

SUMMARY AGENDA

FREEPORT TOWN COUNCIL MEETING #16-90

June 19, 1990 - 7:30 P.M. - Council Chambers

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- ITEM #107-90 TO CONSIDER ACTION RELATIVE TO THE CONTINUATION OF A MORATORIUM ON APPLICATIONS FOR SAND AND GRAVEL EXCAVATION
- ITEM #108-90 TO CONSIDER ACTION RELATIVE TO AWARDS FROM THE DR. GOULD TRUST FUND.
- ITEM #109-90 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE ANIMALS AND FOWL ORDINANCE.(CHAPTER 37)
- ITEM #110-90 TO CONSIDER ACTION RELATIVE TO TAX ANTICIPATION BORROWING FOR FISCAL YEAR 1991.
- ITEM #111-90 TO CONSIDER ACTION RELATIVE TO AN APPROPRIATION ORDINANCE IN THE AMOUNT OF \$10,000 TO PROVIDE FOR REPAIRS TO FIRE ENGINE #4.

- OTHER BUSINESS:
- 1). DISCUSSION ON COUNCIL SUMMER MEETING SCHEDULE.
 - 2). DISCUSSION ON COG'S ANNUAL CONVENTION.
 - 3). DISCUSSION ON INTERSECTION IMPROVEMENTS TO BOW AND MAIN STREET.
 - 4). DISCUSSION ON LIBRARY PARKING.

END OF AGENDA

M I N U T E S
FREEPORT TOWN COUNCIL MEETING #16-90
FREEPORT TOWN HALL COUNCIL CHAMBERS
JUNE 19, 1990 7:30 P.M.

☒ Regular

☐ Special

| Chairman's Call to Order | Present | Absent | Excused |
|---|---------|--------|---------|
| Robert Stevens, Chairman, Porters Landing | | X | 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 #16-90 held June 5, 1990, and accept the Minutes as printed.

(Councilors Campbell & Goddard) (5 Ayes) (0 Nays)

Moved and Seconded - That the proposed continuation of a Moratorium on Applications for Sand and Gravel Excavation be subject to Public Hearing.

(Councilors Goddard & Campbell) (5 Ayes) (0 Nays)

Vice-Chairman Grady read an opinion from Town Attorney, Paul Frinsko, who has added a last "whereas" to be added to the Moratorium language.

Moved and Seconded - That the Public Hearing be closed.

(Councilors Campbell & Goddard) (5 Ayes) (0 Nays)

Moved and Seconded - To add to the Continuation of a Moratorium on Applications for Sand and Gravel Excavation the following language just before the "now therefore" paragraph:

"WHEREAS, the Town Council of the Town of Freeport, Maine, on the basis of the foregoing, finds that the problem giving rise to the need for the Moratorium still exists and that reasonable progress is being made to alleviate the problem giving rise to the need for this Moratorium." *

(Councilors Campbell & Goddard) (5 Ayes) (0 Nays)

Moved and Seconded - To waive the second reading.

(Councilors Campbell & Curtis) (5 Ayes) (0 Nays)

ITEM #107-90

WHEREAS, the Town Council adopted a Moratorium on Applications For New and Expanded Sand and Gravel Excavations on February 20, 1990, to be in effect from January 16, 1990 to July 15, 1990;

WHEREAS, it was the intent of the Town Council and the Planning Board to develop new ordinance standards governing the location, review and operation of extractive industries because the existing provisions of Section 509 of the Freeport Zoning Ordinance were inadequate to protect the public health, safety and welfare; and

WHEREAS, the Zoning Board of Appeals has determined that, under the provisions of Section 509 of the Freeport Zoning Ordinance, even existing extractive industry operations require review by the Planning Board whenever their volume of extraction increases by more than 30 cubic yards during the calendar year; and

WHEREAS, the Planning Board has been meeting since March of 1990 to develop revised ordinance provisions; and

WHEREAS, the Town Planner developed an initial draft ordinance which was used to generate discussion of the subject; and

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WHEREAS, the Planning Board held a special workshop meeting and discussed the topic at subsequent Planning Board Meetings with owners, operators and residents, and as a result of those discussions has decided to develop a new draft which will be designed to more specifically address the issues raised at the meetings and workshop; and

WHEREAS, a subcommittee, composed of the Town Planner and two Planning Board Members, has been organized to develop the new draft for presentation to the full Board; and

WHEREAS, development of an ordinance regulating Fill and Extractive Operations is complicated and time consuming because it covers a great variety of activities ranging from a small extraction and fill operation of 30 to 50 cubic yards to large gravel pits and accessory activities such as blasting, rock crushing, asphalt plants and washing operations, topsoil removal and creation of farm ponds, and the interests of various parties such as owners, operators and residents may conflict; and

WHEREAS, the Planning Board is diligently working to develop appropriate ordinance regulations and to provide for substantial public participation; and

WHEREAS, at this time, no one covered by the Moratorium has requested or discussed expansion of existing operations or new operations; and

WHEREAS, the Planning Board anticipates that the development and adoption of the new ordinance provisions which the Town needs will take an additional six months; and

(New language adopted - Page 2)*

NOW, THEREFORE, Be It Ordered - that the Moratorium adopted on February 20, 1990 shall be extended for six months to February 14, 1991, as amended.*
(Councilors Bradley & Curtis) (5 Ayes) (0 Nays)

ITEM #108-90

Be It Ordered - That twelve (12) Applicants receive a total of \$1,996.50 in Awards from the Dr. Gould Trust Fund.

Note: All Applicants have qualified with the General Assistance Office and a detailed list of Applicants and Awards can be obtained at that office.

(Councilors Curtis & Goddard) (5 Ayes) (0 Nays)

ITEM #109-90

Be It Ordered - That a Public Hearing be scheduled for July 10, 1990 at 7:30 P.M. in the Town Hall Council Chambers to discuss a proposed amendment to the Animal and Fowl Ordinance (Chapter 37).

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 Goddard & Curtis) (5 Ayes) (0 Nays)

Moved and Seconded - That the Town Manager read Bids for Tax Anticipation Borrowing.

(Councilors Goddard & Curtis) (5 Ayes) (0 Nays)

Town Manager Olmstead reported 5 bids had been received:

1. Peoples Heritage at 6.94%
2. Key Bank at 7.01%
3. Fleet Bank at 6.88%
4. Casco Northern at 6.94%
5. Maine National at 6.97%

ITEM #110-90

Be It Ordered - That, under and pursuant to Title 30-A Section 5771 of the Maine Revised Statutes, as amended and supplemented, there be and hereby is authorized the issuance of \$500,000.00 principal amount of Tax Anticipation Notes of the Town in anticipation of the receipt of taxes for the Municipal Year which commences July 1, 1990 and ends June 30, 1991.

Be It Further Ordered - That said Notes shall be dated July 3, 1990, shall mature on June 30, 1991, shall be signed by the Treasurer and countersigned by the Chairman of the Town Council, shall bear interest at the rate of 6.88% per annum, shall be payable at FLEET BANK and otherwise be in such form and bear such details as the signers may determine.

Be It Further Ordered - That said Notes are hereby sold and awarded to FLEET BANK.

Be It Further Ordered - That said Notes are hereby designated qualified tax exempt obligations of the Town for the 1990 Calendar Year pursuant to the Internal Revenue Code of 1986.

Be It Further Ordered - That all things heretofore done and all action heretofore taken by the Town, its Municipal Officers and Agents in the authorization of said Notes are hereby ratified, approved and confirmed, and the Treasurer and Chairman are each hereby authorized to take any and all action necessary or convenient to carry out the provisions of this voting, including delivering said Notes against payment therefor.

(Councilors Goddard & Campbell) (5 Ayes) (0 Nays)

ITEM #111-90

Be It Ordered - That a Public Hearing be scheduled for July 10, 1990 at 7:30 P.M. in the Town Hall Council Chambers to discuss a proposed Appropriation Ordinance in the amount of \$10,000.00 to provide for repairs to Fire Engine No.4.

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 Campbell & Curtis) (5 Ayes) (0 Nays)

Other Business:

1. Council will set their summer schedule for meetings - next meetings are scheduled for July 10 and July 24.
2. C.O.G. Convention - Town Manager Olmstead inquired what councilor would be attending the convention Thursday from 3 PM on - delegates from the Archangel Group would be there also.
3. Discussion on Intersection Improvements to Bow and Main Streets; the sidewalk at Boston Traders will be extended - there are plans for a monument to be erected highlighting Freeport's history - there will be handicapped areas - the State will be bidding out this work with 3 options:
 - a) finished granite posts
 - b) unfinished granite posts
 - c) wooden posts

Cynthis Orcutt has been assigned to design a historical plaque for the square.

4. Discussion on library parking - parking during regular library hours will be restricted for library users only - there was some talk on issuing library tickets to accomplish this.

Moved and Seconded - To take an item not on the printed Agenda.
(Councilors Bradley & Curtis) (5 Ayes) (0 Nays)

Moved and Seconded - To schedule a Public Hearing on July 10, 1990 to discuss changes to Sections of the Towning Ordinance in the Library Parking Lot.
(Councilors Bradley & Curtis) (5 Ayes) (0 Nays)

5. Town Manager Olmstead reminded councilors of the meeting tomorrow night at the Augusta City Hall sponsored by the Citizens Committee for Tax Reform.
6. Discussion of the Directional Sign Ordinance - Article III was passed prior to adoption of VC-II and VC-III. Jim Friedlander of Independence Drive has requested a directional sign for his business - his business is located outside of the VC-I area which pertains to the Directional Sign Ordinance, therefore, there is a question as to the intent of the Ordinance - Fred Reeder, Codes Enforcement Officer, feels there is a need for this sign and is willing to issue it. Council agrees with the Code Enforcement Officer's decision.

7. Councilor Bradley inquired as to the 501 eligibility housing situation - Town Manager Olmstead explained that IRS was concerned with the application and the eligibility of the tax exempt status; some amendments had to be drafted indicating that this housing group was prepared to deal not only with low income housing, but moderate income housing as suggested by IRS. Councilor Bradley will check further and report back to Council.
8. Vice-Chairman Grady has heard from the West End Merchants regarding wrong stiping of street crosswalks.

Moved and Seconded - That the Council adjourn at 8:49 P.M.
(Councilors Campbell & Curtis) (5 Ayes) (0 Nays)

The foregoing was recorded by:

Mary D. Wescott
Mary D. Wescott, Council Secretary

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