

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #19-87  
SEPTEMBER 15, 1987 ----- 7:30 P.M.  
FREEPORT HIGH SCHOOL -- MEDIA CENTER

X Regular

   Special

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

Moved and Seconded - To waive the reading of the Minutes of Meeting #18-87 held September 1, 1987, and accept the Minutes as printed.

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

Moved and Seconded - That the proposed expenditure of \$15,000.00 from the Undesignated Fund Balance, to be used as a contribution to the Freeport Historical Society's Capital Fund Raising Drive, be subject to Public Hearing.  
(Councilors Grady & Curtis) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed expenditure of \$15,000.00 from the Undesignated Fund Balance, to be used as a contribution to the Freeport Historical Society's Capital Fund Raising Drive, be approved.  
(Councilors Grady & Curtis) (7 Ayes) (0 Nays)

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ITEM #199-87      Be It Ordered - That the Town Manager's appointment of Charles David McQuaid as Civil Defense Director be confirmed, effective immediately.  
(Councilors Curtis & Hartnett)  
(7 Ayes) (0 Nays)

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ITEM #200-87      Be It Ordered - That the Town Treasurer be authorized to issue Quit-Claim Deeds releasing any interest of the Town of Freeport for the following properties:

1. Town of Freeport Map 12 - Lot 27 (Main Street)  
To: Kenneth C. Ng for Tax Years 1975 and 1977.
2. Town of Freeport Map 26 - Lot 20F (Webster Road)  
To: Lawrence Richard Stoddard for Tax Year 1972.

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

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ITEM #201-87      Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the High School Media Center to discuss a proposed Street Lighting Criteria Ordinance.

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

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ITEM #202-87      Be It Ordered - That an Emergency Amendment to the Traffic and Parking Ordinance be adopted allowing the Chief of Police to make trial changes in traffic flows, parking signage, and pedestrian flows in the Design Review District.  
(Councilors Grady & Curtis)  
(7 Ayes) (0 Nays)

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Moved and Seconded - That Item #203-87 be tabled until the October 6, 1987 Meeting.

(Councilors Ormsby & Phelps) (5 Ayes) (2 Nays, Councilors Hartnett & Nelson)

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Moved and Seconded - That the Town Clerk report on a petition to enact an ordinance.

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

Town Clerk Mary Wescott reported that the petition was being initiated through Maine Statutes Title 30; 294 signatures have been certified as qualified voters of Freeport who signed the petition, which were the required number of signatures needed under the Statutes; this petition was filed in the Town Clerk's Office on September 14, 1987.

ITEM #204-87

Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the Media Center at Freeport High School for the purpose of discussing a non-binding referendum question which will read as follows:

"We the People of Freeport Resolve That We Support a Peaceful Negotiated Settlement of Conflict in Central America - We Also Are Against the Support of the Contra Fighters With United States Money, Material or Armed Forces."

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

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ITEM #205-87

Be It Ordered - That John McGivaren be reappointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1990.

Be It Further Ordered - That Mr. McGivaren qualify by swearing an oath of office before the Town Clerk by September 25, 1987.

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

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ITEM #206-87

Be It Ordered - That Suzanne Albrecht be appointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1990.

Be It Further Ordered - That Ms. Albrecht qualify by swearing an oath of office before the Town Clerk by September 25, 1987.

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

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ITEM #207-87

Be It Ordered - That Roger Bondeson be appointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1988.

Be It Further Ordered - That Mr. Bondeson qualify by swearing an oath of office before the Town Clerk by September 25, 1987.

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

ITEM #208-87

Be It Ordered - That Francis Doherty be appointed, effective immediately, to serve as a member of the Board of Assessment Review until August 1, 1990.

Be It Further Ordered - That Mr. Doherty qualify by swearing an oath of office before the Town Clerk by September 25, 1987. (Councilors Curtis & Hartnett)  
(7 Ayes) (0 Nays)

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ITEM #209-87

Be It Ordered - That Frank Parker be appointed, effective immediately, to serve as a member of the Board of Assessment Review until August 1, 1990.

Be It Further Ordered - That Mr. Parker qualify by swearing an oath of office before the Town Clerk by September 25, 1987. (Councilors Curtis & Grady)  
(7 Ayes) (0 Nays)

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ITEM #210-87

Be It Ordered - That the Town Clerk's appointment of Vaughndella Curtis as Warden for the November 3, 1987 Election be confirmed. (Councilors Hartnett & Ormsby)  
(6 Ayes) (1 Abstain, Councilor Curtis)

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Moved and Seconded - That the Town Manager read the bids for Reconstruction of the Town Wharf and Floats.  
(Councilors Hartnett & Grady) (7 Ayes) (0 Nays)

Town Manager Dale Olmstead reported that several invitations to bid went out - only one bid was received from George G. Waterman in the amount of \$57,600.00.

Moved and Seconded - That the following amendment be added onto Item #211-87:  
\*Be It Further Ordered - That acceptance of the bid shall be contingent upon receipt of final drawings and calculations sealed by a Registered Professional Engineer."  
(Councilors Curtis & Hartnett) (7 Ayes) (0 Nays)

ITEM #211-87

Be It Ordered - That the bid submitted by George G. Waterman in the amount of \$57,600.00 for the Reconstruction of the Town Wharf and Floats be accepted, as amended.\*  
(Councilors Hartnett & Curtis)  
(7 Ayes) (0 Nays)

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ITEM #212-87

Be It Ordered - That the following individuals receive the stated amounts from the Dr. Gould Trust Fund:

<u>Name</u>	<u>Amount</u>
Elizabeth Johnson	\$ 215.19
Geneva Maines	250.00
James Lavallee	222.00
Miriam Schneider	250.00
Harold Marston	31.25
Bernadette Bazinet	232.47
Sylvia Galarneau	250.00
Pamela Robinson	113.09
Christine Brown	250.00
Judith Wilbur	51.06
Melitta Freese	110.95
Mary Baker	232.21
Phillip Mello	59.99

TOTAL: \$2,268.21

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

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ITEM #213-87

Be It Ordered - That James Hughes be appointed, effective immediately, to serve as a member of the Solid Waste Study Committee.

Be It Further Ordered - That Mr. Hughes qualify by swearing an oath of office before the Town Clerk by September 25, 1987.  
(Councilors Curtis & Hartnett)  
(7 Ayes) (0 Nays)

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Moved and Seconded - That the Chairman of the Traffic and Parking Committee give a report on Committee recommendations.

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

Chairman William Grady gave a brief report of the Traffic and Parking Committee.

Concensus of the Council was that the Town Manager could solicit bids on the construction of 3 parking lots located adjacent to Howard Place.

ITEM #214-87

Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the High School Media Center to discuss a proposed Appropriation Ordinance for \$49,900 to provide for Street and Sidewalk Improvements to Howard Place.

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

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ITEM #215-87

Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the High School Media Center to discuss a proposed Appropriation Ordinance for \$49,900 to provide the Freeport Historical Society with financial assistance for the Construction of a Parking Lot.

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

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ITEM #216-87

Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the High School Media Center to discuss proposed amendments to the Traffic and Parking Ordinance.

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

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ITEM #217-87

Be It Ordered - That effective October 1, 1987, Parking Space Lease Fees charged by the Town of Freeport for spaces leased in Municipal Parking Lots be increased from \$25.00 per space per month to \$50.00 per space per month.  
(Councilors Grady & Curtis)  
(6 Ayes) (1 Nay, Councilor Ormsby)

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ITEM #218-87

Be It Ordered - That the following Referendum Questions shall be submitted to the Voters of the Town of Freeport at the Municipal Election to be held November 3, 1987:

Referendum Question No. 1:

Shall the Following Ordinance be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR THE HIGH SCHOOL GYMNASIUM PROJECT

The Town of Freeport Hereby Ordains the Following:

That, under and pursuant to the provisions of M.R.S.A. 20-A §5152 and the Charter of the Town of Freeport, a sum not to exceed \$1,539,600 is hereby appropriated to meet the estimated cost of a school construction project consisting of Design, Construction, Equipping and Furnishing of a New 300-Seat High School Gymnasium, and to fund said appropriation the Treasurer and Chairman of the Town Council are authorized to issue general obligation securities of the Town of Freeport in an aggregate principal amount not to exceed \$1,539,600 and the discretion to fix the date(s), interest rate(s), maturity(ies), denomination(s), place(s) of payment, form(s) and other details of said securities, and to provide for the sale thereof, including execution and delivery thereof against payment therefore, is hereby delegated to the Treasurer and Chairman of the Town Council.

EXPLANATION AND RECOMMENDATION: This proposed school construction project has been approved by the Freeport School Committee and has received concept approval from the State Board of Education. The entire additional operating costs of the new project during its first 2 years shall be borne by revenues raised by the Town of Freeport. The estimated amount of additional operating costs during each of the first 2 years is \$15,900. The State Board of Education has agreed to support this project with state funds up to a limit of \$1,539,600 less a portion of the insurance settlement of the old Middle School. The Town of Freeport shall be responsible for the local share of debt service allocation to be calculated in accordance with the law, should there be any.

The Freeport School Committee recommends adoption of this ordinance.

Referendum Question No. 2:

Shall the Following Ordinance be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR THE HIGH SCHOOL PHYSICAL EDUCATION AND COMMUNITY EDUCATION IMPROVEMENTS PROJECT

The Town of Freeport Hereby Ordains the Following:

If Referendum Question No. 1 is approved by the Voters, that, under and pursuant to the provisions of M.R.S.A. 20-A §5152 and the Charter of the Town of Freeport, a sum not to exceed \$406,000 is hereby appropriated to meet the cost of a school construction project consisting of Design, Construction, Equipping and Furnishing of High School Improvements including Additional Gymnasium Seating, Required Parking, Locker Room Improvements and Community Education Storage Space, and to fund said appropriation the Treasurer and Chairman of the Town Council are authorized to issue general obligation securities of the Town of Freeport in an aggregate principal amount not to exceed \$406,000 and the discretion to fix the date(s), interest rate(s), maturity(ies), denomination(s), place(s) of payment, form(s) and other details of said securities, and to provide for the sale thereof, including execution and delivery thereof against payment therefore, is hereby delegated to the Treasurer and Chairman of the Town Council.

EXPLANATION AND RECOMMENDATION: This proposed school construction project has been approved by the Freeport School Committee and has received concept approval from the State Board of Education. The entire additional operating costs of the new project during its first 2 years shall be borne by revenues raised by the Town of Freeport. The estimated amount of additional operating costs during each of the first 2 years is \$3,600. The Town of Freeport shall be responsible for 100% of the debt service for this project.

The Freeport School Committee recommends adoption of this ordinance.

Referendum Question No. 3:

Shall the Following Ordinance be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR HIGH SCHOOL  
MUSIC AND PERFORMING ARTS AUDITORIUM PROJECT

The Town of Freeport Hereby Ordains the Following:

If Referendum Question No. 1 is approved by the Voters, that, under and pursuant to the provisions of M.R.S.A. 20-A §5152 and the Charter of the Town of Freeport, a sum not to exceed \$969,400 is hereby appropriated to meet the cost of a school construction project consisting of Design, Construction, Equipping and Furnishing of a new High School Auditorium for Music and Performing Arts, and to fund said appropriation the Treasurer and Chairman of the Town Council are authorized to issue general obligation securities of the Town of Freeport in an aggregate principal amount not to exceed \$969,400 and the discretion to fix the date(s), interest rate(s), maturity(ies), denomination(s), place(s) of payment, form(s) and other details of said securities, and to provide for the sale thereof, including execution and delivery thereof against payment therefore, is hereby delegated to the Treasurer and Chairman of the Town Council.

EXPLANATION AND RECOMMENDATION: This proposed school construction project has been approved by the Freeport School Committee and has received concept approval from the State Board of Education. The entire additional operating costs of the new project during its first 2 years shall be borne by revenues raised by the Town of Freeport. The estimated amount of additional operating costs during each of the first 2 years is \$10,500. The Town of Freeport shall be responsible for 100% of the debt service for this project.

The Freeport School Committee recommends adoption of this ordinance.

Be It Further Ordered - That a Public Hearing shall be held on the subject of these Referendum Questions on October 6, 1987 at 7:30 P.M. at the High School Media Center, notice of which shall be posted in the same manner required for posting of an Election Warrant at least 7 days prior to the date of the Public Hearing.

(Councilors Nelson & Curtis)

(5 Ayes) (2 Nays, Councilors Hartnett & Grady)

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ITEM #219-87

Be It Ordered - That the following Referendum Question shall be submitted to the Voters of the Town of Freeport at the Municipal Election to be held November 3, 1987:

Referendum Question No. 4:

Shall the Following Ordinance be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR A NEW FIRE ENGINE

The Town of Freeport Hereby Ordains the Following:

That, under and pursuant to the provisions of the Charter of the Town of Freeport, a sum not to exceed \$180,000 is hereby appropriated to meet the estimated cost of a New Fire Engine, and to meet said appropriation the Treasurer and Chairman of the Town Council are authorized to issue general obligation securities of the Town of Freeport in an aggregate principal amount not to exceed \$180,000 and the discretion to fix the date(s), interest rate(s), maturity(ies), denomination(s), place(s) of payment, form(s) and other details of said securities, and to provide for the sale thereof, including execution and delivery thereof against payment therefore, is hereby delegated to the Treasurer and Chairman of the Town Council.

EXPLANATION: This proposed purchase of a New Fire Engine is to replace an existing 1939 Fire Engine.

Be It Further Ordered - That a Public Hearing be held on the subject of this Referendum Question on October 6, 1987 at 7:30 P.M. at the High School Media Center, notice of which shall be posted in the same manner required for posting of an Election Warrant at least 7 days prior to the date of the Public Hearing.

(Councilors Hartnett & Curtis)

(7 Ayes) (0 Nays)

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ITEM #220-87

Be It Ordered - That the Council Chairman be authorized to sign a Recreational Boating Questionnaire distributed by the Maine Department of Conservation concerning recreational boat access sites.

(Councilors Curtis & Grady)

(7 Ayes) (0 Nays)

Council agreed that Questions No. 7 and No. 8 should be answered in the affirmative.

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Moved and Seconded - To introduce an item not on the printed Agenda.

(Councilors Hartnett & Grady) (7 Ayes) (0 Nays)

ITEM #221-87

Be It Ordered - That a Public Hearing be scheduled for October 6, 1987 at 7:30 P.M. in the High School Media Center to discuss proposed amendments to the Freeport Building Code Ordinance.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.

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

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Moved and Seconded - To introduce an item not on the printed Agenda.  
(Councilors Hartnett & Curtis) (7 Ayes) (0 Nays)

ITEM #222-87      Be It Ordered - That the following insurance settlement between the Town of Freeport and Commercial Union Insurance Company, for the former Middle School Property, be approved:

Actual Cash Value - Buildings:	\$350,000.00
Demolition Costs:	23,975.50
Actual Cash Value - Contents:	<u>3,750.00</u>
TOTAL AWARD:	\$377,725.50

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

Town Manager Olmstead explained that the School Committee would like to replace some of the equipment in the building and this would make them eligible for another \$16,000.00 of settlement; they have 180 days in order to purchase the equipment.

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Moved and Seconded - To introduce an item not on the printed Agenda.  
(Councilors Hartnett & Curtis) (7 Ayes) (0 Nays)

ITEM #223-87      Be It Ordered - That a State Block Grant in the amount of \$10,377.00 for Teacher/Administrator Certification will be transferred to the School Administrative Unit's Accounts to be used to help meet the new certification requirements.  
(Councilors Hartnett & Curtis)  
(7 Ayes) (0 Nays)

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ITEM #184-87      Be It Ordered - That the proposed amendment to the Coastal Waters Ordinance, as submitted to Public Hearing on September 1, 1987, be approved.  
(Councilors Grady & Curtis)  
(7 Ayes) (0 Nays)

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ITEM #185-87      Be It Ordered - That the proposed Appropriation Ordinance for \$49,000.00 to provide for the Purchase of Land for Recreational Purposes, as submitted to Public Hearing on September 1, 1987, be approved.  
(Councilors Phelps & Curtis)  
(4 Ayes) (3 Nays, Councilors Ormsby, Curtis & Grady)

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Councilor Ormsby requested to leave the Meeting at 11:28 P.M.

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ITEM #186-87      Be It Ordered - That the proposed amendments to the Zoning Ordinance and Zoning Map, as submitted to Public Hearing on September 1, 1987, be approved.  
(Councilors Nelson & Curtis)  
(6 Ayes) (0 Nays)

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ITEM #187-87      Be It Ordered - That the proposed amendments to the Freeport Sign Ordinance, as submitted to Public Hearing on September 1, 1987, be approved.  
(Councilors Curtis & Hartnett)  
(6 Ayes)   (0 Nays)

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ITEM #188-87      Be It Ordered - That the proposed amendments to the BOCA/Basic National Building Code, as submitted to Public Hearing on September 1, 1987, be approved.  
(Councilors Hartnett & Curtis)  
(6 Ayes)   (0 Nays)

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Moved and Seconded - That Item #189-87 be tabled until October 6, 1987.  
(Councilors Grady & Hartnett)   (6 Ayes)   (0 Nays)

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Moved and Seconded - That the Council adjourn at 12:05 P.M.  
(Councilors Hartnett & Curtis)

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The foregoing was recorded by:

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

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Public Hearing September 1, 1987

50-8

PROPOSED

Amendments to the Freeport Sign Ordinance

(Chapter 23)

Sec. 4.14 there shall be no off premises signs except as are regulated by the following State of Maine legislation: 23-M.R.S.A.-1901-1925 (-as-amended) Maine Traveler Information Act, and 23-M.R.S.A. 4206 Maine Transportation Act. Town of Freeport Directional Sign Ordinance.

Sec. 5.2.1. In the V, V6, MDR I and HB VI, VC I, VC II, VC III, MDR I, LB and MD....

5.2.1. In the C I, II, and III, ....

Approved Meeting #19-87  
Sept. 15, 1987

Public Hearing Sept 1, 1987

PROPOSED

APPROPRIATION ORDINANCE FOR \$49,000

TO PROVIDE FOR THE PURCHASE OF LAND FOR RECREATIONAL PURPOSES

The Town of Freeport Hereby Ordains - That a sum not to exceed Forty Nine Thousand Dollars (\$49,000.00) is hereby appropriated for the purpose of purchasing a property for recreational purposes (Map 20, Lot 75A); 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 \$49,000, with discretion to fix the date, place of payment, forms, and other details of the securities, and providing the sale thereof delegated to the Chairman of the Town Council and the Town Treasurer.

Approved Sept. 15, 1987