

M I N U T E S
FREEPORT TOWN COUNCIL MEETING #24-89
FREEPORT TOWN HALL COUNCIL CHAMBERS
OCTOBER 3, 1989 7:30 P.M.

X Regular

 Special

<u>Chairman's Call to Order</u>	Present	Absent	Excused
John A Nelson, Chairman, Church Street	X		
Robert Stevens, Vice-Chairman, Porters Landing	X		
William Grady, Elm Street Extension	X		
Kirk Goddard, Mast Landing	X		
John Paterson, Flying Point	X		
Edward Campbell, Gay Drive	X		
Edward Bradley, Flying Point	X		

Moved and Seconded - To waive the reading of the Minutes
Of Meeting #23-89 held September 26, 1989, and accept the
Minutes as printed.

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

Moved and Seconded - That the proposed Amendment to the Charter of the Charter of the Town of Freeport (Article VI, Section 6.12) calling for A Limitation on Annual Increase in Expenditures be subject to Public Hearing.

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

Moved and Seconded - That the Public Hearing be closed.

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

ITEM #182-89

Be It Ordered - That the following question shall be placed on the Ballot of the next regular Municipal Election to be held November 7, 1989:

SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT REPRINTED BELOW?

AMEND ARTICLE VI OF THE CHARTER OF THE TOWN OF FREEPORT BY ENACTING A NEW SECTION 6.12, AS FOLLOWS:

6.12 LIMITATION ON ANNUAL INCREASE IN EXPENDITURES

Current fiscal year municipal expenditures shall not exceed the previous fiscal year's municipal expenditures by more than five percent (5%), and current fiscal year's education expenditures shall not exceed the previous fiscal year's education expenditures by more than five percent (5%); provided that, notwithstanding any other Charter provision, the Voters may elect to exceed this five percent (5%) limit on the municipal expenditures or the five percent (5%) limit on education expenditures for any specific fiscal year, by favorable vote of a majority voting thereon at a referendum held during the regular Municipal Election in November. The referendum shall state the specific dollar amount by which the five percent (5%) limit may be exceeded, and shall specify the purpose for the increase. Such increase shall not be considered when calculating the five percent (5%) limit in proposed expenditures for any subsequent fiscal year.

This five percent (5%) limit shall not apply to the following expenditures:

- (1) Debt Service approved by the Voters by referendum.
- (2) Bustins Island.
- (3) Human Services Agencies.
- (4) Emergency appropriations made pursuant to Section 6.08(b).
- (5) County Tax.
- (6) Grants for which there is no obligation or requirement for future expenditures on the part of the Town.

EXPLANATION: The proposed Amendment would generally require prior referendum approval by the Voters, at the regular November Election only, before either Municipal or School expenditures could be increased by more than 5% over the prior fiscal year.

Be It Further Ordered - That at least two weeks prior to the November 7, 1989 Municipal Election, the Town Clerk shall have the proposed Charter Amendment printed, make copies available to the Voters in the Town Clerk's Office, and post and publish the proposed Charter Amendment in the same manner that proposed ordinances are posted and published.

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

ITEM #183-89 Be It Ordered - That the Town Clerk's appointment of John A Nelson as Warden for the November 7, 1989 Election be confirmed.
(Councilors Goddard & Grady) (7 Ayes) (0 Nays)

ITEM #184-89 Be It Ordered - That five (5) parking spaces in the Municipal Parking Lot located at Howard Place be assigned to Freeport Associates, 30 Main Street, Freeport, Maine, to compensate for spaces lost during the construction of Old Main Street.
(Councilors Stevens & Campbell) (7 Ayes) (0 Nays)

ITEM #185-89 Be It Ordered - That the Town accept \$26,215.00 from the State of Maine Department of Economic and Community Development for the State's share for the Comprehensive Plan.

Be It Further Ordered - That the Chairman of the Council be authorized to sign the Contract for the Comprehensive Planning Grant.

Be It Further Ordered - That Dale Olmstead or Jacqueline Cohen be authorized to sign requests for payments for Comprehensive Planning Grant Funds on behalf of the Town of Freeport.
(Councilors Campbell & Stevens) (7 Ayes) (0 Nays)

Moved and Seconded - That Item #170-89 (Action relative to correcting a drainage problem on Cushing Briggs Road) be tabled indefinitely.
(Councilors Goddard & Campbell) (7 Ayes) (0 Nays)

Other Business:

1. Fire Chief Fournier reported that \$7,700.00 had been received by the Town of Freeport on Major Disaster Funds and was making a request to utilize \$2,995.00 toward a Fire Inspection Program, a Training Program and a Final Fire Apparatus Program. After much discussion, Council decided to put the monies into a general revenue account for it to draw interest and this will be handled through the budget process.
2. Chairman Nelson mentioned the memo from Ben & Jerry's and their request for their own light pole; it was decided that Central Maine Power and L.L. Bean would be the appropriate ones to contact, not the Town and the Planning Board should review this issue.
3. Councilor Paterson brought up the concern of whether the Town had received any money from Mr. Singh - the answer was NO. Town Manager Olmstead mentioned that the taxes had been paid on Freeport Crossing, but, Mr. Singh did owe for other Town properties. Mr. Paterson will contact Tom Kelley about this matter. There was much discussion with David Thompson from the Planning Board regarding Mr. Singh's proposed project.

continued -

Moved and Seconded - That the Council take up an item not on the printed Agenda.

(Councilors Bradley & Stevens) (5 Ayes) (2 Nays, Councilors
Goddard & Grady)

Be It Ordered - To change the parcel of land known as Freeport's Crossing - shaded in red on Town of Freeport's Zoning Map to be known as Exhibit A and identified as Map 7 Lot 1 - to return the zone from C-I to C-III, effective October 3, 1989.

Be It Further Ordered - That the proposed amendment be set for Public Hearing on October 17, 1989 at 7:30 P.M. in the Town Hall Council Chambers.

Councilor Goddard objected to the fact of accepting a financial settlement in consideration for a zone change and wished to state this for the record.

(Councilors Bradley & Paterson) (4 Ayes)
(3 Nays, Councilors Stevens, Goddard & Grady)

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4. Councilor Goddard wished an item placed on the Agenda dealing with the tax referendum question; councilors agreed and the Manager will place the item on the next agenda - October 17, 1989.
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Moved and Seconded - That the Council adjourn at 11:36 P.M.
(Councilors Grady & Stevens) (7 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary

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