

FREEPORT TOWN COUNCIL MEETING #24-92

OCTOBER 20, 1992 - 7:30 P.M.

COUNCIL CHAMBERS

SUMMARY AGENDA

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- ITEM #209-92 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/  
RE-APPLICATIONS FOR VICTUALER LICENSES FOR  
RONALD BROOK, BARBARA MCGIVAREN, TIMOTHY BODGE,  
PAUL BENNETT, JR., LOIC D'ANJOU. (PUBLIC HEARING)
- ITEM #210-92 TO CONSIDER ACTION RELATIVE TO THE DRAFT REPORT OF  
THE HEDGEHOG MOUNTAIN PLANNING COMMITTEE.  
(PUBLIC HEARING)
- ITEM #211-92 TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION OF  
A WARDEN FOR THE NOVEMBER 3, 1992 ELECTION.
- ITEM #212-92 TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION  
OF A HARBOR MASTER.
- ITEM #213-92 TO CONSIDER ACTION RELATIVE TO HOLDING A PUBLIC  
HEARING ON VARIOUS SOLID WASTE ISSUES.
- ITEM #214-92 TO CONSIDER ACTION RELATIVE TO ACCEPTING BIDS FOR  
USED POLICE VEHICLES.
- ITEM #215-92 TO CONSIDER ACTION RELATIVE TO AN APPLICATION  
TO THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION  
FOR FUNDS TO EXPAND WATER AND SEWER CAPACITIES.
- ITEM #216-92 TO CONSIDER ACTION RELATIVE TO APPROVING RESCUE  
RULES AND REGULATIONS.

PLEASE TURN OVER



ITEM #206-92    TABLED OCTOBER 6, 1992. TO CONSIDER ACTION  
RELATIVE TO A PROPOSED SEPTAGE AGREEMENT  
BETWEEN THE TOWN OF FREEPORT AND THE PORTLAND  
WATER DISTRICT.

OTHER BUSINESS:

- 1). UPDATE ON LANDFILL MONITORING REQUIREMENTS.
- 2). UPDATE FROM THE BUILDING COMMITTEE.
- 3). FIRE DEPARTMENT REQUEST FOR RENTAL SPACE.

ITEM #217-92    TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE  
SESSION.

FREEPORT TOWN COUNCIL MEETING #24-92  
FREEPORT TOWN HALL COUNCIL CHAMBERS

October 20, 1992 - 7:30 P.M.

	REGULAR	X	SPECIAL		
				PRESENT	ABSENT      EXCUSED
CHAIRPERSON'S CALL TO ORDER					
VAUGHNDELLA CURTIS, CHAIRPERSON PINE STREET				X	
KIRK GODDARD, VICE-CHAIRMAN MAST LANDING				X (LATE)	
EDWARD BRADLEY, FLYING POINT				X	
JOHN NELSON, CHURCH ROAD				X	
ANDREW ARSENAULT US ROUTE #1				X	
CARY VEILLEUX, WARDTOWN ROAD				X	
RANDALL BENNETT, PARK STREET				X	

**FIRST ORDER OF BUSINESS:**

**MOVED & SECONDED** - To waive the reading of the minutes of Meeting #23-92 held October 6, 1992 and accept the minutes as printed (Councilors Arsenault & Veilleux (6 Ayes) (0 Nays -Goddard not present as yet)

**SECOND ORDER OF BUSINESS:** Public Comment Period - 15 Minutes

Chairperson Curtis cautioned the public that they were not to get into personalities and if they had any complaints, they should put them in writing and present them to the Town Manager. She also advised that she understood a petition was being delivered and she would be happy to accept it. Councilor Nelson advised that he had to leave at 8:30 p.m.

Mary Kennedy advised that the mock town meeting held on Friday, October 16 lasted four hours. She thanked Councilors Arsenault, Veilleux and Bradley for participating. A report will be forthcoming and it is hoped that it will provide suggestions on how everyone can participate in an open government and it will help in planning the next town meeting.

Al Fagone took issue with the article in the TIMES RECORD in which the Town Manager indicated that nobody has approached him to complain about the tax revaluation or Assessor. It was Mr. Fagone's recollection that a week and a half ago, more than 150 people voiced their

complaints about the revaluation and the Tax Assessor. At this point, he presented a petition requesting that the Tax Assessor be removed from his position. Ken Mann added that these petitions to remove Richard Mains will continue to be circulated and they will be presented to the Council in the future.

Councilor Bradley advised that he found the discussions at the Mock Town Meeting to be informative and valuable and he came away thinking that more people should come to meetings such as this. This could only help to insure that townspeople would better understand where their tax dollars go. Mr. Fagone added that the Council Chambers were not really large enough to accommodate a big crowd.

Steve Day added that he felt the Tax Assessor was a true gentleman and found him to be easy to understand. He pointed out that Mr. Mains had a job to do, just like everyone else. Carolyn Woerter asked if the Council would be giving attention to the report which would be coming from Charles Gould on the mock town meeting. Councilor Bradley indicated that the Council should make the report an agenda item. They will then go over the pros and cons and make a judgment call on which items should become action items for the Council.

Ms. Woerter pointed out that this revaluation has brought lots of participation from the taxpayers but she was not aware that a lot of answers were given. Chairperson Curtis assured her that she spoke to the Town Manager and since there was so much concern, he in turn has spoken to a Mr. Walker from the State regarding mobile homes. Mr. Olmstead could ask Mr. Walker to come to Freeport to look at what has been done by the Assessor and MMC to make certain it has been handled properly. He indicated it would only require a letter.

Mr. Fagone pointed out that it was his opinion that the explanation given by Mr. Mains on mobile homes was in error.

Councilor Veilleux indicated that he would be speaking to state legislators next week at Candidate's Night concerning mobile homes and the 1975 state law governing them.

Councilor Arsensault added that Mr. Walker should be invited to a workshop immediately. He felt that it should be televised. Chairperson Curtis agreed.

Jean Baker raised some questions on the increases in property values and asked the Council what they were going to do with all the extra tax money. Councilor Bradley indicated that he remembered that she raised this question at the mock town meeting and tried to clarify this issue for her. He added that he would be willing to sit down with her and Mr. Mains to try to clarify this issue. He pointed out that the villain in this whole issue is the school funding formula and that the revenues from increased evaluations over the past ten years has been decreasing the amounts received from Augusta. He urged the public to ask the candidates in the upcoming election how they could change the formula that affects Freeport.

Bob Gilliam voiced his concern about the tax evaluation on his two small cottages on Flying Point. He explained that he has seen his taxes go from \$1,400 last year to \$6,000 this year. He felt that his evaluation was not fair. He didn't feel that his properties should be compared with year-round residences that have been sold in the area. He mentioned that Mr. Mains has not responded to any of his calls. The Town Manager assured him that he would be responded to on Wednesday.

Pictures were taken of the Town Council.



**THIRD ORDER OF BUSINESS:** To take action on the following items of business as read by the Council Chairperson.

Item #209-92

**MOVED AND SECONDED:** That the following applications for Victualer Licenses be subject to public hearing. (Councilors Arsenault and Veilleux (7 Ayes) (0 Nays)

Ronald Brook, d/b/a Crickets Restaurant, 175 Lower Main Street.

Barbara McGivaren, d/b/a Maple Hill B & B, 18 Maple Avenue.

Timothy Bodge, d/b/a Bodge's Sub-Shop, 15 South Street.

Paul Bennett, Jr., d/b/a Bennett's Gun Shop, (Peddler/Private Property)  
243 US Route #1 North.

**MOVED AND SECONDED:** To delete the (Peddler/Private Property) from Paul Bennett, Jr.'s application. (Councilors Bradley & Nelson) (7 Ayes) (0 Nays) Mr. Olmstead will advise the Town Clerk.

Loic D'Anjou, d/b/a D'Anjou Trees (Peddler/Private Property)  
10 Independence Drive.

**ROLL CALL OF MEMBERS:**

Vaughndella Curtis  
Kirk Goddard  
Edward Bradley  
Andrew Arsenault  
John Nelson  
Cary Veilleux  
Randall Bennett  
Dale Olmstead

**MOVED AND SECONDED:** That the Public Hearing be closed. (Councilors Arsenault & Veilleux) (7 Ayes) (0 Nays)

**BE IT ORDERED:** That the applications/reapplications for Victualer Licenses as noted above, be approved. (Councilors Arsenault & Bennett) (7 Ayes) (0 Nays)

**MOVED & SECONDED:** That the Licensing Board adjourn and the Council reconvene. (Councilors Arsenault & Nelson) (7 Ayes) (0 Nays)

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ITEM: #210-92      **MOVED & SECONDED:** That the Draft Report of the Hedgehog Mountain Planning Committee be subject to Public Hearing. (Councilors Nelson & Veilleux) (7 Ayes) (0 Nays) Presentation by Bob Hartnett and Gary Profenno.

**MOVED AND SECONDED:** That the Public Hearing be closed. (Councilors Bradley & Veilleux) (6 Ayes) (0 Nays) (Nelson left)

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ITEM #211-92      **BE IT ORDERED:** That the Town Clerk's appointment of Kirk Goddard as Warden for the November 3, 1992 Election be confirmed.

**BE IT FURTHER ORDERED:** That the polls in Freeport be open from 7:00 a.m. to 8:00 p.m. (Councilors Bennett & Veilleux) (6 Ayes) (0 Nays)

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ITEM #212-92      **BE IT ORDERED:** That the Town Manager's appointment of Erwin Pinkham as Harbor Master, be **tabled**. (Councilors Veilleux & Goddard) (6 Ayes) (0 Nays)

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ITEM #213-92      **BE IT ORDERED:** That a Public Hearing be scheduled for November 17, 1992 at 7:30 p.m. in the Town Hall Council Chambers for the purpose of soliciting input on various Solid Waste Issues. (Councilors Veilleux & Bradley) (6 Ayes) (0 Nays)

F-Y-I Councilor Arsenault asked that this be advertised in the local newspapers

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ITEM #214-92      **MOVED AND SECONDED:** That the Town Manager report on the bid results. (Councilors Goddard & Veilleux) (6 Ayes) (0 Nays)

**BE IT ORDERED:** That the bid from A. & Silver Auto Sales for a used 1990 Chevrolet Caprice (VIN #1G1BL547ILA160254) in the amount of \$3,126.80 be accepted.

**BE IT FURTHER ORDERED:** That the bid from A. & Silver Auto Sales for a used 1990 Chevrolet Caprice (VIN #1G1BL5474LA160202) in the amount of \$2,721.60 be accepted. (Councilors Goddard & Arsenault) (6 Ayes) (0 Nays)

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ITEM #215-92      **TABLED INDEFINITELY:** That an application to the U.S. Economic Development Administration for \$1,250,000 to provide for an expansion of existing waste water treatment facilities and additional water resources, be authorized. (Councilors Veilleux & Goddard) (6 Ayes) (0 Nays)

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ITEM #216-92      **BE IT ORDERED:** That the revised Rescue Rules and Regulations dated August 20, 1992 be approved. (Councilors Bradley & Veilleux)  
(6 Ayes) (0 Nays)

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ITEM #206-92      **BE IT ORDERED:** That the proposed Septage Agreement between the Town of Freeport and the Portland Water District, which will continue in effect until December 31, 1993, be approved. (Councilors Bennett & Veilleux)

**Page 2, Item #7 Amend To Read**

The Town agrees in concept with land application of District biosolids that meet all State and Federal standards and agrees to support in appropriate circumstances the utilization of such materials, on suitable land within the Town, should any landowner request such material. (Councilors Bradley & Veilleux (4 Ayes) (2 Nays-Arsenault/Bennett))

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ITEM 218-92      **MOVED AND SECONDED:** To introduce an item not on the printed agenda (Councilors Arsenault & Goddard) (6 Ayes) (0 Nays)

**TABLED UNTIL NOVEMBER 10, 1992:** That implementation of the 1992 re-valuation be delayed pending further various modifications necessary to assure the intended fair and equitable equalization. (Councilors Veilleux & Bennett) (6 Ayes) (0 Nays)

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**OTHER BUSINESS:**

- Update on Landfill Monitoring Requirements.
- Update from the Building Committee
- Fire Department request for rental space Chairperson Curtis read a letter written by the Fire Chief indicating that the fire and rescue personnel were in need of a meeting/stand-by space until the new facility was available out on the Hunter Road. He indicated that it would be possible to rent half of the Ring's Building at a cost of \$300/month plus heat. Chairperson Curtis indicated that she felt the space should be rented until April and the money should come from the Contingency Fund. Utilities will be furnished by Mr. Ring. The Fire Chief indicated that a container of gas would be required to heat the building for the winter. Councilor Veilleux recommended that it should not be limited until the month of April but the matter should be reviewed in April. Councilor Goddard felt it should have have been included in the budget but also felt it was imperative to support their request. Chairperson Curtis indicated that the amount needed would be \$2,300.

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

**BE IT ORDERED:** That \$2,300 be set aside to cover heat and rent of a portion of the Ring property to come out of the FY '93 Miscellaneous Contingency Fund for a six month period to be reviewed at the end of the six months. (Councilors Goddard & Veilleux) (6 Ayes) (0 Nays)

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ITEM #217-92

**MOVED & SECONDED:** That the Town Council enter into Executive Session with the Town Attorney to discuss a legal matter (Town of Freeport v Ocean Farms) and a personnel matter. (Councilors Veilleux & Bennett) (6 Ayes) (0 Nays)

**MOVED & SECONDED:** To reconvene (Councilors Veilleux & Bennett) (6 Ayes) (0 Nays)

The Council agreed that the Building Committee has the authority to authorize payment of bills for professional services in conjunction with the Public Works/Public Safety Building Project.

**MOVED & SECONDED:** TO adjourn at 12:04 a.m.  
(Councilors Bennett & Veilleux (6 Ayes) (0 Nays)

The foregoing was recorded by:

*Sharon Coffin*

Sharon Coffin, Recorder