

FREEPORT TOWN COUNCIL MEETING #5-93

MARCH 2, 1993 - 7:30 P.M. - COUNCIL CHAMBERS

SUMMARY AGENDA

ITEM #39-93 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION
FOR A PART TIME MALT AND VINOUS LICENSE FOR THE
FREEPORT COUNTRY CLUB (PUBLIC HEARING)

ITEM #40-93 TO CONSIDER ACTION RELATIVE TO THE CONFIRMATION
OF A HARBOR MASTER

ITEM #41-93 TO CONSIDER ACTION RELATIVE TO THE ADOPTION OF A
POLICY CONCERNING A PROPERTY TAX ASSISTANCE
PROGRAM FOR THE ELDERLY

ITEM #42-93 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT
TO THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES.

ITEM #43-93 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT
TO THE B.H. BARTOL LIBRARY BOARD OF TRUSTEES.

ITEM #44-93 TO CONSIDER ACTION RELATIVE TO A COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION.

OTHER BUSINESS:

1. DISCUSSION ON CHARGE FOR THE COMMUNITY RELATIONS COMMITTEE
2. DISCUSSION ON SITE PLAN AND REVIEW PROCESS FOR THE PUBLIC
WORKS/PUBLIC SAFETY COMPLEX
3. DISCUSSION ON THE MAINE WATER COMPANY'S PUC PETITION FOR
ACQUISITION AND RATE ADJUSTMENTS
4. DISCUSSION ON STREET LIGHT CONVERSION
5. DISCUSSION ON PROPOSED ZONING ORDINANCE AMENDMENTS CONCERNING
HOME OCCUPATIONS.

PLEASE TURN OVER

6. PRESENTATION OF FY 92 AUDIT REPORT - HEDY FILLMORE
7. DISCUSSION ON ADA REQUIREMENTS- JUDY HIGGINS
8. DISCUSSION ON TOWN CLERK'S WEEK AS DESIGNATED BY THE STATE LEGISLATURE - MARY WESCOTT
9. DISCUSSION ON ALTERNATE FUNDING SOURCES FOR COMMUNITY SERVICES.
10. UPDATE ON THE STATUS OF FREEPORT'S DEMOLITION SITE.

ITEM #45-93 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION.

END OF AGENDA

Freeport Town Meeting # 5-93
Freeport Town Hall Council Chambers
March 2, 1993 - 7:30 P.M.

Regular X Special

<u>Chairperson's Call To Order</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Kirk Goddard, Chairman, Mast Landing	X		
Edward Bradley, Flying Point	X		
Andrew Arsenault, U.S. Route #1	X		
John Nelson, Vice-Chairman, Church Street	X		
Cary Veilleux, Wardtown Road	X		
Randall Bennett, Park Street	X		
Elizabeth Ruff, Durham Road	X		

FIRST ORDER OF BUSINESS:

MOVED & SECONDED: To table the reading of the minutes of Meeting #4-93 held February 25, 1993 until March 16, 1993.
(Councilors Nelson & Veilleux) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes.

Mary Kennedy expressed her concern that three residents (peddlers) are experiencing hardship due to members of the Council for Responsible Government and fear of being put out of business.

Amy Adams expressed her concern that the Council was not following the charter guidelines for holding Executive sessions. She felt that the Council did not give a reason for these sessions. Councilor Bradley said that as long as he has been on the Council, the Executive sessions are always announced and a subject given.

Barbara McGiveran read from correspondence she has received from the town regarding her peddler license. She stated that she has her license for 1993. She expressed her concern about Chairman Goddard's proposal to remove one of the public peddling locations.

Mr. Nelson stated that tomorrow evening the Planning Board would be discussing a very important planning decision on zone changes. He said he planned to be at the meeting and urged the public to come to the meeting.

Bill Pushard expressed his concern about free enterprise and the fight that has gone on for years for the peddler's right to continue to operate their stands. He said it would be nice to have it all over with. He said the nonprofit organizations have had equal opportunity to get a license and a spot if they wanted to. He feels that they have chosen other avenues to raise their funds. He said that he has donated \$4,000 to Freeport Community Services. He also said that he would appreciate being asked for suggestions and input toward any proposal being made. He suggested having town residents only and putting all the names in the hat and have a drawing.

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

Item #39-93 To consider action relative to a reapplication for a part time Malt and Vinous License for the Freeport Country Club. (Public Hearing)

MOVED AND SECONDED: That the following reapplication for a part time Malt and Vinous License be subject to Public Hearing: Malcolm A. Pohle, d/b/a Freeport Country Club, 2 Old County Road. (Councilors Bennett & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Bennett & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That the reapplication for a part time Malt and Vinous License issued to the above named applicant, be approved. (Councilors Bennett & Veilleux) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Item #40-93 To consider action relative to the confirmation of a Harbor Master.

MOVED AND SECONDED: That the Town Manager's appointment of Erwin J. Pinkham as Freeport's harbor Master, be confirmed. (Councilors Ruff & Veilleux) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Item #41-93 To consider action relative to the adoption of a policy concerning a Property Tax Assistance Program for the Elderly.

MOVED AND SECONDED: That the proposed policy concerning a Property Tax Assistance Program for the Elderly, be adopted. (Councilors Bradley & Veilleux) **ROLL CALL VOTE** (6 Ayes) (1 Nay - Arsenault)

Mr. Bradley outlined his proposed policy concerning a Property Tax Assistance Program for the Elderly. Mr. Bradley said the idea was not to create new obligations but to coordinate existing services so that people who need these benefits could receive help from the town. He said this proposal came out of discussions he had with Vaughndella Curtis and responses he heard at various tax reevaluation hearings about elderly property owners. The policy says that if you are 70 or more, have income at or below poverty level, if you have no nonessential liquid assets, if you are sick or have other adverse financial circumstances--the town would offer various services to help. The basic idea is to coordinate existing programs in one central point in town and identify people in these circumstances. This would go a long way to make sure these programs were not simply announced but the benefits of them are actually delivered. This proposal would send a leadership message from the Council that the town cares about this group of people.

Councilor Veilleux asked why a town planner was involved in the process. Mr. Bradley said that it was to make sure that the property was fairly assessed. Mr. Veilleux complimented Mr. Bradley for his work on this issue and also Vaughndella Curtis and the town staff.

Mary Kennedy asked about number 5 under Services--"agreement with town to defer collection of taxes until transfer of property." She wanted to know if that meant the town would take the property from the person. Mr. Bradley explained that it means the town will wait to collect its due until the transfer of property either through sale or transfer according to the person's life schedule. Ms. Kennedy asked that section be stated more clearly.

Mr. Goddard asked that these responsibilities be added to the job descriptions of the persons responsible on the town staff. Mr. Olmstead asked that the council wait until this policy has been put into effect for awhile until the staff acquires some experience and then they could be added. Mr. Bradley suggested that the council look at the policy again in six months and at that time the responsibilities could be added to the various staff people.

Mary Kennedy said she thought it would have been better if some senior citizens could have been involved in this process.

Mr. Arsenault asked what kind of ordinance or rule this would fit under. Mr. Olmstead said it would go under the Town Policy Manual. Mr. Arsenault said that he supports this policy with some reservations regarding article 5.

Amy Adams said that Bulletin 10, Section 841, Subsection B, from the State Tax Office applies to this policy before the council and we shouldn't need another one. She urged the council not to vote for this policy.

Mr. Nelson commended Vaughndella, Mr. Bradley, and the town staff for their efforts. He said that it was one of the most pro-active efforts he'd seen to help out the elderly tax-payers in the Town of Freeport.

Item #42-93 To consider action relative to a reappointment to the B. H. Bartol Library Board of Trustees.

MOVED AND SECONDED: That Barbara McPheters be reappointed, effective immediately, to serve as a member of the B. H. Bartol Library Board of Trustees until April 1, 1996. **BE IT FURTHER ORDERED** that Ms. McPheters qualify by swearing an oath of office before the Town Clerk by March 12, 1993. (Councilors Ruff & Veilleux) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Item #43-93 To consider action relative to a reappointment to the B. H. Bartol Library Board of Trustees.

MOVED AND SECONDED: That Ann Brandt-Meyer be reappointed, effective immediately, to serve as a member of the B. H. Bartol Library Board of Trustees until April 1, 1996. **BE IT FURTHER ORDERED** that Ms. Brandt-Meyer qualify by swearing an oath of office before the Town Clerk by March 12, 1993. (Councilors Nelson & Veilleux) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Item #44-93 To Consider action relative to a community development Block Grant Application.

MOVED AND SECONDED: That a Public Hearing be scheduled for March 16, 1993 at 7:30 p.m. in the town Hall Council Chambers to discuss a Community Development Block Grant Application (Development Fund for Wilbur's Candies-Independence Drive). **BE IT FURTHER ORDERED:** That notice of this hearing be advertised in a newspaper of general circulation. (Councilors Veilleux & Ruff) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Mr. Olmstead stated that the Community Block Grant is a Federal Fund that provides small businesses, that need to expand and grow, a low interest Federal loan. In order that a small business receive this loan it has to be blessed by an elected body in the community in which it is located. The Greater Portland Chamber of Governments is handling all the loan application work and will administer the loan. These are all Federal dollars that are being applied for by the Wilburs. Ann Maserall from the Greater Portland Council of Governments will be here on the 16th to make a presentation during the Public Hearing.

OTHER BUSINESS:

1. Discussion on charge for the Community Relations Committee.

Mr. Goddard said there was a joint meeting of the Council with the Zoning Committee and the Facilities Committee several nights ago. The Building Committee asked the Council to approach the Planning Board on the development of the site. As you will recall the Building Committee was interested in moving forward with their plans for the Public Safety building but hadn't finished all their site design work for the entire site. They asked that this project be divided into two phases for Planning Board approval. He said he and the Town Planner had a meeting with Tom Rumpf to discuss how that process might work. There is interest in this community to develop further, than the town funds, green space on the municipal lot. The Planning Board has agreed to consider phase approval. Phase 1 would be the main majority of the location. Phase 2 would be the corner that goes from the sand pile which goes out to Main Street. It is that section that the Community Relations Committee needs to decide much of what takes place, especially the fund raising.

Betsy Ruff proposed that the Committee continue to meet and serve as an informal advisory group to the council but the membership would expand to include two to three representatives of the community who are not directly involved with the business community. She reminded the Council that she had some concerns about this committee representing the business community and the council and not the third piece which she feels is very important in any kind of a group like this. She feels that we should maintain the contact with the business community but also include some representation from the community at large. She also said she would like to see one or two members of the Council serve on that committee. She suggested the committee elect its own chair; set up its own meeting times; discuss issues that affect the community at large, such as the one that Mr. Goddard has just presented to us; and come back to the Council with recommendations. This is not a formal committee that is written into our charter or ordinance so that is the suggestion she is putting on the table for how the committee should work. Ms. Ruff asked the council if they are comfortable with this kind of committee--she asked what the Council wanted the committee to continue to do. She felt that it was kind of vague what the committee was to

do. She recommended that this committee be sanctioned by the Council but not run by the Council. The Council could ask them to look at certain issues. She asked whether we need to make this a formal committee or leave it as an informal committee. The Community Relations Committee is made up of three councilors and four members of the business community right now.

Susan Saunders stated that she served as an alternate on the committee and it served as a way to keep communications open. It was chaired by Vaundella Curtis last year. The business community brought forth their people and the councilors brought forward their people in a partnership to get a dialog going in such issues as economic development and the early stage discussions of the municipal building and the needs that might come up for what the people call the green land. She felt it was a very valuable process because it gave the business community a real understanding of the issues that the town had and it gave the town officials an idea of what was going on in the business community and where they saw things headed. There was a lot of discussion on the number of businesses with space issues. There were discussions about the businesses we were about to lose because there was no space for them. She said she doesn't have a position on the proposal made by Betsy. She felt that it was important, in the coming years, that the council, members of the business community, and the residents should keep the lines of communication open. She felt it important that the Council consider this a joint committee rather than a council committee because the concept being discussed is partnership.

Mr. Bradley said that Betsy should give some thought to the "charge" and come up with a statement for this committee. Ms. Ruff said that she would meet with the committee before she does that.

Mr. Goddard stated that this committee talked about raising money for that site—a quarter of a million dollars.

Mary Kennedy asked what committee the Council was talking about. Mr. Bradley said that the Community Relations Committee recommended raising funds for the green space. He said that their proposal to raise money was passed to the Council and that the Council was considering this proposal. Ms. Kennedy said that Ms. Ruff's committee sounded good if there was a good selection of candidates for the committee. She said she was in favor of Ms. Ruff's proposal.

2. Discussion on Site Plan and review process for the Public Works/Public Safety Complex.

Mr. Goddard said that this is a continuation of the previous discussion. Phase 2 (green area) has not been planned and the Council needs to decide who will work on this plan. Mr. Nelson said that he hoped that the present Building Committee would be included in the planning. Mr. Bradley disagreed and said that there are others that are interested that have expertise in site plan for green space but are not involved in the current Building Committee. Mr. Bradley said that we shouldn't miss the opportunity to use their expertise and interest. He felt that this opportunity should be advertised so others will have the chance to be on this committee. Councilor Ruff suggested putting something in the paper similar to what is done when there is a vacancy on other committees. Mr. Nelson said we should start now to put the group together. Mr. Goddard said that there were some policy issues that will come forward in the discussion about green space. He suggested the Council advertise immediately and get the appointments committee together and make recommendations to council on how this committee will be set up. Lastly, the Council should then hold a workshop to decide how the committee will be set up and the direction in which it will head.

Mr. Bennett asked if Phase 1 and 2 have to go before the Planning Board and is this the fact that we need to build the building and then tear the old one down afterwards or is this another portion of the committee that we're going to create to decide what we are going to do on the design on the outside of the building and the green space. He asked if the Council was going to create an additional portion of the committee that already exists to do this. Mr. Arsenault said that the committee wants to solely focus on the building they are building. They didn't say they didn't want to focus on the second part, they just didn't want to get involved in another process. The basic problem is that the Police Department can not move out until the new building is done so why go before the Planning Board for some plan to deal with the Police Station when we still need it. Until the new building is built and the public works crew can move down to the Hunter Road, the Police, Fire, and the Rescue can move over to the new building--there's no reason to deal with the land, the Police Station, the West Street Barn, and the area the sand pile sits on. The committee wants to divorce themselves from that part of the project right now. He said that the Building Committee does not want to deal with two projects at the same time--the new building and the green space. Mr. Arsenault suggested talking with the Building Committee before making any decisions on a new committee. He said there are many issues to discuss--what to do with the Police Station and the West Street Barn.

Mr. Veilleux asked whether the Community Relations Committee would be a good committee to discuss these issues. Mr. Nelson said that this doesn't have to be decided tonight. He stated that the Building Committee wants to focus on the new building and wants to defer discussing, either itself or another committee or them being part of another committee, the area bounded by Main Street, West Street, and the triangle that Kirk's talking about. Mr. Arsenault suggested that when it is drafted that it be worded so that it doesn't say it's dealing with just the green space so people will have a better idea of what they are applying for it.

3. Discussion on the Maine Water Company's PUC Petition for Acquisition and Rate Adjustments.

Mr. Olmstead informed the Council and the public that the Maine Water Company has filed a PUC petition to acquire certain water districts within Maine and to also reorganize various branches they have. He said, at this point, he doesn't know how it will affect Freeport and they haven't seen the documents--PUC has agreed to send them as soon as they are available to the public. Mr. Olmstead said he doesn't know if there will be a rate increase for Freeport. He felt that the Council and the people on public water should be aware of the process.

4. Discussion on Street Light Conversion

Mr. Olmstead stated that in the Council's packets is a letter from the American Streetscape Society, a nonprofit society that operates in Washington D.C., who has identified Freeport along with two other communities as potentially meeting their criteria. They felt that Freeport would be aesthetically enhanced if it were to convert its street lighting back to the old style fixture which is called radial wave street lights--a lot of people refer to them as the Chinaman's Hat. There are probably a dozen still in this community with incandescent fixtures. He said one that comes to mind is the one by the L. L. Bean Distribution Center on the left as you are going south. There are several in South Freeport--about a dozen left in the community. Those incandescent lights are no longer manufactured so when CMP's stock is depleted, which is soon, there will be no more street lights in those fixtures so those fixtures will come down and there will no more street lights in those areas. However, there is a

company or two that have developed a sodium fixture that is compatible with those types of fixtures. Central Maine Power has been taking those fixtures down in communities all over Maine, who have them, and stockpiling them and has agreed to make them available to Freeport if Freeport would like to convert back to the old type of lighting. There is a cost to Freeport--Freeport has to pay for the sodium bulb placed in the fixture and that is \$70.00 per fixture. He asked is there was interest and, if so, how much and in what areas the Council would like to look at. Once this is decided, he would develop a proposal for the capital budget.

Mr. Nelson said the district he represents has a great interest in retaining the lights that they have. He said there is concern that they will be converted to the cobra head. Ms. Ruff asked for specific figures as to the cost.

Mr. Arsenault suggested that Freeport stockpile the ones that CMP is holding so that we would at least have the heads stashed somewhere and then could convert two or three a year or whatever it was (there then wouldn't be a shortage of the fixtures).

Mr. Veilleux asked is this was for aesthetic reasons and if so to remember the budget and the times. There are lots of ideas that are good but he urged the Council to keep the budget in mind.

Mr. Bennett asked if there was a cost comparison between putting these ballast on and changing the light heads. He asked if CMP will do that anyway or was there a charge to the town to replace the existing ones. Mr. Olmstead said that he was told by Keith Johnson of CMP that when the incandescent bulbs no longer exist, the town will have to make a choice if they want the light but the town will have to pay for the conversion at that time or decide that it will discontinue that light. The town will have to pay if the lights are replaced. Mr. Bennett said that the new lights would probably save money. Mr. Olmstead said that he would prepare the figures. Mr. Bradley asked if when the old bulbs are not longer available and the fixtures are obsolete, will CMP pay for the conversion. Mr. Olmstead said the town could pay for the up front installation fee and have a lower monthly charge or have a higher monthly charge and wave the installation fee. The town would pay one way or the other.

5. Discussion on proposed Zoning Ordinance Amendments concerning home occupations.

Mr. Bradley was approached by Rod Regier to sponsor an amendment to the Zoning Ordinance, Space Standards, Home Occupations. By presenting his proposal to the Council and the Council recommending it, it would save Mr. Regier about \$500.

Mr. Regier said his proposal comes from discussion, years ago, on the Comprehensive Planning Committee. Home occupations are permitted anywhere in town--they are subject to a variety of limitations that would minimize their size. These limitations are things such as traffic, noise, and employment. There is also a limitation on the square footage area that can be used for the home occupation--both the square footage as a fraction of the home and also the square footage for any kind of accessory structure that might be part of the home occupation. The proposal would modify the latter. It would modify the amount of square footage that could be used for accessory structure home occupation. So it would only be able to occur under very narrow circumstances that would relate the expansion of the accessory structure to property size. It would also be able to occur only under formal site plan review. Mr. Regier said that tonight it's not a matter of support or approval of the proposal before

you--it's more a method to start the process before the Council. A vote in favor of this proposal would in no way indicate that the Council endorsed it. At issue tonight is not endorsement but discussion. If the Council agrees with this concept, it would go to the Planning Board and have the normal review process with the Public Hearing. They would review it, amend it if necessary, send it back to Council where there would be a second level of public review. He hopes to start this process tonight.

Mr. Bennett asked what the process was for something like this. Mr. Regier said that his understanding is that to amend the Zoning Ordinance, which is what this would do, a resident can either initiate this and pay the application fee, which he feels is substantial, or it can happen through Council Directive to the Planning Board to consider it.

Mr. Goddard asked the council if there was a consensus to send this to the Planning Board for discussion. Mr. Arsenault expressed his concern that this would make existing or future home occupations, that fall under 600 square feet, fall into site plan review. He supports this concept as someone with a large barn or property would be able to use it. Mr. Bennett said that he was in favor of the proposal as long as it doesn't affect existing home occupations. There was a consensus of the board to send to the Planning Board.

6. **Presentation of FY 92 Audit Report--Hedy Fillmore.** Deferred.
7. **Discussion on ADA requirements--Judy Higgins.** Deferred.
8. **Discussion on Town Clerk's Week as designated by the State Legislature--Mary Wescott.**

Mary Wescott explained that the first week of May has been designated as National Municipal Clerk's Week. She said that she would like to celebrate this week by holding various events during that week to thank our citizens for their support and also make them aware of the many artisans, committees, locals who give of their time and crafts to make Freeport a wonderful place to live. She suggested a pet photo contest, drawings, special events such as blood pressure or cholesterol screening. She said she'd loved to perform a wedding ceremony that week. She's contacted many of the local clubs and organizations to see if they would like to participate. She said she is looking for donations for the white elephant table and displays from talented people. On Friday the council room would be set up with these displays and refreshments would be served. There would be no cost involved and only volunteers would be needed. Mr. Bradley asked several questions and Mary Wescott answered them all. The Council supported her proposal.

9. **Discussion on alternate funding sources for community services.**

Mr. Goddard said that one of his goals, as a Councilman, was to see what could be done to help the greatest number of people in the community. He said the primary responsibility the Council has is to review the community resources and determine the needs of that community, and then to prioritize how those resources can be utilized to meet those needs. He said that the one concern he has heard most is that the down town doesn't do anything for them--as individuals or as residents. He feels that there are opportunities that the Council isn't looking at to use as resources. He said that one of the things he has done as a Councilor is to look at alternative sourcing for every service the Council provides. He has asked the school committee regularly during the budget session--how can they provide the services they provide in a manner different than they do it today so that the Council can find a more economical way to provide the service as good or better today for less money. He said that the Council has to consider state and local cutbacks and how they affect our local residents.

He said that Freeport Community Services approached the Town Council this past year and asked if the town could pick up the \$10,000 they lost. He said they provide more services for more people than any other organization in the town. The town did provide the extra \$10,000. He feels the Council should consider alternative funding sources. He said there is an opportunity for the town to use public spots to make significant revenues for the town of Freeport. He said that the Sports Boosters were able to raise \$7,000 in their spot. They generated over \$14,000--\$7,000 went back into the schools and community and \$7,500 went to the payroll for students to operate the hot-dog stand. There are six spots--three of which are on Main Street and three are off. The one that is used by the Sports Boosters could be considered the prime spot on Main Street. His request is that the Town Council allocate a single peddler spot on Main Street for Freeport not-for-profit groups. This will require an amendment to the existing peddler ordinance. He requested that the revenues generated from the designated peddler spot be designated to be given to residents in the town of Freeport and that the persons hired to operate the cart be Freeport residents. The second request he had was for the Council to enact a policy that encourages Freeport not-for-profit groups to utilize our community sidewalk resources. He said we need to make sure that the organizations in our community feel that it is appropriate for them to come forward in our community and request the use of our sidewalks. He said that some organizations have bylaws that limit them to 100% volunteer efforts and others are prohibited from getting involved in the political process. He feels the Council needs to encourage them to use this opportunity.

Councilor Nelson asked to have it explained how the present ordinance governs the six spots and how people apply for them and how they keep them. Mr. Goddard said that annually approximately 200 people inquire about the possibility of have a peddler spot--three or four people a day. Our ordinance reads that six people have public peddling spots--granted in three-month intervals and extended upon reapplication for the year. The process gives prioritization in the following manner: 1) a Freeport person, who reapplies in time, you would get one of the six spots, 2) a peddler reapplying (we have four resident reapplications and two nonresident reapplications) as a nonresident would also qualify for one of those six spots, and 3) any new applications would be considered. This year everyone that had a permit last year reapplied and so no one has an opportunity to get a permit unless someone does not reapply during that three month period to extend the permit. Over the last three years only one person has allowed the permit to lapse so that there was one changeover. The Maine Street permit process has been an informal policy--they are currently allocated spaces by the Parking and Traffic Committee. Five spaces are on Main Street and one is on Depot and Mill. This has been changed to three spaces on Main Street and the town clerk has a lottery for peddlers that reapply to get the Main Street spots. He said another piece of the ordinance that needs to be dealt with is permit utilization. If you have a permit, you don't necessarily have to do anything with it. He said that one spot last year was only used a handful of times. He feels that the ordinance is unfair. He feels that his proposal will solve the problems of the ordinance.

Councilor Ruff said she applauds his commitment to community and service groups but she can not support Mr. Goddard's proposal for a number of reasons. She feels that this type of proposal should come from the bottom up and not the top down. She feels that the service groups have as much right as anyone to come to the council and say, "it's unfair, we'd like to have a cart and we want you to consider changing the ordinance". She doesn't feel the Council should tell these organizations how they should use their resources in a way to make money. Her second reason is that many of the peddler carts are operated by local people who make very generous contributions to this community--either in kind contributions or actual cash contributions--and she doesn't feel that the Council should interfere in their livelihood. She apologized to the public--she said she was asked a number of times about a proposal coming to the Council relative to this--and she said she didn't know anything about it except that Mr. Goddard said he would be looking into it and bringing something to the council.

Mr. Nelson asked to have the proposal clarified regarding the six public spots. Mr. Goddard said that the six spots do not include the Sports Booster. He said his proposal would allocate one of the six public spots for Freeport based not-for-profits. He said there are four Freeport residents that hold public peddling permits. He said that he wants to see a requirement for Freeport not-for-profits to utilize this space. He said one of the versions of his proposal would be to bid out the spot and no one would have the right to come in year after year. However, he said he is not in favor of that version of his proposal.

Mr. Veilleux asked if Mr. Goddard was looking for support for this proposal--he said that this was the first he had heard of it. Mr. Goddard said he would like to get direction and what shape this would pass in. If there isn't any direction, he will ask for a vote at a future meeting. Mr. Veilleux said that he is concerned for the peddlers that have already paid for their spots if this would take affect on July 1st. He said he could consider taking a spot if it meant the nonresident spots. Mr. Veilleux said he couldn't support the proposal.

Mr. Nelson asked about designating an additional spot. Mr. Goddard said that the Parking and Traffic Committee has said there aren't any spaces on Main Street to give unless it is reallocated.

Mr. Arsenault said he would support the proposal if there were no peddlers now on Main Street. He said he could not go along with displacing a peddler. He said that when the Freeport Boosters proposed their cart, if they weren't using that spot, the cart would be available to any nonprofit organization to utilize (it was a nonprofit area). He said that the Council should maybe look at that spot to utilize for other groups that come to the Council and ask for a spot. He said that he has not been approached by any groups to ask for a hot dog cart. He said that if the Council set up regulations to make the peddlers second class to nonprofits, he feels the Council would be violating the equal rights amendment. Mr. Arsenault said he could not support this proposal.

Mr. Nelson said he feels that there are changes needed in this ordinance. He felt there should be a competitive bid process and that money be used for the greater good of the community. He said he could support this proposal as it is but thought a better way of doing it is to open it up to free enterprise and open it up to public bid.

Mr. Goddard said that there was not a consensus to go forward with this proposal.

Mr. Bradley stated that he doesn't think it is free enterprise when a small group of people monopolize a public space. He said he doesn't think it is fair to exclude anyone who has developed an opportunity on Main Street as a peddler from that space without giving them the opportunity to anticipate and plan for it. He said that Mr. Goddard's proposal creates a dilemma. He feels the ordinance should be reviewed to correct any inequities. He encouraged Mr. Goddard not to put the Council on that spot (to come to a consensus) but to find a way by process to continue to agree to address the idea. He felt it was time for the town to confront this issue and decide it once and for all.

Mr. Arsenault said that if Mr. Goddard would hold a meeting with the peddlers, he would be glad to attend.

Mr. Mann read a statement from Pat Pooters on behalf of Freeport First Parish Church: "Freeport First Parish Church does not support Mr. Goddard's proposal. We will continue to conduct our fundraising as we always have. It's nice to know Mr. Goddard listened when religious and service organizations said we would be called upon to help citizens in Freeport more than in the past due to State and Federal cutbacks. I have long thought that the Sports Booster Stand was not a great idea in that salary is being paid. I realize it's good experience but all moneys raised should go to the sports program. Mr. Goddard, please leave the issue alone, we do not support putting people out of work."

10. Update on the status of Freeport's Demolition Site.

Mr. Olmstead said that there is a very important hearing in Augusta tomorrow morning to deal with a series of legislative documents, all of which will allow us to keep our own land fill demolition site open. This is an important hearing and he urged anyone on the council or in the public to attend the hearing.

OTHER BUSINESS

Mr. Nelson said that the Appointments Committee met prior to this meeting. One of the issues from the Planning Board was alternative transportation in Freeport. He suggested appointing a group of people as an advisory committee to the Planning Board to work on alternative transportation. He said that he has nine people interested in serving on this committee. He said the Appointments Committee will put together a charge for such an advisory committee and bring it to the Council as soon as they can. They will get advice from the Council, put advertisements out in the community for other people that might be interested in such a group, allow some time to pass and then the Appointments Committee would bring, to the Council, a list of people that would be interested in serving, and the Council could appoint such a group. He received an OK from Council.

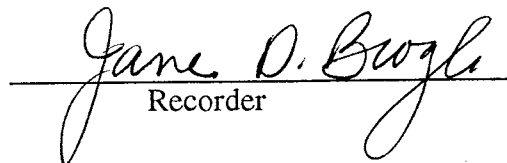
Item #26-93 To consider action relative to an Executive Session.

MOVED AND SECONDED: That the Town Council enter into Executive Session with Municipal nonunion employees to discuss personnel issues and to discuss Union Contract Negotiations. (Councilors Veilleux & Bennett) (7 Ayes) (0 Nays)

MOVED & SECONDED; To reconvene. (Councilors Veilleux & Bennett) (7 Ayes) (0 Nays)

MOVED & SECONDED: To adjourn. (Councilors Veilleux & Bradley) (7 Ayes) (0 Nays)

The foregoing was recorded by: Jane D. Brogli


Recorder