

**TOWN COUNCIL MEETING #22-96
JUNE 18, 1996 - 7:00 P.M.
TOWN HALL COUNCIL CHAMBERS**

SUMMARY AGENDA

- ITEM #145-96 TO CONSIDER ACTION RELATIVE TO APPLICATIONS AND RE-APPLICATION FOR VICTUALER LICENSE FOR PHILIP LAMONTAGNE, ROGER DUBAY, DAVID CATES, PHILIP KERBER, ANNE ORDWAY, MARY-ESTHER HANNAN, DANA PINKHAM, AMY CARMELL, RICHARD PFEFFER, CHRISTOPHER WASHBURN AND CHRISTOPHER WASHBURN. (PUBLIC HEARING).**
- ITEM #146-96 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR JEAN MACLEOD D/B/A OCEAN FARMS OF FREEPORT, INC. (PUBLIC HEARING).**
- ITEM #147-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$35,250 TO PROVIDE FOR THE PURCHASE OF COMPUTER EQUIPMENT FOR THE SCHOOL DEPARTMENT (PUBLIC HEARING).**
- ITEM #148-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$40,500 TO PROVIDE FOR MAJOR EXTERIOR PAINTING FOR FREEPORT SCHOOL BUILDINGS (PUBLIC HEARING).**
- ITEM #149-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.**
- ITEM #150-96 TO CONSIDER ACTION RELATIVE TO BIDS FOR A TAX ANTICIPATION LOAN.**
- ITEM #151-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE CABLE TV RESERVE ACCOUNT.**
- ITEM #152-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING FIRE LANES (CHAPTER 48).**
- ITEM #153-96 TO CONSIDER ACTION RELATIVE TO SCHOOL SCHOLARSHIP FUNDS.**
- ITEM #154-96 TO CONSIDER ACTION RELATIVE TO AWARDDING A BID FOR A NEW FIRE LADDER TRUCK.**
- ITEM #155-96 TO CONSIDER ACTION RELATIVE TO A CITIZEN OF THE YEAR AWARD.**
- ITEM #156-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.**
- ITEM #157-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.**

OTHER BUSINESS:

1. DISCUSSION ON NOMINATIONS FOR THE MMA EXECUTIVE AND ADVISORY COMMITTEES.
2. DISCUSSION ON TEEN CENTER FUNDING REQUEST.
3. DISCUSSION ON RECEIPT OF CABLE FRANCHISE AGREEMENT PROPOSAL.
4. AUTHORIZE MAINE D.O.T. LETTER REGARDING SIGNAGE.

COMMITTEE REPORTS:

COUNTY BUDGET

END OF AGENDA

**AGENDA
COUNCIL MEETING #22-96
COUNCIL CHAMBERS
JUNE 18, 1996 - 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
KENNETH MANN, MANN ROAD
CHARLOTTE BISHOP, MAQUOIT DRIVE
STAFFORD SOULE, ARNOLD ROAD**

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF #21-96 HELD ON JUNE 4, 1996 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.

ITEM #145-96 TO CONSIDER ACTION RELATIVE TO APPLICATIONS AND RE-APPLICATION FOR VICTUALER LICENSE FOR PHILIP LAMONTAGNE, ROGER DUBAY, DAVID CATES, PHILIP KERBER, ANNE ORDWAY, MARY-ESTHER HANNAN, DANA PINKHAM, AMY CARMELL, RICHARD PFEFFER, CHRISTOPHER WASHBURN AND CHRISTOPHER WASHBURN. (PUBLIC HEARING).

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

ROLL CALL OF MEMBERS:

CHARLOTTE BISHOP
GENIE BEAULIEU
ALAN HINDLEY
STAFFORD SOULE
PAT GOODWIN

GLORIA FOGG DEGRANDPRE
KENNETH MANN
EDWARD CAMPBELL
DALE OLMSTEAD

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

PHILIP LAMONTAGNE, D/B/A DOWNEAST PHARMACY, 7 MIDDLE STREET

ROGER DUBAY, D/B/A COUNTRY AT HEART BED & BREAKFAST, 37 BOW STREET

DAVID CATES, D/B/A 181 MAIN STREET BED & BREAKFAST, 181 MAIN STREET

PHILIP KERBER, D/B/A WHITE CEDAR INN, 178 MAIN STREET

ANNE ORDWAY, D/B/A OLD RED FARM BED & BREAKFAST, 47 DESERT ROAD

MARY-ESTHER HANNAN, D/B/A MOSTLY MAINE, 200 LOWER MAIN STREET

DANA PINKHAM, D/B/A EAGLE MOTEL, 291 U.S. ROUTE ONE SOUTH

AMY CARTMELL, D/B/A BREWSTER HOUSE BED & BREAKFAST, 180 MAIN STREET

RICHARD PFEFFER, D/B/A GRITTY MCDUFF'S, 183B LOWER MAIN STREET

CHRISTOPHER WASHBURN, D/B/A IT'S ONLY NATURAL. (CATERING SERVICE) 83 WEBSTER ROAD.

CHRISTOPHER WASHBURN, D/B/A FIDDLEHEAD FARM, 15 INDEPENDENCE DRIVE

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE APPLICATIONS AND RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED.

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

ITEM #146-96 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR JEAN MACLEOD D/B/A OCEAN FARMS OF FREEPORT, INC. (PUBLIC HEARING).

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

JEAN MACLEOD, D/B/A OCEAN FARMS OF FREEPORT, INC., 23 MAIN 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 #147-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$35,250 TO PROVIDE FOR THE PURCHASE OF COMPUTER EQUIPMENT FOR THE SCHOOL DEPARTMENT (PUBLIC HEARING).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM #147-96 BE TABLED UNTIL JULY 2, 1996.

ITEM #148-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$40,500 TO PROVIDE FOR MAJOR EXTERIOR PAINTING FOR FREEPORT SCHOOL BUILDINGS (PUBLIC HEARING).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM #147-96 BE TABLED UNTIL JULY 2, 1996.

ITEM #149-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT NINE (9) INDIVIDUALS RECEIVE AWARDS FROM THE DR. GOULD TRUST FUND TOTALING \$1,884.82.

NOTE: ALL INDIVIDUALS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE.

ITEM #150-96 TO CONSIDER ACTION RELATIVE TO BIDS FOR A TAX ANTICIPATION
LOAN.

BE IT ORDERED:

1. THAT UNDER AND PURSUANT TOT TITLE 30-A, SECTION 5771 OF THE MAINE REVISED STATUTES, AS AMENDED AND SUPPLEMENTED, THERE BE AND HEREBY IS AUTHORIZED TH. ISSUANCE OF \$500,000 PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES OF THE TOWN IN ANTICIPATION OF THE RECEIPT OF TAXES FOR THE MUNICIPAL FISCAL YEAR WHICH COMMENCES JULY 1, 1996 AND ENDS JUNE 30, 1997.

2. SAID NOTES SHALL BE DATED JULY 1, 1996, SHALL MATURE ON JUNE 30, 1997, SHALL BE SIGNED BY THE TREASURER AND COUNTERSIGNED BY THE CHAIR OF THE TOWN COUNCIL, SHALL BEAR INTEREST AT THE RATE OF _____ PER ANNUM, SHALL BE PAYABLE TO _____, AND OTHERWISE BE IN SUCH FORM AND BEAR SUCH DETAILS AS THE SIGNERS MAY DETERMINE.

3. THAT SAID NOTES ARE HEREBY SOLD AND AWARDED TO _____.

4. SAID NOTES ARE HEREBY DESIGNATED QUALIFIED TAX EXEMPT OBLIGATIONS OF THE TOWN FOR THE 1996 CALENDAR YEAR PURSUANT TOT HE INTERNAL REVENUE CODE OF 1986.

5. THAT ALL THINGS HERETOFORE DONE AND ALL ACTION HERETOFORE TAKEN BY THE TOWN, ITS MUNICIPAL OFFICERS AND AGENTS IN THE AUTHORIZATION OF SAID NOTES ARE HEREBY RATIFIED, APPROVED AND CONFIRMED AND THE TREASURER AND CHAIRMAN ARE EACH HEREBY AUTHORIZED TO TAKE ANY AND ALL ACTION NECESSARY OR CONVENIENT TO CARRY OUT THE PROVISIONS OF THIS VOTING, INCLUDING DELIVERING SAID NOTES AGAINST PAYMENT THEREFOR.

ITEM #151-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE CABLE
TV RESERVE ACCOUNT.

BE IT ORDERED: THAT UP TO \$3,000 BE EXPENDED FROM THE CABLE TV RESERVE ACCOUNT TO PROVIDE FOR THE RELOCATION OF THE CABLE TV STUDIO.

NOTE: THE CURRENT BALANCE OF THE ACCOUNT IS \$8,786.

ITEM #152-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING FIRE LANES (CHAPTER 48).

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR JULY 2, 1996 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE TRAFFIC AND PARKING ORDINANCE.

BE IT FURTHER ORDERED: THAT 30 COPIES OF THE PROPOSED ORDINANCE BE DISTRIBUTED EQUALLY BETWEEN THE B.H. BARTOL LIBRARY AND THE TOWN CLERK'S OFFICE FOR PUBLIC INFORMATION.

ITEM #153-96 TO CONSIDER ACTION RELATIVE TO SCHOOL SCHOLARSHIP FUNDS.

BE IT ORDERED: THAT THE FOLLOWING AMOUNT BE EXPENDED FROM SCHOOL SCHOLARSHIP FUNDS, TO PROVIDE SCHOLARSHIPS FOR GRADUATING HIGH SCHOOL SENIORS:

FITTS AWARD	\$87.00
WALLACE N TRUE	\$200.00
MILLARD A & ENID M CROOKER	\$1,420.00
ALICE POLLACK	\$475.00
KENNETH THOMPSON	\$225.00
AULDIS FOSTER AWARD	\$105.00 (BOOKS ONLY)

ITEM #154-96 TO CONSIDER ACTION RELATIVE TO AWARDED A BID FOR A NEW FIRE LADDER TRUCK.

MOTION: THAT THE FIRE CHIEF REPORT ON BIDS RECEIVED.

BE IT ORDERED: THAT THE BID FROM PIERCE AERIAL LADDER IN THE AMOUNT OF \$403,850, WHICH INCLUDES A PREPAYMENT OPTION OF \$350,000, BE ACCEPTED.

ITEM #155-96 TO CONSIDER ACTION RELATIVE TO A CITIZEN OF THE YEAR AWARD.

BE IT RESOLVED: THAT THE TOWN OF FREEPORT ESTABLISH AN AWARD TO HONOR A FREEPORT RESIDENT WHO HAS CONTRIBUTED SUBSTANTIVELY TO THE QUALITY OF THE TOWN, THE WELL-BEING OF THE CITIZENS, AND THE REPUTATION OF FREEPORT, THE BIRTHPLACE OF MAINE, THE FINEST STATE IN THIS FREE LAND.

THE RECIPIENT SHALL BE A MAN OR WOMAN WHO, OVER A SUBSTANTIAL PERIOD OF TIME, HAS LIVED IN FREEPORT AND DEMONSTRATED A PERSONAL COMMITMENT TO THE WELL-BEING OF THE TOWN AND ITS CITIZENS THAT HAS CAUSED A MEASURABLE IMPROVEMENT IN THE CIRCUMSTANCES OF A SIGNIFICANT NUMBER OF THE TOWNSPEOPLE.

THE AWARD SHALL BE GIVEN AFTER THE DEATH OF THE RESIDENT TO HONOR THEM AND TO INSURE THAT THEIR COMMITMENT AND CONTRIBUTIONS SHALL CONTINUE TO PROVIDE AN INSPIRATION TO ALL WHO HONOR THEIR MEMORY.

BE IT FURTHER RESOLVED: THAT THE FIRST ANNUAL FREEPORT CITIZENSHIP AWARD BE GIVEN TO PAUL POWERS IN RECOGNITION OF HIS LIFETIME OF SERVICE TO THE CITIZENS OF THIS COMMUNITY.

ITEM #156-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.

BE IT ORDERED: THAT DAVID SOLEY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ZONING BOARD OF APPEALS UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. SOLEY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #157-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.

BE IT ORDERED: THAT REED POTTER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ZONING BOARD OF APPEALS UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. POTTER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #158-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT CLINT GOODENOW, SR BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. GOODENOW QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #159-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT JAMES MCCORMACK BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. MCCORMACK QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #160-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT MARJORIE SCHWIETERING BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MS. SCHWIETERING QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #161-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT STANWOOD BURNHAM BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1997.

BE IT FURTHER ORDERED: THAT MR. BURNHAM QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #162-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT JOSEPH HAHN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. HAHN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #163-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT PETER POLOVCHIK BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. POLOVCHIK QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #164-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ANNEE TARA BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999.

BE IT FURTHER ORDERED: THAT MS. TARA QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #165-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT MARJORIE HALL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998.

BE IT FURTHER ORDERED: THAT MS. HALL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #166-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ELIZABETH HARDIN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998.

BE IT FURTHER ORDERED: THAT MS. HARDIN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #167-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ROBERT MOORE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998.

BE IT FURTHER ORDERED: THAT MR. MOORE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #168-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT MARY SAUER BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1997.

BE IT FURTHER ORDERED: THAT MS SAUER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #169-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE
CONSERVATION COMMISSION.

BE IT ORDERED: THAT ROBERT FOYE BE APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION
COMMISSION UNTIL JULY 1, 1997.

BE IT FURTHER ORDERED: THAT MR FOYE QUALIFY BY SWEARING AN
OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #170-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE
CONSERVATION COMMISSION.

BE IT ORDERED: THAT STEWART FEFER BE APPOINTED, EFFECTIVE
IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION
COMMISSION UNTIL JULY 1, 1997.

BE IT FURTHER ORDERED: THAT MR FEFER QUALIFY BY SWEARING AN
OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996.

ITEM #171-96 TO CONSIDER ACTION RELATIVE TO THE SALE OF PROPERTY (TAX MAP 12
LOT 54).

BE IT ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO
PROCEED WITH THE SALE OF THE BUILDINGS AND LAND REQUIRED FOR A
LEGAL LOT LOCATED ON TAX MAP 12 LOT 54.

NOTE: THIS IS THE PROPERTY BEING PURCHASED FROM JAMES GORMAN.

ITEM #130-96 TABLED JUNE 4, 1996
TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE
FREEPORT PEDDLERS ORDINANCE CONCERNING THE ISSUANCE OF
LICENSES (CHAPTER 43).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE FREEPORT
PEDDLERS ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON JUNE 4,
1996, BE APPROVED.

ITEM #131-96 TABLED JUNE 4, 1996
TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE
ZONING ORDINANCE CONCERNING THE LOCAL BUSINESS ZONE (LB)
(CHAPTER 2).

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING
ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON JUNE 4, 1996, BE
APPROVED.

OTHER BUSINESS:

1. DISCUSSION ON NOMINATIONS FOR THE MMA EXECUTIVE AND ADVISORY COMMITTEES.
2. DISCUSSION ON TEEN CENTER FUNDING REQUEST.
3. DISCUSSION ON RECEIPT OF CABLE FRANCHISE AGREEMENT PROPOSAL.
4. AUTHORIZE MAINE D.O.T. LETTER REGARDING SIGNAGE.

COMMITTEE REPORTS:

COUNTY BUDGET

MINUTES
FREEPORT TOWN COUNCIL MEETING #22-96
June 18, 1996 - 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER:

	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Gloria DeGrandpre, Chairperson Wolf Neck Road	X		
Edward Campbell, Vice-Chairperson Gay Drive	X		
Genie Beaulieu Larue Drive	X		
Alan Hindley Wardtown Road	X		
Kenneth Mann Mann Road	X		
Charlotte Bishop Maquoit Drive	X		
Stafford Soule Arnold Road	X		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #21-96 HELD ON JUNE 4, 1996 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO AMEND THE MINUTES ON PAGE 7, PARAGRAPH 8, TO CORRECT THE VOTE TO: (5 Ayes) (2 Nays-Campbell, Beaulieu) (Councilors DeGrandpre & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #21-96 HELD ON JUNE 4, 1996 AND ACCEPT THE MINUTES AS AMENDED. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES.

(There were no comments this evening.)

MOVED AND SECONDED: TO CLOSE THE PUBLIC COMMENT PERIOD. (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

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

ITEM #145-96 TO CONSIDER ACTION RELATIVE TO APPLICATIONS AND RE-APPLICATION FOR VICTUALER LICENSE FOR PHILIP LAMONTAGNE, ROGER DUBAY, DAVID CATES, PHILIP KERBER, ANNE ORDWAY, MARY-ESTHER HANNAN, AMY CARMELL, RICHARD PFEFFER, CHRISTOPHER WASHBURN AND CHRISTOPHER WASHBURN. (PUBLIC HEARING).

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

ROLL CALL OF MEMBERS: (All members present)

CHARLOTTE BISHOP
GENIE BEAULIEU
ALAN HINDLEY
STAFFORD SOULE
PAT GOODWIN

GLORIA FOGG DEGRANDPRE
KENNETH MANN
EDWARD CAMPBELL
DALE OLMSTEAD

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATIONS AND RE-APPLICATIONS FOR VICTUALER LICENSES BE SUBJECT TO PUBLIC HEARING.

PHILIP LAMONTAGNE, D/B/A DOWNEAST PHARMACY, 7 MIDDLE STREET

ROGER DUBAY, D/B/A COUNTRY AT HEART BED & BREAKFAST, 37 BOW STREET

DAVID CATES, D/B/A 181 MAIN STREET BED & BREAKFAST, 181 MAIN STREET

PHILIP KERBER, D/B/A WHITE CEDAR INN, 178 MAIN STREET

ANNE ORDWAY, D/B/A OLD RED FARM BED & BREAKFAST, 47 DESERT ROAD

MARY-ESTHER HANNAN, D/B/A MOSTLY MAINE, 200 LOWER MAIN STREET

AMY CARTMELL, D/B/A BREWSTER HOUSE BED & BREAKFAST, 180 MAIN STREET

RICHARD PFEFFER, D/B/A GRITTY MCDUFF'S, 183B LOWER MAIN STREET

CHRISTOPHER WASHBURN, D/B/A IT'S ONLY NATURAL, (CATERING SERVICE) 83 WEBSTER ROAD.

CHRISTOPHER WASHBURN, D/B/A FIDDLEHEAD FARM, 15 INDEPENDENCE DRIVE

(Councilors Beaulieu & Campbell) (9 Ayes) (0 Nays)

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

BE IT ORDERED: THAT THE APPLICATIONS AND RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED. ROLL CALL VOTE
(Councilors Beaulieu & Campbell) (9 Ayes) (0 Nays)

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

ITEM #146-96 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR JEAN MACLEOD D/B/A OCEAN FARMS OF FREEPORT, INC. (PUBLIC HEARING).

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

JEAN MACLEOD, D/B/A OCEAN FARMS OF FREEPORT, INC., 23 MAIN STREET

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

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

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

ITEM #147-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$35,250 TO PROVIDE FOR THE PURCHASE OF COMPUTER EQUIPMENT FOR THE SCHOOL DEPARTMENT (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE OPENED. (Councilors Soule & Bishop) (7 Ayes) (0 Nays)

Manager Olmstead reviewed the need for this item, that systems are not compatible, etc. Jerry Kennedy, Chairperson School Committee, urged the Council's support for this item.

Laura George added her support.

Jeannie Fields requested that the Council support this item.

Jan Oransky stated that this is a creative solution to supporting the schools.

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

MOVED AND SECONDED: THAT ITEM #147-96 BE TABLED UNTIL JULY 2, 1996. (Councilors Soule & Bishop) (7 Ayes) (0 Nays)

ITEM #148-96 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE FOR \$40,500 TO PROVIDE FOR MAJOR EXTERIOR PAINTING FOR FREEPORT SCHOOL BUILDINGS (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE OPENED. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

Robert Lyman, Superintendent of Schools, provided an overview of the painting done over the last three years and the need for painting at this time.
Councilor Mann asked further questions re: interior painting personnel used.
Mr. Lyman stated that painters were hired.
Councilor Beaulieu raised concerns re: rotting at Middle School.
Councilor Hindley asked if high school students could be hired to paint.
Mr. Lyman reviewed the restrictions re: use of students.
Jerry Kennedy requested support for this item.

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

MOVED AND SECONDED: THAT ITEM #148-96 BE TABLED UNTIL JULY 2, 1996. (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

ITEM #149-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT NINE (9) INDIVIDUALS RECEIVE AWARDS FROM THE DR. GOULD TRUST FUND TOTALING \$1,884.82. ROLL CALL VOTE
(Councilors Mann & Bishop) (7 Ayes) (0 Nays)

NOTE: ALL INDIVIDUALS HAVE QUALIFIED THROUGH THE GENERAL ASSISTANCE OFFICE.

ITEM #150-96 TO CONSIDER ACTION RELATIVE TO BIDS FOR A TAX ANTICIPATION LOAN.

Manager Olmstead reported on the TAN Bid Opening, June 18, 1996 as follows:

	<u>Interest Rate</u>	<u>Interest</u>	<u>Days</u>
Advest Inc	4.25%	\$21,304.00	12/25/00
Bath Savings Bank	3.49%	\$17,450.00	12/25/00
Coastal Savings	(no bid received)		
Fleet Bank	4.00%	\$19,944.44	360
Key Bank of Maine	4.79%	\$23,884.38	365
Peoples Heritage Bank	4.44%	\$22,138.33	360

Manager Olmstead recommended the bid from Bath Savings Bank.

BE IT ORDERED:

1. THAT UNDER AND PURSUANT TOT TITLE 30-A, SECTION 5771 OF THE MAINE REVISED STATUTES, AS AMENDED AND SUPPLEMENTED, THERE BE AND HEREBY IS AUTHORIZED TH. ISSUANCE OF \$500,000 PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES OF THE TOWN IN ANTICIPATION OF THE RECEIPT OF TAXES FOR THE MUNICIPAL FISCAL YEAR WHICH COMMENCES JULY 1, 1996 AND ENDS JUNE 30, 1997.

2. SAID NOTES SHALL BE DATED JULY 1, 1996, SHALL MATURE ON JUNE 30, 1997, SHALL BE SIGNED BY THE TREASURER AND COUNTERSIGNED BY THE

CHAIR OF THE TOWN COUNCIL, SHALL BEAR INTEREST AT THE RATE OF 3.49% PER ANNUM, SHALL BE PAYABLE TO BATH SAVINGS BANK, AND OTHERWISE BE IN SUCH FORM AND BEAR SUCH DETAILS AS THE SIGNERS MAY DETERMINE.

3. THAT SAID NOTES ARE HEREBY SOLD AND AWARDED TO BATH SAVINGS BANK.

4. SAID NOTES ARE HEREBY DESIGNATED QUALIFIED TAX EXEMPT OBLIGATIONS OF THE TOWN FOR THE 1996 CALENDAR YEAR PURSUANT TOT HE INTERNAL REVENUE CODE OF 1986.

5. THAT ALL THINGS HERETOFORE DONE AND ALL ACTION HERETOFORE TAKEN BY THE TOWN, ITS MUNICIPAL OFFICERS AND AGENTS IN THE AUTHORIZATION OF SAID NOTES ARE HEREBY RATIFIED, APPROVED AND CONFIRMED AND THE TREASURER AND CHAIRMAN ARE EACH HEREBY AUTHORIZED TO TAKE ANY AND ALL ACTION NECESSARY OR CONVENIENT TO CARRY OUT THE PROVISIONS OF THIS VOTING, INCLUDING DELIVERING SAID NOTES AGAINST PAYMENT THEREFOR.

ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #151-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE CABLE TV RESERVE ACCOUNT.

Councilor Beaulieu stated that she would prefer the replacement of hardware, etc., to come out of the Equipment Account.

Miscellaneous discussion followed re: clarification of move expenses, balance in Cable Budget, \$8,700 in Reserve Account, etc.

MOVED AND SECONDED: TO AMEND ITEM #151-96 TO READ, "THAT UP TO \$1,200 BE EXPENDED FROM THE CABLE TV RESERVE ACCOUNT TO PROVIDE FOR THE RELOCATION OF THE CABLE TV STUDIO". (Councilors Beaulieu & Mann) (3 Ayes) (4 Nays-Soule, DeGrandpre, Campbell, Bishop)

BE IT ORDERED: THAT UP TO \$3,000 BE EXPENDED FROM THE CABLE TV RESERVE ACCOUNT TO PROVIDE FOR THE RELOCATION OF THE CABLE TV STUDIO. ROLL CALL VOTE (Councilors Hindley & Campbell) (6 Ayes) (1 Nay-Beaulieu)

NOTE: THE CURRENT BALANCE OF THE ACCOUNT IS \$8,786.

ITEM #152-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE TRAFFIC AND PARKING ORDINANCE CONCERNING FIRE LANES (CHAPTER 48).

MOVED AND SECONDED: TO TABLE ITEM #152-96 INDEFINITELY. (Councilors Beaulieu & Hindley) (7 Ayes) (0 Nays)

24
deleted at
mtg #23-96
in 1st order
of business
SEE: minutes
28-96

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR JULY 2, 1996 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS A PROPOSED AMENDMENT TO THE TRAFFIC AND PARKING ORDINANCE.

BE IT FURTHER ORDERED: THAT 30 COPIES OF THE PROPOSED ORDINANCE BE DISTRIBUTED EQUALLY BETWEEN THE B.H. BARTOL LIBRARY AND THE TOWN CLERK'S OFFICE FOR PUBLIC INFORMATION.

ITEM #153-96. TO CONSIDER ACTION RELATIVE TO SCHOOL SCHOLARSHIP FUNDS.

BE IT ORDERED: THAT THE FOLLOWING AMOUNT BE EXPENDED FROM SCHOOL SCHOLARSHIP FUNDS, TO PROVIDE SCHOLARSHIPS FOR GRADUATING HIGH SCHOOL SENIORS:

FITTS AWARD	\$87.00
WALLACE N TRUE	\$200.00
MILLARD A & ENID M CROOKER	\$1,420.00
ALICE POLLACK	\$475.00
KENNETH THOMPSON	\$225.00
AULDIS FOSTER AWARD	\$105.00 (BOOKS ONLY)

ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

ITEM #154-96 TO CONSIDER ACTION RELATIVE TO AWARDING A BID FOR A NEW FIRE LADDER TRUCK.

MOVED AND SECONDED: THAT THE FIRE CHIEF REPORT ON BIDS RECEIVED. (Councilors Mann & Beaulieu) (7 Ayes) (0 Nays)

Chief Daly reported on the bids received, for a new fire ladder truck, held May 31, 1996:

Central States, Lyons, SD	\$414,452.00
Pierce, Woodville, MA	\$422,923.00
(included 2 specific discounts)	
New England Fire Equipment, Stratford, CT	\$402,283.00

He stated that without using the optional payment schedule, Pierce was over budget; using their second optional payment plan, their bid was \$403,805.00.

Manager Ohmstead explained the options; option 1, acquisition at the time of delivery would be \$422,923.00. Option 2, which would be one discount on a three payment schedule, would be \$414,985.00, with a discount of almost \$8,000.00. However, there would be earned interest lost in the pre-payment option, at an interest of \$8,500.00. On option 3, the fourth payment would be a \$19,118 discount, bringing the purchase price down to \$403,805.00. However, the Town would lose an estimated \$12,000.00 in interest from investment of those funds.

Councilor Soule asked if Pierce was an established company.

Chief Daly confirmed that this company has been in business since 1913.

Manager Olmstead stated that if the Council goes with that company and that option, a condition would be for the company to submit financials to be reviewed by the Finance Director, prior to the issuance of the check.

Miscellaneous discussion followed re: one company producing the whole product, comparison of the specs, various features, disposition of the existing vehicle, hip load, minor items not met in Pierce's bid, options not included in the bid totaling \$4,800.00, the Contingency Fund for unforeseen expenses, etc.

MOVED AND SECONDED: TO AMEND ITEM #154-96 TO READ THAT THE BID FROM PIERCE AERIAL LADDER IN THE AMOUNT OF \$408,226.00, WHICH INCLUDES A PREPAYMENT OPTION OF \$350,000.00, BE ACCEPTED, AND THAT \$6,774.00 BE DEDICATED TO CONTINGENCY FUND FOR POTENTIAL NEEDS DURING THE CONSTRUCTION PROCESS. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

Charles Smith stated he feels the Contingency Fund needs to be controlled by the Fire Department.

Councilor Campbell stated that the Manager can oversee the fund.

BE IT ORDERED: THAT THE BID FROM PIERCE AERIAL LADDER IN THE AMOUNT OF \$408,226, WHICH INCLUDES A PREPAYMENT OPTION OF \$350,000, AND THAT \$6,774 BE SET ASIDE AS A CONTINGENCY FUND FOR POSSIBLE CHANGES DURING CONSTRUCTION, BE ACCEPTED AS AMENDED. ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (Nays)

ITEM #155-96 TO CONSIDER ACTION RELATIVE TO A CITIZEN OF THE YEAR AWARD.

BE IT RESOLVED: THAT THE TOWN OF FREEPORT ESTABLISH AN AWARD TO HONOR A FREEPORT RESIDENT WHO HAS CONTRIBUTED SUBSTANTIVELY TO THE QUALITY OF THE TOWN, THE WELL-BEING OF THE CITIZENS, AND THE REPUTATION OF FREEPORT, THE BIRTHPLACE OF MAINE, THE FINEST STATE IN THIS FREE LAND.

THE RECIPIENT SHALL BE A MAN OR WOMAN WHO, OVER A SUBSTANTIAL PERIOD OF TIME, HAS LIVED IN FREEPORT AND DEMONSTRATED A PERSONAL COMMITMENT TO THE WELL-BEING OF THE TOWN AND ITS CITIZENS THAT HAS CAUSED A MEASURABLE IMPROVEMENT IN THE CIRCUMSTANCES OF A SIGNIFICANT NUMBER OF THE TOWNSPEOPLE.

THE AWARD SHALL BE GIVEN AFTER THE DEATH OF THE RESIDENT TO HONOR THEM AND TO INSURE THAT THEIR COMMITMENT AND CONTRIBUTIONS SHALL CONTINUE TO PROVIDE AN INSPIRATION TO ALL WHO HONOR THEIR MEMORY.

BE IT FURTHER RESOLVED: THAT THE FIRST ANNUAL FREEPORT CITIZENSHIP AWARD BE GIVEN TO PAUL POWERS IN RECOGNITION OF HIS LIFETIME OF SERVICE TO THE CITIZENS OF THIS COMMUNITY. ROLL CALL VOTE (Councilors Bishop & Beaulieu)

MOVED AND SECONDED: TO AMEND ITEM #155-96 TO CHANGE THE WORDING TO, "SHALL BE GIVEN TO A RESIDENT TO HONOR THEM AND TO INSURE THAT THEIR COMMITMENT AND CONTRIBUTIONS SHALL

CONTINUE TO PROVIDE AN INSPIRATION TO ALL". (Councilors Bishop & Mann) (7 Ayes) (0 Nays)

Councilor Campbell stated that he was fortunate to know Mr. Powers; he did a lot for this community.

Councilor Beaulieu stated that this is a wonderful thing to do; she requested that take the time to prepare and honor the people properly.

Councilor Bishop stated that this has come from a special projects committee; Mr. Powers will be honored on the 29th of this month.

Chairperson DeGrandpre suggested that a good time for such presentations would be during the annual volunteer picnic.

Ed Bradley stated that he appreciates all that the Council does. He stated that the idea of a citizenship award has been with this council for a long time; it is a tremendous opportunity to provide recognition. With respect to the decision of awarding the first award to Mr. Powers, he feels that there are a number of people who could deserve the award, but Mr. Powers made very visible contributions to the Town - interpreting the Winslow Park Trust, etc.

Ed Bonney offered his support for these types of awards. He provided an overview of Mr. Powers' value to the Town, his compassion as a judge, insight in bringing business to the Community, putting together a development corporation to develop the old Town dump site, etc.

ROLL CALL VOTE (7 Ayes) (0 Nays)

ITEM #156-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.

BE IT ORDERED: THAT DAVID SOLEY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ZONING BOARD OF APPEALS UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Hindley & Beaulieu) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. SOLEY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Hindley & Beaulieu) (7 Ayes) (0 Nays)

ITEM #157-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ZONING BOARD OF APPEALS.

BE IT ORDERED: THAT REED POTTER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ZONING BOARD OF APPEALS UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. POTTER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #158-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT CLINT GOODENOW, SR BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Beaulieu & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. GOODENOW QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Beaulieu & Bishop) (7 Ayes) (0 Nays)

ITEM #159-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT JAMES MCCORMACK BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. MCCORMACK QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

ITEM #160-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT MARJORIE SCHWIETERING BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. SCHWIETERING QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #161-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SHELLFISH COMMISSION.

BE IT ORDERED: THAT STANWOOD BURNHAM BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SHELLFISH COMMISSION UNTIL JULY 1, 1997. BALLOT VOTE (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. BURNHAM QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

ITEM #162-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT JOSEPH HAHN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. HAHN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

ITEM #163-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT PETER POLOVCHIK BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Beaulieu & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. POLOVCHIK QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Beaulieu & Campbell) (7 Ayes) (0 Nays)

ITEM #164-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ANNEE TARA BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1999. BALLOT VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. TARA QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

ITEM #165-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT MARJORIE HALL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998. BALLOT VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. HALL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #166-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ELIZABETH HARDIN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998. **BALLOT VOTE** (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. HARDIN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. **ROLL CALL VOTE** (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

ITEM #167-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ROBERT MOORE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1998. **BALLOT VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. MOORE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #168-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT MARY SAUER BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1997. **BALLOT VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS SAUER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. **ROLL CALL VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

ITEM #169-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT ROBERT FOYE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1997. **BALLOT VOTE** (Councilors Beaulieu & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. FOYE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. **ROLL CALL VOTE** (Councilors Beaulieu & Campbell) (7 Ayes) (0 Nays)

ITEM #170-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CONSERVATION COMMISSION.

BE IT ORDERED: THAT STEWART FEFER BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION UNTIL JULY 1, 1997. BALLOT VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. FEFER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY JUNE 28, 1996. ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

ITEM #171-96 TO CONSIDER ACTION RELATIVE TO THE SALE OF PROPERTY (TAX MAP 12 LOT 54).

Manager Olmstead explained Item #171-96; the survey is nearly completed, the Council has been discussing breaking off a part of this property to sell and thus, recoup some of the costs, etc.

Councilor Campbell stated that he favors this.

Councilor Hindley asked if we had a particular price in mind.

Manager Olmstead stated that we do not, but we will list the property with a realtor, seeking their guidance.

BE IT ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO PROCEED WITH THE SALE OF THE BUILDINGS AND LAND REQUIRED FOR A LEGAL LOT LOCATED ON TAX MAP 12 LOT 54. ROLL CALL VOTE (Councilors Soule & Beaulieu) (7 Ayes) (0 Nays)

NOTE: THIS IS THE PROPERTY BEING PURCHASED FROM JAMES GORMAN.

ITEM #130-96 TABLED JUNE 4, 1996
TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE FREEPORT PEDDLERS ORDINANCE CONCERNING THE ISSUANCE OF LICENSES (CHAPTER 43).

BE IT ORDERED: THAT THE PROPOSED AMENDMENT TO THE FREEPORT PEDDLERS ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON JUNE 4, 1996, BE APPROVED. ROLL CALL VOTE (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

ITEM #131-96 TABLED JUNE 4, 1996
TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING THE LOCAL BUSINESS ZONE (LB) (CHAPTER 2).

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON JUNE 4, 1996, BE APPROVED. (Councilors Hindley & Campbell)

Councilor Mann asked re: setbacks, where does this apply, is it only for this area or does this affect all of the LB zone.

Manager Olmstead confirmed that it is John Libby's property, but does affect the whole zone.

Councilor Mann raised concerns re: need for outdoor storage-this being too restrictive for this particular business.

Mr. Libby stated that it was his desire to get his timbers stored inside. However, a reasonable amount of outside storage would be nice.

Councilor Campbell stated that this is a minor change of the zoning, but it has to be flexible; it is prudent of the Planning Board to come forward with this wording.

Mr. Libby stated that he has 100% support of all of the abutters.

Councilor Mann stated that his concern is to allow a small amount of space for outside storage.

Councilor Beaulieu stated this should have been discussed previously and perhaps, a postponement would be appropriate.

Mr. Libby stated that he could work with this as it is; he appreciates the Council's concern.

ROLL CALL VOTE (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. DISCUSSION ON NOMINATIONS FOR THE MMA EXECUTIVE AND ADVISORY COMMITTEES.

Manager Olmstead reviewed the process and current status of membership. He stated that the Council needs to vote on a nominee for the Legislative Policy Committee; Genie Beaulieu has been nominated.

2. DISCUSSION ON TEEN CENTER FUNDING REQUEST.

Reverend John Diorio and Sarah Thacher presented an overview of the needs for this request. The request for funding is \$2,500.00.

Miscellaneous discussion followed re: need to include this in the budget vs. Miscellaneous Contingency, question of where it should be included (in the budget), etc.

MOVED AND SECONDED: MOVED AND SECONDED TO TAKE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: TO TAKE \$3,000.00 FOR THE MISCELLANEOUS CONTINGENCY FUND TO PROVIDE FOR THE TEEN CENTER FOR THE COMING SEASON. (Councilors Bishop & Campbell) 4 Ayes) (3 Nays-Mann, Beaulieu, Hindley)

3. DISCUSSION ON RECEIPT OF CABLE FRANCHISE AGREEMENT PROPOSAL.

Chairperson DeGrandpre stated she had received information from the Freeport Cable Regulatory Board regarding this. Negotiations are in progress and are on-going..

4. AUTHORIZE MAINE D.O.T. LETTER REGARDING SIGNAGE.

Councilor Beaulieu report on this item. She stated that the Traffic and Parking Committee reviewed this and have provided suggestions to change some signage on I-95.

Miscellaneous discussion followed re: current signs, proposed signs, etc.

MOVED AND SECONDED: TO TAKE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Mann & Beaulieu) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT WE AUTHORIZE THE LETTER TO THE D.O.T., DATED JUNE 18, 1996, REFERRING TO SIGNAGE ON THE INTERSTATE. (Councilors Mann & Beaulieu) (7 Ayes) (0 Nays)

5. Chairperson DeGrandpre reported on a letter received from the Freeport Students Aspirations Partnership, a group of community members, which is holding a morning meeting. Hopefully, 3 councilors can attend.

6. Councilor Hindley requested clarification of a letter from John Melrose. Manager Olmstead stated that this was a State project requested some time ago. Councilor Hindley asked if there was any update on negotiations regarding the turnback of roads. Manager Olmstead stated that they had met today, MDOT's position is that they do not have the money available and will be turning these roads back as of July 1, 1997. The Council needs to develop a formal position and negotiate with the Commissioner. Miscellaneous discussion followed re: estimated cost of repair, legislation being of help, etc.

COMMITTEE REPORTS:

COUNTY BUDGET

Councilor Soule stated that there are no meetings for several months.

Councilor Mann stated that the tenant in Harb Cottage has left without paying the bills. The committee feels that Winslow Park is owed this money; the Town Attorney has recommended that the Council appoint someone to appear in Small Claims Court to represent the Town; the claim is for \$1,600.00.

Manager Olmstead stated that he would talk with Chief Scofield for a recommendation to designate a representative; a certified letter will be sent to the former tenant, giving her 30 days to clear up the monies owed.

Councilor Mann stated that the Committee has discussed this re: amending the lease to avoid this in the future.

MOVED AND SECONDED: THAT THE MEETING BE ADJOURNED AT 9:55 P.M.

Respectfully submitted,

Pat Goodwin, Recording Secretary

P.H. - mtg. # 21-96 (6-4-96)

APPROVED - mtg. # 22-96 (6-18-96)

ITEM # 130-96

Adopted
**Proposed Amendment Change
Freeport Peddlers Ordinance
Chapter 43**

Section 43-204 Performance Standards

A license issued by the State of Maine Department of Human Services for food service shall be obtained before a license is issued by the ~~Licensing Board~~ Town Clerk or his/her designee.

MUNICIPAL BUILDING, FREEPORT, MAINE 04032

P.H. - mtg. # 21-94 (6-4-94)
APPROVED - mtg. # 22-94 (6-18-94)
ITEM # 131-94

CHAPTER 21

FREEPORT ZONING ORDINANCE

DRAFT AMENDMENTS

Section 415. Local Business District "LB"

B. Permitted Uses:

The specific permitted uses which are listed below are intended to provide examples of the type of permitted use. Uses similar to those examples which are specifically listed are permitted if their primary purpose is to serve local needs. All uses are subject to site review.

1. Peddler on Private Property subject to the requirements of Section 526.
2. Local convenience goods stores accommodating local needs such as but not limited to retail bakeries, delicatessens, candy, nut and fish stores, fruit and vegetable stores, grocery and food stores, 5 & 10 stores, hardware stores, auto parts supply, book stores, branch banks, dry goods stores, apparel stores and florist shops. All types of restaurants, as defined in this Ordinance, are not included in this definition and, therefore, are prohibited.
3. Personal service stores such as but not limited to beauty and barber shops, laundromats, cleaners, photography studios, shoe, jewelry and household appliance repair services and alterations services.
4. Shopping center including a supermarket, department store, local convenience goods and personal service stores.
5. Business and Professional Offices
6. Commercial Recreation - Indoor
7. Municipal Facility
8. Timber Framing Millwork and Cabinetry with no outdoor storage permitted. "Outdoor storage" is not to be construed to include registered vehicles used in the daily conduct of the business.

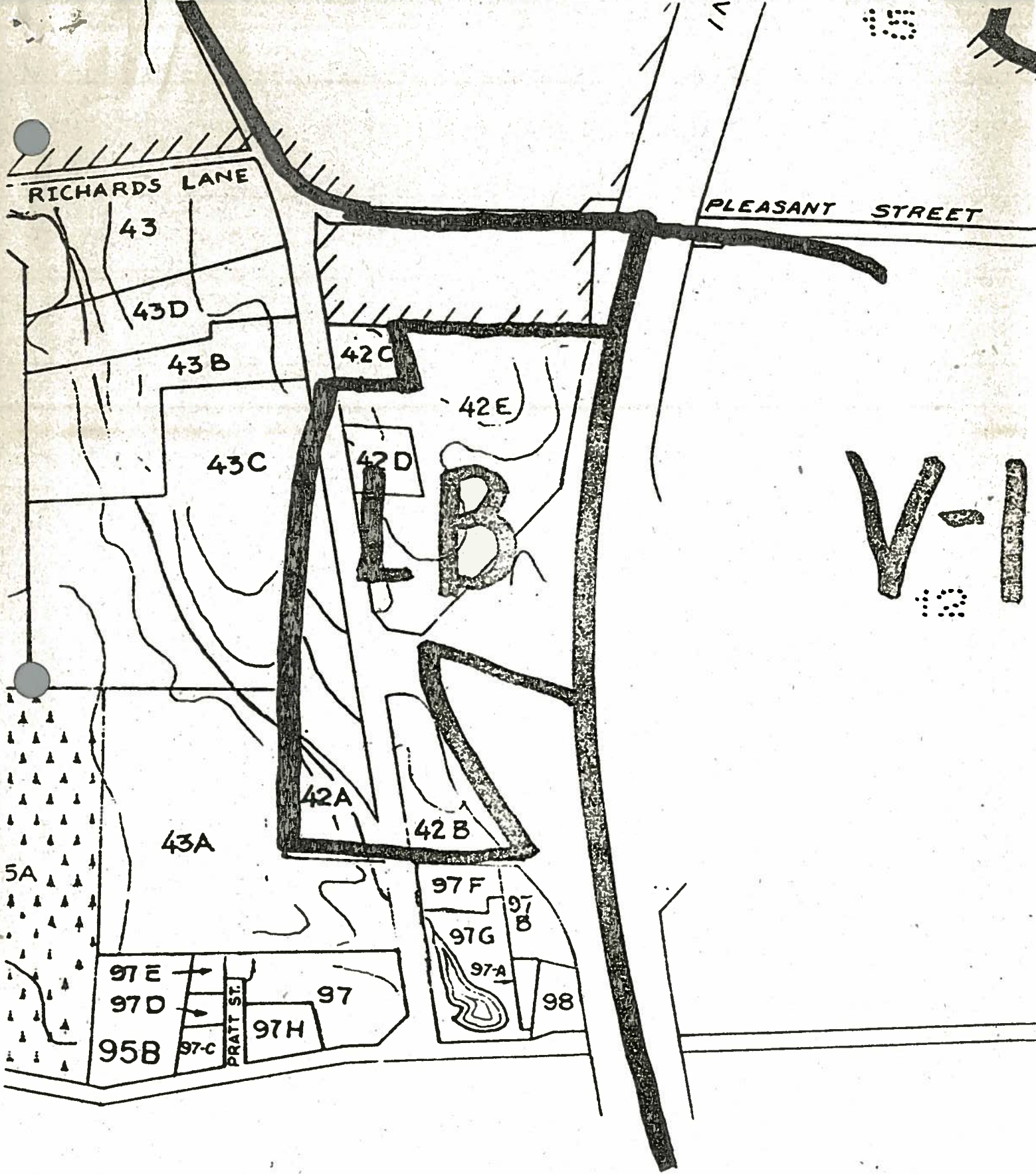
CHAPTER 21

D. Other Standards

1. Buffer strips separating the LB District from the boundaries of districts which permit residential uses shall be at least 125 feet in the LB District at Desert Road and Route One and Pine Street and 50' in the LB District at Mallet Drive and Route 125/136 and shall consist of natural growth, landscaping or fencing to effectively screen business uses from residential areas.

Buffer strip requirements shall not apply where the district boundary is a road as defined in this Ordinance.

15



V-1