

AGENDA
TOWN COUNCIL MEETING #36-96
COUNCIL CHAMBERS
DECEMBER 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: GENIE BEAULIEU, CHAIRPERSON, LARUE DRIVE
EDWARD CAMPBELL, VICE CHAIRPERSON, GAY DRIVE
ALAN HINDLEY, WARDTOWN ROAD
KENNETH MANN, MANN ROAD
CHARLOTTE BISHOP, MAQUOIT DRIVE
STAFFORD SOULE, ARNOLD ROAD
DAVID SOLEY, ARNOLD ROAD

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF #35-96 DECEMBER 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 #252-96 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR FREEPORT AUTO PARTS. (PUBLIC HEARING)

MOTION: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR JOHN INGERSON, D/B/A FREEPORT AUTO PARTS, ALLEN RANGE ROAD, BE SUBJECT TO PUBLIC HEARING.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT ISSUED TO JOHN INGERSON, D/B/A FREEPORT AUTO PARTS, ALLEN RANGE ROAD, BE APPROVED.

ITEM #253-96 TO CONSIDER ACTION RELATIVE TO RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR ALLEN RANGE ROAD USED AUTO PARTS. (PUBLIC HEARING)

MOTION: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR DAVID BOLDUC, D/B/A ALLEN RANGE ROAD USED AUTO PARTS, BE SUBJECT TO PUBLIC HEARING.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT ISSUED TO DAVID BOLDUC, D/B/A ALLEN RANGE ROAD USED AUTO PARTS, BE APPROVED.

ITEM #254-96 TO CONSIDER ACTION RELATIVE TO APPLICATION FOR A VICTUALER LICENSE FOR DIANNE MORRISON (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

DAVID SOLEY
KENNETH MANN
EDWARD CAMPBELL
DALE OLMSTEAD

MOTION: THAT THE FOLLOWING APPLICATION FOR A VICTUALER LICENSE BE SUBJECT TO PUBLIC HEARING.

DIANNE MORRISON, D/B/A EAGLE MOTEL, 291 U.S. ROUTE 1 SOUTH, FREEPORT

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE APPLICATION ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED.

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

ITEM #255-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE CONCERNING THE U.S. ROUTE #1 SOUTH COMMERCIAL DISTRICTS (CHAPTER 21) (**PUBLIC HEARING**).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 255-96 BE TABLED UNTIL 1-7-97.

ITEM #256-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE FREEPORT ZONING MAP REZONING A SECTION OF TAX MAP 24, LOT 79 FROM RP-I TO RR-I. (**PUBLIC HEARING**).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 256-96 BE TABLED UNTIL 1-7-97.

ITEM #257-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE TO BRING THE ORDINANCE INTO COMPLIANCE WITH STATE GUIDELINES (CHAPTER 48) (**PUBLIC HEARING**).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 257-96 BE TABLED UNTIL 1-7-97.

ITEM #258-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE VEHICLE TOWING ORDINANCE CONCERNING RATES FOR SERVICES AND VEHICLE INSPECTION (CHAPTER 49) (**PUBLIC HEARING**).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 258-96 BE TABLED UNTIL 1-7-97.

ITEM #259-96 TO CONSIDER ACTION RELATIVE TO THE PROPOSED ABANDONMENT OF HIGH STREET(PUBLIC HEARING).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 259-96 BE TABLED UNTIL 1-7-97.

ITEM #260-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING RATES FOR HARB COTTAGE (CHAPTER 34) (PUBLIC HEARING).

MOTION: THAT THE PUBLIC HEARING BE OPENED.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

MOTION: THAT ITEM # 260-96 BE TABLED UNTIL 1-7-97.

ITEM #261-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE OF FUNDS FROM THE WINSLOW PARK HARB COTTAGE RESERVE ACCOUNT FOR THE REPLACEMENT OF THE HARB COTTAGE SEPTIC SYSTEM.

MOTION: THAT THE PARK MANAGER REPORT ON BIDS RECEIVED.

BE IT ORDERED: THAT THE BID FROM _____
IN THE AMOUNT OF \$ _____ FOR THE REPLACEMENT OF THE
HARB COTTAGE SEPTIC SYSTEM, BE ACCEPTED.

ITEM #262-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT EIGHT (8) INDIVIDUALS RECEIVE AWARDS TOTALING \$1,685.85 FROM THE DR. GOULD TRUST FUND TO PAY FOR MEDICAL BILLS.

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

ITEM #263-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT DONALD CHAPPELL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1999.

BE IT FURTHER ORDERED: THAT MR. CHAPPELL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #264-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT PHILIP WAGNER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1999.

BE IT FURTHER ORDERED: THAT MR. WAGNER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #265-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE PLANNING BOARD.

BE IT ORDERED: THAT GLORIA FOGG DEGRANDPRE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE PLANNING BOARD UNTIL MAY 1, 1999.

BE IT FURTHER ORDERED: THAT MS. FOGG DEGRANDPRE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #266-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT MARILYN CORTHELL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE LIBRARY BOARD OF TRUSTEES UNTIL APRIL 1, 1997.

BE IT FURTHER ORDERED: THAT MS. CORTHELL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #267-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

BE IT ORDERED: THAT DAVID MCLELLAN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL APRIL 1, 1997.

BE IT FURTHER ORDERED: THAT MR. MCLELLAN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #268-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT KATHERINE BITHER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000.

BE IT FURTHER ORDERED: THAT MS. BITHER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #269-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT PATRICE GRIFFIN BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000.

BE IT FURTHER ORDERED: THAT MS. GRIFFIN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #270-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT THOMAS RUMPF BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000.

BE IT FURTHER ORDERED: THAT MR. RUMPF QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #271-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT RICHARD ANDERSON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 1999.

BE IT FURTHER ORDERED: THAT MR. ANDERSON QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #272-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE TRAFFIC AND PARKING COMMITTEE.

BE IT ORDERED: THAT HENRY BIRD BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE TRAFFIC AND PARKING COMMITTEE UNTIL DECEMBER 1, 1999.

BE IT FURTHER ORDERED: THAT MR. BIRD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #273-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE RECREATION COMMITTEE.

BE IT ORDERED: THAT HORACE GOWER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE RECREATION COMMITTEE UNTIL NOVEMBER 1, 1999.

BE IT FURTHER ORDERED: THAT MR. GOWER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #274-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE RECREATION COMMITTEE.

BE IT ORDERED: THAT MARY KENNEDY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE RECREATION COMMITTEE UNTIL NOVEMBER 1, 1999.

BE IT FURTHER ORDERED: THAT MS. KENNEDY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #275-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE
COMMUNITY DEVELOPMENT COMMITTEE.

BE IT ORDERED: THAT CHRISTOPHER RALLIS BE APPOINTED,
EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE
COMMUNITY DEVELOPMENT COMMITTEE UNTIL NOVEMBER 1, 1997.

BE IT FURTHER ORDERED: THAT MR. RALLIS QUALIFY BY SWEARING
AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996.

ITEM #276-96 TO CONSIDER ACTION RELATIVE TO THE CREATION OF A PLANNING
BOARD ADVISORY COMMITTEE.

BE IT ORDERED: THAT A PLANNING BOARD ADVISORY COMMITTEE BE
CREATED FOR THE PURPOSE OF MAKING RECOMMENDATIONS.

BE IT FURTHER ORDERED: THAT THE FOLLOWING INDIVIDUALS BE
APPOINTED TO THE ADVISORY COMMITTEE: GEORGE FRASER, GENIE
BEAULIEU, LISA ANDREASON, HERMAN PETTIGROVE, AND _____.

BE IT FURTHER ORDERED: THAT THE COMMITTEE'S FUNCTION WILL
END UPON DELIVERY OF ITS RECOMMENDATIONS TO THE PLANNING
BOARD.

ITEM #277-96 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS
A PERSONNEL MATTER.

MOTION: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO
DISCUSS A PERSONNEL MATTER.

MOTION: THAT THE COUNCIL RECONVENE.

ADJOURN.

MINUTES
FREEPORT TOWN COUNCIL MEETING #36-96
December 17, 1996 - 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER:

Genie Beaulieu, Chairperson
Larue Drive

Present

X

Absent

Excused

Edward Campbell, Vice-Chairperson
Gay Drive

X

Alan Hindley
Wardtown Road

X

Kenneth Mann
Mann Road

X

Charlotte Bishop
Maquoit Drive

X

Stafford Soule
Arnold Road

X

David Soley
Arnold Road

X

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #35-96, HELD ON DECEMBER 3, 1996 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #35-96, HELD ON DECEMBER 3, 1996 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

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

(There were no public comments this evening.)

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

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

ITEM #252-96 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR FREEPORT AUTO PARTS. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR JOHN INGERSON, D/B/A FREEPORT AUTO PARTS, ALLEN RANGE ROAD, BE SUBJECT TO PUBLIC HEARING. (Councilors Hindley & 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 RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT ISSUED TO JOHN INGERSON, D/B/A FREEPORT AUTO PARTS, ALLEN RANGE ROAD, BE APPROVED. ROLL CALL VOTE (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #253-96 TO CONSIDER ACTION RELATIVE TO RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR ALLEN RANGE ROAD USED AUTO PARTS. (PUBLIC HEARING)

MOVED AND SECONDED: THAT THE RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT FOR DAVID BOLDUC, D/B/A ALLEN RANGE ROAD USED AUTO PARTS, BE SUBJECT TO PUBLIC HEARING. (Councilors Soley & 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 RE-APPLICATION FOR AN AUTOMOBILE GRAVEYARD AND/OR JUNKYARD PERMIT ISSUED TO DAVID BOLDUC, D/B/A ALLEN RANGE ROAD USED AUTO PARTS, BE APPROVED. ROLL CALL VOTE (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

ITEM #254-96 TO CONSIDER ACTION RELATIVE TO APPLICATION FOR A VICTUALER LICENSE FOR DIANNE MORRISON (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 Members Present)

CHARLOTTE BISHOP	DAVID SOLEY
GENIE BEAULIEU	KENNETH MANN
ALAN HINDLEY	EDWARD CAMPBELL
STAFFORD SOULE	DALE OLMSTEAD
PAT GOODWIN	

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATION FOR A VICTUALER LICENSE BE SUBJECT TO PUBLIC HEARING.

DIANNE MORRISON, D/B/A EAGLE MOTEL, 291 U.S. ROUTE 1 SOUTH, FREEPORT

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

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

BE IT ORDERED: THAT THE APPLICATION ISSUED TO THE ABOVE NAMED APPLICANT 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 #255-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ZONING ORDINANCE CONCERNING THE U.S. ROUTE #1 SOUTH COMMERCIAL DISTRICTS (CHAPTER 21) (PUBLIC HEARING).

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

George Fraser, Planning Board Member, reviewed the 10-3-96 memo to the Council regarding the evaluation of the zoning currently in effect in the C-I and C-II Districts. He stated that the Route One South Advisory Committee, appointed by the Council in September 1995, reviewed the Zoning Ordinance, developed the creation of a set of performance standards to act as a template for developers and various review boards, and a draft amendment to the Zoning Ordinance regarding the above zones, which will avoid "strip development".

Jackie Cohen, Town Planner, described development of a piece of property with the current zone, i.e., all lots would look the same. She added that with the proposed changes, we would have some variety in the setbacks, parking areas, etc.

Mr. Fraser described how the proposed amendment could allow developers to put up, for example, an office building close to the road with parking in the rear, etc.

Discussion followed re: connectors between parking lots, fencing, concern for lighting, signage, appreciation for the months that the Committee has worked on this project, etc.

Kenn Guimond, Committee Member, stated that the Route One South stretch had very restrictive zoning - the restrictions were absurd. He added that we have to relax the standards and not the quality; he feels the proposed amendment does this.

Ms. Cohen stated that under C-1, D-2, last sentence, the word "only" should be at the beginning; and, under C-2, D-3, the word "only" should be at the beginning.

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

MOVED AND SECONDED: THAT ITEM # 255-96 BE TABLED UNTIL 1-7-97. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

ITEM #256-96 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE FREEPORT ZONING MAP REZONING A SECTION OF TAX MAP 24, LOT 79 FROM RP-I TO RR-I. (PUBLIC HEARING).

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

Ms. Cohen reported on the reason for the zoning change request, adding that the Planning Board supports this change.

David Thompson, Planning Board Member, stated that the current zoning of this lot was a mistake to be corrected.

John Creasy, Planning Board Member, stated that the concerns with this property were to ensure there slumping would be prevented, etc.

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

MOVED AND SECONDED: THAT ITEM # 256-96 BE TABLED UNTIL 1-7-97.
(Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #257-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE TO BRING THE ORDINANCE INTO COMPLIANCE WITH STATE GUIDELINES (CHAPTER 48) (PUBLIC HEARING).

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

Carol Kaplan, Welfare Director, reviewed the proposed, stating that the amendments are changes which MMA has produced to keep the Ordinance in compliance with State Law; there are no significant changes and have not been since 1992; the changes recommended include several definitions that had not been in the Ordinance, such as "work search", new Federal minimum wage, medical and dental services established at the Medicaid rate, housing expenses, modifications to burial procedures, etc.

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED.
(Councilors Bishop & Hindley) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: THAT ITEM # 257-96 BE TABLED UNTIL 1-7-97.
(Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

ITEM #258-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE VEHICLE TOWING ORDINANCE CONCERNING RATES FOR SERVICES AND VEHICLE INSPECTION (CHAPTER 49) (PUBLIC HEARING).

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

Police Chief Schofield stated that last August, he met with two local wrecker operators to discuss amendments to our Towing Ordinance. In doing so, they used the ordinances of the towns of Topsham and Brunswick, to prepare proposed rates. These are as follows: for rates and services, change the daytime towing rates (7:00 A.M. to 7:00 P.M.) from \$35 to \$40 per tow; change the nighttime rates (7:00 P.M. to 7:00 A.M.) from \$50 to \$55 per tow; for storage fees, change from \$10 to \$15 for outdoor fees per day, and indoor storage to \$20 per day, both beginning after 24 hours from being impounded. A new section proposed is that if a vehicle operator wants to pick up his/her vehicle during the non-business hours (business hours being Monday through

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Friday, 8:00 A.M. to 5:00 P.M.), a wrecker operator could charge an additional \$15 for picking up the vehicle. Another new section proposed is a minimum call-out, in the event that if a wrecker operator has been requested to come to a service, and for some reason that service is no longer needed, the operator can charge a minimum fee of \$10 for daytime service or \$15 for nighttime service. Regarding the section on vehicle inspection, proposed is eliminating the inspection by the Police Department.

Chairperson Beaulieu stated that the Traffic and Parking Committee has recommended that these changes be made.

Discussion followed, re: Portland fees, who receives the fees collected, clarification of "minimum call-out", licensing procedure for wrecker operators, clarification that these fees relate to tows generated by the Police Department, deleting the section on inspections, etc.

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

MOVED AND SECONDED: THAT ITEM # 258-96 BE TABLED UNTIL 1-7-97.
(Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #259-96 TO CONSIDER ACTION RELATIVE TO THE PROPOSED ABANDONMENT OF HIGH STREET(PUBLIC HEARING).

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

Tom Kelly, Freeport Housing Trust Member, stated that this proposal has been developed in consultation with Town officials as part of the Trust's development of some affordable housing units; this involves only a 100' section, which has no significant value to the Town.

Manager Olmstead added that this proposal makes good sense to the Public Works Director.

Chairperson Beaulieu requested clarification of ownership, from leaving Summer Street, going into the Housing Trust.

Mr. Kelly confirmed that there were no other owners up that street.

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

MOVED AND SECONDED: THAT ITEM # 259-96 BE TABLED UNTIL 1-7-97.
(Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

ITEM #260-96 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE CONCERNING RATES FOR HARB COTTAGE (CHAPTER 34) (PUBLIC HEARING).

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

Jack Lufkin, Winslow Park Manager, stated that the proposed rate increases reflect a rather standard increase for Harb Cottage; the Commission is committed to doing some rehabilitation to the facilities.

Discussion followed re: fair market rental value of Harb Cottage, repairs being done while occupied by tenants, estimated "high season" rates could be up to \$1,500 per week, looking at the structure of resident VS. non-resident rates in September, etc.

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

MOVED AND SECONDED: THAT ITEM # 260-96 BE TABLED UNTIL 1-7-97.
(Councilors Mann & Campbell) (7 Ayes) (0 Nays)

ITEM #261-96 TO CONSIDER ACTION RELATIVE TO AN EXPENDITURE OF FUNDS FROM THE WINSLOW PARK HARB COTTAGE RESERVE ACCOUNT FOR THE REPLACEMENT OF THE HARB COTTAGE SEPTIC SYSTEM.

MOVED AND SECONDED: THAT THE PARK MANAGER REPORT ON BIDS RECEIVED. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

Mr. Lufkin reported on the bids received 12-16-96 as follows:

<u>COMPANY</u>	<u>PHASE I</u>	<u>PHASE II</u>	<u>TOTAL</u>
H. Ingerson	\$4,700.00	\$1,500.00	\$6,200.00
Scott Dugas	\$4,533.00	\$1,350.00	\$5,883.00
Paul Seymour	\$6,265.00	\$2,640.00	\$8,905.00
Dallas Staples	\$4,818.00	\$1,052.00	\$5,870.00
K. R. Prout	\$6,000.00	\$1,350.00	\$7,350.00
Davis Construction	\$4,557.06	\$ 766.00	\$5,323.06

Mr. Lufkin reviewed the Winslow Park balance sheet, which reflects a surplus of \$26,144.40. It has been proposed to renovate the septic system from these funds, as the system has failed and it is important to take care of this as soon as possible. He stated that the Commission recommends Scott Dugas' proposal; Phase I being the installation of the septic system and Phase II being the yard work to be done in the Spring.

Chairperson Beaulieu asked if any of the bidders were from Freeport.

Mr. Lufkin stated that Paul Seymour, K. R. Prout and H. Ingerson are from Freeport.

Councilor Campbell supports the Commission's recommendation.

Councilor Soley asked if there has been any thought to having Mr. Dugas do the work at the low bid price.

Manager Olmstead asked if the bid specs included the statement referring to "accepting or rejecting any or all bids".

Mr. Lufkin stated that all bidders were given the same specs. The specs did not include the statement of rejecting any or all bids.

BE IT ORDERED: THAT THE BID FROM Scott Dugas IN THE AMOUNT OF \$5,883.00 FOR THE REPLACEMENT OF THE HARB COTTAGE SEPTIC SYSTEM. BE ACCEPTED

BE IT FURTHER ORDERED: THAT \$5,883.00 BE EXPENDED FROM THE WINSLOW PARK HARB COTTAGE RESERVE FUND TO PROVIDE FOR THIS REPLACEMENT. ROLL CALL VOTE

Councilor Soley asked why there was such a difference in the bid amounts.

Mr. Lufkin stated that some bidders visited the site, and others did not; the Commission did not know why Davis Construction's bid on Phase II was so low.

Manager Olmstead asked if the low bidder was one who did not visit the site.

Mr. Lufkin confirmed that this was correct.

Manager Olmstead stated that there is a greater chance, with a low bidder, for potential change orders than there would be for someone who visited the site.

Chairperson Beaulieu commended the Committee for the amount of research done in looking at the bids, and maybe not settle for the lowest because it was the lowest bid, but rather recommending what bid would be the best

Councilor Mann raised the issue of sub-surface repairs to be done out of the Capital Budget; he asked if that was still in the works.

Mr. Lufkin confirmed that it was. He added that discussion has begun regarding the Capital Budget to include all necessary expenses, etc.

Councilor Bishop stated that this is an asset to the Town and we need to keep it in good repair; we cannot keep putting off correcting the septic system.

Discussion followed re: this is a 33 chamber system, time table for completion, etc.

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

ITEM #262-96 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.

BE IT ORDERED: THAT EIGHT (8) INDIVIDUALS RECEIVE AWARDS TOTALING \$1,685.85 FROM THE DR. GOULD TRUST FUND TO PAY FOR MEDICAL BILLS. ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

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

ITEM #263-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT DONALD CHAPPELL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1999. **BALLOT VOTE** (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. CHAPPELL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

ITEM #264-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT PHILIP WAGNER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1999. **BALLOT VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. WAGNER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

ITEM #265-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE PLANNING BOARD.

BE IT ORDERED: THAT GLORIA FOGG DEGRANDPRE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE PLANNING BOARD UNTIL MAY 1, 1999. **BALLOT VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. FOGG DEGRANDPRE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #266-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES.

BE IT ORDERED: THAT MARILYN CORTHELL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE LIBRARY BOARD OF TRUSTEES UNTIL APRIL 1, 1997. **BALLOT VOTE** (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. CORTHELL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

ITEM #267-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

BE IT ORDERED: THAT DAVID MCLELLAN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL APRIL 1, 1997. **BALLOT VOTE** (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. MCLELLAN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

ITEM #268-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT KATHERINE BITHER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000. **BALLOT VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. BITHER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM #269-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT PATRICE GRIFFIN BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000. **BALLOT VOTE** (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. GRIFFIN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

ITEM #270-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT THOMAS RUMPF BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 2000. **BALLOT VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. RUMPF QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Bishop & Campbell) (7 Ayes) (0 Nays)

ITEM #271-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT RICHARD ANDERSON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 1999. **BALLOT VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. ANDERSON QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Hindley & Campbell) (7 Ayes) (0 Nays)

ITEM #272-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE TRAFFIC AND PARKING COMMITTEE.

BE IT ORDERED: THAT HENRY BIRD BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE TRAFFIC AND PARKING COMMITTEE UNTIL DECEMBER 1, 1999. **BALLOT VOTE** (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. BIRD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

ITEM #273-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE RECREATION COMMITTEE.

BE IT ORDERED: THAT HORACE GOWER BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE RECREATION COMMITTEE UNTIL NOVEMBER 1, 1999. **BALLOT VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. GOWER QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #274-96 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE RECREATION COMMITTEE.

BE IT ORDERED: THAT MARY KENNEDY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE RECREATION COMMITTEE UNTIL NOVEMBER 1, 1999. **BALLOT VOTE** (Councilors Soley & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. KENNEDY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Soley & Bishop) (7 Ayes) (0 Nays)

ITEM #275-96 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE
COMMUNITY DEVELOPMENT COMMITTEE.

BE IT ORDERED: THAT CHRISTOPHER RALLIS BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE COMMUNITY DEVELOPMENT COMMITTEE UNTIL NOVEMBER 1, 1997. **BALLOT VOTE** (Councilors Soule & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. RALLIS QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY DECEMBER 27, 1996. **ROLL CALL VOTE** (Councilors Soule & Bishop) (7 Ayes) (0 Nays)

ITEM #276-96 TO CONSIDER ACTION RELATIVE TO THE CREATION OF A PLANNING
BOARD ADVISORY COMMITTEE.

BE IT ORDERED: THAT A PLANNING BOARD ADVISORY COMMITTEE BE CREATED FOR THE PURPOSE OF MAKING RECOMMENDATIONS REGARDING ZONING AMENDMENTS TO THE LOCAL BUSINESS AND COMMERCIAL C-III ZONES.

BE IT FURTHER ORDERED: THAT THE FOLLOWING INDIVIDUALS BE APPOINTED TO THE ADVISORY COMMITTEE: GEORGE FRASER, GENIE BEAULIEU, LISA ANDREASON, HERMAN PETTIGROVE, AND GERARD STEELE.

BE IT FURTHER ORDERED: THAT THE COMMITTEE'S FUNCTION WILL END UPON DELIVERY OF ITS RECOMMENDATIONS TO THE PLANNING BOARD. **ROLL CALL VOTE** (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

OTHER BUSINESS:

(There was no other business comment this evening.)

ITEM #277-96 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS
A PERSONNEL MATTER CONCERNING THE PLANS FOR THE PUBLIC WORKS
DIRECTOR TO RETIRE AND HIS REPLACEMENT.

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER CONCERNING THE PLANS FOR THE PUBLIC WORKS DIRECTOR TO RETIRE AND HIS REPLACEMENT. (Councilors Mann & Hindley) (7 Ayes) (0 Nays)

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

Councilor Hindley stated that the meeting with the attorney was extremely beneficial to all; he questioned how this could be set up on a regular basis, inviting the Public.

Chairperson Beaulieu stated that a schedule will be developed.

**COUNCIL MEETING #36-96
DECEMBER 17, 1996**

Councilor Hindley wished the Council and citizens a Merry Christmas and a Happy New Year!

Chairperson Beaulieu added that the Town Hall will close on 12-24-96 at 1:00 P.M.

MOVED AND SECONDED: That the meeting be adjourned at 9:10 P.M. (Councilors Campbell & Bishop) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary
