

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #22-87
 NOVEMBER 10, 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>		
Vaughndella Curtis, Pine Street	<u>X</u>		
Hugh Phelps, Porters Landing	<u>X</u>		
William Ormsby, Lower Mast Landing		<u>X</u>	<u>X</u>
John Nelson, Church Street	<u>X</u>		
William Grady, Elm Street Extension	<u>X</u>		

Moved and Seconded - To waive the reading of the Minutes of Meeting #21-87 held on October 20, 1987, and accept the Minutes as printed.

(Councilors Hartnett & Curtis) (6 Ayes) (0 Nays)

Moved and Seconded - That the Freeport Town Clerk report on the returns of the November 3, 1987 State and Local Elections.

(Councilors Hartnett & Curtis) (6 Ayes) (0 Nays)

The November 3, 1987 Municipal/State Election was held in the Middle School. Following are the results of the November 3, 1987 Election:

COUNCILOR AT LARGE SEAT

Paterson, John MR D1 214 / D2 340 / D3 425 / D4 275 =
1,254 total votes received

Campbell, Edward R D1 262 / D2 346 / D3 203 / D4 426 =
1,237 total votes received

COUNCILOR DISTRICT 2

Goddard, Kirk C 501 votes received

COUNCILOR DISTRICT 3

Stevens, Robert E 535 votes received

SCHOOL COMMITTEE - 3 year term

Standen, Elizabeth G D1 321 /D2 492 /D3 428 /D4 486 =
1,727 total votes received

Vafiades, Vendean V D1 224 /D2 265 /D3 287 /D4 280 =
1,056 votes received

SCHOOL COMMITTEE - 2 year term

Huston, Waldon D1 396 /D2 500 /D3 473 /D4 577 =
1,946 votes received

SEWER DISTRICT TRUSTEES

Bumgardner, H Denton D 401 /D2 519 /D3 519 /D4 574 =
2,013 votes received

There were several write-ins but the one that received the
most votes was Terrance McDougall with 18 total votes received

REFERENDUM QUESTION NO.1 - HIGH SCHOOL GYM

Yes 1,719 / No 784

REFERENDUM QUESTION NO.2 - H.S. ADDITIONAL SEATING/COMMUNITY ED
& PHYSICAL EDUCATION IMPROVEMENTS

Yes 1,436 / No 925

REFERENDUM QUESTION NO.3 - HIGH SCHOOL MUSIC & PERFORMING ARTS
AUDITORIUM

Yes 1,252 / No 1,283

REFERENDUM QUESTION NO.4 - FIRE DEPARTMENT FIRE ENGINE

Yes 1,696 / No 840

REFERENDUM QUESTION NO.5 - PEACEFUL SETTLEMENT IN CENTRAL AMERICA

Yes 1,417 / No 955

STATE REFERENDUM QUESTION NO.1 - MAINE YANKEE OPERATION

Yes 1,405 / No 1,291

STATE REFERENDUM QUESTION NO.2 - CLOSING SOLID WASTE LANDFILLS

Yes 1,923 / No 674

STATE REFERENDUM QUESTION NO.3 - CONSTRUCTION SEWER TREATMENT FAC.

Yes 1,524 / No 1,049

STATE REFERENDUM QUESTION NO.4 - MAINE JOB DEVELOPMENT PROGRAM

Yes 710 / No 1,844

STATE REFERENDUM QUESTION NO.5 - MAINE MARITIME ACADEMY

Yes 1,267 / No 1,330

STATE REFERENDUM QUESTION NO.6 - REMOVAL/OIL STORAGE TANKS

Yes 1,599 / No 981

STATE REFERENDUM QUESTION NO.7 - CAPITAL REPAIRS/ASBESTOS REMOVAL
FROM STATE FACILITIES

Yes 1,069 / No 1,517

STATE REFERENDUM QUESTION NO.8 - ACQUISITION OF SCHOOL BUSES

Yes 1,363 / No 1,218

STATE REFERENDUM QUESTION NO.9 - HIGHWAY, BRIDGE & AIRPORT IMPRVMTS

Yes 1,538 / No 1,044

STATE REFERENDUM QUESTION NO.10- PURCHASE OF PUBLIC LAND

Yes 1,795 / No 832

STATE REFERENDUM QUESTION NO.11- ASBESTOS REMOVAL

Yes 1,516 / No 1,074

STATE REFERENDUM QUESTION NO.12- RIGHT TO BEAR ARMS

Yes 1,278 / No 1,288

STATE REFERENDUM QUESTION NO.13- CANDIDATE/RESIDENT IN DISTRICT

Yes 1,992 / No 546

There were 2,786 ballots cast which amounts to 53% of voters going to the polls.

536 votes were cast in District 1, including 24 absentee votes
752 votes were cast in District 2, including 52 absentee votes
705 votes were cast in District 3, including 40 absentee votes
791 votes were cast in District 4, including 39 absentee votes

On November 5, 1987 I received a letter from Attorney David Corson who is representing Edward Campbell requesting an inspection of ballots. The ballot inspection was held November 7, 1987 in the Town Office with Mr. Edward Campbell, Atty. David Corson, Mr. John Paterson, Atty. Martin Robles, Warden Edward Bonney, Warden Robert Hartnett, several witness and myself present. The ballot inspection lasted approximately one hour.

John Paterson has elected at this time not to be sworn in as Councilor-At-Large pending the results of a recount.

On November 10, 1987, I received a request for a recount of ballots from Edward R. Campbell. The recount will occur this Saturday on November 14, 1987 in the High School Media Center at 10:00 A.M. Maine Municipal Association has advised me they will not be able to attend and advised me to contact Attorney William Plouffe to represent the Town. Attorney Plouffe is from the firm of Drummond & Woodsum and recently did a recount for the Town of Falmouth. Council gave their consent to hire Attorney Plouffe to represent Freeport at the recount. Attorney Plouffe has agreed to act on behalf of Freeport.

Moved and Seconded - That the Town Clerk's report be accepted.
(Councilors Hartnett & Curtis) (6 Ayes) (0 Nays)

<u>Roll Call of New Members</u>	<u>Present</u>	<u>Abs.</u>	<u>Exc.</u>
Edward Bonney, Chairperson	<u>X</u>		
21 Maple Avenue			
Robert Hartnett, Vice-Chairperson	<u>X</u>		
Desert Road			
John Nelson,	<u>X</u>		
Church Street			
William Grady,	<u>X</u>		
Elm Street Extension			
Kirk Goddard,	<u>X</u>		
Mast Landing Road			
Robert Stevens,	<u>X</u>		
Porters Landing			
Vacancy			

Moved and Seconded - To waive the rules of procedure to allow the introduction of some Resolutions not on the printed Agenda.
(Councilors Hartnett & Grady) (6 Ayes) (0 Nays)

WHEREAS, William Ormsby has served with distinction on the Freeport Town Council for three year, and

WHEREAS, Mr. Ormsby has been a leader in developing plans for municipal facilities, and

WHEREAS, Mr. Ormsby has been a major force in attempting to contain spending of tax dollars, now

THEREFORE, BE IT RESOLVED, That William Ormsby be commended for his dedicated service to the Town of Freeport.
(Councilor Hartnett read the resolution with Councilor Stevens seconding it) (6 Ayes) (0 Nays)

WHEREAS, Dr. Hugh Phelps has served with distinction on the Freeport Town Council for six years, and

WHEREAS, Dr. Phelps has been a leader in planning for Freeport's future growth, and

WHEREAS, Dr. Phelps has been instrumental in developing plans for municipal facilities, and

WHEREAS, Dr. Phelps has been outspoken in his support for providing quality education and municipal services to citizens of Freeport, now

THEREFORE, BE IT RESOLVED, That Dr. Hugh Phelps be commended for his unselfish and dedicated service to the Town of Freeport.
(Councilor Hartnett read the resolution with Councilor Grady seconding it) (6 Ayes) (0 Nays)

WHEREAS, Vaughndella Curtis has served with distinction on the Freeport Town Council for twelve years, and

WHEREAS, Mrs. Curtis has been a stabilizing force on the Town Council, and

WHEREAS, Mrs. Curtis has championed the cause of common citizens of Freeport, and

WHEREAS, Mrs. Curtis has had a major influence on the political process in Freeport for the past twelve years, now

THEREFORE, BE IT RESOLVED, That Vaughndella Curtis be commended for her unselfish dedication of time, energy and thought, and

BE IT FURTHER RESOLVED, That Vaughndella Curtis always be considered an honorary member of the Freeport Town Council.
(Councilor Hartnett read the resolution with Councilor Grady seconding it) (6 Ayes) (0 Nays)

Council presented Mrs. Curtis with a "Mickey Mouse" phone plus a T-shirt which read "Keep those calls coming Della".

A T-shirt was printed for William Ormsby which reads "I don't like it, but I'll vote for it".

The T-shirt prepared for Hugh Phelps read "Phelps Construction - Long Term Projects Only".

A T-shirt was presented to Robert Hartnett which read "I'm in Charge - Robert the First".

WHEREAS, Edward Bonney has served as Chairperson for the Freeport Town Council from November 1986 to November 1987, and

WHEREAS, Mr. Bonney has faithfully and with dedication performed the duties of this office, and

WHEREAS, Mr. Bonney has been the driving force behind the Town Council providing the Council with direction during a very difficult period in the Town's history, and

WHEREAS, Mr. Bonney has donated countless hours to the Town in his capacity of Council Chairperson, now

THEREFORE, BE IT RESOLVED, That the Freeport Town Council hereby publicly express its sincere appreciation to Edward Bonney for his leadership, devoted service and faithful attention to his fellow councilors, and to his many contributions to the Town of Freeport and its citizens during his tenure as Chairperson of the Freeport Town Council.

(Councilor Hartnett read the resolution with Councilor Grady seconding it) (6 Ayes) (0 Nays)

Council presented a plaque to Edward Bonney with a gavel on it. A special poster of Bugs Bunny and Daffy Duck was presented to Mr. Bonney with a personal request that this portrait should be displayed in the new municipal building.

Moved and Seconded - That nominations for the position of Council Chairperson be accepted.

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

Councilor Nelson nominated Robert Hartnett for Chairperson.
Councilor Grady seconded.

No other names were placed in nomination.

Moved and Seconded - That nominations cease.

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

ITEM #245-87 Be It Ordered - That Robert Hartnett be elected Chairperson of the Town Council.

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

Moved and Seconded - That nominations for the position of Council Vice-Chairperson be accepted.

(Councilors Grady & Stevens) (6 Ayes) (0 Nays)

Councilor Grady nominated John Nelson for Vice-Chairperson.
Councilor Stevens seconded.

No other names were placed in nomination.

Moved and Seconded - That nominations cease.

(Councilors Grady & Stevens) (6 Ayes) (0 Nays)

ITEM #245-87 Be It Ordered - That John A. Nelson be elected
Vice-Chairperson of the Town Council.
(Councilors Grady & Stevens) (6 Ayes) (0 Nays)

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

Anna Johnson, d/b/a The Crabby Lobster Restaurant,
10 School Street.
(Councilors Nelson & Stevens) (6 Ayes) (0 Nays)

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

ITEM #246-87 Be It Ordered - That the re-application for a
Malt, Spirituous and Vinous License issued to
Anna Johnson, d/b/a The Crabby Lobster
Restaurant, 10 School Street, be approved.
(Councilors Nelson & Stevens)
(6 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Traffic
and Parking Ordinance be subject to Public Hearing.
(Councilors Grady & Bonney) (6 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed amendments to the Traffic
and Parking Ordinance be tabled until December 1, 1987.
(Councilors Grady & Goddard) (6 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Life
Safety Code (Chapter 13) be subject to Public Hearing.
(Councilors Goddard & Grady) (6 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed amendments to the Life
Safety Code (Chapter 13) be tabled until December 1, 1987.
(Councilors Goddard & Grady) (6 Ayes) (0 Nays)

ITEM #249-87

Be It Ordered - That the following donated amounts to the Town of Freeport be accepted for the purchase of land for recreational purposes:

Private Donations

L Joseph Wishcampber	\$5,000.00
Frederick Palmer	2,500.00
Hugh Phelps	2,000.00
Robert Stevens	1,000.00
John Paterson	1,000.00
Michael Healy	2,500.00
Robert Hazzard	100.00
Norman Williams	1,000.00
John Sullivan	1,000.00
Hugh Saunders	1,000.00
Joseph Field	100.00
Christopher Pinkham	500.00
Anonymous Donor	1,000.00
Douglas Schair	500.00
Jefferson Kimball	100.00
John Swan	300.00

TOTAL/PRIVATE DONATIONS: \$19,600.00

Business Donations

Coastline Inn	\$ 2,500.00
Robert Gerber, Inc.	1,000.00
Maine Survey, Inc.	4,000.00

TOTAL/BUSINESS DONATIONS: \$ 7,500.00

TOTAL DONATIONS FOR RECREATIONAL LAND: \$27,100.00

For the construction of a roadway and parking lot:

L.L. Bean, Inc. \$50,000.00
(Councilors Bonney & Nelson)
(6 Ayes) (0 Nays)

ITEM #250-87

Be It Ordered - That the Town Treasurer be authorized to issue a Quit-Claim Deed releasing any interest of the Town of Freeport for the following property:

Town of Freeport - Map 23, Lot 22

To: Vernon C & Helen DK Grant for Tax Year 1976.

(This property is located on Pine Street and all taxes have been paid.)

(Councilors Stevens & Bonney)

(6 Ayes) (0 Nays)

Other Business:

1. David Thompson, Chairman of the Water Study Committee, gave a brief history of what the present status was; the Committee was founded in 1984; in 1985 the Committee hired the Sewall Company from Old Town, Maine; in 1986 the Sewer District did agree to purchase a part of the Water Company - since then, they have reversed their decision; the Committee is suggesting that Freeport should form the Freeport Water District which will require specific legislative action, a charter change, and voter participation; the water district would contain everything but what is contained in the South Freeport District; both Nancy Clark and James Mitchell have been approached about the procedure to pursue; the Committee was told by Senator Clark that new language should be brought to her by the end of the year and then could be introduced to the Legislature. A suggestion was made that other towns should be surveyed to find out what their set-up is; Town Manager Olmstead stated that councilors have two issues to decide: (1) should the water company be a district, or (2) should the water company be a municipal arm of the Town of Freeport; Council will hold a workshop on this matter at the end of the November 17 meeting.
2. Discussion of Sale of Tax Acquired Property: Town Manager Olmstead brought out a map and showed where each piece of tax acquired property is located - all are non buildable or land locked; Councilor Nelson wished to have a committee set up in order to look at tax acquired property and determine what the land would be best used for, for example, conservation use, or put out to sell, or, perhaps the Town should keep it, etc. Council would like to see a policy set up.
3. Selection of an Insurance Consultant: Maine Municipal Association has made a recommendation to the Town; Town Manager Olmstead explained that the Town was looking for an individual who was not part of an insurance agency, was not associated with MMA, and was not an insurance agent at all; the Town had heard from two individuals who fitted this description - one is in Mass. and the other is from New Hampshire; much discussion centered around the suggestion whether to allow the previous insurance agent to be present at the November 17 meeting and participate in the selection process; this item will be taken up next week.
4. Hugh Phelps, Chairman of the Grove Street Municipal Building Committee gave a status report: bids were opened this past spring - lowest bid was 50% over the available funds; the Committee decided to go back and redesign the building in order to stay within the budget; there is a balance of \$28,000 which the Committee is requesting that Council pay in order to begin the ground breaking and see the project begin; Council agreed.

Councilor Grady asked to be excused from the meeting at 10:03 P.M.

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5. Committee Assignments: Hugh Phelps asked that he continue on the Grove Street Municipal Building Committee; Council agreed.
6. Vice-Chairman Nelson gave a status report on two committees:
 - (a) Task Force on Property Tax Relief
 - (b) COG's Property Tax Relief Task Force
7. Councilor Edward Bonney stated that in a conversation with Superintendent Robert Lyman that he would like the Council to coordinate with the school in paying tribute to Irving Richardson's "Maine Teacher of the Year" festivities.

Also, COG will be extending an invitation to Freeport councilors explaining to them the many functions of COG by giving a mini orientation; this should take place after the first of the year.
8. Project Application for School Construction for a New Elementary School: Town Manager explained that Superintendent Lyman will be at the November 17 meeting to discuss this matter with the Council; they are looking for concept approval of this project.
9. Elected Officials Workshop: Robert Stevens is interested in attending.
10. Chairman Hartnett announced that the Bath-Brunswick Mental Health Board of Directors has extended an invitation to the Council to attend their annual meeting on November 19.

Moved and Seconded - That the Council adjourn at 10:27 P.M.
(Councilors Bonney & Stevens) (6 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott
Council Secretary

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