

M I N U T E S
TOWN OF FREEPORT
MEETING OF THE FREEPORT TOWN COUNCIL
#13-84 JUNE 19, 1984 @ 7:30 PM
HIGH SCHOOL MEDIA CENTER

☒ Regular

☐ Special

Chairman's Call to Order

Present Excused Absent

Hugh Phelps, Chairman, PortersLanding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Palmer, ViceChairman, PortersLndng	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vaughndella Curtis, Pine Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Davenport, Bartol Island Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Lunt, Webster Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Nelson, Church Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara McGivaren, 18 Maple Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Moved and Seconded - To waive the reading of the Minutes
of Meeting #12-84 held June 5, 1984 and accept the
Minutes as printed.

(Councilors Lunt & McGivaren) (7 Ayes) (0 Nays)

Moved and Seconded - To waive second readings.

(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Fee Increase for Victualer Licenses be subject to Public Hearing.
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Fee Increase for Victualer Licenses be tabled until July 3, 1984.
(Councilors Curtis & Palmer) (7 Ayes) (0 Nays)

Moved and Seconded - That the following Applications for Pinball and/or Video Machine Licenses be subject to Public Hearing:

Dennis Daniel, d/b/a Mario's, Lower Main Street;

Vincent Migliaccio, d/b/a School Street Pub, 10 School Street.
(Councilors Davenport & Palmer) (7 Ayes) (0 Nays)

ITEM #95-84 Be It Ordered - That the Applications for Pinball and/or Video Machine Licenses issued to Dennis Daniel, d/b/a Mario's, Lower Main Street; and Vincent Migliaccio, d/b/a School Street Pub, 10 School Street, be approved.
(Councilors Davenport & Curtis) (7 Ayes) (0 Nays)

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

James Lumsden II, d/b/a Freeport Foods, Varney Road.
(Councilors McGivaren & Curtis) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Davenport & McGivaren) (7 Ayes) (0 Nays)

ITEM #96-84 Be It Ordered - That the Reapplication for a Malt, Spirituous and Vinous License issued to James Lumsden II, d/b/a Freeport Foods, Varney Road, be approved.
(Councilors McGivaren & Curtis) (7 Ayes) (0 Nays)

Moved and Seconded - That we table Item #97-84 until July 3, 1984.
(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Zoning Ordinance be subject to Public Hearing.
(Councilors Nelson & Curtis) (7 Ayes) (0 Nays)

As this was a joint Council/Planning Board Public Hearing, Arthur Ross, Chairman of the Planning Board, called the Planning Board to order. Members present were David Thompson, Ken Carew, Richard Golden and Bridget Healy. Mr. H. Phil Rowe is absent and excused. Mr. Gordon Hamlin will be late.

Chairman Ross briefly explained the zoning changes to the public.

For the record Mr. Hamlin is in attendance at 8:04 P.M.

Moved and Seconded - That the Planning Board is adjourned.
(Members Carew & Thompson) (6 Yes) (0 No)

Moved and Seconded - That the Public Hearing is closed.
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendments to the Freeport Zoning Ordinance be tabled until July 3, 1984.
(Councilors Curtis & Lunt) (7 Ayes) (0 Nays)

ITEM #99-84

Be It Ordered - That the following individuals receive the stated assistance from the Dr. Gould Trust Fund: Dorothy Webb - \$250.00, Jacqueline Fournier - \$250.00, Lalaine Turgeon - \$100.00, Josephine Kelley - \$143.68, Gracie Merrill - \$15.10, Dale Freese - \$8.45, Cynthia Proctor - \$235.00, Ann Tobey - \$250.00, Madeline Baker - \$244.00, Cathy Grover - \$242.17, Mary Baker - \$775.94, Christine Brown - \$250.00, Rachel Cummings - \$110.01, Dorothy Marston - \$47.89, Patricia Currier - \$250.00, Rudolph Anger - \$93.00, Rosa Braun - \$74.00 and Deborah Grant - \$250.00.

(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

ITEM #100-84

Be It Ordered - That the following individuals receive the stated assistance from the Davis Trust Fund: Lillian Huard - \$126.00, Rosa Braun - \$30.00.

(Councilors Lunt & Curtis) (7 Ayes) (0 Nays)

ITEM #101-84 Be It Ordered - That the Regional Vocational Budget as approved by the Cooperative Board of Maine Vocational Region Ten for the Fiscal Year 1984-1985 be approved in the amount of \$1,152,674.

Be It Further Ordered - That the Regional Vocational Budget for Adult Education as approved by the Cooperative Board of Maine Vocational Region Ten for the Fiscal Year 1984-1985 be approved in the amount of \$16,876.
(Councilors McGivaren & Nelson) (7 Ayes) (0 Nays)

Moved and Seconded - That we add back to the municipal side \$27,862 and to the school side \$73,578.
(Councilors Nelson & Palmer) (3 Ayes) (4 Nays, Councilors McGivaren, Davenport, Curtis and Lunt)

ITEM #102-84 Be It Ordered - That the following appropriations be made to the several departments or purposes named, that the following revenue estimates be adopted, and that the following amounts be raised by taxation, said action for the Fiscal Year July 1, 1984 to June 30, 1985:

At this point, Councilor Lunt introduced the figures that had been read prior by the Town Manager on Appropriations and Revenues with the totals being:

<u>Appropriations</u>	
General Government	\$ 444,139.
Protection & Enforcement	529,718.
Health & Welfare	42,860.
Public Works	439,512.
Library	69,626.
Unclassified	65,320.
Education	3,169,826.
Debt Service	177,130.
County Tax	81,250.
Bustins Island	28,000.
Human Service Agencies	17,136.
Winslow Park	43,800.
TOTAL APPROPRIATIONS:	\$5,108,317.

<u>Estimated Revenues</u>	
Non-Property Tax/Tax Penalties	\$ 317,500.
Intergovernmental	337,574.
Charges for Services	18,300.
Licenses & Permits	47,050.
Fines & Forfeitures	5,850.
Miscellaneous	15,000.
Education	1,230,618.
Winslow Park	43,800.
TOTAL ESTIMATED REVENUES:	\$2,015,692.
Amount to be raised by taxation:	3,042,625.
TOTAL REVENUES:	\$5,058,317.
Amount Transferred fr Undesignated Funds:	50,000.
TOTAL:	\$5,108,317.

Be It Further Ordered - That the Federal Revenue Sharing Funds be allocated in the Fiscal Year 1984-1985 Budget for Public Safety, Public Works and Fire Salaries.
(Councilors Lunt & McGivaren) (4 Ayes) (3 Nays, Councilors Palmer, Nelson and Phelps)

Moved and Seconded - To table the setting of the tax rate until July 3, 1984.
(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)

Moved and Seconded - That we waive the rules to take an item not on the printed agenda.
(Councilors Lunt & Curtis) (7 Ayes) (0 Nays)

ITEM #109-84 Be It Ordered - That Eight Thousand Dollars (\$8,000) be transferred from the Miscellaneous and Contingency Account to pay for the cost of a Feasibility Study.
(Councilors Lunt & Palmer) (6 Ayes) (1 Nay, Councilor Davenport)

ITEM #104-84 Be It Ordered - That the Town Manager be authorized to sign and execute a Memorandum of Understanding between the Greater Portland Council of Governments and the Town of Freeport for Freeport's participation in the Resource Recovery Project - Phase II.
(Councilors Nelson & McGivaren) (7 Ayes) (0 Nays)

ITEM #105-84 Be It Ordered - That Michaelleen R. Toothaker be appointed, effective immediately, to serve as a member of the Shellfish Conservation Commission until July 1, 1987.
Be It Further Ordered - That Mrs. Toothaker qualify by swearing an Oath of Office before the Town Clerk by June 29, 1984.
(Councilors Curtis & Davenport) (7 Ayes) (0 Nays)

ITEM #106-84 Be It Ordered - That a Public Hearing be scheduled for July 3, 1984 at 7:30 P.M. in the Winslow Room of the B.H. Bartol Library to discuss Proposed Amendments to the Freeport Traffic Ordinance.
Be It Further Ordered - That 30 copies of the Amendments be printed and distributed equally between the Town Clerk's Office and the B. H. Bartol Library for inspection by citizens.
(Councilors McGivaren & Curtis) (7 Ayes) (0 Nays)

Moved and Seconded - To table the amendment as presented by Councilor Lunt indefinitely.

(Councilors Davenport & McGivaren) (6 Ayes) (1 Nay, Councilor Lunt)

ITEM #107-84 Be It Ordered - That the following amendments to the Council Rules of Order and Procedure be approved:

1. Regular Council Meetings. The Council shall meet in regular session at a designated Council Room within the Town of Freeport, Maine, at 7:30 P.M. on the first and third Tuesdays of each month. If the meeting day falls on a holiday or on an election day, the meeting shall be held on the following day unless otherwise specified by a majority vote of the Council.
5. Executive Session. State of Maine Law regarding the proper procedure for Executive Sessions shall prevail.
10. Town Manager. The Town Manager shall attend Council meetings, ~~except when his removal is being considered~~, and shall have the right to take part in discussions but may not vote.
11. Council Secretary. Within four (4) days after each meeting, the Secretary shall furnish each Councilperson with a copy of the minutes of the preceding meeting.
12. Town Attorney. Any other elected or appointed official who wishes to communicate with the Town Attorney may do so only with the knowledge and consent of the Council Chairperson.
16. Excusal from Attendance. The Council Chairperson may excuse a member from attendance who has a valid reason, but having done so must read that fact into the record at the time of the roll call of the meeting from which the member is excused.
21. Motions to be Stated by the Chair - Withdrawal. When a motion is made and seconded, a second reading shall not be required.
31. Council Committees. At the seating of the new Council, or as soon thereafter as possible, there shall be chosen by the Council Chairperson, the following committees comprised of not less than three (3) Council members: (1) Committee of Municipal Facilities; (2) Committee of Appointments; (3) Committee of Ordinances and Rules.
32. Council Attire. Council attire shall be at the discretion of the Council Chairperson.

(Councilors Lunt & Palmer) (7 Ayes) (0 Nays)

- ITEM #108-84 Be It Ordered - That the Town Manager be authorized to sign and execute an Agreement between the Town of Freeport and Governmental Services, Inc., of Portland, Maine, to provide for the Assessment of Potential Marketability of Downtown Municipal Property.
- Be It Further Ordered - That to pay for the above study, a total of \$9,800 be transferred from the Miscellaneous and Contingency Account.
(Councilors Palmer & Nelson) (6 Ayes) (1 Nay, Councilor Davenport)

Town Manager Olmstead stated that the Chairman of the Municipal Facilities Committee has scheduled a meeting Thursday with Joe Wishcamper and L.L.Bean representatives at L.L. Bean's Conference Room.

Mr. Olmstead also stated that the School Superintendent wanted to know whether the Council would be interested in bonding a new school bus.

Moved and Seconded - To put an item on this agenda not included in the printed agenda.

(Councilors Nelson & Palmer) (7 Ayes) (0 Nays)

Moved and Seconded - That we schedule a Public Hearing on July 3, 1984 in the Winslow Room at the B.H.Bartol Library to discuss the bonding of a school bus.

(Councilors Nelson & Curtis) (7 Ayes) (0 Nays)

Mr. Olmstead explained that the Town had requested bids from three contractors; 1 dropped out; 2 came back with similar proposals; Mr. Olmstead wanted to flip a coin to determine which one would get the job; Council agreed that both Mr. Prout and Mr. Seymour should be present in order to resolve this issue.

Moved and Seconded - That the Council adjourn at 10:59 P.M.
(Councilors Palmer & Lunt) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott,
Council Secretary

FISCAL YEAR 1985 BUDGET ADOPTION

ITEM #102-84

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TOTAL APPROPRIATIONS:	<u>\$5,108,317.</u>

ESTIMATED REVENUES

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Charges for Services	18,300.
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TOTAL ESTIMATED REVENUES:	<u>\$2,015,692.</u>

AMOUNT TO BE RAISED BY TAXATION: 3,042,625.

TOTAL REVENUES: \$5,058,317.

AMOUNT TRANSFERRED FROM
UNDESIGNATED FUNDS:

50,000.

TOTAL: \$5,108,317.

Be It Further Ordered - That the Federal Revenue Sharing Funds be allocated in the Fiscal Year 1984-1985 Budget for Public Safety, Public Works and Fire Salaries.

(Councilors Lunt & McGivaren) (4 Ayes)
(3 Nays, Councilors Palmer, Nelson & Phelps)

Adopted at Council Meeting #13-84 on June 19, 1984.

Attest, this is a true copy,

Mary D. Wescott
Mary D. Wescott,
Council Secretary