

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #3-89
FREEPORT TOWN HALL COUNCIL CHAMBERS
FEBRUARY 7, 1989 7:36 P.M.

☒ Regular

☐ Special

Chairman's Call to Order

John A Nelson, Chairman, Church Street	<u>X</u>
Robert Stevens, Vice-Chairman, Porters Landing	<u>X</u>
William Grady, Elm Street Extension	<u>X</u>
Kirk Goddard, Mast Landing Road	<u>X</u>
John Paterson, Flying Point Road	<u>X</u>
Edward Campbell, Gay Drive	<u>X</u>
Edward Bradley, Flying Point Road	<u>X</u>

Moved and Seconded - To waive the reading of the
Minutes of Meeting #2-89 held January 17, 1989,
and accept the Minutes as printed.
(Councilors Goddard & Grady) (4 Ayes) (0 Nays)

For the record, Councilor Paterson is in attendance
at 7:37 P.M.

ITEM #15-89

Be It Ordered - That Town Council Agenda Item #246-88, approved on December 20, 1988, be amended as follows:

- 1) Dispatchers pay be increased from 5% to 8% for 1989, and
- 2) The Town will contribute the following amounts towards Medical Insurance:

	<u>Single Plan</u>	<u>Family Plan</u>	<u>Employee/Dependent</u>
1989	\$ 93.10	\$208.81	\$151.89
★ 1990	113.66	★ 363.56	★ 184.64
(Councilors Grady & Goddard) (5 Ayes) (0 Nays)			

For the record, Councilor Bradley is present at 7:40 P.M.

ITEM #16-89

FREEPORT ICMA RETIREMENT PLAN

WHEREAS, The Employer has employees rendering valuable services; and

WHEREAS, The establishment of a Money Purchase Retirement Plan benefits employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

WHEREAS, The Employer desires that its Money Purchase Retirement Plan be administered by the ICMA Retirement Corporation, and that the funds held under such plan be invested in the ICMA Retirement Trust, a Trust established by public employers for the collective investment of funds held under their money purchase retirement plans and deferred compensation plans;

NOW, THEREFORE, BE IT RESOLVED, That the Employer, unless it has already done so, hereby establishes a Money Purchase Retirement Plan in the form of:

The ICMA Retirement Corporation -
Prototype Money Purchase Retirement Plan and Trust,
pursuant to the specific provisions of the Adoption Agreement.

The Plan and Trust adopted by the Employer shall be maintained for the exclusive benefit of eligible employees and their beneficiaries; and

BE IT FURTHER RESOLVED, That the Employer hereby executes the Declaration of Trust of the ICMA Retirement Trust, attached hereto; and

BE IT FURTHER RESOLVED, That the Employer, unless it has already done so, hereby agrees to serve as Trustee under the Money Purchase Retirement Plan and to invest all funds held under such Plan in the ICMA Retirement Trust; and

BE IT FURTHER RESOLVED, That the Town Treasurer shall be the coordinator for this program and shall receive necessary reports, notices, etc., from the ICMA Retirement Corporation or the ICMA Retirement Trust, and shall cast, on behalf of the Employer, any required votes under the program. Administrative duties to carry out the program may be assigned to the appropriate departments.
(Councilors Paterson & Grady) (7 Ayes) (0 Nays)

For the record, Councilor Stevens is in attendance at 7:44 P.M.

Moved and Seconded - That the date be effective March 1, 1989.*
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

ITEM #17-89 Be It Ordered - That Robert Stevens be appointed, effective immediately* to serve as a member of the Windlow Park Commission until March 1, 1992, as amended.*
Be It Further Ordered - That Mr. Stevens qualify by swearing an oath of office before the Town Clerk by February 17, 1989.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

ITEM #18-89 Be It Ordered - That Carol T. Burrall be appointed, effective March 1, 1989, to serve as a member of the Winslow Park Commission until March 1, 1992.
Be It Further Ordered - That Ms. Burrall qualify by swearing an oath of office before the Town Clerk by February 17, 1989.
(Councilors Campbell & Stevens) (7 Ayes) (0 Nays)

Councilor Campbell pointed out an article in the Yarmouth Shopping Notes which noted there was a 6% increase in our budget; people reading the article assumed we had already approved the budget, however, this is not true; it was just a figure being tossed out and Mr. Campbell wished to make this point on record.

Other Business:

1. Fire Company request to host the 1990 Annual Maine State Federation of Fire Fighters Convention. Consensus of the Council was they approve the request as set forth in the letter from the Fire Company to the Council dated January 12, 1989. Motion to accept was made by Councilor Bradley and seconded by Councilor Stevens.
2. Land Funding Drive. Chairman Nelson explained there was a proposal to purchase Hedgehog Mountain and if there was a fund drive, will the Council allow him to accept donations? Council will wait to see what happens in the next few weeks as contacts by Councilor Nelson are made with various groups.

3. Update on the BiCentennial Committee: Town Manager Olmstead stated Sally Peabody is Chairman; the group has met 4 times; a week long calendar of events is being scheduled for September 16 thru 24; they are in the process of selecting an Honorary Chairman; there will be a "kick-off" celebration on February 14 which is the official date of Freeport's incorporation. Town Manager asked the Council: 1) would they consider having the 4th of July fireworks switched to the September celebration? 2) the Committee would like an account set up through the Town - would this be permissible? 3) would the Town be willing to provide funds to pay a "coordinator"? - roughly around \$5,000.00?
 - 1) There was much discussion on eliminating the 4th of July fireworks and Council wished to get public input before making a final decision on the change.
 - 2) Council wished the Committee to set up their own banking but they would provide an agent through the town to help coordinate.
 - 3) Council felt that some monies could be set aside for the coordinator and the Committee should fund the remainder.
4. Contract dispute with Wengren Associates. Some officials were uncomfortable with the fact that Mr. Wengren brought his attorney to the meeting and that the Town should also have equal representation with their attorney - Council was assured Mr. Wengren's attorney was not acting in a legal manner and would not speak at the meeting. Hugh Phelps, Chairman of the Grove Street Municipal Building Committee, gave an update on the \$12,700.00 amount in dispute; the Building Committee suggested a compromise of paying half the amount - they did agree there was blame on both sides. Mr. Wengren stated he had actually put in \$25,000 extra time and services and he had only charged the Town roughly \$12,000. Council agreed to accept a compromise and pay Mr. Wengren \$7,000.00.

Moved and Seconded - To introduce an item not on the printed Agenda.
(Councilor Paterson & Campbell) (7 Ayes) (0 Nays)

ITEM #19-89 Be It Ordered - To transfer \$7,000.00 from the Miscellaneous and Contingency Account and transfer into the Capital Town Hall Building Account for the purpose of paying additional architectural fees in full satisfaction of all architect's claims for fees.
(Councilors Paterson & Stevens) (5 Ayes) (2 Nays,
Councilors Campbell & Grady)

5. Chairman Nelson explained that the Town Manager and Town Planner plus himself had written up independently of each other what they perceived the responsibilities of a Comprehensive Committee should be. Some suggestions: Council should hire a consultant? Council should have input on each step of the way? Committee should consist of 6 citizens and representatives from town committees or boards?

Moved and Seconded - To introduce an item not on the printed Agenda.
(Councilor Stevens & Campbell) (7 Ayes) (0 Nays)

ITEM #20-89 Be It Ordered - That a Public Hearing be scheduled for February 21, 1989 at 7:30 P.M. in the Council Chambers to discuss the comprehensive planning process.
(Councilors Stevens & Campbell) (7 Ayes) (0 Nays)

6. John McGivaren stated there are amendments to the Winslow Park Rules and Regulations - they will be printed in a leaflet and everyone going into the Park will be given a copy - he stated there are no major changes.
7. Councilor Campbell mentioned some citizens complaining to him about the fence that the Harrington House had put up thus preventing people from crossing over from the parking lot to and fro; Town Manager Olmstead explained that the Trustees were concerned about people damaging the lawn - this was a temporary fence - they would eventually go to the Planning Board for a permanent fence. The Council referred to a letter from Marilyn Gass citing concern for safety. The Codes Enforcement Officer, Fred Reeder, will be requested to check the legality of the fence being put up.

Moved and Seconded - That the Council enter into Executive Session to discuss the disposal of public property.
(Councilors Paterson & Campbell) (7 Ayes) (0 Nays)


Moved and Seconded - That the Council reconvene.
(Councilors Bradley & Stevens) (7 Ayes) (0 Nays)

ITEM #21-89 Be It Ordered - That the Council authorize up to \$11,000 00 be expended from the Middle School Insurance Account for appraisal and purchasing of options on properties which the Town intends to purchase.

Be It Further Ordered - That the Council Chairman be authorized to enter into Option Agreements to purchase properties for amounts not in excess of the amounts of the appraisals.
(Councilors Stevens & Goddard) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 11:26 P.M.
(Councilors Campbell & Goddard) (7 Ayes) (0 Nays)

The foregoing was recorded by:


Mary D. Wescott, Council Secretary

Dist: Council, Auditor, Attorney, Clerk, Library, Highway, Police,
Fire, Codes, Planning, Finance