

AGENDA
FREEPORT TOWN COUNCIL MEETING #12-97
TOWN HALL COUNCIL CHAMBERS
MAY 6, 1997 - 7:00 P.M.

SPECIAL NOTE: THIS AGENDA IS A WORKING AGENDA THAT INCLUDES BACKGROUND INFORMATION AND IS FOR DISTRIBUTION TO COUNCIL MEMBERS ONLY.

FROM: DALE C. OLMSTEAD, JR.

TO: GENIE BEAULIEU, CHAIRPERSON, LARUE DRIVE
EDWARD CAMPBELL, VICE CHAIRPERSON, GAY DRIVE
ALAN HINDLEY, WARDTOWN ROAD
KENNETH MANN, MANN ROAD
CHARLOTTE BISHOP, MAQUOIT DRIVE
STAFFORD SOULE, ARNOLD ROAD
DAVID SOLEY, ARNOLD ROAD

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF #11-97 APRIL 15, 1997 AND ACCEPT THE MINUTES AS PRINTED.

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES
(NON-AGENDA ITEMS ONLY)

THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON.

ITEM #90-97 TO CONSIDER ACTION RELATIVE TO THE APPROVAL OF PARKING LEASES AND SUB-LEASES.

BE IT ORDERED: THAT THE PARKING LEASE BETWEEN THE TOWN OF FREEPORT AND DASH, INC. OF MAINE AND THE PARKING SUB-LEASE BETWEEN THE TOWN OF FREEPORT AND GEORGE AND JOYCE DENNEY PROVIDING FOR THE LEASING OF ONE PARKING SPACE LOCATED AT 45 MAIN STREET BE APPROVED.

ITEM #91-97 TO CONSIDER ACTION RELATIVE TO THE GRANT OF A PEDDLER'S LICENSE TO THE FREEPORT SPORTS BOOSTERS.

MOTION: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE.

ROLL CALL OF MEMBERS:

| | |
|------------------|-----------------|
| CHARLOTTE BISHOP | DAVID SOLEY |
| GENIE BEAULIEU | KENNETH MANN |
| ALAN HINDLEY | EDWARD CAMPBELL |
| STAFFORD SOULE | DALE OLMSTEAD |
| PAT GOODWIN | |

BE IT ORDERED: THAT THE PEDDLER'S LICENSE APPLICATION OF THE FREEPORT HIGH SCHOOL SPORTS BOOSTERS CLUB FOR A PEDDLER LOCATION ON MAIN STREET (TAX MAP 11, LOT 107) BE APPROVED.

ITEM #92-97 TO CONSIDER ACTION RELATIVE TO THE PROPOSED FISCAL YEAR 1998 OPERATING BUDGET FOR THE TOWN OF FREEPORT, FREEPORT SCHOOL DEPARTMENT AND WINSLOW PARK.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MAY 27, 1997 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS FISCAL YEAR 98 PROPOSED OPERATING BUDGETS FOR THE TOWN OF FREEPORT, FREEPORT SCHOOL DEPARTMENT AND WINSLOW PARK.

BE IT ORDERED: THAT THIRTY (30) COPIES BE DISTRIBUTED FOR PUBLIC INFORMATION EQUALLY BETWEEN THE B.H. BARTOL LIBRARY AND THE TOWN CLERK'S OFFICE.

ITEM #93-97 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE FY 97 OPERATING BUDGET MISCELLANEOUS CONTINGENCY ACCOUNT TO PROVIDE FOR DOCK MATERIALS.

BE IT ORDERED: THAT \$3,600 BE EXPENDED FROM THE FY 97 OPERATING BUDGET MISCELLANEOUS AND CONTINGENCY ACCOUNT TO PROVIDE FOR THE CONSTRUCTION OF TWO FLOATS FOR THE TOWN WHARF SYSTEM.

ITEM #81-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE CONCERNING EMPLOYEE PARKING (CHAPTER 21).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED.

ITEM #82-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE FREEPORT ZONING MAP CONCERNING THE VILLAGE COMMERCIAL-III ZONE AND THE INDUSTRIAL-I ZONE.

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE ZONING MAP, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED.

ITEM #83-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE DIRECTIONAL SIGN ORDINANCE CONCERNING INTERNATIONAL INFORMATION SIGNS (CHAPTER 24).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE DIRECTIONAL SIGN ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED.

OTHER BUSINESS:

1. DISCUSSION ON A REQUEST FROM THE DESIGN REVIEW BOARD FOR A WORKSHOP ON BOARD PROCEDURES.
2. PRESENTATION FROM BATH IRON WORKS - RON NEILSON.
3. UPDATE ON STATE ROAD TURNBACK PROPOSAL.
4. DISCUSSION ON CMP SPECIAL RATE CONTRACTS.
5. PRESENTATION OF NEW TOWN SEAL -- FIRE DEPARTMENT.
6. PRESENTATION OF THE FY 98 MUNICIPAL BUDGET.

COMMITTEE REPORTS:

ADJOURN.

AGENDA
TOWN COUNCIL MEETING #12-97
TOWN HALL COUNCIL CHAMBERS
MAY 6, 1997 - 7:00 P.M.

SUMMARY AGENDA

ITEM #90-97 TO CONSIDER ACTION RELATIVE TO THE APPROVAL OF PARKING LEASES AND SUB-LEASES.

ITEM #91-97 TO CONSIDER ACTION RELATIVE TO THE GRANT OF A PEDDLER'S LICENSE TO THE FREEPORT SPORTS BOOSTERS.

ITEM #92-97 TO CONSIDER ACTION RELATIVE TO THE PROPOSED FISCAL YEAR 1998 OPERATING BUDGET FOR THE TOWN OF FREEPORT, FREEPORT SCHOOL DEPARTMENT AND WINSLOW PARK.

ITEM #93-97 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE FY 97 OPERATING BUDGET MISCELLANEOUS CONTINGENCY ACCOUNT TO PROVIDE FOR DOCK MATERIALS.

ITEM #81-97 TABLED APRIL 15, 1997

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OTHER BUSINESS:

1. DISCUSSION ON A REQUEST FROM THE DESIGN REVIEW BOARD FOR A WORKSHOP ON BOARD PROCEDURES.
2. PRESENTATION FROM BATH IRON WORKS - RON NEILSON.
3. UPDATE ON STATE ROAD TURNBACK PROPOSAL.
4. DISCUSSION ON CMP SPECIAL RATE CONTRACTS.
5. PRESENTATION OF NEW TOWN SEAL -- FIRE DEPARTMENT.
6. PRESENTATION OF THE FY 98 MUNICIPAL BUDGET.

COMMITTEE REPORTS:

ADJOURN.

**MINUTES
FREEPORT TOWN COUNCIL MEETING #12-97
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CHAIRPERSON'S CALL TO ORDER:

Genie Beaulieu, Chairperson
Laurie Drive

Present
X

Absent

Excused

Edward Campbell, Vice-Chairperson
Gay Drive

X

Alan Hindley
Wardtown Road

X

Kenneth Mann
Mann Road

X

Charlotte Bishop
Maquoit Drive

X

Stafford Soule
Arnold Road

X

David Soley
Arnold Road

X

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-97 HELD ON APRIL 15, 1997, AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-97 HELD ON APRIL 15, 1997 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Bishop & Soule)

MOVED AND SECONDED: TO AMEND THE MINUTES TO CORRECT THE VOTE ON PAGE 10, EDUCATION #10, THAT COUNCILOR SOLEY VOTED AYE, 4 AYES, 3 NAYS VOTE. (Councilors Soley & Hindley) (6 Ayes) (1Excused-Campbell)

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #11-97, HELD ON APRIL 15, 1997 AND ACCEPT THE MINUTES AS AMENDED. (Councilors Soley & Hindley) (6 Ayes) (1 Excused-Campbell)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES

1. Councilor Mann raised concern to have to speak at the podium, feeling that there is no rule to do so.
He distributed a handout, a letter from David D. Gregory, Attorney, to Mr. Mann, which renders Mr. Gregory's opinion regarding the proposed amendments to the Freeport Town Charter. (See attachment) Mr. Mann read parts from the letter, concluding that in Mr. Mann's opinion,

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- the proposed amendments to not violate anything. He requested that the Council reconsider this issue.
2. Larry DiPietro, added his support to Councilor Mann's request. He requested clarification of conflict of interest; he read from Section 32B of the Maine Bar Rules.

MOVED AND SECONDED: THAT THE PUBLIC COMMENT PERIOD BE CLOSED. (Councilors Bishop & Hindley) (6 Ayes) (1 Excused-Campbell)

ITEM #90-97 TO CONSIDER ACTION RELATIVE TO THE APPROVAL OF PARKING LEASES AND SUB-LEASES.

BE IT ORDERED: THAT THE PARKING LEASE BETWEEN THE TOWN OF FREEPORT AND DASH, INC. OF MAINE AND THE PARKING SUB-LEASE BETWEEN THE TOWN OF FREEPORT AND GEORGE AND JOYCE DENNEY PROVIDING FOR THE LEASING OF ONE PARKING SPACE LOCATED AT 45 MAIN STREET BE APPROVED. ROLL CALL VOTE (Councilors Soule & Hindley) (6 Ayes) (1 Excused-Campbell)

ITEM #91-97 TO CONSIDER ACTION RELATIVE TO THE GRANT OF A PEDDLER'S LICENSE TO THE FREEPORT SPORTS BOOSTERS.

MOVED AND SECONDED: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE. (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

ROLL CALL OF MEMBERS:

CHARLOTTE BISHOP
GENIE BEAULIEU
ALAN HINDLEY
STAFFORD SOULE
PAT GOODWIN

DAVID SOLEY
KENNETH MANN
EDWARD CAMPBELL-excused
DALE OLMSTEAD

BE IT ORDERED: THAT THE PEDDLER'S LICENSE APPLICATION OF THE FREEPORT HIGH SCHOOL SPORTS BOOSTERS CLUB FOR A PEDDLER LOCATION ON MAIN STREET (TAX MAP 11, LOT 107) BE APPROVED. (Councilors Bishop & Soule)

Denton Bumgardner, Sports Boosters, outlined the position of the Group of raising money to promote sports in Freeport schools. The Group is requesting approval of the license for the Main Street location.

Councilor Bishop asked what happened to the money raised.

Mr. Bumgardner explained the loss of overpaying salaries VS. income received.

Miscellaneous discussion followed re: alternatives for licensure, locations for the peddlers, \$5,000 budgeted but not received, looking at other groups to run the spots, the Town receiving an offer of \$10,000 to be received by the Town for this venture.

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Diane Dennison requested support of this item in a timely fashion to aid Project Graduation.

Councilor Mann suggested a 30-day license to give the Council time to gather additional information as to the best course of action.

Manager Olmstead stated that Peter White has contacted the Town Clerk to apply for the license on behalf of the Sports Boosters and he needs to be aware of his role.

Mr. Bumgardner stated that the Boosters were not aware of this.

Discussion followed re: the license has expired, the spot by the Tower, support to approve the license for the Boosters this evening, possibility to join forces with the private sector, lack of contributions this year, gross revenues and gross profits, etc.

ROLL CALL VOTE (8 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: THAT THE LICENSING BOARD ADJOURNS AND THAT THE COUNCIL RECONVENES. (Mr. Olmstead & Councilor Soule) (8 Ayes) (1 Excused-Campbell)

ITEM #92-97 TO CONSIDER ACTION RELATIVE TO THE PROPOSED FISCAL YEAR 1998 OPERATING BUDGET FOR THE TOWN OF FREEPORT, FREEPORT SCHOOL DEPARTMENT AND WINSLOW PARK.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MAY 27, 1997 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS FISCAL YEAR 98 PROPOSED OPERATING BUDGETS FOR THE TOWN OF FREEPORT, FREEPORT SCHOOL DEPARTMENT AND WINSLOW PARK.

BE IT ORDERED: THAT THIRTY (30) COPIES BE DISTRIBUTED FOR PUBLIC INFORMATION EQUALLY BETWEEN THE B.H. BARTOL LIBRARY AND THE TOWN CLERK'S OFFICE. **ROLL CALL VOTE** (Councilors Hindley & Bishop) (6 Ayes) (1 Excused-Campbell)

ITEM #93-97 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE FY 97 OPERATING BUDGET MISCELLANEOUS CONTINGENCY ACCOUNT TO PROVIDE FOR DOCK MATERIALS.

BE IT ORDERED: THAT \$3,600 BE EXPENDED FROM THE FY 97 OPERATING BUDGET MISCELLANEOUS AND CONTINGENCY ACCOUNT TO PROVIDE FOR THE CONSTRUCTION OF TWO FLOATS FOR THE TOWN WHARF SYSTEM. (Councilors Soley & Bishop)

Councilor Mann explained the necessity for this project, referencing a memo to Manager Olmstead from the Claire Ross, Chairperson Coastal Waters Commission.

Councilor Soley asked if there was surplus money available.

Manager Olmstead stated that the estimated \$4,000 to \$5,000 in Contingency in the Capital Project Account, which may be available. He added that we need this money now; we can use the balance left in Contingency if needed.

MOVED AND SECONDED: THAT ITEM #93-97 BE AMENDED TO ADD, "THAT THESE FUNDS WOULD ONLY BE USED IF THERE IS NOT MONEY LEFT IN THE CAPITAL ACCOUNT TO PROVIDE FOR THE CONSTRUCTION OF THE FLOATS". (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

ROLL CALL VOTE ON ITEM #93-97 AS AMENDED (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: TO INTRODUCE TWO ITEMS NOT ON THE AGENDA. (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

ITEM #94-97 TO CONSIDER ACTION RELATIVE TO REQUIRING STICKERS FOR PARKING AT THE LEASED PARKING LOT LOCATED NEAR THE TOWN WHARF (TAX MAP 2 LOT 52).

BE IT ORDERED: THAT RESIDENT PARKING STICKERS BE REQUIRED FOR PARKING AT THE LEASED PARKING LOT LOCATED NEAR THE TOWN WHARF (TAX MAP 2 LOT 52). (Councilors Soley & Bishop)

Councilor Mann asked if this was an amendment to an ordinance.

Manager Olmstead explained that the parking at the waterfront lot has never been regulated by the Traffic and Parking Ordinance, but rather by policy of the Council. Typically, there is a \$1.00 charge for a Resident Parking Sticker, which covers the cost of purchasing the sticker (\$.50 each) and \$.50 each for administrative costs of handling. The stickers would be available at the Town Clerk's Office and at the Harbor Master's building. This lot is not restricted except for restricting overnight parking; this would place an additional restriction of Resident Only Parking. This item is being presented to the Council this evening because the Coastal Water Commission is in the process of making a sign for the lot; if the Council wishes to accept the recommendation of the Commission, this information should be added to the sign.

Councilor Mann asked if this is something that is going to be enforced; if so, we need to do this through an ordinance.

Manager Olmstead stated that if the Council agreed to a policy, it would be one we would hope citizens would respect.

Discussion followed re: rationale of the policy, ordinance procedure, more information is needed from the Commission, etc.

MOVED AND SECONDED: THAT ITEM #94-97 BE TABLED TO MAY 20, 1997. (Councilors Soley & Bishop) (6 Ayes) (1 Excused-Campbell)

ITEM #95-97 TO CONSIDER ACTION RELATIVE TO THE CLOSURE OF CLAM FLATS FOR THE PURPOSE OF CONSERVATION.

BE IT ORDERED: THAT FOR THE PURPOSES OF RESOURCE CONSERVATION, IT SHALL BE UNLAWFUL TO DIG, TAKE OR POSSESS ANY SOFT-SHELL CLAMS (MYA ARENARIA) TAKEN FROM (1) SPAR COVE, IN THE SOUTHWESTERN HARRASEEKET RIVER, WEST OF A LINE IDENTIFIED BY EXISTING PILINGS ORIENTED NORTHERLY FROM STAPLES POINT TO THE

OPPOSITE SHORE; AND (2) RASPBERRY COVE (LOCALLY-NAMED), MIDWAY DOWN THE WESTERN SHORE OF THE FLYING POINT NECK PENINSULA; IDENTIFIED AS BEING EAST OF A LINE DRAWN FROM THE WESTERNMOST POINT OF JOHNS POINT EXTENDING NORTHERLY TO THE SOUTHERN TIP OF INDIAN ISLAND, THENCE TO THE LARGEST ROCK ON THE MAINLAND SHORE THAT IS ADJACENT TO AND IN FRONT OF A RETAINING WALL (CONSTRUCTED OF HORIZONTAL BEAMS) BUILT FROM THE NORMAL HIGH-WATER MARK TO THE TOP OF THE BANK.
BE IT FURTHER ORDERED: THAT THIS CLOSURE TAKE EFFECT ON MAY 7, 1997 FOR A PERIOD OF AT LEAST TWELVE (12) MONTHS, BUT NOT TO EXCEED TWENTY-SIX (26) MONTHS. (Councilors Bishop & Soule)

Mick McGivaren, Shellfish Program Coordinator, explained the reason for this request from the Shellfish Commission; that the Commission has considered the merits of conservation-closure of coves and after consultation with our Area Biologist, Don Card, the Commission has unanimously approved the closing of these two coves to shellfish harvesting. Every municipality, which has a shellfish program, has the authority to do this, and many towns do this routinely, to reduce the impact on the resource. This item does have the approval of the Department of Marine Resources. He described re-seeding efforts, guidelines, etc.

Councilor Soley requested clarification of "soft shelled clams".

Miscellaneous discussion followed, re: the size of these two coves being very manageable, length of time for closure, violation fines/enforcement by the State, suggestion of an emergency ordinance, DMR giving the approval to re-open the sites, taking seed clams from a prohibited area and placing them in these coves, soft shelled clams are the commercially harvested clams, etc.

Manager Olmstead stated that the Commission would have to come back to the Council to re-open the flats.

Councilor Bishop asked if the twelve to twenty-six month length of time is what the State has approved.

Manager Olmstead stated that if they go beyond this, we need permission from the State.

Mr. McGivaren stated that both of these coves have many year-round residents who would help monitor this.

Councilor Mann raised concern for fines, "home rule", etc.

Councilor Soley asked how residents would be informed of this.

Mr. McGivaren stated that there would be postings, notifications to diggers, etc.

Councilor Mann asked who receives the fine money. He stated he prefers to take a vote by emergency ordinance, to cover the legal ramifications.

MOVED AND SECONDED: TO AMEND ITEM #95-97 TO DELETE THE "BE IT FURTHER ORDERED" SECTION. (Councilors Soley & Mann)

Councilor Soule asked if the twelve to twenty-six months would be included.

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Councilor Soley stated that what could be added is "we anticipate opening it again in the next twelve to twenty-six months".

Manager Olmstead clarified that if we want to go beyond this, we have to go back to the State.

VOTE ON AMENDMENT (4 Ayes) (2 Nays-Beaulieu, Soule) (1 Excused-Campbell)

**MOVED AND SECONDED: TO TAKE ACTION ON THIS ITEM BY
EMERGENCY ORDINANCE. (Councilors Mann & Hindley)**

Discussion followed, re: concern for authority to enforce violations, Shellfish Ordinance already gives us authority, parking problems at Dunning Boat Yard in the past, etc.

Councilors Mann and Hindley withdrew the motion and second.

Discussion followed, re: public hearings may be held but are not required, no opposition to the closing of these flats, proper notification to as many people as we can, possibility of short-term health problem from transplanting seeds from a prohibited area to these locations, proposed legislation regarding harvesting which did not pass, etc.

Councilor Mann stated that we have had no hearing on this matter; he feels we need a hearing and then a finding of facts in order to make a decision.

Mr. McGivaren stated that this has been discussed over the last four months and there is no opposition to this action.

Councilor Mann requested we follow the requirements for closure under the State Statutes, hold a public hearing and then render a decision.

ROLL CALL VOTE ON ITEM #95-97 (1 Aye) (5 Nays-Mann, Soley, Hindley, Soule, Beaulieu)

MOVED AND SECONDED: THAT A PUBLIC HEARING BE SET ON ITEM #95-97 FOR MAY 20, 1997. (Councilors Mann & Soley) (6 Ayes) (1 Excused-Campbell)

Manager Olmstead stated that in Ms. Ross' memo of May 1, 1997, there were reasons given to take action on this item.

**MOVED AND SECONDED: THAT ITEM #94-97 BE RECONSIDERED.
(Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)**

Councilor Mann asked how the fee will be addressed with this motion.

Manager Olmstead that if this is amended, there will be a significant amount of problems; he suggested trying the Honor System, for the first year, which gives the opportunity to experiment - if it does not work, we will have time to go through the ordinance process.

**BE IT ORDERED: TO APPROVE THE COMMISSION OF A SIGN WHICH WILL
INCLUDE THE WORDS, "FREEPORT RESIDENT STICKER PARKING ONLY"**

ROLL CALL VOTE (Councilors Bishop & Mann) (5 Ayes) (1 Nay-Soley) (1 Excused-Campbell)

ITEM #81-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE CONCERNING EMPLOYEE PARKING (CHAPTER 21).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED. **ROLL CALL VOTE** (Councilors Mann & Hindley) (5 Ayes) (1 Abstain-Mann) (1 Excused-Campbell)

ITEM #82-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE CONCERNING EMPLOYEE PARKING (CHAPTER 21).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE ZONING MAP, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED. **ROLL CALL VOTE** (Councilors Bishop & Soule) (5 Ayes) (1 Abstain-Soley) (1 Excused-Campbell)

ITEM #83-97 TABLED APRIL 15, 1997

TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE DIRECTIONAL SIGN ORDINANCE CONCERNING INTERNATIONAL INFORMATION SIGNS (CHAPTER 24).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE DIRECTIONAL SIGN ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON APRIL 15, 1997, BE APPROVED. (Councilors Soule & Hindley)

Councilor Mann asked the location of these signs.

Chairperson Beaulieu explained that the signs would be located at Mill Street and Main Street, a two-sided sign at Bow Street and Main Street, and a two-sided sign at Depot Street and Main Street.

Councilor Soley asked where the funding would come from.

Manager Olmstead stated that the purchase would come out of the Public Works sign account, for an estimated \$75.00 for the three signs.

MOVED AND SECONDED: TO AMEND ITEM #83-97 TO ADD "THAT THE MONEY COME OUT OF THE TRAFFIC AND PARKING RESERVE ACCOUNT". (Councilors Soley & Mann) (6 Ayes) (1 Excused-Campbell)

ROLL CALL VOTE ON ITEM #83-97 AS AMENDED (6 Ayes) (1 Excused-Campbell)

OTHER BUSINESS:

1. DISCUSSION ON A REQUEST FROM THE DESIGN REVIEW BOARD FOR A WORKSHOP ON BOARD PROCEDURES.

Manager Olmstead explained the letter from the Chair of the Design Review Board asking the Council to agree to a workshop the Board would like to hold to be conducted by Cliff Goodall, at no cost to the Town, on procedural type issues.

Councilor Mann added his support for this and stated that he would attend these meetings.

Councilor Soley stated that he felt this to be a conflict of interest; he suggested MMA provide a similar workshop.

Manager Olmstead stated that MMA does conduct similar workshops, but there would be a cost involved.

Councilor Mann requested that Manager Olmstead get a legal opinion about this from the Town Attorney. The Council could discuss this at the next meeting. If we were to decide that this was not a good idea, we would have to give Mr. Goodall a good reason as to why.

2. PRESENTATION FROM BATH IRON WORKS - RON NEILSON.

Mr. Neilson and Mr. Morris Cunningham provided a slide presentation that has been developed by a team of twelve employees. Their purpose for doing this is to provide information statewide to citizens in order to preserve BIW jobs. They described the history of ship builders, explained the expansion project going on at the Bath facility, the trickle down benefits to the State, cost of the project, competition from other states, etc. They urged support for the Bath project by citizens contacting their respective legislators, etc.

Miscellaneous discussion followed, re: TIF monies, tax dollars, General Dynamics, etc.

Councilor Soley raised concern for the type of things being put on agendas.

3. UPDATE ON STATE ROAD TURNBACK PROPOSAL.

Manager Olmstead reported on the progress of the efforts to date on this issue. The four towns have agreed to certain modifications to the bill submitted through Senator Harriman and Representative Bull, which make the bill more acceptable to the State and to the Department of Transportation. In return, we have gotten the Department of Transportation to agree to spend nearly \$5 million in road repairs in the three communities, and they will turn these roads back over a four-year time period (3 miles per year). There is a hearing scheduled; hopefully, the hearing will culminate or result in the Committee's

the Commissioner wants an additional amendment to the bill which would say that if the Legislature fails to appropriate the necessary funding to repair the roads, the Department of Transportation could turn these roads back to the towns in the condition they are currently in. We have taken the position that this is unacceptable to the towns. We have informed our legislators who will attempt to ask the Commissioner reconsider. We are contacting many times in hopes of generating support for our conditions. If we are successful, we will get twelve miles of roads over four years in good condition and we can adjust our budgets accordingly to maintain these.

Discussion followed, re: State Aid road improvement costs, local match of communities of an estimated 25%, progress to date with political pressure, the Governor's surprise of success of this political power that the four towns pulled together, dedicated revenues, potential for a fight at the House and Senate levels, etc.

4. DISCUSSION ON CMP SPECIAL RATE CONTRACTS.

Manager Olmstead explained the process that Freeport has already started in negotiating with Central Maine Power, regarding rates for the entire community. We will be looking at the "pooling" concept, etc.

5. PRESENTATION OF NEW TOWN SEAL – FIRE DEPARTMENT.

The Fire Chief explained the detailing and need for a new Town Seal. The need for approval of this is due to the new fire truck is ready for the seal to be painted on it.

Miscellaneous discussion followed, re: the original Town Seal, design for the new seal, replacement of old seals on Town vehicles, etc.

MOVED AND SECONDED: TO INTRODUCE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: TO ADOPT THE NEW TOWN SEAL. (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

(The old Town Seal will be placed in the archives.)

6. PRESENTATION OF THE FY 98 MUNICIPAL BUDGET.

Manager Olmstead stated that a request has been made for a Substance Abuse Position, signed by a number of people. This position is not in the budget request.

Superintendent Lyman explained the potential cost for this position, as a full time position (\$34,000 plus benefits).

Manager Olmstead reviewed the proposed budget:

\$550,666 new revenue from property taxes, non-property tax, State Aid to Education. The Town gets \$214,806; the School gets \$335,860.

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He stated that the approach used in the budget process was that of staying within the revenues we have. He explained the Library lease, \$240,000 revenue to be realized per year, and what he recommends: the General Fund, Building Maintenance and a Reserve account. He stated that the potential for new revenues exist in commercial waste, cable TV franchise fees and traffic fines.

Regarding Town Expenditures:

\$165,412
- 214,806 Revenue Available
(\$49,394)
(\$ 50,000 Economic Development Corporation)

New Items in the budget:

\$ 55,806 Library
18,000 Road Turnback (Public Works Budget)
2,100 COPS Program (New Police Officer)
\$ 89,900 Adjustments

The Options List totaled \$63,050.

Other Budget components: County Tax, Debt Service, Service Agencies, Bustins Island, Reserves, and Economic Development Corp. He stated that the Debt Service increases taxes 2.5%, due to bond issues approved by the voters.

We end up with \$1,176,073 in increased expenditure requests, offset by \$441,877 in revenues. We have requested expenditures of \$16,770,371, projected revenues of \$16,036,185, leaving a shortfall of \$734,186. In order to cover that shortfall, we would have to increase the mil rate by \$1.04.

He described the historical allocations, and mil rate increases have been over the years.

Miscellaneous discussion followed re: budget process, budget increases, innovative ideas to take advantage of in Town, the bid process, debt service, County Tax increase, potential of merging town departments in an effort to save costs, etc.

COMMITTEE REPORTS:

(There were no committee reports this evening.)

MOVED AND SECONDED: TO ADJOURN THE MEETING AT 11:45 P.M.

Respectfully submitted,

Pat Goodwin, Recording Secretary

TOWN OF FREEPORT

Approved: Meeting 12-
Item #81-

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



MEMO

TO: Freeport Town Council
FROM: Planning Board
SUBJECT: Amendment of the Zoning Ordinance employee parking regulations
DATE: March 20, 1997

On March 19, 1997, the Freeport Planning Board held a public hearing on proposed amendments to the employee parking regulations in the Freeport Zoning Ordinance. The draft regulations had been previously reviewed and supported by the Traffic and Parking Committee. The Planning Board approved the following motion:

Be it ordered to recommend, to the Town Council, amendments to Section 413.D.1. and Section 514.A.5. of the Freeport Zoning Ordinance. These amendments will eliminate the shared parking bonus for employee parking and specify the formula for calculating the required number of employee parking spaces.

This amendment is consistent with the Freeport Comprehensive Plan's goal to "Support improvements to existing downtown parking and loading and increase parking opportunities" It is also consistent with the following recommendations of the Freeport Traffic and Parking Committee regarding the Freeport Traffic and Parking Master Plan - "The Committee accepted the study recommendation to increase the parking supply and recommended that the Planning Board review the Zoning Ordinance's parking requirements to see if more parking spaces should be required to prevent increases in the deficit from occurring."

Attachment

CHAPTER 21
FREEPORT ZONING ORDINANCE
DRAFT AMENDMENT

Section 413. Village Commercial "VC-I".

D. Other Standards:

1. Shared Parking.

The requirements for off-street customer parking in the Village Commercial Zone shall be seventy five percent (75%) of those stated in Section 514 for retail trade, restaurant, restaurant-carry out, commercial sales and service, and convenience store with gas pumps provided that the Shared Parking concept is utilized. Restricted customer parking would require one hundred (100%) of Section 514 requirements. A reduction for Shared Parking shall not be applicable to the required employee parking for Retail Trade and Commercial Sales and Service. Employee parking may not be restricted if the Shared Parking concept is utilized for customer parking. Parking in the VC-I District is further subject to the provisions of Section 514.A.10 of this Ordinance.

Section 514. Off-Street Parking and Loading.

A.5.

**Retail Trade, Ship Chandlery,
 Commercial Sales and Service,
 Commercial Fishery.**

1 parking space for each 150 square feet, or major fraction thereof, of gross floor area, plus 1 parking space for each 4.2 employees, based on the highest expected average employment. For retail trade and commercial sales and service, the number of employees shall be calculated using the formula of a minimum of one employee per 1,000 square feet or major fraction thereof of gross floor area of building. For uses with less than 1,000 square feet of gross floor area of buildings, a minimum of one employee parking space is required.

TOWN OF FREEPORT

*Approved: Meeting 12-9
Item # 82-9*

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



MEMO

TO: Freeport Town Council
FROM: Planning Board
SUBJECT: Eastland Shoe Zoning Amendment
DATE: March 20, 1997

On March 19, 1997, the Freeport Planning Board voted to recommend a Zoning Map amendment for Eastland Shoe Company. The following motion was approved:

"Be it ordered to recommend to the Town Council that a section of Map 8, Lot 11B, off Independence Drive, be rezoned from VC-III to I-I. This recommendation is consistent with the Freeport Comprehensive Plan which contains the following policies: support the creation and retention of jobs and encourage the development and expansion of local small businesses.

In addition, an adopted implementation strategy states: "Investigate zoning, including contract and/or conditional zoning and other incentives to encourage businesses to expand and remain in Freeport".

The purpose of this zoning amendment is to enable Eastland Shoe to relocate some of its manufacturing activities to this site and, therefore, remain in Freeport."

A map of the proposed amendment is enclosed.

Enclosure

Eastland Shoe Rezoning (VC-III to I-I)

VC-III

Margins - A

118 4.6 AC

I-I

Eastland Shoe

Margins - B

7A

Pushard, W.

HUNTER ROAD

CEC Engineering

LOWER MAIN STREET

Pushard, N.

C-III

LINWOOD RD.

Approved

DRAFT AMENDMENTS

CHAPTER 24. DIRECTIONAL SIGN ORDINANCE

ARTICLE II REGULATIONS

Section 201 Sign Regulations

201.3 Location

- (a) Official Business Directional Signs are prohibited in the Village Commercial Zone, as described on the Official Zoning Map of the Town of Freeport, on Mallet Drive, on the Desert Road between U.S. Route 1 and Hunter Road, on Bow Street to the Bow Street Market, and on U.S. Route 1, except between the Southern Freeport Municipal Boundary and the South Freeport Road and between Pine Street and the intersection of U.S. Route 1 and Desert Road on the easterly side of U.S. Route 1 and between the intersection of Desert Road and U.S. Route 1 northerly 420 feet on the westerly side of U.S. Route 1 for businesses located west of U.S. Route 1 and within 500+ feet on either side of the intersection of the Old County Road and U.S. Route 1 South only for health care providers located westerly of the intersection. In addition, international information signs with directional arrows are permitted at the following intersections: Mill and Main Streets - two-sided sign; Bow and Main Streets - two-sided sign; and Bow and Depot Streets - one-sided sign.

TOWN OF FREEPORT

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



TO: Freeport Town Council
FROM: Freeport Traffic and Parking Committee
SUBJECT: International Information Signs
DATE: March 19, 1997

At its March 13, 1997 meeting, the Traffic and Parking Committee, at the request of the Freeport Merchants Association, voted to request an amendment of the Directional Sign Ordinance.

The amendment would permit the placement, at three strategic locations, of the international information signs with the symbol "?" and arrows directing people to the FMA building on Depot Street. The draft amendment is attached.

JC:jmm

Attachments

April 28, 1997

Report To The Transportation Committee

***From the Towns of Buxton, Freeport,
New Gloucester and Standish***

After several meetings between the above referenced towns and the Maine Department of Transportation, the following progress report is being submitted to the Transportation Committee for consideration.

- ◆ The Towns agree with the road improvements proposed by MDOT. It is our understanding that roads will be improved over a period of four (4) years with the department developing a time table for repairs. Turnbacks will occur only after repairs are completed.
- ◆ LD 1227 should move forward with the following amendments:
 - Delete the Regional Road concept.
 - Add definitions of Good Repair and Capital Improvements v. Maintenance as outlined in a letter from Squaw Bay Corporation (Peter Tubbs), dated April 10, 1997.
- ◆ Form a State/Municipal Task Force to review a number of road related issues raised by both Municipal Officials and MDOT during hearings and workshops.
- ◆ Place a Moratorium on Road Turnbacks if the above issues are not resolved during the current legislative session.

MEETING NOTICE

***The Following Meetings have been established to continue discussion on
LD #1227 - Road Turnbacks***

| | | | |
|---------------------|----------------------------------|--|--|
| <i>May 1</i> | <i>A.M. 1:00 P.M.</i> | <i>MDOT Building, Augusta</i> | <i>Meeting with Alan Sterns to discuss text on unresolved issues.</i> |
| <i>May 7</i> | <i>1:30 P.M.</i> | <i>State Office Building Room 122</i> | <i>Workshop with the Transportation Committee.</i> |

The Following Hearing has been established to discuss Local Option Tax Bill

| | | | |
|---------------------|-------------------------|--|--|
| <i>May 7</i> | <i>1:30 P.M.</i> | <i>State Office Building Room 221</i> | <i>Taxation Committee hearing on Local Option Tax Bill.</i> |
|---------------------|-------------------------|--|--|

MEETING NOTES TOWN OF BUXTON

Date: April 15, 1997; 7:30 a.m.

Location: Buxton Town Hall

Attendees: Roger Gobeil, MDOT Division Engineer; Jon Barton, MDOT, Maint Superintendent
Sharon Elwell, Town of Buxton; Bruce Woods, Town of Buxton.
Peter Tubbs, Squaw Bay Corp., Consulting Engineers

The following is my understanding of the items covered and agreed to at subject meeting:

The purpose of the meeting was to agree on what work would be necessary to get the roads scheduled to be transferred to Town Maintenance per Statute as described in my previous letter dated March 12, 1996.

The Department's initial proposal was to do general maintenance on the roads in question to address all known maintenance related deficiencies and pave all roads as part of the Hot Maintenance Mulch program. The Town's position was that the work proposed by the Department was not adequate and would not improve the roads to a point at which the Town was willing to accept maintenance responsibility, in addition to the fact that the Town officials have expressed deep concern over the whole concept of the transfer of maintenance responsibilities as set forth in MRSA Title 23, Chapter 13, Subchapter II, Section 543.

In response to the Town's concern regarding the condition of the subject roads, the Department has proposed supporting the inclusion of rehabilitation projects in the next two biennial transportation improvement programs. These would mostly be collector roads rehabilitation project similar to Collector Roads Development Award (CRDA) projects requiring a 25% local match. The town can take up to ten years to repay this match. From the attached summary, it can be seen that the Town's proposed match is \$202,000.

The intent of the rehabilitation projects is to upgrade the roads to a point where minimal maintenance will be required for an extended time frame up to 10 years. This is not meant to mean that no maintenance would be required, but that normal maintenance required would be less than under the Department's normal policy. This normal maintenance could even include maintenance resurfacing some years hence.

Since the Department's Hot Maintenance Mulch (HMM) contract is scheduled to be awarded in the near future, and due to the fact that some of the rehabilitation work, if approved, might not be done for two to four years, it was agreed that we would go ahead with the resurfacing work as planned. There is one Light Resurfacing project proposed for Route 112, which could possibly be done under this HMM contract if the necessary arrangements can be made in time.

Reference should be made to the attached listing showing the proposed projects and the associated costs. From this listing, it can be noted that the Town's match amounts to \$

It was agreed that the Department would replace the existing cable guard rail on both sides of the bridge on Route 112 just easterly of Route 22 with beam guard rail, and that we would take measures to try to correct the heaving problem at the cross pipe at Turkey Lane.

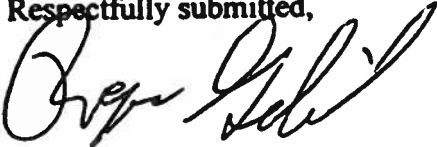
It is the Department's intent to proceed with all of the general maintenance items listed on the attached list, as well as, the items agreed to at our previous meeting held last year. It is also our

BuxtonP. 1

intent to proceed with the HMM as previously discussed. We anticipate getting this work done this summer.

The actual maintenance responsibility will revert to the Town on July 1, 1997 for all roadways on which the agreed upon work has been completed. For those where there is still outstanding work, or there is a rehabilitation project pending, the transfer will occur when the work is complete.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger Gobeil", written over a horizontal line.

Roger Gobeil
Division Engineer

cc: attendees
Commissioner Melrose
file

BUXTON:

| Route | Description | Length (miles) | Currently Scheduled Work/Arrangements | Proposed Treatment | General Maintenance | Cost of HMM Approved to be done 1997 | Improvements Already Budgetted | Proposed State Aid Rehab 1998-1999 | Proposed State Highway 1998-1999 | 2000-2001 | Totals |
|----------------------|------------------------------------|-------------------|--|-----------------------|------------------------|--|--------------------------------------|--|---|-----------|-------------|
| Portland Rd | From .05 mi w-ly Deering Cir, e-ly | 0.34 | CRDA | Med Rehab | | | | | | | |
| 112 | Saco TL to Boyton Rd | 2.00 | HMM 1997 | Med Rehab | | \$26,000 | \$64,207 | \$250,000 | | | |
| 112 | Boyton Rd to Pole #332/1 | 0.80 | HMM 1997 | Li Rehab | | \$10,400 | | \$48,000 | | | |
| 112 | Christian Rd; West Buxton | 0.85 | HMM 1997 | Gen Maint | \$5,000 | \$12,350 | | | | | |
| 112 | n 22 to Limington Rd | 0.50 | HMM 1997 | Med Rehab | | \$6,500 | | \$62,500 | | | |
| 112 | at Callahan Rd | 1.25 | HMM 1997 | Med Rehab | | \$16,250 | | \$156,250 | | | |
| 35 | Rt 22, N-ly | 0.22 | HMM 1997 | Gen Maint | \$2,000 | \$2,860 | | | | | |
| 35 | Rt 22, S-ly | 0.23 | HMM 1997 | Med Rehab | | \$2,990 | | \$28,750 | | | |
| 22 | Berry Rd, NW-ly | 1.10 | HMM 1997 | Med Rehab | | \$14,300 | | \$137,500 | | | |
| 22 | Meadow, NW-ly | 0.20 | HMM 1997 | Med Rehab | | \$2,600 | | \$25,000 | | | |
| 22 | AI Rt 112 | 0.25 | HMM 1997 | Gen Maint | \$2,000 | \$3,250 | | | | | |
| 22 | AI Rt 35 | 0.15 | HMM 1997 | Gen Maint | \$2,000 | \$1,950 | | | | | |
| 4A | Rt 202, W-ly | 0.70 | Summer 1998; HMM 1997 | CRDA job | | \$9,100 | \$180,000 | | | | |
| 4A | at .7 W-ly of 202 to Hollis TL | 0.61 | HMM 1997 | Med Rehab | | \$7,930 | | \$100,000 | | | |
| 4 | OOB Rd to S-ly of Portland Rd | 0.50 | PCE in 98-97 BTIP PIN | Reconst | | | | | | | |
| 4 | Boyton Rd to OOB Rd | 0.70 | 6698.00 | Gen Maint | \$5,000 | | | | | | \$500,000 |
| Buxton Totals: 10.70 | | | | | | | | | | | |
| | | | | | \$18,000 | \$119,080 | \$244,207 | \$808,000 | \$0 | \$500,000 | \$1,689,287 |
| | | | | | | | Town Share: | \$202,000 | | | |

Notes: Totals do not reflect the cost of previous or planned HMM paving.

General Maintenance costs represent an accelerated schedule of shoulder grading, light ditching, cleaning drainage structures, etc. Will be done by Div 6 forces.

Light Rehabilitation estimated at \$60,000 per mile.

Consists of paving shim and surface 1 1/2" +/-, Shoulders, Ditches, clean and/or replace culverts, General Maint.

Medium Rehabilitation, estimated at \$125,000 per mile.

Consists of cold in-place recycling of existing pavement, add material as necessary, Pave with binder and surface, 3" total Grade Shoulders, Ditches, Clean and/or replace drainage structures

Clearing as needed

Extensive clearing, grade changes and/or changes in alignment could increase costs. (\$150,000 +/- /mi)

**MEETING NOTES
TOWN OF STANDISH**

Date: April 18, 1997; 7:30 a.m.

Location: Standish Town Hall

**Attendees: Roger Gobeil, MDOT Division Engineer; Jon Barton, MDOT, Maint Superintendent
Roger Mosley, Town of Standish
Peter Tubbs, Squaw Bay Corp., Consulting Engineers**

The following is my understanding of the items covered and agreed to at subject meeting:

The purpose of the meeting was to agree on what work would be necessary to get the roads scheduled to be transferred to Town Maintenance per Statute as described in my previous letter dated March 12, 1996.

The Department's initial proposal was to do general maintenance on the roads in question to address all known maintenance related deficiencies and pave all roads as part of the Hot Maintenance Mulch program. The Town's position was that the work proposed by the Department was not adequate and would not improve the roads to a point at which the Town was willing to accept maintenance responsibility, in addition to the fact that the Town officials have expressed deep concern over the whole concept of the transfer of maintenance responsibilities as set forth in MRSA Title 23, Chapter 13, Subchapter II, Section 543.

In response to the Town's concern regarding the condition of the subject roads, the Department has proposed supporting the inclusion of rehabilitation projects in the next two biennial transportation improvement programs. These would be a combination of collector roads rehabilitation projects similar to Collector Roads Development Award (CRDA) projects requiring a 25% local match, and State Highway rehabilitation projects. There may also be a match required for the State Highway work. This will be clarified at a later date. The town can take up to ten years to repay the match. From the attached listing, it can be seen that the Town's proposed match is \$34,813.

The intent of the rehabilitation projects is to upgrade the roads to a point where minimal maintenance will be required for an extended time frame. This is not meant to mean that no maintenance would be required, but that normal maintenance required would be less than under the Department's normal policy. This normal maintenance could even include maintenance resurfacing some years hence.

Since the Department's Hot Maintenance Mulch (HMM) contract is scheduled to be awarded in the near future, and due to the fact that some of the rehabilitation work, if approved, might not be done for two to four years, it was agreed that we would go ahead with the resurfacing work as planned. There are six Light Resurfacing projects proposed for the some of the affected roadways. There is a possibility that some of these could be done under this HMM contract if the necessary arrangements can be made in time.

Reference should be made to the attached listing showing the proposed projects and the associated costs. From this listing, it can be noted that the Town's match amounts to \$

Specific notes:

StandishP. 1

Route 11; Work should be concentrated on correcting shoulder and drainage problems.

Route 25; Concrete culvert just westerly of Shop and Save needs erosion control; Consider paving with HMM.

Route 25 PCE project PIN 2847.11; The town requests serious consideration to funding the construction project in the next BTIP, particularly concerned about the intersection of Route 25/113 and Route 25/35A.

Route 35; Do medium rehab southerly of Apple Lane and in the area of the cross culvert just southerly of Route 25; correct drainage problem in area of long culvert (2 nd on left from Route 25 northerly); replace culverts in poor condition.

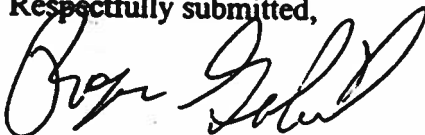
Route 113; check catch basin tops, repair as needed; repair erosion at culvert ends; do medium rehab Boundary Road northerly (approx. .68 mi.)

Route 114; correct edge drop off as discussed; grade shoulders.

It is the Department's intent to proceed with all of the general maintenance items listed on the attached list, as well as, the items agreed to at our previous meeting held last year. It is also our intent to proceed with the HMM as previously discussed. We anticipate getting this work done this summer.

The actual maintenance responsibility will revert to the Town on July 1, 1997 for all roadways on which the agreed upon work has been completed. For those where there is still outstanding work, or there is a rehabilitation project pending, the transfer will occur when the work is complete.

Respectfully submitted,



Roger Gobeil
Division Engineer

cc: attendees

Commissioner Melrose
file

STANDISH:

| Route | Description | Length (miles) | Currently Scheduled Work/ Other comments | Proposed Treatment | General Maintenance | Cost of HMM Approved to be done 1996 | Cost of HMM Already Approved to be done 1997 | Improvements Already Budgetted | Proposed State Aid Rehab 1998-1999 | Proposed State Highway 1998-1999 | 2000-2001 | Totals |
|---|----------------------------------|-------------------|---|-----------------------|------------------------|--|---|--------------------------------------|---|---|-------------|--------|
| 11 | From .03 mi N.Y. TL to Rt 113 | 0.61 | HMM 1987 | Med Rehab | \$7,930 | | \$7,930 | | | | | |
| 25 | Randall Rd to Rt 35 | 0.88 | PCE-P 2847.11; HMM 1987 | Gen Maint | \$5,000 | | \$11,440 | | | \$76,250 | | |
| 25 | Rt 35 to Pole 16 | 0.48 | 98-99 BTIP 7973.00 | PPP Level I | | \$6,240 | | \$116,550 | | | \$500,000 | |
| 25 | Rt 113 to Deer Hill Road | 1.11 | HMM 1987 | Med Rehab | | \$4,420 | | | \$31,250 | | | |
| 35 | Fr .12 mi S-Y Apple Ln. to Rt 25 | 0.34 | HMM 1987 | Li Rehab | | \$8,450 | | | \$39,000 | | | |
| 35 | Rt 25, N.Y. 65 | 0.65 | HMM 1987 | Li Rehab | | \$14,950 | | | \$69,000 | | | |
| 35 | Brookside, N.Y. 1.15 mi | 1.15 | HMM 1987 | Li Rehab | | \$3,250 | | | \$15,000 | | | |
| 113 | Sec 1, Rt 25 N.Y. 25 | 0.25 | HMM 1987 | Li Rehab | | \$8,450 | | | \$39,000 | | | |
| 113 | Sec 2, to Watchic Manor Rd | 0.65 | HMM 1987 | Li Rehab | | \$15,080 | | | \$113,800 | | | |
| 113 | Sec 3, to Rt 11 | 1.16 | HMM 1987 | Li & Med Rehab | | \$13,000 | | | \$20,000 | | | |
| 114 | Sec 1 and 2, to Rt 35 | 1.00 | HMM 1986 | 1" overlay | | | | | | | | |
| 114 | Sec 3, Rt 35, N.Y. 41mi | 0.41 | 98-99 BTIP Level I, | PPP Level I | | \$5,330 | | \$27,880 | | | | |
| 114 | Sec 4, Wards Cove to TL | 0.94 | HMM 1987 | Med Rehab | | \$12,220 | | | \$117,500 | | | |
| SA 12 | Burton TL, N.Y. 45 | 0.45 | HMM 1987 | Gen Maint | \$5,000 | | \$5,850 | | | | | |
| Standish Totals: 10.08 | | | | | | | | | | | | |
| Freeport, Burton, Standish Totals: 32.88 | | | | | | | | | | | | |
| Notes: Totals do not reflect the cost of previous or planned HMM paving. | | | | | | | | | | | | |
| General Maintenance costs represent an accelerated schedule of shoulder grading, light ditching, cleaning drainage structures, etc. Will be done by Div 6 forces. | | | | | | | | | | | | |
| Light Rehabilitation estimated at \$80,000 per mile. | | | | | | | | | | | | |
| Consists of paving slm and surface 1 1/2" +/-, Shoulders, Ditches, clean and/or replace culverts, General Maint. | | | | | | | | | | | | |
| Medium Rehabilitation, estimated at \$125,000 per mile. | | | | | | | | | | | | |
| Consists of cold in-place recycling of existing pavement, add material as necessary, Pave with binder and surface, 3" total | | | | | | | | | | | | |
| Grade Shoulders, Ditches, Clean and/or replace drainage structures | | | | | | | | | | | | |
| Clearing as needed | | | | | | | | | | | | |
| Extensive clearing, grade changes and/or changes in alignment could increase costs. (\$150,000 +/- /mi) | | | | | | | | | | | | |
| | | | | | \$17,930 | \$116,610 | \$144,430 | \$139,250 | \$381,550 | \$500,000 | \$1,299,770 | |
| | | | | | Town Share: \$34,813 | | | | | | | |

**MEETING NOTES
TOWN OF FREEPORT**

Date: April 22, 1997; 7:30 a.m.

Location: Freeport Public Works

Attendees: Roger Gobeil, MDOT Division Engineer; Jon Barton, MDOT, Maint Superintendent
Jim Plummer, Town of Freeport
Peter Tubbs, Squaw Bay Corp., Consulting Engineers

The following is my understanding of the items covered and agreed to at subject meeting:

The purpose of the meeting was to agree on what work would be necessary to get the roads scheduled to be transferred to Town Maintenance per Statute as described in my previous letter dated March 12, 1996.

The Department's initial proposal was to do general maintenance on the roads in question to address all known maintenance related deficiencies and pave all roads as part of the Hot Maintenance Mulch program. The Town's position was that the work proposed by the Department was not adequate and would not improve the roads to a point at which the Town was willing to accept maintenance responsibility, in addition to the fact that the Town officials have expressed deep concern over the whole concept of the transfer of maintenance responsibilities as set forth in MRSA Title 23, Chapter 13, Subchapter II, Section 543.

In response to the Town's concern regarding the condition of the subject roads, the Department has proposed supporting the inclusion of rehabilitation projects in the next two biennial transportation improvement programs. These would be a combination of collector roads rehabilitation projects similar to Collector Roads Development Award (CRDA) projects requiring a 25% local match, and reconstruction project for Rt. 1 in a future BTIP. The town can take up to ten years to repay the match.

The intent of the rehabilitation projects is to upgrade the roads to a point where minimal maintenance will be required for an extended time frame. This is not meant to mean that no maintenance would be required, but that normal maintenance required would be less than under the Department's normal policy. This normal maintenance could even include maintenance resurfacing some years hence.

Reference should be made to the attached listing showing the proposed projects and the associated costs. From this listing, it can be noted that the Town's match amounts to \$192,813.

Specific notes:

It is the Department's intent to proceed with all of the general maintenance items listed on the attached list, as well as, the items agreed to at our previous meeting held last year. The Dept. will do the stripping on these roads this year. The actual maintenance responsibility will revert to the Town on July 1, 1997 for all roadways on which the agreed upon work has been completed. For those where there is still outstanding work, or there is a rehabilitation project pending, the transfer will occur when the work is complete.

The matter of swapping sections was brought up. We advised that this had been done on a very limited basis some time ago, but that problems developed. We would rather not get into swapping summer maintenance responsibilities but would consider swapping winter assignments.

Jim asked for copies of all R/W related documents regarding the roads in question. We do not have a comprehensive file of R/W materials for each road. Some are easement roads, others not defined. We rely on prescriptive easement for many of the existing drainage ways, as well as wrought portion for roadways not defined. The Division Office and Augusta R/W section are available for any specific R/W questions.

The Town will be responsible for all entrance permits, and highway opening permits within the areas maintained by the Town. The Dept.. still retains location permit approval for proposed utilities within the R/W.

Rt. 125; some ditching required to address an erosion problem

Rt. 1; schedule for crack sealing

Check the catch basin top for the cb across from the Post Office.

Check for a buried catch basin on Rt. 1 northerly of Mallett Drive at Maple Ave.

Rt. 1 in area of pumping station; replace guard rail, repair shoulder.

Bow St.; cb just before Bow St. market, pavement high in gutter; remove some curbing, regrade back slope to keep water from draining across the road to Lower Mast Landing Rd.

Pettingill Heights; replace existing cross culvert, check ditches, remove ditch ledge.

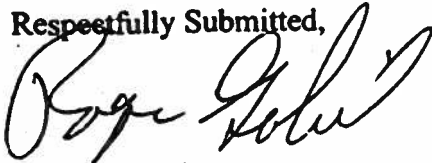
Work on improving the drainage around the Pleasant Hill Road intersection as part of rehab project.

Stone box culvert at Potter's Landing; attempt to reset one stone.

Consider increasing the pavement depth from 3" to 4" on Route 136 if the budget permits.

South Freeport Road; discussed removing ledge from the edge of the road in three locations.

Respectfully Submitted,



Roger Gobeil
Division Engineer

cc: attendees

Commissioner Melrose
file

FREEPORT:

| Route | Description | Length (miles) | Currently Scheduled Work/ Other comments | Proposed Treatment | General Maintenance | Cost of HMM Done in 1996 | Already Approved to be done 1997 | Already Budgeted by MDOT | Proposed State Aid Rehab 1998-1999 | Proposed State Highway Rehab 1998-1999 | Proposed New Construction 2000-2001 | Totals |
|------------------------|------------------------------------|-------------------|--|-----------------------|------------------------|-----------------------------|--|--------------------------------|---|--|--|-------------|
| 136 | Richard's Lane to Route 125 | 0.42 | | Med Rehab | | \$5,460 | | | \$52,500 | | | |
| 136 | Rt 125 to Gay Road | 0.73 | | Med Rehab | | \$9,490 | | | \$91,250 | | | |
| 125 | Seg 1, Woodside Ln to Ware Road | 0.80 | | Med Rehab | | \$10,400 | | | \$100,000 | | | |
| | Seg 2, Pole #7345 to Collins Bk | 0.64 | | Med Rehab | | \$8,320 | | | \$80,000 | | | |
| | Seg 3, Grant Road to Town Line | 0.90 | | Gen. Maint | | \$11,700 | | | | | | |
| 1 | County Rd to Desert Road | 1.25 | | Gen. Maint | | \$5,000 | | | | | | |
| 1 | Desert Rd to West St | 1.00 | Pvt in good condition. In 96-97 BTIP as PCE PIN 6613.00 | Reconst | | \$5,000 | | | | | \$1,000,000 | |
| 1 | West St to Mallett Dr | 0.51 | | Gen Maint | | \$5,000 | | | | | | |
| 1 | Mallett Dr to East | 0.18 | To be paved 1997, PIN 8179.00 | Gen Maint | | \$5,000 | | | | | | |
| 1 | East St to Upper Mast Ldg | 0.97 | to be paved 1997; replace guard rail; grade shoulders, etc | Gen Maint | \$50,000 | \$12,610 | | | | | | |
| | Mallett Dr Rt 1 to NB on ramp 1-95 | 0.21 | | Gen Maint | \$5,000 | | | | | | | |
| | Bow St Rt 1 to Dennison St | 0.25 | Good Cond | | | | | | | | | |
| | Bow St | | Good Cond; Built by Town | | \$2,000 | \$8,060 | | | \$100,000 | | | |
| | Dennison St to Lower Mast Ldg | 0.62 | | Med Rehab | | \$8,060 | | | | | | |
| | Lower Mast Ldg to Pleasant Hill Rd | 0.62 | | | | | | | | | | |
| | Bow St to West St | 0.30 | | Overlay | | \$3,900 | | | \$10,000 | | | |
| | West St to Cheehawk | 2.70 | | Med Rehab | | \$35,100 | | | \$337,500 | | | |
| Freeport Totals: 12.10 | | | | | \$77,000 | \$113,100 | | \$0 | \$771,250 | \$0 | \$1,000,000 | \$1,961,350 |
| | | | | | | | | Town Share: | \$192,813 | | | |

Notes: Totals do not reflect the cost of previous or planned HMM paving.

General Maintenance costs represent an accelerated schedule of shoulder grading, light ditching, cleaning drainage structures, etc. Will be done by Div 6 forces.

Light Rehabilitation estimated at \$60,000 per mile.
Consists of paving shim and surface 1 1/2" +/-, Shoulders, Ditches, clean and/or replace culverts, General Maint.

Medium Rehabilitation, estimated at \$125,000 per mile.

Consists of cold in-place recycling of existing pavement, add material as necessary, Pave with binder and surface, 3" total
Grade Shoulders, Ditches, Clean and/or replace drainage structures

Clearing as needed

Extensive clearing, grade changes and/or changes in alignment could increase costs. (\$150,000 +/- /mi)