

**SUMMARY AGENDA
TOWN COUNCIL MEETING #29-95
DECEMBER 5, 1995 - 7:00 P.M.
TOWN HALL COUNCIL CHAMBERS**

ITEM #241-95 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LIQUOR LICENSE FOR LEONA M. SMITH, D/B/A FALCON RESTAURANT (PUBLIC HEARING).

ITEM #242-95 TO CONSIDER ACTION RELATIVE TO THE TREASURER'S WARRANT.

ITEM #243-95 TO CONSIDER ACTION RELATIVE TO SOLID WASTE USER FEE SYSTEM.

ITEM #244-95 TO CONSIDER ACTION RELATIVE TO PROPOSED ALCOHOL AND DRUG TESTING POLICY FOR THE TOWN OF FREEPORT,

ITEM #245-95 TO CONSIDER ACTION RELATIVE TO A CONTRACT BETWEEN WINTON SCOTT ARCHITECTS AND THE TOWN OF FREEPORT.

OTHER BUSINESS (ESTIMATED TO BEGIN AT 8:00 P.M.):

1. REPORT ON DESERT/MERRILL ROAD INTERSECTION IMPROVEMENTS.

2. REPORT ON COUNCIL SUB-COMMITTEE ASSIGNMENTS FOR THE COMING YEAR.

3. REVIEW OF TOWN COUNCIL RULES OF ORDER AND PROCEDURE.

4. DISCUSSION ON COUNCIL GOALS FOR THE COMING YEAR.

5. REVIEW OF PROPOSED COUNCIL WORKSHOP SCHEDULE.

ITEM #245-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY.

**AGENDA
COUNCIL MEETING #29-95
COUNCIL CHAMBERS
DECEMBER 5, 1995 - 7:00 P.M.**

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:

**GLORIA DEGRANDPRE, CHAIRPERSON, WOLF NECK ROAD
EDWARD CAMPBELL, VICE-CHAIRPERSON, GAY DRIVE
GENIE BEAULIEU, LARUE DRIVE
ALAN HINDLEY, WARDTOWN ROAD
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 #27-95, HELD ON NOVEMBER 28, 1995, #28-95 HELD ON NOVEMBER 30, 1995, AND ACCEPT THE MINUTES AS PRINTED.

**SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES
(NON-AGENDA ITEMS ONLY)**

THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON.

COUNCIL MEETING #29-95
DECEMBER 5, 1995

ITEM #241-95 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LIQUOR LICENSE FOR LEONA M. SMITH, D/B/A FALCON RESTAURANT. (PUBLIC HEARING)

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

LEONA M. SMITH, D/B/A FALCON RESTAURANT, 8 BOW STREET.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

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

ITEM #242-95 TO CONSIDER ACTION RELATIVE TO THE TREASURER'S WARRANT.

BE IT ORDERED: THAT A SPECIAL COUNCIL MEETING BE HELD ON DECEMBER 7, 1995 AT 3:00 P.M. AND ON DECEMBER 14, 1995 AT 3:00 P.M. FOR THE PURPOSE OF APPROVING AND SIGNING THE TREASURER'S WARRANT.

ITEM #243-95 TO CONSIDER ACTION RELATIVE TO A SOLID WASTE USER FEE SYSTEM.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR DECEMBER 19, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE SOLID WASTE/RECYCLING COMMITTEE'S PROPOSAL FOR A SOLID WASTE USER FEE SYSTEM.

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.

ITEM #244-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED ALCOHOL AND DRUG TESTING POLICY FOR THE TOWN OF FREEPORT.

BE IT ORDERED: THAT THE PROPOSED ALCOHOL AND DRUG TESTING POLICY DATED DECEMBER 4, 1995 BE APPROVED.

NOTE: THE PROPOSED POLICY FOR THE TOWN OF FREEPORT HAS BEEN ADAPTED FROM A MODEL DEVELOPED BY MMA. ADOPTION BRINGS THE TOWN OF FREEPORT INTO COMPLIANCE WITH FEDERAL LAWS.

**COUNCIL MEETING #29-95
DECEMBER 5, 1995**

ITEM #245-95 TO CONSIDER ACTION RELATIVE TO A CONTRACT BETWEEN WINTON SCOTT ARCHITECTS AND THE TOWN OF FREEPORT.

BE IT ORDERED: THAT THE ARCHITECT'S CONTRACT BETWEEN THE TOWN OF FREEPORT AND WINTON SCOTT ARCHITECTS AS APPROVED BY THE LIBRARY BUILDING COMMITTEE, BE CONFIRMED.

NOTE: THE LIBRARY BUILDING COMMITTEE HAS VOTED TO ENGAGE THE SERVICES OF WINTON SCOTT ARCHITECTS. IT WAS THE OPINION OF THE COMMITTEE THAT THEY HAD BEEN CHARGED WITH THIS TASK.

OTHER BUSINESS:

1. REPORT ON DESERT/MERRILL ROAD INTERSECTION IMPROVEMENTS.
2. REPORT ON COUNCIL SUB-COMMITTEE ASSIGNMENTS FOR THE COMING YEAR.
3. REVIEW OF TOWN COUNCIL RULES OF ORDER AND PROCEDURE.
4. DISCUSSION ON COUNCIL GOALS FOR THE COMING YEAR.
5. REVIEW OF PROPOSED COUNCIL WORKSHOP SCHEDULE.

CHAIRMAN AND COMMITTEE REPORTS

ITEM #245-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY.

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

MOTION: THAT THE TOWN COUNCIL RECONVENE.

**MINUTES
COUNCIL MEETING #29-95
FREEPORT TOWN HALL COUNCIL CHAMBERS
DECEMBER 5, 1995**

<u>CHAIRPERSON'S CALL TO ORDER</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Gloria DeGrandpre Wolf Neck Road	X		
Edward Campbell Gay Drive	X		
Genie Beaulieu Larue Drive	X		
Alan Hindley Wardtown 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 #27-95, HELD ON NOVEMBER 28, 1995, AND MEETING #28-95, HELD ON NOVEMBER 30, 1995, AND ACCEPT THE MINUTES AS PRINTED.

MOVED: TO WAIVE THE READING OF THE MINUTES OF MEETING #27-95, HELD ON NOVEMBER 28, 1995, AND MEETING #28-95, HELD ON NOVEMBER 30, 1995, AND ACCEPT THE MINUTES AS PRINTED. (Councilor Campbell)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES
(There were no comments from the public.)

MOVED AND SECONDED: TO CLOSE THE PUBLIC COMMENT PERIOD.
(Councilors Campbell & Bishop) (6 Ayes) (0 Nays)

ITEM #241-95 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LIQUOR LICENSE FOR LEONA M. SMITH, D/B/A FALCON RESTAURANT. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.

LEONA M. SMITH, D/B/A FALCON RESTAURANT, 8 BOW STREET.
(Councilors Mann & Campbell) (6 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED.
(Councilors Mann & Bishop) (6 Ayes) (0 Nays)

**COUNCIL MEETING #29-95
DECEMBER 5, 1995**

BE IT ORDERED: THAT THE APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED, SUBJECT TO SIGNATURE ON APPLICATION. ROLL CALL VOTE (Councilors Mann & Campbell) (6 Ayes) (0 Nays)

ITEM #242-95 TO CONSIDER ACTION RELATIVE TO THE TREASURER'S WARRANT.

BE IT ORDERED: THAT A SPECIAL COUNCIL MEETING BE HELD ON DECEMBER 7, 1995 AT 3:00 P.M. AND ON DECEMBER 14, 1995 AT 3:00 P.M. FOR THE PURPOSE OF APPROVING AND SIGNING THE TREASURER'S WARRANT. (Councilors Bishop & Campbell)

Discussion followed re: changing the dates, the warrant process, etc.

ROLL CALL VOTE (6 Ayes) (0 Nays)

MOVED AND SECONDED: TO RECONSIDER ITEM #242-95. (Councilors Campbell & Mann) (6 Ayes) (0 Nays)

BE IT ORDERED: THAT A SPECIAL COUNCIL MEETING BE HELD ON DECEMBER 6, 1995 AT 5:00 P.M. AND ON DECEMBER 13, 1995 AT 5:00 P.M. FOR THE PURPOSE OF APPROVING AND SIGNING THE TREASURER'S WARRANT. ROLL CALL VOTE (Councilors Bishop & Campbell) (6 Ayes) (0 Nays)

ITEM #243-95 TO CONSIDER ACTION RELATIVE TO A SOLID WASTE USER FEE SYSTEM.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR DECEMBER 19, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE SOLID WASTE/RECYCLING COMMITTEE'S PROPOSAL FOR A SOLID WASTE USER FEE SYSTEM.

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. (Councilors Beaulieu & Campbell)

Discussion followed re: due to passage of this order, people will be asked to buy bags, opposition to the proposal, RWS, flow control, zero tip fee scenario, effective date of July 1, 1996, commercial tipping fees, input of Solid Waste Committee at public hearing, user fee system, RWS Board membership, MERC, etc.

ROLL CALL VOTE (5 Ayes) (1 Nay - Mann)

MOVED AND SECONDED: TO TAKE ITEM #243-95 OUT OF ORDER. (Councilors Campbell & Beaulieu) (6 Ayes) (0 Nays)

ITEM #245-95 TO CONSIDER ACTION RELATIVE TO A CONTRACT BETWEEN WINTON SCOTT ARCHITECTS AND THE TOWN OF FREEPORT.

BE IT ORDERED: THAT THE ARCHITECT'S CONTRACT BETWEEN THE TOWN OF FREEPORT AND WINTON SCOTT ARCHITECTS AS APPROVED BY THE LIBRARY BUILDING COMMITTEE, BE CONFIRMED.

NOTE: THE LIBRARY BUILDING COMMITTEE HAS VOTED TO ENGAGE THE SERVICES OF WINTON SCOTT ARCHITECTS. IT WAS THE OPINION OF THE COMMITTEE THAT THEY HAD BEEN CHARGED WITH THIS TASK.
(Councilors Campbell & Beaulieu)

MOVED AND SECONDED: THAT THE ARCHITECT'S CONTRACT BETWEEN THE TOWN OF FREEPORT AND WINTON SCOTT ARCHITECTS BE APPROVED UP THROUGH THE SCHEMATIC DESIGN PHASE FOR THE LIBRARY BUILDING. (Councilors Beaulieu & Hindley) (6 Ayes) (0 Nays)

ROLL CALL VOTE ON ITEM #245-95 AS AMENDED (4 Ayes) (2 Nays - Mann, Hindley)

OTHER BUSINESS:

2. REPORT ON COUNCIL SUB-COMMITTEE ASSIGNMENTS FOR THE COMING YEAR.

Chairperson DeGrandpre read the list of assignments (attached).
(Councilor Beaulieu will replace Councilor Mann on the County Budget Committee.)

ITEM #244-95 TO CONSIDER ACTION RELATIVE TO A PROPOSED ALCOHOL AND DRUG TESTING POLICY FOR THE TOWN OF FREEPORT.

BE IT ORDERED: THAT THE PROPOSED ALCOHOL AND DRUG TESTING POLICY DATED DECEMBER 4, 1995 BE APPROVED.

NOTE: THE PROPOSED POLICY FOR THE TOWN OF FREEPORT HAS BEEN ADAPTED FROM A MODEL DEVELOPED BY MMA. ADOPTION BRINGS THE TOWN OF FREEPORT INTO COMPLIANCE WITH FEDERAL LAWS.

Jack Lufkin answered Council questions regarding this item.

MOVED AND SECONDED: THAT ITEM #244-95 BE TABLED UNTIL DECEMBER 1995. (Councilors Hindley & Mann) (1 Aye) (5 Nays - Mann, Campbell, Beaulieu, Bishop, DeGrandpre)

ROLL CALL VOTE ON ITEM #244-95 (5 Ayes) (1 Nay - Hindley)

OTHER BUSINESS CONTINUED:

1. REPORT ON DESERT/MERRILL ROAD INTERSECTION IMPROVEMENTS.
Town Planner Cohen reported on the project to date.

Discussion followed re: drainage to preserve the pine trees, granite curbing, cost estimate, L L Bean willingness to coordinate the project, etc.

**COUNCIL MEETING #29-95
DECEMBER 5, 1995**

Bill Bray and Peter Tubbs provided additional information and answered Council questions.

MOVED AND SECONDED: TO TAKE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Mann & Campbell) (6 Ayes) (0 Nays)

MOVED AND SECONDED: TO DIRECT THE TOWN MANAGER TO WORK WITH L L BEANS AND ONLY BRING THIS ITEM BACK TO THE COUNCIL IF NECESSARY. (Councilors Mann & Campbell) (6 Ayes) (0 Nays)

3. REVIEW OF TOWN COUNCIL RULES OF ORDER AND PROCEDURE.
Chairperson DeGrandpre reported on this item.

Councilor Mann raised questions about Rule #2.

Discussion followed re: legal opinion setting agenda items, the survey results of practices of nine surrounding towns, etc.

Chairperson DeGrandpre read a statement regarding the agenda setting meetings, summarizing the ruling of the Chair.

MOVED AND SECONDED: TO APPEAL THE RULING OF THE CHAIR, "SHALL THE RULING OF THE CHAIR BE SUSTAINED".
(Councilors Beaulieu & Mann) (3 Ayes) (3 Nays - Hindley, Beaulieu, Mann)

MOVED AND SECONDED: TO AMEND RULE #2 TO READ, "ALL REPORTS, COMMUNICATIONS, ORDINANCES, RESOLUTIONS, CONTRACT DOCUMENTS OR OTHER MATTERS TO BE SUBMITTED TO THE COUNCIL SHALL BE DELIVERED TO THE TOWN MANAGER OR COUNCIL CHAIRPERSON BY 11:59 A.M. ON THE TUESDAY PRIOR TO THE REGULAR TUESDAY MEETING IF THEY ARE TO HAVE CONSIDERATION FOR THAT MEETING AGENDA. ALL MATTERS SUBMITTED BY ONE OR MORE COUNCILORS SHALL BE PLACED ON THE AGENDA. MATTERS WHICH ARE NOT ON THE AGENDA MAY BE BROUGHT BEFORE THE COUNCIL BY INTERESTED RESIDENTS FOR DISCUSSION ONLY, TO BE PLACED ON THE AGENDA OF THE NEXT REGULAR MEETING IF THE COUNCIL SO DESIRES. AGENDA ITEMS MUST STATE CLEARLY THE SCOPE AND INTENT OF THE ACTION TO BE TAKEN." (Councilors Mann & Beaulieu) (3 Ayes) (3 Nays - Bishop, Campbell, DeGrandpre)

Discussion followed re: council participation at agenda setting meetings, public notice of these meetings, changing the wording of "revised" to "amended", request for legal clarification of three or more councilors attending these meetings, question of presiding officer having no administrative duties clarification, etc.

4. DISCUSSION ON COUNCIL GOALS FOR THE COMING YEAR.
Chairperson DeGrandpre read the list of Councilors' goals for 1996 (attached).

5. REVIEW OF PROPOSED COUNCIL WORKSHOP SCHEDULE.
Chairperson DeGrandpre reviewed the workshop schedule.

**COUNCIL MEETING #29-95
DECEMBER 5, 1995**

Miscellaneous discussion followed.

CHAIRMAN AND COMMITTEE REPORTS

(There were no reports this evening.)

**ITEM #245-95 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS
THE ACQUISITION OF THE GORMAN PROPERTY.**

**MOVED AND SECONDED: THAT THE TOWN COUNCIL ENTER INTO
EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY.
(Councilors Mann & Campbell) (6 Ayes) (0 Nays)**

**MOVED AND SECONDED: THAT THE TOWN COUNCIL RECONVENE.
(Councilors Mann & Bishop) (6 Ayes) (0 Nays)**

**MOVED AND SECONDED: THAT THE TOWN MANAGER BE AUTHORIZED
TO FINALIZE THE ACQUISITION OF THE GORMAN PROPERTY. (Councilors
Mann & Bishop) (6 Ayes) (0 Nays)**

**MOVED AND SECONDED: THAT THE MEETING BE ADJOURNED AT 9:44
P.M. (Councilors Campbell & Mann) (6 Ayes) (0 Nays)**

Respectfully submitted,

Pat Goodwin, Recording Secretary

1996 Town Council Goals

Taxes - Maintain or reduce rate.
(Clarify Council's direction with
School and Dept. Heads)

**Bishop, Campbell, Beaulieu, Mann,
DeGrandpre**

Solid Waste - Adopt policy:
(adopt user fee system)

**Bishop, Campbell, Hindley,
DeGrandpre**

Committee Consolidation

Campbell, Hindley, Beaulieu

Amtrack Service:
(Support & Secure Service)

Campbell, Bishop, DeGrandpre

Cable Franchise:
(Renegotiations)

Campbell, Beaulieu, DeGrandpre

Economic Development:
(Develop a town strategy)

Campbell, DeGrandpre

Public Relations:
(Increase understanding between
public and Council, improve councillor
relations)

Bishop, Beaulieu

COG:
(Reevaluation of cost-effectiveness)

Hindley

Zoning Ordinance:
(Review limited setback reduction
appeal)

Beaulieu

Fire/Rescue Organization:
(Finalize reorganization)

Campbell

Town Hall:
(Resolve space problem)

Campbell

Council Goals 1996
Page 2

Dunning Boat Yard:
(Implement recommendations
of Study Committee)

Mann

Comprehensive Plan:
(Implement)

Mann

Directional Sign Ordinance:
(Review and revise)

Mann

Street Lighting:
(Improve along Main Street)

Mann

Legal:
(Reduce legal fees by keeping
involved in legal activities)

Mann

PROPOSED WORKSHOP SCHEDULE

- JANUARY 9, 1996 - SCHOOL COMMITTEE/BUDGET PROCESS**
- JANUARY 23, 1996 - COASTAL WATERS COMMISSION
SHELLFISH COMMISSION**
- FEBRUARY 13, 1996 - PLANNING BOARD
DESIGN REVIEW BOARD
SEWER & WATER DISTRICTS**
- FEBRUARY 27, 1996 - WINSLOW PARK COMMISSION
CONSERVATION COMMISSION (LANDBANK)
RECREATION COMMISSION**
- MARCH 12, 1996 - SOLID WASTE/RECYCLING COMMITTEE
FREEPORT COMMUNITY SERVICES**
- MARCH 26, 1996 - TRAFFIC & PARKING COMMITTEE
COMMUNITY RELATIONS COMMITTEE**
- APRIL 9, 1996 - HOUSING TRUST
LIBRARY BOARD (BUILDING COMMITTEE)**
- APRIL 23, 1996 - CABLE TV REGULATORY BOARD
BOARD OF APPEALS**

1996 Town Council Committee Assignments

Municipal Facilities:

Ed Campbell, Chair
Charlotte Bishop
Gloria DeGrandpre

Appointments:

Gloria DeGrandpre, Chair
Ed Campbell
Alan Hindley

Ordinance:

Ed Campbell, Chair
Ken Mann
Genie Beaulieu

Special Projects:

Charlotte Bishop, Chair
Gloria DeGrandpre
Alan Hindley

COG:

Alan Hindley

County Budget:

~~Ken Mann~~

Genie Beaulieu

Traffic & Parking:

Genie Beaulieu

Winslow Park:

Ken Mann

Community/Business Relations: **Gloria DeGrandpre, Chair**
Charlotte Bishop
Genie Beaulieu

Library Building Committee:

Ed Campbell, Chair
Gloria DeGrandpre

Route One South:

Ed Campbell