

M I N U T E S  
TOWN OF FREEPORT  
MEETING OF THE FREEPORT TOWN COUNCIL  
#15-84 AUGUST 7, 1984 @ 7:30 P.M.  
B.H.BARTOL LIBRARY - WINSLOW ROOM

☒ Regular

☐ Special

Chairman's Call to Order

Present Excused Absent

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

X		
X		
X		
	X	X
X		
	X	X
X		

Moved and Seconded - To amend the Minutes as follows: Item #113-84 should read that Councilor Palmer asked to move the order as amended and Councilor Nelson seconded it.

(Councilors Lunt & Palmer) (5 Ayes) (0 Nays)

Moved and Seconded - To waive the reading of the Minutes of Meeting #14-84 held July 3, 1984 and accept the Minutes as amended.

(Councilors Lunt & Curtis) (5 Ayes) (0 Nays)

Moved and Seconded - That a Proposed Amendment to the Shellfish Conservation Ordinance be subject to Public Hearing.  
(Councilors Curtis & Palmer) (5 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Curtis & Lunt) (5 Ayes) (0 Nays)

Moved and Seconded - That the Proposed Amendment to the Shellfish Conservation Commission be tabled until September 4, 1984.  
(Councilors Curtis & Lunt) (5 Ayes) (0 Nays)

ITEM #117-84      WHEREAS, The Town of Freeport (TOWN) is experiencing and is expected to continue to experience significant amounts of residential, commercial, and industrial growth within its TOWN limits, and  
WHEREAS, The Maine Water Company (COMPANY) is franchised to provide water service within the TOWN limits of Freeport, and  
WHEREAS, The COMPANY has and will continue to have to make significant investments in capital to construct water supply facilities to provide water service to new customers in the TOWN, and  
WHEREAS, Any capital collected from developers and/or new customers by the COMPANY for the construction of water supply facilities to accommodate system growth will reduce the amount of capital investment by the COMPANY, and  
whereas, reducing the amount of new capital investment by the COMPANY will reduce the amount of rate increases required by the COMPANY,  
NOW, THEREFORE, BE IT RESOLVED, That the TOWN request the Maine Public Utilities Commission approve a "Related Facilities Charge" to be collected by the COMPANY from developers, and/or new customers to be provided water service by the COMPANY within the TOWN. The "Related Facilities Charge" would be used by the COMPANY to construct new water supply facilities, including but not limited to new sources of supply, transmission mains, and storage facilities. The TOWN agrees to cooperate with the COMPANY to insure the "Related Facilities Charge" is collected from developers and/or new customers of the COMPANY in the TOWN.  
(Councilors Palmer & Curtis) (5 Ayes) (0 Nays)

Moved and Seconded - To table Item #118-84 until the next regular Council meeting in order to give the Town Manager a chance to discuss this with the Superintendent.  
(Councilors Curtis & McGivaren) (5 Ayes) (0 Nays)

- ITEM #119-84     Be It Ordered - That the Town of Freeport Zoning Map be amended to show the Village II Zone adopted by the Town Council at their Council Meeting of July 19, 1983.
- Be It Further Ordered - That the Freeport Zoning Map be amended to show the now Village Zones as Village I Zones.
- (Councilors McGivaren & Curtis)    (5 Ayes)    (0 Nays)

Moved and Seconded - That the Town Manager read all bids submitted for surplus vehicles.

(Councilors Lunt & Palmer)    (5 Ayes)    (0 Nays)

- ITEM #120-84     Be It Ordered - That the Bid of \$500.00 from Ken's Auto Sales for the 1981 Chrysler LeBaron, Serial #1C3BM46L4BG11407, be accepted.
- Be It Further Ordered - That the Bid of \$1,620.00 from A.Vermont Lent for the 1983 Dodge Diplomat, Serial #2B3BG26S9DR162960, be accepted.
- (Councilors Lunt & Palmer)    (5 Ayes)    (0 Nays)

- ITEM #121-84     Be It Ordered - That the Town of Freeport accept the proposed gifts listed below:
- From the Freeport Merchants Association \$750.00 for downtown beautification;
- From Joseph Saunders \$5,897.00 for sidewalk construction;
- From George Denney \$346.45 for sidewalk construction;
- From Freeport Associates \$1,035.00 for a drainage project;
- From Richard Wagner \$250.00 for trees;
- From Roger Downs \$1,000.00 for trees;
- From Melbourn Smith \$250.00 for trees.
- (Councilors Palmer & Curtis)    (5 Ayes)    (0 Nays)

- ITEM #122-84     Be It Ordered - That Frank Parker be reappointed, effective immediately, to serve as a member of the Board of Assessment Review until August 1, 1987.
- Be It Further Ordered - That Mr. Parker qualify by swearing an Oath of Office before the Town Clerk by August 17, 1984.
- (Councilors Curtis & Palmer)    (5 Ayes)    (0 Nays)

- ITEM #123-84      Be It Ordered - That the Town Treasurer be authorized to issue Quit Claim Deeds to the following releasing an interest of the Town of Freeport for the following properties:  
Town of Freeport, Map 17 Lot 67B, to Josh Praver of Freeport;  
Town of Freeport, Map 26 Lots 41 & 42, to Orrin and William H. Phipps of Yarmouth;  
Town of Freeport, Map 17 Lot 7, to the Estate of Phyllis M. Mains of Freeport.  
(Councilors McGivaren & Curtis)    (5 Ayes)    (0 Nays)
- ITEM #124-84      Be It Ordered - That the Town of Freeport Codes Enforcement Officer be authorized to begin enforcement action against Anna and Jeffrey Cogswell for violations of both the Town of Freeport Building and Plumbing Codes.  
(Councilors Palmer & Curtis)    (5 Ayes)    (0 Nays)
- ITEM #125-84      Be It Ordered - That the Town of Freeport Codes Enforcement Officer be authorized to begin enforcement action against Stephen E. Dorsey for violations of the Town of Freeport Zoning Ordinance.  
(Councilors Curtis & Palmer)    (5 Ayes)    (0 Nays)
- ITEM #126-84      Be It Ordered - That Francis Doherty be reappointed, effective immediately, as a member of the Board of Assessment Review to serve until August 1, 1987.  
  
Be It Further Ordered - That Mr. Doherty qualify by swearing an Oath of Office before the Town Clerk by August 17, 1984.  
(Councilors Curtis & Palmer)    (5 Ayes)    (0 Nays)
- ITEM #111-84      Be It Ordered - That the Proposed Appropriation Ordinance for \$30,000.00 for the purchase of a School Bus, as submitted to Public Hearing on July 3, 1984, be approved.  
(Councilors Lunt & Palmer)    (5 Ayes)    (0 Nays)

ITEM #112-84     Be It Ordered - That the Proposed Amendments to the Freeport Traffic Ordinance, as submitted to Public Hearing on July 3, 1984, be approved.  
(Councilors McGivaren & Curtis)   (5 Ayes)   (0 Nays)

Moved and Seconded - To take an item not on the printed Agenda.  
(Councilors Palmer & Curtis)   (5 Ayes)   (0 Nays)

ITEM #127-84     Be It Ordered - That the Freeport Town Council adopt the following Resolution on behalf of the athletic accomplishment of JOAN BENOIT.

WHEREAS, JOAN BENOIT is a resident of the Town of Freeport, and

WHEREAS, JOAN BENOIT is the "first woman" to win a GOLD MEDAL in the OLYMPIC WOMEN'S MARATHON, and

WHEREAS, JOAN BENOIT has proudly represented the Town of Freeport, the State of Maine, and the United States of America, in the XXIII OLYMPIAD, and

WHEREAS, JOAN BENOIT is the epitome of an American athlete as demonstrated by her talent, strength, determination, and courage,

NOW, BE IT THEREFORE RESOLVED - That the Town of Freeport hereby publicly express its appreciation and admiration to JOAN BENOIT, Freeport's Most Famous Citizen, and

BE IT FURTHER RESOLVED - That the Chairman of the Freeport Town Council declare a date in the future to be observed as JOAN BENOIT DAY!

(Councilors Palmer & Curtis)   (5 Ayes)   (0 Nays)

Town Manager Olmstead spoke briefly regarding a request made by a developer, Nancy Gray, who is developing a "bed 'n breakfast" on Main Street and wished to vacate "paper streets"; these streets have never been formally adopted but are still on a plan in the Town Office; if the Council has no objection, there will be an item on the next Agenda in September to vacate these streets; the Council agreed.

Rod Regier, Chairman of the Solid Waste Committee, spoke briefly regarding a recycling program for the Town; regarding the Landfill Ordinance Policy Guidelines that the Committee has written, there are some changes: Page 3, last paragraph, the word "cautiously" is to be changed to "continuously"; also Page 2, 6th paragraph in parenthesis clarification is needed: one truck load is based on 20 cubic yards; Mr. Regier is looking for support from the Council; Council agreed there would be a public hearing the first Tuesday in October.

Tony Plante, Municipal Intern for Freeport, gave a brief presentation on the Affirmative Action Plan for Freeport; this will be finalized at a future Council meeting.

Town Manager Olmstead informed the Council Bustins Island Corporation has agreed to the 60/40 split proposed by the Town; this action now goes to the Council for formal action.

Mr. Olmstead further reported that the Regional Transportation Company will be discontinuing bus service to the Town; they are offering to meet with Council to discuss further funding to keep the service going; in talking with other managers, they felt their councilors/selectmen would not go along with additional funding; this would be discussed at a later date.

Councilor Curtis asked what the status was at the Town Wharf regarding signs; after much discussion, Council has agreed to meet with Coastal Waters Commission to pursue this issue of "retail trade" on the Town Wharf.

Councilor McGivaren suggested that at a future workshop, that codes enforcement methods be discussed further.

Moved and Seconded - That the Council adjourn at 9:39 P.M.  
(Councilors Lunt & Palmer) (5 Ayes) (0 Nays)

The foregoing was recorded by:

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

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

JULY 3

*Approved*  
~~PROPOSED~~

APPROPRIATION ORDINANCE FOR \$30,000.00  
TO PROVIDE FOR THE PURCHASE OF A SCHOOL BUS

The Town of Freeport Hereby Ordains - That a sum not to exceed Thirty Thousand Dollars (\$30,000.00) is hereby appropriated for the purpose of purchasing a School Bus; and to meet said appropriation, 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 \$30,000, with discretion to fix the date, place of payment, forms, and other details of the securities, and providing for sale thereof delegated to the Chairman of the Town Council and the Town Treasurer.

*Approved August 7, 1984 at Council  
Meeting #15-84*

FREEPORT/MAINE WATER COMPANY "RELATED FACILITIES CHARGE"

WHEREAS, The Town of Freeport (TOWN) is experiencing and is expected to continue to experience significant amounts of residential, commercial, and industrial growth within its TOWN limits, and

WHEREAS, The Maine Water Company (COMPANY) is franchised to provide water service within the TOWN limits of Freeport, and

WHEREAS, The COMPANY has and will continue to have to make significant investments in capital to construct water supply facilities to provide water service to new customers in the TOWN, and

WHEREAS, Any capital collected from developers and/or new customers by the COMPANY for the construction of water supply facilities to accommodate system growth will reduce the amount of capital investment by the COMPANY, and

WHEREAS, Reducing the amount of new capital investment by the COMPANY will reduce the amount of rate increases required by the COMPANY,

NOW, THEREFORE, BE IT RESOLVED, That the TOWN request the Maine Public Utilities Commission approve a "Related Facilities Charge" to be collected by the COMPANY from developers, and/or new customers to be provided water service by the COMPANY within the TOWN. The "Related Facilities Charge" would be used by the COMPANY to construct new water supply facilities, including but not limited to new sources of supply, transmission mains, and storage facilities. The TOWN agrees to cooperate with the COMPANY to insure the "Related Facilities Charge" is collected from developers and/or new customers of the COMPANY in the TOWN.

(Councilors Palmer & Curtis) (5 Ayes) (0 Nays)

Adopted at Council Meeting #15-84 on August 7, 1984.

Attest, a true copy,  
*Mary D. Wescott*  
Mary D. Wescott,  
Council Secretary