

**MINUTES  
FREEPORT TOWN COUNCIL  
MEETING #23-94  
October 4, 1994 - 7:30 P.M.**

**CHAIRPERSON'S CALL TO ORDER**

Elizabeth Ruff, Chairperson  
Durham Road

**Present   Absent   Excused**

X

Gloria DeGrandpre  
Wolf Neck Road

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 #21-94 held on September 20, 1994 and Special Meeting #22-94 held on September 27, 1994 and accept the minutes as printed.

**MOVED AND SECONDED:** To accept the minutes of Meeting #21-94 held on September 20, 1994, as amended # on page 3 Item 7, to add, "...as Peter said there should be..., after "three lanes on West Street", and accept the minutes of Meeting #22-94 held on September 27, 1994, as printed. (Councilors Campbell & Bennett) (6 Ayes) (0 Nays)

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

1. Bill Shane, President Maine Chapter American Public Works Association stated that this past Spring, the Chapter sponsored the annual Snow Plow Rodeo Competition for Cumberland County; Freeport and 16 other teams competed; the Town of Freeport won the Rodeo championship; they went on to finish 6th in the State competition. The drivers were Doug Moore and Brent Moon. Al Thompson accepted the plaque which was won.

**MOVED AND SECONDED:** That the Public Comment Period be closed. (Councilors Campbell & Wold) (6 Ayes) (0 Nays)

---

**ITEM 157-94:** TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE AND ZONING MAP REZONING (TAX MAP 12, LOTS 31A AND 33A) FROM VILLAGE I TO VILLAGE COMMERCIAL II. (CHAPTER 21)

**BE IT ORDERED:** THAT A PUBLIC HEARING BE

SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED AMENDMENTS TO THE ZONING MAP.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR INSPECTION BY CITIZENS. **ROLL CALL VOTE** (Councilors Wold & Campbell) (6 Ayes) (0 Nays)  
(Councilor Bradley arrived at this time.)

---

**ITEM #158-94** TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE LAND BANK ORDINANCE CONCERNING THE CHARGE OF THE COMMITTEE AS IT RELATES TO HEDGEHOG MOUNTAIN. (CHAPTER 35)

**BE IT ORDERED:** THAT A PUBLIC HEARING BE SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED AMENDMENTS TO THE LAND BANK ORDINANCE.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR INSPECTION BY CITIZENS.

**BE IT ORDERED:** That Item #158-94 be tabled indefinitely.  
**ROLL CALL VOTE** (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

---

**ITEM #159-94** TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION OF A FISCAL YEAR 1995 TAX RATE.

**BE IT ORDERED:** THAT THE FISCAL YEAR 1995 TAX RATE OF \$17.00 THAT HAS BEEN ESTABLISHED BY THE TOWN'S ASSESSOR, BE CONFIRMED. **ROLL CALL VOTE** (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

---

**ITEM #160-94** TO CONSIDER ACTION RELATIVE TO THE FISCAL YEAR 1995 TAX DUE DATES AND INTEREST RATES.

**BE IT ORDERED:** THAT ONE-HALF OF THE FISCAL YEAR 1995 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON NOVEMBER 15, 1994, WITH INTEREST AT THE RATE OF .83% PER MONTH OR 10% PER ANNUM, TO BE CHARGED FROM NOVEMBER 16, 1994, AND THAT THE SECOND-HALF OF THE FISCAL YEAR 1995 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON MAY 15, 1995, WITH INTEREST AT THE RATE OF .83% PER MONTH OR 10% PER ANNUM, TO BE CHARGED FROM MAY 16, 1995.

**BE IT FURTHER ORDERED:** THAT THE FISCAL YEAR 1995 COMMITTED TAXES FOR PERSONAL PROPERTY BE PAYABLE ON NOVEMBER 15, 1994, WITH INTEREST AT THE

RATE OF .83% PER MONTH OR 10% PER ANNUM, TO BE CHARGED FROM NOVEMBER 16, 1994.

**BE IT FURTHER ORDERED:** THAT AN INTEREST RATE OF .50% PER MONTH OR 6% PER ANNUM BE ESTABLISHED FOR OVER PAYMENT OF TAXES. **ROLL CALL VOTE** (Councilors DeGrandpre & Wold) (7 Ayes) (0 Nays)

---

**ITEM #161-94** TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT.

**BE IT ORDERED:** THAT UP TO \$10,000 BE EXPENDED FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT TO COVER CLAIMS FROM A PERIOD OF JULY 1, 1994 TO JUNE 30, 1995. **ROLL CALL VOTE** (Councilors Bennett & Campbell) (7 Ayes) (0 Nays)

---

**ITEM #162-94** TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM FUND BALANCE TO REIMBURSE THE SCHOOL DEPARTMENT FOR SHORT FALLS IN THE SPECIAL EDUCATION ACCOUNTS FOR FISCAL YEAR 1994.

**BE IT ORDERED:** THAT \$36,900 BE EXPENDED FROM FUND BALANCE TO REIMBURSE THE SCHOOL DEPARTMENT FOR SHORT FALLS IN THE FISCAL YEAR 1994 SPECIAL EDUCATION ACCOUNTS. **ROLL CALL VOTE** (Councilors Bradley & Campbell) (2 Ayes) (5 Nays - Bradley, DeGrandpre, Bennett, Wold, Mann)

**BE IT ORDERED:** THAT \$26,000 BE EXPENDED FROM FUND BALANCE TO REIMBURSE THE SCHOOL DEPARTMENT FOR SHORTFALLS IN THE FISCAL YEAR 1994 SPECIAL EDUCATION ACCOUNT. **ROLL CALL VOTE** (Councilors Bradley & Wold) (6 Ayes) (1 Nay - Mann)

**BE IT ORDERED:** THAT \$10,000 BE EXPENDED FROM THE MISCELLANEOUS CONTINGENCY FUND TO SUPPORT COMPLETING THE FUND DRIVE FOR THE MORSE STREET PLAYGROUND. **ROLL CALL VOTE** (Councilors Ruff & Campbell) (4 Ayes) (3 Nays - Wold, DeGrandpre, Bradley)

**ITEM #163-94** TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING THE FEE SCHEDULE. (CHAPTER 34)

**BE IT ORDERED:** THAT A PUBLIC HEARING BE SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE FREEPORT TOWN HALL COUNCIL CHAMBER TO DISCUSS PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING THE FEE SCHEDULE.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR

**INSPECTION BY CITIZENS. ROLL CALL VOTE** (Councilors Wold & Campbell) (7 Ayes) (0 Nays)

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

**BE IT ORDERED:** THAT THE PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN THAT ARE INCLUDED IN THE DOCUMENT TITLED TOWN OF FREEPORT COMPREHENSIVE PLAN OCTOBER 1994. BE ADOPTED, AS AMENDED ON PAGE VII, 1-2-B, "....PROPOSED DEVELOPMENT SHALL HAVE NO UNREASONABLE ADVERSE IMPACT ON AQUIFERS THAT CROSS PROPERTY LINES AND ....".

**ROLL CALL VOTE** (Councilors Bradley & Campbell) (6 Ayes) (1 Nay - Bennett)

**ITEM #153-94** TABLED SEPTEMBER 20, 1994. TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A GIFT OF PROPERTY LOCATED ON US ROUTE #1 FROM THE STATE OF MAINE.

**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. **ROLL CALL VOTE** (Councilors Campbell & Wold) (7 Ayes) (0 Nays)

**OTHER BUSINESS:**

**1. DISCUSSION ON PROCESS FOR REVIEWING THE FIRE/RESCUE DEPARTMENT ORGANIZATIONAL STRUCTURE.**

**MOVED AND SECONDED:** THAT THIS ITEM BE TABLED INDEFINITELY.

(Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**2. DISCUSSION ON REPLACEMENT ON THE FIRE DEPARTMENT SQUAD TRUCK.**

Fire Chief Daly gave an overview of the 1987 Chevrolet 70 Series truck which would be used for as an emergency response vehicle; it is currently owned by the Town of Waterville; the purchase price is \$20,000.

Discussion followed re: cost, condition of the vehicle, cost for painting and lettering, funding, need for the vehicle, etc.

The Council directed Chief Daly to get an appraisal, Waterville's timing as to when payment would be expected and the cost of replacement of the engine and any other parts needed.

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

Manager Olmstead gave an overview of additions to the Bow Street Reconstruction project; he reviewed a letter from DeLuca-Hoffman, which summarizes the budget in total and a letter from Peter Tubbs. He stated that MDOT committed \$100,000, the School Department committed \$100,000 and the Town Council voted \$49,000 toward this project; any further funds to cover overages, etc., would have to come from the Town. He added that they should go back to the State for additional funding, as there is a deficit of \$6,085.

Discussion followed re: additional costs for necessary work, concerns raised by abutting property owners, etc.

**BE IT ORDERED:** That funding be approved for additional work items identified for the Bow Street Improvements Project: \$180 - remove tree and stump, \$5,200 - ledge excavation, roadway and ditch, \$370 - curbing, \$2,250 - stone slope paving, \$1,500 - driveway improvements and \$660 - soften grades, with the caveat that the Manager will go to the State to negotiate a 50/50 sharing as per our previous cost sharing arrangements, and that the Council go to the Town attorney to determine whether this expenditure will put the cost over the \$50,000 Charter bound requirement to go to the voters and report back to the Council as to have met the fundingness, that would conform to the Town Charter. **ROLL CALL VOTE** (Councilors Bradley & Bennett) (6 Ayes) (1 Nay - Mann)

**4. DISCUSSION ON RELOCATION OF A MERRY-GO-ROUND TO THE TOWN HALL PROPERTY.**

Bob Lyman gave an overview of the Playground Project. He stated that a question had come up as to the safety of some of the equipment; residents had raised concern for the sentimental value of the merry-go-round. It was suggested to move the merry-go-round to the Town Hall property. It had also been suggested to add a plaque which would describe the history of the merry-go-round.

**MOVED AND SECONDED:** To approve the relocation of the merry-go-round to the Town Hall property and placement of a plaque describing its history. (Councilor Campbell & Bradley) (7 Ayes) (0 Nays)

---

**ITEM #164-94 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY AND INTERVIEWS FOR LEGAL SERVICES.**

**MOVED AND SECONDED:** THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY AND INTERVIEWS FOR LEGAL SERVICES. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

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

**BE IT ORDERED:** THAT THE FOLLOWING EXPLANATION BE ADDED TO THE NOVEMBER 8, 1994 BALLOT QUESTION

**CONCERNING AN APPROPRIATION ORDINANCE FOR THE  
PURCHASE OF DUNNING BOAT YARD:**

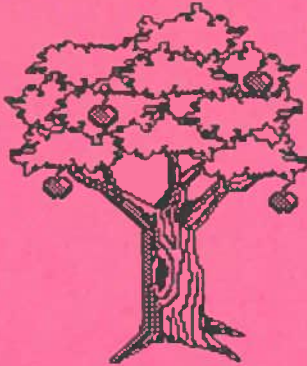
**THE INTENT OF THIS ACQUISITION IS TO PROVIDE  
ADDITIONAL PUBLIC ACCESS TO THE WATER. THE  
PURCHASE IS CONTINGENT ON VOTER APPROVAL, A  
BOUNDARY LINE SURVEY, AN ENVIRONMENTAL  
ASSESSMENT, A PROPERTY APPRAISAL, AND A TITLE  
SEARCH AND ALL MUST BE SATISFACTORY TO THE TOWN.  
IF ANY OF THESE ITEMS DO NOT MEET THE TOWN'S  
REQUIREMENTS, THE TOWN COUNCIL RESERVES THE  
RIGHT TO RENEGOTIATE THE TERMS OR REJECT THE  
PURCHASE. ROLL CALL VOTE (Councilors Bradley &  
Wold) (7 Ayes) (0 Nays)**

**MOVED AND SECONDED: That the meeting be adjourned at  
12:01 A.M. (Councilors Wold & Campbell) (7 Ayes) (0 Nays)**

**Respectfully submitted,**

**Pat Goodwin  
Recording Secretary**





## A G E N D A

COUNCIL MEETING #23-94

COUNCIL CHAMBERS

OCTOBER 4, 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 DeGrandpré, Wolf Neck Road  
Kenneth Mann, Mann Road  
Edward Campbell, Gay Drive

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #21-94 held on September 20, 1994 and Special Meeting #22-94 held on September 27, 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.

---

ITEM #157-94    TO CONSIDER ACTION RELATIVE TO PROPOSED  
AMENDMENTS TO THE ZONING MAP REZONING (TAX MAP 1  
AND 33A) FROM VILLAGE I TO VILLAGE COMMERCIAL II. (C

---

**BE IT ORDERED:** THAT A PUBLIC HEARING BE  
SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE  
TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED  
AMENDMENTS TO THE ZONING MAP.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE  
AND DISTRIBUTED EQUALLY BETWEEN THE TOWN  
CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR  
INSPECTION BY CITIZENS.

---

ITEM #158-94    TO CONSIDER ACTION RELATIVE TO PROPOSED  
AMENDMENTS TO THE LAND BANK ORDINANCE  
CONCERNING THE CHARGE OF THE COMMITTEE AS IT  
RELATES TO HEDGEHOG MOUNTAIN. (CHAPTER 35)

---

**BE IT ORDERED:** THAT A PUBLIC HEARING BE  
SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE  
TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED  
AMENDMENTS TO THE LAND BANK ORDINANCE.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE  
AND DISTRIBUTED EQUALLY BETWEEN THE TOWN  
CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR  
INSPECTION BY CITIZENS.

---

ITEM #159-94    TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION  
OF A FISCAL YEAR 1995 TAX RATE.

---

**BE IT ORDERED:** THAT THE FISCAL YEAR 1995 TAX RATE  
OF \$17.00 THAT HAS BEEN ESTABLISHED BY THE TOWN'S  
ASSESSOR, BE CONFIRMED.



---

ITEM #160-94 TO CONSIDER ACTION RELATIVE TO THE FISCAL YEAR  
1995 TAX DUE DATES AND INTEREST RATES.

---

**BE IT ORDERED:** THAT ONE-HALF OF THE FISCAL YEAR  
1995 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE  
ON NOVEMBER 15, 1994, WITH INTEREST AT THE RATE OF  
.83% PER MONTH OR 10% PER ANNUM, TO BE CHARGED  
FROM NOVEMBER 16, 1994, AND THAT THE SECOND-HALF  
OF THE FISCAL YEAR 1995 COMMITTED TAXES FOR REAL  
ESTATE BE PAYABLE ON MAY 15, 1995, WITH INTEREST AT  
THE RATE OF .83% PER MONTH OR 10% PER ANNUM, TO  
BE CHARGED FROM MAY 16, 1995.

**BE IT FURTHER ORDERED:** THAT THE FISCAL YEAR 1995  
COMMITTED TAXES FOR PERSONAL PROPERTY BE  
PAYABLE ON NOVEMBER 15, 1994, WITH INTEREST AT THE  
RATE OF .83% PER MONTH OR 10% PER ANNUM, TO BE  
CHARGED FROM NOVEMBER 16, 1994.

**BE IT FURTHER ORDERED:** THAT AN INTEREST RATE OF  
.50% PER MONTH OR 6% PER ANNUM BE ESTABLISHED  
FOR OVER PAYMENT OF TAXES.

---

ITEM #161-94 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE  
FROM THE UNEMPLOYMENT COMPENSATION RESERVE  
ACCOUNT.

---

**BE IT ORDERED:** THAT UP TO \$10,000 BE EXPENDED  
FROM THE UNEMPLOYMENT COMPENSATION RESERVE  
ACCOUNT TO COVER CLAIMS FROM A PERIOD OF JULY 1,  
1994 TO JUNE 30, 1995.

---

ITEM #162-94 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE  
FROM FUND BALANCE TO REIMBURSE THE SCHOOL  
DEPARTMENT FOR SHORT FALLS IN THE SPECIAL  
EDUCATION ACCOUNTS FOR FISCAL YEAR 1994.

---

**BE IT ORDERED:** THAT \$36,900 BE EXPENDED FROM  
FUND BALANCE TO REIMBURSE THE SCHOOL  
DEPARTMENT FOR SHORT FALLS IN THE FISCAL YEAR  
1994 SPECIAL EDUCATION ACCOUNTS.



---

ITEM #163-94 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING THE FEE SCHEDULE. (CHAPTER 34)

---

**BE IT ORDERED:** THAT A PUBLIC HEARING BE SCHEDULED FOR OCTOBER 18, 1994 AT 7:30 PM IN THE FREEPORT TOWN HALL COUNCIL CHAMBER TO DISCUSS PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING THE FEE SCHEDULE.

**BE IT FURTHER ORDERED:** THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE BH BARTOL LIBRARY FOR INSPECTION BY CITIZENS.

---

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

---

**BE IT ORDERED:** THAT THE PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN THAT ARE INCLUDED IN THE DOCUMENT TITLED TOWN OF FREEPORT COMPREHENSIVE PLAN OCTOBER 1994, BE ADOPTED.

---

ITEM #153-94 TABLED SEPTEMBER 20, 1994. TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A GIFT OF PROPERTY LOCATED ON US ROUTE #1 FROM THE STATE OF MAINE.

---

**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.

OTHER BUSINESS:

1. DISCUSSION ON PROCESS FOR REVIEWING THE FIRE/RESCUE DEPARTMENT ORGANIZATIONAL STRUCTURE.

**MOTION:** THAT THIS ITEM BE TABLED INDEFINITELY

COUNCIL MEETING #23-94  
OCTOBER 4, 1994

2. DISCUSSION ON REPLACEMENT ON THE FIRE DEPARTMENT SQUAD TRUCK.

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

4. DISCUSSION ON RELOCATION OF A MERRY-GO-ROUND TO THE TOWN HALL PROPERTY.

---

ITEM #164-94    TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY.

---

**MOTION:** THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY.

**MOTION:** THAT THE COUNCIL RECONVENE.

END OF AGENDA



