

FREEPORT TOWN COUNCIL MEETING #9-90

APRIL 3, 1990 - 7:30 P.M. - COUNCIL CHAMBERS

SUMMARY AGENDA

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- ITEM #58-90 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE WINSLOW PARK COMMISSION.
- ITEM #59-90 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM THE MISCELLANEOUS AND CONTINGENCY ACCOUNT TO THE COASTAL WATERS ACCOUNT.
- ITEM #60-90 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE. (CHAPTER 34)
- ITEM #61-90 TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A GRANT AWARD TO THE TOWN OF FREEPORT FOR AN INTOXILYZER 5000 BREATH TESTING INSTRUMENT.
- ITEM #48-90 TABLED MARCH 20, 1990.  
TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE ALARM SYSTEMS ORDINANCE. (CHAPTER 14)
- ITEM #49-90 TABLED MARCH 20, 1990.  
TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE DESIGN REVIEW ORDINANCE. (CHAPTER 22)
- ITEM #50-90 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE SOLID WASTE ORDINANCE. (CHAPTER 29)  
TABLED MARCH 20, 1990.
- ITEM #51-90 TABLED MARCH 20, 1990.  
TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE COASTAL WATERS ORDINANCE. (CHAPTER 31)
- ITEM #52-90 TABLED MARCH 20, 1990.  
TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE TRAFFIC & PARKING ORDINANCE. (CHAPTER 48)
- ITEM #53-90 TABLED MARCH 20, 1990.  
TO CONSIDER ACTION RELATIVE TO THE PROPOSED CAPITAL IMPROVEMENTS PROGRAM FOR FISCAL YEARS 1991 TO 1995.

OTHER BUSINESS:

- ITEM #62-90 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.

END OF AGENDA

M I N U T E S  
FREEPORT TOWN COUNCIL MEETING #9-90  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
APRIL 3, 1990                      7:39 P.M.

X Regular

   Special

Chairman's Call to Order	Present	Absent	Excused
Robert Stevens, Chairman, Porters Landing	X		
William Grady, Vice-Chairman, Elm Street Extension	X		
Kirk Goddard, Mast Landing	X		
John Paterson, Flying Point		X	X
Edward Campbell, Gay Drive	X		
Edward Bradley, Flying Point	X		
Vaughndella Curtis, Pine Street	X		

Moved and Seconded - To waive the reading of the Minutes of Meeting #8-90 held March 20, 1990, and accept the Minutes as printed.

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

ITEM #58-90

Be It Ordered - That John A. Nelson be appointed, effective immediately, to serve as a member of the Winslow Park Commission until March 1, 1991.

Be It Further Ordered - That Mr. Nelson qualify by swearing an oath of office before the Town Clerk by April 13, 1990.

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

ITEM #59-90

Be It Ordered - That \$6,000.00 be transferred from the Fiscal Year 1990 Miscellaneous and Contingency Account to the Coastal Waters Account to provide for the Town's Matching Share of a Coastal Zone Management Grant.

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

ITEM #60-90

Be It Ordered - That a Public Hearing be scheduled for April 17, 1990 at 7:30 P.M. in the Town Hall Council Chambers to discuss proposed amendments to the Winslow Park 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 Curtis & Campbell) (6 Ayes) (0 Nays)

ITEM #61-90

Moved and Seconded - That the Grant Award from the Department of Public Safety for an Intoxilyzer 5000 Breath Testing Instrument be accepted.

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

ITEM #48-90

Be It Ordered - That the proposed amendment to the Alarm Systems Ordinance, as submitted to Public Hearing on March 20, 1990, be approved.

(Councilors Grady & Curtis) (6 Ayes) (0 Nays)

amendments }  
attached

ITEM #49-90

Be It Ordered - That the proposed amendment to the Design Review Ordinance, as submitted to Public Hearing on March 20, 1990, be approved.

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

amendments }  
attached

ITEM #50-90

Be It Ordered - That the proposed amendments to the Solid Waste Ordinance, as submitted to Public Hearing on March 20, 1990, be approved.

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

amendments }  
attached

ITEM #51-90

Be It Ordered - That the proposed amendments to the Coastal Waters Ordinance, as submitted to Public Hearing on March 20, 1990, be approved.

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

amendments }  
attached

ITEM #52-90            Be It Ordered - That the proposed amendments to the Traffic and Parking Ordinance, as submitted to Public Hearing on March 20, 1990, be approved. (Councilors Grady & Goddard) (6 Ayes) (0 Nays)

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Moved and Seconded - To amend Item #53-90 as follows:

"Be It Further Ordered - That the following items be funded for Fiscal Year 1991 up to the following amounts:" (AMENDED #1)\*  
(Councilors Grady & Goddard) (6 Ayes) (0 Nays)

Moved and Seconded - To amend Item #53-90 as follows:

Delete under "Board and Committee Requests: the Generator for Civil Defense" (AMENDED #2)\* (AMENDED #2)\*  
(Councilors Curtis & Goddard) (6 Ayes) (0 Nays)

Moved and Seconded - To amend Item #53-90 as follows:

Delete under "Education: #2. Develop the High School Practice Field" (AMENDED #3)\* (AMENDED #3)\*  
(Councilors Campbell & Curtis) (2 Ayes) (4 Nays) THE ITEM STAYS

Moved and Seconded - To amend Item #53-90 as follows:

Under "Education: Reduce the amount to reroof the Science Wing of the High School from \$48,000 to \$12,000; also, abandon the Asbestos Account and apply the money toward the reroofing of the Science Wing" (AMENDED #4)\*  
(Councilors Bradley & Campbell) (6 Ayes) (0 Nays)

ITEM #53-90            Be It Ordered - That the proposed Capital Improvements Program for Fiscal Years 1991 to 1995, as submitted to Public Hearing on March 20, 1990, be adopted, as amended.\*

Be It Further Ordered - That the following items be funded for Fiscal Year 1991: (AMENDED #1)\*

EDUCATION

- 1) Reroof Science Wing of High School (AMENDED #4)\* \$12,000
- 2) Develop High School Practice Field \$10,000

FIRE AND RESCUE

- 1) Upgrade Self-Contained Breathing Apparatus \$30,000

PUBLIC WORKS

- 1) Dump Truck Upgrade \$10,000

SOLID WASTE/RECYCLING

- 1) Local Match for Recycling Grant \$17,000

COMPREHENSIVE TOWN IMPROVEMENTS

- 1) Baker Road Reconstruction \$15,000
- 2) Flying Point Road Drainage \$ 9,000
- 3) Flying Point Road Reconstruction \$46,000
- 4) Pleasant Hill Range Road Reconstruc. \$10,000

BOARD AND COMMITTEE REQUESTS

- (AMENDED #2)\*  
(Councilors Curtis & Goddard) (5 Ayes) (1 Nay, Councilor Campbell)

*Budget  
attached*

Other Business:

1. Councilor Bradley reported that a meeting held with Councilor Curtis, Councilor Campbell and Town Manager Olmstead resulted in the following topics being discussed:
  - a) formation of a budget committee
  - b) composition of the Coastal Waters Planning groupSuggestions were made to make up the budget committee with: Town Council Member, School Committee Member, Town Manager, Supt. of Schools, Tax Cap Member, Tax Cap Opposition Member and Citizen at Large.  
Perhaps the Coastal Waters Planning Group could be made up of: Town Council Member, Coastal Waters Member, Recreational Boat Owner, Commercial Boat Owner, Commercial Land Owner, Winslow Park Member and Conservation Commission Member.
2. Town Manager Olmstead reported that due to a lack of volunteers, the Amvets could not put together a Memorial Day celebration; Councilor Bradley volunteered to get "live bodies" for the parade; anyone interested in helping out should contact Edward Hindley.
3. Ken Mann, a member of the Comprehensive Planning Committee, expressed his desire that the Committee be able to choose their own Chairman since Mr. Hartnett had resigned; councilors expressed their opinions on how this procedure should be carried out; Council are inclined to talk to other members of the Comprehensive Committee before deciding.

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Moved and Seconded - That the Council enter into Executive Session to discuss pending litigation - Town of Freeport vs. Brickyard Cove and South Freeport Marine vs. Town of Freeport.  
(Councilors Grady & Campbell) (6 Ayes) (0 Nays)

Council took a 5 minute recess.

Moved and Seconded - That the Council reconvene.  
(Councilors Grady & Campbell) (6 Ayes) (0 Nays)

Moved and Seconded - That the Council adjourn at 10:07 P.M.  
(Councilors Curtis & Goddard) (6 Ayes) (0 Nays)  
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The foregoing was recorded by:

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

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

# TOWN OF FREEPORT

Municipal Offices

(207) 865-4743



Dale C. Olmstead, Jr.

Town Manager

(207) 865-4856

~~PROPOSED~~

*Approved April 4, 1990*

## AMENDMENT TO THE ALARM SYSTEMS ORDINANCE

(Chapter 14)

### ARTICLE II PERMITS

Section 14-202 Application for permits to install, maintain, or operate an alarm system shall be filed with the Chief of each concerned department, or his designee, on forms supplied by the Town, together with an application fee of fifty dollars (\$50.00) for residential service. A fee of four-hundred dollars (\$400.00) will be submitted to the Fire Department for non-residential installations. A fee of fifty dollars (\$50.00) will be submitted to the Police Department for non-residential burglar alarm installations. Installations or monitoring will not be permitted until the application has been filed with the Freeport Dispatch Center and paid in full. Said application shall set forth the name, address and telephone number of both the installer of the systems and the person or business on whose description of the system and the location where it is proposed to be installed. Installers are responsible for submission of said application fee.

# TOWN OF FREEPORT

Municipal Offices

(207) 865-4743



Dale C. Olmstead, Jr.  
Town Manager  
(207) 865-4856

Public Hearing March 20, 1990

~~PROPOSED~~  
*approved* April 3, 1990  
AMENDMENT TO THE DESIGN REVIEW ORDINANCE

(Chapter 22)

## Section IX Appeals

Appeals from a decision of the Board may be taken  
to the Freeport/Town Council Board of Appeals which  
may overturn a Board decision only by an affirmative  
vote of five Council members.

Public Hearing March 20, 1990

~~PROPOSED~~  
~~APPROVED~~ April 3, 1990  
AMENDMENTS TO THE SOLID WASTE ORDINANCE  
(Chapter 29)

Article I Definitions

G. Residential construction and demolition debris.

H. Recyclables corrugated cardboard boxes, old newsprint, glass, plastics and other items that may in the future be accepted by the Recycling Center.

Article IV Recycling

B. Any ~~person~~ resident may use the Recycling Center or Demolition Site in accordance with this ordinance ~~at the site~~.

C. Plastic milk jugs, household detergent bottles and food containers must be clean and newsprint must be bundled or bagged. Magazines, telephone books and junk mail are not acceptable. Corrugated cardboard with tape, staples or printed is allowed. Glass bottles and jars. ~~Corrugated cardboard boxes, telephone books and junk mail are not acceptable. Corrugated cardboard with tape, staples or printed is allowed. Glass bottles and jars.~~

Article VI "Demolition Site"

A. After closure of the Landfill, the Demolition Site will be open to residents only and will accept only brush, leaves, yard waste and demolition debris emanating from minor household renovations or landscaping from existing single-family or two-family residents located in the Town.

~~Disposal shall require a coupon for each load, which may be obtained by residents in advance at the Town Office upon a showing that disposal will comply with the requirements of this Ordinance and upon payment of the following fees (per load):~~

The following fees (per load) will be charged:



Article VIII

A. All metal scrap shall be unloaded in the designated metal area as directed by the ~~Ward/Hill~~ Recycling operator.

Article IX Salvage

The salvaging of any ~~Ward/Hill~~ recycled items from the Recycling Center.

# TOWN OF FREEPORT

Municipal Offices

(207) 865-4743



Dale C. Olmstead, Jr.

Town Manager  
(207) 865-4856

Public Hearing March 20, 1990

~~PROPOSED~~ Approved April 3, 1990

AMENDMENT TO THE COASTAL WATERS ORDINANCE

(Chapter 31)

## Article V Moorings

9. Leasing: All mooring assignments shall be used exclusively for the personal use of the applicant solely for the boat listed in the application. No leasing, subleasing, or assignment of moorings or mooring numbers shall be allowed. Marinas, for retail use, are exempted from this requirement for service moorings. Exceptions may be granted by the Coastal Waters Commission for good cause shown for a period not to exceed one season. Short term (partial season) exceptions may be granted by the Harbormaster. Reapplications for one year leases or assignments may be considered by the Commission. ~~This provision does not apply to leasing or subleasing or assignment for periods less than five days.~~

FY 1991 approved 4/3/90

C A P I T A L I M P R O V E M E N T S P R O G R A M

FY '91-----FY '95

F R E E P O R T , M A I N E

ARTICLE I

EDUCATION

1990 (FY 91)

1. Reroof Science wing of the High School
2. Develop High School Practice Field
3. ~~Extend Nathan-Nye for bus access to Morse  
Street School~~

12,000 approved  
~~\$48,000~~ 4/3/90

10,000 app. 4/3/90

0

1991 (FY 92)

No Request

1992 (FY 93)

No Request

1993 (FY 94)

No Request

1994 (FY 95)

1. Reroof main section of High School

147,500

ARTICLE II  
FIRE & RESCUE

1990 (FY 91)

<del>1. Replace Tank I ('71)</del>	<del>\$125,000</del>
2. Upgrade Self-Contained Breathing Apparatus	30,000 app. 4/3/90

1991 (FY 92)

1. Replace Tank 4 ('74)	45,000
2. Chief/Command Vehicle	25,000
3. Main Fire Station	1,635,000

1992 (FY 93)

1. Replace Tank 2 ('74)	200,000
2. Sub-Station (East End)	300,000
3. Upgrade/Replace Monitor/Defibrillators (2 units)	18,000

1993 (FY 94)

1. Sub-Station (West End)	300,000
---------------------------	---------

1994 (FY 95)

1. Replace Engine 1 ('62)	250,000
2. Replace Rescue #2 ('85)	82,000

ARTICLE III

PUBLIC WORKS

1990 (FY 91)

1. Dump Truck Upgrade

\$10,000 app. 4/3/90

1991 (FY 92)

1. Dump Truck Replacement
2. Sand/Salt Pile Building

49,000

375,000

1992 (FY 93)

1. Loader Replacement

48,000

1993 (FY 94)

1. Dump Truck Replacement

49,000

1994 (FY 95)

1. Dump Truck Replacement

49,000

ARTICLE IV  
SOLID WASTE/RECYCLING

1990 (FY 91)

- ~~1. Fork Lift Truck~~
- ~~2. 45' Box Trailer~~
3. Local Match for Recycling Grant  
\$17,000 app. 4/6/90

grant  
program { \$7,500 — out  
          { 4,000 — out  
          { 18,000 12,200 — 1st  
                  4,600 — 2nd  
                  76,800 round

1991 (FY 92)

1. Down Stroke Baler 15,000
2. 4,500 Bins for Household and School Recycling 20,000

1992 (FY 93)

1. Satellite Recycling Station 20,000

1993 (FY 94)

1. Delivery Truck 22,000

1994 (FY 94)

1. Satellite Recycling Station 20,000

ARTICLE V  
COMPREHENSIVE TOWN IMPROVEMENTS

1990 (FY 91)

- |   |          |
|---|----------|
| 1. Baker Road (Old Prout Road) Reconstruction (Phase III)                                 | \$15,000 |
| 2. Flying Point Road Drainage   | 9,000    |
| 3. Flying Point Reconstruction (Phase II )<br>(Lower Flying Point Road to Brunswick Line) | 46,000   |
| 4. Pleasant Hill Range Road (Old Prout Road)<br>Reconstruction                            | 10,000   |

} approved  
4/3/90

1991 (FY 92)

- |   |        |
|---|--------|
| 1. Oak Street Sidewalk                              | 35,000 |
| 2. Bow Street Sidewalk (Middle Street to RR Tracks) | 16,000 |
| 3. Main Street Sidewalk (Praxis to Davis Ave)       | 11,000 |
| 4. Webster Road Reconstruction                      | 60,000 |

1992 (FY 93)

- |   |         |
|---|---------|
| 1. Pine Street Reconstruction   | 175,000 |
| 2. Bow Street Sidewalk (Part St. to Dennison Ave.)<br>(Depot St. to South Street) | 26,000  |
| 3. Old Brunswick Road Reconstruction  | 5,000   |

1993 (FY 94)

- |                                |        |
|--------------------------------|--------|
| 1. Burnett Road Reconstruction | 60,000 |
|--------------------------------|--------|

1994 (FY 95)

- |  |        |
|--|--------|
| 1. Sidewalk Reconstuction (Elm Street to Post<br>Office) | 15,000 |
| 2. Lower Mast Landing Road Reconstruction                | 49,000 |



ARTICLE VI  
MUNICIPAL FACILITIES

1990 (FY 91)

1. New Public Works/Public Safety Complex \$2,800,000  
(Includes Land Development & Building Construction)

NO

1991 (FY 92)

No Request

1992 (FY 93)

No Request

1993 (FY 94)

No Request

1994 (FY 95)

No Request

ARTICLE VII

B. H. BARTOL LIBRARY

1990 (FY 91)

1. <sup>floor covering</sup> Replace Carpeting in Adult Areas

\$15,000 — out

1991 (FY 92)

1. Computer System

30,000

1992 (FY 93)

No Request

1993 (FY 94)

No Request

1994 (FY 95)

No Request

ARTICLE VIII

POLICE DEPARTMENT

1990 (FY 91)

1. Telephone and Radio Recording System  
for Police, Fire + Rescue

\$27,000 — NO

1991 (FY 92)

1. Update Telephone System
2. Building Expansion  
2000 sq. ft. expansion to P.D. office space  
out into parking lot and 2 car garage under

12,000

165,000

1992 (FY 93)

No Request

1993 (FY 94)

1. Vehicle Replacement for Special Enforcement  
Officer

10,000

1994 (FY 95)

No Request

ARTICLE IX

BOARD AND COMMITTEE REQUESTS

1990 (FY 91)

- |  |                    |      |
|--|--------------------|------|
| 1. Generator 15 K W - Civil Defense                      | <del>\$8,000</del> | — NO |
| <del>2. Comprehensive Planning Grant (Local Match)</del> |                    |      |
| <del>Coastal Waters</del>                                | <del>7,500</del>   |      |

1991 (FY 92)

No Request

1992 (FY 93)

- |   |        |
|---|--------|
| 1. Harbormaster's Boat - Coastal Waters | 15,000 |
|---|--------|

1993 (FY 94)

No Request

1994 (FY 95)

No Request

### EFFECT ON TAX RATE

For each \$100,000 funded by the Town Council, the first year impact will be 1.7 cents on the tax rate and the second year impact will be 3.4 cents.

#### Funds Requested for 1990 (FY 91)

Education	\$ 58,000
Fire & Rescue	155,000*
Public Works	10,000
Solid Waste	<del>29,500</del> 16,800
Town Improvements	80,000
Municipal Facilities	2,800,000*
Library	<del>15,000</del> - out
Police	27,000
Boards & Committees	<del>15,500</del> - out
	<u>\$3,190,000</u>

(\$265,000 excluding items subject to voter approval)

\*Figures include items that would be subject to voter approval.

#### Current Debt

\$13,525,000

#### Debt Limit

\$83,685,000  
(15% of State Valuation)