

M I N U T E S  
TOWN OF FREEPORT  
MEETING OF THE FREEPORT TOWN COUNCIL  
#9-84 MAY 1, 1984 @ 7:30 PM  
B.H. BARTOL LIBRARY - WINSLOW ROOM

☒ Regular

☐ Special

Chairman's Call to Order

	Present	Excused	Absent
Hugh Phelps, Chairman, Porters Landing	X		
Frederick Palmer, Vice Chairman, Porters Lg	X		
Vaughndella Curtis, Pine Street		X	X
Robert Davenport, Bartol Island Road	X		
William Lunt, Webster Road	X		
John Nelson, Church Street	X		
Barbara McGivaren, 18 Maple Street	X		

Moved and Seconded - To correct the Minutes of Meeting #8-84 held April 17, 1984: Page 6, last paragraph - before David Thompson's statement: Councilor Lunt stated "there is a verbal agreement in effect between the Town Manager and the Council whereby the relatives and/or abutters should be notified prior to any disposition of "tax acquired property" in case they may be interested in purchasing it." Mr. Olmstead acknowledged this was true.

(Councilors Lunt & McGivaren) (6 Ayes) (0 Nays)

Moved and Seconded - To waive the reading of the Minutes of Meeting #8-84 held April 17, 1984 and accept the Minutes as amended.

(Councilors Lunt & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That second readings be waived.  
(Councilors Palmer & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn and the Licensing Board convene. (Councilors Nelson & McGivaren) (6 Ayes) (0 Nays)

Roll Call of Members:

	Present	Excused	Absent
Hugh Phelps, Chairman	X		
Frederick Palmer, Vice Chairman	X		
Vaughndella Curtis		X	X
Robert Davenport	X		
William Lunt	X		
John Nelson	X		
Barbara McGivaren	X		
Dale Olmstead, Treasurer	X		
Phyllis Roy, Town Clerk	X		

Moved and Seconded - That the following Applications for Victualer Licenses be subject to Public Hearing:

BURGESS, James L, North Freeport General Store, Route #125  
 COFFIN, John W & David G, Harraseeket Lunch, So. Freeport Wharf  
 COLLETT, Edward, The Red Wheel, Yarmouth Road  
 COOKSON, John E, Cookie's, 13 South Street  
 DANIEL, Dennis, Mario's, 7 Main Street  
 DEERING Ice Cream Corp, Deering Ice Cream Shop, 94 Main Street  
 DOBSON, Ronald & Shirley, Desert of Maine Inc., Desert Road  
 DOWNING, Frederick A, Lola's Restaurant, U.S. Route #1  
 FRIEDLANDER, James & Glynrose, Isaac Randall House, Independence Drive  
 GREENLAW, Larry H, The Painter's Parlor Pantry, 128 Main Street  
 HANNA, Roger L, The Village Bakery, 8A Bow Street  
 JAMES, Stephen I, Freeport Variety, 9 Main Street  
 JAMESON Tavern Inc, Jameson Tavern, 115 Main Street  
 KEEGAN, Charles F, Freeport Inn & Cafe, U.S. Route #1  
 KENNEDY, Mary M, Mary's Inc., Yarmouth Road  
 LEWIS, John & Susan, The Blue Onion, U.S. Route #1 & Varney Road  
 MACLEOD, Eldon II, Ocean Farms of Maine Inc., 23 Main Street  
 MARINO, Michael & Richard, Lobster Cooker by Marino, 39 Main Street  
 MCKINNON, Catherine G, a pushcart in front of the Library  
 MIGLIACCIO, Vincent A Jr, School Street Pub, 10 School Street  
 NAPPI, John S, Bow Street Market, 79 Bow Street  
 NAPPI, Philip J, Nappi's Country Store, U.S. Route #1  
 NIELSEN, Denise, a pushcart in front of Depositors Trust  
 ORMSBY, William D, Freeport Lunch, Casco Street  
 POHLE, Malcolm, Freeport Country Club, Old County Road  
 POLAKEWICH, Elaine R, Maggie's, Desert Road  
 POOTERS, George & Claudia, The Carriage House Restaurant, 9 Mechanic Street  
 POTTLE, Robert W, Cindy's Fish & Fries, a mobile unit on Mallet Drive  
 PUSHARD, William L, Porky's Place, a mobile unit in front of Jameson Tavern  
 ROGERS, John A, Falcon Restaurant, 8 Bow Street  
 ROGERS, Vera & Alan, Florida Lake, Route #125  
 SHEAN, Leonard Z, Mom 'N' Pops Village Store, South Freeport  
 WAGNER, Richard M, Derosier's Market, 120 Main Street  
 WILBUR, Thomas & Catherine Carty, Alive Alive-O, a pushcart in front of LLBean, so. end M  
 (Members Nelson & Palmer) (8 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Members Nelson & Lunt) (8 Yes) (0 No)

Moved and Seconded - To approve Ocean Farms of Maine, Inc.  
Victualer License to include that the conditions imposed by the  
Board of Appeals be met within thirty (30) days of the Board of  
Appeals' decision, if possible, or at a mutually agreeable date  
between the Board of Appeals and the applicant.  
(Members Palmer & McGivaren) (8 Yes) (0 No)

ITEM #59-84      Be It Ordered - That the above named Applications  
for Victualer Licenses be approved.  
(Members Palmer & Lunt) (8 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the  
Council reconvene. (Members Palmer & Lunt) (8 Yes) (0 No)

Moved and Seconded - That the following Reapplication for a Malt,  
Spirituos and Vinous License be subject to Public Hearing:

Richard A. Grotton, d/b/a Jameson Tavern, 115 Main Street.  
(Councilors Lunt & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Lunt & Davenport) (6 Ayes) (0 Nays)

ITEM #60-84      Be It Ordered - That the Reapplication for a Malt,  
Spirituos and Vinous License issued to Richard A.  
Grotton, d/b/a Jameson Tavern, 115 Main Street, be  
approved.  
(Councilors Lunt & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the following Application for a Malt,  
Spirituos and Vinous License be subject to Public Hearing:

Charles F. Keegan, d/b/a Freeport Inn, U. S. Route #1.  
(Councilors McGivaren & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors McGivaren & Davenport) (6 Ayes) (0 Nays)

ITEM #61-84      Be It Ordered - That the Application for a Malt,  
Spirituos and Vinous License issued to Charles  
F. Keegan, d/b/a Freeport Inn, U.S. Route #1, be  
approved.  
(Councilors McGivaren & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Shellfish Conservation Ordinance be subject to Public Hearing.  
(Councilors Davenport & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Davenport & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Shellfish Conservation Ordinance be tabled until May 15, 1984.  
(Councilors Davenport & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Sign Ordinance be subject to Public Hearing.  
(Councilors Lunt & McGivaren) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Lunt & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Sign Ordinance be tabled until May 15, 1984.  
(Councilors Lunt & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Street Acceptance Ordinance be subject to Public Hearing.  
(Councilors Nelson & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Nelson & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Street Acceptance Ordinance be tabled until May 15, 1984.  
(Councilors Nelson & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Traffic Ordinance be subject to Public Hearing.  
(Councilors Palmer & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Palmer & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Traffic Ordinance be tabled until May 15, 1984.  
(Councilors Palmer & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Fee Increase for Victualer Licenses be subject to Public Hearing.  
(Councilors McGivaren & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors McGivaren & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Fee Increase for Victualer Licenses be tabled until May 15, 1984.  
(Councilors McGivaren & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Shellfish Conservation Ordinance be subject to Public Hearing.  
(Councilors Davenport & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Davenport & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Shellfish Conservation Ordinance be tabled until May 15, 1984.  
(Councilors Davenport & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Zoning Ordinance be subject to Public Hearing.  
(Councilors Nelson & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Nelson & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Zoning Ordinance be tabled until May 15, 1984.  
(Councilors Nelson & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Building Code be subject to Public Hearing.  
(Councilors Lunt & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Nelson & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Building Code be tabled until May 15, 1984.  
(Councilors Lunt & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Sub-Division Ordinance be subject to Public Hearing.  
(Councilors McGivaren & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors McGivaren & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Sub-Division Ordinance be tabled until May 15, 1984.  
(Councilors McGivaren & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Design Review Ordinance be subject to Public Hearing.  
(Councilors Davenport & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Davenport & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Freeport Design Review Ordinance be tabled until May 15, 1984.  
(Councilors Davenport & McGivaren) (6 Ayes) (0 Nays)

ITEM #72-84      Be It Ordered - That the Town Manager's appointment of Joseph F. Downey as Assessor be confirmed.  
(Councilors Palmer & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - To suspend the rules temporarily and take individual items not printed as such on the Agenda for the FY'84 Capital Budget.  
(Councilors Lunt & Palmer) (6 Ayes) (0 Nays)

Moved and Seconded - To appropriate \$49,894 for a new High School Roof.  
(Councilors Palmer & McGivaren) (5 Ayes) (1 Nay, Councilor Davenport)

Moved and Seconded - That we table the item to replace the Middle School Gym Floor at a cost of \$17,500 indefinitely.  
(Councilors Lunt & Davenport) (6 Ayes) (0 Nays)

Moved and Seconded - That the sum of \$15,000 be appropriated for the Athletic Field Lighting.  
(Councilors Nelson & Palmer) (1 Aye) (5 Nays, Councilors McGivaren, Davenport, Palmer, Lunt & Phelps)

Moved and Seconded - To appropriate \$10,400 for a School Energy Savings Project.

(Councilors Palmer & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That we appropriate the sum of \$35,000 for construction of a Municipal Parking Lot on Oak Street.

(Councilors Nelson & McGivaren) (6 Ayes) (0 Nays)

Moved and Seconded - That we appropriate the amount of \$9,900 for the Fire Department Scott Units.

(Councilors Nelson & Palmer) (1 Aye) (5 Nays, Councilors McGivaren, Davenport, Palmer, Nelson & Phelps)

Moved and Seconded - To appropriate \$35,000 for the purchase of a new Public Works Bulldozer.

(Councilors Palmer & Nelson) (6 Ayes) (0 Nays)

Moved and Seconded - That we table the item to appropriate \$48,270 Howard Place & Depot Street Drainage until the next meeting.

(Councilors Nelson & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - To appropriate \$18,500 for the Bustins Island Fire Equipment.

(Councilors Nelson & McGivaren) (5 Ayes) (1 Nay, Councilor Davenport)

Moved and Seconded - To appropriate \$7,000 for the new Bustins Island Float.

(Councilors Nelson & Palmer) (0 Ayes) (6 Nays)

ITEM #46-84

Be It Ordered - That the disposition of \$75,000 donated to the Town of Freeport by L.L. Bean, Inc., proposed use of the funds to be applied to the cost of the new Middle School construction, as submitted to Public Hearing on April 17, 1984, be approved.  
(Councilors Nelson & Palmer) (4 Ayes) (2 Nays, Councilors Davenport & Lunt)

Town Manager Olmstead mentioned that a citizen has called complaining that the flag should be flying on weekends; what would the Council like to do? Council agreed to let Manager handle this situation.

Councilor Lunt handed Mr. Olmstead his amendments to the Council Rules of Procedure and asked when the Manager's re-evaluation would be done; Chairman Phelps stated it will be done this fall.

Councilor McGivaren had received a call concerning the landfill being closed last Saturday and she wondered why? Mr. Olmstead will check with Al to find out why and agreed it should be posted when it will be closed.

Moved and Seconded - That the Council enter into an Executive Session to discuss personnel matters.  
(Councilors McGivaren & Nelson)

Moved and Seconded - That the Council reconvene.  
(Councilors Palmer & Lunt) (6 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 10:58 P.M.  
(Councilors Lunt & Palmer) (6 Ayes) (0 Nays)

The foregoing was recorded by:

*Mary D. Wescott*  
Mary D. Wescott, Council Secretary

Distribution: Council, Town Attorney, Town Clerk, Supt. of Schools,  
Library, Highway, Codes



## FY '84 CAPITAL BUDGET

ADOPTED MAY 1, 1984

TALLING \$148,794.

The Town of Freeport Hereby Ordains - That the sums listed below be hereby appropriated, and to meet said appropriations, the Chairman of the Town Council and the Town Treasurer are authorized to issue general obligation securities of the Town of Freeport in a total principal amount not to exceed \$148,794 with discretion to fix the date, place of payment, forms, and other details of the securities, and providing for the sale thereof delegated to the Chairman of the Town Council and the Town Treasurer:

New High School Roof	\$ 49,894.
School Energy Savings Project	10,400.
Municipal Parking Lot - Oak Street	35,000.
Public Works Bulldozer	35,000.
Bustins Island Fire Equipment	18,500.

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TOTAL APPROPRIATION: \$148,794.

*Adopted at Council Meeting #9-84 on May 1, 1984  
Attest, a true copy, Mary A. Wescott, Council Secretary*

PROPOSED  
APPROPRIATION ORDINANCE TOTTALLING \$246,464.00  
WHICH COMPRISE THE FY '84 CAPITAL BUDGET

The Town of Freeport Hereby Ordains - That the sums listed below be hereby appropriated, and to meet said appropriations, the Chairman of the Town Council and the Town Treasurer are authorized to issue general obligation securities of the Town of Freeport in a total principal amount not to exceed \$246,464, with discretion to fix the date, place of payment, forms, and other details of the securities, and providing for the sale thereof delegated to the Chairman of the Town Council and the Town Treasurer:

New High School Roof	\$49,894.00
Replace Middle School Gym Floor	17,500.00
Athletic Field Lighting	15,000.00
School Energy Savings Project	10,400.00
Municipal Parking Lot (Oak St)	35,000.00
Fire Department Scott Units	9,900.00
Public Works Bulldozer	35,000.00
Howard Place & Depot St Drainage	48,270.00
Bustins Island Fire Equipment	18,500.00
Bustins Island Float	7,000.00