

M I N U T E S
FREEPORT TOWN COUNCIL MEETING #6-89
FREEPORT TOWN HALL COUNCIL CHAMBERS
MARCH 21, 1989 7:30 P.M.

-
X Regular

-
_ Special

<u>Chairman's Call to Order</u>	Present	Absent	Excused
John A Nelson, Chairman, Church Street	<u>X</u>		
Robert Stevens, Vice-Chairman, Porters Landing		<u>X</u>	<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 #5-89 held March 7, 1989, and accept the
Minutes as printed.

(Councilors Goddard & Campbell) (4 Ayes) (0 Nays)

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

Malcolm A. Pohle, d/b/a The Freeport Country Club, Old County Road.
(Councilors Campbell & Goddard) (4 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Campbell & Goddard) (4 Ayes) (0 Nays)

ITEM #35-89 Be It Ordered - That the reapplication for a Malt and Vinous License issued to Malcolm A. Pohle, d/b/a The Freeport Country Club, Old County Road, be approved.
(Councilors Campbell & Goddard) (4 Ayes) (0 Nays)

For the record, Councilor Grady is present at 7:36 P.M.

Moved and Seconded - That the proposed Capital Improvements Plan be subject to Public Hearing: Fiscal Year 1990 thru Fiscal Year 1994.
(Councilors Paterson & Campbell) (5 Ayes) (0 Nays)

For the record, Councilor Bradley is present at 7:42 P.M.

Town Manager also presented at Public Hearing the "Comparative Full Tax Mil Rates for Cumberland County Towns with Population Over 5,000" {attached}

Moved and Seconded - That the Public Hearing be closed.
(Councilors Campbell & Paterson) (6 Ayes) (0 Nays)

Moved and Seconded - That the proposed Capital Improvements Plan be tabled until April 4, 1989.
(Councilors Campbell & Paterson) (6 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be subject to Public Hearing.
(Councilors Grady & Campbell) (6 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.
(Councilors Campbell & Grady) (6 Ayes) (0 Nays)

Moved and Seconded - That the proposed amendments to the Traffic and Parking Ordinance be tabled until April 4, 1989.
(Councilors Campbell & Grady) (6 Ayes) (0 Nays)

ITEM #38-89 Be It Ordered - That \$2,092.99 be expended from the Dr. Gould Trust Fund to provide assistance to eleven (11) recipients who have applied and qualified for these funds.
(Councilors Goddard & Grady) (6 Ayes) (0 Nays)

ITEM #39-89 Be It Ordered - That Bobbie Peters be appointed, effective April 1, 1989, to serve as a member of the Coastal Waters Commission until April 1, 1992.

Be It Further Ordered - That Ms. Peters qualify by swearing an oath of office before the Town Clerk by March 31, 1989.
(Councilors Campbell & Goddard) (6 Ayes) (0 Nays)

ITEM #40-89 Be It Ordered That James F. Landmann be appointed, effective April 1, 1989, to serve as a member of the Coastal Waters Commission until April 1, 1992.

Be It Further Ordered - That Mr. Landmann qualify by swearing an oath of office before the Town Clerk by March 31, 1989.
(Councilors Goddard & Grady) (6 Ayes) (0 Nays)

ITEM #41-89 Be It Ordered - That W. Scott Fox be reappointed, effective April 1, 1989, to serve as a member of the Library Board of Trustees until April 1, 1992.

Be It Further Ordered - That Mr. Fox qualify by swearing an oath of office before the Town Clerk by March 31, 1989.
(Councilors Campbell & Goddard) (6 Ayes) (0 Nays)

ITEM #42-89 Be It Ordered - That John Shepard be appointed, effective immediately, to serve as a member of the Library Board of Trustees until April 1, 1992.

Be It Further Ordered - That Mr. Shepard qualify by swearing an oath of office before the Town Clerk by March 31, 1989.
(Councilors Goddard & Paterson) (6 Ayes) (0 Nays)

ITEM #43-89 Be It Ordered - That Thomas H. Marstaller be appointed, effective immediately, to serve as a member of the Planning Board until May 1, 1990.

Be It Further Ordered - That Mr. Marstaller qualify by swearing an oath of office before the Town Clerk by March 31, 1989.
(Councilors Campbell & Goddard) (6 Ayes) (0 Nays)

ITEM #44-89 RESOLUTION CONCERNING SOLID WASTE LEGISLATION

WHEREAS, Governor McKernan has circulated a summary of proposed solid waste management legislation; and

WHEREAS, The proposed legislation establishes a solid waste authority and solid waste management districts by county with the responsibility for construction and operation of waste management facilities including the exercise of the power of eminent domain and development of regulations regarding waste management facilities in the district; and

WHEREAS, Regional Waste Systems, Inc. (RWS) is a non-profit, quasi-public corporation composed of twenty (20) municipalities which entered into an interlocal agreement and waste handling contracts for the management of solid waste in their communities; and

WHEREAS, RWS has managed solid waste disposal on a regional basis for the past twelve (12) years; and

WHEREAS, RWS issued 20-year revenue obligation securities in the sum of \$85,000,000.00 for the planning, design and construction of a resource recovery facility which became fully operational in September 1988; and

WHEREAS, The Town of Freeport and other member municipalities of RWS have entered into agreements for handling of waste, operation of the facility and payment of the debt service on the bonds in reliance upon existing statutory provisions; and

WHEREAS, The proposed legislation would create waste districts which are not consistent with the regional organization of RWS and would impose restrictions on RWS that may infringe upon management and operation by RWS of its solid waste facilities, and may jeopardize the financing of the RWS facility and may subject RWS and its member municipalities to unnecessary and unreasonable regulation and additional costs,

THEREFORE, BE IT RESOLVED THAT:

- 1) The Town of Freeport is opposed to proposed solid waste management legislation which would result in an unreasonable threat to the orderly and long-term operation of the solid waste facilities owned by RWS.
- 2) The Town of Freeport is opposed to proposed solid waste management legislation which would unduly affect and otherwise unreasonably jeopardize existing financing for existing RWS regional solid waste facilities.
- 3) The Town of Freeport is opposed to proposed solid waste management legislation which would result in unreasonable restrictions on use of its facilities or otherwise unduly infringe upon operation and management by RWS of its existing solid waste facilities.

(Councilors Bradley & Campbell) (6 Ayes) (0 Nays)

Moved and Seconded - To amend Item #29-89 by adopting the seven (7) amendments as follows: *

- *1) Number 2 - Reword as follows: "The Park will open Memorial Weekend through the last weekend of September."
- *2) Number 3 - Reword as follows: "The Park will be open from 9:00 A.M. to 9:00 P.M. Memorial Weekend through June and the month of September through the last weekend. The Park will be open from 8:00 A.M. to 10:30 P.M. the months of July and August."
- *3) Number 4 - Add to the proposed language the following:
"No pets on the beach. Pet owners are required to clean up after their pets."
- *4) Number 6 - Delete the "number 10" in the second line.
- *5) Number 17 -Delete the "number 15" and add the "number 13" in the second line.
- *6) Number 21 -Delete all language except that which is underlined.
- *7) Number 30 -Add the words "clamming and worming" after the word "skiing" in the first line, and add the following at the end of the sentence: "Not allowed in the beach area from the boat launch ramp to the next point of land, north and east."

(Councilors Paterson & Campbell) (6 Ayes) (0 Nays)

ITEM #29-89 Be It Ordered - That the proposed amendments to the Rules for Winslow Park, as submitted to Public Hearing on March 7, 1989, be approved, as amended.*
(Councilors Paterson & Bradley) (6 Ayes) (0 Nays)

Moved and Seconded - To introduce an item not on the printed Agenda.
(Councilors Grady & Goddard) (6 Ayes) (0 Nays)

ITEM #45-89 Be It Ordered - That the Town Manager be authorized to issue a letter on behalf of the Town Council indicating support for a 205 J. Water Quality Application for approximately \$11,430.00 to continue the study of the effects of wastewater drainage on the Harraseeket River Estuary.
(Councilors Campbell & Paterson) (6 Ayes)(0 Nays)

Other Business:

1. Chairman Nelson referred to the Minutes of the Sewer Trustees and was concerned that they are moving rapidly as far as expanding sewer lines in the Town; Mr. Nelson would like the Town Council to intervene so that their planning process would slow down - he felt they should be working in conjunction with the Comprehensive Plan; Council decided to invite Sewer District Trustees to a workshop along with members of the Conservation Commission, Planning Board, and possibly Rep. James Mitchell and Senator Nancy Clark to discuss issues.
2. Councilor Bradley mentioned holding a workshop on land use in the future - he had had the opportunity to lobby against an anti spending cap.

3. Councilor Goddard mentioned he is holding a District 2 meeting with constituents at 7:30 P.M. in the Town Hall Council Chambers.
4. Town Clerk, Mary Wescott, announced she had presented the Boston Post Cane to Ralph Kinney at the Freeport Nursing Home honoring him as Freeport's Senior Citizen at his 100 years young birthday.

Moved and Seconded - That the Council adjourn at 12:07 Midnight.
(Councilors Bradley & Campbell) (6 Ayes) (0 Nays)

The foregoing was recorded by:

Mary P. Wescott
Mary P. Wescott, Council Secretary

Distribution: Council, Auditor, Attorney, Clerk, Library, Police,
Codes, Highway, Planner, Fire, Welfare, Assessor,
Finance, Rescue