

May

**TOWN COUNCIL MEETING #2-98
JANUARY 20, 1998 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

- Item #15-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Lobster Cooker. (Public Hearing).
- Item #16-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Cricket's Restaurant. (Public Hearing).
- Item #17-98 To consider action relative to applications for victualer licenses for James A. Willey, Jr., Russell E. Oakes and Brenda Hodgson. (Public Hearing).
- Item #18-98 To consider action relative to the issuance of a public peddlers license.
- Item #19-98 To consider action relative to a resolution concerning efforts in dealing with the recent Ice Storm.
- Item #20-98 To consider action relative to the adoption of an investment policy for the Town of Freeport.
- Item #21-98 To consider action relative to confirming a warden and providing funds for the Town of Freeport.
- Item #22-98 To consider action relative to an appointment to the Planning Board.
- Item #23-98 To consider action relative to an appointment to the Design Review Board.
- Item #24-98 To consider action relative to an appointment to the Solid Waste/Recycling Committee.
- Item #25-98 To consider action relative to an appointment to the Library Board of Trustees.
- Item #26-98 To consider action relative to an appointment to the Coastal Waters Commission.
- Item #3-98 Tabled January 6, 1998.
- To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street parking (Chapter 48).

Other Business:

Discussion on LD 1941 concerning the Cumberland County Budget Advisory Committee.

Committee Reports:

- Item #27-98 To consider action relative to an Executive Session to discuss the Dunning Boatyard Lease negotiations and a personnel matter.

Adjourn.

AGENDA
FREEPORT TOWN COUNCIL MEETING #2-98
TOWN HALL COUNCIL CHAMBERS
JANUARY 20, 1998 - 7:00 P.M.

FROM: Dale C. Olmstead, Jr.

TO: Genie Beaulieu, Chairperson, Larue Drive
David Soley, Vice Chairperson, Arnold Road
Edward Campbell, Gay Drive
Alan Hindley, Wardtown Road
Kenneth Mann, Mann Road
Stafford Soule, Arnold Road
Gloria Fogg DeGrandpre, Wolf Neck Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #1-98 January 6, 1998 Meeting and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes
(Non-Agenda Items Only)

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

**COUNCIL MEETING #2-98
JANUARY 20, 1998**

ITEM #15-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Lobster Cooker. (Public Hearing).

MOTION: That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Michael Marino d/b/a Lobster Cooker, 39 Main Street

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the application issued to the above named applicant be approved.

ITEM #16-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Cricket's Restaurant. (Public Hearing).

MOTION: That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Ronald D. Brook d/b/a Cricket's Restaurant, 175 Lower Main Street

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the application issued to the above named applicant be approved.

ITEM #17-98 To consider action relative to applications for victualer licenses for James A. Willey, Jr., Russell E. Oakes and Brenda Hodgson. (Public Hearing).

MOTION: That the Council adjourn and the Licensing Board convene.

ROLL CALL OF MEMBERS:

Genie Beaulieu

Kenneth Mann

David Soley

Edward Campbell

Alan Hindley

Gloria Fogg DeGrandpre

Stafford Soule

Dale Olmstead

Patricia Goodwin

MOTION: That the following applications for Victualer Licenses be subject to Public Hearing.

James A. Willey, Jr. d/b/a L.L. Bean Desert Road Cafeteria, 3 Desert Road

Russell E. Oakes d/b/a Chowder Express, 2 Mechanic Street

Brenda Hodgson d/b/a B & G's Grill, Bow Street

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the applications issued to the above named applicants be approved.

ITEM #18-98 To consider action relative to the issuance of a public peddlers license.

BE IT ORDERED: That a renewal license issued to Brenda Hodgson d/b/a B & G's Grill be approved.

MOTION: That the Licensing Board adjourn and the Council reconvene.

ITEM #19-98 To consider action relative to a resolution concerning efforts in dealing with the recent Ice Storm.

WHEREAS, in January, 1998 Maine experienced its worse ice storm in the State's history; and

WHEREAS, this storm had a devastating impact on the entire Town of Freeport; and

WHEREAS, the Town's rescue, fire, police, public works and other personnel joined together to assist Freeport residents in need, thereby taking many hours away from their own personal lives; and

WHEREAS, the Congregational Church and its congregation provided shelter, food and moral support to many Freeport residents both day and night throughout the storm; and

WHEREAS, the Town of Freeport has greatly benefited from the exemplary and coordinated efforts of all those involved in providing assistance to the community; and

WHEREAS, these achievements have served to exemplify the true spirit of community that exists in the Town of Freeport;

NOW THEREFORE, be it resolved that the Freeport Town Council recognizes the valiant efforts and achievements of all those involved in bringing the Town and its residents successfully.

ITEM #20-98 To consider action relative to the adoption of an investment policy for the Town of Freeport.

BE IT ORDERED: That the proposed investment policy dated January 20, 1998, be adopted.

ITEM #21-98 To consider action relative to confirming a warden and providing funds for the February 10, 1998 Special State Election.

BE IT ORDERED: The Town Clerk's Appointment of Edward Campbell as warden for the February 10, 1998 Special State Election be confirmed.

COUNCIL MEETING #2-98
JANUARY 20, 1998

BE IT FURTHER ORDERED: That up to \$2,000 be expended from the Fiscal Year 1998 Miscellaneous and Contingency Account to provide for the costs of the Special Elections.

ITEM #22-98 To consider action relative to an appointment to the Planning Board.

BE IT ORDERED: That Richard Moore be appointed, effectively immediately, to serve as a member of the Planning Board until May 1, 1999.

BE IT FURTHER ORDERED: That Richard Moore qualify by swearing an oath of office before the Town Clerk by January 30, 1998.

ITEM #23-98 To consider action relative to an appointment to the Design Review Board.

BE IT ORDERED: That Ellen Vaughan be appointed, effectively immediately, to serve as a member of the Design Review Board until October 1, 2000.

BE IT FURTHER ORDERED: That Ellen Vaughan qualify by swearing an oath of office before the Town Clerk by January 30, 1998.

ITEM #24-98 To consider action relative to an appointment to the Solid Waste/Recycling Committee.

BE IT ORDERED: That Sarah Wiley be appointed, effectively immediately, to serve as a member of the Solid Waste/Recycling Committee until January 1, 2001.

BE IT FURTHER ORDERED: That Sarah Wiley qualify by swearing an oath of office before the Town Clerk by January 30, 1998.

ITEM #25-98 To consider action relative to an appointment to the Library Board of Trustees.

BE IT ORDERED: That Clayton Kyle be appointed, effectively immediately, to serve as a member of the Library Board of Trustees until April 1, 1999.

BE IT FURTHER ORDERED: That Clayton Kyle qualify by swearing an oath of office before the Town Clerk by January 30, 1998.

ITEM #26-98 To consider action relative to an appointment to the Coastal Waters Commission.

BE IT ORDERED: That Paul Collet be appointed, effectively immediately, to serve as a member of the Coastal Waters Commission until April 1, 2000.

BE IT FURTHER ORDERED: That Paul Collet qualify by swearing an oath of office before the Town Clerk by January 30, 1998.

**COUNCIL MEETING #2-98
JANUARY 20, 1998**

ITEM 3-98 Tabled January 6, 1998.

To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street Parking (Chapter 48).

BE IT ORDERED: The proposed amendment to the Traffic and Parking Ordinance as submitted to Public Hearing on January 6, 1998 be approved.

OTHER BUSINESS:

Discussion on LD 1941 concerning the Cumberland County Budget Advisory Committee.

COMMITTEE REPORTS:

ITEM #27-98 To consider action relative to an Executive Session to discuss the Dunning Boatyard Lease negotiations and a personnel matter.

MOTION: That the Council enter into Executive Session with the Town Attorney to discuss the Dunning Boatyard Lease negotiations and a personnel matter.

MOTION: That the Council reconvene.

Adjourn.

MINUTES
FREEPORT TOWN COUNCIL MEETING #2-98
JANUARY 20, 1998 – 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Chairperson Larue Drive	X		
David Soley, Vice-Chairperson Arnold Road	X		
Edward Campbell Gay Drive	X (late 7:40 P.M.)		
Alan Hindley Wardtown Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X		
Stafford Soule Arnold Road	X		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #1-98 HELD ON JANUARY 6, 1998 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #1-98 HELD ON JANUARY 6, 1998 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Soley & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD.
(There were no comments from the public this evening.)

MOVED AND SECONDED: TO CLOSE THE PUBLIC COMMENT PERIOD. (Councilors Soley & Hindley) (6 Ayes) (1 Excused-Campbell)

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

ITEM #15-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Lobster Cooker. (Public Hearing).

MOVED AND SECONDED: That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Michael Marino d/b/a Lobster Cooker, 39 Main Street

VOTE (Councilors Mann & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Mann & Soule) (6 Ayes) (1 Excused-Campbell)

BE IT ORDERED: That the application issued to the above named applicant be approved. **ROLL CALL VOTE** (Councilors Mann & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

ITEM #16-98 To consider action relative to an application for a full-time malt, spirituous, and vinous license for Cricket's Restaurant. (Public Hearing).

MOVED AND SECONDED: That the following application for a full-time malt, spirituous, and vinous license be subject to Public Hearing.

Ronald D. Brook d/b/a Cricket's Restaurant, 175 Lower Main Street

VOTE (Councilors DeGrandpre & Soule) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors DeGrandpre & Soule) (6 Ayes) (1 Excused-Campbell)

BE IT ORDERED: That the application issued to the above named applicant be approved. **ROLL CALL VOTE** (Councilors DeGrandpre & Soley) (6 Ayes) (1 Excused-Campbell)

ITEM #17-98 To consider action relative to applications for victualer licenses for James A. Willey, Jr., Russell E. Oakes and Brenda Hodgson. (Public Hearing).

MOVED AND SECONDED: That the Council adjourn and the Licensing Board convene. (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

ROLL CALL OF MEMBERS:

Genie Beaulieu

David Soley

Alan Hindley

Stafford Soule

Patricia Goodwin

Kenneth Mann

Edward Campbell (excused)

Gloria Fogg DeGrandpre

Dale Olmstead

MOVED AND SECONDED: That the following applications for Victualer Licenses be subject to Public Hearing.

James A. Willey, Jr. d/b/a L.L. Bean Desert Road Cafeteria, 3 Desert Road
Russell E. Oakes d/b/a Chowder Express, 2 Mechanic Street

Brenda Hodgson d/b/a B & G's Grill, Bow Street

VOTE (Councilors Soley & Soule) (8 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Soley & Soule) (8 Ayes) (1 Excused-Campbell)

BE IT ORDERED: That the applications issued to the above named applicants be approved. ROLL CALL VOTE (Councilors Soley & Soule) (8 Ayes) (1 Excused-Campbell)

ITEM #18-98 To consider action relative to the issuance of a public peddlers license.

BE IT ORDERED: That a renewal license issued to Brenda Hodgson d/b/a B & G's Grill be approved. ROLL CALL VOTE (Councilors Soule & DeGrandpre) (8 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Licensing Board adjourn and the Council reconvene. (Councilors Soule & Soley) (8 Ayes) (1 Excused-Campbell)

ITEM #19-98 To consider action relative to a resolution concerning efforts in dealing with the recent Ice Storm.

WHEREAS, in January, 1998 Maine experienced its worse ice storm in the State's history; and

WHEREAS, this storm had a devastating impact on the entire Town of Freeport; and

WHEREAS, the Town's rescue, fire, police, public works and other personnel joined together to assist Freeport residents in need, thereby taking many hours away from their own personal lives; and

WHEREAS, the Congregational Church and its congregation provided shelter, food and moral support to many Freeport residents both day and night throughout the storm; and

WHEREAS, the Town of Freeport has greatly benefited from the exemplary and coordinated efforts of all those involved in providing assistance to the community; and

WHEREAS, these achievements have served to exemplify the true spirit of community that exists in the Town of Freeport;

NOW THEREFORE, be it resolved that the Freeport Town Council recognizes the valiant efforts and achievements of all those involved in bringing the Town and its residents successfully. (Councilors Hindley & Soule)

Chairperson Beaulieu stated that she was so thankful that the Town came together as it did during this emergency. She presented a plaque of appreciation and recognition to the members of the Freeport Congregational Church.

**COUNCIL MEETING #2-98
JANUARY 20, 1998**

Councilor Soley offered his thanks to all who helped, adding that the Congregational Church provided housing and food for all who needed it.

The Church Reverend accepted the plaque, stating that the recognition to the congregation of the Council was appreciated, adding that it was the Fire Department, Police Department and Rescue personnel who were the focal point for this effort. He thanked all in Town who stepped forward in this disaster.

Mrs. Moon stated that she wanted to recognize all of the adults and children who helped.

The Reverend recognized Councilor Mann for the help he gave to a woman in Town, not only by supplying a generator but also fixing up the wood stove so it would work properly.

Chairperson Beaulieu offered recognition to Chief Daly, Ray Smith, Brian Slocum, Chief Conly and Chief Schofield for their efforts.

Councilor Soley stated that it is in times of an emergency that the real character of people comes out; we have great people working for the Town of Freeport and they did a tremendous job. He thanked them.

Chief Daly thanked all of the people from the three departments who worked as a team.

ROLL CALL VOTE (6 Ayes) (1 Excused-Campbell)

ITEM #20-98 To consider action relative to the adoption of an investment policy for the Town of Freeport.

BE IT ORDERED: That the proposed investment policy dated January 20, 1998 be adopted. **ROLL CALL VOTE** (Councilors Mann & Soule)

Chairperson Beaulieu stated that prior to the meeting, the Council had a workshop with individuals from Fleet Bank to discuss what investment policies are and what we could expect going forward. She stated that the proposed policy was drafted by Ms. Filmore and reviewed by Manager Olmstead and Councilor Soley.

Discussion followed re: estimated increase in revenue to be realized, annuities, reserve funds, preference for conservative investing, current investments, potential to invest 75% of funds as we do today and investing 25% more aggressively, investing Town funds using reasonable prudence, etc.

VOTE (6 Ayes) (1 Nay-Campbell)

Manager Olmstead stated that the next step is to select an advisor to help implement the policy; Ms. Filmore has identified a number of institutions that are familiar with these types of investments and will solicit proposals, etc.

Councilor Mann stated that he prefers that the entire Council be a part of the selection process; he suggested workshop format for questions to be answered.

Chairperson Beaulieu stated that Manager Olmstead, Ms. Filmore, Councilor Soley and she could narrow the list to two or three and then have the (entire) Council make the selection.

Manager Olmstead suggested scheduling a workshop to invite three firms to give a 20-minute presentation and then make a decision at that time.

ITEM #21-98 To consider action relative to confirming a warden and providing funds for the February 10, 1998 Special State Election.

BE IT ORDERED: The Town Clerk's Appointment of Edward Campbell as warden for the February 10, 1998 Special State Election be confirmed.

BE IT FURTHER ORDERED: That up to \$2,000 be expended from the Fiscal Year 1998 Miscellaneous and Contingency Account to provide for the costs of the Special Elections. **ROLL CALL VOTE** (Councilors DeGrandpre & Soule)

Discussion followed re: hours of the polls, cost, preference to open the poles at 7:00 A.M., etc.

MOVED AND SECONDED TO AMEND ITEM #21-98: Be it further ordered that the polls will open at 7:00 A.M. and remain open until 8:00 P.M. on February 10, 1998. (Councilors DeGrandpre & Mann) (7 Ayes) (0 Nays)

VOTE AS AMENDED (7 Ayes) (0 Nays)

ITEM #22-98 To consider action relative to an appointment to the Planning Board.

BE IT ORDERED: That Richard Moore be appointed, effectively immediately, to serve as a member of the Planning Board until May 1, 1999. **BALLOT VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: That Richard Moore qualify by swearing an oath of office before the Town Clerk by January 30, 1998. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #23-98 To consider action relative to an appointment to the Design Review Board.

BE IT ORDERED: That Ellen Vaughan be appointed, effectively immediately, to serve as a member of the Design Review Board until October 1, 2000. **BALLOT VOTE** (Councilors Soley & Soule) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: That Ellen Vaughan qualify by swearing an oath of office before the Town Clerk by January 30, 1998. **ROLL CALL VOTE** (Councilors Soley & Campbell) (7 Ayes) (0 Nays)

ITEM #24-98 To consider action relative to an appointment to the Solid Waste/Recycling Committee.

BE IT ORDERED: That Sarah Wiley be appointed, effectively immediately, to serve as a member of the Solid Waste/Recycling Committee until January 1, 2001. **BALLOT VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: That Sarah Wiley qualify by swearing an oath of office before the Town Clerk by January 30, 1998. **ROLL CALL VOTE** (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ITEM #25-98 To consider action relative to an appointment to the Library Board of Trustees.

BE IT ORDERED: That Clayton Kyle be appointed, effectively immediately, to serve as a member of the Library Board of Trustees until April 1, 1999. **BALLOT VOTE** (Councilors Hindley & Soule) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: That Clayton Kyle qualify by swearing an oath of office before the Town Clerk by January 30, 1998. **ROLL CALL VOTE** (Councilors Hindley & Soule) (7 Ayes) (0 Nays)

ITEM #26-98 To consider action relative to an appointment to the Coastal Waters Commission.

BE IT ORDERED: That Eliot Spalding be appointed, effectively immediately, to serve as a member of the Coastal Waters Commission until April 1, 2000. **BALLOT VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: That Eliot Spalding qualify by swearing an oath of office before the Town Clerk by January 30, 1998. **ROLL CALL VOTE** (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

ITEM 3-98 Tabled January 6, 1998.

To consider action relative to a proposed amendment to the Traffic and Parking Ordinance concerning Main Street Parking (Chapter 48).

BE IT ORDERED: The proposed amendment to the Traffic and Parking Ordinance as submitted to Public Hearing on January 6, 1998 be approved. **ROLL CALL VOTE** (Councilors Mann & Soule)

Discussion followed re: concern for losing parking spaces on Main Street, this item being a part of agreement with the State in exchange for the traffic light for intersection safety, loss of four spaces but increase of two spaces, Traffic and Parking Committee, study being done presently to be addressed at a future meeting, Ordinance Committee, Traffic and Parking Committee, Coastal Waters Committee future issues, etc.

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

OTHER BUSINESS:

Discussion on LD 1941 concerning the Cumberland County Budget Advisory Committee.

Manager Olmstead explained this bill and the City of Portland's letter written to communities not to support this.

Miscellaneous discussion followed re: the County Budget, concern of representation of districts, etc.

Consensus of the Council was not to take any position on this.

COMMITTEE REPORTS:

ITEM #27-98 To consider action relative to an Executive Session to discuss the Dunning Boatyard Lease negotiations and a personnel matter.

MOVED AND SECONDED: That the Council enter into Executive Session with the Town Attorney to discuss the Dunning Boatyard Lease negotiations and a personnel matter. (Councilors DeGrandpre & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the Council reconvene. (Councilors Hindley & Soule) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Mann & Soley) (7 Ayes) (0 Nays)

BE IT ORDERED: That the Town Manager be authorized to enter into a lease agreement for the leasing of a portion of the Dunning Boat Yard property with amendments, agreed on by the Town Council. **ROLL CALL VOTE** (Councilors Mann & Soule) (6 Ayes) (1 Excused-Campbell)

Item #28-98 **BE IT ORDERED:** That a Public Hearing be scheduled for February 3, 1998 at 7:00 P.M. in the Town Hall Council Chambers to discuss a proposed amendment to the Dunning Boat Yard Study providing for seasonal boat storage for boats waiting repair.

BE IT FURTHER ORDERED: That thirty copies be distributed between the Town Hall and the Freeport Public Library for public inspection. **ROLL CALL VOTE** (Councilors Mann & Soule) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the meeting be adjourned at 10:20 P.M. (Councilors Hindley & Soule) (6 Ayes) (1 Excused-Campbell)

Respectfully submitted,

Pat Goodwin, Recording Secretary

Approved: 1/20/1
Meeting # 2-98; item 8
PH: meeting # 1-98 (1/6/9)

Adopted
**PROPOSED AMENDMENT
TRAFFIC & PARKING ORDINANCE
(CHAPTER 48)**

Section 48-301

No Parking Zones

68

On the west side of Main Street from the northerly corner of West Street extending north 100 feet.

Section 48-303

One Hour Parking Zones

5

On the west side of Main Street from the end of the no parking zone described in Section 48-301.68 extending north 120 feet.

~~On the west side of Main Street from the northerly corner of West and Main Streets extending in a northerly direction 220 feet.~~