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M I N U T E S

FREEPORT TOWN COUNCIL MEETING #16-87 ON

AUGUST 4, 1987 @ 7:30 P.M./FREEPORT HIGH

SCHOOL MEDIA CENTER

X Regular

     Special

| Chairperson's Call to Order                      | Present  | Absent   | Excused  |
|--|----------|----------|----------|
| Edward Bonney, Chairperson,<br>21 Maple Avenue   |          | <u>X</u> | <u>X</u> |
| Robert Hartnett, Vice-Chairperson<br>Desert Road | <u>X</u> |          |          |
| John Nelson,<br>Church Street                    |          | <u>X</u> | <u>X</u> |
| Vaughndella Curtis<br>Pine Street                | <u>X</u> |          |          |
| Hugh Phelps<br>Porters Landing                   | <u>X</u> |          |          |
| William Ormsby,<br>Lower Mast Landing            |          | <u>X</u> | <u>X</u> |
| William Grady<br>Elm Street Extension            | <u>X</u> |          |          |

Moved and Seconded - To waive the reading of the Minutes of Meeting #15-87 held July 7, 1987, and accept the Minutes as printed.

(Councilors Curtis & Hartnett) (4 Ayes) (0 Nays).

Note:

Robert Hartnett was acting Chairperson in Mr. Bonney's absence.

Moved and Seconded - That the Council adjourn and the Licensing Board convene.  
(Councilors Curtis & Grady). (4 Ayes) (0 Nays)

Roll Call of Members

|                    | Present | Absent | Excused |
|--------------------|---------|--------|---------|
| Edward Bonney      |         |        |         |
| Robert Hartnett    |         | X      | X       |
| Vaughndella Curtis | X       |        |         |
| Hugh Phelps        | X       |        |         |
| John Nelson        | X       |        |         |
| William Ormsby     |         | X      | X       |
| William Grady      |         | X      | X       |
| Mary Wescott       | X       |        |         |
| - Dale Olmstead    |         | X      | X       |
|                    | X       |        |         |

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

1. Hugh Wade, d/b/a The Corsican Restaurant, 9 Mechanic Street;
2. Russell E. and Beverly Oakes, d/b/a The Wine Celler, 2 Mechanic Street;
3. John Rogers, d/b/a The Falcon Restaurant, 8 Bow Street.

(Members Curtis & Grady) (5 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Members Curtis & Grady) (5 Yes) (0 No).

ITEM #172-87 Be It Ordered - That the above named applications for Victualer Licenses be approved. (Members Curtis & Grady) (5 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the Council reconvene.  
(Members Curtis & Grady) (5 Yes) (0 No).

ITEM #173-87 Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss a proposed amendment to the Coastal Waters Ordinance.

Be It Further Ordered - That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Phelps & Grady) (4 Ayes) (0 Nays).

ITEM #174-87 Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss a proposed Appropriation Ordinance for \$49,000 to provide for the purchase of land for recreational purposes.

Be It Further Ordered - That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Grady & Curtis) (4 Ayes) (0 Nays).

COUNCIL MEETING #16-87

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ITEM #175-87      Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss proposed amendments to the Freeport Zoning Ordinance and Zoning Map.

Be it Further Ordered - That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Curtis & Grady) (4 Ayes) (0 Nays).

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ITEM #176-87      Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss proposed amendments to the Freeport Sign Ordinance.

Be It Further Ordered - That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Grady & Curtis) (4 Ayes) (0 Nays).

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ITEM #177-87      Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss proposed amendments to the 1984 BOCA Basic/National Building Code.

Be It Further Ordered- That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Phelps & Curtis) (4 Ayes) (0 Nays).

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ITEM #178-87      Be It Ordered - That the Town Manager be authorized to sign and execute an agreement between the Town of Freeport and the Greater Portland Council of Governments for the Town's participation in Phase II of the Demolition Waste Disposal Study.

Note: The Town's share of the cost of this study will be \$5,325.  
(Councilors Curtis & Grady) (4 Ayes) (0 Nays).

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ITEM #179-87      Be It Ordered - That a Public Hearing be scheduled for September 1, 1987 at 7:30 P.M. in the Media Center of Freeport High School to discuss a proposed amendment to the Freeport Traffic and Parking Ordinance.

Be It Further Ordered - That 30 copies be printed and distributed equally between the Town Clerk's office and the B.H. Bartol Library for inspection by citizens.  
(Councilors Grady & Curtis) (4 Ayes) (0 Nays).

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ITEM #137-87      Be It Ordered - That the Appropriation Ordinance for \$30,000 to provide for the purchase of a Fire Alarm Panel, as submitted to Public Hearing on June 16, 1987, be approved.  
(Councilors Curtis & Grady) (4 Ayes) (0 Nays).

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COUNCIL MEETING #16-87

AUGUST 4, 1987

ITEM #159-87     Be It Ordered - That the proposed amendment to the Harbor Regulations, as submitted to Public Hearing on July 7, 1987, be approved.  
(Councilors Phelps & Curtis)   (4 Ayes)   (0 Nays).

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ITEM #160-87     Be It Ordered - That the proposed ordinance to revise and codify the Ordinances of the Town of Freeport, as submitted to Public Hearing on July 7, 1987, be approved.  
(Councilors Grady & Curtis)

Be It Further Ordered - That all existing Town Ordinances be vacated.  
(Phelps & Curtis)   (4 Ayes)   (0 Nays).

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ITEM #169-87     Moved and Seconded - That Item #169-87 be tabled until September 1, 1987.  
(Councilors Curtis & Phelps)   (4 Ayes)   (0 Nays).

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OTHER BUSINESS:

1). Report from High School Building Committee:

School representatives outlined plans for a new high school gymnasium and performing arts center. The Town may be eligible for emergency State funds totalling up to 1.5 million dollars to replace the former Middle School gymnasium. For the process to go forward an application for State Concept Approval must be made. Total cost of the project is estimated at 2.9 million dollars. School officials would like to see this issue placed on the November ballot. Councilors Phelps and Curtis favored moving ahead with an application for concept approval. Councilors Hartnett and Grady were undecided. Councilor Hartnett will contact the Town Manager on August 5. The Town Manager will poll Councilors who are absent.

2). Municipal Facilities Committee Report:

Councilor Phelps reported that plans for Grove Street School had been finalized and all information has been delivered to Davis & Hanscom. The Committee will be meeting on August 24 at 3:30 P.M. to review final numbers.

3). Flying Point Road Petition:

Residents from Flying Point Road have petitioned for a center stripe to be painted on Flying Point Road. The Council will address this issue later in the year should funds become available. This item will also be considered in next year's operating budget.

4). Fire Fighters Convention:

Chief Fournier informed the Council that Freeport is eligible to host the 1989 Federation of Fire Fighters Convention. The convention will be held in late September and would be fully paid for by the Federation of Fire Fighters. The Council agreed that Freeport should host the 1989 convention.

5). Shellfish Closure:

The Shellfish Commission requested an Emergency Amendment to the Shellfish Ordinance reopening closed areas until the State closure, in the river, is lifted. Since 5 affirmative votes are needed for an Emergency Amendment and only 4 Councilors were present at the meeting, Vice-Chairman Hartnett called a Special Council Meeting for August 11 to deal with this issue.

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OTHER BUSINESS - CONTINUED:

6). Ocean Farms Sidewalk:

The Town Manager informed the Council that the owners of Ocean Farms have installed a sidewalk in the State Right of Way without the approval of the Town of Freeport. Also the sidewalk does not meet Town specifications. Enforcement action has been authorized.

7). Merchants Association Kiosk:

The Council has received a legal opinion concerning the kiosk located between the Municipal Building and the Police Station. It is Counsel's opinion that the kiosk violated the Town's Directional Sign Ordinance. Paul Frinsko offered 2 options to resolve the issue. 1). Move the kiosk to an area that would not be in violation of the Ordinance. 2). The Town could take possession of and control the use of the kiosk in question. The Council agreed that the kiosk should be moved to a location that is not in violation of the Directional Sign Ordinance. The Town Manager will work with the Merchants Association on relocating the kiosk.

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ITEM #180-87 Moved and Seconded - That the Council enter into Executive Session to discuss pending litigation and negotiations on an insurance settlement  
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for the former Middle School Building. (Councilors Phelps & Curtis) 4-0.

Moved and Seconded - That the Council reconvene (Councilors Curtis & Phelps) 4-0

Moved and Seconded - That the Council adjourn at 11:46 P.M.  
(Councilors Phelps & Curtis) (4 Ayes) (0 Nays).

The foregoing was recorded by: Mary Lou Halla  
Recording Secretary

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Distribution: Council, Town Attorney, Auditor, Town Clerk, Library, Police, Fire Codes, Welfare, Planner, Rescue, Finance, Highway.