

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #10-88

MAY 3, 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	X		
John Nelson, Vice-Chairperson, Church Street	X		
Edward Bonney, 21 Maple Avenue	X		
William Grady, Elm Street Extension	X		
Kirk Goddard, Mast Landing Road	X		
Robert Stevens, Porters Landing	X		
John Paterson, Flying Point Road	X		

Moved and Seconded - To waive the reading of the Minutes of Meeting #9-88 held April 19, 1988, and accept the Minutes as printed.

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

Moved and Seconded - That the Council adjourn and the Licensing Board convene.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

<u>Roll Call of Members</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
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 applications for Victualer's Licenses be subject to Public Hearing:

Gaila L Ring, d/b/a Atlantic Seal Cruises Catering, Main Street, So. Freeport;
Gaila L Ring, d/b/a Atlantic Seal Cruises Bed 'n Breakfast, Main St., So Freeport;
Paul A Stenzel, d/b/a Sebastian's, 15 Independence Drive;
Sherry R Thacker, d/b/a Arby's Roast Beef, 123 Main Street;
William Pushard, d/b/a Porky's Place, Main Street.

(Members Grady & Goddard) (9 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.
(Members Grady & Goddard) (9 Yes) (0 No)

ITEM #89-88 Be It Ordered - That the above named Victualer's Licenses be approved.
(Members Grady & Goddard) (9 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the Council reconvene.
(Members Grady & Goddard) (9 Yes) (0 No)

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

Paul A. Stenzel, d/b/a Sebastian's, 15 Independence Drive.
(Councilors Goddard & Stevens) (7 Ayes) (0 Nays)

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

ITEM #90-88 Be It Ordered - That the application for a Malt, Spirituous and Vinous License issued to Paul A. Stenzel, d/b/a Sebastian's, 15 Independence Drive, be approved.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

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

Gerald C. Clements, d/b/a Sam's Italian Foods, 7 Main Street.
(Councilors Nelson & Bonney) (7 Ayes) (0 Nays)

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

ITEM #91-88 Be It Ordered - That the re-application for a Malt and Vinous License issued to Gerald C. Clements, d/b/a Sam's Italian Foods, 7 Main Street, be approved.
(Councilors Nelson & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed adoption of the National Electrical Code 1987 Edition (NFPA 70) and an Electrical Code Ordinance for the Town of Freeport be subject to Public Hearing.
(Councilors Bonney & Stevens) (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 National Electrical Code 1987 Edition (NFPA70) and proposed Electrical Code Ordinance for the Town of Freeport be tabled until May 17, 1988.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed acceptance of a donated Two Ton Hoist be subject to Public Hearing.
(Councilors Stevens & Bonney) (7 Ayes) (0 Nays)

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

Moved and Seconded - To amend Item #93-88 with the name of Steve Helms in place of "anonymous donor". *
(Councilors Stevens & Bonney) (7 Ayes) (0 Nays)

ITEM #93-88 Be It Ordered - That a Two Ton Hoist, donated to the Town of Freeport by George Waterman, be accepted.

Be It Further Ordered - That the following contributors to the purchase of a Two Ton Hoist be recognized for their contributions:

F. Gordon Hamlin	\$160.00
Frank Parker	160.00
George Brockman	160.00
Spencer Drake	160.00
Dale Hudson	160.00
Mark Miller	160.00
Steven Helms	160.00
Susie Harding	160.00
Jack Burwell	160.00
Gus MacDonald	160.00

-Continued -

Timothy & Wally Baker	\$160.00
Jefferson Kimball	160.00
Jack Dunn	160.00
John Lincoln	160.00
Parker Hadlock	160.00
Christopher Pinkham	160.00
Stafford Soule	160.00
Anonymous* (as amended)	160.00

TOTAL: \$2,880.00

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

ITEM #94-88 Be It Ordered - That the Town Manager be authorized to issue a Quit Claim Deed releasing any interest of the Town of Freeport for the following property:

Town of Freeport Tax Map 17, Lot 63C

To: David and Janice McAllister for Tax Year 1986.

NOTE: This property is located on the Grant Road and all taxes have been paid.

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

Moved and Seconded - That the hearing on an appeal of a decision of the Design Review Board concerning the approval of a Sign for Arby's Roast Beef be opened.
(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

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

ITEM #95-88 Be It Ordered - That the decision of the Design Review Board, approving a Sign for Arby's Roast Beef, be upheld.
(Councilors Grady & Stevens) (6 Ayes) (1 Abstain, Councilor Paterson)

ITEM #96-88 Be It Ordered - That the Town of Freeport accept the following sums, to be safely invested and forever held in trust, the income therefrom to be used for the Perpetual Care of the following Cemetery Plots:

Grove Cemetery

Daniel Harris Lot 57	\$200.00
Arnold Sturtevant Lot 184	200.00
George Ayer Lot 116	200.00
Tyler Lowell Lot 116	200.00
Alice W. Hilton (Etta M. Welch) Lot 23	200.00
Reginald A. & Dorothy Marston	200.00
Rosemary Beauleau Lot 171	200.00

Burr Cemetery

William F. Britton Lot 114	200.00
David Cunningham Lots 11A/165	300.00
Angela Truman Lot 193	200.00
Ralph Downing Lot 219	200.00
Earl McCarthy Lots 150 & 151	400.00
Henry M. Barrera Lot 187	200.00
Stella Brown Lot 65B	200.00

-Continued-

<u>Burr Cemetery Continued -</u>	
Thomas Farley Sr. Lot 79B	\$200.00
Ernest Cray	200.00
Cedric Libby Sr. Lot 190	200.00
Cedric Libby Jr. Lot 191	200.00
<u>South Freeport Cemetery</u>	
Richard Wengren Lots 22 & 23NS	400.00
Dr. Fred Sayles	200.00
Elizabeth L. Hurd Lot 4ANS	200.00
<u>Webster Cemetery</u>	
Mark Merrill Lot 141B	200.00
Raymond Estabrook Lot 132B	200.00
<u>Flying Point Cemetery</u>	
Phyllis Nolan Lot 34	200.00
Christine Wolf	200.00
(Councilors Stevens & Bonney) (7 Ayes) (0 Nays)	

ITEM #97-88 Be It Ordered - That a Public Hearing be scheduled for May 17, 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 & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - To amend Item #98-88, Sub-section A. insert after the word "launched" or landed; in line 5 after the word "launched" insert the words or landed; after the word "weekends" add or holidays. Sub-section B. after the word "launching" add or landing. A new Sub-section E. is to be added: "Notwithstanding the Sub-sections of A through D, no launching or landing of boats is permitted from the Hoist on the Town Wharf after November 1, 1988." *

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

Moved and Seconded - To amend Sub-section A. by adding a sentence: "In scheduling, the Harbormaster shall also seek to avoid boat launchings and landings at times of the day when the Town Landing Area is congested."
(Councilors Stevens & Grady) (1 Aye) (6 Nays, Councilors Grady, Goddard, Nelson, Bonney, Paterson & Hartnett)

Moved and Seconded - That a Fee of \$100.00 shall be collected by the Harbormaster for the use of the Hoist.
(Councilors Hartnett & Stevens) (1 Aye) (6 Nays, Councilors Grady, Goddard, Nelson, Bonney, Stevens & Paterson)

The concensus of the Council is to purchase a one-half ton winch for the fisherman with 32 feet per minute at a price of \$900.00.

- Continued -

ITEM #98-88

Be It Ordered - That an Emergency Amendment to the Coastal Waters Ordinance, dealing with the Use of the Town Hoist, be adopted in order to assure public safety,* as amended*.

ARTICLE VI, SECTION 8 - TOWN HOIST

- A. Boats shall be launched* from the Hoist on the Town Wharf only by appointment with the Harbormaster. In the event of a scheduling conflict, fishing vessels and island vessels shall always have priority. No boats shall be launched* during weekends* during the period 15 May - 15 September.
- B. No commercial launching* of boats from the Hoist shall be allowed.
- C. No load in excess of 4,000 pounds shall be placed upon the Hoist.
- D. The Harbormaster may terminate any use that he deems in his sole discretion to be unsafe.

E. *

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

ITEM #99-88

Be It Ordered - That a Public Hearing be scheduled for May 17, 1988 at 7:30 P.M. in the High School Media Center to discuss a proposed amendment to the Coastal Waters 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 Bonney & Grady) (7 Ayes) (0 Nays)

ITEM #100-88

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

Town of Freeport Tax Map 30 Lot 17

To: Richard N. and Linda Balzer for Tax Year 1976.

Note: This property is located in Desert Pines.

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

ITEM #101-88

Be It Ordered - That the Town Manager be authorized to sign and execute an Easement from the Town of Freeport to the Freeport Historical Society allowing the Freeport Historical Society to place cables, wires, pipes, conduit and other equipment under the B.H.Bartol Library Parking Lot.
(Reference: Map 11, Lot 27A)

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

ITEM #102-88

Be It Ordered - That Vernon Clarkson be appointed, effective immediately, to serve as a member of the Land Bank Commission until January 1, 1991.

Be It Further Ordered - That Mr. Clarkson qualify by swearing an oath of office before the Town Clerk by May 13, 1988.

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

ITEM #103-88

Be It Ordered - That Rebecca Hotelling be appointed, effective immediately, to serve as a member of the Land Bank Commission until January 1, 1990.

Be It Further Ordered - That Ms. Hotelling qualify by swearing an oath of office before the Town Clerk by May 13, 1988.

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

ITEM #104-88

Be It Ordered - That \$2,500.00 be transferred from the Miscellaneous and Contingency Account to provide for the Town's Share of installing new Directional Signs in the Village Area.

(Councilors Grady & Stevens) (6 Ayes) (1 Nay, Councilor Nelson)

ITEM #86-88

Be It Ordered - That John Grillo be appointed, effective immediately, to serve as a member of the Planning Board until May 1, 1991.

Be It Further Ordered - That Mr. Grillo qualify by swearing an oath of office before the Town Clerk by May 13, 1988.

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

Other Business:

1. Chairperson Hartnett notified the councilors that members of the Design Review Board wished to attend conferences being held May 20 and May 21 at a cost of \$55.00 each and wished permission to take the monies out of town funds; Council agreed.
2. Councilor Goddard was concerned that many historical buildings were not being preserved and wished to have councilors address this in the future. Council agreed that these issues should be presented to the Planning Board and Board of Appeals.

Moved and Seconded - That the Council adjourn at 12:07 A.M.
(Councilors Bonney & Paterson) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary