

M I N U T E S
FREEPORT TOWN COUNCIL MEETING #24-88
FREEPORT TOWN HALL COUNCIL CHAMBERS
OCTOBER 18, 1988 - 7:30 P.M.

X Regular

 Special

<u>Chairman's Call to Order</u>	Present	Absent	Excused
Robert Hartnett, Chairman, Desert Road	<u>X</u>		
John Nelson, Vice-Chairman 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 #22 held September 20, 1988 and Meeting #23-88 held October 4, 1988, and accept the Minutes as printed.
(Councilors Nelson & Grady) (7 Ayes) (0 Nays)

OCTOBER 18, 1988

Moved and Seconded - That the proposed amendments to the Freeport Zoning Ordinance be subject to Public Hearing.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed amendments to the Freeport Zoning Ordinance be tabled until November 1, 1988.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Freeport Subdivision Ordinance be subject to Public Hearing.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the proposed amendments to the Freeport Subdivision Ordinance be tabled until November 1, 1988.
(Councilors Goddard & Paterson) (7 Ayes) (0 Nays)

ITEM #204-88 Be It Ordered - That the Town Manager be authorized to sign and execute an Agreement between the Town of Freeport and Woodard and Curran, Inc., in the amount of \$32,912.00 to provide for Hydrogeologic Investigation, Groundwater Sampling and Analysis Plan, and addressing additional DEP comments in connection with the Town's Landfill Closing Plan.
(Councilors Nelson & Stevens) (6 Ayes) (Councilor Grady did not vote as he had been excused and was out of the room during the vote call)

ITEM #205-88 Be It Ordered - That pursuant to Subchapter 4 of Chapter 91 of Title 17 of the Maine Revised Statutes Annotated, the Municipal Officers shall hold a Public Hearing at 7:30 P.M. on November 15, 1988 at the Freeport Town Hall Council Chambers to determine whether or not certain buildings and structures situated on the Town of Freeport Assessor's Map as Map 19 Lot 76 constitute a "nuisance" or a "danger", and to prescribe what disposal shall be made thereof.

Be It Further Ordered - That the Town Manager and Town Attorney shall give notice to the owners and all parties in interest as required by 17 M.R.S.A. Section 2851 (1).
(Councilors Bonney & Nelson) (6 Ayes) (Councilor Grady did not vote, was excused, and was out of the room during the vote call)

ITEM #206-88 Be It Ordered - That pursuant to Subchapter 4 of Chapter 91 of Title 17 of the Maine Revised Statutes Annotated, the Municipal Officers shall hold a Public Hearing at 7:30 P.M. on November 15, 1988 at the Freeport Town Hall Council Chambers to determine whether or not certain buildings and structures situated on the Town of Freeport's Assessor's Map as Map 19 Lot 77A constitute a "nuisance" or a "danger", and to prescribe what disposal shall be made thereof.

Be It Further Ordered - That the Town Manager and Town Attorney shall give notice to the owners and all parties in interest as required by 17 M.R.S.A. Section 2851 (1).
(Councilors Stevens & Bonney) (7 Ayes) (0 Nays)

Moved and Seconded - That the Town Manager read the bids submitted on used police vehicles.
(Councilors Paterson & Bonney) (7 Ayes) (0 Nays)

Town Manager Olmstead notified the Council that two bids had been received, both for the 1985 Dodge, and both in the amount of \$550.00. The bid received from Steven Colby was withdrawn, therefore, the bid from Russell Schmidt was accepted. Since there was not a bid for the 1984 Dodge, it was suggested that the vehicle be given to the Vocational Region 10 School in Brunswick; Council agreed.

ITEM #207-88 Be It Ordered - That the bid submitted by Russell Schmidt in the amount of \$550.00 for a 1985 Dodge Diplomat, Serial #1B3BG26S6FX621074, be accepted.
(Councilors Paterson & Bonney) (6 Ayes) (1 Nay, Councilor Hartnett)

Moved and Seconded - That Item #181-88 be amended as follows:*
Article II - Section 15. Riparian Owner:
After the word "land" and before the comma, inserting the following language: "abutting the anchorage"
(Councilors Bonney & Nelson) (7 Ayes) (0 Nays)

Moved and Seconded - To further amend Item #181-88 as follows:*
Article XI - Section 4. Delete the language as now proposed and substitute the following new Section 4.:
"An appeal may be taken by any party from a decision of the Coastal Waters Commission, within thirty (30) days after the decision is rendered, to the Superior Court in accordance with the Maine Rules of Civil Procedure."
(Councilors Bonney & Stevens) (6 Ayes) (1 Nay, Councilor Hartnett)

continued -

Item #181-88 continued -

Moved and Seconded - To further amend Item #181-88 as follows:*

Article V - Section 3.e.:

Eliminate Section 3.e. "Slip Fee"

Section f. now becomes Section e.

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

Moved and Seconded - To further amend Item #181-88 Article V -
Section 3. as follows:*

3.a. \$20.00 for each Mooring

3.b. \$60.00 for Marinas and Commercial Marine Enterprises and
Boatyards

3.c. Non-Residents \$130.00 per Mooring

3.d. Non Resident Commercial Fee: \$130.00

3.e. Same

Add new Section 3.f. to include "User Fee" \$20.00 to be imposed on
all Moorings and Slip Holders

(Councilors Goddard & Nelson) (5 Ayes) (2 Nays, Councilors Stevens
& Bonney)

Moved and Seconded - To further amend Item #181-88 as follows:*

Article V - Section 6.a.:

In the second sentence, take the period away after the word
"available" and add the following language:"and the mooring
shall not encroach upon the natural channel or channels established
by Municipal Officers. If this property fronts the anchorage as
defined in these regulations, this Mooring must be placed with the
approval of the Harbormaster. No fee is required for this first
Mooring. The assignment shall be in the same name or names as the
title to the land provided, however, that no more than one (1)
Mooring must be assigned to any shorefront parcel of land under
this privilege. This limitation does not prevent the owner or
owners from receiving additional mooring assignments under the
appropriate provisions of this Section."

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

ITEM #181-88

Be It Ordered - That the proposed amendments to
the Coastal Waters Ordinance, as submitted to
Public Hearing on September 20, 1988, be approved,
as amended.*

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

Other Business:

1. Discussion of a Generator for the New High School Gym: C. David McQuaid, Director of Emergency Preparedness, referred to a letter from Robert Lyman, Supt. of Schools, which cited the costs of the Generator plus the costs of wiring; this Generator is to be used for emergency lighting should a catastrophe occur; costs will run between \$6,000 - \$7,500; the Town has roughly \$5,000 toward this amount.

continued -

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

ITEM #208-88 Be It Ordered - To expend a sum not to exceed
\$7,500.00 from the Miscellaneous & Contingency
Account to complete the proposed wiring as
outlined in a letter from Robert Lyman, Supt.
of Schools.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

2. Town Manager Olmstead explained that the County Commissioners are looking for a moderator to serve on the Cumberland County Budget Commission - there are two vacancies at this point, one for 1 year and the other for two years; Councilor Grady has volunteered for the one year term.
3. Councilor Bonney mentioned the questionnaire from COG and requested that councilors complete it; November 3 is the national meeting and this is a real opportunity to give councilors a say.
4. Chairman Hartnett stated that Don Horch from the Water Company has invited councilors to inspect the well site on Webster Road.
5. Chairman Hartnett reported that future recipients of the Davis/Gould Trust would not have their names read in public meeting.

Moved and Seconded - That the Council enter into Executive Session to discuss a personnel matter, the Town Manager's Evaluation.
(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

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

Moved and Seconded - That the Council adjourn at 12:31 A.M.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott, Council Secretary

Mary D. Wescott

Dist: Council, Attorney, Clerk, Auditor, Codes, Police, Highway, Fire,
Planner, Welfare, Assessor, Finance