the meeting to order at 6:33 pm.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>EXCUSED</b>
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		

**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 #05-22 held on March 1, 2022 and to accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #05-22 held on March 1, 2022 and to accept the minutes as printed. (Lawrence & Fournier)

**VOTE:** (6-Ayes)(0-Nays)(1-Excused)

**THIRD ORDER OF BUSINESS:** Announcements (15 minutes)

- There will be a Draft Downtown Vision Plan Open House on April 9, 2022 from 11 am to 2 pm on the lawn at Town Hall. Register at <https://freeportvisionopenhouse.rsvpify.com>
- The town's Public Works Department posted roads effective February 28<sup>th</sup>. A posted road guide is available on the Public Works page of the Town website.

**FOURTH ORDER OF BUSINESS:** Information Exchange (15 minutes)

Councilor Pillsbury reported the Winslow Park Commission met and the ramp and playground projects have received bids and are moving ahead. The playground should be done in the spring also. They are talking about a donation form for the park.

Councilor Bradley reported progress on Island Rover. The launch plans have been reviewed and he may have a recommendation for the Council by the next meeting.

Councilor Piltch reminded that tomorrow night there is a workshop between the Council and the Project Review Board at 5 pm. There is also a meeting on March 29<sup>th</sup> to discuss the Downtown Vision before the Open House. There is a meeting April 12 to discuss the results of the Open House. It has been

COUNCIL MEETING #06-22  
MARCH 15, 2022

recommended to shift that meeting to April 26<sup>th</sup> instead to allow Principle Group more time to prepare the report. We will have something to respond to rather than reviewing what was just seen. Councilor Bradley asked if the first time the Council will see the plan is on the 29<sup>th</sup>. Principle Group will be here on the afternoon of March 29<sup>th</sup> and the plan will be presented in draft form. The public sees it on April 9<sup>th</sup> and the Council will workshop on April 26<sup>th</sup> with May 3<sup>rd</sup> as the tentative adoption. The Council secretary will make these changes and update the website to reflect all Council meetings and workshops.

**MOVED AND SECONDED:** To adjust the Town Council meeting schedule to remove the Council workshop on April 12<sup>th</sup> and add one on April 26<sup>th</sup>. (Bradley & Fournier) **VOTE:** (6-Ayes) (0-Nays)(1-Excused)

Mary Davis from FEDC introduced the new executive director, Brett Richardson to the Council. She recapped the interview process and how excited they are to welcome him aboard. She talked about Mr. Richardson's qualifications before he greeted the Council. The Council also took the time to recognize Mary Davis's contributions and hard work during this interim and hiring process.

Mary also spoke on the Downtown Revisioning and how important and energizing it is to have the public involved in the meetings. It's a chance to hear the resident's opinions and ask questions and promote collaboration in the community.

Councilor Bradley mentioned how he is astounded by how many people know very little about what we've done with the Downtown Revisioning and we need to do something about it. We need to get the substance out that can be read by people who are not online savvy. We may need to pay for an article in the Forecaster. He is worried that we, as the Council, don't know what the whole town thinks, but instead only know what the interested parties are thinking. It's important that everyone knows what's going on in town with the Downtown Revisioning.

FEDC has permission to display all the Downtown Revisioning materials in the empty storefront at 54 Main Street. They are starting back up the newsletters with Principle that goes out to those that have registered. She encouraged Councilors to share and promote them with those not registered. There are people that are missing the information. Councilor Piltch and Ms. Davis met and counted 7-8 different channels of communication that were tried to get the word out. If Councilors choose to have District meetings with constituents, reach out to the Strategy team and they can attend to be a voice there. We can also use local businesses, like Bow Street Market, to hand out pamphlets. There are fliers being printed for distribution.

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

The town has 2 job postings. Information on the new Zoning Administrator position and the full-time replacement Police Officer are available on the Town website.

Public Works will be starting street and sidewalk painting ahead of schedule due to the mild weather so be aware as you are driving.

In regard to previous discussions regarding our financial investments and our exposure to fossil fuels, our preliminary report shows that approximately \$122,000 or 1.6% of our total investments would be attributable to fossil fuels. That constitutes 6.5% of our total equities. Only a minority of our investments are in stocks. They are going to now look into what the alternatives are. He is not sure if we will have a

## COUNCIL MEETING #06-22

MARCH 15, 2022

working group or if it will just come back directly to the Council for review. This was a review of the whole portfolio and was everything that could be attributed to a company.

Councilor Lawrence asked if it was a review of the whole portfolio and what we can do to make it grow better not just a review of fossil fuels. The Town Manager explained that our growth rate for the part that is invested in equities is on track with markets. The 25% of the Reserves that are invested in the stock market are giving pretty close to a general market return and 75% of our reserves are in more stable instruments. When the Council reviews a new policy on Fossil Fuels the allocations can be reviewed at the same time and amended to be more or less aggressive by a vote of the Council.

Councilor Fournier thanked the fast action on moving forward the Zoning Administrator position and asked about the possibility of this position being rolled into the Environmental issues position or would this be discussed during the interview process? Mr. Joseph stated it was not part of the Zoning Administrator job posting. There is some thought of a shared position with Yarmouth for the Sustainability Coordinator position. We also have staff that has interest in those kinds of functions as well. We will know better when we see who the candidates are and what their interest are.

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

Stephen Migliore: He has owned a home in Freeport since 2005 and wants to discuss the Short-Term Rental Registration Ordinance. Stephen was gauging the Council's interest in reviewing and amending the current ordinance. They rent their vacant home because it is the only way they can afford to keep it. They try to keep it clean and safe while respecting the neighbors which he thinks was the vision behind the program in the first place. He utilizes a service called Breezeway that certifies to the safety of the home and gives an insurance discount. He wanted to know if the Council would consider incorporating something like that because many of the requirements that need to be fulfilled in the Short-term rental application process are redundant to what is done through the Breezeway certification process. That is one suggestion. The second matter is that the initial application process was "a bit bumpy" and the process had not been thought through. This year his application is late which he takes responsibility for. Other important correspondence is mailed to his home and in this case, it was emailed and then missed by him. Is there a different way or a possibility of automatic renewal? He also inquired as to the fee schedule and if it was a revenue source or a way to cover the cost. We compared other towns which ranged from no fee to \$1,000 and he also feels the late fee of \$200 is too high. There is not an opportunity for relief on the late fee that he will be required to pay this year. Chair Piltch confirmed that we would be reviewing the ordinance at the one-year mark which is in May and has noted Mr. Migliore's concerns.

Andrew Arsenault: Spoke on the town divesting from petroleum-based stocks and encouraged the town to take a hard look before we do that. The U.S. is one of the cleaner refiners of petroleum around the world. He spoke about less favorable producers around the world and the amount of petro-chemical products we use in our everyday lives. To divest and de-bank these companies is short sighted, and he gave examples of our necessity for petroleum-based products. Please be careful how you send a message because these are good American companies. You might have political views and not like what they do, but we need them now to move ahead.

Sally Leland: Announced the upcoming Sewer District meeting on Monday at 7 pm.

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

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ITEM # 56-22                      To consider action relative to adopting the March 15, 2022 Consent Agenda.

Chair Piltch reviewed the items on the Consent Agenda and suggested removing the second item which is Victualer Licenses. Since we may be repealing this Ordinance in two weeks, he would like to take these off the agenda tonight. Town staff would not pursue any action against any business for not having a Victualer License during that time.

The Board and Committee appointments were reviewed. The question was raised as to why we removed the district requirement on Nelson Larkins appointment to the Hunter Road Fields. The Town Clerk explained that there must be a representative from each of Freeport's four districts, a RSU5 representative and a Conservation Commission representative. Mr. Larkins lives in District 2, but our vacancy was for District 4. In order to keep Mr. Larkins as a valued member of that committee, the Appointments committee recommended removing the district requirement in order to maintain the integrity of the committee. There were no other applicants for the Hunter Rd Fields Committee. It was also discussed that Craig Sickles is retiring from RSU5 and discussion followed as to whether to make this appointment. It was decided to make the appointment and fill the position when necessary. The Town Clerk will reach out to Mr. Sickles and inquire about his retirement.

**BE IT ORDERED:** That the March 15, 2022 Consent Agenda be adopted.

**MOVED AND SECONDED:** To remove Item 61-22 from the Consent Agenda. (Piltch & Daniele)**VOTE:** (6-Ayes) (0-Nays)(1-Excused)

**MOVED AND SECONDED:** To approve the Consent Agenda as amended. (Pillsbury & Lawrence)**VOTE:** (6-Ayes) (0-Nays)(1-Excused)

**MOVED AND SECONDED:** To table Item #61-22 for two weeks until the next regularly scheduled Council meeting on April 5, 2022. (Piltch & Lawrence)**VOTE:** (6-Ayes) (0-Nays)(1-Excused)

(Council Chair Piltch) (5 minutes)

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ITEM # 57-22                      To consider action relative to setting a public hearing for April 5, 2022 to discuss a proposed ordinance Chapter 63-Blasting.

Councilor Fournier inquired as to whether it is necessary to read the **BE IT FURTHER ORDERED** when there is a public hearing. The Town Manager is researching that. This ordinance was brought forward by a resident, not petition. The town had a spate of projects last summer that were blasting, upsetting and disturbing some nearby residents. The proposed ordinance sets a notification process for blasting and a pre-blast survey of foundations and buildings near the blast site and water supplies which is common in other towns. It is not taking an enforcement position. It puts a burden on the developer or someone doing the blasting, but it is reasonable. There are people with legitimate concerns such as medical concerns, children or animals or with sensitivity to blasting. It's the least we can do to put this notification process in place. This ordinance was modeled after other towns so we're not going out on a limb here.

COUNCIL MEETING #06-22  
MARCH 15, 2022

Councilor Fournier mentioned that it did not appear that storage of dynamite had been addressed in this ordinance which can be a hazard to a neighborhood. They have had issues in years past including a private individual who had dynamite in their back yard, which luckily was able to be controlled. Commercial operations are governed by the State Fire Marshal's Office. The process where they transport the dynamite in and when they would blast would be covered under the proposed ordinance, not storage. That could be looked at if there is concern. Ordinances with comparable language did not address the storage issue either.

**BE IT ORDERED:** That a Public Hearing be scheduled for April 5, 2022 at the Town Council meeting starting at 6:00p.m. to discuss the proposed Chapter 63-Blasting Ordinance. (Fournier & Lawrence) **VOTE:** (6-Ayes) (0-Nays)(1-Excused)

**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)(5 minutes)

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ITEM # 58-22      To consider action relative to setting a public hearing for April 5, 2022 to discuss the proposed repeal of Chapter 30, Victualer Ordinance.

The Town Manager and Codes Officer have looked into the State Health Inspection Program which covers restaurant licensing and food preparation. The biggest concern he thought was how do restaurants get inspected. In 98% of municipalities, the State is the health inspection authority, conducts a thorough process, inspects regularly and has on call staff. There are a few municipalities that run their own health inspection programs after being delegated that authority by the State. What comes with that is that the municipality is responsible 24/7, holidays, weekends, night times, vacations to always have somebody able to respond to any health emergency issues, not just related to restaurants. The Victualer license has nothing to do with that other than mentioning it. Eliminating the Victualer Ordinance would not remove our ability now or in the future to opt into the Health Inspection Program. Councilor Bradley wanted to know if we have a health safety concern with one of our victualers, would we have the authority to take any action with respect to that health issue if it was an immediate threat? Mr. Joseph replied that if it was food based in the kitchen, then the answer is no. We would have no additional different authority than we have today. We would call Joel Demers, our DHHS inspector to come down. If the Victualer Ordinance is repealed the town still can't react to a food emergency in any kitchen or establishment in town for things covered under the Health Inspection Program. Life Safety issues can be addressed by the Town and a lot of those fall under the Police Chief or Fire Chief authority. Independent of the Victualer license, we have a way to respond to health safety emergencies that are posed by victualers in their establishments and we don't lose that by repealing the ordinance. We have not denied or revoked a Victualer license in the time that Manager Joseph has been with the town, but we have had to conduct public hearings for revocation because of unpaid taxes. There is already a mechanism in place for unpaid taxes through tax lien and foreclosure processes. A license has not been denied in at least the last 10 years.

**BE IT ORDERED:** That a Public Hearing be scheduled for April 5, 2022 at the Town Council meeting starting at 6:00p.m. to discuss the proposed repeal of Chapter 30, Victualer Ordinance. (Lawrence & Daniele) **VOTE:** (6-Ayes) (0-Nays)(1-Excused)

COUNCIL MEETING #06-22  
MARCH 15, 2022

**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)(30 minutes)

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ITEM # 59-22                      To consider action relative to the Annual Report on Affordable Housing TIF (Tax Increment Financing) Districts for Oak Leaf II and Quarry Ridge.

This is the annual report that's required where we report all of our affordable housing units to the State. The Assessor put together the list of the two TIF Districts and the number of affordable units is on the report. The thing here is to shine a light if an Affordable Housing TIF was being used for non-affordable housing. Both TIFs cover only affordable housing units so it's straightforward. Councilor Bradley brought up the concern that we are certifying that these units are not only being offered to, but are also occupied by families with those income levels and we don't have confirmation that is indeed true. What are the ramifications if we certify they are Affordable Housing and they are rented to people at market rate? There is an April 30 deadline on the report. We can do more research on this. Councilor Fournier has worked with families there and they have to certify annually their income and he is comfortable with the people administering that and he doesn't think it's being abused. The report completed by the Assessor is the units that are being taxed and where that TIF money is going. We have 25 and 34 units in those buildings assessed as going into this Affordable Housing TIF. We have agreements on both of those where a portion of the tax revenue is returned to them as a benefit for providing affordable housing. These units are covered under other State Programs also. Quarry Ridge is covered by other State programs where they have different criteria for meeting assistance levels. Councilor Lawrence asked if the State certifies that they stayed affordable housing units. They do, but Mr. Joseph wasn't sure if it's the same criteria that we're seeing here, the 120% and they have several different programs that have different standards. We can get a certification from the Executive Director of Freeport Housing Trust stating the number of units set aside as affordable housing units. What if it comes back that these aren't affordable housing units? Mr. Joseph explained that it would put the TIF in question. The Freeport Housing Trust is the only entity that benefits by having 50% of the taxes go into a TIF Fund which is returned to the Housing Trust to essentially pay off the operating costs for the building. If they were decertified for not having the affordable housing units, the TIF would go away.

Chair Piltch is comfortable certifying that these units still exist and are intended to be used the way they've been reported to us. There are other mechanisms we can use to enforce it, if we find otherwise. Councilor Bradley would prefer to wait as he doesn't want to certify something they don't know the answer to, which is different than voting to support. Councilor Fournier feels that we could act on this tonight and if we find out otherwise, we could take legal action. Mr. Joseph clarified that the Council would be comfortable with written documentation from Freeport Housing Trust Office stating the units are still occupied as required by the TIF as he can get that without problem before the next meeting.

**BE IT ORDERED:** That the Annual Report for Affordable Housing TIF Districts for Oak Leaf II and Quarry Ridge be approved. (Daniele & Pillsbury) **VOTE:**

COUNCIL MEETING #06-22  
MARCH 15, 2022

**MOVED AND SECONDED:** To table Item #59-22 for two weeks until the next regularly scheduled Council meeting on April 5, 2022. (Daniele & Pillsbury) **VOTE:** (4-Ayes) (2-Nays, Lawrence & Fournier)(1-Excused)

(Town Manager, Peter Joseph)(5 minutes)

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**OTHER BUSINESS:**

1. Discussion of amending Town Council meeting time (Chair Piltch)( 5 minutes)

Internal discussions have occurred about amending the Town Council Rules of Order and Procedure to start meetings at 6:00 pm instead of 6:30 pm which can be done with simple majority vote and no public hearing. It was clarified that this will start with the April 5<sup>th</sup> regularly scheduled Council meeting and the two upcoming workshops on next Tuesday and the following Tuesday will remain at 6:30 pm.

**MOVED AND SECONDED:** That the Town Council set their regularly scheduled meetings at 6 pm. starting with the next meeting (Fournier & Lawrence) **VOTE:** (6-Ayes) (0-Nays)(1-Excused)

2. Debrief of meeting with Sewer District. (Council Chair Piltch)(30 minutes)

Councilor Bradley gave an update on the collaboration meeting with the Sewer District. The Council at one of the last meetings appointed a small committee to meet with a group from the Sewer District to talk about issues of common interest and ways in which collaboration might help both the District and the Town during a time when they both have major issues on their plate that relate to one another. The Sewer District has between \$8 and \$25 million worth of plant modifications that consultants say need to be do in the foreseeable future. Not doing this will affect the quality of our harbor, quality of our water, desirability of living in District 3 with odors and the clamming industry which is a part of the marine economy, all of which are important to the Sewer District and the town as well. The other side of the equation is the Downtown Revisioning process has made them realize that sewer connection fees are a critical issue to changing the way in which the downtown works. Connection fees are important to the Sewer District as they fund repairs, modifications and needs to improve the plant as they arise. They came away from the meeting thinking the time is right to consider the whole range of options for working together in finding funding sources and collaboration opportunities. Chair Piltch pointed out that he echoes what Councilor Bradley stated and reminded that the Sewer District has been effectively managing things for years and has not been in the paper, so clearly things are being done right there. The town is unsure what the Sewer District is looking for in terms of collaboration such as grant writing or financial contributions. Councilor Bradley explained it could be all that. The small committee is not making any decisions, other than to identify alternatives and to present them to the Council.

Councilor Lawrence asked if we are talking about doing what needs to be done and has that been identified? Or is it more “what can we do to make it better, the whole thing including the town? The Sewer District has a comprehensive report of what needs to be done in the midterm (3-4 years) and then a little longer term.

Councilor Fournier would like to see them open up the discussions to include talks on personnel. There is also duplication of equipment that we already have at Public Works. Many municipalities have the Sewer Dept. as an active municipal department where they share resources. He is a supporter of regionalization when we look at departments.

## COUNCIL MEETING #06-22

MARCH 15, 2022

Councilor Piltch pointed out that all Sewer District rate payers are taxpayers in the Town of Freeport, but not all taxpayers are on Sewer District lines which we need to be aware of. However, the sewer does go through downtown and development in downtown benefits all. We can be somewhat strategic in how we deploy any funds or make any incentives such as subsidizing a sewer fee in order to encourage the right kind of development.

Councilor Bradley was looking for feedback on what the sub committee had provided to date and whether it was valuable or not. Councilors spoke in support of continuing the group. The group welcomes any guidance.

Mary Davis, FEDC, spoke about the importance of clean water and the allure of coming to Freeport. We are one of the 9 visiting spots of Maine for the summer and water quality is very important to us and especially from an economic development point of view. Many of the sewer users are businesses on Route One South and downtown. So, we have a good reason to make sure as a town, that we have the infrastructure improvements that we need, because those residents are using the sewer system and are going to continue to. The second thing, as we add downtown development such as housing, is that the connection fees are a town problem.

Councilor Daniele asked what the connection fee is and was informed that it's a complicated formula with many different factors but they have heard numbers such as \$150,000 to \$200,000 for a large development. A daycare was quoted \$7,000 for a connection fee which is significant. Connection fees have been used for Sewer Department operational support. We need to think about future growth because we will grow.

Lee Arris, Sewer District General Manager, agrees that the connection fee is the catalyst that brought us to this stage. He stated that the district is not wedded to the fee but is wedded to the income. They have two sources of income and connection fees are one of them.

Chair Piltch asked where our connection fees fall, too high, too low or on par? We don't have those answers yet but that is the kind of information he is looking for from the sub-committee. Councilor Lawrence also asked how much money do we need to run it and how many customers do we need to bring that number down and bring the connection fee down. The monthly fee which is the other revenue piece, what do we need to bring that down and what do we do to get there?

Councilor Bradley encouraged the Council to share with him and Councilor Pillsbury the likely issues they will have. The Chair will meet with the FEDC, Councilors Pillsbury and Bradley to go over his concerns and they would like input from everyone to help guide their discussions.

Mr. Arris spoke about the \$850,000 ARPA funds received by the Town. When the Sewer District is making application for monies that are available to them for infrastructure development, if the town has not just shown their support and interest, but has committed some monies, it awards them points towards receiving the grant monies. They are currently making applications and they would be greatly assisted if there were still ARPA funds available to commit to the Sewer District projects. Mr. Arris spoke about past projects and the need to bond for them. They have been now able to set money aside through saving connection and user fees. It is not just the 1200 people on the sewer that benefit. This is an environmental utility that benefits the entire population, not just in town but for anybody connected to the water. He explained in response to a specific incident a constituent had, that they do not charge money to people who come in and want to change something, if their usage doesn't change. There is a State chart that's been worked out through the Subsurface Wastewater Laws that tells them when a new facility or



## COUNCIL MEETING #06-22

MARCH 15, 2022

business comes in what the maximums are. They use those numbers to determine what a capacity fee might be. There are several changes of use where they don't do anything.

Sally Leland wanted to clarify that there are different municipalities that do a flat rate fee for everybody, whether they are on the system or not, so basically a tax. There's no question that the District is beneficial to the town, the businesses and the people visiting the town.

Lastly, Mary Davis spoke about the importance of the town developing the capabilities of getting funds and the ability to write grants.

### 3. Workshop on 5-Year Capital Program. (Town Manager & Finance Director) (30 minutes)

The Town Manager explained that the Department Heads are not present this evening at the request of the Council. If there are any questions regarding their specific capital requests, then we can ask them to come before the Council at the next meeting/workshop before adoption of the Capital Plan. At our next meeting on April 5, we have a public hearing and on April 19<sup>th</sup> we are due to adopt the Capital Plan. This is not the appropriation of funds. It is just adopting the Plan.

Councilor Fournier asked if the SCBAs could be held off a year and maybe be eligible to be purchased with a grant? This was looked into and the SCBAs expire by the end of this year. The grant period doesn't open or would not get awarded if we were even eligible until the spring of 2023 which is beyond the expiration of the bottles. At Public Works he supports the lift 100%. The truck that is being replaced has a stainless-steel dump body in awesome shape. Why don't they just replace the chassis and remount the dump body and plow gear? He likes the idea of stainless-steel bodies and we could get 2 to 3 chassis under the dump body. Finance Director Maloy explained that this truck may have additional problems but she will investigate this further to see if it is a viable option this year and in the future.

His second question was in regard to the Tractor for the Transfer Station. What are the justifications for that? We have several tractors around at Public Works and Building and Grounds.

There was no Capital appropriation for Fire last year, therefore, there is no number under Fire for the Council approved items for 2022 on page one of the Capital Plan document. It was clarified that the FY22 Projection is what they would need in FY23. Just like right now they are projecting out what they will need in FY24, FY25 and FY26.

In regard to the Reserve balances that are reported, they are as of December 31<sup>st</sup> of 2020. If we took the amount the manager proposed and assumed that the Council approved it, and subtracted that from the Reserve balance, that would be the Reserve balance that projected it in December 31<sup>st</sup> of 2022 with the exception that we typically appropriate funds to go into the Reserves to help build this back up. It won't be higher, but it could be lower unless the market tanks and we start having money taken from us instead of earning it. Councilor Bradley wondered whether the Capital budget reflected any thinking about how that might change if the Principle Group recommendations are adopted.

The Town Manager said that it was intentionally silent on that with the understanding that it's intentionally silent. They haven't seen any financial estimates. The one thing that is included is the revisioning of Mallet Drive. That was on the table before the Downtown Revisioning process. Councilor Bradley asked if there are any other items in the Capital budget that could be viewed as money available to accomplish downtown goals? Is there a bandstand in there? Also, could the manager earmark all the

## COUNCIL MEETING #06-22

MARCH 15, 2022

things that might have funds that have applicability as we go through the process so those of us thinking about where money comes from could have reference to the Capital Budget. He also encouraged the Council to consider spending more than \$25,000/year on the Concord Gully Brook Improvement Fund.

The Town Manager explained approximately \$9 million is set aside that will be TIF revenue generated by the taxes on their new buildings that they're constructing that will be put back into the District to fund stormwater improvements with their new developments they are doing. Most of that is going to be parking lot work and detention. They have already been through Site Plan Review. That's work they are doing on their 5 parcels, essentially the parking lots on the banks of the Concord Gully Brook. There is money that is generated in the TIF, a smaller amount at the beginning, but a larger amount at the end that goes into the town TIF project account. One of the approved uses for those funds is stormwater improvements. There are multiple funding sources we are going to use for Concord Gully Brook improvements. The \$25,000 you see is just coming from town Reserves that already existed prior to the TIF. There will be other sources available including the TIF to increase that amount each year. Councilor Bradley requested a copy of the TIF document which will be provided to him.

Mr. Joseph explained that the TIF had initially included off-site improvements that were removed from the final TIF. The recollection is that we gave them a pile of money to do work on their site and it felt weird to ask them to do work on our Brook. Instead of giving them money to fix our Brook, we said why don't we keep it and fix it ourselves. The Town Engineer had also mentioned previously that this is a project that is going to take decades and throwing more money at it won't significantly improve anything. It will be better to throw money at it gradually over time to really make the improvement. This is not a \$5 million-dollar project but is instead a series of projects like stream bed rehabs or similar with project amounts of \$25,000-\$50,000.

Councilor Fournier in regard to Comprehensive Plan Improvements, requested a detailed cost analysis of what we spend on the Burnett Road each year. The Manager had that information and will provide it after the meeting and provided an overview. It does not cost as much to maintain the dirt road over a 20-year period as paving it would. We get 15 years before we have to worry about maintenance of paving and 20 years before having to repave. It is maybe half to two thirds what we had spent on regrading including manpower, trucks, gas and dirt. It doesn't account for intangibles things like run off, degradation of abutting property, etc. Even if there is a \$120,000 difference in the cost analysis, you have to look at the benefits to abutting property owners and the environment of not living on a dirt road or not having run off.

Councilor Fournier also mentioned the increase in infrastructure at Wolfe's Neck Farm and the associated increase in traffic anticipated over the next few years. We need to take a look at what we are doing down there.

Chair Piltch mentioned that FEDC hired someone who is more expensive, and they are going to requests more money. Also, there will be a request from the Town Planner for work on Ordinances and Design Review. That will get discussed more at the Project Review Board workshop tomorrow night. It was clarified that this expense will go in the Operating Budget as it will include consultant fees and will have recurring fees. Chair Piltch asked about adding projects to FY23 once we get the report from Principle Group. Ms. Maloy explained that the vote on April 19<sup>th</sup> by the Council is just the adoption of the Capital Plan. The vote they do in

COUNCIL MEETING #06-22  
MARCH 15, 2022

June is the appropriation of year one of the plan. If there is something you want added at this point to years 2 through 5 of the Plan, just let her know and it can be added. If it's after April 19<sup>th</sup> it will be added next year.

Councilor Bradley inquired about the latest date to add an item into next year's Capital Budget. He is aware of a small TIF request that is coming in for support of the Arts and Cultural Alliance in the next days. The last chance to approve that as a Council and make any last-ditch amendments would be the second meeting in June, unless they call a special meeting. The disadvantage to not having it now is that it doesn't get discussed during the Capital process. The Finance Director asks Department Heads to not make changes to year one of the Capital Plan so the Council sees this for five years before we make the appropriation. You know what we are reserving for. She constantly removes year one requests and puts them into year two. Councilor Bradley wanted to remind that some of these Projects have no history and are learning on the fly what their needs are. They have substantial investments in Meetinghouse Arts and they've also got some stress and they didn't know about it last year and couldn't put in a request, but their feeling it now. The disadvantage is they are having the capital discussion now and then this becomes an additional decision of whether to give something else up for a committee request considering especially with the way the Reserve dollars are now.

Mr. Joseph explained the advantages of getting Capital requests into Jessica in January or February as it ensures it is placed on the Capital Plan for review during the process. ACAF would need to have the request into the Town in January to be on this Plan but the Council could amend the Plan on April 19<sup>th</sup> to add any item. ACAF needs to get the request to Finance before April 19<sup>th</sup> and the sooner the better.

Councilor Piltch brought up the subject of the increased popularity of bodycams and whether we should wait for there to be a policy instituted first before we discuss adding this item? It is correct that we will wait for a policy first.

He also asked for clarification on the timing of the two TIFs and how much longer does the Downtown TIF provide revenue and when does the Concord Gully TIF start to provide revenue? Ms. Maloy believes the Downtown TIF is good for 5 more years and Concord Gully will start this fall (a positive increment this year which is not much). Mr. Joseph explained the dynamics of TIFs and the that we get smaller slivers up front, then medium slivers and then a lot on the back end.

Councilor Fournier would like us to look at the funding from the Revenues for the Capital Budget for five years instead of three. That way when we look at a large item such as a ladder truck we are not forced to go to bond. There was discussion about whether the 5-year plan is funded or partially funded. It is something to look at in the future.

The Councils list of tasks on the agenda were updated.

Motion to adjourn at 9:05 pm (Lawrence and Fournier) **VOTE**: (6-Ayes)(0 Nays)(1-Excused)

COUNCIL MEETING #06-22  
MARCH 15, 2022

	OUTSTANDING OR UPCOMING ACTION ITEMS	INITIATED ON	PROPOSED BY	ADDITIONAL INFORMATION
#1	Review of Town fee schedule this year	1/4/2022	Councilor Pillsbury	Tasked for 2022
#2	<del>Research availability of PCR Rapid Test</del>		<del>Councilor Bradley</del>	completed
#3	Schedule dates for touring facilities		Chair Piltch	
#4	<del>Institute Indoor Town facilities Mask Policy</del>		<del>Town Manager</del>	completed
#5	<del>Determine how much is reasonable to keep in reserve accounts</del>		Councilor Bradley	Duplicate of #7
#6	Set process for how we are going to accept applications for ARPA funding before summer		Chair Piltch	
#7	Determine if our Capital Reserve Budget is properly funded and we have a proper schedule to set our budget priorities		Councilor Fournier	
#8	<del>Review our codes and permitting processes in Town Hall</del>		Chair Piltch	Duplicate of #13
#9	Explore new fire rescue substation in District 2		Councilors Fournier and Bradley	
#10	Resolve Water Tank Contract		Mr. Joseph	
#11	Sewer district committee work			
#12	Divestment Discussion and Investment policy		Councilor Piltch	
#13	Planning and Codes Permitting policies			
#14	<del>Victualer Ordinance Discussion/Review</del>	<del>February 2022</del>	<del>Councilor Daniele</del>	done
#15	Discuss Readiness Team & Prioritization Team for future initiatives	March 2022	Chair Piltch	

END OF AGENDA (Estimated time of adjournment 9:35 PM)

COUNCIL MEETING #06-22  
MARCH 15, 2022