

M I N U T E S
FREEPORT TOWN COUNCIL MEETING #20-88
FREEPORT HIGH SCHOOL MEDIA CENTER
SEPTEMBER 6, 1988 - 7:30 P.M.

X Regular

 Special

<u>Chairman's Call to Order</u>	Present	Absent	Excused
Robert Hartnett, Chairman, Desert Road	<u>X</u>		
John Nelson, Vice-Chairman Church Street	<u>X</u>		
Edward Bonney, 21 Maple Avenue	<u>X</u>		
William Grady Elm Street Extension	<u>X</u>		
Kirk Goddard Mast Landing Road	<u>X</u>		
Robert Stevens Porters Landing	<u>X</u>		
John Paterson Flying Point Road	<u>X</u>		

Moved and Seconded - To waive the reading of the Minutes of Meeting #19-88 held August 2, 1988, and accept the Minutes as printed.

(Councilors Nelson & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed Solid Waste and Recycling Ordinance be subject to Public Hearing.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed Solid Waste and Recycling Ordinance be tabled until September 20, 1988.
(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be subject to Public Hearing.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be tabled until September 20, 1988.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Street Excavation Ordinance be subject to Public Hearing.
(Councilors Nelson & Grady) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Street Excavation Ordinance be tabled until September 20, 1988.
(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

ITEM #164-88 Be It Ordered - That the Town Manager be authorized to issue a Quit-Claim Deed releasing any interest of the Town of Freeport for the following property:

Town of Freeport Tax Map 26, Lot 61

To: The Freeport Conservation Trust

(Councilors Bonney & Stevens) (7 Ayes) (0 Nays)

Town Manager Olmstead explained this parcel is a 3 acre lot on Cousins Island, is marsh land and abuts to property owned by the Conservation Trust.

ITEM #165-88 Be It Ordered - That Michael Healy be reappointed, effective immediately, to serve as a member of the Assessment Board of Review until August 1, 1991.

Be It Further Ordered - That Mr. Healy qualify by swearing an oath of office before the Town Clerk by September 16, 1988.

(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

ITEM #166-88

Be It Ordered - That Richard Stilkey be reappointed, effective immediately, to serve as a member of the Assessment Board of Review until August 1, 1991.

Be It Further Ordered - That Mr. Stilkey qualify by swearing an oath of office before the Town Clerk by September 16, 1988.
(Councilors Nelson & Grady) (7 Ayes) (0 Nays)

ITEM #167-88

Be It Ordered - That Henry M. Bliss be appointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1991.

Be It Further Ordered - That Mr. Bliss qualify by swearing an oath of office before the Town Clerk by September 16, 1988.
(Councilors Nelson & Goddard) (7 Ayes) (0 Nays)

ITEM #168-88

Be It Ordered - That David Whitten be reappointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1991.

Be It Further Ordered - That Mr. Whitten qualify by swearing an oath of office before the Town Clerk by September 16, 1988.
(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

ITEM #169-88

Be It Ordered - That Andrew Cadot be reappointed, effective immediately, to serve as a member of the Conservation Commission until September 1, 1991.

Be It Further Ordered - That Mr. Cadot qualify by swearing an oath of office before the Town Clerk by September 16, 1988.
(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

ITEM #170-88

Be It Ordered - That Russell Cox be reappointed, effective immediately, to represent Freeport on the Greater Portland Area Development Council.
(Councilors Nelson & Bonney) (7 Ayes) (0 Nays)

ITEM #171-88

Be It Ordered - That the following Referendum Question be submitted to the Voters of the Town of Freeport living in the proposed territorial limits of the Freeport Water District at the Federal, State and Municipal Election to be held on November 8, 1988:

AN ACT AUTHORIZING THE CREATION OF THE FREEPORT WATER DISTRICT
"SHALL THE FREEPORT WATER DISTRICT BE CREATED?"

Be It Further Ordered - That a Public Hearing be held on the subject of this Referendum Question on October 4, 1988 at 7:30 P.M. at the Freeport Municipal Building Council Chambers, notice of which shall be posted in the same manner required for posting of an Election Warrant at least seven (7) days prior to the date of the Public Hearing.

continued -

ITEM #171-88 Continued -

RECOMMENDATION AND EXPLANATION: The proposed creation of the Freeport Water District is being recommended by the Freeport Town Council and Freeport Water Study Committee. It is the belief of the Town Council and Water Study Committee that creating the Freeport Water District and acquiring the Freeport Division of the Maine Water Company will lead to more stable water rates for Freeport's residents.

(Councilors Stevens & Bonney) (7 Ayes) (0 Nays)

Moved and Seconded - To correct Item #172-88 by stating that the Public Hearing will be held SEPTEMBER 20, 1988 at the FREEPORT HIGH SCHOOL MEDIA CENTER.*
(Councilors Hartnett & Bonney) (7 Ayes) (0 Nays)

ITEM #172-88

Be It Ordered - That a Public Hearing be scheduled for October 4, 1988 at 7:30 P.M. at the Freeport Municipal Building Council Chambers to discuss a proposed Street Numbering Ordinance, AS AMENDED.*

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.
(Councilors Paterson & Grady) (7 Ayes) (0 Nays)

ITEM #173-88

Be It Ordered - That a Public Hearing be scheduled for September 20, 1988 at 7:30 P.M. at the Freeport High School Media Center to discuss proposed amendments to the Coastal Waters Ordinance.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens.
(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

Councilors heard a report from the Assessor, Jeanne Bernard.

ITEM #174-88

Be It Ordered - That the Tax Rate of \$15.85 per \$1,000.00 of valuation as set by the Town Assessor for Fiscal Year July 1, 1988 through June 30, 1989 be confirmed.

Be It Further Ordered - That one-half of the Fiscal Year 1989 Committed Taxes for Real Estate be payable on November 15, 1988, with interest at the rate of .917% per month or 11% per annum, to be charged from November 16, 1988; and that the second-half of the Fiscal Year 1989 Committed Taxes for Real Estate be payable on May 15, 1989, with interest at the rate of .917% per month or 11% per annum, to be charged from May 16, 1989.

Be It Further Ordered - That the Fiscal Year 1989 Committed Taxes for Personal Property be payable on October 17, 1988, with interest at the rate of .917% per month or 11% per annum, to be charged from October 18, 1988.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

Town Manager Olmstead reported that no bids were received for the two police vehicles.

Moved and Seconded - That Item #175-88 be tabled indefinitely.
(Councilors Nelson & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the Town Manager read the bids submitted on Tax Acquired Property.
(Councilors Nelson & Paterson) (7 Ayes) (0 Nays)

Mr. Olmstead reported that eight bids had been received on the parcel for Tax Map 4, Lot 27 - Cushing Briggs Road:

The highest bid in the amount of \$14,500 from Andy Ingalls from Portland was withdrawn.

The ^{highest} successful bidder is Paul Vose from Portland in the amount of \$6,500.

Others were: Nicholas/Jean Nappi, Freeport for \$6,000

Thomas Thurlow, Scarborough for \$2,550

Howard Wetherell, Bethel for \$1,500

Lucille Painchaud, Topsham for \$1,200

Jon Compton, Portland for \$1,100

Lawrence Pride, Freeport for \$1,056

The Cushing Briggs Road parcel is 1/4 acre and has been declared unbuildable.

On Tax Map BA, Lot 53 - Bustins Island:

Two bids were received:

Douglas Daggett, Westbrook in the amount of \$26,010 but his bid is conditioned on a title search.

Thomas Petrie, Denver, Colorado in the amount of \$21,525.

The Bustins Island parcel is one lot removed from the water and is 4,800 square feet.

For Tax Map BA, Lots 85 & 85C - Bustins Island:

No bids were received for these lots - both lots are in Resource Protection Zones.

Moved and Seconded - To clarify the amendment to include Tax Map 4, Lot 27.*
(Councilors Hartnett & Stevens) (5 Ayes) (2 Nays, Councilors Grady & Bonney)

Moved and Seconded - To accept the bid of Nicholas & Jean Nappi in the amount of \$6,000.00 with the stipulation that the title of the lot be merged for zoning purposes with that of the adjoining lot and that the subsequently created lot cannot be sub-divided, as amended.*

(Councilors Nelson & Stevens) (3 Ayes) (4 Nays, Councilors Paterson, Bonney, Grady & Hartnett) (Amendment fails due to a majority vote in the affirmative)

Moved and Seconded - That all bids be rejected for Tax Map 4, Lot 27.
(Councilors Paterson & Bonney) (5 Ayes) (2 Nays, Goddard & Nelson)

Moved and Seconded - That the bid from Douglas Daggett of Westbrook, Maine, in the amount of \$26,010.00 for Tax Map BA, Lot 53, be accepted without conditions, and if Mr. Daggett insists upon conditions that the bid be awarded to Thomas Petrie from Denver, Colorado, in the amount of \$21,525.00.
(Councilors Bonney & Stevens) (5 Ayes) (2 Nays, Paterson & Hartnett)

Moved and Seconded - To table indefinitely Tax Map BA, Lots 85 & 85C.
(Councilors Hartnett & Bonney) (7 Ayes) (0 Nays)

Town Manager Olmstead read the options for new street lights which included the following streets:

- 1) Mechanic Street/Middle Streets - upgrade & install lights
- 2) Main Street/upgrade & install lights
- 3) Lambert Road/install light
- 4) Cushing Avenue/install light
- 5) Depot Street/install lights

ITEM #177-88

Be It Ordered - That street lights be approved and installed at the following locations:

1. Mechanic Street - Upgrade 200 Watt Mercury Light on Pole #1 to a 150 Watt Sodium Light. Install a 150 Watt Sodium Light on Pole #3 and upgrade a 100 Watt Mercury Light on Middle Street on Pole #3 to a 150 Watt Sodium Light. This was the recommendation of Dana Pelletier of C.M.P.
2. Depot Street - Install a 150 Watt Sodium Light on Pole #6. This was a recommendation by Chief Schofield.

(Councilors Stevens & Paterson) (7 Ayes) (0 Nays)

Moved and Seconded - To table Item #178-88 (Action relative to enactment of an Emergency Solid Waste and Recycling Ordinance) indefinitely.

(Councilors Bonney & Paterson) (7 Ayes) (0 Nays)

Other Business:

1. Council unanimously voted for the Maine Municipal Association Executive Committee - the Advisory Committee - and Officers.
2. Progress report on the new Municipal Building: Town Manager Olmstead reported that the Contractor had advised him moving into the building would be ready for September 23 and 24. Council agreed with Mr. Olmstead that Friday would be closed to the public and the offices would be ready on September 26 to be open to business.

Rick Simard stated concerns that the cable tv station might not be ready for the October 4 meeting - possibly. He had a concern that there was water in the cellar where his equipment is being stored.

3. Councilor Stevens asked "What was the status of the harvesting along Flying Point Road?" Chairman Hartnett reported there had been a meeting in Paul Frinsko's office with himself, Dale Olmstead and Fred Reeder to discuss what options the Town had available to correct this problem.
4. Councilor Bonney announced he would not be seeking re-election at this time.
5. Town Olmstead brought up the status report on the Town's two-ton hoist. The hoist sits in Rhode Island at the moment and the company representative will charge the Town \$25.95 just to find out what is wrong with it. The report came back: the hoist will not be covered by the Warranty because the unit was not a waterproof unit and was built for an indoor unit. The cost for repairing the unit will be \$12,011.98 for an indoor unit or \$2,100 for an outdoor unit. Council wish to obtain more information on the equipment and hold back on repairing it. *\$12,211.98, amended Sep. 15, 1988*

6. Town Manager Olmstead reminded Council that the Maine Municipal Association Convention will be October 5, 6 & 7 this year - should anyone wish to attend, let him know.
7. Councilor Nelson informed the Council that the Land Bank Commission will be submitting a proposal for land they wish to acquire which abuts to the Pettengill Farm.

Moved and Seconded - That the Council adjourn at 11:55 P.M.
(Councilors Stevens & Paterson) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary

Distribution: Council, Attorney, Auditor, Clerk, Library, Highway, Police, Codes,
Assessor, Planning, Finance