

A G E N D A

COUNCIL MEETING #20-94

COUNCIL CHAMBERS

SEPTEMBER 6, 1994 - 7:00 PM

SPECIAL NOTE: This Agenda is a working Agenda that includes background information and is for distribution to Council members only.

FROM: DALE C. OLMSTEAD, JR.

TO: Elizabeth Ruff, Chairperson, Durham Road
Randall Bennett, Vice-Chair, Park Street
Edward Bradley, Flying Point Road
Roger Wold, Staples Point Road
Gloria DeGrandpre, Wolf Neck Road
Kenneth Mann, Mann Road
Edward Campbell, Gay Drive

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #18-94 held on August 16, 1994 & Meeting #19-94 held on August 23, 1994 and accept the minutes as printed.

SECOND ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

COUNCIL MEETING #20-94
SEPTEMBER 6, 1994

ITEM #140-94 TO CONSIDER ACTION RELATIVE TO PROPOSED
REVISIONS TO THE COMPREHENSIVE PLAN. (**PUBLIC
HEARING**)

MOTION: THAT THE PROPOSED REVISIONS TO THE
COMPREHENSIVE PLAN BE SUBJECT TO PUBLIC
HEARING.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT THE PROPOSED REVISIONS TO THE
COMPREHENSIVE PLAN BE TABLED UNTIL SEPTEMBER
20, 1994.

ITEM #141-94 TO CONSIDER ACTION RELATIVE TO PROPOSED
AMENDMENTS TO THE PEDDLERS ORDINANCE.
(CHAPTER 43)

BE IT ORDERED: THAT A PUBLIC HEARING BE
SCHEDULED FOR SEPTEMBER 20, 1994 AT 7:30 PM IN THE
TOWN HALL COUNCIL CHAMBERS TO DISCUSS
PROPOSED AMENDMENTS TO THE PEDDLERS
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.

ITEM #142-94 TO CONSIDER ACTION RELATIVE TO AWARDING A BID FOR
THE REPLACEMENT OF THE B.H. BARTOL LIBRARY
FURNACE.

MOTION: THAT THE TOWN MANAGER REPORT ON THE
BIDS RECEIVED.

BE IT ORDERED: THAT THE BID FROM CHARLES
BURNHAM IN THE AMOUNT OF \$4,760, BE ACCEPTED.

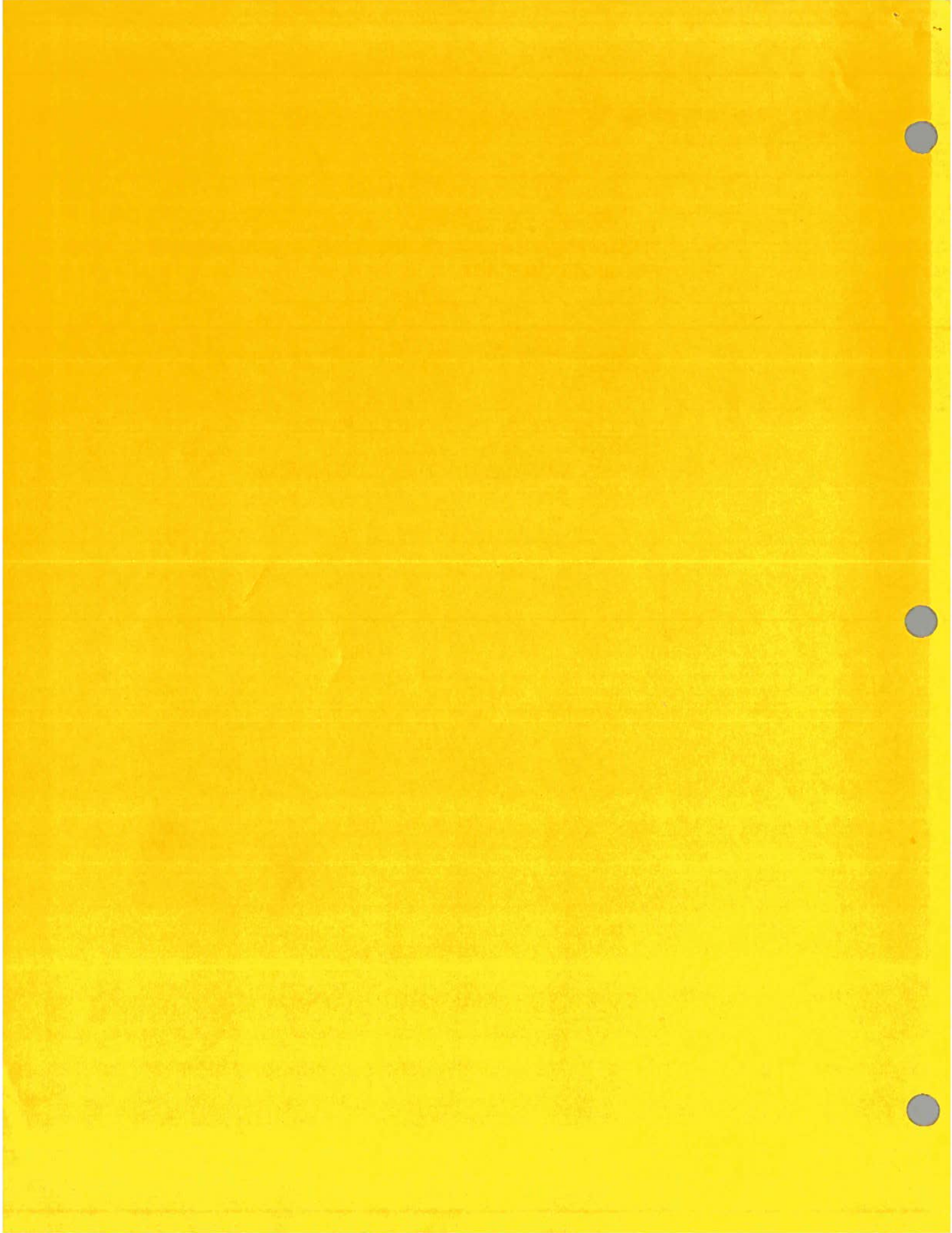
COUNCIL MEETING #20-94
SEPTEMBER 6, 1994

ITEM #143-94 TO CONSIDER ACTION RELATIVE TO AWARDING A BID ON
THE US ROUTE #1 WATER AND SEWER IMPROVEMENT
PROJECT CONTRACT 11.

MOTION: THAT THE CDBG COMMITTEE REPORT ON BIDS
RECEIVED.

BE IT ORDERED: THAT THE BID FROM FOR
CONTRACT 11 IN THE AMOUNT OF BE ACCEPTED
AS RECOMMENDED BY THE CDBG ADVISORY
COMMITTEE.

END OF AGENDA



MINUTES
FREEPORT TOWN COUNCIL
MEETING #20-94
September 6, 1994 - 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER

Present Absent Excused

Elizabeth Ruff, Chairperson
Durham Road

X

Randall Bennett
Park Street

X

Edward Bradley
Flying Point Road

X

Gloria DeGrandpre
Wolf Neck Road

X

Edward Campbell
Gay Drive

X

Roger Wold
Staples Point Road

X

Kenneth Mann
Mann Road

X

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #18-94 held on August 16, 1994 and Meeting #19-94 held on August 23, 1994 and accept the minutes as printed.

MOVED AND SECONDED: To amend the Minutes of Meeting #18-94 to read, "Councilor Mann stated that he had been misquoted; the information he was referring to was in the Freeport Code, not in the Freeport Charter" of the minutes of the Meeting #17-94, and accept the minutes as amended. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To accept the minutes of Meeting #19-94 held on August 23, 1994 as printed. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**ITEM #143-94 TO CONSIDER ACTION RELATIVE TO AWARDDING
A BID ON THE US ROUTE #1 WATER AND SEWER
IMPROVEMENT PROJECT CONTRACT 11.**

MOVED AND SECONDED: That the CDBG Committee report on bids received. (Councilors Campbell & Wold) (7 Ayes) (0 Nays)

The bids received were as follows:

Stetson & Watson	\$748,590.00
Waterline Industries Corp.	711,322.00
Harry Crooker & Sons, Inc.	694,726.50
R. J. Grondin & Sons, Inc.	705,175.00

BE IT ORDERED: That the bid from Harry Crooker & Sons, Inc. for the US Route #1 water and sewer improvement project Contract II in the amount of \$694,726.50 be accepted as recommended by the CDBG Advisory Committee. (Councilors Campbell & Wold) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

ITEM #141-94 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE PEDDLERS ORDINANCE . (CHAPTER 43)

BE IT ORDERED: That a public hearing be scheduled for September 20, 1994 at 7:30 P.M. in the Town Hall Chambers to discuss proposed amendments, and deleting Alternatives 1 and 2, to the Peddlers 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 Bennett & Campbell) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

ITEM #142-94 TO CONSIDER ACTION RELATIVE TO AWARDDING A BID FOR THE REPLACEMENT OF THE B.H. BARTOL LIBRARY FURNACE.

MOVED AND SECONDED: That the Town Manager report on the bids received. (Councilors DeGrandpre & Campbell) (7 Ayes) (0 Nays)

Bids received were as follows:

Charles Burnham, Freeport	\$4,760.00
S & T Industrial Piping, Raymond	6,421.00
So. Maine Plumbing & Heating, So. Freeport	6,820.00
Yarmouth Fuel	5,815.87
Bob Pottle, Freeport	4,828.00
Dead River, Brunswick	5,520.00

BE IT ORDERED: That the bid from Charles Burnham in the amount of \$4,760 be accepted. (Councilors DeGrandpre & Campbell) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

**ITEM #140-94 TO CONSIDER ACTION RELATIVE TO PROPOSED
REVISION TO THE COMPREHENSIVE PLAN.
(PUBLIC HEARING)**

MOVED AND SECONDED: That the proposed revisions to the comprehensive plan be subject to public hearing. (Councilors Campbell & Wold) (7 Ayes) (0 Nays)

1. Rod Regler commented on the following:
Re: VII, page 10, sub 2 - he requests a definition of "contract zoning".
Re: VII, page 15,7 - he questions "see strategies 3 and 4".
Re: waterfront access - he feels that the document favors this; he supports this.
2. Bobbie Peters stated that re: VI, page 5, that the Comprehensive Plan is comprehensive enough in addressing the dire need for waterfront access.
3. Cliff Goodall commented on the following:
Re: VII, page 22 - the Plan addresses the need to examine the area of Mallet Drive and Route 1 intersection, rather than talking about nonconforming uses and expanding it. He suggests a new #4 under the section, "Implementation Strategies", which would examine this.
He offered his comments about "contract zoning" VS. "conditional zoning"; he favors conditional zoning.
4. John Arsenault stated that the "Comprehensive Harbor and Waterfront Plan" is a vital document which should not be overlooked; studies which have been done should be used.
5. David Whitten reviewed the recommendations made by the Freeport Coastal Association:
Re: V, page 1 - this section represents a weakening in protection in rural and residential areas on the zoning maps.
Re: VII, page 9, C 3 and 6 - "require" has been changed to "encourage"; this is a weakening of the plan.
Re: VII, page 10 - he does not see how contract zoning will benefit the small businesses.
Re: VII, page 14 - the way to address affordable housing is to provide density bonuses. In VII, page 14, 2B, the council has eliminated all of the controls in the development of an apartment in a single family dwelling.

Re: VII, page 22, Goal #1 - he objects to removing "local small businesses". Re: home occupations - there needs to be some restraints.

Re: VII, page 24 - feels the Coastal Water and Harbor Commission's report should be included in the plan in its entirety.

Re: VII, page 17 - he requests adding a section to the analysis which addresses public participation.

Re: VII, page 1, Goal #2 - He stated that Freeport has always been a leader in protecting its environment, rural areas; he questioned turning this role over to federal officials; he requested maintaining local control.

Re: VII, page 1, Goal #2B - he feels the protection against a single family home aquifer is being removed; he requests that the Planning Board language should be retained and the Council language removed.

Re: VII, page 1, 2, Goal #2E - This should be retained.

Re: VII, page 3, E - he stated that the Council's amendments shift the burden to property owners to protect scenic areas.

6. Louis Marstaller stated he supports the changes the Council has made in the document. He asked what identifies a scenic area, and requested that the amendment stay as written.

7. Jerry Kennedy requested that the Council look at the wharf through the Comprehensive Plan.

8. Kathie Nelson added her agreement with Mr. Whitten's statements.

9. Phil Clifford stated he agrees with Mr. Whitten's statements.

10. Peter Bogle encouraged the Council in investing in water access locations.

11. Sandy Allen added agreement with favoring local small businesses.

12. Willard Dyche stated he favors David Whitten's comments; he added that under VII Goal 2 B, "unreasonable", related to ground water impacts needs more specific definition.

13. Edna Rosengren stated re: VII, page 22, A is good, B needs clarification, and C and D good; D covers E.

14. Susan Clifford suggested the Council working with other towns to meet the needs and address problems of all towns.

15. Tom Marstaller stated he supports the amendments to draft #2.

16. Chairperson Ruff stated that she will request a workshop for September 13, 1994, to reflect on the comments heard this evening; the plan is to bring this back on

September 20, 1994 for action by the Council. However, if major changes are going to be made, there will need to be another public hearing.

17. Patricia Pratt stated she is concerned with limited access in her area; she agrees it would be a good idea to cooperate with other towns as far as water access.

18. Peter Bogle stated that Yarmouth would not be interested in aiding Freeport in water access.

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED. (Councilors Wold & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN BE TABLED UNTIL SEPTEMBER 20, 1994. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

OTHER BUSINESS

1. Councilor Bradley requested that issues be put in writing for the workshop.

2. Chairperson Ruff stated that the workshop will start at 7:00 P.M. on September 13, 1994. She requested a review of the Council goals to be on the agenda as well.

3. Councilor Mann stated that he had had a discussion with Peter Tubbs, re: additional monies for the Bow Street project; he questioned if council action is needed. Chairperson Ruff stated that Manager Olmstead could comment on this.

Manager Olmstead stated he was unaware that additional funds were needed, but would check on this; if the amount is in excess of \$500, it would become a council issue.

MOVED AND SECONDED: To adjourn the meeting at 9:15 P.M. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin
Recording Secretary

FREEPORT SEWER DISTRICT

MINUTES

SPECIAL MEETING - Board of Trustees - July 27, 1994

Agenda: Bow Street Sewer Construction.

Present: Leon Arsenault, Ed Hindley, Don Bail, and Paul Dunn.
Also present: Tom Allen.

The meeting was brought to order at 10:10 A.M.

Under the one agenda item of the meeting, Ed stated he and Tom met with contractors who are doing the Bow Street road reconstruction and asked for an estimate to lay 1450 feet of sewer line from the school on Bow Street to Bow Street Market. Tom stated the contractor's estimate, including engineering, will be \$65,000.000. After a brief discussion, it was

MOVED, SECONDED AND VOTED (6-0, including two yeas by proxy):
to sewer Bow Street from Mast Landing School to Bow Street Market.

The meeting was adjourned at 11:00 A.M.

Respectfully submitted,

Thomas R. Allen
Clerk Pro Tem

FREEPORT SEWER DISTRICT

MINUTES

REGULAR MEETING-BOARD OF TRUSTEES - July 18, 1994

Present: Ed Hindley, Leon Arsenault, Don Bail and Paul Dunn.

Also present: Tom Allen; Jack Forrest and Rick Marino of Bow Street.

The meeting was brought to order at 7:00 P.M.

Under Public Comments, there was a discussion of whether or not to sewer Bow Street (see Old Business).

Under Regular Business, it was

MOVED, SECONDED AND VOTED (4-0):

to accept the Minutes of the June 27, 1994 meeting as presented.

All bills and checks were approved and signed.

Under Financials, it was

MOVED, SECONDED AND VOTED (4-0):

to accept the Financials as presented.

Under Old Business, Mr. Forrest and Mr. Marino of Bow Street came to discuss the possibility of sewer ing their neighborhood.

Paul started this subject by stating that he felt the Bow Street area was in dire need of sewer. He said he had received phone calls lately requesting the District take this matter under consideration. Mr. Forrest and Mr. Marino stated the area had major sewer problems and that they and some neighbors were definitely interested in connecting to the Town sewer system. It was

MOVED, SECONDED AND VOTED (4-0):

to have Tom and Ed study this issue and report back to the Board as soon as possible.

Tom stated there could be a considerable cost savings if the project can be done at this time.

REGULAR MEETING July 18, 1994 - CONTINUED

Tom stated Mrs. Ashby had acquired a piece of property that had been foreclosed on by the bank. She had previously owned this property and still had not paid any sewer bills on it. The Board decided the District should keep liening the property at this time.

Tom said the computer system will be coming in late August or early September and that Bette, Nancy and he are talking with Gemini to try and make the transition as easy as possible.

As there was no other business, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Leon F. Arsenault, Clerk
Thomas R. Allen, Clerk Pro Tem