

COUNCIL MEETING #23-79  
NOVEMBER 6, 1979  
Time: 7:30 P.M.  
Place: Council Room

# MINUTES

## TOWN OF FREEPORT MEETING OF THE FREEPORT TOWN COUNCIL

☒ Regular  
Special

### Chairman's Call to Order

Present Excused Absent

Edward Bonney, Chairman, Nathan Nye Street  
Vaughndella Curtis, Vice Chairman, Pine St  
John Swan, 48 Bow Street  
Elizabeth Ruff, Durham Road  
Hollis Willett, Lower Flying Point  
William Pushard

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Moved and Seconded - That the reading of the Minutes of Meeting  
#22-79 held October 16, 1979 be waived and accept them as printed.  
(Councilors Swan & Ruff) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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Moved and Seconded - That the Complaint for an Abatement of Nuisance on The Rail Tavern be subject to Public Hearing.  
(Councilors Curtis & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Swan & Curtis) (5 Yes) (0 No)

ITEM #167-79

WHEREAS, the Codes Enforcement Officer of the Town of Freeport has submitted a Complaint for an Abatement of Nuisance on the structure commonly described as The Rail Tavern, and

WHEREAS, the Freeport Town Council finds that the allegations made by the Codes Enforcement Officer regarding said Rail Tavern are factual in that the structure is a structural, fire and health hazard, now

Be It Ordered - That the Codes Enforcement Officer is authorized to require demolition of The Rail Tavern pursuant to the provisions of Maine Revised Statutes Title 17 Sections 2351-2853.

Be It Further Ordered - That the Town Clerk shall complete notification of this Order to the appropriate parties.  
(Councilors Pushard & Ruff) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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Moved and Seconded - That the Council adjourn and the Licensing Board convene. (Councilors Ruff & Swan) (5 Yes) (0 No)

Roll Call of Members

Present Excused Absent

Edward Bonney, Chairman, Nathan Nye Street	X	-	-
Vaughndella Curtis, Vice Chairman, Pine St	X	-	-
John Swan, 48 Bow Street	X	-	-
Elizabeth Ruff, Durham Road	X	-	-
Hollis Willett, Lower Flying Point	-	X	X
William Pushard, Lunt Road	X	-	-
Bruce E. Benway, Treasurer, Harraseeket Park	X	-	-
Phyllis A. Roy, Town Clerk, Park Street	-	X	X

Moved and Seconded - That the following Application for a Victualer's License be subject to Public Hearing:

Melitta Freese, d/b/a Guten Appetit,  
15 Mallet Drive.  
(Members Swan & Ruff) (6 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Members Ruff & Curtis) (6 Yes) (0 No)

ITEM #168-79      Be It Ordered - That approval be granted  
on the Application for a Victualer's  
License from Melitta Freese, d/b/a Guten  
Appetit, 15 Mallet Drive.  
(Members Ruff & Swan) (6 Yes) (0 No)

Moved and Seconded - That the Licensing Board adjourn and the Council reconvene. (Members Ruff & Curtis) (6 Yes) (0 No)

Moved and Seconded - That the following Application for a Vinous License be subject to Public Hearing:

Melitta Freese, d/b/a Guten Appetit,  
15 Mallet Drive.  
(Councilors Curtis & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Ruff & Curtis) (5 Yes) (0 No)

ITEM #169-79      Be It Ordered - That approval be granted  
on the Application for a Vinous License  
submitted by Melitta Freese, d/b/a Guten  
Appetit, 15 Mallet Drive.  
(Councilors Pushard & Swan) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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Moved and Seconded - That we waive the second reading.  
(Councilors Swan & Pushard) (5 Yes) (0 No)

ITEM #170-79

Be It Ordered - That a School Building Committee be created in accordance with the provisions of Maine Revised Statutes, Title 20 Sections 3482 and 3483.

Be It Further Ordered - That the School Building Committee be composed of nine (9) individuals with a term of office concurrent to completion of the current School Department plans for construction of an addition to the Morse Street School, for replacement of the Grove Street School, and a new facility to replace the Middle School.

Be It Further Ordered - That the School Building Committee receive the approval of the Freeport School Committee on any plans and specifications for school construction prior to the submission of said plans to the appropriate State of Maine Agencies, and that the Freeport Town Council be notified of the pending submission of said plans and the anticipated costs of the proposed construction.

Be It Further Ordered - That John Nelson be appointed Chairman, Ellen Bowler Gardner be appointed Vice Chairman, Robert Cartmill be appointed Secretary, that Fred Palmer, Elizabeth Ruff, Cedric Libby Jr., Nancy Brown, Donald Panati and John Nappi be appointed Members, effective immediately, to the School Building Committee to serve for the duration of the activities of the Committee.

Be It Further Ordered - That the above-named qualify by swearing an Oath of Office before the Freeport Town Clerk by November 15, 1979.  
(Councilors Curtis & Ruff) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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ITEM #171-79

Be It Ordered - That the Town Manager be authorized to sign and execute a Contract with the State of Maine for a Coastal Zone Management Grant for Planning and Administrative Service to the Planning Board and Conservation Commission, and the Harraseeket River Basin Study.

(Councilors Curtis & Swan) (5 Yes) (0 No)

ITEM #172-79

Be It Ordered - That the Town Manager be authorized to notify the Director of the Division of Community Services, Department of Human Services, that the Town of Freeport will not act as a local program operator under the Emergency Home Heating Act of 1979.

(Councilors Ruff & Swan) (5 Yes) (0 No)

ITEM #173-79

Be It Ordered - That the Proposed Amendment to the Zoning Ordinance (Granting Special Exception Review Authority to the Board of Appeals) be herein introduced and submitted to Public Hearing on November 20, 1979 at 7:30 P.M. in the Council Room of the Municipal Building.

Be It Further Ordered - That 30 copies of the Proposed Amendment be printed and distributed equally between the B.H. Bartol Library and the Municipal Building for pick-up by citizens.

(Councilors Swan & Curtis) (5 Yes) (0 No)

ITEM #174-79

Be It Ordered - That a Proposed Transfer of Recreation Department Appropriations Ordinance be herein introduced and submitted to Public Hearing on November 20, 1979 at 7:30 P.M. in the Council Room of the Municipal Building.

Be It Further Ordered - That 30 copies of the Proposed Ordinance be printed and distributed equally between the B.H. Bartol Library and the Municipal Building for pick-up by citizens.

(Councilors Ruff & Swan) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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ITEM #175-79

Be It Ordered - That the Council Chairman be authorized to appoint up to five (5) individuals to review the duties of the Harbor Commission. (Councilors Curtis & Swan) (5 Yes) (0 No)

ITEM #176-79

Be It Ordered - That the Town Manager be authorized to donate the Town's surplus copier to Freeport Community Services. (Councilors Swan & Curtis) (4 Yes) (1 Abstention, Mrs. Ruff)

Moved and Seconded - That we waive the second reading. (Councilors Curtis & Ruff) (5 Yes) (0 No)

ITEM #177-79

Be It Ordered - That a Solid Waste Study Committee be created for the general purpose of reviewing alternatives toward extending the life of the Town of Freeport Sanitary Landfill, and reporting to the Town Council the most efficient alternative available for such a goal.

Be It Further Ordered - That this Committee specifically review regional solid waste systems including, but not exclusive to, the Auburn Incineration System and the Greater Portland Solid Waste System, and further review local solid waste systems including, but not exclusive to, incineration, resource recovery or baling.

Be It Further Ordered - That the Committee shall seek such funding as it may deem necessary from the Town Council.

Be It Further Ordered - That the Committee shall be composed of five (5) members, whose term of office shall be the duration of the activities of the charge to the Committee. (Councilors Swan & Ruff) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
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ITEM #156-79

The Town of Freeport Hereby Ordains - That the Proposed Amendment to the CATV Ordinance of Freeport, Maine, introduced on October 2, 1979 and submitted to Public Hearing on October 16, 1979, be adopted.  
(Councilors Pushard & Curtis) (5 Yes) (0 No)

Moved and Seconded - That we waive the second reading of this Item.  
(Councilors Swan & Curtis) (5 Yes) (0 No)

ITEM #158-79

Be It Ordered - That a Substance Abuse Advisory Committee be created to determine the nature and extent of juvenile drug and alcohol abuse in Freeport, and if evidence of significant abuse exists, to develop a strategy toward the reduction of such abuse.

Be It Further Ordered - That this Committee specifically:

1. Determine an appropriate definition of "drug and alcohol abuse",
2. Gather data and determine if significant juvenile drug and alcohol abuse exists in Freeport,
3. Examine alternative intervention strategies to reduce the occurrence of such significant abuses,
4. Select the strategy most appropriate to the Town and develop plans to both implement and evaluate said strategy, and
5. Report its findings to the Town Council for consideration as Town Policy.

Be It Further Ordered - That the Committee be composed of seven (7) members to serve for three (3) years or until completion of the above-stated duties.  
(Councilors Ruff & Swan) (5 Yes) (0 No)

COUNCIL MEETING #23-79  
NOVEMBER 6, 1979

ITEM #160-79

Be It Ordered - That the Town Treasurer be authorized to accept and hold in trust a Gift of One Thousand Dollars (\$1,000.00) received from Nora and Augustine Fitts, said Gift to be known as the Fitts Trust.

Be It Further Ordered - That the Town Treasurer be authorized to disperse the annual income earned on said Gift to the appropriate school department official for distribution to as many as two (2) boys and two (2) girls in the Junior High School Graduating Class who try to make the best progress during the year.  
(Councilors Ruff & Swan) (0 Yes) (5 No)

Moved and Seconded - That the Rules be waived to introduce an item not on the printed Agenda. (Councilors Swan & Curtis) (5 Yes) (0 No)

ITEM #180-79

Be It Ordered - That the Town Treasurer be authorized to accept and hold in perpetual trust the sum of One Thousand Dollars (\$1,000.00) received from Nora and Augustine Fitts, said Trust to be hereafter identified as The Fitts Award.

Be It Further Ordered - That said Treasurer distribute the income earned annually from The Fitts Award to the Principal of the Middle School, or such School Official succeeding that position, to be given to the two (2) most deserving Eighth Grade Students in June of each year, with the criteria for selecting and the annual selection of the two (2) Students to be determined by the Middle School Teaching Staff and Principal.  
(Councilors Curtis & Ruff) (5 Yes) (0 No)

A discussion on the Proposed Charter Amendment followed. Town Counsel has been forwarded a copy of the Amendment for his legal comments.

A representative from the Sewer District Trustees spoke regarding the dumping of sludge at the Town Dump. At the second meeting in January, there will be a report given on this matter.



COUNCIL MEETING #23-79  
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Moved and Seconded - That the Council move to Executive Session to discuss negotiations for purchase of a Sanitary Landfill Equipment Building. (Councilors Swan & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Council reconvene. (Councilors Swan & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Council move to Executive Session to discuss a personnel matter with the Town Manager. (Councilors Curtis & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Council reconvene. (Councilors Swan & Ruff) (5 Yes) (0 No)

Moved and Seconded - That the Council adjourn at 10:25 P.M. (Councilors Swan & Ruff) (5 Yes) (0 No)

The foregoing was recorded by:

*Mary D. Wescott*  
Mary D. Wescott  
Council Secretary

Distribution: Council, Supt. of Schools, Town Attorney,  
Town Clerk, Bookkeeper, Library, Police,  
Auditor, Recreation Director, Highway,  
Development Coordinator