

*Finglers*

# MINUTES

Meeting: No. 23-73  
Date: July 17, 1973  
Time: 7:30 P.M.  
Place: Council

## TOWN OF FREEPORT MEETING OF THE FREEPORT TOWN COUNCIL

☒ Regular  
☐ Special

### Roll Call of Members

Present Absent Excused

David J. Thompson, Chairman, Beech Hill Road  
Arthur Palmer, Vice Chairman, Pleasant Hill Road  
Edgar Leighton, Independence Drive  
Edward Bonney, Nathan Nye Street  
Frank Small, Bow Street  
Robert Furtney, Porters Landing  
Edwin Fogg, Old County Road

X		
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Moved and Seconded - That a reading of the minutes of Meeting No. 22-73 be waived and that they be accepted with the following revision:

That the following motion be added to Item No. 169:

Moved and Seconded - That the public hearing on the proposed Constable's Commission Ordinance be adjourned. (Messrs. Leighton & Palmer) (7 Yes) (0 No).

(Messrs. Fogg & Small) (7 Yes) (0 No).

Moved and Seconded - That the Council recess and the Licensing Board convene. (Messrs. Palmer & Leighton) (7 Yes) (0 No).

### Roll Call of Members

Present Absent Excused

David J. Thompson, Chairman, Beech Hill Road  
Arthur Palmer, Vice Chairman, Pleasant Hill Road  
Edgar Leighton, Independence Drive  
Edward Bonney, Nathan Nye Street  
Frank Small, Bow Street  
Robert Furtney, Porters Landing  
Edwin Fogg, Old County Road  
Bruce Benway, Treasurer, South Freeport  
Phyllis Roy, Town Clerk, Park Street

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Moved and Seconded - That the following Victualer's License and Malt Liquor License be subject to public hearing.

Gerald Clements d/b/a Mario's, 7 Main Street, Freeport  
(Messrs. Small & Bonney) (9 Yes) (0 No).

Moved and Seconded - That the public hearing on Victualer's License and Malt Liquor License be closed. (Messrs. Leighton & Palmer)  
(9 Yes) (0 No).

ITEM NO. 176 Be It Ordered - That Victualer's License and Malt Liquor License be granted Gerald Clements, d/b/a Mario's, 7 Main Street, Freeport. (Messrs. Bonney & Small) (8 Yes) (0 No) (1 Abstention, Mr. Thompson)

Moved and Seconded - That the Licensing Board be adjourned and the Council reconvene. (Messrs. Palmer & Leighton) (9 Yes) (0 No).

Moved and Seconded - That the proposed Traffic Ordinance be subject to public hearing. (Messrs. Leighton & Furtney) (7 Yes) (0 No).

The Council Chairman called a recess at 9:00 P.M. and the Council reconvened at 9:10 P.M.

Moved and Seconded - That the public hearing on the proposed Traffic Ordinance be closed (Messrs. Bonney & Small) (7 Yes) (0 No).

Moved and Seconded - That further consideration of the proposed Traffic Ordinance be tabled. (Messrs. Bonney & Palmer) (7 Yes) (0 No).

Moved and Seconded - That the Council reconsider action on the tabling of the proposed Traffic Ordinance. (Messrs. Bonney & Small) (7 Yes) (0 No).

Moved and Seconded - That further consideration of the proposed Traffic Ordinance be tabled until the August 7, 1973 Council Meeting. (Messrs. Bonney & Palmer) (7 Yes) (0 No)

ITEM NO. 178 Be It Ordered - That the 1973 Tax Rate be set at \$34.50 per thousand valuation. (Messrs. Palmer & Leighton) (7 Yes) (0 No).

ITEM NO. 179 Be It Ordered - That the Town Manager be authorized to execute a grant application to the Maine Law Enforcement Planning and Assistance Agency from the Town of Freeport in the amount of \$1,484.00 with the Town's share to be \$278.00 in cash for riot equipment. (Messrs. Palmer & Leighton) (6 Yes) (1 No, Mr. Small)

ITEM NO. 180 Be It Ordered - That the Town Manager be authorized to sign and execute a Quit Claim Deed from the Town of Freeport to Harold L. Doten, Jr. and Rita J. Doten to release Tax Deeds dated in 1936 and 1938. (Messrs. Palmer & Fogg) (7 Yes) (0 No).

ITEM NO. 181 Be It Ordered - That a public hearing on the proposed Sign Ordinance be held on August 7, 1973 at 7:30 P.M. in the Municipal Building Council Room.

Be It Further Ordered - That 90 copies of the proposed Ordinance be printed and that they be divided equally between the Town Clerk's Office, the Library, and the Municipal Building for pickup by citizens. (Messrs. Small & Bonney) (7 Yes) (0 No).

ITEM NO. 182 Be It Ordered - That the Town Manager be authorized to sign a quit claim deed to Michael Cavanaugh and Erma Cavanaugh on an expired tax lien on land and buildings in Freeport described as Tax Map 19 Lot 76 and registered at the Registry of Deeds, book 2538, page 264 for collection of taxes committed June 1959. (Messrs. Small & Bonney) (7 Yes) (0 No).

Moved and Seconded - To further revise the motion made by Mr. Bonney and seconded by Mr. Small on July 3, 1973 regarding the Conservation Commission Ordinance as follows:

2.1 . . . The Town Council may also appoint, for terms of 1 year, up to 5 associate members of the Conservation Commission which associate members may assist in the work of the Conservation Commission and participate in its discussions but shall hold no office and have no vote.

2.2 Members and Associate Members shall be residents of the Town of Freeport and shall serve without compensation.

2.6 Members and Associate Members may be removed by the Town Council for cause, after notice and hearing.



- 3.6 May recommend to the Town Council or Planning Board or any agency of the State of Maine, a program for better utilization, protection, development or use of such open areas.

(Messrs. Bonney & Small) (7 Yes) (0 No)

ITEM NO. 167 "The Town of Freeport hereby ordains" the Conservation Commission Ordinance introduced at Town Council Meeting #21-73 with Sections 2.1 and 2.3 revised as follows:

- 2.1 The Commission shall consist of five members appointed by the Town Council to hold office initially 2 members for 3 years, 2 members for 2 years and 1 member for 1 year, respectively, and after the first year the Town Council shall appoint annually a Commissioner for a three-year term to fill the vacancy created by the member whose term expires.

- 2.3 Neither a municipal officer nor a member of the Freeport Planning Board may be a member of the Conservation Commission.

(Messrs. Bonney & Small) (7 Yes) (0 No).

Moved and Seconded - To revise the motion made by Mr. Bonney and seconded by Mr. Small on July 3, 1973 regarding the Concealed Weapon Ordinance as follows:

- 1.1 No person except duly appointed and qualified Police Officers of the Town of Freeport shall wear under his clothes or conceal about his person within the Town of Freeport any firearm or dangerous or deadly weapon unless first licensed to do so in accordance with the provisions of this Ordinance and the Laws of the State of Maine.
- 2.1 The Chief of Police may, upon written application therefor and after such investigation as the Chief of Police may deem necessary, issue subject to the confirmation of the Town Council a license to carry such weapon to persons qualified in accordance with the provisions of this Ordinance.

5. EXEMPTION (Delete and progressively renumber the succeeding paragraphs).

(Messrs. Small & Bonney) (7 Yes) (0 No).

ITEM NO. 168 "The Town of Freeport hereby ordains" the Concealed Weapon Ordinance proposed at Meeting #21-73.  
(Messrs. Bonney & Small) (7 Yes) (0 No).

Moved and Seconded - To revise the motion made by Mr. Bonney and seconded by Mr. Leighton on July 3, 1973 regarding the Constable's Commission Ordinance as follows:

- 1.1 In accordance with the provisions of this Ordinance, the Town Manager may appoint, subject to confirmation by the Town Council, for not more than one year, suspend, control and fix the compensation of so many constables of the Town of Freeport as may, in the opinion of the Town Manager, be necessary or required to serve the needs of the public safety or welfare of the Town of Freeport.
- 2.1 Constables shall be of good moral character, and no constable commission shall be granted to any person who has been convicted in any State of the United States of a felony.
- 3.1 All applicants for the position of constable shall submit to the Town Manager in such form as may be prepared and approved by the Town Manager, all pertinent information relative to the applicant's qualifications for the position of Constable.
- 3.4 All information relating to each applicant shall be presented to the Town Manager, together with a recommendation of the Chief of Police, and the Town Manager shall present himself to the Town Council to answer any questions regarding each applicant.

#### Section 4 OATH OF OFFICE, BOND

- 4.1 Upon approval and appointment, every constable shall forthwith qualify for the office by presenting to the Town Treasurer a surety bond in an amount approved by the Town Manager and by taking the required oath of office before the Town Clerk, which oath shall be subscribed by the Town Clerk and filed and preserved in the Municipal Offices.

#### 6. APPLICABILITY (Delete and progressively renumber the succeeding paragraphs).

(Messrs. Leighton & Bonney) (7 Yes) (0 No).

ITEM NO. 169 "The Town of Freeport hereby ordains" the Constable's Commission Ordinance introduced at Meeting #21-73 (Messrs. Bonney & Leighton) (7 Yes) (0 No).

Moved and Seconded - The meeting be adjourned at 10:25 P.M. (Messrs. Small & Leighton) (7 Yes) (0 No).

The Foregoing has been recorded by:

Lynne Briggs, Secretary

Distribution to:  
Councilmen  
F. Paul Frinsko  
Town Clerk  
Bookkeeper  
Highway Dept.  
Police Dept.