

**FREEPORT TOWN COUNCIL
COUNCIL MEETING #4-95
February 21, 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 Drive	X		
Charlotte Bishop Maquoit Drive	X		

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #3-95 held on February 7, 1995 and accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #3-95 and accept the minutes as printed. (Councilors Wold & Bennett)
(7 Ayes) (0 Nays)

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

1. David Goldrup stated that a petition has been submitted to the Town Council, re: requesting that no additional stop sign(s) be installed at the intersection of Desert Road and Merrill Road.

Councilor Mann requested that the Council Chairperson review this construction plan and report back to the Council.

MOVED AND SECONDED: To close the Public Comment Period.
(Councilors Wold & Bennett) (7 Ayes) (0 Nays)

ITEM #19-95 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR PAUL KELLEY, CUONG LY, JAMES HENDRY, THOMAS HUDAK, MICHAEL OLSEN AND JENNIFER HESELTON. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE. (Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

ROLL CALL OF MEMBERS:

ELIZABETH RUFF
RANDALL BENNETT
ROGER WOLD
CHARLOTTE BISHOP

GLORIA DEGRANDPRE
KENNETH MANN
EDWARD Campbell
PAT GOODWIN
DALE OLMSTEAD

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATIONS/RE-APPLICATIONS FOR VICTUALER'S LICENSES BE SUBJECT TO PUBLIC HEARING. (Councilors DeGrandpre & Wold) (9 Ayes) (0 Nays)

PAUL KELLEY, D/B/A R.E. MANAGEMENT, INC., (PEDDLER/PRIVATE PROPERTY) MAIN STREET (POLO BUILDING).

CUONG LY (LY-SU CORPORATION) D/B/A CHINA ROSE RESTAURANT, 10 SCHOOL STREET.

JAMES HENDRY, D/B/A HARBORSIDE B & B, 14 MAIN STREET.

THOMAS HUDAK, D/B/A MAPLE-HEDGE B & B, 22 PARK STREET.

MICHAEL OLSEN, D/B/A FREEPORT COUNTY CLUB, 7 OLD COUNTY ROAD.

JENNIFER HESELTON, D/B/A THE PERKOLATOR (RETAIL ACCESSORY USE), MAIN STREET (DANSK).

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED. (Councilors Mann & Bennett) (9 Ayes) (0 Nays)

BE IT ORDERED: THAT THE APPLICATIONS/RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANTS, BE APPROVED. ROLL CALL VOTE (Councilors DeGrandpre & Bennett) (9 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE LICENSING BOARD ADJOURN AND THE COUNCIL RECONVENE. (Councilors DeGrandpre & Ruff) (9 Ayes) (0 Nays)

ITEM #20-95

TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR THE CHINA ROSE. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE FOLLOWING RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING. (Councilors Bishop & Wold) (7 Ayes) (0 Nays)

CUONG LY, D/B/A THE CHINA ROSE RESTAURANT, 10 SCHOOL STREET.

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

BE IT ORDERED: THAT THE RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT, BE APPROVED. ROLL CALL VOTE (Councilors Bishop & Wold) (7 Ayes) (0 Nays)

ITEM #21-95 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE FOR THE LOBSTER COOKER. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE FOLLOWING RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.
(Councilors Ruff & Wold) (7 Ayes) (0 Nays)

MARINO, INC., D/B/A THE LOBSTER COOKER, 39 MAIN STREET.

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

BE IT ORDERED: THAT THE RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT, BE APPROVED. ROLL CALL VOTE (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

ITEM #22-95 TO CONSIDER ACTION RELATIVE TO A FUNDING REQUEST FROM THE COALITION FOR EQUITABLE SCHOOL FUNDING.

BE IT ORDERED: THAT \$1,200 BE EXPENDED FROM THE FY 95 MISCELLANEOUS AND CONTINGENCY ACCOUNT TO PROVIDE FOR A REQUEST FOR FUNDS FROM THE COALITION FOR EQUITABLE SCHOOL FUNDING.
ROLL CALL VOTE (Councilors Wold & Ruff) (6 Ayes) (1 Nay - Mann)

ITEM #23-95 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM THE RESCUE EQUIPMENT RESERVE ACCOUNT.

BE IT ORDERED: THAT \$800 BE TRANSFERRED FROM THE RESCUE EQUIPMENT RESERVE ACCOUNT TO REIMBURSE THE FREEPORT RESCUE COMPANY FOR THE PAINTING OF RESCUE UNIT 1. ROLL CALL VOTE (Councilors Bennett & Ruff) (7 Ayes) (0 Nays)

ITEM #24-95

TO CONSIDER ACTION RELATIVE TO ACCEPTING BIDS ON SURPLUS TOWN PROPERTY.

MOVED AND SECONDED: THAT THE TOWN MANAGER REPORT ON BIDS RECEIVED. (Councilors Bishop & Wold) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE FOLLOWING BIDS BE ACCEPTED FOR SURPLUS TOWN PROPERTY:

<u>NAME</u>	<u>ITEM</u>	<u>AMOUNT</u>
RICK'S AUTO	3 O.H. DOORS W/HARDWARE	\$756.00
LARRABEE CONSTR.	1 VENTILATION FAN	250.00
LARRABEE CONSTR.	1 EXHAUST REMOVAL SYSTEM	250.00
LARRABEE CONSTR.	2 FLINK TAILGATE SANDERS	225.00
LARRABEE CONSTR.	1 SPREADER BOX	175.00
LARRABEE CONSTR.	1 DRAG BOX	150.00
LARRABEE CONSTR.	1 DUMP BODY W/HOIST	150.00
LARRABEE CONSTR.	1 500 GAL. AIR TANK	25.00
LARRABEE CONSTR.	1 20 GAL. WET/DRY VAC	26.00
CHRISTINE PHELPS	1 HOMELITE CHAINSAW	22.00
MICHAEL POTTLE	1 CAMCORDER W/ACCESSORIES	105.00
RICK'S AUTO	1 APPLE IMAGE WRITER II PRINTER	5.00
RICK'S AUTO	1 SONY BETAMAX VCR	5.00
RICK'S AUTO	1 SONY COLOR MONITOR/RECEIVER	5.00
RICK'S AUTO	1 ANSWERING MACHINE	5.00
RICK'S AUTO	1 AMIGA COMPUTER	5.00
RICK'S AUTO	1 CASSETTE RECORDER	5.00
RICK'S AUTO	1 PORTABLE VTR W/BATTERY	5.00
RICK'S AUTO	1 MATRIX SWITCHER	5.00
RICK'S AUTO	1 TABLE	5.00
RICK'S AUTO	1 SOFTWARE AND BOOKS	5.00
RICK'S AUTO	1 PRINTER BOX	5.00
RICK'S AUTO	1 CADO PRINTER MONITOR	5.00
RICK'S AUTO	1 TI PRINTER	5.00

ROLL CALL VOTE (Councilors Bishop & Ruff) (7 Ayes) (0 Nays)

ITEM #25-95

TO CONSIDER ACTION RELATIVE TO PARKING LEASE AGREEMENTS.

MOVED AND SECONDED: To table indefinitely Item #25-95.
(Councilors Wold & Bennett) (7 Ayes) (0 Nays)

ITEM #26-95

TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A DONATION.

MOVED AND SECONDED: To amend Order #26-95 to include the words
"and that a public recognition for the Freeport Merchants Association be

acknowledged on a plaque or public sign in the park". (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To amend Order #26-95 to read "that the money be spent at the corner of Main and West Streets". (Councilors Mann & Wold) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT A DONATION OF \$4,500 FROM THE FREEPORT MERCHANTS ASSOCIATION FOR ENHANCED GREENSPACE AT THE PUBLIC SAFETY COMPLEX, BE ACCEPTED AS AMENDED. ROLL CALL VOTE (Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

ITEM #14-95 **TABLED FEBRUARY 7, 1995. TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING LOADING ZONES AND THE WINTER PARKING BAN. (CHAPTER 48)**

MOVED AND SECONDED: To amend Order #14-95 to strike the word "night". (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON FEBRUARY 7, 1995, BE APPROVED AS AMENDED. ROLL CALL VOTE (Councilors Bennett & Mann) (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. REVIEW PROPOSAL FROM PLANNING Board ON COMPREHENSIVE PLAN IMPLEMENTATION.

Manager Olmstead stated that the Planning Board has reviewed the various recommendations in the Plan and divided them into three categories with high, medium and low priorities.

Councilor Mann stated he had reviewed the February 16, 1995 memo re: Comprehensive Plan Zoning Amendments; it was his understanding that a Land Use Ordinance Committee and a Natural Resources Committee were to be developed. This was not addressed in the memo.

Councilor Wold agreed, adding that perhaps the Planning Board should be again asked.

Councilor Ruff stated that the Council had asked the Planning Board to be the overseers of the implementation, and the Council could ask the Board how it plans to use these committees in this implementation (process).

Chairman Campbell stated that the Council endorse the proposal and request clarification as to the committees.

It was decided to instruct the Manager to request of the Planning Board a written clarification of this issue.

2. REPORT FROM FREEPORT COMMUNITY SERVICES.

Beth Finlayson, Director of Freeport Community Services gave an overview of their funding request. She stated that the increase was due mostly for the summer camp program.

Carol Southall provided the history of the summer camp program - the statistics from when to began VS. the present. She described the network and funding involved to make the program successful - matching campers with appropriate programs, fund raisers, etc.

Brenda White stated that the Committee's primary goal is prevention based. She described the typical work done during the year, campers' evaluations, negotiation of slots for campers, the financial picture - expenses, revenues, fund raisers, etc.

3. CONTINUATION OF DISCUSSION WITH THE SCHOOL COMMITTEE ON THE FY 96 BUDGET.

Dottie Johnson stated that the Committee is still working on the School budget; to date, the Committee has set 2 goals - drafted a meeting schedule and drafted and accepted some goals. She stated that they will be receiving the Superintendent's budget on 3-13-95. She added that a favorable consensus has been voiced to contribute to the Coalition for Equitable Funding.

Miscellaneous discussion followed re: L. L. Bean expansion impact on Morse School, etc.

4. Councilor Wold requested that a portion of each regularly scheduled meeting be set aside for committee reports and a Chairman's report.

He requested that a "budget control report" be generated, which would provide a summary of expenses and revenues (a synopsis of the financial report).

Re: MMA Legislative Bulletins, Councilor Wold requested that the Council give a great deal of thought to the content included in these, and express concerns to our legislators, i.e., take an official position and convey such to the legislators.

MOVED AND SECONDED: To amend the council rules to add a place on the agenda, before executive sessions to allow for reports from the Chair, Vice Chair and/or various committees to be given. (Councilor Mann & Ruff) (7 Ayes) (0 Nays)

ITEM #27-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION. (UNION NEGOTIATIONS)

MOVED AND SECONDED: To include in the Executive Session discussion of pending litigation with Ocean Farms and property acquisition. (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE TOWN COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS UNION NEGOTIATIONS. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

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

MOVED AND SECONDED: That the proposed contract settlement with the Freeport Police Association as outlined by the Town Manager be approved. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the meeting be adjourned at 9:50 P.M. (Councilors Wold & Mann) (7 Ayes) (0 Nays)

Respectfully submitted,
Pat Goodwin, Recording Secretary



AGENDA

COUNCIL MEETING #4-95

COUNCIL CHAMBERS

FEBRUARY 21, 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 #3-95 held on February 7, 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.

COUNCIL MEETING #4-95
FEBRUARY 21, 1995

ITEM #19-95 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR
VICTUALER LICENSES FOR PAUL KELLEY, CUONG LY, JAMES HENDRY,
THOMAS HUDAK, MICHAEL OLSEN AND JENNIFER HESELTON. (PUBLIC
HEARING)

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

ROLL CALL OF MEMBERS:

ELIZABETH RUFF
RANDALL BENNETT
ROGER WOLD
CHARLOTTE BISHOP

GLORIA DEGRANDPRE
KENNETH MANN
EDWARD CAMPELL
PAT GOODWIN

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

PAUL KELLEY, D/B/A R.E. MANAGEMENT, INC., (PEDDLER/PRIVATE
PROPERTY) MAIN STREET (POLO BUILDING).

CUONG LY (LY-SU CORPORATION) D/B/A CHINA ROSE RESTAURANT, 10
SCHOOL STREET.

JAMES HENDRY, D/B/A HARBORSIDE B & B, 14 MAIN STREET.

THOMAS HUDAK, D/B/A MAPLE-HEDGE B & B, 22 PARK STREET.

MICHAEL OLSEN, D/B/A FREEPORT COUNTY CLUB, 7 OLD COUNTY ROAD.

JENNIFER HESELTON, D/B/A THE PERKOLATOR (RETAIL ACCESSORY USE),
MAIN STREET (DANSK).

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 #4-95
FEBRUARY 21, 1995

ITEM #20-95 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR THE CHINA ROSE. (PUBLIC HEARING)

MOTION: THAT THE FOLLOWING RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.

CUONG LY, D/B/A THE CHINA ROSE RESTAURANT, 10 SCHOOL STREET.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE RE-APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT, BE APPROVED.

ITEM #21-95 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE FOR THE LOBSTER COOKER. (PUBLIC HEARING)

MOTION: THAT THE FOLLOWING RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.

MARINO, INC., D/B/A THE LOBSTER COOKER, 39 MAIN STREET.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE RE-APPLICATION FOR A FULL-TIME MALT & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT, BE APPROVED.

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BE IT ORDERED: THAT \$1,200 BE EXPENDED FROM THE FY 95 MISCELLANEOUS AND CONTINGENCY ACCOUNT TO PROVIDE FOR A REQUEST FOR FUNDS FROM THE COALITION FOR EQUITABLE SCHOOL FUNDING.

COUNCIL MEETING #4-95
FEBRUARY 21, 1995

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RESCUE EQUIPMENT RESERVE ACCOUNT.

BE IT ORDERED: THAT \$800 BE TRANSFERRED FROM THE RESCUE
EQUIPMENT RESERVE ACCOUNT TO REIMBURSE THE FREEPORT RESCUE
COMPANY FOR THE PAINTING OF RESCUE UNIT 1.

ITEM #24-95 TO CONSIDER ACTION RELATIVE TO ACCEPTING BIDS ON SURPLUS TOWN
PROPERTY.

MOTION: THAT THE TOWN MANAGER REPORT ON BIDS RECEIVED.

BE IT ORDERED: THAT THE FOLLOWING BIDS BE ACCEPTED FOR
SURPLUS TOWN PROPERTY:

<u>NAME</u>	<u>ITEM</u>	<u>AMOUNT</u>
RICK'S AUTO	3 O.H. DOORS W/HARDWARE	\$756.00
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RICK'S AUTO	1 TI PRINTER	5.00

COUNCIL MEETING #4-95
FEBRUARY 21, 1995

ITEM #25-95 TO CONSIDER ACTION RELATIVE TO PARKING LEASE AGREEMENTS.

BE IT ORDERED: THAT A PARKING LEASE AGREEMENT BETWEEN THE TOWN OF FREEPORT HISTORICAL SOCIETY AND THE TOWN OF FREEPORT AND A PARKING LEASE AGREEMENT BETWEEN THE TOWN OF FREEPORT AND PEOPLES HERITAGE BANK, BOTH FOR THE LEASE OF ONE PARKING SPACE, BE APPROVED.

ITEM #26-95 TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A DONATION.

BE IT ORDERED: THAT A DONATION OF \$4,500 FROM THE FREEPORT MERCHANTS ASSOCIATION FOR ENHANCED GREENSPACE AT THE PUBLIC SAFETY COMPLEX, BE ACCEPTED.

ITEM #14-95 TABLED FEBRUARY 7, 1995. TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING LOADING ZONES AND THE WINTER PARKING BAN. (CHAPTER 48)

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON FEBRUARY 7, 1995, BE APPROVED.

OTHER BUSINESS:

1. REPORT FROM FREEPORT COMMUNITY SERVICES.
2. CONTINUATION OF DISCUSSION WITH THE SCHOOL COMMITTEE ON THE FY 96 BUDGET.
3. REVIEW PROPOSAL FROM PLANNING BOARD ON COMPREHENSIVE PLAN IMPLEMENTATION.

ITEM #27-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION. (UNION NEGOTIATIONS)

MOTION: THAT THE TOWN COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS UNION NEGOTIATIONS.

MOTION: THAT THE TOWN COUNCIL RECONVENE.