

Mary

**TOWN COUNCIL MEETING #7-99**  
**APRIL 13, 1999 - 7:00 P.M.**  
**TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- ITEM #91-99 To consider action relative to applications for victualer licenses for Mary Ann Shukalo, Catherine Carty-Wilbur, Steve James, Peter Kellogg, Kenneth Mann, Webber Oil Co., Friendly Ice Cream Corp., Jonathan Soule, and William R. Giff. (Public Hearing)
- ITEM #92-99 To consider action relative to the adoption of an ordinance concerning Special Amusement Permits (Chapter 50).
- ITEM #93-99 To consider action relative to the adoption of a new Street Excavation Ordinance (Chapter 15).
- ITEM #94-99 To consider action relative to the appointment of delegates to the Greater Portland Council of Governments General Assembly.
- ITEM #95-99 To consider action relative to the Acceptance of a bid for two Public Works Department truck chassis.
- ITEM #96-99 To consider action relative to the acceptance of a bid for a street sweeper.
- ITEM #97-99 To consider action relative to the acceptance of a bid for a Fire Department Tank Truck.
- ITEM #98-99 To consider action relative to accepting a bid for a Department of Public Works one-ton truck.
- ITEM #99-99 To consider action relative to the approval of a proposal concerning the use of revenues from the burning of structures for Fire Training purposes.
- ITEM #100-99 To consider action relative to the acceptance of structures for Fire Training purposes.

**OTHER BUSINESS:**

1. Update on Browntail Moth Spray Program.
2. Signing of the Annual Dog Warrant.
3. Discussion on Council sponsorship of agenda items requested by members of the public.

**COMMITTEE REPORTS:**

Adjourn.



**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #7-99**  
**TOWN HALL COUNCIL CHAMBERS**  
**APRIL 13, 1999 - 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:** David Soley, Chairperson, Arnold Road  
Genie Beaulieu, Vice Chairperson, Larue Drive  
Edward Campbell, Gay Drive  
Kenneth Mann, Mann Road  
Stafford Soule, Arnold Road  
Gloria Fogg DeGrandpre, Wolf Neck Road  
John Arsenault, Prout Road

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #7-99, April 13, 1999 Meeting 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.



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**ITEM #91-99** To consider action relative to applications for victualer licenses for Mary Ann Shukalo, Catherine Carty-Wilbur, Steve James, Peter Kellogg, Kenneth Mann, Webber Oil Co., Friendly Ice Cream Corp., Jonathan Soule and William Giff. (Public Hearing).

**MOTION:** That the Council adjourn and the Licensing Board convene.

**ROLL CALL OF MEMBERS:**

Genie Beaulieu	Edward Campbell
David Soley	Gloria Fogg DeGrandpre
Stafford Soule	John Arsenault
Kenneth Mann	Dale Olmstead
Sharon Coffin	

**MOTION:** That the following applications for Victualer Licenses be subject to Public Hearing.

Mary Ann Shukalo d/b/a Merryman Inn, 1 Summer Street  
Catherine Carty-Wilbur d/b/a Wilbur's of Maine Chocolate Confections, 13 Bow Street  
Steve James d/b/a Freeport Variety Store, 9 Main Street  
Peter Kellogg d/b/a Bakery II, 45 Old South Freeport Road  
Kenneth Mann d/b/a Mann's Exit 21 Shopping Center, 1456 U.S. Route One  
Webber Oil Co. d/b/a Exxon Mini Mart, 57 Mallet Drive  
Webber Oil Co. d/b/a Freeport General Store, 574 U.S. Route One  
Friendly Ice Cream Corp. d/b/a Friendly's Restaurant, 147 Main Street  
Jonathan Soule d/b/a Goose Island Clambakes, 152 South Freeport Road  
William R. Giff d/b/a Domino's Pizza, 491 U.S. Route One

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the applications issued to the above named applicants be approved.

**MOTION:** That the Licensing Board adjourn and the Council reconvene.

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**ITEM #92-99** To consider action relative to the adoption of an ordinance concerning Special Amusement Permits (Chapter 50).

**BE IT ORDERED:** That a Public Hearing be scheduled for May 4, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of an ordinance regulating Special Amusement Permits.

**BE IT FURTHER ORDERED:** That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

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**ITEM #93-99** To consider action relative to the adoption of a new Street Excavation Ordinance (Chapter 15).



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**BE IT ORDERED:** That a Public Hearing be scheduled for May 4, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of a new Street Excavation Ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

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**ITEM #94-99** To consider action relative to the appointment of delegates to the Greater Portland Council of Governments General Assembly.

**BE IT ORDERED:** That Genie Beaulieu and Glorinda DeGrandpre be appointed to represent the Town of Freeport at the June 8, 1999 Annual Meeting of the Greater Portland Council of Governments General Assembly.

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**ITEM #95-99** To consider action relative to the Acceptance of a bid for two Public Works Department truck chassis.

**MOTION:** That the Town Manager report on bids received.

**BE IT ORDERED:** That the bid from Freightliner of Maine, Inc. in the amount of \$45,550 (per chassis) to provide for the purchase of Public Works truck chassis be accepted.

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**ITEM #96-99** To consider action relative to the acceptance of a bid for a street sweeper.

**MOTION:** That the Town Manager report on bids received.

**BE IT ORDERED:** That the bid from H.P. Fairfield in the amount of \$86,575 (with trade) to provide for the purchase of a street sweeper, be accepted.

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**ITEM #97-99** To consider action relative to the acceptance of a bid for a Fire Department Tank Truck.

**MOTION:** That the Town Manager report on bids received.

**BE IT ORDERED:** That the bid from Emergency Vehicles of Maine in the amount of \$130,000 providing for the purchase of a new Tank Truck be accepted.

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**ITEM #98-99** To consider action relative to accepting a bid for a Department of Public Works one-ton truck.

**MOTION:** That the Town Manager report on bids.

**BE IT ORDERED:** That the bid from O'Connor GMC in the amount of \$24,354 to provide for the purchase of a one-ton truck be accepted.

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**ITEM #99-99** To consider action relative to the approval of a proposal concerning the use of revenues from the burning of structures for Fire Training purposes.





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**MOTION:** That the Fire Chief report on recommendations.

**BE IT ORDERED:** That the revenues received from the burning of structures for Fire Training purposes be used as follow:

- \*Up to \$1,000 for recognition purposes
- \*Up to \$2,500 for the purchase and replacement of equipment & materials
- \*Balance of funds for Fire Department Reserve Fund

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**ITEM #100-99** To consider action relative to the acceptance of structures for Fire Training purposes.

**BE IT ORDERED:** That the following structures be accepted as donations to the Town of Freeport for Fire Department training purposes.

- \*Linda Folkers - 17 Elm Street - Residential structure
- \*Kathlene & Darwin Webster - 73 Varney Road - Outbuilding

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**OTHER BUSINESS:**

1. Update on Browntail Moth Spray Program.
2. Signing of the Annual Dog Warrant.
3. Discussion on Council sponsorship of agenda items requested by members of the public.

**COMMITTEE REPORTS:**

Adjourn.



Mary

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #7-99**  
**April 13, 1999 – 7:15 P.M. (following a workshop with School Committee)**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
Genie Beaulieu, Vice Chair Larue Drive	X		
David Soley, Chairperson Arnold Road	X		
Edward Campbell Gay Drive	X		
John Arsenault Prout Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X		
Stafford Soule Arnold Road	X		

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**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #6-99 HELD ON APRIL 6, 1999 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** that Councilor DeGrandpre was excused until 8:14 p.m. and arrived at that time. She was not excused from the whole meeting. (Councilors DeGrandpre & Beaulieu) (7 Ayes).

**MOVED AND SECONDED:** that on Page 11, right before Question 3. the Council agreed to change it to "The Town Council and the School Committee unanimously recommends that this work be done". (Councilors Soley & Beaulieu) (7 Ayes).

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #6-9 HELD ON APRIL 6, 1999 AND ACCEPT THE MINUTES AS AMENDED (Councilors Beaulieu & Campbell) (7 Ayes)

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**SECOND ORDER OF BUSINESS:** PUBLIC COMMENT PERIOD.

There were no public comments made.

**MOVED AND SECONDED:** To close the public comment period. (Councilors Campbell & DeGrandpre) (7 Ayes)

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**ITEM #91-99** To consider action relative to applications for victualer licenses for Mary Ann Shukalo, Catherine Carty-Wilbur, Steve James, Peter Kellogg, Kenneth Mann, Webber Oil Co., Friendly Ice Cream Corp., Jonathan Soule and William Giffit. (Public Hearing).

**MOVED AND SECONDED:** That the Council adjourn and the Licensing Board convene. (Councilors DeGrandpre & Campbell) (7 Ayes).

**ROLL CALL OF MEMBERS:**

Genie Beaulieu-present  
David Soley-present  
Stafford Soule-present  
Kenneth Mann-present  
Sharon Coffin-present

Edward Campbell-present  
Gloria Fogg DeGrandpre-present  
John Arsenault-present  
Dale Olmstead-present

**MOVED AND SECONDED:** That the following applications for Victualers Licenses be subject to Public Hearing

Mary Ann Shukalo d/b/a Merryman Inn, 1 Summer Street  
Catherine Carty-Wilbur d/b/a Wilbur's of Maine Chocolate Confections, 13 Bow Street  
Steve James d/b/a Freeport Variety Store, 9 Main Street  
Peter Kellogg d/b/a Bakery II, 45 Old South Freeport Road  
Kenneth Mann d/b/a Mann's Exit 21 Shopping Center, 1456 U.S. Route One  
Friendly Ice Cream Corp. d/b/a Friendly's Restaurant, 147 Main Street  
Jonathan Soule d/b/a Goose Island Clambakes, 152 South Freeport Road  
William Giffit d/b/a Domino's Pizza, 491 U.S. Route One

**MOVED AND SECONDED:** That the Public hearing be closed (Councilors DeGrandpre & Campbell (7 Ayes).

**BE IT ORDERED:** That the applications issued to the above named applicants be approved. (Councilors DeGrandpre & Campbell) **ROLL CALL VOTE** (8 Ayes) (1 abstention-Mann).

**MOVED AND SECONDED:** That the Licensing Board adjourn and the Council reconvene. (Councilors DeGrandpre & Campbell) (7 Ayes).

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**ITEM #92-99** To consider action relative to the adoption of an ordinance concerning Special Amusement Permits (Chapter 50).

**BE IT ORDERED:** That a Public Hearing be scheduled for May 4, 1999 at 7:00 p.m. in the Town Hall Council Chambers to discuss the adoption of an ordinance regulating Special Amusement Permits.

Mr. Olmstead explained the reasoning behind this ordinance.

**BE IT FURTHER ORDERED:** That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. (Councilors Mann & Campbell) **ROLL CALL VOTE:** (7 Ayes).

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**ITEM #93-99** To consider action relative to the adoption of a new Street Excavation Ordinance (chapter 15).

Mr. Olmstead explained the reasoning behind this ordinance. Councilor Mann indicated that he may have some suggestions to add later.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 4, 1999 at 7:00 p.m. in the Town Hall Council chambers to discuss the adoption of a new Street Excavation Ordinance. (Councilors Beaulieu & Soule ) **ROLL CALL VOTE:** (7 Ayes)

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**ITEM #94-99** To consider action relative to the appointment of delegates to the Greater Portland Council of Governments General Assembly.

**BE IT ORDERED:** That Genie Beaulieu and Gloria DeGrandpre be appointed to represent the Town of Freeport at the June 8, 1999 Annual Meeting of the Greater Portland Council of Governments General Assembly (Councilors Soule & Campbell)  
**ROLL CALL VOTE:** (7 Ayes)

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**ITEM #95-99** To consider action relative to the Acceptance of a bid for two Public Works Department truck chassis.

**MOVED AND SECONDED:** That the Town Manager report on bids received. (Councilors Campbell & Arsenault) (7 Ayes)

Mr. Olmstead explained that four bids were received. Discussion followed but the Public Works Director recommended accepting the lowest bid.

**BE IT ORDERED:** That the bid from Freightliner of Maine, Inc. in the amount of \$45,550 (per chassis) to provide for the purchase of Public works truck chassis be accepted. (Councilors Campbell & Soule) **ROLL CALL VOTE:** (7 Ayes).

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**ITEM #96-99** To consider action relative to the acceptance of a bid for a Street Sweeper.

**MOVED AND SECONDED:** That the Town Manager report on bids received. (Councilors Arsenault & Campbell) (7 Ayes).

Mr. Olmstead explained that a single bid was received. Chair Soley had requested that Councilor Mann consider the price on this street sweeper. Councilor Mann updated Councilors on the information he was able to garner. He suggested that in the future the Town communicate with businesses that sell expensive machines and encourage them to bid. He has no problem with the price that was bid.

**BE IT ORDERED:** That the bid from H. P. Fairfield in the amount of \$86,575 (with trade) to provide for the purchase of a street sweeper, be accepted. (Councilors Arsenault & Campbell) **ROLL CALL VOTE:** (7 Ayes)

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Councilor Mann suggested trying to sell the old street sweeper in the same manner that old police cruisers are sold. Mr. Plummer indicated that it was not in very good condition. Councilors agreed to leave it with the Town Manager and Mr. Plummer to look into it and figure out what is best.

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**ITEM #97-99** To consider action relative to the acceptance of a bid for a Fire Department Tank Truck.

**MOVED AND SECONDED:** That the Town Manager report on bids received.  
(Councilors DeGrandpre & Campbell) (7 Ayes).

Mr. Olmstead and Fire Chief Fournier explained that three bids were received.

**BE IT ORDERED:** That the bid from emergency Vehicles of Maine in the amount of \$130,000 providing for the purchase of a new Tank Truck be accepted. (Councilors DeGrandpre & Campbell)

**MOVED AND SECONDED:** To add the words "with trade" after the price.  
(Councilors Campbell & Soule) (7 Ayes).

**ROLL CALL VOTE ON MOTION AS AMENDED:** (7 Ayes)

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**ITEM #98-99** To consider action relative to accepting a bid for a Department of Public Works one-ton truck.

**MOVED AND SECONDED:** That the Town Manager report on bids received.  
(Councilors Mann & Campbell) (7 Ayes)

Mr. Olmstead pointed out that 3 bids were received and read the amounts to the Council. Councilor Mann had some questions on the options requested in this truck. He asked why a bid was not solicited on a Dodge product. Mr. Arsenault indicated that he looked at a demo truck at Bill Dodge that he would like Mr. Plummer to call on. Chair Soley asked Mr. Plummer to look at it. Mr. Plummer agreed to call on the demo and get bids from the Dodge dealer.

**BE IT ORDERED:** That the Town Manager is authorized to award the bid not to exceed \$24,354 to provide for the purchase of a one-ton truck after additional bids are solicited. (Councilors Campbell & Soule) **ROLL CALL VOTE:** (6 Ayes) (1 Nay-Beaulieu) (Councilor Beaulieu is not convinced that the Town needs a one-ton truck.

Councilor Arsenault offered to coordinate with Mr. Plummer.

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**ITEM 99-99** To consider action relative to the approval of a proposal concerning the use of revenues from the burning of structures for Fire Training purposes.

**MOVED AND SECONDED:** That the Town Manager report on bids received.  
(Councilors Beaulieu & Soule) (7 Ayes)

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Mr. Olmstead explained that he has discussed this issue with the Fire Chief. Chief Fournier pointed out that he plans to have a considerable amount of training activities.

**BE IT ORDERED:** That the revenues received from the burning of structures for Fire Training purposes be used as follows:

Up to \$1,000 for recognition purposes

Up to \$2,500 for the purchase and replacement of equipment and materials

Balance of funds for Fire Department Reserve Fund

(Councilors Beaulieu & DeGrandpre) **ROLL CALL VOTE:** (6 Ayes).(1 Excused-Campbell)

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**ITEM 100-99** To consider action relative to the acceptance of structures for Fire Training purposes..

**BE IT ORDERED:** That the following structures be accepted as donations to the Town of Freeport for Fire Department training purposes:

Linda Folkers - 17 Elm Street - Residential structure  
Kathlene & Darwin Webster - 73 Varney Road - Outbuilding

(Councilors Soule & Arsenault) (7 Ayes)

Chief Fournier indicated that these buildings would be burnt after some much needed rain is received.

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**OTHER BUSINESS:**

**1. Update on Browntail Moth Spray Program**

Mr. Olmstead explained that this issue has been very time consuming for Town employees. The State has established the final spray blocks and informed the Town that there will be no additional spray blocks. Residents outside of the spray blocks will have an opportunity for ground spraying at their own expense. A list of vendors is available at Town Hall. 15 people have signed up for the phone tree. Signs will be put up around town announcing the spray program. The State has suggested that the town establish a deadline of April 20 for the return of questionnaires. Councilors concurred that April 20 is fine.

**2. Signing of the annual Dog Warrant.**

Mr. Olmstead noted that notices have been put out but in some instances it may be that the dogs have expired. Councilors signed the warrant.

**3. Discussion on Council sponsorship of agenda items requested by members of the public.**

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**APRIL 13, 1999**

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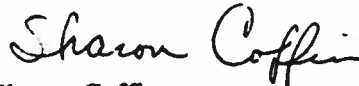
Chair Soley explained that he put this on the agenda tonight. He feels that this creates a better presentation and will be helpful to the public. Councilors Beaulieu and DeGrandpre pointed out that right now the Town Manager sets the agenda. Councilor Campbell did not recommend modifying any ordinance or rules. He feels that this has not been a problem in the past and Councilor Soule agreed. Councilors concurred to leave things the way they are.

Preparedness 2000 - Councilor Soule explained that the Fire Chief attended one of these meetings and reported on what may crop up with heating systems, etc. He wanted to thank him for his fine efforts.

Generator at Public Works Dept. - Councilor Mann would like to see it hooked up so that lights can be provided during certain emergencies. He asked the Town Manager to speak to Chief Fournier and Jim Plummer about this.

**MOVED AND SECONDED:** To adjourn at 8:17 p.m. (Councilors Campbell & Soule)  
(7 Ayes).

Respectfully,



Sharon Coffin  
Recorder