

COUNCIL MEETING #4-80  
FEBRUARY 19, 1980  
Time: 7:30 P.M.  
Place: Council Room

M I N U T E S

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, Lunt Road

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Moved and Seconded - That the reading of the Minutes of Meeting #3-80 held February 5, 1980 be waived and accept it as printed.  
(Councilors Swan & Ruff) (6 Yes) (0 No)

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ITEM #25-80

Be It Ordered - That the Town Manager be authorized to sign and execute a five-year Lease Agreement and such subsidiary agreements as may be necessary with Northern Data Systems of Maine, Inc., as supplier for a CAIO 20/IV Computer System, with an annual lease cost not to exceed Ten Thousand Two-Hundred Dollars (\$10,200.) per year, with transportation costs not to exceed Six-Hundred Dollars (\$600.) and with an escrow for conversion, program modification and contingencies not to exceed Four Thousand Dollars (\$4,000.), said costs incurred prior to June 30, 1980 to be charged to the appropriation for a computer system approved by the Town Council on February 5, 1980, and with future year costs to be appropriated in the Municipal Operating Budget.  
(Councilors Curtis & Swan) (5 Yes) (1 No, Councilor Willett)

ITEM #26-80

Be It Ordered - That the Town Manager be authorized to sign and execute a Sale Agreement with Larry H. Greenlaw for Five-Hundred Dollars (\$500.00) to sell the barn only, to be removed from the Town owned property described as Map 23 Lot 55 on the Town of Freeport Property Maps, said property located at Lower Main Street and Varney Road.  
(Councilors Willett & Curtis) (5 Yes)  
(0 No)

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ITEM #27-80

Be It Ordered - That authorization be granted the Conservation Commission to apply for a CETA employee for the period through September 30, 1980, said employee to be fully funded by the CETA Program as a field and research technician for the Harraseeket River Basin Study.

Be It Further Ordered - That if CETA approves the position, that the Town Manager be authorized to sign and execute the necessary agreements for creating the position.  
(Councilors Ruff & Swan) (6 Yes) (0 No)

ITEM #28-80

Be It Ordered - That the Deputy Chief of Rescue be authorized to purchase up to One Thousand Dollars (\$1,000.00) in equipment for the rescue vehicle to include a sink, a battery charger, a voltage converter, and for up to three (3) monitors for members of the squad, said amount having been received as a donation to the Rescue Reserve Account from L.L. Bean for the purpose of purchasing rescue equipment as may be recommended by the Rescue Squad.  
(Councilors Fushard & Curtis) (6 Yes)  
(0 No)

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ITEM #29-80

Be It Ordered - That Edward Bonney be approved as Election Warden for the March 3, 1980 Municipal Election.

Be It Further Ordered - That Hollis Willett be approved as Election Warden for the March 11, 1980 Special Election on the State Referendum.  
(Councilors Swan & Ruff) (6 Yes)  
(0 No)

ITEM #30-80

Be It Ordered - That the application for assistance to the Davis Trust Fund from Weston Merriman for Three-Thousand Four-Hundred Ninety Two Dollars and Sixty-Five Cents (\$3,492.65) be approved.  
(Councilors Curtis & Willett)  
(6 Yes) (0 No)

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Moved and Seconded - That the second reading of the proposed amendment be waived. (Councilors Swan & Ruff) (6 Yes) (0 No)

Moved and Seconded - That we amend the amendment to the Motion: Section 409, Subsection D, Number 4. Mining or excavation in excess of 10 cubic yards other than excavation for permitted uses or approved special exceptions and within public rights of way.

Also, Section 415, Subsection D, Number 4. Mining or excavation in excess of 10 cubic yards other than excavation for permitted uses or approved special exceptions and within public rights of way

(Councilors Ruff & Swan) (6 Yes) (0 No)

Moved and Seconded - That we waive the second reading.  
(Councilors Swan & Willett) (6 Yes) (0 No)

Moved and Seconded - That the following amendments as recommended by the Planning Board be made to the Proposed Amendment to the Zoning Ordinance to Create a Rural Residential III Zone for Protection of Aquifer Recharge Areas:

Section 402. Rural Residential District I 'RR-I'

- Subsection B. Permitted Uses
1. Single family dwelling
  2. Two-family dwelling
  3. Mobile home
  4. General agriculture
  5. Animal husbandry and animal feedlots
  6. Home occuration
  7. Accessory uses and structure
  8. Municipal uses
  9. Timber harvesting
  10. Open space

- Continued -

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Section 404. Medium Density Residential District I 'MDR-I'

Subsection C. Special Excerptions

1. Multiple family dwelling
2. Motel
3. Planned Unit development (subject to provisions of Article V, Section 504)
4. Commercial recreation, outdoor
5. Construction services
6. Public utilities
7. Business and professional office
8. Accessory uses and structures
9. Hospital
10. Nursing home
11. Church
12. School
13. Cemeteries
14. Private assembly
15. Family restaurant
16. Retail trade
17. Animal husbandry and animal feedlots

Section 409. Resource Protection District 'RP'

Subsection D. Prohibited Activities (not to imply that such activities are permitted elsewhere)

1. Disposal of solid wastes (except brush and stumps), leachable wastes (except subsurface disposal of domestic sewage) and sludge.
2. Storage of petroleum or gasoline, except for use on the parcel where storage occurs, as a fuel or where such storage of petroleum products is exclusively for fuel in agricultural operations.
3. Storage of leachable wastes or solid wastes.
4. Mining or excavation in excess of 10 cubic yards other than excavation for permitted uses or approved special exceptions and public rights of way.
5. Spraying of pesticides and herbicides, or application of de-icing chemicals except sand with a salt content of no more than 10 percent can be used on public rights of way.
6. Animal feedlots.

- Continued -

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Section 415. Rural Residential III "RR III"

- Subsection C. Special Exceptions
1. Commercial recreation, outdoor
  2. Public utilities
  3. Camp Grounds
  4. Church
  5. School
  - ~~6/ 6. Cemeteries~~
  - 7/ 6. Animal Husbandry
  - ~~8/ 7. Private assembly~~

Subsection D. Prohibited Activities (not to imply that such activities are permitted elsewhere)

1. Disposal of solid wastes (except brush and stumps), leachable wastes (except subsurface disposal of domestic sewage) and sludge.
2. Storage of petroleum or gasoline except for use on the parcel where storage occurs as a fuel or where such storage of petroleum products is exclusively for fuel in agricultural operations.
3. Storage of leachable wastes or solid wastes.
4. Mining or excavation in excess of 10 cubic yards other than excavation for permitted uses or approved special exceptions and public rights of way.
5. Spraying of pesticides and herbicides, or application of de-icing chemicals except sand with a salt content of no more than 10 percent can be used on public rights of way.
6. Animal feedlots.

(Councilors Swan & Curtis) (6 Yes) (0 No)

ITEM #20-80

The Town of Freeport Hereby Ordains -  
That the Proposed Amendment to the  
Zoning Ordinance to Create a Rural  
Residential III Zone for Protection  
of Aquifer Recharge Areas as introduced  
on January 15, 1980 and submitted to  
Public Hearing on February 5, 1980  
be adopted.

(Councilors Swan & Curtis) (6 Yes)  
(0 No)

Moved and Seconded - That the Proposed Amendment to the Zoning Ordinance to Establish a Site Plan Review be amended as follows:

Section 603. Site Review, Subsection B.3.

(Deleted in its entirety.)

The Planning Board may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for any professional review of the site plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. This escrow payment shall be made before the Board engages any outside party to undertake this review and to make recommendations to the Board. Any part of this escrow payment in excess of the final costs for the review shall be returned to the owner or his agent.

(Councilors Swan & Curtis) (6 Yes) (0 No)

ITEM #21-80

The Town of Freeport Hereby Ordains -  
That the Proposed Amendment to the Zoning Ordinance to Establish a Site Plan Review as introduced on January 15, 1980 and submitted to Public Hearing on February 5, 1980 be adopted.

(Councilors Swan & Curtis) (6 Yes)  
(0 No)

Town Manager Benway is to draft a letter to Robert Stevens, Chairman of the Planning Board, regarding two (2) points brought out by David Williams.

Town Manager read a letter from David Williams regarding the Tax Limitation Proposal.



COUNCIL MEETING #4-20  
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Moved and Seconded - That the Council move to Executive Session  
with the Town Attorney, Paul Frinsko, to discuss personnel matters.  
(Councilors Swan & Ruff) (6 Yes) (0 No)

Moved and Seconded - That the Council reconvene. (Councilors  
Swan & Pushard) (6 Yes) (0 No)

Councilor Ruff is excused at 11:05 P.M.

Moved and Seconded - That the Council adjourn at 11:10 P.M.  
(Councilors Swan & Willett) (6 Yes) (0 No)

The foregoing was recorded by:

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

Distribution: Council, Town Attorney, Auditor, Bookkeeper,  
Town Clerk, Police, Highway, Library, Codes  
Enforcement Ofcr, Development Coordinator,  
Rescue, Supt. of Schools, Welfare Director