



## AGENDA

COUNCIL MEETING #21-94

COUNCIL CHAMBERS

SEPTEMBER 20, 1994 - 7:30 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 #20-94 held on September 6, 1994 and accept the minutes as printed.

**SECOND ORDER OF BUSINESS:** Public Comment Period - 30 Minutes.

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



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ITEM #144-94

TO CONSIDER ACTION RELATIVE TO RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT. NANCY GRAY, JEAN MACLEOD AND RONALD BROOK. (PUBLIC HEARING)

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**MOTION:** THAT THE FOLLOWING RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT BE SUBJECT TO PUBLIC HEARING.

NANCY GRAY, D/B/A HARRASEEKET INN, 162 MAIN ST.

JEAN MACLEOD, D/B/A/ OCEAN FARMS RESTAURANT, 23 MAIN ST.

RONALD BROOK, D/B/A CRICKET'S RESTAURANT, 175 LOWER MAIN STREET.

**MOTION:** THAT THE PUBLIC HEARING BE CLOSED.

**BE IT ORDERED:** THAT THE RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT ISSUED TO THE ABOVE NAMED APPLICANTS, BE APPROVED.

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ITEM #145 -94

TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR RYAN DOHERTY AND MARA FRANK. (PUBLIC HEARING)

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**MOTION:** THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE.

**ROLL CALL OF MEMBERS:**

ELIZABETH RUFF  
RANDALL BENNETT  
EDWARD BRADLEY  
ROGER WOLD  
PAT GOODWIN

GLORIA DEGRANDPRE  
KENNETH MANN  
EDWARD CAMPBELL  
DALE OLMSTEAD

**MOTION:** THAT THE FOLLOWING APPLICATIONS/RE-APPLICATIONS FOR VICTUALER'S LICENSES BE SUBJECT TO PUBLIC HEARING:

RYAN DOHERTY, D/B/A TIM'S VENDING (PEDDLER/TOWN PROPERTY), MAIN STREET.

MARA FRANK, D/B/A BAYBERRY B & B, 8 MAPLE AVENUE.

**MOTION:** THAT THE PUBLIC HEARING BE CLOSED.

**BE IT ORDERED:** THAT THE APPLICATIONS/RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANTS, BE APPROVED.

**MOTION:** THAT THE LICENSING BOARD ADJOURN AND THE COUNCIL RECONVENE.



COUNCIL MEETING #21-94  
SEPTEMBER 20, 1994

ITEM #146-94

TO CONSIDER ACTION RELATIVE TO THE PROPOSED INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTIONS OF MAIN STREET / WEST STREET AND MAIN STREET / MALLETT DRIVE. (PUBLIC HEARING)

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE PROPOSED INSTALLATION OF TRAFFIC LIGHTS BE APPROVED.

ITEM #147-94

TO CONSIDER ACTION RELATIVE TO THE PROPOSED REDISTRICTING OF FREEPORT'S VOTING DISTRICTS. (PUBLIC HEARING)

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE PROPOSED REDISTRICTING OF FREEPORT'S VOTING DISTRICTS BE ADOPTED FOR THE NOVEMBER 8, 1994 FEDERAL, STATE AND MUNICIPAL ELECTION.

ITEM #148-94

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE PEDDLER'S ORDINANCE. (CHAPTER 43) (PUBLIC HEARING)

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT THE PROPOSED AMENDMENTS TO THE PEDDLER'S ORDINANCE BE TABLED UNTIL OCTOBER 4, 1994.

ITEM #149-94

TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW.

BE IT ORDERED: THAT MICHAEL HEALY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE BOARD OF ASSESSMENT REVIEW UNTIL SEPTEMBER 1, 1997.

BE IT FURTHER ORDERED: THAT MR. HEALY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 30, 1994.

ITEM #150-94

TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW.

BE IT ORDERED: THAT JOHN MILLER BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE A MEMBER OF THE BOARD OF ASSESSMENT REVIEW UNTIL SEPTEMBER 1, 1997.

BE IT FURTHER ORDERED: THAT MR. MILLER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 30, 1994.



COUNCIL MEETING #21-94  
SEPTEMBER 20, 1994

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ITEM #151-94      TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD FUND.

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**BE IT ORDERED:** THAT 15 INDIVIDUALS RECEIVE AWARDS FROM THE DR. GOULD TRUST FUND TOTALING \$2,777.90.

**NOTE:** ALL APPLICANTS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE AND A LIST OF AWARDS CAN BE OBTAINED AT THAT OFFICE.

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ITEM #152-94      TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DAVIS FUND.

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**BE IT ORDERED:** THAT 3 INDIVIDUALS RECEIVE AWARDS FROM THE DAVIS FUND TOTALING \$700.26.

**NOTE:** ALL APPLICANTS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE AND A LIST OF AWARDS CAN BE OBTAINED AT THAT OFFICE.

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ITEM #153-94      TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A GIFT OF PROPERTY LOCATED ON US ROUTE #1 FROM THE STATE OF MAINE.

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**BE IT ORDERED:** THAT A GIFT OF PROPERTY FROM THE STATE OF MAINE LOCATED ON US ROUTE #1, BE ACCEPTED.

**NOTE:** THE LAND BEING OFFERED CONSISTS OF THREE PARCELS, LOTS 71, 72 AND 75 ON TAX MAP 26, TOTALLING APPROXIMATELY 5 ACRES. — *restricts development* —

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ITEM #154-94      TO CONSIDER ACTION RELATIVE TO CASTING A BALLOT FOR MAINE MUNICIPAL ASSOCIATION EXECUTIVE COMMITTEE AND ADVISORY COMMITTEE FOR 1994 - 1995.

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**BE IT ORDERED:** THE TOWN COUNCIL CAST A BALLOT FOR THE SLATE OF CANDIDATES RECOMMENDED BY THE MMA NOMINATING COMMITTEE.

**BE IT FURTHER ORDERED:** THAT DALE OLMSTEAD BE APPOINTED AS FREEPORT'S VOTING DELEGATE AT THE MAINE MUNICIPAL ANNUAL BUSINESS MEETING WHICH WILL BE HELD ON OCTOBER 6, 1994.

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ITEM #140-94      TABLED SEPTEMBER 6, 1994. TO CONSIDER ACTION RELATIVE TO PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN.

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**MOTION:** TO TABLE ITEM #140-94 UNTIL OCTOBER 4, 1994.



OTHER BUSINESS:

- CWC (car, 100). PA*
1. DISCUSSION ON APPLYING FOR A PUBLIC ACCESS DISCOVERY GRANT. *"uncertain accesses" #1200*
  2. UPDATE ON THE WATER QUALITY IMPROVEMENT STUDY.
  3. DISCUSSION ON ADDITIONS TO THE BOW STREET RECONSTRUCTION PROJECT.
  4. DISCUSS COUNCIL SCHEDULE THROUGH OCTOBER 1994.

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ITEM #155-94

TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO  
DISCUSS AN APPLICATION FOR A PROPERTY TAX ABATEMENT.

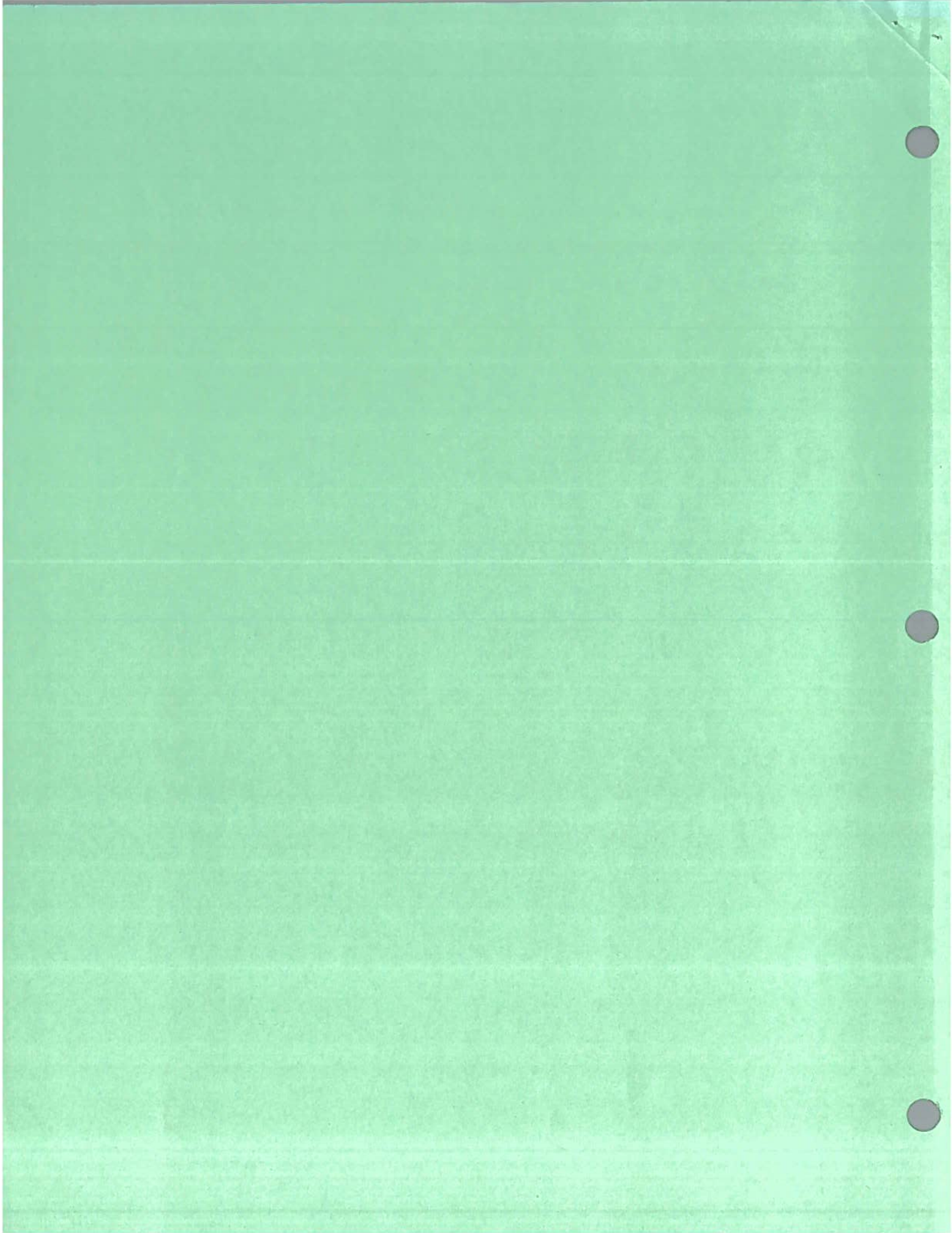
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**MOTION:** THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO  
DISCUSS AN APPLICATION FOR PROPERTY TAX ABATEMENT DUE TO  
POVERTY AND/OR DISABILITY.

**MOTION:** THAT THE COUNCIL RECONVENE.

**BE IT ORDERED:** THAT THE APPLICATION FOR A PROPERTY TAX  
ABATEMENT BECAUSE OF POVERTY AND/OR DISABILITY, BE  
APPROVED.

**NOTE:** THE COUNCIL HAS THE OPTION OF APPROVING THE FULL OR  
PARTIAL ABATEMENT. OF COURSE THE COUNCIL CAN DENY THE  
RESULTS OF THE HEARING.





**MINUTES  
FREEPORT TOWN COUNCIL  
MEETING #21-94  
September 20, 1994 - 7:30 P.M.**

**CHAIRPERSON'S CALL TO ORDER**

Elizabeth Ruff, Chairperson  
Durham Road

**Present   Absent   Excused**

X

Randall Bennett  
Park Street

X

Edward Bradley  
Flying Point Road

X (late)

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 #20-94 held on September 6, 1994 and accept the minutes as printed.

**MOVED AND SECONDED:** To accept the minutes of Meeting #20-94 held on September 6, 1994 and accept the minutes as printed. (Campbell & Wold) (6 Ayes) (0 Nays)

**SECOND ORDER OF BUSINESS:** Public Comment Period - 30 Minutes.  
(There was no public comment.)

**MOVED AND SECONDED:** To close the public coment period. (Campbell & Wold) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** To take Item #148-94, To consider action relative to proposed amendments to the Peddler's Ordinance. (Chapter 43) (Public Hearing), out of order. (Councilors Mann & Wold) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** TO TABLE THE PUBLIC HEARING ON THE PEDDLER'S ORDINANCE UNTIL OCTOBER 18, 1994. (Councilors Wold & Campbell) (6 Ayes) (0 Nays)

**Item #144-94**

TO CONSIDER ACTION RELATIVE TO RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT. NANCY GRAY, JEAN MACLEOD AND RONALD BROOK. (PUBLIC HEARING)

**MOVED AND SECONDED:** THAT THE FOLLOWING RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT BE SUBJECT TO PUBLIC HEARING.

NANCY GRAY, D/B/A HARRASEEKET INN, 162 MAIN ST.

JEAN MACLEOD, D/B/A/ OCEAN FARMS RESTAURANT, 23 MAIN ST.

RONALD BROOK, D/B/A CRICKET'S RESTAURANT, 175 LOWER MAIN STREET.

(Councilors DeGrandpre & Wold) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** THAT THE PUBLIC HEARING BE CLOSED. (Councilors DeGrandpre & Campbell) (6 Ayes) (0 Nays)

**BE IT ORDERED:** THAT THE RE-APPLICATIONS FOR A SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT ISSUED TO THE ABOVE NAMED APPLICANTS, BE APPROVED. ROLL CALL VOTE (Councilors DeGrandpre & Campbell) (6 Ayes) (0 Nays)

**Item #145-94**

**TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR RYAN DOHERTY AND MARA FRANK (PUBLIC HEARING)**

**MOVED AND SECONDED:** THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE. (Councilors Campbell & Wold) (6 Ayes) (0 Nays)

**ROLL CALL OF MEMBERS:**

ELIZABETH RUFF	GLORIA DEGRANDPRE
RANDALL BENNETT	KENNETH MANN
EDWARD BRADLEY (absent)	EDWARD CAMPBELL
ROGER WOLD	DALE OLMSTEAD (absent)
PAT GOODWIN	

**MOVED AND SECONDED:** THAT THE FOLLOWING APPLICATIONS/RE-APPLICATIONS FOR VICTUALER'S LICENSES BE SUBJECT TO PUBLIC HEARING:

RYAN DOHERTY, D/B/A TIM'S VENDING (PEDDLER/TOWN PROPERTY), MAIN STREET.

MARA FRANK, D/B/A BAYBERRY B & B, 8 MAPLE AVENUE.  
(Councilors Campbell & Wold) (7 Ayes) (0 Nays)

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

**BE IT ORDERED:** THAT THE APPLICATIONS/RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANTS, BE APPROVED. ROLL CALL VOTE (Councilors Campbell & Wold) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** THAT THE LICENSING BOARD ADJOURN AND THE COUNCIL RECONVENE. (Councilors Campbell & Mann) (7 Ayes) (0 Nays)

**ITEM #146-94**

**TO CONSIDER ACTION RELATIVE TO THE PROPOSED INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTIONS OF MAIN STREET/WEST STREET AND MAIN STREET/MALLET DRIVE. (PUBLIC HEARING)**

**MOVED AND SECONDED:** THAT THE PUBLIC HEARING BE OPENED.  
(Councilors Bennett & Wold) (6 Ayes) (0 Nays)

1. Acting Manager Cohen reviewed the request to the Department of Transportation to conduct a study of four intersections - Main Street and West Street, Main Street and School Street, Main Street and Bow Street, and Main Street and Mallett Drive. The Department of Transportation made an analysis of the intersections; they determined that there was a need for traffic lights at all of those intersections; when the Traffic Committee looked at DOT's analysis, they determined that there was a need for a traffic light at Main Street and West Street, and they questioned whether there was a need for a traffic light at Main Street and Mallett Drive. She stated that the study had been done in June, before the time of heavy traffic; the Committee voted to recommend to the Council that traffic lights be placed in two locations, at West and Main and Mallett and Main. She stated that the costs involved in the installation of these traffic lights: they can be paid for by the State, 80% federal, 20% State allocation, so that the actual cost will not be borne by the Town; however, the Town will pay for maintenance and electricity. Over time, the estimate cost, yearly for the two lights would be \$1,800, and maintenance costs would vary. The projected annual cost would be \$3,000.



2. Councilor Wold asked when the installation would be available.  
Acting Manager Cohen stated that they were not sure, due to the funding cycle of the State.

Discussion followed re: off-peak times, blinking lights, consideration of backup on Route 1 when the light is red on Main Street currently, timing of the lights to keep traffic moving, past traffic surveys done with recommendations to get traffic off Main Street and into the parking areas, concern with traffic patterns - lights at both ends of Town but possible traffic jams in the middle, etc.

Councilor Wold asked if they find that the lights do not solve the problem, can they be removed - who has the authority with this State funded project.

3. Chairperson Ruff stated she does not favor this project as she fears installing lights will cause traffic problems.
4. Ms. Moon stated that she favors the light at West Street.
5. Jim Gorman agreed, adding that there is a need for a light on Mallett Drive and West Street as well.
6. David Thompson stated that these two traffic lights are direly needed; he feels they should be regulated to ensure that the proper sensors are put in the pavement and the timing devices installed for control (by time of day and by time of year).
7. Peter Moulton asked if there will be three lanes on West Street, as there should be.  
Al Thompson stated that there was not the width available for three lanes.  
Councilor Bennett stated that most of the traffic (gathered from the study) turns right and that it has not been a problem.

**MOVED AND SECONDED:** THAT THE PUBLIC HEARING BE CLOSED.  
(Councilors Campbell & Wold) (6 Ayes) (0 Ayes)

**BE IT ORDERED:** THAT THE PROPOSED INSTALLATION OF TRAFFIC LIGHTS BE APPROVED. ROLL CALL VOTE (Councilors Bennett & Campbell) (5 Ayes) (1 Nay - Ruff)

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**Item #147-94**

**TO CONSIDER ACTION RELATIVE TO THE PROPOSED REDISTRICTING OF FREEPORT'S VOTING DISTRICTS. (PUBLIC HEARING)**

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**MOVED AND SECONDED:** THAT THE PUBLIC HEARING BE OPENED.  
(Councilors Wold & Mann) (6 Ayes) (0 Nays)

1. The Town Clerk and David Thompson reviewed the minor changes to the Districting Map.

Discussion followed re: the proposed redistricting affecting the current election papers taken out, pros and cons of adopting the changes now or after the November election, etc.

2. David Thompson stated that once this is adopted, he will develop the text to describe the districts.
3. Councilor Campbell stated he prefers not to delay this.
4. Councilor Wold stated that the Order needs to be re-stated to omit "...for the November 8, 1994 Federal, State and Municipal election".
5. Councilor Mann stated he prefers to wait until after the election.

**MOVED AND SECONDED:** THAT THE PUBLIC HEARING BE CLOSED.  
(Councilors Campbell & Wold) (6 Ayes) (0 Nays)

**BE IT ORDERED:** THAT THE PROPOSED REDISTRICTING OF FREEPORT'S VOTING DISTRICTS BE ADOPTED. ROLL CALL VOTE (Councilors Wold & Bennett) (6 Ayes) (0 Nays)

**ITEM #149-94**

TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW.

**BE IT ORDERED:** THAT MICHAEL HEALY BE RE-APPOINTED , EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE BOARD OF ASSESSMENT REVIEW UNTIL SEPTEMBER 1, 1997. **BALLOT VOTE** (Councilors Bennett & Wold) (6 Ayes) (0 Nays)

**BE IT FURTHER ORDERED:** THAT MR. HEALY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 30, 1994. **ROLL CALL VOTE** (Councilors Bennett & Wold) (6 Ayes) (0 Nays)

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**ITEM #150-94**

TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW.

**BE IT ORDERED:** THAT JOHN MILLER BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE A MEMBER OF THE BOARD OF ASSESSMENT REVIEW UNTIL SEPTEMBER 1, 1997. **BALLOT VOTE** (Councilors Mann & Wold) (6 Ayes) (0 Nays)

**BE IT FURTHER ORDERED:** THAT MR. MILLER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 30, 1994. **ROLL CALL VOTE** (Councilors Mann & Wold) (6 Ayes) (0 Nays)

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**ITEM #151-94**

TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD FUND.

**BE IT ORDERED:** THAT 15 INDIVIDUALS RECEIVE AWARDS FROM THE DR. GOULD TRUST FUND TOTALING \$2,777.90.

**NOTE:** ALL APPLICANTS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE AND A LIST OF AWARDS CAN BE OBTAINED AT THAT OFFICE. **ROLL CALL VOTE** (Councilors DeGrandpre & Wold) (6 Ayes) (0 Nays)

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**ITEM #152-94**

TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DAVIS FUND.

**BE IT ORDERED:** THAT 3 INDIVIDUALS RECEIVE AWARDS FROM THE DAVIS FUND TOTALING \$700.26.

**NOTE:** ALL APPLICANTS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE AND A LIST OF AWARDS CAN BE OBTAINED AT THAT OFFICE. **ROLL CALL VOTE** (Councilors Wold & Bennett) (6 Ayes) (0 Nays)

(Councilor Bradley arrived at this time.)

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**ITEM #153-94**

TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A GIFT OF PROPERTY LOCATED ON US ROUTE #1 FROM THE STATE OF MAINE.

**MOVED AND SECONDED:** THAT A GIFT OF PROPERTY FROM THE STATE OF MAINE LOCATED ON US ROUTE #1, BE TABLED UNTIL OCTOBER 4, 1994.

**NOTE:** THE LAND BEING OFFERED CONSISTS OF THREE PARCELS, LOTS 71, 72 AND 75 ON TAX MAP 26, TOTALING APPROXIMATELY 5 ACRES. (Councilors Wold & Campbell) (7 Ayes) (0 Nays)

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**ITEM #154-94**

TO CONSIDER ACTION RELATIVE TO CASTING A BALLOT FOR MAINE MUNICIPAL ASSOCIATION EXECUTIVE COMMITTEE AND ADVISORY COMMITTEE FOR 1994 - 1995.



**BE IT ORDERED:** THE TOWN COUNCIL CAST A BALLOT FOR THE SLATE OF CANDIDATES RECOMMENDED BY THE MMA NOMINATING COMMITTEE.

**BE IT FURTHER ORDERED:** THAT DALE OLMSTEAD BE APPOINTED AS FREEPORT'S VOTING DELEGATE AT THE MAINE MUNICIPAL ANNUAL BUSINESS MEETING WHICH WILL BE HELD ON OCTOBER 6, 1994.  
**ROLL CALL VOTE** (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**ITEM #140-94**

**TABLED SEPTEMBER 6, 1994. TO CONSIDER ACTION RELATIVE TO PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN.**

**MOVED AND SECONDED:** TO TABLE ITEM #140-94 UNTIL OCTOBER 4, 1994. (Councilors Bradley & Campbell) (7 Ayes) (0 Nays)

**OTHER BUSINESS:**

**1. DISCUSSION ON APPLYING FOR A PUBLIC ACCESS DISCOVERY GRANT.**

Carol Chipman provided an overview of the Discovery Grant for the Maine Coastal Program, totalling \$1,200. She described the steps necessary to write the proposal, which would then be submitted to the Coastal Waters Commission for their recommendations, and then submitted to the Council. She stated the work would have to be done by volunteers and that the bulk of the cost would be for legal review and copying costs.

Councilor Mann asked if this was a State Grant.

Ms. Chipman stated that the originator was the State Planning Office.

Councilor Mann asked the locations of the "uncertain access".

Ms. Chipman stated that they were: the end of Dixon Road, Harraseeket Park, Roland Kimball Road, Byron Avenue and Wolf Neck tax acquired lot. She added that the due date for this proposal is October 14, 1994.

Acting Manager Cohen stated that what the Council would be voting on is to authorize the development of the grant application; if the application were successful, then the Council would vote to accept it.

Ms. Peters stated that the State gives very specific guidelines, to look into the access points, inventory what the Town has, etc. She favors this endeavor.

**MOVED AND SECONDED:** TO AUTHORIZE THE COASTAL WATER COMMISSION TO APPLY FOR A PUBLIC ACCESS DISCOVERY GRANT.  
(Councilor Wold & Bennett) (7 Ayes) (0 Nays)

**2. UPDATE ON THE WATER QUALITY IMPROVEMENT STUDY.**

David Whitten provided a review of the study done to look for point sources of bacterial pollution. The purpose of the study was to tie it to the health of shellfish flats. He stated that specific point sources were found; the project went on for a two year period. Regarding closed clam flats, efforts were concentrated in areas in which the closures, due to pollution, had been fairly recent, there was a good possibility that the pollution was specific in nature and that the outcome of the study might result in some type of enforcement. Ken Kaminski wrote the report. The end result of the study was that specific point sources were found, and there was far less point source pollution than anticipated.

Councilor Bradley asked if the study will lead to opening areas formerly closed; is there anything that the Council ought to be doing to make sure that this piece with other efforts so that DMR actually opens some areas.

Acting Manager Cohen stated that the Town has not sent a copy to the DMR, but this could be done. She added that the information in the report, though it would not directly lead to opening of clam flats, it is supporting information.

Councilor Bradley requested that the Conservation Commission get involved in this to put this in focus for us and ask for additional support to get an end to this process and get more of the flats opened.  
open.

Mr. Whitten stated that this study shows a general cleanliness along the coastline and tends to support the opening of the flats.

**3. DISCUSSION ON ADDITIONS TO THE BOW STREET RECONSTRUCTION PROJECT.**

Chairperson Ruff reviewed the memo from Manager Olmstead, dated 9-16-94, regarding the issue of additional work and a response from the State as to what they are willing to pay for those particular additions; also included was additional work requested by Peter Tubbs.

Acting Manager Cohen reviewed the letter from Peter Tubbs. She stated that the total amount of money is \$5,150; the properties involved are the Forest, Ryan and O'Brien properties. She stated that \$2,400 is eligible, leaving \$2,750 for funding.

Discussion followed re: additional work items, State reimbursement eligibility, need to take action on the additional \$2,750 not eligible for funding, an abutter's drain that causes icy conditions during the winter on the O'Brien property, etc.

Councilor Bradley requested that Mr. Tubbs be present to clarify these issues.

Councilor Mann stated that he agrees with Peter Tubbs that the requests are reasonable and need to be funded in the three cases.

Chairperson Ruff raised concern of setting a precedent; she suggested inviting him to talk with the Council before making a decision on these requests.

Councilor Wold stated that he supports the expenditure of \$250 request and the request which would not cost any additional money.

**MOVED AND SECONDED:** TO APPROVE THE THE ADDITIONAL WORK AT NO COST TO THE TOWN AT THE RYAN PROPERTY. (Councilors Campbell & Bradley) (7 Ayes)

Ms. O'Brien stated that the proposed additional work would make her driveway assessable for a safety factor; she then described the current conditions at her driveway.

Councilor DeGrandpre stated that she did not want the property owners to be affected by the construction on Bow Street or become any more dangerous.

**MOVED:** TO APPROVE THE \$13,850 FOR THE ADDITIONAL WORK REFERENCED IN MR. TUBBS' LETTER. (Councilor Mann, no second)

Councilor Bradley stated that there is no indication the Council needs to take action or that the project will be delayed; what they are requesting is to discuss this further with Mr. Tubbs.

**MOVED AND SECONDED:** TO APPROVE THE O'BRIEN PROPERTY WORK FOR \$850, \$600 OF WHICH IS FUNDED BY THE STATE, AND THE \$250 TO BE FUNDED FROM THE TOWN CONTINGENCY FUND. (Councilors Wold & Bennett) (5 Ayes) (2 No - DeGrandpre, Ruff)

Mr. Jack Forrest stated he is very happy with the contractor.

**MOVED AND SECONDED:** TO TABLE THE ADDITIONAL WORK REQUEST AT THE FORREST PROPERTY UNTIL DISCUSSION CAN BE HAD WITH PETER TUBBS. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**4. DISCUSS COUNCIL SCHEDULE THROUGH OCTOBER 1994.**

The Council schedule of meetings are:

- 9-27 - meeting with Regional Demolition Committee, Council goals
- 10-04 - regular meeting, vote on Comprehensive Plan & Route 1 easement
- 10-11 - interview law firms
- 10-25 - continuation of law firms interviewing, if needed
- 11-01 - regular meeting

5. Chairperson Ruff stated that the Recycling Program is going to have a "Clean-up" Week in October.

6. Councilor Bradley stated that a request has been made by Steve Stairs, who has organized a group of people for sports boosters, to rent public space at the Boston Trader.

Discussion followed re: letter of intent, various groups using the space at the Boston Trader, etc.

7. Councilor Bradley stated that Norman Woods has raised concerns regarding the public restrooms.

8. Councilor Bradley requested permission to talk with Mr. Dunning about the selling price for the Dunning Boat House, if sold to the Town, and report back to the Council.



**ITEM #155-94**

**TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR A PROPERTY TAX ABATEMENT.**

**MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR PROPERTY TAX ABATEMENT DUE TO POVERTY AND/OR DISABILITY. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)**

**MOVED AND SECONDED: THAT THE COUNCIL RECONVENE. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)**

**BE IT ORDERED: THAT THE APPLICATION FOR A PROPERTY TAX ABATEMENT BECAUSE OF POVERTY AND/OR DISABILITY, BE APPROVED. (Councilors Campbell & Bennett) ROLL CALL VOTE (7 Ayes) (0 Nays)**

**NOTE: THE COUNCIL HAS THE OPTION OF APPROVING THE FULL OR PARTIAL ABATEMENT. OF COURSE THE COUNCIL CAN DENY THE RESULTS OF THE HEARING.**

**MOVED AND SECONDED: That the Council meeting be adjourned at 11:26 P.M. (Councilors Wold & Mann) (7 Ayes) (0 Nays)**

**Respectfully submitted,**

**Pat Goodwin  
Recording Secretary**

MINUTES  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
SEPTEMBER 27, 1994 - 9:00 PM  
SPECIAL MEETING #22-94

MINUTES

Regular	Special	X
<u>Present</u>	<u>Absent</u>	<u>Excused</u>

Chairperson's Call to Order

Elizabeth Ruff  
Durham Road

X

Randall Bennett  
Park Street

X

Edward Bradley  
Flying Point Road

X

Ken Mann  
Mann Road

X

Gloria DeGrandpre  
Wolf Neck Road

X

Edward Campbell  
Gay Drive

X

Roger Wold  
Staples Point Road

X

FIRST ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson. (CAMPBELL & MANN) ( 7 AYES)