

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #6-88
MARCH 15, 1988 7:30 P.M.
FREEPORT HIGH SCHOOL MEDIA CENTER

X Regular

 Special

<u>Chairperson's Call to Order</u>	Present	Absent	Excused
Robert Hartnett, Chairperson, Desert Road	<u>X</u>		
John A Nelson, Vice-Chairperson, Church Street	<u>X</u>		
Edward Bonney, 21 Maple Avenue	<u>X</u>		
William Grady, Elm Street Extension	<u>X</u>		
Kirk Goddard, Mast Landing Road	<u>X</u>		
Robert Stevens, Porters Landing	<u>X</u>		
John Paterson, Flying Point Road	<u>X</u>		

Moved and Seconded - To waive the reading of the Minutes of Meeting #5-88 held March 1, 1988, and accept the Minutes as printed.

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

Moved and Seconded - That the Council adjourn and the Licensing Board convene.

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

Roll Call of Members:	Present	Absent	Excused
Robert Hartnett	X		
John Nelson	X		
Edward Bonney	X		
William Grady	X		
Robert Stevens	X		
Kirk Goddard	X		
John Paterson		X	
Mary Wescott	X		
Dale Olmstead	X		

Moved and Seconded - That the following reapplication for a Victualler's License be subject to Public Hearing:

Edwin & Barbara Fogg, d/b/a Country Living Bed & Breakfast, Wolf's Neck Road.

(Members Grady & Goddard) (8 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.

(Members Grady & Stevens) (8 Yes) (0 No)

ITEM #46-88 Be It Ordered - That the Victualler's License issued to Edwin & Barbara Fogg, d/b/a Country Living Bed & Breakfast, Wolf's Neck Road, be approved.
(Members Grady & Goddard) (8 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the Council reconvene.

(Members Grady & Goddard) (8 Yes) (0 No)

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

Michael D and Richard L Marino, d/b/a The Lobster Cooker, 39 Main Street.

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

Moved and Seconded - That the Public Hearing be closed.

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

ITEM #47-88 Be It Ordered - That the reapplication for a Malt and Vinous License issued to Michael D and Richard L Marino, d/b/a The Lobster Cooker, 39 Main Street, be approved.
(Councilors Goddard & Stevens) (6 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendment to a Wharfing Out Permit issued to South Freeport Marine on November 12, 1986 be subject to Public Hearing.
(Councilors Nelson & Goddard) (6 Ayes) (0 Nays)

For the record, Councilor Paterson is in attendance at 8:05 P.M.

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

Michael Huston, Attorney for South Freeport Marine, was requested by Council to read the dimensions identified as Exhibit A, Page 2, (reference D. Perkins Letter dated February 18, 1988):

238.32 feet to the Northern end
246.32 feet to the outer most part of the float system - Northern end
245 feet to the outside of the mooring anchorage
229.25 feet to the Southern end of the system.

Moved and Seconded - To table Item #48-88 until April 5, 1988.
(Councilors Stevens & Nelson) (4 Ayes) (3 Nays, Councilors Goddard, Bonney & Paterson)

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be subject to Public Hearing.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be tabled until April 5, 1988.
(Councilors Bonney & Grady) (7 Ayes) (0 Nays)

Note: Council will hold a workshop on March 29, 1988 on this item.

Moved and Seconded - That the Council recess for a brief time.
(Councilors Bonney & Paterson) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council reconvene.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed Capital Budget for Fiscal Year 1989 to Fiscal Year 1993 be subject to Public Hearing.
(Councilors Nelson & Bonney) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed Capital Budget for Fiscal Year 1989 to Fiscal Year 1993 be tabled until April 5, 1988.
(Councilors Bonney & Goddard) (7 Ayes) (0 Nays)

ITEM #51-88 Be It Ordered - That fees charged for the Voter Registration List be increased from \$6.50 to \$20.00 for District Lists and from \$25.00 to \$75.00 for the Voter Master List.
(Councilors Stevens & Grady) (7 Ayes) (0 Nays)

ITEM #52-88 Be It Ordered - That the following receive the stated amounts from the Dr. Gould Trust Fund:

Paul Farley	\$250.00
Lawrence Radley	250.00
Rachel Cummings	50.00
Geneva Maines	250.00
James Lavallee	250.00
Harold Marston	49.29
Miriam Schneider	250.00
William Soule	130.85
Doris Soule	182.14
Robertta Smith	82.06
Christine Brown	197.78
Sylvia Galarneau	166.68
Merlene Britton	121.05
Christine O'Brien	15.39
Bernadette Basinette	25.58
Melitta Freese	44.25
Mark Merrill	164.68
Matthew Branch	68.00
Elizabeth Knight	250.00
Catherine Grover	250.00
Michelle Gurney	250.00

(Councilors Paterson & Bonney) (7 Ayes) (0 Nays)

ITEM #53-88 Be It Ordered - That a Public Hearing be scheduled for April 5, 1988 at 7:30 P.M. in the High School Media Center to discuss proposed amendments to the Town of Freeport's Personnel Code.

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 & Stevens) (7 Ayes) (0 Nays)

ITEM #54-88 Be It Ordered - That a Board of Voter Registration be hereby appointed pursuant to Title 21, Section 43 of the Maine Revised Statutes Annotated.

Be It Further Ordered - That the nomination of James J. Hendry by the Democratic Town Committee be confirmed, and that the nomination of Vicki M. Lowe by the Republican Town Committee be confirmed; said appointments to be in accordance with State Statutes; terms will expire on March 1, 1991.

Be It Further Ordered - That the above named qualify by swearing an oath of office before the Town Clerk or her designee by March 25, 1988.

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

ITEM #55-88

Be It Ordered - That the following referendum question shall be submitted to the Voters of the Town of Freeport at the Municipal and State Primary Election to be held June 14, 1988.

Shall the Following Ordinance Be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR A 1982 GRUMAN AERIAL LADDER 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 \$130,000.00 is hereby appropriated to meet the estimated cost of a 1982 Gruman Aerial Ladder 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 \$130,000.00, 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.

Be It Further Ordered - That a Public Hearing be held on the subject of this referendum question on April 19, 1988 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 seven days prior to the date of the Public Hearing.

RECOMMENDATION AND EXPLANATION: This proposed purchase of a 1982 Aerial Ladder Fire Engine is to replace an existing 1948 Aerial Ladder Fire Truck. The Freeport Town Council recommends the adoption of this Ordinance.

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

ITEM #56-88

Be It Ordered - That the following referendum question shall be submitted to the Voters of the Town of Freeport at the Municipal and State Primary Election to be held June 14, 1988.

Shall the Following Ordinance Be Enacted?

ORDINANCE AUTHORIZING ISSUANCE OF BONDS FOR A LANDFILL CLOSURE PROJECT.

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 \$400,000.00 is hereby appropriated to meet the estimated cost of a Landfill Closure Project, 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 \$400,000.00, 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 the Treasurer and Chairman of the Town Council.

Be It Further Ordered - That a Public Hearing be held on the subject of this referendum question on April 19, 1988 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 seven days prior to the date of the Public Hearing.

RECOMMENDATION AND EXPLANATION: This proposed Landfill Closure Project is a requirement imposed on the Town of Freeport by the Maine Department of Environmental Protection. The closure of the Landfill must commence no later than August 1, 1988. If this bond issue is not approved by the Voters of the Town of Freeport, the project will have to be funded through the Town's Operating Budget. The Freeport Town Council recommends adoption of this Ordinance.

(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

ITEM #57-88 Be It Ordered - That the Town Clerk's appointment of Edward M. Bonney as Warden for the June 14, 1988 Municipal and State Primary Election be confirmed.
(Councilors Stevens & Grady) (6 Ayes) (1 Abstain,
 Councilor Bonney)

ITEM #58-88 Be It Ordered - That the Four-Zone Fire Alarm System donated to the Town of Freeport by the Great Bay Company be accepted.

NOTE: This fire alarm system will be installed at the Municipal Complex, 4 Main Street, and has an approximate value of \$3,000.00.

(Councilors Paterson & Stevens) (7 Ayes) (0 Nays)

ITEM #59-88 Be It Ordered - That Catherine Wagner be reappointed, effective April 1, 1988, to serve as a member of the B.H. Bartol Library Board of Trustees until April 1, 1991.

Be It Further Ordered - That Mrs. Wagner qualify by swearing an oath of office before the Town Clerk by April 1, 1988.

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

ITEM #60-88 Be It Ordered - That Gail Rust be reappointed, effective April 1, 1988, to serve as a member of the B.H. Bartol Library Board of Trustees until April 1, 1991.

Be It Further Ordered - That Mrs. Rust qualify by swearing an oath of office before the Town Clerk by April 1, 1988.

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

ITEM #61-88 Be It Ordered - That Dorothy Pearson be reappointed, effective April 1, 1988, to serve as a member of the B.H. Bartol Library Board of Trustees until April 1, 1991.

Be It Further Ordered - That Mrs. Pearson qualify by swearing an oath of office before the Town Clerk by April 1, 1988.

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

ITEM #62-88

ITEM #62-88

Be It Ordered - That Katrina VanDusen be reappointed, effective April 1, 1988, to serve as a member of the Coastal Waters Commission until April 1, 1991.

Be It Further Ordered - That Ms. VanDusen qualify by swearing an oath of office before the Town Clerk by April 1, 1988.

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

ITEM #63-88

Be It Ordered - That Kevin Chute be reappointed, effective April 1, 1988, to serve as a member of the Coastal Waters Commission until April 1, 1991.

Be It Further Ordered - That Mr. Chute qualify by swearing an oath of office before the Town Clerk by April 1, 1988.

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

ITEM #64-88

Be It Ordered - That an EMERGENCY AMENDMENT to the Traffic and Parking Ordinance banning parking on U.S. Route 1 and South Freeport Road, in the following locations, be adopted in order to assure public safety.

SECTION 48-302

No vehicle shall stand, stop or park at any time in any of the following specified locations:

59. On U.S. Route #1 on the East Side from Central Maine Power Pole #139 to Central Maine Power Pole #131. Violators will be towed.

60. On U.S. Route #1 on the West Side from Central Maine Power Pole #139 to Central Maine Power Pole #131. Violators will be towed.

61. On South Freeport Road on the North Side from U.S. Route #1 to the South Freeport Road Extension. Violators will be towed.

62. On the South Freeport Road on the South Side from U.S. Route #1 to the South Freeport Road Extension. Violators will be towed.

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

ITEM #65-88

Be It Ordered - That a Public Hearing be scheduled on April 5, 1988 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 Goddard & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - To consider an item not on the printed Agenda.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

ITEM #66-88 Be It Ordered - That the proposed Licensing
Ordinance for Waste Haulers (new revised edition)
be scheduled for Public Hearing on April 5, 1988.

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 Bonney & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That Item #28-88 be postponed indefinitely.
(Councilors Paterson & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 1:25 A.M.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary

Distribution: Council, Attorney, Auditor, Clerk, Supt. of Schools,
Library, Highway, Police, Codes, Fire/Rescue, Police,
Assessor, Planning, Finance

PROPOSED
Emergency
AMENDMENTS TO THE TRAFFIC & PARKING ORDINANCE. (CHAPTER 48)

Section 48-302

No vehicle shall stand, stop or park at any time in any of the following specified locations:

59. On U.S. Route #1 on the east side from Central Maine Power Pole #139 to Central Maine Power Pole #131. Violators will be towed.

60. On U.S. Route #1 to the west side from Central Maine Power Pole #139 to Central Maine Power Pole #131. Violators will be towed.

61. On South Freeport Road on the north side from U.S. Route #1 to the South Freeport Road Extension. Violators will be towed.

62. On the South Freeport Road on the south side from U.S. Route #1 to the South Freeport Road Extension. Violators will be towed.

Approved 3/15/88