

**AGENDA
COUNCIL MEETING #28-96
COUNCIL CHAMBERS
SEPTEMBER 17, 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 #27-96 HELD ON SEPTEMBER 3, 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 #210-96 TO CONSIDER ACTION RELATIVE TO APPLICATION FOR VICTUALER LICENSES FOR RYAN DOHERTY, MARA FRANK, DENNIS DANIEL, JOHN WELCH, ROBERT COLE, AND DALE M. BAKER (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 FOR VICTUALER LICENSES BE SUBJECT TO PUBLIC HEARING.

RYAN DOHERTY, D/B/A TIM'S VENDING, PEDDLER/PUBLIC PROPERTY,
MAIN STREET (L.L. BEAN), FREEPORT

MARA FRANK, D/B/A BAYBERRY BED & BREAKFAST, 8 MAPLE AVENUE,
FREEPORT

DENNIS DANIEL, D/B/A BEN & JERRY'S, PEDDLER/PRIVATE PROPERTY,
47 MAIN STREET, FREEPORT

JOHN WELCH, D/B/A MAINLY BEANS, 123 MAIN STREET, FREEPORT

ROBERT COLE, D/B/A BOB'S TAKE-OUT, PEDDLER/PRIVATE PROPERTY,
292 US ROUTE 1 SOUTH (LIGHTHOUSE)

DALE M. BAKER, D/B/A RALPH'S LAZY LOBSTER, PEDDLER/PRIVATE
PROPERTY, L.L. BEAN (MORSE STREET), FREEPORT

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE APPLICATIONS ISSUED TO THE ABOVE
NAMED APPLICANTS BE APPROVED.

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

ITEM #211-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE ADMINISTRATIVE CODE CONCERNING THE SHELLFISH PROGRAM COORDINATOR (CHAPTER 2) **PUBLIC HEARING.**

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM #211-96 BE TABLED UNTIL OCTOBER 1, 1996.

ITEM #212-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT ELEVEN (11) INDIVIDUALS RECEIVE AWARDS TOTALING \$2,213.57 FROM THE DR. GOULD TRUST FUND FOR PAYMENT OF MEDICAL BILLS.

NOTE: ALL APPLICANTS HAVE QUALIFIED WITH THE GENERAL ASSISTANCE OFFICE.

ITEM #213-96 TO CONSIDER ACTION RELATIVE TO SUBMITTING TO PUBLIC REFERENDUM A PROPOSED APPROPRIATION ORDINANCE FOR UP TO \$450,000.00 FOR THE PURCHASE AND DEVELOPMENT OF LAND TO PROVIDE FOR AN OUTDOOR RECREATIONAL FACILITY.

BE IT ORDERED: THAT THE FOLLOWING PROPOSED APPROPRIATION ORDINANCE FOR UP TO \$450,000.00 BE SUBMITTED TO THE VOTERS OF THE TOWN OF FREEPORT AT THE MUNICIPAL ELECTION ON NOVEMBER 5, 1996.

BE IT FURTHER ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR OCTOBER 15, 1996 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO ACCEPT PUBLIC COMMENT ON THE PROPOSED APPROPRIATION ORDINANCE.

THE TOWN OF FREEPORT HEREBY ORDAINS: THAT A SUM NOT TO EXCEED \$450,000.00 IS HEREBY APPROPRIATED FOR THE PURPOSE OF PURCHASING AND DEVELOPING LAND TO PROVIDE FOR AN OUTDOOR RECREATIONAL FACILITY. TO MEET SAID APPROPRIATION, THE CHAIRPERSON OF THE TOWN COUNCIL AND THE TOWN TREASURER ARE AUTHORIZED TO ISSUE GENERAL OBLIGATION SECURITIES OF THE TOWN OF FREEPORT IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$450,000.00 AND THE DISCRETION TO FIX THE DATE(S), MATURITY(IES), DENOMINATION(S), INTEREST RATE(S), PLACE(S) OF PAYMENT, FORM(S) AND OTHER DETAILS OF SAID SECURITIES, INCLUDING EXECUTION AND DELIVERY ON BEHALF OF THE TOWN OF FREEPORT, AND TO PROVIDE FOR THE SALE THEREOF, IS DELEGATED TO THE CHAIRPERSON OF THE TOWN COUNCIL AND THE TOWN TREASURER.

EXPLANATION AND RECOMMENDATIONS:

THE TOWN OF FREEPORT HAS SOUGHT ADDITIONAL RECREATION SPACE FOR SEVERAL YEARS. RECOGNIZING THAT AS THE TOWN'S POPULATION GROWS, THE UTILIZATION OF EXISTING SPACE HAS BEEN MAXIMIZED AND SUITABLE TRACTS OF LAND ARE NOT READILY AVAILABLE IN THIS TOWN. THE RECREATION COMMITTEE UNANIMOUSLY RECOMMENDS THAT THE CITIZENS OF FREEPORT BE OFFERED THE OPPORTUNITY TO PURCHASE LAND FOR AN OUTDOOR RECREATIONAL FACILITY.

A POTENTIAL SITE HAS BEEN IDENTIFIED, WHICH IS LOCATED ON THE UPPER MAST LANDING ROAD, AND CONSISTS OF 39 ACRES (TAX MAP 20 LOT 2). THE SITE APPEARS TO SATISFY MANY OF THE NEEDS IDENTIFIED IN THE COMPREHENSIVE PLANS, INCLUDING HIKING TRAILS, PICNIC AREAS, CONSERVATION AREAS, OPEN SPACE FOR PLAYING FIELDS AND COULD PROVIDE AN ALL SEASON SITE ACCESSIBLE TO A MAJORITY OF FREEPORT RESIDENTS.

FURTHER ANALYSIS OF THIS SITE IS NEEDED AND BOTH STATE AND LOCAL PERMITS MUST BE OBTAINED. SHOULD THE SITE NOT MEET THE RECREATIONAL NEEDS OF THE TOWN OR PERMITS CANNOT BE OBTAINED, THE RECREATION COMMITTEE WILL PURSUE OTHER POTENTIAL SITES. A TOWN COUNCIL VOTE WILL BE REQUIRED BEFORE ANY SITE IS ACQUIRED.

THE RECREATION COMMITTEE IS PARTICULARLY INTERESTED IN PROMOTING PARTNERSHIPS BETWEEN THE TOWN AND CITIZEN GROUPS TO DEVELOP A TOWN RECREATION FACILITY.

ITEM #214-96 TO CONSIDER ACTION RELATIVE TO AMENDMENTS TO THE FISCAL YEAR 1997 MUNICIPAL BUDGET.

BE IT ORDERED: THAT THE MUNICIPAL BUDGET FOR FISCAL YEAR 1997 BE AMENDED AS FOLLOWS:

<u>APPROPRIATIONS</u>	<u>INCREASES</u>	
	<u>FROM:</u>	<u>TO:</u>
GENERAL GOVERNMENT	\$1,421,670	\$1,424,570
(AUDIT)		
UNCLASSIFIED	\$273,685	\$305,085
(RESERVES)		
TOTAL APPROPRIATIONS	\$15,559,998	\$15,594,298
<u>REVENUES:</u>		
AMOUNT TO BE RAISED	\$11,342,578	\$11,376,878
BY TAXATION		
TOTAL REVENUE	\$15,559,998	\$15,594,298

ITEM #215-96 TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION OF A FISCAL YEAR 1997 TAX RATE.

BE IT ORDERED: THAT THE FISCAL YEAR 1997 TAX RATE OF \$17.15 THAT HAS BEEN ESTABLISHED BY THE TOWN'S ASSESSOR, BE CONFIRMED.

ITEM #216-96 TO CONSIDER ACTION RELATIVE TO THE FISCAL YEAR 1997 TAX DUE DATES AND INTEREST RATES.

BE IT ORDERED: THAT ONE-HALF OF THE FISCAL YEAR 1997 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON NOVEMBER 15, 1996 WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGED FROM NOVEMBER 16, 1996, AND THAT THE SECOND-HALF OF THE FISCAL YEAR 1997 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON MAY 15, 1997, WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGES FROM MAY 16, 1997.

BE IT FURTHER ORDERED: THAT THE FISCAL YEAR 1997 COMMITTED TAXES FOR PERSONAL PROPERTY BE PAYABLE ON OCTOBER 15, 1996, WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGED FROM OCTOBER 16, 1996.

BE IT FURTHER ORDERED: THAT AN INTEREST RATE OF .50% PER MONTH OR 6% PER ANNUM BE ESTABLISHED FOR OVER PAYMENT OF TAXES.

ITEM #217-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT.

BE IT ORDERED: THAT UP TO \$10,000 BE EXPENDED FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT TO COVER CLAIMS FROM A PERIOD OF JULY 1, 1996 TO JUNE 30, 1997.

ITEM #197-96 TABLED SEPTEMBER 3, 1996

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING RESOURCE PROTECTION I AND MEDIUM DENSITY A & B DISTRICTS (CHAPTER 21).

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON SEPTEMBER 3, 1996 BE APPROVED.

OTHER BUSINESS:

- 1) REVIEW OF POSITION STATEMENT ON PROPOSAL MDOT ROAD TURNBACK.
- 2) REPORT FROM MUNICIPAL FACILITIES COMMITTEE ON DREDGING PROPOSAL.

ITEM #218-96 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR PROPERTY TAX ABATEMENT BECAUSE OF POVERTY AND/OR DISABILITY.

MOTION: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR A PROPERTY TAX ABATEMENT AND TO DISCUSS THE ACQUISITION OF PROPERTY.

MOTION: THAT THE COUNCIL RECONVENE.

ADJOURN.

MINUTES
FREEPORT TOWN COUNCIL MEETING #28-96
September 17, 1996 - 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<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 MEETINGS #27-96 AS REVISED, HELD ON SEPTEMBER 3, 1996 AND SPECIAL MEETING #29-96, HELD ON SEPTEMBER 11, 1996, AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETINGS #27-96 AS REVISED, HELD ON SEPTEMBER 3, 1996 AND SPECIAL MEETING #29-96, HELD ON SEPTEMBER 11, 1996, AND ACCEPT THE MINUTES AS PRINTED. (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES

1. Councilor Mann announced that there will be a Benefit Bean Supper, Saturday night, September 21, 1996, \$5.00 a plate, at Cindy's Fish and Fry on Route 1 South, with door prizes and live music and everyone is invited to come. This is a benefit for Randy Bennett, former Town Councilor, who has been hurt. Randy is making progress.

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.

COUNCIL MEETING #28-96
SEPTEMBER 17, 1996

ITEM #210-96 TO CONSIDER ACTION RELATIVE TO APPLICATION FOR VICTUALER LICENSES FOR RYAN DOHERTY, MARA FRANK, DENNIS DANIEL, JOHN WELCH, ROBERT COLE, AND DALE M. BAKER (PUBLIC HEARING).

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

ROLL CALL OF MEMBERS: (All 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 FOR VICTUALER LICENSES BE SUBJECT TO PUBLIC HEARING.

RYAN DOHERTY, D/B/A TIM'S VENDING, PEDDLER/PUBLIC PROPERTY,
MAIN STREET (L.L. BEAN), FREEPORT

MARA FRANK, D/B/A BAYBERRY BED & BREAKFAST, 8 MAPLE AVENUE,
FREEPORT

DENNIS DANIEL, D/B/A BEN & JERRY'S, PEDDLER/PRIVATE PROPERTY, 47
MAIN STREET, FREEPORT

JOHN WELCH, D/B/A MAINELY BEANS, 123 MAIN STREET, FREEPORT

ROBERT COLE, D/B/A BOB'S TAKE-OUT, PEDDLER/PRIVATE PROPERTY, 292
US ROUTE 1 SOUTH (LIGHTHOUSE)

DALE M. BAKER, D/B/A RALPH'S LAZY LOBSTER, PEDDLER/PRIVATE
PROPERTY, L.L. BEAN (MORSE STREET), FREEPORT

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

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

BE IT ORDERED: THAT THE APPLICATIONS ISSUED TO THE ABOVE
NAMED APPLICANTS BE APPROVED. ROLL CALL VOTE (Councilors Bishop
& Campbell) (9 Ayes) (0 Nays)

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

ITEM #211-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE
ADMINISTRATIVE CODE CONCERNING THE SHELLFISH PROGRAM
COORDINATOR (CHAPTER 2) **PUBLIC HEARING.**

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

Councilor Mann stated that this is a ratification in the Code of a position that has been in effect for a long time; this makes it more clear what the position is and what that person is responsible for.

Councilor Campbell urged that this be supported.

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

MOVED AND SECONDED: THAT ITEM #211-96 BE TABLED UNTIL OCTOBER 1, 1996. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

ITEM #212-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT ELEVEN (11) INDIVIDUALS RECEIVE AWARDS TOTALING \$2,213.57 FROM THE DR. GOULD TRUST FUND FOR PAYMENT OF MEDICAL BILLS.

NOTE: ALL APPLICANTS HAVE QUALIFIED WITH THE GENERAL ASSISTANCE OFFICE.

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

ITEM #213-96 TO CONSIDER ACTION RELATIVE TO SUBMITTING TO PUBLIC REFERENDUM A PROPOSED APPROPRIATION ORDINANCE FOR UP TO \$450,000.00 FOR THE PURCHASE AND DEVELOPMENT OF LAND TO PROVIDE FOR AN OUTDOOR RECREATIONAL FACILITY.

BE IT ORDERED: THAT THE FOLLOWING PROPOSED APPROPRIATION ORDINANCE FOR UP TO \$450,000.00 BE SUBMITTED TO THE VOTERS OF THE TOWN OF FREEPORT AT THE MUNICIPAL ELECTION ON NOVEMBER 5, 1996.

BE IT FURTHER ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR OCTOBER 15, 1996 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO ACCEPT PUBLIC COMMENT ON THE PROPOSED APPROPRIATION ORDINANCE.

THE TOWN OF FREEPORT HEREBY ORDAINS: THAT A SUM NOT TO EXCEED \$450,000.00 IS HEREBY APPROPRIATED FOR THE PURPOSE OF PURCHASING AND DEVELOPING LAND TO PROVIDE FOR AN OUTDOOR RECREATIONAL FACILITY. TO MEET SAID APPROPRIATION, THE CHAIRPERSON OF THE TOWN COUNCIL AND THE TOWN TREASURER ARE AUTHORIZED TO ISSUE GENERAL OBLIGATION SECURITIES OF THE TOWN OF FREEPORT IN A TOTAL PRINCIPAL AMOUNT NOT TO EXCEED \$450,000.00 AND THE DISCRETION TO FIX THE DATE(S), MATURITY(IES), DENOMINATION(S), INTEREST RATE(S), PLACE(S) OF PAYMENT, FORM(S) AND OTHER DETAILS OF SAID SECURITIES, INCLUDING EXECUTION AND

DELIVERY ON BEHALF OF THE TOWN OF FREEPORT, AND TO PROVIDE FOR THE SALE THEREOF, IS DELEGATED TO THE CHAIRPERSON OF THE TOWN COUNCIL AND THE TOWN TREASURER.

EXPLANATION AND RECOMMENDATIONS:

THE TOWN OF FREEPORT HAS SOUGHT ADDITIONAL RECREATION SPACE FOR SEVERAL YEARS. RECOGNIZING THAT AS THE TOWN'S POPULATION GROWS, THE UTILIZATION OF EXISTING SPACE HAS BEEN MAXIMIZED AND SUITABLE TRACTS OF LAND ARE NOT READILY AVAILABLE IN THIS TOWN. THE RECREATION COMMITTEE UNANIMOUSLY RECOMMENDS THAT THE CITIZENS OF FREEPORT BE OFFERED THE OPPORTUNITY TO PURCHASE LAND FOR AN OUTDOOR RECREATIONAL FACILITY.

A POTENTIAL SITE HAS BEEN IDENTIFIED, WHICH IS LOCATED ON THE UPPER MAST LANDING ROAD, AND CONSISTS OF 39 ACRES (TAX MAP 20 LOT 2). THE SITE APPEARS TO SATISFY MANY OF THE NEEDS IDENTIFIED IN THE COMPREHENSIVE PLANS, INCLUDING HIKING TRAILS, PICNIC AREAS, CONSERVATION AREAS, OPEN SPACE FOR PLAYING FIELDS AND COULD PROVIDE AN ALL SEASON SITE ACCESSIBLE TO A MAJORITY OF FREEPORT RESIDENTS.

FURTHER ANALYSIS OF THIS SITE IS NEEDED AND BOTH STATE AND LOCAL PERMITS MUST BE OBTAINED. SHOULD THE SITE NOT MEET THE RECREATIONAL NEEDS OF THE TOWN OR PERMITS CANNOT BE OBTAINED, THE RECREATION COMMITTEE WILL PURSUE OTHER POTENTIAL SITES. A TOWN COUNCIL VOTE WILL BE REQUIRED BEFORE ANY SITE IS ACQUIRED.

THE RECREATION COMMITTEE IS PARTICULARLY INTERESTED IN PROMOTING PARTNERSHIPS BETWEEN THE TOWN AND CITIZEN GROUPS TO DEVELOP A TOWN RECREATION FACILITY.

(Councilors Beaulieu & Campbell)

Councilor Campbell stated that he supports this item going to the voters for approval; should the voters support this, that would give us the approval to actively seek and secure a piece of property. This is the result of much debate and consideration by the Council.

Bob Lowell asked for clarification of the Public Hearing process and the wording on the ballot.

Manager Olmstead explained the public hearing procedure; he stated that tonight was the vote of whether or not to place this item on the ballot; the purpose of the Public Hearing on October 15th is to debate the merits of the referendum question.

Mr. Lowell agreed that this item should go to the Town voters to decide; he requested clarification of the wording for the ballot.

John Hoy, Recreation Committee, stated that there has been a need to address the question; the Recreation Committee agrees that this item should be on the November ballot.

Councilor Mann stated that he had been "flooded" with questions regarding this issue.

John Hoy explained that the intent of the \$450,000 included purchase of land, development of the land up to a certain level, including playing fields, baseball fields, soccer fields, tennis courts, basketball court, parking, picnic tables, etc.

Councilor Hindley questioned the cost of developing the property.

John Hoy stated that negotiations are in process, but cost is not clear yet.

Councilor Mann stated that he has a problem with the language of this item; there is no breakdown of the costs involved; he added that he would prefer more backup information available in order to make a decision.

Miscellaneous discussion followed re: this item being framed the way it was intended to be framed, clarification of costs involved (discussed in executive session), not delaying this issue for another year, etc.

Horace Gower, Recreation Committee, stated it is important to hear what the voters want; with authorization, we can proceed; we do have realistic figures in mind; we have evaluated an estimated 17 properties for a location; we have enough information to move forward with the voters' approval.

Discussion followed re: have experts evaluated the property to identify wetlands, etc.

MOVED AND SECONDED: TO MOVE THE QUESTION. (Councilors Beaulieu & Campbell) (5 Ayes) (2 Nays-Mann, Hindley)

ROLL CALL VOTE (5 Ayes) (2 Nays-Mann, Hindley)

ITEM #214-96 TO CONSIDER ACTION RELATIVE TO AMENDMENTS TO THE FISCAL YEAR 1997 MUNICIPAL BUDGET.

BE IT ORDERED: THAT THE MUNICIPAL BUDGET FOR FISCAL YEAR 1997 BE AMENDED AS FOLLOWS:

<u>APPROPRIATIONS</u>	<u>INCREASES</u>	
	<u>FROM:</u>	<u>TO:</u>
GENERAL GOVERNMENT (AUDIT)	\$1,421,670	\$1,424,570
UNCLASSIFIED (RESERVES)	\$273,685	\$305,085
TOTAL APPROPRIATIONS	\$15,559,998	\$15,594,298
<u>REVENUES:</u>		
AMOUNT TO BE RAISED BY TAXATION	\$11,342,578	\$11,376,878
TOTAL REVENUE	\$15,559,998	\$15,594,298

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

ITEM #215-96 TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION OF A FISCAL YEAR 1997 TAX RATE.

BE IT ORDERED: THAT THE FISCAL YEAR 1997 TAX RATE OF \$17.15 THAT HAS BEEN ESTABLISHED BY THE TOWN'S ASSESSOR, BE CONFIRMED.
ROLL CALL VOTE (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

ITEM #216-96 TO CONSIDER ACTION RELATIVE TO THE FISCAL YEAR 1997 TAX DUE DATES AND INTEREST RATES.

BE IT ORDERED: THAT ONE-HALF OF THE FISCAL YEAR 1997 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON NOVEMBER 15, 1996 WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGED FROM NOVEMBER 16, 1996, AND THAT THE SECOND-HALF OF THE FISCAL YEAR 1997 COMMITTED TAXES FOR REAL ESTATE BE PAYABLE ON MAY 15, 1997, WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGES FROM MAY 16, 1997.

BE IT FURTHER ORDERED: THAT THE FISCAL YEAR 1997 COMMITTED TAXES FOR PERSONAL PROPERTY BE PAYABLE ON OCTOBER 15, 1996, WITH INTEREST AT THE RATE OF .90% PER MONTH OR 10.75% PER ANNUM, TO BE CHARGED FROM OCTOBER 16, 1996.

BE IT FURTHER ORDERED: THAT AN INTEREST RATE OF .50% PER MONTH OR 6% PER ANNUM BE ESTABLISHED FOR OVER PAYMENT OF TAXES. **ROLL CALL VOTE (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)**

ITEM #217-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT.

BE IT ORDERED: THAT UP TO \$10,000 BE EXPENDED FROM THE UNEMPLOYMENT COMPENSATION RESERVE ACCOUNT TO COVER CLAIMS FROM A PERIOD OF JULY 1, 1996 TO JUNE 30, 1997. **ROLL CALL VOTE (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)**

ITEM #197-96 TABLED SEPTEMBER 3, 1996

TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING RESOURCE PROTECTION I AND MEDIUM DENSITY A & B DISTRICTS (CHAPTER 21).

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON SEPTEMBER 3, 1996 BE APPROVED. (Councilors Soule & Campbell)

MOVED AND SECONDED: TO MOVE ON THE TWO ITEMS SEPARATELY. (Councilors Mann & Hindley) (6 Ayes) (1 Nay-Campbell)

ROLL CALL VOTE SECTION 202.B.6 (Councilors Campbell & Mann) (7 Ayes) (0 Nays)

ROLL CALL VOTE SECTION 406. (Councilors Campbell & Soule) (6 Ayes) (1 Abstain-Mann)

OTHER BUSINESS:

1) REVIEW OF POSITION STATEMENT ON PROPOSAL MDOT ROAD TURNBACK.

Chairperson DeGrandpre reported on the MMA Executive Board Meeting with the Governor, at which the draft statement was presented; she added that there will be a future meeting with the Commissioner in October.

Miscellaneous discussion followed re: verbiage in the draft statement, cost of striping the roads, potential maintenance costs at an estimated \$150,000 annually, Representative Libby entering legislation to change the law, need for clarification of what towns are required to do for maintenance (of roads), time table for legislation, potential of delaying the turnback date, etc.

MOVED AND SECONDED: THAT THE COUNCIL SIGN THE POSITION PAPER, DIRECTING IT TO AN APPROPRIATE RECIPIENT. (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

2) REPORT FROM MUNICIPAL FACILITIES COMMITTEE ON DREDGING PROPOSAL.

Councilor Campbell reported on the meeting regarding the Town wharf reconstruction; everything is proceeding as hoped, potential of gaining more wharf space, etc.

Manager Olmstead stated that in order to use the north side, we would have to dredge 6', at a cost of \$15,000; we would need Brewer's permission to do this; Mr. Brewer has permits to do the dredging and is willing to work with the Town on this; he described the potential of leasing of space, etc.

3. Councilor Mann asked the status of the meeting with the Town Attorney to discuss legal issues including the issue of the Council granting abatements.

Manager Olmstead stated it can be scheduled for sometime in October.

4. Manager Olmstead stated that there will be a Special Meeting of the Council, September 25, 1996, an executive session with the Cable TV Franchise Negotiating Committee, at 7:15 P.M.

5. Councilor Hindley asked for an update of the rebate from Ford Company re: the purchase of the truck. He asked for an update of the Morse Street School - streetlights.

Discussion followed re: CMP's lighting proposal, T.I.F. dollars, the bill for services of George Campbell, L L Bean building a Kids' Store, etc.

6. Councilor Beaulieu will be attending her first meeting of the LPC Committee.

ITEM #218-96 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR PROPERTY TAX ABATEMENT BECAUSE OF POVERTY AND/OR DISABILITY.

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR A PROPERTY TAX ABATEMENT AND TO DISCUSS THE ACQUISITION OF PROPERTY. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

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

MOVED AND SECONDED: THAT THE COUNCIL APPROVE THE property TAX ABATEMENT IN THE AMOUNT OF \$1,549.21, LESS ANY MONIES RECEIVED FROM THE CIRCUIT BREAKER PROGRAM. (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS THE POTENTIAL OF ACQUISITION OF PROPERTY. (Councilors Campbell & Beaulieu) (7 Ayes) (0 Nays)

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

MOVED AND SECONDED: THAT THE MEETING BE ADJOURNED AT 9:25 P.M. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary