

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #22-91

FREEPORT TOWN HALL COUNCIL CHAMBERS

SEPTEMBER 3, 1991 - 7:30 P.M.

Regular X Special     

Chairman's Call to Order      Present      Absent      Excused

Edward Bradley, Chairman  
Flying Point      X

Vaughndella Curtis, Vice-Chairman  
Pine Street      X

Kirk Goddard,  
Mast Landing      X

Robert Stevens  
Porter's Landing      X

Edward Campbell,  
Gay Drive      X

William Grady,  
Elm Street Extension      X

Andrew Arsenault,  
US Route 1      X

Moved and Seconded - To waive the reading of the Minutes  
of Meeting #21-91 held August 20 and accept the Minutes  
as printed.

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

ITEM #156-91

**MOVED & SECONDED:** That the Council adjourn  
and the Licensing Board convene.  
(Councilors Arsenault & Campbell) (4 Ayes)  
(0 Nays)

<u>Roll Call of Members:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Edward Bradley	X		
Vaughndella Curtis		X	
Robert Stevens		X	
William Grady	X		
Kirk Goddard			X
Edward Campbell	X		
Andrew Arsenault	X		
Dale Olmstead	X		
Mary Lou Halla	X		

**MOVED & SECONDED:** That the following application  
for a Victualer's License be subject to Public  
Hearing.

Bernard Hart, d/b/a S & H, 3 Grove Street,  
(Peddler - Private Property).  
(Councilors Arsenault & Grady) (6 Ayes) (0  
Nays)

**MOVED & SECONDED:** That the Public Hearing  
be closed.  
(Councilors Campbell & Arsenault) (6 Ayes)  
(0 Nays)

**BE IT ORDERED:** That the application for a  
Victualer's License issued to the above named  
applicant be approved.  
(Councilors Arsenault & Campbell) (6 Ayes)  
(0 Nays)

**MOVED & SECONDED:** That the Licensing Board  
adjourn and the Council reconvene.  
(Councilors Arsenault & Campbell) (6 Ayes)  
(0 Nays)

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ITEM #157-91

**BE IT ORDERED:** That the Freeport Town Council vote in support of the proposed slate of officers as proposed by the MMA Nominating Committee.

**BE IT FURTHER ORDERED:** That Dale Olmstead be designated as Freeport's voting delegate at the Annual MMA Business Meeting.  
(Councilors Grady & Campbell) (5 Ayes) (0 Nays)

**Note:** Councilor Curtis arrives at 7:40 p.m.

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ITEM #158-91

OPTION #1:

TO CONSIDER ACTION RELATIVE TO THE POTENTIAL ACQUISITION OF SOUTH FREEPORT MARINE. (MAP 2/LOT 51 & MAP 2/LOT 52)

**BE IT RESOLVED:** That the Freeport Town Council express its intent to purchase South Freeport Marine.

**BE IT ORDERED:** That up to \$5,000 be transferred from the Fiscal Year 1991 Operating Budget Miscellaneous & Contingency Account to update the appraisal of the property and assist in the development of an offer to purchase the property.  
(Councilors Stevens & Campbell) (5 Ayes) (1 Nay - Arsenault)

Or OPTION #2:

To consider action relative to submitting to Public Referendum a Proposed Appropriation Ordinance for up to \$1,150,000 for the purchase of property listed on the Town of Freeport Property Map 2/Lot 51 & Map 2/Lot 52 known as South Freeport Marine.

**BE IT ORDERED:** That the following proposed Appropriation Ordinance for up to \$1,150,000 be submitted to the voters of the Town of Freeport at the Municipal Election on November 5, 1991.

**BE IT FURTHER ORDERED:** That a Public Hearing be scheduled for September 17, 1991 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 \$1,150,000 is hereby appropriated for the purpose of purchasing property listed on the Town of Freeport Property Map 2, Lot 51 & Map 2/Lot 52 known as South Freeport Marine. To meet said appropriation, the Chairperson 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 \$1,150,000 and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, form(s) 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 Chairperson of the Town Council and the Town Treasurer.  
(Councilors Stevens & Grady) (5 Ayes) (1 Nay - Arsenault)

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ITEM #159-91 TO CONSIDER ACTION RELATIVE TO AMENDMENTS TO THE FISCAL YEAR 1992 MUNICIPAL AND SCHOOL BUDGETS APPROVED ON JUNE 18, 1991.

BE IT ORDERED: That the Fiscal Year 1991 Municipal and School Budgets, approved on June 18, 1991, be amended as follows:

Appropriations

Public Works/Solid Waste	803,106
Education	7,421,743
Total Appropriations	11,889,146

Estimated Revenues

Miscellaneous	108,840
Total Estimated Revenue	3,333,313
Amount to be Raised by Taxation	8,403,433
Total Revenues	11,889,146

MOVED & SECONDED: To table Item #159-91 until September 17, 1991.  
(Councilors Stevens & Grady) (6 Ayes (0 Nays)

Note: Councilor Stevens arrives at 7:55 p.m.

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ITEM #160-91

WHEREAS, the following described property is a portion of a proposed street, designated a "B" street and "Bond" Street on a recorded sub-division plan, entitled "George W. Brown's Oxnard Lots" recorded in Cumberland County Registry of Deeds on November 14, 1921 in Plan Book 13, Page 115, and;

WHEREAS, the delineation of proposed paper streets on said subdivision plan constitutes an incipient dedication which the Town, by vote of its legislative body, may accept pursuant to 23 M.R.S.A. Sec. 3025; and;

WHEREAS, the acceptance of the following described property as a Town public way and as an extension of Nathan Nye Street is in the best interest of the Town and the Public for access to school grounds;

THEREFORE, on Motion duly made and seconded, it is

VOTED: To accept the following described dedicated property as a Town Public Way and as an extension of Nathan Nye Street.

Item #160-91 continued on next page

Item #160-91 - continued

A certain lot or parcel of land situated in Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at the West corner of Lot No. 37 on George W. Brown's Plan of Oxnard Lots recorded in Cumberland County Registry of Deeds, Plan Book 13, Page 115;

Thence South forty one degrees (41°) east one hundred fifty (150) feet more or less to the southerly corner of Lot No. 35 on said Plan and Street "C" on said Plan.

Thence, South forty-nine degrees (49°) West, fifty (50) feet more or less along the northwesterly line of "C" Street on said Plan to the East corner of Lot No. 40 on said Plan.

Thence North forty-one degrees (41°) West one hundred fifty (150) feet more or less along the northeasterly line of lots numbered 40, 41, and 42 to the northerly corner of lot No. 42.

Thence North forty-nine degrees (49°) East, fifty (50) feet to the West corner of lot No. 37 and the point of beginning.

Meaning and intending to accept that portion of "B" or "Bond Street" on said Plan which is an extension of Nathan Nye Street in a northwesterly direction from C Street on said Plan.

**MOVED & SECONDED:** To amend Item #160-91 as follows: Nathan Nye Extension can be used only as an exit route for school buses leaving school property.

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

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ITEM #161-91

**MOVED & SECONDED:** That the Town Manager read the bids submitted.

**BE IT ORDERED:** That the bid from New England Tech Air, Inc. in the amount of \$20,500 to perform Mechanical/Electrical work on the Municipal Building at 4 Main Street, be accepted.  
(Councilors Curtis & Campbell) (6 Ayes) (0 Nays)

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ITEM #162-91

**BE IT ORDERED:** That a Public Hearing be scheduled for September 17, 1991 at 7:30 p.m. in the Town Hall Council Chambers to discuss proposed amendments to Chapters 28, 29 & 30 of the Freeport Municipal Code.

**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 & Grady) (6 Ayes) (0 Nays)

COUNCIL MINUTES #22-91  
SEPTEMBER 3, 1991

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ITEM #163-91

**BE IT ORDERED:** That non-resident, full time municipal employees be permitted to enroll their children in Freeport Public Schools.

**BE IT FURTHER ORDERED:** That the normal tuition fee be waived.  
(Councilors Grady & Curtis) (0 Ayes) ( 6 Nays)

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ITEM #140-91

**BE IT ORDERED:** That the Town Manager and the Town Attorney are authorized to institute proceedings under 23 M.R.S.A. §3026 to discontinue the Town Way accepted on March 10, 1856 as Road No. #2, and commonly known as Meeting House Lane, reserving a public easement for pedestrian and non-motorized vehicle use only, such easement to consist of a 10 foot wide footpath with 5 foot buffers on either side, and with all motor vehicles other than municipal maintenance vehicles excluded.

**BE IT FURTHER ORDERED:** That all legal expenses estimated to be between \$3,000 and \$3,500, and other related expenses be paid by abutting property owners.  
(Councilors Stevens & Curtis) (5 Ayes) (1 Nay - Arsenault)

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ITEM #148-91

**BE IT ORDERED:** That \$4,000 be transferred from the Middle School Insurance Reserve Account to provide Architectural Services for Police/Fire/Rescue and Public Works Facilities.  
(Councilors Arsenault & Stevens) (5 Ayes) (1 Nay - Arsenault)

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ITEM #155-91

**BE IT ORDERED:** That the following individuals be appointed to serve as members of a Municipal Facilities Advisory Committee.

P. Andre LeMaistre  
Edward M. Bonney  
David Dunfey  
Robert E. Stevens

Judith Thompson  
Arthur S. Davis  
Elaine Polakewich  
Andrew P. Arsenault

**BE IT FURTHER ORDERED:** That the Committee charge be as follows:

To serve in an advisory capacity to the Town Council to:

Assist regarding implementation of short term work at the existing Main Street municipal site;

Study possibilities for meeting long term needs for departments housed in the existing municipal building at the Main Street site and school bus storage.;

Present to the Council suggested options including Hunter Road proposal that was the subject of 1990 referendum and use of existing municipal building site, including for each--layout plan, site plan, estimated costs and advantages and disadvantages, with comparisons and make suggestions for next steps to take.  
(Councilors Stevens & Campbell) (6 Ayes) (0 Nays)

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OTHER BUSINESS:

1). The Town Manager updated the Council on the illegal dumping of trash and debris on private property on the Pownal Road. A report received from DEP concerning an inspection of the site was also discussed by the Council. It was the general consensus of the Council to put this item on the next September 17 Agenda.

2). Council Stevens updated the Council on the acquisition of Hedgehog Mountain.

3). The Town Manager reported on the damage caused by Hurricane Bob which resulted in considerable damage in the Freeport area. Freeport will be eligible for Federal & State Aid.

**MOVED & SECONDED:** That the Council adjourn at 10:07 P.M.  
(Councilors Stevens & Grady) (6 Ayes) (0 Nays)