

**FREEPORT LETTER OF OCTOBER 16, 1984**  
(Conformed Copy]

Agreement

Agreement, dated as of October 16, 1984, between the Town of Freeport, a municipality of the State of Maine ("Freeport"), and the Bustins Island Village Corporation, a village corporation within the limits of Freeport ("BIVC").

WHEREAS, in order to improve the method of dealing with the BIVC's annual budget requests to Freeport, for the mutual benefit of Freeport and the BIVC, Freeport (acting by vote of its Town Council) and the BIVC (acting by vote of its legal voters and by action of its Board of Overseers) have approved the proposed amendments set forth in Exhibit A hereto ("Amendments") to Chapter 213 of the Private and Special Laws of 1913 of the State of Maine, as heretofore amended, creating the BIVC ("Enabling Act"); and

WHEREAS, to be enacted into law the Amendments will require action by the Legislature and Governor of the State of Maine; and

WHEREAS, Freeport and the BIVC deem it desirable to set forth their mutual understanding with regard to the steps to be taken to have the Amendments enacted into law, implementation of the Amendments and certain other matters related thereto;

NOW, THEREFORE, Freeport and the BIVC hereby agree as set forth below.

1. Freeport and the BIVC shall each use their best efforts to have the Amendments enacted into law at the earliest practicable date.

2. Freeport shall arrange for its Town attorney and/or other counsel and consultants to proceed promptly with the preparation of appropriate special legislation with respect to the Amendments, which legislation shall be in form satisfactory to Freeport's Town Manager and the Board of Overseers of the BIVC, and for such legislation to be introduced into the Legislature and sponsored by such members of the Legislature as Freeport, in consultation with the Board of Overseers, shall deem appropriate. The BIVC shall arrange for appropriate representatives to assist in the preparation of such legislation, as and to the extent reasonably requested by Freeport.

3. Freeport and the BIVC shall each take such action as is reasonably appropriate to support the special legislation, and to arrange for their respective representatives to appear, if requested, and speak favorably with regard to the Amendments before any committees of the Legislature conducting any hearings relative thereto.

4. The Amendments are intended solely to improve the budget process between Freeport and the BIVC, to assist Freeport by eliminating unpredictable variations in BIVC requests for funds and fixing the rate of spending on BIVC requirements, and to put the BIVC in a better position to deal first hand with BIVC monetary needs and priorities. The Amendments are not intended to affect otherwise the relationship between Freeport and the BIVC. Accordingly, the availability to the BIVC of Freeport municipal services, including (without limitation) emergency fire and rescue services, police services beyond the capability of the Bustins Island constable, the right to use Freeport's dock facilities at South Freeport and access to the landfill, will continue as is and be unaffected by the Amendments.

5. If the Amendments are not enacted into law by June 30, 1985, Freeport and the BIVC shall, with respect to fiscal years beginning after such date and continuing until the Amendments have been so enacted, deal with the BIVC's budget and monetary needs on the same basis as if proposed new Sections 3A and 2A to the Enabling Act had been enacted into law; provided, however, that in the event of emergency or unforeseen situations as a result of which the reasonable monetary needs of the BIVC exceed the funds available to it as contemplated by such proposed new Section 3A, Freeport shall loan or otherwise advance or make available funds to the BIVC to cover such excess needs on a basis which reimburses Freeport for its cost of such funds or otherwise as may be agreed between Freeport and the BIVC. As a result of the foregoing, whether or not the Amendments have then been enacted into law, the first payment to be made by Freeport to the BIVC on the basis contemplated by proposed new Section 3A to the Enabling Act shall be made between July 1 and July 30, 1985 based on taxes collected during the fiscal year ended June 30, 1985, and payments in subsequent years shall continue as provided herein and/or in the Amendments.

6. Freeport shall bear its expenses related to endeavoring to have the Amendments enacted into law and otherwise carrying out its obligations hereunder, including the fees and expenses of its Town attorney and/or other counsel and consultants retained by it in connection therewith; and the BIVC

shall bear its expenses related to endeavoring to have the Amendments enacted into law and otherwise carrying out its obligations hereunder.

7. Any requests or notices with respect to this Agreement shall be addressed, if to Freeport, to its Town Manager at the Municipal Office Building, 4 Main Street, Freeport, Maine 04032, and if to the BIVC, to its Clerk, David A. Pease, at 48 Foreside Road, Cumberland Foreside, Maine 04110.

8. If the Amendments are not enacted into law on or prior to June 30, 1990, this Agreement shall terminate on June 30, 1990 unless mutually extended by Freeport and the BIVC.

IN WITNESS WHEREOF, Freeport and the BIVC have each caused this Agreement to be signed by a duly authorized representative as of the date first above written.

TOWN OF FREEPORT  
CORPORATION

BUSTINS ISLAND VILLAGE

By Dale C. Olmstead, Jr.  
Dale C. Olmstead, Jr.  
Town Manager

By Leonard P. Larrabee, Jr.  
Leonard P. Larrabee, Jr.  
Chairman,

Board of Overseers