

**FREEPORT TOWN COUNCIL
COUNCIL MEETING #5-95
March 7, 1995 - 7:00 P.M.**

Chairperson's Call to Order:
Edward Campbell, Chairperson
Gay Drive

Present
X

Absent

Excused

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
Maquolt Drive

X

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #4-95 held on February 21, 1995 and accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the Minutes of Meeting #4-95 held on February 21, 1995 and accept the minutes as amended to include, under Public Comment Period, "Councilor Mann requested that the Town Manager review this construction plan and report back to the Town Council"; page 6, Item 27-95, "moved and seconded to include the Town Council entered into Executive Session to discuss union negotiations, pending litigation with Ocean Farms and property acquisition"; and, page 5, Other Business, #2, "Beth Finlayson, Director of Freeport Community Services, gave an overview of their funding received last year". (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes.
(There were no public comments.)

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

MOVED AND SECONDED: To suspend the rules and take an item out of order, re: Executive Sessions taking place at the end of the meeting. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

ITEM #28-95 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 DeGrandpre & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE COUNCIL RECONVENE. (Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE APPLICATION FOR A PROPERTY TAX ABATEMENT BECAUSE OF POVERTY AND/OR DISABILITY, BE DENIED.
ROLL CALL VOTE (Councilors DeGrandpre & Ruff) (5 Ayes) (2 Nays - Bennett, Mann)

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

ITEM #29-95 TO CONSIDER ACTION RELATIVE TO A LEASE OF THE FORMER SOULE SCHOOL BUILDING.

BE IT ORDERED: THAT THE LEASE BETWEEN THE TOWN OF FREEPORT AND THE MERRICONEAG WALDORF SCHOOL, BE APPROVED.
ROLL CALL VOTE (Councilors Bennett & Ruff)

(The motion and second to the motion were withdrawn.)

MOVED AND SECONDED: That Item #29-95 be tabled until the next regular meeting on March 21, 1995. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

ITEM #30-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE BUILDING CODE CONCERNING SIGNAGE OF PUBLIC RESTROOMS. (CHAPTER 11)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE BUILDING CODE.

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. **ROLL CALL VOTE** (Councilors Ruff & Bennett) (6 Ayes) (1 Absent - Bishop)

NOTE: THIS AMENDMENT IS RECOMMENDED BY THE COMMUNITY RELATIONS COMMITTEE.

ITEM #31-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CODE CONCERNING THE COMPOSITION OF THE WINSLOW PARK COMMISSION. (CHAPTER 21)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CODE CONCERNING THE COMPOSITION OF THE WINSLOW PARK COMMISSION.

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. **ROLL CALL VOTE** (Councilors Bennett & Mann) (6 Ayes) (1 Absent - Bishop)

NOTE: THIS AMENDMENT IS BEING RECOMMENDED BY THE APPOINTMENTS COMMITTEE.

ITEM #32-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE DESIGN REVIEW ORDINANCE CONCERNING DEFINITIONS, DEMOLITION AND DESIGN GUIDELINES. (CHAPTER 22)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED AMENDMENTS TO THE DESIGN REVIEW ORDINANCE CONCERNING DEFINITIONS, DEMOLITION AND DESIGN GUIDELINES.

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. ROLL CALL VOTE Councilors DeGrandpre & Ruff) (6 Ayes) (1 Absent - Bishop)

NOTE: THIS AMENDMENT IS BEING RECOMMENDED BY THE ORDINANCE COMMITTEE AND THE DESIGN REVIEW BOARD.

ITEM #33-95

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING TIMED PARKING. (CHAPTER 48)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS PROPOSED AMENDMENTS TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING TIMED PARKING.

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

NOTE: THESE AMENDMENTS ARE BEING RECOMMENDED BY THE TRAFFIC AND PARKING COMMITTEE.

ITEM #34-95

TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE COASTAL WATERS ORDINANCE CONCERNING A "NO DUMPING" HARBOR. (CHAPTER 31)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE COASTAL WATERS ORDINANCE CONCERNING A "NO DUMPING" HARBOR.

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. ROLL CALL VOTE (Mann & Wold) (7 Ayes) (0 Nays)

NOTE: THESE AMENDMENTS ARE BEING RECOMMENDED BY BOTH THE COASTAL WATERS AND SHELLFISH COMMISSIONS.

MOVED AND SECONDED: To consider an item not on the printed agenda. (Councilors Mann & Bennett) (7 Ayes) (0 Nays)

RESOLUTION AND PROCLAMATION:

WHEREAS, THE TOWN OF FREEPORT, IN ORDER TO PROVIDE FOR THE MAXIMUM PROTECTION OF ITS (VALUABLE) SHELLFISH BEDS, AND THEREFORE THE PUBLIC HEALTH, FROM THE UNDESIRABLE/UNWANTED EFFECTS OF THE DISCHARGE OF UNTREATED SEWAGE INTO ITS TIDAL WATERS, DOES FULLY SUPPORT THE U.S. CLEAN WATER ACT, AS WELL AS MAINE STATE REGULATIONS, THAT PROHIBIT SAID DISCHARGES FROM ANY AND ALL BOATS WITHIN THREE (3) MILES OF THE COAST AND HEREBY DECLARES/DIRECTS THAT THE HARRASEKET RIVER BE DESIGNATED AS A "SHELLFISH PROTECTION ZONE"/"NO DUMPING ZONE"/DISCHARGE-FREE ZONE"/NO DUMP HARBOR", ETC. AND THAT ACCORDINGLY:

THE HARBOR MASTER BE SO AUTHORIZED TO ENFORCE SUCH LOCAL, STATE, AND FEDERAL REGULATIONS UPON ANY AND ALL BOATS IN FREEPORT'S WATERS, AND THAT THE COASTAL WATERS AND SHELLFISH ORDINANCE BE AMENDED FORTHWITH:

1. THE SHELLFISH COMMISSION AND COASTAL WATERS COMMISSION IMPLEMENT AND MAINTAIN A PROGRAM OF HEIGHTENED PUBLIC AWARENESS TO ALL MEMBERS OF THE BOATING PUBLIC (RESIDENT AND NON-RESIDENT), UTILIZING ASSETS FROM OTHER SUCH PUBLIC AND PRIVATE AGENCIES, AND THAT

2. THE MARINE SEWAGE PUMP-OUT FACILITIES AT MARINAS LOCATED IN FREEPORT WATERS BE APPROPRIATELY ADVERTISED AS SUCH TO THE BOATING PUBLIC.

BE IT RESOLVED AND SO PROCLAIMED THIS 7th DAY OF MARCH, 1995, BY A UNANIMOUS VOTE OF THE FREEPORT TOWN COUNCIL.

MOVED AND SECONDED: To accept this resolution and proclamation.
(Councilors Mann & Wold) (7 Ayes) (0 Nays)

ITEM #35-95 TO CONSIDER ACTION RELATIVE TO THE ADOPTION OF THE 1994 NFPA LIFE SAFETY CODE.

BE IT ORDERED: THAT THE 1994 NFPA LIFE SAFETY CODE 101 UPDATES, BE ADOPTED. **ROLL CALL VOTE** (Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

ITEM #36-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE TV REGULATORY BOARD.

BE IT ORDERED: THAT JANET O'BRIEN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE TV REGULATORY BOARD UNTIL OCTOBER 1, 1997. **BALLOT VOTE** (Councilors Bennett & Ruff) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. O'BRIEN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **ROLL CALL VOTE** (Councilors Bennett & Wold) (7 Ayes) (0 Nays)

ITEM #37-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE COASTAL WATERS COMMISSION.

BE IT ORDERED: THAT MARK THERIAULT BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE COASTAL WATERS COMMISSION UNTIL APRIL 1, 1998. **BALLOT VOTE** (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. THERIAULT QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **ROLL CALL VOTE** (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

ITEM #38-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT JANE FOX BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES UNTIL APRIL 1, 1998. **BALLOT VOTE** (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. FOX QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **ROLL CALL VOTE** (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

ITEM #39-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT MARY JANE KRAUSE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES UNTIL APRIL 1, 1998. **BALLOT VOTE** (Councilors Bishop & Ruff) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. KRAUSE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **BALLOT VOTE** (Councilors Bishop & Bennett) (7 Ayes) (0 Nays)

ITEM #40-95

TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE WINSLOW PARK COMMISSION.

(Councilor Wold nominated Mr. Turkel for appointment to the Winslow Park Commission.)

BE IT ORDERED: THAT DAVID STILKEY BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE WINSLOW PARK COMMISSION UNTIL MARCH 1, 1998. **BALLOT VOTE** (Councilors Bennett & Bishop) (5 Stilkey) (2 Turkel)

BE IT FURTHER ORDERED: THAT MR. STILKEY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE WINSLOW PARK COMMISSION. **ROLL CALL VOTE** (6 Bennett & Wold) (6 Ayes) (1 Nay - Ruff)

ITEM #41-95

TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE WINSLOW PARK COMMISSION.

(Councilor Bennett nominated Mick McGivaren for appointment to the Winslow Park Commission.)

BE IT ORDERED: THAT ANNE WOLD BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE WINSLOW PARK COMMISSION UNTIL MARCH 1, 1998. **BALLOT VOTE** (Councilors Ruff & Bishop) (6 Ayes Wold) (1 McGivaren)

BE IT FURTHER ORDERED: THAT MS. WOLD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **ROLL CALL VOTE** (Councilors Ruff & Bennett) (6 Ayes) (1 Nay - Bennett)

ITEM #42-95

TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE COASTAL WATERS COMMISSION.

BE IT ORDERED: THAT PETER BOGLE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE COASTAL WATERS COMMISSION UNTIL APRIL 1, 1998. **BALLOT VOTE** (Councilors Bishop & Ruff) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. BOGLE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. **ROLL CALL VOTE** (Councilors Bishop & Bennett) (7 Ayes) (0 Nays)

ITEM #43-95

TO CONSIDER ACTION RELATIVE TO THE ESTABLISHMENT OF A RESERVE ACCOUNT FOR THE MAINTENANCE AND REPLACEMENT OF TREES IN THE VILLAGE COMMERCIAL I-ZONE.

BE IT ORDERED: THAT A RESERVE ACCOUNT FOR THE MAINTENANCE AND REPLACEMENT OF TREES IN THE VILLAGE COMMERCIAL I-ZONE BE ESTABLISHED.

BE IT FURTHER ORDERED: THAT \$21,078 RAISED THROUGH DONATIONS FROM THE FORMER VILLAGE SIDEWALK ASSESSMENT ORDINANCE AND \$1,900 RAISED FROM DONATIONS BY MERCHANTS FOR DOWNTOWN BEAUTIFICATION BE PLACED IN THE RESERVE ACCOUNT WITH THE INTEREST EARNED TO BE USED FOR THE PURPOSE STATED ABOVE.
ROLL CALL VOTE (Councilors Ruff & Mann) (7 Ayes) (0 Nays)

NOTE: THIS ACTION IS BEING RECOMMENDED BY THE COMMUNITY RELATIONS COMMITTEE.

ITEM #44-95

TO CONSIDER ACTION RELATIVE TO THE APPOINTMENT OF A LIBRARY BUILDING COMMITTEE.

BE IT ORDERED: THAT A LIBRARY BUILDING COMMITTEE BE APPOINTED AND CHARGED WITH THE RESPONSIBILITY OF HOLDING PUBLIC HEARINGS TO RECEIVE PUBLIC INPUT AND THE RESPONSIBILITY OF SEARCHING AND RECOMMENDING ACCEPTABLE LAND PARCELS; RECOMMENDING AN ARCHITECT; WORK WITH LIBRARY STAFF AND THE ARCHITECT TO AID IN ASSESSMENT OF SPACE NEEDS AND DESIGN OF THE BUILDING AND BUILDING SITE ; MAKE RECOMMENDATIONS TO THE COUNCIL ON THE BIDDING PROCESS; RECOMMEND A CONTRACTOR AND MONITOR THE CONSTRUCTION OF THE BUILDING; AND TO SEE LANDSCAPING COMPLETED; THE PARKING LOT PAVED; ANYTHING ELSE NEEDED TO COMPLETE THE PROJECT AND RECOMMEND PROJECT ACCEPTANCE FROM THE CONTRACTOR.

BE IT FURTHER ORDERED: THAT THE APPOINTMENTS COMMITTEE BE CHARGED WITH RECOMMENDING 9 MEMBERS TO THE TOWN COUNCIL TO SERVE ON THE LIBRARY BUILDING COMMITTEE OF WHICH 3 WILL BE THE MUNICIPAL FACILITIES COMMITTEE MEMBERS, 3 FROM THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES AND 1 MEMBER FROM THE FREEPORT HISTORICAL SOCIETY AND 2 CITIZENS AT LARGE, AS AMENDED.
ROLL CALL VOTE (Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. DISCUSSION ON STATE LEGISLATIVE INITIATIVES.

Manager Olmstead referenced information received re: Legislative Bulletins, communiques from Senator William Cohen and State Representative Janice Lebreque.

Councilor Wold stated that he had prepared a suggestion letter to be sent, with Council consent, to Representative Hartman and Senator Harriman, re: specific legislation on bills which would put more financial burdens on our local property taxes.

Miscellaneous discussion followed, with Representative Hartman and the Council, re: school funding, commitment to education funding, the Rosser Report, revenue sharing, L.D. 47, etc.

That the Council the Chair to send the letter that Mr. Wold has drafted on behalf of the Council to Representative Hartman and Senator Harriman.
(Councilor Ruff) Consensus: (Consensus 6 Ayes, 1 Nay - Mann)

Discussion followed re: right to know law re: applications for positions, paid professionals and appointees; County Budget Committee practice, access to representatives, etc.

2. UPDATE ON LANDFILL CLOSURE AND DEMOLITION TRANSFER FACILITY DEVELOPMENT.

• Manager Oimstead provided an update - closure rules of today, fees, submission of closure plan to DEP, estimated costs to be raised, development of regional demolition transfer facility, clearing up the boundary of the existing facility.

3. Councilor Wold stated that re; "amending Council rules", the Ordinance Committee should review this.

He asked why Mr. Lloyd is the attorney involved with McDonalds.

Manager Oimstead stated that Bernstein Shur has a conflict of interest.

4. Chairperson Campbell stated he would like the School Committee to submit a list of priorities regarding the budget.

Councilor Ruff stated that it is the School Committee's responsibility to present a budget with goals/needs and then it is up to the Council to prioritize those needs.

Chairman Campbell stated that the School Committee should submit a list of priorities.

Councilor Wold stated that the Council is in the same position as the School Committee, in that they are charged with needs of the people in the Town; he does not see the difference between their two missions; in terms of the budget, the Council has the same responsibility - to see that a certain segment of the community needs to be met.

Councilor Ruff stated she does not feel the Council fully discussed the mandate.

5. Councilor Mann asked when the Traffic and Parking Committee would be discussing the Desert Road stop sign issue.

Councilor Bennett stated that he had spoken with the Town Planner; this is being studied.

CHAIRPERSON AND COMMITTEE REPORTS

(There were no reports this evening.)

ITEM #45-95

TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS A PROPOSED CONSENT AGREEMENT AND THE ACQUISITION OF PROPERTY.

MOVED AND SECONDED: THAT THE TOWN COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS A PROPOSED CONSENT AGREEMENT AND THE ACQUISITION OF PROPERTY. (Councilors Wold & Bennett) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE COUNCIL RECONVENE. (Councilors Wold & Ruff) (6 Ayes) (1 Nay - Bennett)

BE IT ORDERED: THAT THE ADMINISTRATIVE CONSENT AGREEMENT AMONG THE TOWN OF FREEPORT, THE MAINE BOARD OF ENVIRONMENTAL PROTECTION AND THE STATE OF MAINE ATTORNEY GENERAL'S OFFICE BE APPROVED.

BE IT FURTHER ORDERED: THAT \$5,000 BE TRANSFERRED FROM THE EARNED INTEREST CAPITAL ACCOUNT TO PAY THE FINE ALLOCATED WITH THE ACCEPTANCE OF THE AGREEMENT.

BE IT FURTHER ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO SIGN THE AGREEMENT. ROLL CALL VOTE (Councilors Bennett & Bishop) (6 Ayes) (1 Nay - Mann)

MOVED AND SECONDED: That the meeting be adjourned at 11:25 P.M.

Respectfully submitted,

Pat Goodwin, Recording Secretary

FREEPORT TOWN COUNCIL MINUTES
FREEPORT TOWN HALL COUNCIL CHAMBERS

MARCH 14, 1995 - 8:00 PM

SPECIAL MEETING #6-95

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

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

SPECIAL COUNCIL MINUTES #6-95
MARCH 14, 1995

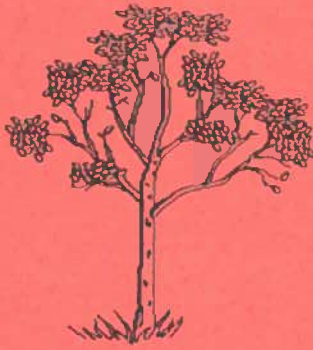
NOTE: COUNCILOR RUFF ARRIVED AT 8:15 PM

ITEM #46-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION
TO DISCUSS THE ACQUISITION OF PROPERTY.

MOVED & SECONDED: THAT THE COUNCIL ENTER INTO
EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF
PROPERTY. DUNNING BOATYARD, RESTROOMS ON DEPORT
STREET, MACDONALDS/TOUR BUS PARKING AND LIBRARY
SITES. (COUNCILORS BENNETT & BISHOP) (5 AYES)
(0 NAYS)

MOVED & SECONDED: THAT THE COUNCIL RECONVENE
(COUNCILORS BENNETT & BISHOP) (6 AYES) (0 NAYS)

MOVED & SECONDED: THAT THE COUNCIL ADJOURN AT
9:50 PM.
(COUNCILORS BENNETT & RUFF) (6 AYES) (0 NAYS)



A G E N D A

COUNCIL MEETING #5-95

COUNCIL CHAMBERS

MARCH 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 #4-95 held on February 21, 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 #28-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR A PROPERTY TAX ABATEMENT.

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 REQUEST.

ITEM #29-95 TO CONSIDER ACTION RELATIVE TO A LEASE OF THE FORMER SOULE SCHOOL BUILDING.

BE IT ORDERED: THAT THE LEASE BETWEEN THE TOWN OF FREEPORT AND THE MERRICONEAG WALDORF SCHOOL, BE APPROVED.

ITEM #30-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE BUILDING CODE CONCERNING SIGNAGE OF PUBLIC RESTROOMS. (CHAPTER 11)

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 21, 1995 AT 7:00 PM IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE BUILDING CODE.

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.

NOTE: THIS AMENDMENT IS RECOMMENDED BY THE COMMUNITY RELATIONS COMMITTEE.

ITEM #31-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CODE CONCERNING THE COMPOSITION OF THE WINSLOW PARK COMMISSION. (CHAPTER 21)

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NOTE: THIS AMENDMENT IS BEING RECOMMENDED BY THE ORDINANCE
COMMITTEE AND THE DESIGN REVIEW BOARD.

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COASTAL WATERS AND SHELLFISH COMMISSIONS.

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BE IT ORDERED: THAT THE 1994 NFPA LIFE SAFETY CODE 101 UPDATES,
BE ADOPTED.

ITEM #36-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE TV
REGULATORY BOARD.

BE IT ORDERED: THAT JANET O'BRIEN BE APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE TV REGULATORY
BOARD UNTIL OCTOBER 1, 1997.

BE IT FURTHER ORDERED: THAT MS. O'BRIEN QUALIFY BY SWEARING AN
OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #37-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE COASTAL
WATERS COMMISSION.

BE IT ORDERED: THAT MARK THERIAULT BE RE-APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE COASTAL WATERS
COMMISSION UNTIL APRIL 1, 1998.

BE IT FURTHER ORDERED: THAT MR. THERIAULT QUALIFY BY SWEARING
AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #38-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE B.H.
BARTOL LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT JANE FOX BE RE- APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE B.H. BARTOL LIBRARY
BOARD OF TRUSTEES UNTIL APRIL 1, 1998.

BE IT FURTHER ORDERED: THAT MS. FOX QUALIFY BY SWEARING AN
OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #39-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE B.H. BARTOL
LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT MARY JANE KRAUSE BE APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE B.H. BARTOL LIBRARY
BOARD OF TRUSTEES UNTIL APRIL 1, 1998.

BE IT FURTHER ORDERED: THAT MS. KRAUSE QUALIFY BY SWEARING
AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #40-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE WINSLOW PARK COMMISSION.

BE IT ORDERED: THAT DAVID STILKEY BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE WINSLOW PARK COMMISSION UNTIL MARCH 1, 1998.

BE IT FURTHER ORDERED: THAT MR. STILKEY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995. TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE WINSLOW PARK COMMISSION.

ITEM #41-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE WINSLOW PARK COMMISSION.

BE IT ORDERED: THAT ANNE WOLD BE RE- APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE WINSLOW PARK COMMISSION UNTIL MARCH 1, 1998.

BE IT FURTHER ORDERED: THAT MS. WOLD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #42-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE COASTAL WATERS COMMISSION.

BE IT ORDERED: THAT PETER BOGLE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE COASTAL WATERS COMMISSION UNTIL APRIL 1, 1998.

BE IT FURTHER ORDERED: THAT MR. BOGLE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY MARCH 17, 1995.

ITEM #43-95 TO CONSIDER ACTION RELATIVE TO THE ESTABLISHMENT OF A RESERVE ACCOUNT FOR THE MAINTENANCE AND REPLACEMENT OF TREES IN THE VILLAGE COMMERCIAL I-ZONE.

BE IT ORDERED: THAT A RESERVE ACCOUNT FOR THE MAINTENANCE AND REPLACEMENT OF TREES IN THE VILLAGE COMMERCIAL I-ZONE BE ESTABLISHED.

BE IT FURTHER ORDERED: THAT \$21,078 RAISED THROUGH DONATIONS FROM THE FORMER VILLAGE SIDEWALK ASSESSMENT ORDINANCE AND \$1,900 RAISED FROM DONATIONS BY MERCHANTS FOR DOWNTOWN BEAUTIFICATION BE PLACED IN THE RESERVE ACCOUNT WITH THE INTEREST EARNED TO BE USED FOR THE PURPOSE STATED ABOVE.

NOTE: THIS ACTION IS BEING RECOMMENDED BY THE COMMUNITY RELATIONS COMMITTEE.

ITEM #44-95	TO CONSIDER ACTION RELATIVE TO THE APPOINTMENT OF A LIBRARY BUILDING COMMITTEE.
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BE IT ORDERED: THAT A LIBRARY BUILDING COMMITTEE BE APPOINTED AND CHARGED WITH THE RESPONSIBILITY OF THE SEARCHING AND RECOMMENDING ACCEPTABLE LAND PARCELS; RECOMMENDING AN ARCHITECT; WORK WITH LIBRARY STAFF AND THE ARCHITECT TO AID IN ASSESSMENT OF SPACE NEEDS AND DESIGN OF THE BUILDING AND BUILDING SITE ; MAKE RECOMMENDATIONS TO THE COUNCIL ON THE BIDDING PROCESS; RECOMMEND A CONTRACTOR AND MONITOR THE CONSTRUCTION OF THE BUILDING; AND TO SEE LANDSCAPING COMPLETED; THE PARKING LOT PAVED; ANYTHING ELSE NEEDED TO COMPLETE THE PROJECT AND RECOMMEND PROJECT ACCEPTANCE FROM THE CONTRACTOR.

BE IT FURTHER ORDERED: THAT THE APPOINTMENTS COMMITTEE BE CHARGED WITH RECOMMENDING 9 MEMBERS TO THE TOWN COUNCIL TO SERVE ON THE LIBRARY BUILDING COMMITTEE OF WHICH 3 WILL BE THE MUNICIPAL FACILITIES COMMITTEE MEMBERS, 3 FROM THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES AND 3 CITIZENS AT LARGE.

OTHER BUSINESS:

1. DISCUSSION ON STATE LEGISLATIVE INITIATIVES.
2. UPDATE ON LANDFILL CLOSURE AND DEMOLITION TRANSFER FACILITY DEVELOPMENT.

CHAIRPERSON AND COMMITTEE REPORTS

ITEM #45-95	TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS A PROPOSED CONSENT AGREEMENT AND THE ACQUISITION OF PROPERTY.
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MOTION: THAT THE TOWN COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS A PROPOSED CONSENT AGREEMENT AND THE ACQUISITION OF PROPERTY.

MOTION: THAT THE COUNCIL RECONVENE.