

Town Clerk

MINUTES

Meeting: #22-74
Date: October 1, 1974
Time: 7:30 P.M.
Place: Council Room

TOWN OF FREEPORT MEETING OF THE FREEPORT TOWN COUNCIL

☒ Regular

☐ Special

Chairman's Call to Order

Roll Call of Members

Present Absent Excused

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

X
X
X
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X
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X

Moved and Seconded - To accept the minutes of Meeting #21-74 held September 17, 1974 and accept them as printed. (Messrs. Fogg & Thompson). (7 Yes) (0 No).

Moved and Seconded - That the Council receive a report from the Freeport Sewer District Trustees. (Messrs. Small & Leighton). (7 Yes) (0 No).

ITEM #389 Be It Ordered - That the report of the Freeport Sewer District Trustees be accepted. (Messrs. Small & Fogg). (7 Yes) (0 No).

ITEM #390 Be It Ordered - That the Town Assessor be authorized to represent the Town of Freeport at the Informational Public Hearing on Proposed Minimum Assessment Standards to be held on October 2, 1974 at 10:00 A.M. and to enter the following statement on the record of said public hearing

While the Town of Freeport recognizes the need for the tax reform measures enacted by the Legislature, and that the Bureau of Property Taxation is the agency to set the standards to be met relative to districting, we wish to make the following statement:

Though the 12 standards proposed by the Bureau are for the most part reasonable, we feel that item 6 should be more broadly stated to take into account the mechanical system now in use in many community offices and also the many typewriter systems such as, Martell and Loring Short and Harmon. These systems deliver the needed data, in a fashion that is sufficient to the needs of both the community using them and the Bureau of Property Taxation. To force these towns into a data processing environment is premature from a volume of data and from a need for information standpoint.

A small single town district would probably have no more than 2400 to 2600 accounts which can easily be processed in house, using one of the before mentioned systems generating the bill rolls and all the other reports needed in a neat, legible and controlled manner.

Though the Town presently reserves judgment as to which route it will take relative to districting we feel that we could, as a single town district, meet the demands of the Bureau relative to information processing utilizing the system that has been in use for over 14 years.

FREEPORT TOWN COUNCIL

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

Moved and Seconded - To waive the second reading of ITEM #390.
(Messrs. Bonney & Thompson). (7 Yes) (0 No).

Moved and Seconded - To waive the rules in order to discuss ITEM #391 before the Council votes on the motion. (Messrs. Thompson & Bonney).
(7 Yes) (0 No).

Moved and Seconded - That Item #391 be tabled until October 15, 1974.
(Messrs. Leighton & Thompson). (7 Yes) (0 No).

ITEM #392

Be It Ordered - That the Town Manager be authorized to sign and execute a Release Deed from the Town of Freeport to Robert Harold Gay to release a parcel of tax acquired property referenced as Map 23, Lot 70A on the Property Maps of the Town of Freeport. (Messrs. Bonney & Fogg)
(7 Yes) (0 No).

ITEM # 393

Be It Ordered - That the Town Manager have the consent of the Town Council to act in the capacity of Acting Chief of Police. (Messrs. Small & Thompson). (7 Yes) (0 No).

ITEM # 394

Be It Resolved - That upon review of the Sewer Expansion Program proposed by the Freeport Sewer District, the Freeport Town Council herein publicly expresses its compliments to the Trustees of the Freeport Sewer District for the significant progress made by the Trustees in solving a major health and safety issue confronting the citizens of the Town.

The members of the Council commend the Trustees of the Sewer District for their dedication and selflessness with regard for the work that has been completed to date on the proposed Sewer Expansion.

In general, the Town Council supports the proposed expansion as outlined in the preliminary plan, as prepared by the E. C. Jordan Company. More specifically, the Council believes the following items to be pertinent to its position relative to the proposed expansion:

1. It is the consensus of the Council that a conditional wetlands permit subject to fulfillment of various conditions sited in that permit should be issued. Until the permit conditions are fulfilled, the Council takes the position that construction covering areas relative to the granting of the permit should not commence. Fulfillment of the permit conditions should require written documentation to the Council prior to commencement of construction.
2. Information Reporting System: The Council requests that the Freeport Sewer District formulate a reporting format that will inform the Council on the Trustee's progress with this project. Reports in either written or verbal form would be acceptable to the Council. The Council also requests that a copy of the minutes of each Trustees' meeting be made available to the Town Manager.
3. Administration of the Sewer District: The Council requests that the Trustees of the Sewer District consider retaining the services of an administrator upon commencement of construction so as to provide a natural flow and indoctrination of the administrative staff into the system.

4. Areas of Concern in the Expansion:

- A. Treatment Plant Site Location. The Council strongly believes that the quality of life in the Cushing Briggs neighborhood must be insured that the locating of a sewer treatment facility on that site will not damage the neighborhood. The Council wishes to express its desire that the facility be properly monitored 24 hours a day, that the access road to the treatment plant be built from the South Freeport Road rather than the Cushing Briggs Road, that the design of the plant be attractive, and that adequate landscaping and screening growth be provided to maintain the area.
- B. Financing. It is the opinion of the Council that information relative to financing the expanded system with consideration to include user fees, short-term borrowing, long-term borrowing and resolution of hardship cases is pertinent to the roles which Councilmen have as community leaders. As such, the Council requests that as financing plans are developed for the Freeport Sewer District, these plans be made available to the Councilmen so that they may have the ability to explain the process being used.
- C. Future Sewer Main Extensions. The Council requests that the Sewer District take the necessary steps to insure that proposed mains and interceptors will be of such size and location to provide for ready expansion of the system. The Council wishes to emphasize a specific interest in the area west of I-95. Moreover, the Council expresses the belief that the areas east of the Lower Mast Landing Road and the Spar Cove Development be included as expansion plans. On the Council's part it will instruct the Planning Board to coordinate planning activities with the Trustees to adequately plan for review of areas which should be considered for expansion.
- D. Storm Drains. The Council requests that the Freeport Sewer District assist the Town by indicating any areas which could undergo storm sewerage concurrent with the installation of the sanitary sewer system expansion. The Council also requests that it be given adequate notification of any sources of non-contaminated water that may be disconnected from the current sewer system so that the Town may be prepared to contend with any storm water problems created by such a disconnection.

E. Environmental Impact. The Council requests that the Sewer District continuously review and monitor the proposed expansion, including both the final design stage and construction stage, with all possible consideration given to environmentally fragile areas located on the proposed expansion routes. Moreover, the Council request that the Sewer Trustees avail themselves of any assistance which might be rendered to them by either a Federal, State or Local Agency toward the preparation of environmental impact statement. It is the opinion of the Council that such statements deserve the full consideration of the Sewer Trustees and should be undertaken whenever possible.

In conclusion, the Council again wishes to express its recognition to the Freeport Sewer District Trustees for the time and efforts which they have expended in bringing the proposed expansion so near to the final developmental stage. It is the wish of the Council that a relationship of cooperation and respect exist between the members of the Council and the members of the Board of Trustees of the Freeport Sewer District.

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

Moved and Seconded - To waive the second reading of ITEM #394.
(Messrs. Thompson & Bonney). (7 Yes) (0 No).

ITEM # 395 Be It Ordered - That Mr. Jerry Oleson be appointed as a member to the Recreation Committee.

Be It Further Ordered - That Mr. Oleson serve until October 1, 1975.

Be It Further Ordered - That Mr. Oleson swear an Oath of Office before the Town Clerk of Freeport by October 11, 1974. (Messrs. Fogg & Bonney). (7 Yes) (0 No).

ITEM # 372

The Town of Freeport Hereby Ordains the Subdivision Ordinance as introduced on September 17, 1974 with the following amendments:

3.1 (pg.4)

Medium Intensity Soil Survey

A plan that displays all of the individual soil type as they exist on the land of the proposed subdivision with an accuracy such that inclusions of a different soil type of over 3 acres in size shall not exist within the boundaries of one individual soil type...

High Intensity Soil Survey

A plan that displays all of the individual soil types as they exist on the land of the proposed subdivision with an accuracy such that ~~no~~ inclusions of a different soil type of over 1/8 acre in size shall not exist within the boundaries of one individual soil type. . . .

Subdivision, Major

Any subdivision containing more than ~~four~~ five (5) lots, or any subdivision requiring any new public street extension, or the extension of municipal facilities.

4.4.2 (pg.6)

11. right, title or interest in the property to be subdivided.

5.3.1 (pg.7)

The Final Subdivision Plan for a Minor Subdivision shall consist of one original and three copies of one or more maps or drawings drawn to a scale of no more than one hundred (100) feet to the inch, which shall be legibly reproduced on mylar or clearly drawn in India Ink on linen. One of these copies shall be distributed to the Town Manager, one to the Conservation ~~Committee~~ Commission, and one to the Planning Board. . . .

6.1.6 (pg.9)

When granting approval to a Preliminary Plan, the Planning Board shall state the conditions of such approval, if any, with respect to: (1) the specific changes which it will require in the Final Plan; (2) the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety and general welfare; (3) the improvements that may be required by Section 9.9.1 and the amount of all bonds therefore which it will require as prerequisite to the approval of the Final Subdivision Plan. The decision of the Planning Board plus any conditions imposed shall be noted on or attached to four (4) copies of the Preliminary Plan. One copy shall be returned to the subdivider, one retained by the Planning Board, one forwarded to the Municipal Officers, and one to the Conservation ~~Committee~~ Commission. ~~and one to the Town Planner~~

6.2.2 (pg.10)

(1) Proposed subdivision name or identifying title, and the name of the Municipality and the ~~Property~~ Map tax map page and lot number.

(10) Also high intensity soils survey ~~report~~ identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot and plan.

7.1.2 (pg.12)

The approval of , or letter of non action from, the State of Maine, Department of Environmental Protection shall be secured in writing before official submission of the Final Plan.

7.1.4 (pg.13)

(2) The State of Maine, Department of Health and Welfare if a separate central sewage collection and treatment system is to be utilized, or if individual ~~septic tanks~~ treatment facilities are to be installed by the developer, or . . .

7.1.5 (pg. 13)

Before the Planning Board grants approval of the Final Plan, the subdivider shall, in an amount set by the Planning Board, either file with the Municipal Treasurer evidence of a certified check or a performance bond to cover the full cost of required public improvements, or any equivalent assurance which is mutually agreed upon. Any such bond or equivalent surety shall be satisfactory to the Municipal Office or their appointed designee, as to form, sufficiency manner of execution and surety. A period of one year (or such other period as the Planning Board may determine appropriate) shall be set forth in the bond time within which required improvements must be completed.

8.3 (pg. 17)

Any person, firm, corporation or other legal entity who conveys, offers or agrees to convey any land in a subdivision which has not been approved as required by this section shall be punished by a fine of not more than ~~\$10000/~~ \$100. for each such conveyance, offering or agreement. The Attorney General, the Municipality, or the appropriate Municipal Officers may institute proceeding to enjoin the violation of this section.

10.1.1 (pg. 20)

Permanent granite monuments shall be set at all corners and angle points of the subdivision boundaries and at all street intersections and points of curvature.

10.1.2 Iron pins shall be set at all lot corners.

10.5.1 (pg.22)

A ~~public~~ central water supply system shall be installed at the expense of the subdivider or, if in the opinion of the Board, service to each lot ~~public~~ a central water system is not feasible, the Board may allow individual wells to be used.

10.5.4 (pg.22)

The minimum water main permitted shall be installed in accordance with the provisions of the Town of Freeport Water Main Extension Policy.

12.1 (pg.24)

Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these standards or where there are special circumstances of a particular plan, it may vary these standards so that substantial justice may be done and the public interest secure; provided that such variations will not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or the Zoning Ordinance where such exist. (Messrs. Furtney & Bonney). (7 Yes (0 No)).

Moved and Seconded - To waive the second reading of ITEM #372. (Messrs. Bonney & Thompson). (7 Yes) (0 No).

ITEM # 396

Be It Ordered - That Celia Phinney be appointed as a member of the Shellfish Conservation Committee.

Be It Further Ordered - That Celia Phinney serve until July 1, 1977.

Be It Further Ordered - That Celia Phinney swear an Oath of Office before the Town Clerk of Freeport before October 11, 1974.
(Messrs. Bonney & Thompson). (7 Yes) (0 No).

Moved and Seconded - That the meeting be adjourned at 8:30 P.M.
(Messrs. Small & Bonney) (7 Yes) (0 No).

The foregoing was recorded by:

Arlene B. Hurd

Arlene B. Hurd
Council Secretary
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