

**TOWN COUNCIL MEETING #7-2001  
APRIL 24, 2001 - 7:00 P.M.  
TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

**ITEM #67-2001** To consider action relative to adopting the April 24, 2001 Consent Agenda, Items #61-2001 through #66-2001.

**ITEM #37-2001** Reconsideration.

To consider action relative to the acceptance of a Smart Growth Challenge Grant.

**ITEM #68-2001** To consider action relative to proposed amendments to the Shellfish Conservation Ordinance Concerning Appeals and Violations (Chapter 32). **(Public Hearing)**.

**ITEM #69-2001** To consider action relative to an expenditure of funds from the Recreation Land Capital Account.

**OTHER BUSINESS:**

1. Report and recommendations of the Redistricting Committee.
2. Manager's Fiscal Year 2002 Operating Budget presentation.
3. Discussion on bid waivers for certain capital purchases.

**COMMITTEE REPORTS:**

Adjourn.



**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #7-2001**  
**TOWN HALL COUNCIL CHAMBERS**  
**APRIL 24, 2001 – 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:** John Arsenault, Chairperson, Prout Road  
Robert Stevens, Vice Chairperson, Porters Landing  
David Soley, Arnold Road  
Genie Beaulieu, Larue Drive  
Kenneth Mann, Mann Road  
Karen Bricklemeyer, Bears Run  
Eileen Lowell, South Freeport Road

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of #6-2001, April 3, 2001 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.

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COUNCIL MEETING #7-2001  
APRIL 24, 2001

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ITEM #67-2001 To consider action relative to adopting the April 24, 2001 Consent Agenda, Items #61-2001 through #66-2001.

**BE IT ORDERED:** That the April 24, 2001 Consent Agenda be adopted.

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ITEM #37-2001 Reconsideration.

To consider action relative to the acceptance of a Smart Growth Challenge Grant.

**BE IT ORDERED:** That the Smart Growth Challenge Grant from the State Planning Office in the amount of \$50,000 be accepted.

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ITEM #68-2001 To consider action relative to proposed amendments to the Shellfish Conservation Ordinance Concerning Appeals and Violations (Chapter 32). (Public Hearing).

**MOTION:** That the Public Hearing be opened.

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the proposed amendments to the Shellfish Ordinance be approved.

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ITEM #69-2001 To consider action relative to an expenditure of funds from the Recreation Land Capital Account.

**BE IT ORDERED:** That up to \$20,000 be expended from the Recreation Land Capital Account to provide for a well and well pump for the Pownal Road Recreation Fields.

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**OTHER BUSINESS:**

1. Report and recommendations of the Redistricting Committee.
2. Manager's Fiscal Year 2002 Operating Budget presentation.
3. Discussion on bid waivers for certain capital purchases.

**COMMITTEE REPORTS:**

Adjourn.



**TOWN COUNCIL  
CONSENT AGENDA  
APRIL 24, 2001**

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**ITEM #61-2001** To consider action relative to the approval of victualer licenses for the A. Wilbur's Candy Shoppe, Freeport Variety Store, Bakery II, Mann's Exit 21 Shopping Center, Exxon Mini Mart, Freeport General Store, Domino's Pizza, Friendly's Restaurant, Goose Island Clambakes, and Wicked Wraps.

**BE IT ORDERED:** That the applications issued to the following applicants be approved:

Catherine Carty-Wilbur d/b/a A. Wilbur's Candy Shoppe, 13 Bow Street  
Steve James d/b/a Freeport Variety Store, 9 Main Street  
Peter Kellogg d/b/a Bakery II, 45 Old So. Freeport Road  
Kenneth Mann d/b/a Mann's Exit 21 Shopping Center, 1456 U.S. Route 1  
Webber Oil Co. d/b/a Exxon Mini Mart, 57 Mallett Drive  
Webber Oil Co. d/b/a Freeport General Store, 574 U.S. Route 1  
William R. Giffit d/b/a Domino's Pizza, 491 U.S. Route 1  
Friendly Ice Cream Corp. d/b/a Friendly's Restaurant, 147 Main Street  
Jonathan Soule d/b/a Goose Island Clambakes, 152 So. Freeport Road  
Scott Miller d/b/a Wicked Wraps, Bow St. (peddler, public property)

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**ITEM #62-2001** To consider action relative to the Appointment of a Memorial Day Committee.

**BE IT ORDERED:** That the following be appointed as members of the Memorial Day Committee.

David Soley	Phyllis Roy
Sherwood Snow	Phil Marston
Clayton Teague	Dan Pryor
Tom Bull	Art Jordan

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**ITEM #63-2001** To consider action relative to the Fourth of July Parade.

**BE IT ORDERED:** That the Town of Freeport contribute \$50.00 to the annual Fourth of July Parade.

**BE IT FURTHER ORDERED:** That the Town of Freeport Manage the funds for the Parade Committee.

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**ITEM #64-2001** To consider action relative to the acceptance of Cemetery Perpetual Care Funds.

**BE IT ORDERED:** That the following Cemetery Perpetual Care Funds be accepted.

**South Freeport Cemetery**

Tamantha Wilson	Lot 44B	\$300.00
J. Lawrence Baker	Lot 41B	\$300.00





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ITEM #65-2001 To consider action relative to the Distribution of Cemetery Perpetual Care Funds.

**BE IT ORDERED:** That the following funds be dispersed.

<u>Cemetery</u>	<u>Perpetual Care</u>	<u>Veterans</u>
Burr	\$ 7,437.00	\$1,272.00
Woodlawn	\$ 1,350.00	\$ 468.00
Webster	\$ 885.00	\$ 300.00
South Freeport	\$ 2,310.00	\$ 444.00
Grove at Pleasant Hill	\$ 2,557.00	\$ 462.00
Flying Point	\$ 480.00	\$ 108.00
Town Maintained	\$ 48.00	\$ 270.00
 <u>Other:</u>		
A.O. Woodard	\$ 210.00	
	 <u>\$15,277.00</u>	 <u>\$3,324.00</u>

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ITEM #66-2001 To consider action relative to an appointment to the Middle School Building Committee.

**BE IT ORDERED:** That Keith Lowell be appointed to serve as a member of the Middle School Building Committee.

End of Consent Agenda



**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #7-2001**  
**TOWN HALL COUNCIL CHAMBERS**  
**April 24, 2001 – 7:00 P.M.**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
John Arsenault, Chairperson Prout Road	X		
Robert Stevens, Vice Chairperson Porters Landing	X		
Genie Beaulieu, Larue Drive	X		
David Soley Arnold Road	X		
Kenneth Mann Mann Road	X		
Karen Bricklemyer Bears Run	X		
Eileen Lowell South Freeport Road	X		

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**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #6-2001 HELD ON APRIL 3, 2001 AND ACCEPT THE MINUTES AS PRINTED.

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**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #6-2001 HELD ON APRIL 3, 2001 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Stevens & Beaulieu) (7 Ayes).

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

Susan Campbell of 38 Hunter Road asked about the Town's plans for the Keith property and was informed by chair Arsenault that it is planned to provide green space with walking paths for the public. The Conservation Commission will develop a trail system similar to what they did for Hedgehog Mountain. Ms. Campbell provided Councilors with a copy of a letter she received from John C. Schwanda, Surveyor, concerning boundary lines needing to be negotiated. Discussion followed. Chair Arsenault noted that a meeting would be arranged with Ms. Campbell, Mr. Schwanda, Councilor Mann and the Town Manager.

Councilor Mann indicated that he has received requests from citizens in his district wanting to know when the old boat launching area at Mast Landing would be reconstructed. Richard DeGrandpre also had questions about the site at Mast Landing. Discussion followed. Councilor Mann asked that the information be provided at the next meeting. Mr. Olmstead offered to call and find out what the status is on this property.

Jerry Tims of Richard's Lane had questions about the Winslow Park Trust which Councilor Stevens addressed. The Court has confirmed Mr. Plouffe as the Trustee for the Winslow Park Trust.

**MOVED AND SECONDED:** To close the Public Comment Period (Councilors Beaulieu & Bricklemyer) (7Ayes)

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

ITEM #67-2001 To consider action relative to adopting the April 24, 2001 Consent Agenda, Items #61-2001 through #66-2001.

**BE IT ORDERED:** That the April 24, 2001 Consent Agenda be adopted. (Councilors Soley & Beaulieu) **ROLL CALL VOTE:** (6 Ayes) (1 Abstention—Mann).

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ITEM #37-2001 Reconsideration.

To consider action relative to the acceptance of a Smart Growth Challenge Grant.

**BE IT ORDERED:** That the Smart Growth Challenge Grant from the State Planning Office in the amount of \$50,000 be accepted. (Councilors Beaulieu & Stevens)

Alan Caron explained that he, the Town Manager and Town Planner tried to redraft the grant by moving away from the "village" idea and focusing on all of the growth areas. They were not permitted to recraft the grant. The State offered \$15,000 if the Town would provide a \$5,000 match to facilitate more public participation. Mr. Olmstead noted that more discussion is needed on this amount to find out how much money is available and how it is to be used. Mr. Caron recommended that the Council rescind the grant and go away from the village concept and concentrate on all the growth areas. Discussion followed. He had suggestions for creating a growth area committee.

Councilor Mann read a letter into the public record written by Allison Curtis who was in attendance. Sharing their views were: Richard DeGrandpre, Jerry Tims, Brenda Tims, Cynthia Doten, David Thealen and Alan Hindley.

**ROLL CALL VOTE:** (0 Ayes) (7 Nays)

Councilors concurred that the word "village" should be removed from all the growth areas. Councilor Soley suggested letting the public process begin at the Planning Board.

ITEM #68-2001 To consider action relative to proposed amendments to the Shellfish Conservation Ordinance Concerning Appeals and Violations (Chapter 32). (**Public Hearing**).

**MOVED AND SECONDED:** That the Public Hearing be opened. (Councilors Stevens & Beaulieu) (7 Ayes).

Mr. Olmstead explained the amendments.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Councilors Stevens & Bricklemyer) (7 Ayes).

**BE IT ORDERED:** That the proposed amendments to the Shellfish Ordinance be approved. (Councilors Stevens & Bricklemyer) **ROLL CALL VOTE:** (6 Ayes) (1 Nay—Beaulieu).

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ITEM #69-2001 To consider action relative to an expenditure of funds from the Recreation Land Capital Account.

**BE IT ORDERED:** That up to \$20,000 be expended from the Recreation Land Capital Account to provide for a well and well pump for the Pownal Road Recreation Fields. (Councilors Lowell & Beaulieu)

Councilors asked that Mr. Lyman address this expenditure in letter form.

**ROLL CALL VOTE:** (5 Ayes) (2 Nays—Beaulieu & Mann).

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Mr. Olmstead explained the reasons for the next item.

**MOVED AND SECONDED:** To introduce an item not on the printed agenda (Councilors Soley & Stevens) (7 Ayes).

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ITEM #70-2001 To consider action relative to waiving bidding requirements for certain capital expenditures.

**BE IT ORDERED:** That bidding requirements be waived from the following capital expenditures: Fire Chief's vehicle, voting machines, Rescue billing software and professional services for the Community Center. (Councilors Soley & Stevens) **ROLL CALL VOTE:** (7 Ayes).

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**MOVED AND SECONDED:** To introduce an item not on the printed agenda (Councilors Soley & Stevens) (7 Ayes)

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ITEM #71-2001 To consider action relative to voting district boundaries.

**BE IT ORDERED:** That a Public Hearing be scheduled for May 8, 2001, at 7:00 p.m. in the Town Hall Council Chambers to review voting district boundaries.

**BE IT FURTHER ORDERED:** That a map of the proposed lines be displayed at the Town Hall and Freeport Public Library. (Councilors Soley & Stevens) **ROLL CALL VOTE:** (7 Ayes).

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**OTHER BUSINESS:**

**Report and recommendations of the Redistricting Committee.**

Town Clerk, Mary Wescott displayed a map and reported that District 3 is unchanged. Some properties were taken out of District 2 and added to District 1. Some people from District 4 were added into District 1. She noted that her committee suggested that the Council consider doing away with the four districts and making them all one district in the future and gave reasons for this proposal. This would require a Charter change.

**Aerial Flight**

Mr. Olmstead explained that a COG Aerial Flight will be made tomorrow so white stripes will be painted on certain roadways. Latex paint will be used so that it will disappear quickly.

**Manager's Fiscal Year 2002 Operating Budget presentation.**

Mr. Olmstead presented his operating budget to the Council utilizing flip charts. He noted some of the difficult issues that arose this year such as insurances, postage, a second police car, county taxes and tipping fees at RWS. He noted how these items would affect the tax rate. The increase in the municipal budget is estimated to be 4.4%. Mr. Olmstead clarified that whatever happens with the Community Center and Burnett Bridge will affect 2003.

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Chris Leighton, Chair of the School Committee advised that this is a sobering year because of increased costs across the board. He noted that health benefits went up 17%. He reviewed the issues the School Committee is facing this year and how they are trying to hold the line yet maintain the gains made by the School system. He answered questions for the Council. Discussion followed. Mr. Leighton pointed out that a \$15,000 error was made and this was added in at the bottom of the budget.

Chair Arsenault indicated that he would like to see the School Department cut their budget to keep it at 5% as discussed at a workshop. He suggested that salaries could be adjusted to bring the budget down.

Mr. Olmstead explained that to get to a 10% tax increase, it will be necessary to remove slightly over \$200,000. Mr. Leighton indicated that he is looking forward to workshops with the Council

Adjournment

COUNCIL MEETING #7-2001  
APRIL 24, 2001

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Respectfully Submitted,

*Sharon Coffin*

Sharon Coffin  
Council Secretary





**TOWN COUNCIL  
CONSENT AGENDA  
APRIL 24, 2001**

- ITEM #61-2001** To consider action relative to the approval of victualer licenses for the A. Wilbur's Candy Shoppe, Freeport Variety Store, Bakery II, Mann's Exit 21 Shopping Center, Exxon Mini Mart, Freeport General Store, Domino's Pizza, Friendly's Restaurant, Goose Island Clambakes, and Wicked Wraps.

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Sherwood Snow  
Clayton Teague  
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Phyllis Roy  
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**ITEM #66-2001** To consider action relative to an appointment to the Middle School Building Committee.

**BE IT ORDERED:** That Keith Lowell be appointed to serve as a member of the Middle School Building Committee.

End of Consent Agenda

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Meeting # 7-2001  
Item # 68-2001  
April 24, 2001

*Adopted*  
**PROPOSED AMENDMENTS  
SHELLFISH CONSERVATION ORDINANCE  
CHAPTER 32**

**6. Licensing**

**B. Application for Commercial Licenses.**

- 3.b. If, after the issuance of a license, the Town Clerk becomes aware of circumstances which suggest that the licensee gave false information on the license application, the Town Clerk shall request the Police Chief or his designee to investigate those circumstances and any other circumstances related to the license application. If the results of the investigation continue to suggest that the licensee gave false information on the license application, the Town Clerk shall give the licensee a minimum of seven (7) days notice of hearing before the ~~Town Clerk~~ Shellfish Commission to determine whether or not the licensee gave false information on the license application. The Police Chief shall present the evidence suggesting that false information was given. If, after hearing, the ~~Town Clerk~~ Shellfish Commission determines that material false information was given, the Town Clerk shall revoke the license and give the licensee written Notice of Revocation. A licensee whose license is revoked shall not be entitled to any refund of license fees.

**C. Application for Recreational Licenses.**

- K** **AIDING AND ABETTING: A harvester holding a commercial license who aids and abets the harvest of shellfish in violation of this Ordinance shall be subject to the same penalties as the person he has assisted.**

