

M I N U T E S    O F  
FREEPORT TOWN COUNCIL MEETING #12-89  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
MAY 16, 1989                      7:30    P.M.

☐ 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>		
William Grady, Elm St. Extension	<u>X</u>		
Kirk Goddard, Mast Landing	<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 #11-89 held May 2, 1989, and  
accept the Minutes as printed.  
(Councilors Stevens & Paterson) (6 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn and the Licensing Board convene.

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

<u>Roll Call of Members</u>	Present	Absent	Excused
John A Nelson	X		
Robert Stevens	X		
William Grady		X	X
Edward Bradley	X		
Kirk Goddard	X		
John Paterson	X		
Edward Campbell	X		
Mary Wescott	X		
Dale Olmstead	X		

Moved and Seconded - That the following applications for Victualer Licenses be subject to Public Hearing:

Dorothy Arndt, Depot Street Caboose, Depot Street (Peddler)  
Alan&Loretta Bradley, Capt. Josiah Mitchell House, 188 Main St.  
Victor Keith, No. Freeport General Store, Wardtown Road  
Gerald Clements, Sam's, 7 Main Street  
David&John Coffin, Harraseeket Lunch, So. Freeport Wharf  
Edward Collett, Red Wheel Antiques, U.S. Route #1  
John&Marie Cookson, Cookie's, 15 South Street  
Lewis & Jacki Corliss, The Village Inn, 186 Main Street  
Lewis&Jacki Corliss, Lewey's Lunch, Mallett Drive (Peddler)  
Carolyn Dobson, Desert Dunes of Maine, Desert Road  
Michael Doherty, Mainely Hotdogs, Main Street (Peddler)  
Melitta Freese, Guten Appetit, Flying Point Road  
James&Glynrose Friedlander, Isaac Randall House, Independence Dr.  
Teri Goble, McDonald's, 155 Main Street  
Nancy Gray, Harraseeket Inn, 162 Main Street  
Ann Heimann, Deering Too, 96 Main Street  
Anna Johnson, The Crabby Lobster, 10 School Street  
Charles Keegan, Freeport Inn & Cafe, U.S. Route #1  
John&Susan Lewis, The Blue Onion, Lwr Main & Varney Streets  
Jean Macleod, Ocean Farms of Maine, 23 Main Street  
Richard Marino, The Lobster Cooker, 39 Main Street  
John&Karen Nappi, Bow Street Market, 79 Bow Street  
Malcolm Pohle, Freeport Country Club, Old County Road  
Elaine Polakewich, Maggie's, U.S. Route 1 & Desert Road  
Robert Pottle, Cindy's Fish & Fries, U.S. Route #1  
William Pushard, Porky's Place, Main Street Peddler  
William Pushard, Porky's Place, Morse Street Peddler  
William Pushard, Porky's Place, Bow Street Peddler  
Gaila Ring, Atlantic Seal Cruises Catering, Main St., S.F.  
Gaila Ring, Atlantic Seal Cruises Bed & Breakfast, Main St., S.F.  
Alan&Vera Rogers, Florida Lake, Wardtown Road  
Ralph Routhier, Holbrook Inn, 7 Holbrook Street  
Rita Schaedler, Schaedler's Homestead, Flying Point Road  
Leonard Shean, Mom N Pops Store, Main Street, S.F.  
Richard Sickels, Freeport Mobil, 57 Main Street

(continued next page)

Victualer Licenses continued -

Vaughn & Aletra Stairs, D's Mini Golf, Baker Road  
Paul Stenzel, Sebastian's, 15 Independence Drive  
John Stiles, Jameson Tavern, 115 Main Street  
Sherry Thacker, Arby's Roast Beef, 123 Main Street  
Elizabeth Turner, The Cookie Lady, 2 Depot Street  
Richard Wagner, Derosier's Market, 120 Main Street  
James Williamson & John McGivaren, McWill's So. Specialties, Main St. Peddler  
James Willey, Double L Manufacturing, LL Bean Double L Street  
James Willey, The Beanery, LL Bean Casco Street  
(Members Wescott & Campbell) (8 Yes) (0 No)

Moved and Seconded - That the Public Hearing be closed.  
(Members Goddard & Stevens) (8 Yes) (0 No)

ITEM #71-89                      Be It Ordered - That the above named  
                                 applications for Victualer Licenses  
                                 be approved.  
                                 (Members Goddard & Stevens) (8 Yes) (0 No)

For the record, Councilor Grady is in attendance at 7:45 P.M.

Moved and Seconded - That the Licensing Board adjourn and the  
Council reconvene.  
(Members Goddard & Stevens) (9 Yes) (0 No)

-----  
Moved and Seconded - That the following applications for Special  
Amusement Permits for Dancing and Entertainment be tabled until  
June 6, 1989.  
(Councilors Bradley & Stevens) (7 Ayes) (0 Nays)

-----  
Moved and Seconded - That the following reapplication for a Malt,  
Spirituos & Vinous License be subject to Public Hearing:  
John L Stiles & Richard A Grotton, d/b/a The Jameson Tavern,  
115 Main Street.  
(Councilors Bradley & Campbell) (7 Ayes) (0 Nays)

Moved and Seconded - That the Public Hearing be closed.  
(Councilors Bradley & Campbell) (7 Ayes) (0 Nays)

ITEM #73-89                      Be It Ordered - That the reapplication for a  
                                 Malt, Spirituous & Vinous License issued to  
                                 the above named applicant be approved.  
                                 (Councilors Bradley & Stevens)  
                                 (6 Ayes) (1 Abstain, Councilor Paterson)

-----  
Moved and Seconded - That Item #74-89 - action relative to proposed  
amendments to the Peddler's Ordinance - be tabled indefinitely.  
(Councilors Goddard & Paterson) (7 Ayes) (0 Nays)  
-----

ITEM #75-89

Be It Ordered - That a Public Hearing be scheduled for June 6, 1989 at 7:30 P.M. in the Town Hall Council Chambers to discuss a proposed Automobile Graveyards and Junkyards Ordinance.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H.Bartol Library for inspection by citizens.  
(Councilors Stevens & Goddard) (7 Ayes) (0 Nays)

---

ITEM #76-89

Be It Ordered - That a Public Hearing be scheduled for June 6, 1989 at 7:30 P.M. in the Town Hall Council Chambers to discuss a proposed Sidewalk Maintenance Ordinance.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H.Bartol Library for inspection by citizens.  
(Councilors Paterson & Stevens) (7 Ayes) (0 Nays)

---

ITEM #77-89

Be It Ordered - That a Public Hearing be scheduled for May 30, 1989 at 7:30 P.M. in the Town Hall Council Chambers to discuss the proposed Fiscal Year 1990 Municipal and School Operating Budgets and to discuss potential increases in existing fees and the implementation of new fees which could raise an estimated \$78,000.00 in new revenues.

Be It Further Ordered - That 30 copies be made and distributed equally between the Town Clerk's Office and the B.H.Bartol Library for inspection by citizens.  
(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

---

Moved and Seconded - To table Item #78-89 - action relative to an Agreement between the Town of Freeport and S.D. Warren Company for utilization of manufactured soil on Freeport's Landfill Closure Project - until June 6, 1989.

(Councilors Campbell & Paterson) (7 Ayes) (0 Nays)

---

ITEM #79-89

Be It Ordered - That the Town Manager be authorized to sign and execute an Agreement between the Town of Freeport and T.Y. Lin International/Hunter-Ballew Associates to provide for a Traffic Review of Proposed Developments in Freeport.

(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

---

ITEM #80-89

Be It Ordered - That the Town Manager be authorized to issue a Quit Claim Deed releasing any interest of the Town of Freeport for the following property for Tax Year 1972:

Town of Freeport Tax Map 17 Lot 33C

To: Linda J. Giggey.

This property is located on Route #125.

(Councilors Paterson & Campbell)

(7 Ayes) (0 Nays)

-----  
ITEM #81-89

Be It Ordered - That the Freeport Town Council authorize the Superintendent of Schools to sign, on behalf of the Town of Freeport, two purchase and sales agreements necessary to proceed with the Upper Elementary School Construction Project, specifically: A Purchase and Sales Agreement with John White and a Purchase and Sales Agreement with Alvah E. Holbrook.

(Councilors Grady & Goddard) (7 Ayes) (0 Nays)

-----  
ITEM #82-89

Be It Ordered - That the Freeport Town Council hereby agrees to allocate to the control of the Freeport School Department Five Acres Plus from a parcel of land now owned by the Town of Freeport and described in Cumberland County Registry of Deeds Book 8072, Page 38, for use as a Playground in conjunction with the Upper Elementary School Construction Project.

(Councilors Paterson & Bradley) (7 Ayes) (0 Nays)

-----  
ITEM #83-89

Be It Ordered - That the Town Clerk's appointment of John M.R. Paterson as the Warden for the May 25, 1989 Special Municipal Election be confirmed.

(Councilors Campbell & Stevens) (7 Ayes) (0 Nays)

-----  
ITEM #65-89

Be It Ordered - That the proposed Appropriation Ordinance for \$37,500.00 to provide for the Design Phase of the Elementary School Project, as submitted to Public Hearing on May 2, 1989, be approved.

(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - Under Article II Definitions, to table only the consideration of the term "Resident" until the next regular meeting on June 6, 1989.

(Councilors Paterson & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - To amend Item #66-89 as follows:

Under Article VI "Town Wharfs and Floats" - new language:

"Provided, however, that the boat designated by the Bustins Island Village Corporation as its passenger ferry shall be excluded from the requirements of being attended and the time limitations set forth herein."\*amended(1)

And add at the end of Section 4-A the following:

"without permission of the Harbormaster."\*amended(2)

(Councilors Stevens & Paterson) (6 Ayes) (1 Nay, Councilor Campbell)

Moved and Seconded - To amend Item #66-89 as follows:

Under Article VI "Town Wharfs and Floats" - Section 4-A -

"A Berthing zone is hereby established from the Southwest Face of the existing Town Float System which is thirteen (13) feet from the face of the Town Floats for the length of the existing Town Floats. Boats may berth along the Southwest Face of the Town Float System only within the Berthing Zone and not outside of it. No boat shall berth in the Berthing Zone for more than thirty (30) minutes out of each sixty (60) minute period. All boats berthed on the Southwest Face of the Town Floats shall be attended meaning that a person capable of operating the boat shall either be on the boat or on or in the immediate vicinity of the Town Wharf and Float System. Any boat berthed in the Berthing Zone shall, upon request of the Harbormaster, be moved to facilitate navigation to and from abutting property. Provided, however, that boats primarily providing scheduled public transportation from the Town Floats to islands within the Town of Freeport shall be excluded from the requirements of being attended and the time limitations set forth herein.\*amended(1). No vessels shall be berthed on the Southwest face of the Town Wharf in the area between the bulkhead and the end of the Town Wharf,\*amended(2).

(Councilors Stevens & Goddard) (6 Ayes) (1 Nay, Councilor Campbell)

ITEM #66-89

Be It Ordered - That the proposed amendments to the Coastal Waters Ordinance, as submitted to Public Hearing on May 2, 1989, be approved, as amended\*.

(Councilors Stevens & Goddard) (6 Ayes)

(1 Nay, Councilor Campbell)

---

Moved and Seconded - To change the amount to \$295,000.00.\*  
(Councilors Nelson & Paterson) (6 Ayes) (1 Nay, Councilor Campbell)

ITEM #68-89

Be It Ordered - That the following proposed Appropriation Ordinance for up to \$300,000.00\* (amended) be submitted to the Voters of the Town of Freeport at the Municipal Election on November 7, 1989.

Be It Further Ordered - That a Public Hearing be scheduled for June 6, 1989 at 7:30 P.M. in the Town Hall Council Chambers to accept public comment on the proposed Appropriation Ordinance.

THE TOWN OF FREEPORT HEREBY ORDAINS - That a sum not to exceed \$300,000.00\*(amended) is hereby appropriated for the purpose of purchasing property listed on the Town of Freeport Property Map 22, Lot 68, known as the Hedgehog Mountain Property. To meet said appropriation, the Chairman of the Town Council and the Town Treasurer are authorized to issue general obligation securities of the Town of Freeport in a total principal amount not to exceed \$300,000.00\* and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms, and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairman of the Town Council and the Town Treasurer, as amended.\*  
(Councilors Paterson & Stevens) (4 Ayes)  
(3 Nays, Councilors Goddard, Campbell & Bradley)

-----  
Other Business:

1. Chairman William Grady gave a report of the Traffic and Parking Committee; councilors were shown a detailed plan of striping and crosswalks - the focus is on improving pedestrian flow.
  2. Councilor Stevens stated that Winslow Park Committee will be holding a Public Hearing on a proposed 5 year master plan for the Park; they wish to solicit advice and suggestions from the residents; the hearing is scheduled Monday June 19 at 6:30 P.M. at Winslow Park.
  3. Councilor Bradley stated he had received many phone calls regarding the address changes.
-

Moved and Seconded - That the Council enter into Executive Session to discuss the potential acquisition of property and to discuss litigation.

(Councilors Campbell & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That the Council reconvene.

(Councilors Campbell & Goddard) (7 Ayes) (0 Nays)

ITEM #84-89

Be It Ordered - To authorize the Town Manager to execute and deliver two options for the purchase of property to construct a new Public Works/Public Safety Complex with:

Option One: Geraldine Hagar for 4 acres -  
Map 22 Lot 26 - for the sum of  
\$50,000.00

Option Two: Bernard Smith for 7 acres -  
Map 22 Lot 30 - for the sum of  
\$90,000.00.

(Councilors Campbell & Paterson) (7 Ayes) (0 Nays)

-----  
Moved and Seconded - That the Council adjourn at 12:06 A.M.

(Councilors Campbell & Stevens) (7 Ayes) (0 Nays)

The foregoing was recorded by:

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

Distribution: Council, Attorney, Auditor, Clerk, Library, Police,  
Highway, Fire, Codes, Assessor, Supt. of Schools,  
Finance, Planner