

**MINUTES
FREEPORT TOWN COUNCIL
MEETING #3-95
February 7, 1995 - 7:00 P.M.**

<u>Chairperson's Call to Order:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Edward Campbell, Chairperson Gay Drive	X		
Gloria DeGrandpre Wolf Neck Road	X		
Elizabeth Ruff Durham Road	X		
Randall Bennett Park Street	X		
Roger Wold Staples Point Road	X		
Kenneth Mann Mann Road	X		
Charlotte Bishop Maquoit Drive	X		

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #2-95 held on January 17, 1995 and accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #2-95 held on January 17, 1995 and accept the minutes as amended to add on page two, the clarification that the Town Council agreed to take an item out of order. (Councilors Ruff & Bennett) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: Public Comment period - 30 Minutes.

1. Councilor Bennett stated he had received a petition from a neighborhood group, representing Cushing Avenue and Elm Street properties, re: being included in the Planning Board's work concerning L. L. Bean.
2. John Ormsby stated that the people on Cushing Avenue want to have the property in that area changed to commercial zone.
Chairman Campbell stated that this is a separate effort from the L. L. Bean effort.
3. Councilor Mann stated that he had received a call from a person with concerns about the reconstruction of Desert Road and Merrill Road. He requested clarification as to the plans of the intersection.
Manager Olmstead stated that during the site review process, neighbors had requested L. L. Bean redesign that intersection; a stop sign is planned to be placed on Merrill Road end.
4. Councilor Mann stated that he has specific concerns that in mild weather, using pure salt on the roads; he requested that a policy be set, i.e., the using of a mixture of salt and sand VS. pure salt.
5. Councilor Bennett stated that re: the intersection of Merrill and Desert Roads, it will be straightened and the plans are on file in the Town Planner's office.

6. Councilor Wold raised his concerns re: an editorial in The Forecaster, written by Councilor Mann, re: "Minority Opinion on Freeport Town Council Goals". He feels that a few things need to be corrected. He reviewed the efforts to date - Chairman Campbell and Vice-Chairperson DeGrandpre requesting lists of goals for 1995 from each councilor, the opportunity afforded to think and talk about these goals. He stated that he takes issue with Councilor Mann's preference to use the press instead of the forum provided. He added that he also takes issue with the statement that Councilor Mann stating that these are a minority point of view, eg., a no tax increase, looking for a new town manager; all councilors are concerned about a no tax increase; initiating a search for a new town manager has also been discussed as a goal. Re: the Dunning Boat Yard, all of the councilors agree that they will look to the highest and best use for it.

7. Councilor Mann agreed that the Council did go through the workshop process of council goals. He stated he felt a need to emphasize getting a new town manager. He added that he is pleased to hear that goals he has raised do represent the majority.

MOVED AND SECONDED: That the Public Comment Period be closed.
(Councilors Ruff & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To take an item out of order, i.e., the petition presented from the residents of Cushing Avenue, the request for a zone change to be forwarded to the Planning Board and included with the L. L. Bean application for a zone change.
(Councilors Ruff & Wold) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To refer the petition requesting a review of a zone change on Cushing Avenue to the Planning Board.
(Councilors Ruff & Bennett) (7 Ayes) (0 Nays)

ITEM #14-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING LOADING ZONES AND THE WINTER PARKING BAN. (CHAPTER 48) (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE BE SUBJECT TO PUBLIC HEARING.
(Councilors Bennett & Wold) (7 Ayes) (0 Nays)

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

MOVED AND SECONDED: THAT THE PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE BE TABLED UNTIL 2/21/95.
(Councilors Bennett & Wold) (7 Ayes) (0 Nays)

ITEM #15-95 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE OF FUNDS FROM THE CABLE TV EQUIPMENT RESERVE ACCOUNT.

BE IT ORDERED: THAT UP TO \$2,000 BE EXPENDED FROM THE CABLE TV EQUIPMENT RESERVE ACCOUNT TO PROVIDE FOR THE PURCHASE OF A COMPUTER SYSTEM. ROLL CALL VOTE (Councilors Bishop & Ruff)
(7 Ayes) (0 Nays)

ITEM #16-95 TO CONSIDER ACTION RELATIVE TO AMENDMENTS TO THE ARTHUR L. GOULD FUND ADMINISTRATIVE GUIDELINES.

MOVED AND SECONDED: To amend Section 2.1 paragraph 8, to change "interest" to "income". (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE ARTHUR L GOULD FUND
ADMINISTRATIVE GUIDELINES BE AMENDED AS FOLLOWS:

2.2 APPLICATIONS

**APPLICATIONS FOR A GRANT FROM THE FUND SHALL BE MADE TO THE
GENERAL ASSISTANCE DIRECTOR AND SHALL INCLUDE: MEMBERS OF
THE TOWN COUNCIL OR TOWN MANAGER**

- 1. APPLICANT'S FULL NAME, RESIDENCE AND NAME OF SPOUSE, IF ANY;**
- 2. MARITAL STATUS OF APPLICANT;**
- 3. DETAILS OF ASSISTANCE REQUESTED;**
- 4. ECONOMIC STATUS OF APPLICANT WHICH MAY INCLUDE SPOUSE, PARENTS AND CHILDREN. SAID INFORMATION ON APPLICANT SHALL INCLUDE ALL INCOME OR OTHER MEANS OF SUPPORT, DETAILS WITH RESPECT TO OWNERSHIP OF REAL AND PERSONAL PROPERTY, INCLUDING INSURANCE OR OTHER ASSETS AVAILABLE TO THE APPLICANT AND NECESSARY EXPENSES.**

2.3 RECORDS

**TO QUALIFY FOR AN AWARD ALL APPLICANTS SHALL MEET THE
GUIDELINES ESTABLISHED BY THE GENERAL ASSISTANCE DIRECTOR.**

IN ORDER TO PROVIDE AN OBJECTIVE BASIS FOR THE MUNICIPAL OFFICERS GENERAL ASSISTANCE DIRECTOR TO REVIEW THE ADMINISTRATION OF THE FUND AND TO PROVIDE A BASIS FOR ACCOUNTING FOR EXPENDITURES FROM THE FUND, THE FOLLOWING RECORDS WILL BE MAINTAINED:

- (1) ALL COMPLETED APPLICATIONS FOR ASSISTANCE FROM THE FUND, TOGETHER WITH ALL SUPPORTING DOCUMENTATION.**
 - (2) WRITTEN RECORDS OF ALL VERIFICATIONS OF APPLICATIONS AND INVESTIGATIONS OF APPLICANTS.**
 - (3) MINUTES OF MEETINGS OF THE MUNICIPAL OFFICERS GRANTING AWARDS CONSIDER APPLICATIONS FOR ASSISTANCE FROM THE FUND. TOGETHER WITH THE GROUNDS FOR THE APPROVAL OR DENIAL OF APPLICATION.**
 - (4) ACCURATE AND COMPLETE ACCOUNTING RECORDS SETTING FORTH THE TYPE AND AMOUNT OF ALL EXPENDITURES FROM THE FUND, TOGETHER WITH ALL SUPPORTING INVOICES OR BILLS.**
- ROLL CALL VOTE (Councilors Wold & Ruff) (7 Ayes) (0 Nays)**

ITEM #17-95

TO CONSIDER ACTION RELATIVE TO THE USE OF FREEPORT'S DEMOLITION MATERIALS DISPOSAL AREA.

BE IT ORDERED: THAT THE TOWNS OF NORTH YARMOUTH, POWNAL AND DURHAM BE ALLOWED ENTRY INTO FREEPORT'S DEMOLITION MATERIALS SITE FOR THE DISPOSAL OF RESIDENTIAL DEMOLITION MATERIAL.

BE IT FURTHER ORDERED: THAT A DISPOSAL RATE OF \$20 PER CUBIC YARD OF MATERIAL BE ASSESSED AT THE GATE WITH THE PROCEEDS PLACED INTO A CAPITAL RESERVE ACCOUNT FOR THE DEVELOPMENT OF A DEMOLITION TRANSFER FACILITY.
ROLL CALL VOTE (Councilors Ruff & Bennett) (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. FREEPORT COMMUNITY SERVICES - REPORT ON ACTIVITIES.

(This item is postponed until the next Council meeting.)

2. MEETING WITH THE CUMBERLAND COUNTY COMMISSIONERS.

Commissioners Esther Glenott and Lyle Cramer were present to answer questions from the Council.

Councilor Wold asked how much of the total increase in the County budget is attributed to the jail.

Commissioner Cramer stated that nearly 100% of the increase could be attributed to the jail. He added that about 23% of the increase is due to federal anticipated revenue not coming and an increase in costs for running the jail and sheriff's department.

Councilor Ruff stated that she appreciates the position the commissioners are in, but feels that continued similar increases each year are too much for communities to absorb.

Discussion followed re: surge of prisoner population, the possibility of opening of Pod B (of the jail), legislative initiatives, decline in number of federal inmates in jail, upcoming county-wide meetings, possibility of appointing the sheriff, total county budget, etc.

3. DISCUSSION ON FUNDING REQUEST FROM THE COALITION FOR EQUITABLE SCHOOL FUNDING.

Gary Wood, lobbyist for Portland and the coalition, presented an overview of the needs for the coalition - support and funding, the need for school departments to contribute as well as the municipal sides. He stated that no longer are property values a good measure of a community's ability to pay. The coalition is requesting \$1 per student from the municipal and school sides.

Discussion followed re: "no more cushion", subsidizing towns with low mil rates, the Rosser Commission Report which alters the existing funding formula, etc.

Councilor Mann stated that he felt they have not received any results the last two years.

Chairman Campbell stated he feels it is a small amount of money to contribute to have a lobbying effort promoting what would be beneficial to Freeport.

MOVED AND SECONDED: That the Council enter into executive session to discuss litigation with T Y Lin Co. with the Town's Attorney. (Councilors Bennett & Wold) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the Council reconvene. (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To authorize the Town Manager to sign the agreement with the Town of Freeport and T Y Lin Co., as discussed during the executive session. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the Council adjourn in Workshop with the School Committee to discuss the FY 96 Budget. (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To continue the meeting. (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

5. REQUEST BY L.L. BEAN TO USE THE BOW STREET PARK ON JULY 4, 1995.

MOVED AND SECONDED: To allow L. L. Bean to use the Bow Street Park on July 4, 1995 for the road races. (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

ITEM #18-95

TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS UNION NEGOTIATIONS, THE ACQUISITION OF PROPERTY, EMPLOYMENT AND PERSONNEL ISSUES AND LITIGATION (T Y LIN).

MOVED AND SECONDED: To enter into executive session to discuss union negotiation, the acquisition of property, employment and personnel issues, and Litigation (T Y Lin). (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To reconvene the meeting. (Councilors Ruff & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To enter into executive session to discuss litigation (Ocean Farms Inc.). (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To reconvene the meeting. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the meeting be adjourned at 11:55 P.M. (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary



AGENDA

COUNCIL MEETING #3-95

COUNCIL CHAMBERS

FEBRUARY 7, 1995 - 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: Edward Campbell, Chairperson, Gay Drive
Gloria DeGrandpre, Vice-Chairperson, Wolf Neck Road
Elizabeth Ruff, Durham Road
Randall Bennett, Park Street
Roger Wold, Staples Point Road
Kenneth Mann, Mann Road
Charlotte Bishop, Maquoit Drive

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #2-95 held on January 17, 1995 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 #14-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING LOADING ZONES AND THE WINTER PARKING BAN. (CHAPTER 48) (PUBLIC HEARING)

MOTION: THAT THE PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE BE SUBJECT TO PUBLIC HEARING.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

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OTHER BUSINESS:

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2. MEETING WITH THE CUMBERLAND COUNTY COMMISSIONERS.
3. DISCUSSION ON FUNDING REQUEST FROM THE COALITION FOR EQUITABLE SCHOOL FUNDING.
4. MEETING WITH THE SCHOOL COMMITTEE TO DISCUSS THE FY 96 BUDGET.
5. REQUEST BY L.L. BEAN TO USE THE BOW STREET PARK ON JULY 4, 1995.

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TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS UNION NEGOTIATIONS, THE ACQUISITION OF PROPERTY, EMPLOYMENT AND PERSONNEL ISSUES AND LITIGATION (TY LIN).

MOTION: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION.

MOTION: THAT THE COUNCIL RECONVENE.