

FREEPORT TOWN COUNCIL MEETING #3-92

FEBRUARY 11, 1992 - 7:30 P.M. - COUNCIL CHAMBERS

SUMMARY AGENDA

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- ITEM #34-92 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR CRICKET'S RESTAURANT. (PUBLIC HEARING)
- ITEM #35-92 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR OCEAN FARMS OF MAINE, INC. (PUBLIC HEARING)
- ITEM #36-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FREEPORT ADMINISTRATIVE CODE. (CHAPTER 2) (PUBLIC HEARING)
- ITEM #37-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ALARM SYSTEMS ORDINANCE. (CHAPTER 14) (PUBLIC HEARING)
- ITEM #38-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE PEDDLERS ORDINANCE. (CHAPTER 43) (PUBLIC HEARING)
- ITEM #39-92 TO CONSIDER ACTION RELATIVE TO THE GENERAL ASSISTANCE ORDINANCE. (CHAPTER 46) (PUBLIC HEARING)
- ITEM #40-92 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE VEHICLE TOWING ORDINANCE. (CHAPTER 49) (PUBLIC HEARING)
- ITEM #41-92 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM THE CABLE TV RESERVE ACCOUNT.
- ITEM #42-92 TO CONSIDER ACTION RELATIVE TO A REDUCTION IN APPROPRIATIONS FOR THE FISCAL YEAR 1992 MUNICIPAL AND SCHOOL OPERATING BUDGETS.
- ITEM #43-92 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM THE EARNED INTEREST CAPITAL ACCOUNT.
- ITEM #15-92 TABLED JANUARY 7 & JANUARY 21, 1992. TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE TV REGULATORY BOARD.
- ITEM #16-92 TABLED JANUARY 7 & JANUARY 21, 1992. TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE TV REGULATORY BOARD.
- ITEM #22-92 TABLED JANUARY 21, 1992. TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE SHELLFISH ORDINANCE. (CHAPTER 32)

CONTINUED - TURN OVER

END OF AGENDA

M I N U T E S

FREEPORT TOWN COUNCIL MEETING #3-92

FREEPORT TOWN HALL COUNCIL CHAMBERS

FEBRUARY 11, 1992 - 7:30 P.M.

Regular X Special —

Chairman's Call to Order Present Absent Excused

Vaughndella Curtis, Chairperson
Pine Street

X

Kirk Goddard, Vice-Chairman
Mast Landing

X

Edward Bradley,
Flying Point

X

William Grady
Elm Street Extension

X

John Nelson,
Church Road

X

Andrew Arsenault,
US Route #1

X

Cary Veilleux,
Wardtown Road

X

Moved and Seconded - To waive the reading of the Minutes
of Meeting #2-92 held January 21 and accept the Minutes
as printed.

(Councilors Arsenault & Veilleux) (4 Ayes) (0 Nays)

Second Order of Business: Public Comment Period - 15 Minutes

Third Order of Business: To take action on the following
items of business as read by the Council Chairperson.

ITEM #34-92 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR
A FULL TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR CRICKET'S
RESTAURANT. (PUBLIC HEARING)

MOVED & SECONDED: That the following re-application
for a full time malt, spirituous & vinous license
be subject to Public Hearing.

(Councilors Nelson & Veilleux) (4 Ayes) (0 Nays)

Ronald D. Brook, d/b/a Cricket's Restaurant, 175 Lower
Main Street..

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Nelson & Veilleux) (4 Ayes) (0 Nays)

BE IT ORDERED: That the re-application for a full
time malt, spirituous & vinous license issued to the
above named applicant be approved.

(Councilors Nelson & Veilleux) (4 Ayes) (0 Nays)

ITEM #35-92 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR
A FULL TIME MALT, SPIRITUOUS & VINOUS LICENSE FOR OCEAN
FARMS OF MAINE, INC. (PUBLIC HEARING)

MOVED & SECONDED: That the following re-application
for a full time malt, spirituous & vinous license be
subject to Public Hearing.

(Councilors Veilleux & Nelson) (4 Ayes) (0 Nays)

Jean S. MacLeod, d/b/a Ocean Farms of Maine, Inc.,
23 Main Street.

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Veilleux & Nelson) (4 Ayes) (0 Nays)

BE IT ORDERED: That the re-application for a full
time malt, spirituous & vinous license issued to the
above named applicant be approved.

(Councilors Veilleux & Nelson) (4 Ayes) (0 Nays)

Note: Mr. Goddard arrives at 7:38 p.m.

ITEM #36-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS
TO THE FREEPORT ADMINISTRATIVE CODE. (CHAPTER 2)
PUBLIC HEARING.

MOVED & SECONDED: That the proposed amendments to
the Freeport Administrative Code be subject to Public
Hearing.

(Councilors Arsenault & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Arsenault & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the proposed amendments to
the Freeport Administrative Code be tabled until February
25, 1992.

(Councilors Arsenault & Veilleux) (5 Ayes) (0 Nays)

COUNCIL MINUTES #3-92
FEBRUARY 11, 1992

ITEM #37-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS
TO THE ALARM SYSTEMS ORDINANCE. (CHAPTER 14) PUBLIC
HEARING.

MOVED & SECONDED: That the proposed amendments to
the Alarm Sytems Ordinance be subject to Public Hearing.
(Councilors Nelson & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Nelson & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the proposed amendments to the
Alarm Systems Ordinance be tabled until February 25,
1992.
(Councilors Nelson & Veilleux) (5 Ayes) (0 Nays)

ITEM #38-92 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS
TO THE PEDDLERS ORDINANCE. (CHAPTER 43) PUBLIC HEARING.

MOVED & SECONDED: That the proposed amendments to the
Peddlers Ordinance be subject to Public Hearing.
(Councilors Veilleux & Goddard) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Veilleux & Goddard) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the proposed amendments to
the Peddlers Ordinance be tabled until February 25,
1992.
(Councilors Veilleux & Goddard) (5 Ayes) (0 Nays)

ITEM #39-92 TO CONSIDER ACTION RELATIVE TO THE GENERAL ASSISTANCE
ORDINANCE. (CHAPTER 46) PUBLIC HEARING.

MOVED & SECONDED: That the proposed amendments to
the General Assistance Ordinance be subject to Public
Hearing.
(Councilors Goddard & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Goddard & Nelson) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the proposed amendments to
the General Assistance Ordinance be tabled until February
25, 1992.
(Councilors Goddard & Veilleux) (5 Ayes) (0 Nays)

ITEM #40-92 TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT TO THE VEHICLE TOWING ORDINANCE. (CHAPTER 49) PUBLIC HEARING.

MOVED & SECONDED: That the proposed amendment to the Vehicle Towing Ordinance be subject to Public Hearing.

(Councilors Arsenault & Nelson) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the Public Hearing be closed.
(Councilors Arsenault & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: That the proposed amendment to the Vehicle Towing Ordinance be tabled until February 25, 1992.

(Councilors Arsenault & Veilleux) (5 Ayes) (0 Nays)

ITEM #41-92 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM THE CABLE T.V. RESERVE ACCOUNT.

BE IT ORDERED: That up to \$3,600 be transferred from the Cable T.V. Reserve Account to provide for relocation of the Cable T.V. Studio.

(Councilors Nelson & Veilleux) (5 Ayes) (0 Nays)

ITEM #42-92 TO CONSIDER ACTION RELATIVE TO A REDUCTION IN APPROPRIATIONS FOR THE FISCAL YEAR 1992 MUNICIPAL AND SCHOOL OPERATING BUDGETS.

BE IT ORDERED: That in order to compensate for lost State Revenues the following Appropriations be reduced in the Fiscal Year 1992 Operating Budgets:

OPTION A

1). School Appropriations - Reduce from \$7,416,942 to \$7,314,638.

2). Municipal Appropriations - Reduce from \$3,125,739 to \$3,068,739.

Or

OPTION B

1). School Appropriations - Reduce from \$7,416,942 to \$7,336,338.

2). Municipal Appropriations - Reduce from \$3,125,739 to \$3,047,039.

MOVED & SECONDED: To table Item #42-92 until February 25, 1992.

(Councilors Bradley & Nelson) *(6 Ayes) (0 Nays)

***Note:** This item was taken out of order after Mr. Bradley's arrival.

ITEM #43-92 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS
FROM THE EARNED INTEREST CAPITAL ACCOUNT.

BE IT ORDERED: That \$10,000 be transferred from the
Earned Interest Capital Account to provide for the
replacement of the furnace and the removal of the
fuel tank at the former Soule School in South Freeport.
(Councilors Goddard & Veilleux) (5 Ayes) (0 Nays)

MOVED & SECONDED: To table Item #15-92 & Item #16-92
indefinitely.
(Councilors Nelson & Veilleux) (5 Ayes) (0 Nays)

ITEM #22-92 TABLED JANUARY 21, 1992.
TO CONSIDER ACTION RELATIVE TO A PROPOSED AMENDMENT
TO THE SHELLFISH ORDINANCE. (CHAPTER 32)

*attached
amendment*

BE IT ORDERED: That the proposed amendment to the
Shellfish Ordinance, as submitted to Public Hearing
on January 21, 1992, be approved.
(Councilors Goddard & Veilleux) (4 Ayes) (1 Nay -
Arsenault)

Note: Mr. Bradley arrives at 8:05 p.m.

ITEM #23-92 TABLED JANUARY 21, 1992. TO CONSIDER ACTION RELATIVE
TO PROPOSED AMENDMENTS TO THE WINSLOW PARK ORDINANCE.
(CHAPTER 34)

*attached
amendment*

BE IT ORDERED: That the proposed amendments to the Winslow Park Ordinance, as submitted to Public Hearing on January 21, 1992, be approved *as amended.

* Fee Schedule:

Boat Launching - Change Recreational from \$3.00 to \$2.00

Camping: Day Rates/Shore - Change Resident \$12.00 to \$10.00

Offshore Resident Change \$10.00 to \$9.00.

Seasonal/Non-Resident - Change \$750.00 to \$725.00.

Seasonal/Resident - Change \$700.00 to \$675.00.

Add - Harb Cottage - \$600/wk - June & September
\$800/wk - July & August.

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

ITEM #29-92 TABLED JANUARY 21, 1992. TO CONSIDER ACTION RELATIVE
TO THE APPLICATION OF PAYMENTS TO UNPAID TAXES.

BE IT ORDERED: That any tax payment received from an individual or interested parties as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill.
(Councilors Goddard & Veilleux) (6 Ayes) (0 Nays)

ITEM #208-91 TABLED DECEMBER 17, 1991. TO CONSIDER ACTION RELATIVE
TO THE CONTINUANCE OF THE PUBLIC HEARING ON SHORELAND
ZONING.

BE IT ORDERED: That Agenda Item #208-91 pertaining to the continuance of the Public Hearing on Shoreland Zoning be amended from February 18, 1992 to February 25, 1992.
(Councilors Arsenault & Veilleux) (6 Ayes) (0 Nays)

OTHER BUSINESS:

1). An update from Gary Rivard, of the Freeport Music Boosters, was given on their Summer Fund Raising Activities. He presented a brief run down of figures highlighting operating expenses and profits. He felt the program was highly successful and hopes to have another cart in the future.

2). Claire Betz of the Recycling Committee discussed the proposal to apply for a grant for a used motor oil project.

MOVED & SECONDED: To introduce an item not on the printed agenda.
(Councilors Nelson & Veilleux) (6 Ayes) (0 Nays)

MOVED & SECONDED: That authorization be given to the Solid Waste Director to apply for a grant for a used motor oil project.
(Councilors Nelson & Veilleux) (6 Ayes) (0 Nays)

3). Councilor Nelson updated the Council on the proposed Hedgehog Mountain Committee and read the charge of the Committee to the Council and members of the audience.

4). Councilor Arsneault expressed his views on the Town's legal fee expenses.

MOVED & SECONDED: That the Council adjourn at 9:34 p.m.
(Councilors Veilleux & Bradley) (6 Ayes) (0 Nays)

PROPOSED
AMENDMENT TO THE SHELLFISH ORDINANCE
(CHAPTER 32)

Section 6. Licensing

C. Fees: The fees for the licenses are as stated below and must accompany in full the application for the respective license. Fees received from shellfish licensing shall be used by the Town for shellfish management, conservation and enforcement.

- (1) Resident Commercial: One-Hundred Dollars (\$100.00)
- (2) Non-resident Nonreciprocating Commercial: One-Hundred Fifty Dollars (\$150.00)
- (3) Resident Recreational: ~~Five Dollars (\$5.00)~~ Ten Dollars (\$10.00)
- (4) ~~Non-Resident Nonreciprocating Recreational: Twenty-five Dollars (\$25.00)~~

Approved 2/11/92
3-92

M L Hall,
Council Secretary

PROPOSED
HARB COTTAGE RULES
(CHAPTER 34)

P.H. Jan. 21, 1992
Approved Feb. 11, 1992

1. Harb Cottage tenants and their guests must adhere to all rules pertaining to Winslow Park. Tenants will be responsible for their guests.
2. No pets allowed.
3. Check-in time is after 2 p.m. on the date of your arrival. Check-out time is before 10 a.m. on the date of your departure.
4. Harb Cottage has a maximum overnight capacity of 10 persons.
5. All camping visitors must register at the Gatehouse and will be assigned a site within the campground. No tents or R.V.'s are allowed on Harb Cottage premises at any time.
6. Only boats belonging to Harb Cottage tenants and their guests may be moored at the Harb Cottage boat ramp. However, the dock and the ramp are available for pedestrian traffic to all Winslow Park patrons.
7. A maximum of 10 cars may be parked within the Harb Cottage parking area. Any additional cars must be parked at the Winslow Park Farmhouse and will be assessed a \$2.00 per vehicle parking fee. NO PARKING IS ALLOWED along any roadways or on the Harb Cottage lawn.
8. Any activities with over 50 people total in attendance (including tenants) must receive prior approval by the Manager. Groups of larger than 250 people total are subject to approval by the Winslow Park Commission (please allow at least 3 months for the approval process). All activities with over 50 people total shall adhere to the following additional rules:
 - A. An additional damage deposit of \$500 will be required upon your arrival to Harb Cottage.
 - B. Any over-flow parking fees (see rule #8) will be deducted directly from the damage deposit unless prior arrangements for payment are made.
 - C. Tenant must provide additional portable toilets at the rate of 2 portable toilets per each 125 people. For example, 51-125 people will require 2 portable toilets. 126-250 people will require 4 portable toilets. All necessary arrangements and any costs incurred for acquiring portable toilets shall be the direct responsibility of the tenant and not of Winslow Park.
 - D. No amplified music or voice beyond 9 p.m. Quiet time for all of Winslow Park is 10 p.m.

Rates for seasonal rental of Harb Cottage are as follows:
June or September - \$600.00 per week
July or August - \$800.00 per week

PROPOSED

AMENDMENTS TO THE RULES FOR WINSLOW PARK
(CHAPTER 34)

2. The Park will open Memorial Weekend through the last weekend in September ~~30~~.

3. The Park will be open from 8:00 a.m. to ~~10:00~~ 9:30 p.m. in July and August. From Memorial weekend through June ~~and all of~~ and until the last weekend in September, it will be open from ~~9~~ 8 a.m. to 9 p.m. The Park, including beach and picnic areas, will close for day use and visitors one half hour after sunset.

26. Quiet hours are from 11 10 p.m. to 7 a.m.

39. Reservations will be accepted postmarked no earlier than November 1 for Harb Cottage. Persons who rent Harb Cottage are responsible for seeing that their guests comply with the rules of the park as well as the rules specific to Harb Cottage.

45. Camp Seaside parents ~~will be issued a camper pick up pass~~ shall drop off and pick up campers at the gatehouse.

FEE SCHEDULE

Boat Launching:	Commercial	\$5.00	<u>\$7.00</u>
	Recreational	\$2.00	<u>\$3.00</u>

Camping: Day Rates

Shore	\$12.00	<u>\$14.00</u>	NonResident
	\$10.00	<u>\$12.00</u>	Resident
Offshore	\$10.00	<u>\$12.00</u>	Non-Resident
	\$8.00	<u>\$10.00</u>	Resident
Seasonal	\$700.00	<u>\$750.00</u>	Non-Resident
	\$650.00	<u>\$700.00</u>	Resident