

# SUMMARY AGENDA

COUNCIL MEETING #24-93

FREEPORT TOWN HALL COUNCIL CHAMBERS

NOVEMBER 23, 1993 - 7:00 P.M.

ITEM #211-93 - TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION

ITEM #212-93 - TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR PAUL BENNETT, GEORGE LEMAR, AND F. SEAN RILEY (PUBLIC HEARING)

ITEM #213-93 - TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME, MALT, SPIRITUOUS AND VINOUS LICENSE FOR CRICKETS (PUBLIC HEARING)

ITEM #214-93 - TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME, MALT, SPIRITUOUS AND VINOUS LICENSE FOR THE FREEPORT CAFE

ITEM #215-93 - TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE (CHAPTER 46)

ITEM #216-93 - TO CONSIDER ACTION RELATIVE TO AN APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA)

ITEM #217-93 - TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG)

ITEM #218-93 - TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM WINSLOW PARK RESERVE ACCOUNT

## OTHER BUSINESS:

1. Discussion on Coalition for Equitable School Funding
2. Discussion on Council sub-committee assignments and goals for the coming year
3. Discussion on Council Meetings for the balance of 1993
4. Discussion on County Budget Resolution requested by the City of South Portland

**COUNCIL MEETING #24-93  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
NOVEMBER 23, 1993 - 7:00 P.M.**

<u>Chairperson's Call to Order</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Elizabeth Ruff, Chairperson, Durham Road	X		
Randall Bennett, Vice-Chair, Park Street	X		
Edward Bradley, Flying Point Road	X	(Arrived 7:15)	
Roger Wold, Staples Point Road	X		
Gloria DeGrandpre, Wolf Neck Road	X		
Kenneth Mann, Mann Road	X		
Edward Campbell, Gay Drive	X		

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of Meeting #23-93 held on November 9, 1993 and accept the minutes as printed.

**MOVED AND SECONDED:** To amend\* the Minutes of Meeting #23-93 on page 4 to read "To hold a 30-minute Public Comment Period. (Councilors Mann & Bennett) *ROLL CALL VOTE* (2 Ayes - Mann & Bennett) (5 Nays - Bradley, Ruff, Wold, DeGrandpre, & Campbell)." (Councilors Campbell & Wold) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #23-93 held on November 9, 1993 and accept the minutes as printed and amended\*. (Councilors Campbell & Bennett) (6 Ayes) (No Nays)

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

Andy Arsenault expressed concern about Freeport's coverage in the press. He said that the comments from the Town Hall were not good. He said that press releases should put a good slant on the issues.

John J. Forrest asked for respect as a citizen of Freeport when speaking before the Council. He asked the Council if there was a criminal investigation in the town by the Attorney General's office concerning allegations of illegal removal of asbestos during October and November of 1993 or at present. He also asked by whom, wherein, and when was it done if there was one done. He also asked if or when there is a written report of the investigation by the Attorney General's office that it be made public. He also asked if there was a DEP report on the asbestos issues and if so that it be made public. He asked for a copy of both of those reports. He thanked the Council for allowing him to speak and wished them all a Happy Thanksgiving.

(Councilor Bradley arrived at 7:15.)

Ken Mann said that at the last Council workshop meeting the Council agreed by consensus to have recordings done of all Council meetings. He thanked the Council for the support--this is something he had lobbied for. He said he also hoped that minutes would be taken for the public record.

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

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**ITEM #211-93 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION.**

**MOVED AND SECONDED:** That the Council enter into Executive Session with the Town Attorney to discuss litigation (Town of Freeport v. Ocean Farms) and to discuss personnel matters. (Councilors DeGrandpre & Bennett) (6 Ayes) (1 Nay - Mann)

Ken Mann stated for the record that he was comfortable discussing personnel matters in public.

**MOVED AND SECONDED:** That the Council reconvene. (Councilors DeGrandpre & Bennett) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** To take an item (#211-93) not on the agenda. (Councilors Bradley & Bennett) (7 Ayes) (0 Nays)

**BE IT ORDAINED:** That \$25,000 be transferred from the fiscal year 1994 Municipal Operating Budget Miscellaneous and Contingency Fund for the purpose of finalizing litigation--Town of Freeport vs. Ocean Farms. (Councilors Bradley & Campbell) **ROLL CALL VOTE** (6 Ayes) (0 Nays) (Mann Abstains)

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Chairperson Ruff asked the town attorney, Geoffrey Hole to respond to issues/questions raised at the Council Workshop session last week. The first question relates to Section 2.06(a) of the Charter--Holding Other Office--does this section prohibit Councilors from holding seats on appointed boards or committees and nonappointed as well? He said in Section 206.1 which says "no Councilmen shall hold other town office or town employment." He indicated in his letter (attached) two or three arguments for how the Charter could be interpreted to say that a Councilperson should not hold any other office but went on to say that it is not the intent of language of this type. Rather it is the intent to prohibit a person on the Council from holding more traditional offices such as tax collector, etc. He said we shouldn't be too quick to exclude people who were otherwise ready and willing to serve on the boards and commissions. He said he felt that individual Councilors could form a valuable liaison between the full Council and the boards and committees. He



asked Dale Olmstead to see if there were any files available to help us with the history and purpose of this language at the time the Charter was enacted.

The second question has to do with Section 2.03 Appointments--Does this section require the Council to appoint members to boards and committees by written ballot versus roll call vote? He read from Section 2.03 as follows: "The following officials and boards shall be appointed by ballot by the majority vote of the members of the Town Council." He said it does seem quite clear in the Charter that the boards that are listed there should be voted by ballot. Mr. Hole said that although it doesn't affect the offices of incumbents, he recommends that the Council do it in the future.

The third question deals with Sections 2.10 and 2.11 Secretary of Council and Procedures--Are workshops considered Council Meetings that require the attendance of a recording secretary and a verbatim recording of the meeting? Also, do Council rules and procedures apply at the workshop meetings? He said that the Charter provides for regular meetings and special meetings. He said it's not clear whether the voters when they enacted the Charter ever contemplated Workshops. He said the Council agreed in discussions that rather than raise a question on that point, they would start to treat Workshops as special meetings. He said as he understands it, it would require little adjustment because the agendas for Workshops are done many weeks in advance and are handed out in writing to the Councilors and are available to the press. He said the meetings should be recorded. He said if the rules and regulations are too burdensome for the Workshop sessions, he said the Council can change the rules and regulations.

The last item he was requested to comment on was the relationship between Councilors and the Town Manager in regard to supervision of town employees. Section 2.06(c) says "Except for the purpose of inquiries and investigations under Section 2.03, the Council members shall deal with town officials who are subject to the direction and supervision of the manager, solely through the manager, and neither the council nor its employees shall give orders to any such official or employee, either publicly or privately." He said the language was quite clear and was very consistent with the Municipal Laws Title 30-A which had the same structure in the Town Manager Plan.

Councilor Mann said he was uncomfortable as a Councilor about asking for public information without going through the Manager. Mr. Hole said that he should ask for public information through the Town Manager.

Mr. Wold said he has served on the boards of a number of organizations that were organized by a charter or constitution or set of bylaws and in every case the interpretation of special meetings has been those meetings other than those that are regularly called for in the charter and those at which the

governing body may actually take action. He said in workshops this Council cannot vote or take action so it would seem to him that the generally accepted view of special meetings are those that occur at times other than those that are regularly scheduled in the constitution or the charter and at which decisions and votes can take place. He said the council should be careful we don't by virtue of what we do somehow bind further councils to treating workshops as special meetings when I think that may not be the proper interpretation of what a special meeting is.

Mr. Hole said that the Council should make a decision as to whether this should be brought to the voters at a convenient time. He said that rather than create any suggestion that the Council wasn't acting properly, we'd make those adjustments that were necessary so that the meetings, whether special for action or for workshops, fell within the criteria of the Charter and consider from there. He said that Mr. Wold was probably right but would address it this way rather than leaving a question.

Mr. Bradley asked if Workshop meetings would now be special meetings. Mr. Hole said that was correct. He also asked if workshop meetings now are considered meetings of the Council, then any rules or regulations that dictate how we conduct meetings of the Council will apply--such as Public Comment at the beginning of the meeting. Mr. Hole replied that the Charter only talks about regular and special meetings--the rest comes from rules that the Council has adopted for itself. Mr. Hole said if you find within your own structure you need to create a workshop category, this body has a perfect right to do it. Mr. Hole suggested that the Charter requires that a special meeting have a secretary, a recording and notice and the Council should follow it. Mr. Bradley said that if the Council finds the Workshops valuable in that content, they will have to revise the rules and procedures to reflect that type of meeting. Mr. Hole agreed that amending the rules would be the best way to do it.

Mr. Bradley said that at the next meeting he will propose a change to the rules to allow Workshop sessions of the Council.

Dave Thompson said that he was Chairman of the first Council and Chairman of the fourth year the Council was in existence. He said he disagreed with Mr. Hole. He said that there were regular meetings that were scheduled and special meetings were intended for those meetings that had to be called on short notice for items that had come up and needed to be voted on. He said the right-to-know laws were different back then and the ability to conduct workshops has changed. He said that the workshops don't come under special meetings but until the Council changes the rules should be considered regular meetings because they are scheduled.

Chairperson Ruff suggested that this issue be put on the agenda for discussion at a future Council Meeting. The Ordinance Committee will look into it.

Rosa Brawn expressed concern that she had missed the Public Comment Period because she didn't know that the start time had changed. She asked if this was a permanent change. Councilor Ruff explained that this was not a permanent change but that the Chairperson has the discretion to change the starting time of the council meeting if the meeting will be a long one or if the Council needs to meet with the Town Attorney, or any other special circumstances. Ms. Brawn asked to present her petitions to the Council. Chairperson said that the Council can not discuss issues relating to personnel. Ms. Ruff said that the Council can not accept any petitions but that the acting Town Manager will accept it. Mr. Bradley said that the Council is under a legal barrier for discussing or dealing with personnel matters before they come before they get to the Council in the normal course of things for fear it may prejudice or bias us as the ultimate decision maker in a particular case. He said if the Council accepts the petition in advance of the procedure, the Council may not be able to serve their function in the Town.

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**ITEM #212-93 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR PAUL BENNETT AND F. SEAN RILEY.**

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

**ROLL CALL OF MEMBERS:**

Elizabeth Ruff	Gloria DeGrandpre
Randall Bennett	Kenneth Mann
Edward Bradley	Edward Campbell
Roger Wold	Dale Olmstead (Absent)

**MOVED AND SECONDED:** The following applications/re-applications for Victualer Licenses be subject to Public Hearing: Paul Bennett, Jr, d/b/a Bennett's Gun Shop, 243 U. S. Rt. 1 North and F. Sean Riley, d/b/a Freeport Cafe, 335 U. S. Rt. 1 South. (Councilors Campbell & Bradley) (7 Ayes)  
(0 Nays)

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

**BE IT ORDERED:** That the applications/re-applications for Victualer Licenses issued to the above named applicants, be approved. (Councilors Campbell & Bennett) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

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

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**ITEM #213-93 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME, MALT, SPIRITUOUS AND VINOUS LICENSE FOR CRICKETS. (PUBLIC HEARING)**

**MOVED AND SECONDED:** That the following re-application for a Full-Time, Malt, Spirituous and Vinous License be subject to Public Hearing: Ronald Brook, d/b/a Crickets, 175 Lower Main Street, Freeport. (Councilors Wold & Bradley) (7 Ayes) (0 Nays)

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

**BE IT ORDERED:** That the re-application for a Full-Time, Malt, Spirituous and Vinous License issued to the above named applicant be approved. (Councilors Wold & Bennett)  
**ROLL CALL VOTE** (7 Ayes) (0 Nays)

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**ITEM #214-93 TO CONSIDER ACTION RELATIVE TO A RE-APPLICATION FOR A FULL-TIME, MALT, SPIRITUOUS AND VINOUS LICENSE FOR THE FREEPORT CAFE.**

**MOVED AND SECONDED:** That the following re-application for a Full-Time, Malt, Spirituous and Vinous License be subject to Public Hearing: F. Sean Riley, d/b/a Freeport Cafe, 335 U.S. Rt. 1 South. (Councilors Bennett & Bradley) (7 Ayes) (0 Nays)

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

**BE IT ORDERED:** That the application for a Full-Time, Malt, Spirituous, and Vinous License issued to the above named applicant be approved. (Councilors Bennett & Campbell)  
**ROLL CALL VOTE** (7 Ayes) (0 Nays)

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**ITEM #215-93 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE. (CHAPTER 46)**

**MOVED AND SECONDED:** That a Public Hearing be scheduled for a December 7, 1993 at 7:30 P.M. in the Town Hall Council Chambers to discuss proposed amendments to the General Assistance Ordinance. **BE IT FURTHER ORDERED:** That 30 copies be printed and distributed equally between the Town Clerk's Office and the B.H. Bartol Library for inspection by citizens. (Councilors Mann & Campbell)  
**ROLL CALL VOTE** (7 Ayes) (0 Nays)

**ITEM #216-93 TO CONSIDER ACTION RELATIVE TO AN APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA).**

**MOVED AND SECONDED:** To amend Item #216-93 after Be It Further Ordered to delete "received" and replace with "awarded". (Councilors Bradley and Wold) (7 Ayes) (0 Nays)

**BE IT ORDERED:** As amended\* that the Town Manager be authorized to sign and submit an application to the Economic Development Administration (EDA) for \$2,041,500 for the construction of water and sewer system improvements in the Town of Freeport. **BE IT FURTHER ORDERED:** That the grant be accepted if received. (Councilors Campbell & Bennett) **ROLL CALL VOTE** (7 Ayes) (0 Nays)

Jackie Cohen said there was change in the amount of money being applied for. The town is applying for funds from the Economic Development Administration (EDA) for two projects. The first project is to construct a 500,000 gallon stand pipe or water tank in the Snake Hill area and the second is to extend the water and sewer lines down Route 1 to a property that is North of Levinsky's. The applicant for the grant is the Town of Freeport and the facilities that would be constructed would be owned by the Town of Freeport and leased to the Water Company and the Sewer District for them to maintain and operate. She said that three weeks ago, the town received an invitation to apply to the EDA for this grant. The invitation to apply means that as long as we do everything appropriately and meet all their requirements, it is highly likely that we will receive the funds. Ms. Cohen said the deadline for that application is Monday. Ms. Cohen said that we plan to ask for 75% of what we need to build these facilities and that comes up to \$2,041,500. We have to find a match of 25% for this grant and that is why there is another motion in your packet to apply for Community Development Block Grant funds and we also will be looking for other sources. That match would come to \$680,500. We will not receive the Federal funds until we have the match. She said the total cost would be \$2,722,000. She said that representatives were available in the audience from the Water Company, Sewer District, and the Engineers to answer questions.

Councilor Campbell said that Healthsource of Maine would like to ~~like to~~ move to a site on Route 1 and they need these resources to do it. This company will bring 400 jobs to the town.

Jackie Cohen said that the only reason the town is being considered for this grant application is because we have identified a company that will generate jobs and that is the purpose of this grant. Healthsource is the generator.



Item 216-93 Continued

Ken Guimond, developer of the Healthsource Project, gave an overview of the project. The project will be located on 25 acres across from the Old County Road. He feels that Healthsource will continue to create jobs on a yearly basis for the foreseeable future. He said he was approached by Healthsource to find an additional piece of property and was unable to do so. He commended Mr. Olmstead and Ms. Cohen for stepping in when he found property on Route 1 but it had no public services available. They convinced him to get involved to get the applications done to get the funding to provide these services. He said they are ready to go on the project but need the sewer and water services. He urged the Council to support this project.

Rick Knolton, Engineer with the Maine Water Company, said the area on Snake Hill has been explored for many years as a site for an elevated Stand Pipe to improve fire service and storage capacity within the system. The Company purchased a piece of property on Snake Hill several years ago which has found its way into the scope of this project and they are happy to support the approach the town is taking. He said the Maine Water Company feels this approach will negate any negative impact on our rate payers and allow the town to continue its growth. He said the long term implications of this project and the improvements it would provide to the existing system in addition to expanding services to the Route 1 properties is a laudable goal. He said they were behind the project.

Paul Dunn, Chairman of the Trustees of the Freeport Sewer District, said that the Board of Trustees support this 100% mainly because it is opening up a possibility of clean sewerage coming into the plant. He said they believe it will open an area conducive to small industry. He said they have been approached by several motels who have a problem with disposal of their sewerage and are very anxious to have this project. The Board of Trustees believes in this project and has committed several thousand dollars to the initial design work.

Greg McVeigh, Engineer from Wright, Pierce, said that it is important for the town to take the steps we have been looking at as far as the grant is concerned to provide water and sewer services to an area that will open up for commercial development. He said this is a good project for the town and they support it hardily. The project will extend from the manhole that sits in front of the Super 8 to connect to the water system and bring it down to 1800 feet north of Levinsky's and do the same thing with the sewer. This will afford properties on both sides the opportunity to connect to the system. The property they will need to acquire will be the tank site, the access road in, and also where the pump station is.

Councilor Mann asked if the grant was tied to a certain number of jobs. Jackie Cohen said it was. She said the town would be referencing the Health-source job creation in the application and the estimate is 275 jobs to be created

Item 216-93 Continued

over time. Councilor Mann asked if there was any danger that we might not get the grant because we were not creating enough jobs. Ms. Cohen said no.

Councilor Bradley asked if the town would be asked for the 25% out of tax funds at any time. Ms. Cohen said that at this time they would not be asking for town funds.

Jay Hardy said he had been working with Jackie Cohen and the team trying to assemble this project. He said that additional money is needed for this project and they have identified some sources including the Community Development Block Grant money. There is a set aside in the State Community Development Block Grant on funds specifically earmarked for municipalities to use in matching projects. It is not accessible to communities that don't have, for example, a federal grant like this coming in--there are not a lot of federal grants floating around. The Community Development Block Grant allocation is for the state and is available to communities. As far as this project is concerned, Freeport has had extraordinary success in attracting funds for this project having garnered \$750,000 from the state through the Job Fund Program from the Department of Economic and Community Development. All the indications they have received from the state are favorable.

Geoff Hole said that the property for the Stand Pipe is already owned by the Water Company and discussion has already taken place with the property owners of the property between the Stand Pipe and Route 1. He said that it is not anticipated that there will be any problem with acquiring the piece of property for the pump station for the force main.

Mr. Bradley asked if the lease-back arrangements have been decided and agreed upon. Mr. Hole said the principles have been discussed and the documents are being worked on. The concept has been agreed upon. Mr. Bradley asked what the capacity was at the sewer plant and whether the additional sewer would create problems. Mr. Dunn said that a third processing tank was constructed and they are receiving flows of 350,000 to 400,000 gallons per day and that at this point the capacity of the plant is at 750,000 gallons per day so they are in good shape to receive this additional area. He said the sewer plant will not be the cause of closing the clam flats but the parking lots up town are the problem. This project will not increase the environmental problems on the flats.

Mr. Bradley asked if the zoning and design review regulations are adequate for the task. Jackie Cohen said that zoning for the Route 1 corridor is different from the zoning in other areas--there are large setbacks and landscaping requirements--just about everything would go under site plan review. Under site plan review the Planning Board would look at design elements and could request an advisory opinion from the Design Review Board. The Planning Board would like to discuss with the Council the development of Route 1 and the Comprehensive Plan. Mr. Bradley asked if there was a need for adjustment

Item #216-93 Continued

to the zoning in this area for the project, would there be time? Ms. Cohen said the one area that needs to be looked at is the area of design but with the building of Health Source, this could be the benchmark.

Mr. Bradley asked that the Planning Board, the Ordinance Committee, the Council, and the Design Review Board have a workshop to discuss the issue of design.

Mr. Mann suggested that the Comprehensive Plan should be adopted and used as a benchmark for what to do with Route 1 South.

Councilor Ruff said she hoped this would be done in concert with the Ordinance Committee.

Andy Arsenault expressed concern that most of the discussion will be with committees and boards and the Town Council. He said he was concerned that Route 1 land owners, residents, and businessmen were not included on that list. He said that he hoped the new council would work with the neighborhood and not put more regulations on Route 1 South. He urged support for the landowners on Route 1. He asked if the water pipe crossings will be respected. The engineers said they would be.

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**ITEM #217-93 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.**

**MOVED AND SECONDED:** That the Town Manager be authorized to sign and submit applications for a Community Development Block Grants (CDBG) in the amount of \$680,500 for the purpose of providing matching funds for the Economic Development Administration application (EDA). **BE IT FURTHER ORDERED:** That the Town Manager be authorized to seek out other nonmunicipal funds or in-kind contributions for the purpose of providing matching funds for the Economic Development Administrative application. **BE IT FURTHER ORDERED:** That nonmunicipal match for the Economic Development Administration application be accepted if received. (Councilors DeGrandpre & Bennett)  
**ROLL CALL VOTE** (7 Ayes) (0 Nays)

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**ITEM #218-93 TO CONSIDER ACTION RELATIVE TO A TRANSFER OF FUNDS FROM WINSLOW PARK RESERVE ACCOUNTS.**

**MOVED AND SECONDED:** To move the question.  
(Councilors Bennett & Bradley) (6 Ayes) (1 Nay - Mann)

**MOVED AND SECONDED:** To amend\* Item #218-93 to read  
**BE IT ORDAINED:** That up to \$137,500 be transferred from the Winslow Park/Harb Cottage Reserve Accounts and transferred to the Winslow Park Master Plan Fund Account for the purpose of funding Phase I of the Winslow Park Master Plan. (Councilors Mann & Wold) (6 Ayes) (1 Nay - Bradley)

**BE IT ORDERED:** That up to \$137,500 be transferred from Winslow Park/Harb Cottage Reserve Accounts for the purpose of funding Phase I of the Winslow Park Master Plan as amended\*. (Councilors Campbell & Wold) (6 Ayes) (1 Nay - Mann)

**MOVED AND SECONDED:** To hold a Public Hearing on December 7, 1993 for the transfer of funding for Item #218-93. (Councilors Mann & Bennett) **ROLL CALL VOTE** (0 Ayes) (7 Nays)

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**OTHER BUSINESS:**

**1. Discussion on Coalition for Equitable School Funding.**

Paul Weston represents the Coalition for Equitable School Funding and works for the Town of Falmouth. He said the Coalition has engaged two lobbyists to work for the organization. He also stated that we have a school funding formula to create funding equity for students--we have student equity throughout the state. If you were a student in Presque Isle, Maine, or Gilford, Maine or Freeport, Maine there is a basic allocation for your education but we do not have tax-payer equity. The Coalition has a formula having to do with tax-payer equity that they would like to push forward. He asked the Council to fund the Coalition--up to \$2.00 per student. He feels a few dollars now will reap a big dividend. He doesn't feel there will be a change in the school funding formula during the current legislation session but when the economy gets better, we have to be ready.

Councilor Wold said he felt the problem in Freeport was that our property values were disproportionate to our income levels. He said he felt that Freeport would benefit most from a funding formula that took into account not only property value per student but income per student in the town.

Bob Lyman said he is in favor of equity in school funding but needs more answers before recommending joining the Coalition.

Paul Weston said that we have to continue to fight together yearly and Freeport needs to be a player. He said the towns that have funded the Coalition are: Falmouth, Rockport, Camden, Lincolnville, Jay, Tremont, Southwest Harbor, Vinalhaven, Kittery, Kittery Schools, Old Orchard, Jay, Scarborough, South Portland, and Portland. He said a fee of \$2,00 per student would total \$2,400 for Freeport to join the Coalition.

Councilor Mann said he feels our elected representatives should do our lobbying and not pay someone to do it for us.

Councilor Campbell asked if this was a one time request. Mr. Weston said that this would probably be a yearly request.

Mr. Bradley said he has supported this group in the past and will support again. He said he feels the \$2,400 would be well spent.

Councilor Wold said if we support the Coalition, we should be active in this organization too.

Councilor Campbell also urged support of the Coalition. He said that he and Ed Bradley went to Augusta, a couple of years ago, with the support of over 100 towns to lobby in support of this issue.

**MOVED AND SECONDED:** To take an item not on the printed agenda. (Councilors Bradley & Bennett) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** To amend\* the motion to change from an "BE IT ORDERED" to "BE IT ORDAINED". (Councilors Mann & Bennett) (4 Ayes) (3 Nays - Bradley, Ruff & Campbell)

**BE IT ORDERED:** To transfer \$2,400 from the Miscellaneous and Contingency Fund for the use of the Town Manager to fund the Coalition for Equitable School Funding with the understanding that it would give the people of Freeport an opportunity to participate as amended\*. (Councilors Bradley & Wold) **ROLL CALL VOTE** (4 Ayes) (3 Nays - Mann, Bennett & DeGrandpre)

**MOVED AND SECONDED:** To schedule a Public Hearing on this motion at the December 7, 1993 Council meeting. (Councilors Mann & Bennett) (2 Ayes) (5 Nays - Ruff, Bradley, Campbell, Wold, & DeGrandpre)

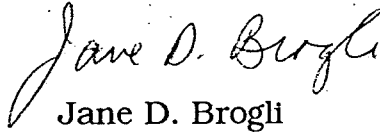


2. **Discussion on Council sub-committee assignments and goals for the coming year.** (Attached is a list of committee assignments.)
3. **Discussion on Workshop Agendas for the balance of 1993 and for 1994.** (Attached is the Proposed Workshop Agenda.)
4. **Discussion on County Budget Resolution requested by the City of South Portland.**

It was recommended that Dale Olmstead draft a resolution for the Council's approval for the next meeting.

**MOVED AND SECONDED:** To adjourn at 11:25 p.m.  
(Councilors Bradley & Campbell) (7 Ayes) (0 Nays)

Respectfully submitted,



Jane D. Brogli  
Council Recorder

**ORGANIZATIONAL COUNCIL MEETING #23-93  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
NOVEMBER 9, 1993 - 7:30 P.M.**

**Chairperson's Call to Order**

Kirk Goddard, Chairperson, Mast Landing Road  
Edward Bradley, Flying Point Road  
Andrew Arsenault, 287A U.S. Route #1  
John Nelson, Church Street  
Randall Bennett, Park Street  
Elizabeth Ruff, Durham Road

**Present   Absent   Excused**

X  
X  
X  
X  
X  
X

**FIRST ORDER OF BUSINESS:** To waive the reading of the Minutes of Meeting #22-93 held on October 19, 1993 and accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #22-93 held on October 19, 1993 and accept the minutes as printed and amended\*. (Councilors Nelson & Bennett) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** To amend\* the Minutes of Meeting #22-93 on page 13 to read Tim "Pellerin" in place of Tim "Power". (Councilors Ruff & Nelson) (6 Ayes) (0 Nays)

**MOVED AND SECONDED:** That the Freeport Town Clerk report on the returns of the November 2, 1993 State and Local Elections. (Councilors Bennett & Nelson) (6 Ayes) (0 Nays)

Mary Wescott, Town Clerk reported on the results of the November 2, 1993 Municipal Election (attached).

**MOVED AND SECONDED:** That the Town Clerk's report be accepted. (Councilors Bennett & Ruff) (6 Ayes) (0 Nays)

Mary Wescott swore in the new Councilors: Gloria DeGrandpre, Kenneth Mann, Edward Campbell, and Roger Wold.

**MOVED AND SECONDED:** To elect a temporary Chairperson. (Councilors Bennett & Campbell) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** That nominations cease. (Councilors Campbell & Mann) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** To elect Ed Bradley as temporary Chairperson. (Councilors Bennett & Campbell) (7 Ayes) (0 Nays)

**ROLL CALL OF NEW MEMBERS:**

Edward Bradley, Flying Point Road  
Randall Bennett, Park Street  
Elizabeth Ruff, Durham Road  
Roger Wold, Staples Point Road  
Gloria DeGrandpre, Wolf Neck Road  
Kenneth Mann, Mann Road  
Edward Campbell, Gay Drive

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

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**ITEM #210-93 TO CONSIDER ACTION RELATIVE TO ELECTING A CHAIRPERSON AND VICE-CHAIRPERSON FOR THE TOWN COUNCIL.**

**MOVED AND SECONDED:** That the nominations for the position of Council Chairperson be accepted. (Councilors Bennett & Mann) (7 Ayes) (0 Nays)

**MOTION:** That the nominations cease. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**BE IT ORDERED:** That Betsy Ruff be elected Chairperson of the Town Council. (Bennett & Mann) (7 Ayes) (0 Nays)

Chairperson Ruff thanked the Council for electing her and said she looked forward to working with this Council. She said her first request is to have a Workshop next week to look at four issues. The first is to talk about working together and the second is to become familiar with the documents that the Council needs to understand. The third issue will be for Dale to explain how issues are brought to the Council. The fourth item will be a review of the issues dealt with this year and the issues that we need to deal with this year. She said that this meeting is very important.

**MOVED AND SECONDED:** That the nomination for the position of Council Vice-Chairperson be accepted. (Mann & Campbell) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** That the nominations cease. (Councilors Campbell & Bennett) (7 Ayes) (0 Nays)

**BE IT ORDERED:** That Randy Bennett be elected Vice-Chairperson of the Town Council. (Councilors Bradley & DeGrandpre) (7 Ayes) (0 Nays)

Chairperson Ruff said that Kirk Goddard has served on the Council for six years and prior to serving on the Council was a volunteer in the Community. She said that being Council Chairperson is a difficult job and said she was very appreciative of all the time he put in. Mr. Bradley said that no one, since he has served on the Council, has put in as much time and thought to develop Council business in an orderly, prioritized way as Kirk did last year. Mr. Bradley said that Mr. Goddard got more done in one year than any other Council. Mr. Bradley said that Mr. Goddard and Mr. Nelson worked very well together.

Mr. Goddard said that he was pleased to have served as Town Council Chair. Since he has been on the Town Council the schools have become excellent, our public safety facility is almost complete, and the town has a new Public Works building. He said that things have changed recently for the worst. He said he was physically threatened after a meeting and at the last Town Council meeting a police officer was necessary to maintain order. He said that we should not stand for this type of behavior any longer. He said that people can agree to disagree but respect is due to everyone in the community. He suggested that the Public Comment Period has helped to change the tone of the meetings. He suggested changing the Public Comment Period as it has been used to publicly attack people. He suggests that moving the Public Comment period to the end of the meeting may keep the tone of the meeting more positive. He thanked everyone for their support and urged the public to support the Council.

Chairman Ruff said that John Nelson served on the Council from 1984 until 1990 and again from 1991 to 1995. She said she appreciates all his efforts and his knowledge on many environmental issues.

Mr. Nelson thanked the Councilors that he served with. He thanked Dale Olmstead and said he was the finest Town Manager he knows. He thanked the town staff and said the people of Freeport are lucky to have such a fine staff. He said that he has served the town for 17 years and urged the public to get involved.

Chairman Ruff thanked Andy Arsenault for serving on the Council. She said that he asked some tough questions and kept everyone on their toes. Andy thanked the Council.

Chairman Ruff said that there was a plaque for Cary Veilleux that they would send him.

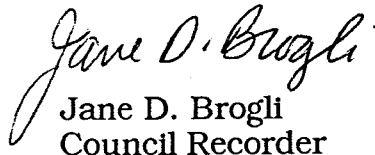
**MOVED AND SECONDED:** To waive the reading of the Minutes of Meeting #22-93 held on October 19, 1993 and accept the minutes as printed and amended\*. (Councilors Mann & Bradley) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** That the Town Clerk's report on the State and Local Election be accepted. (Councilors Mann & Bennett) (7 Ayes) (0 Nays)

**MOVED AND SECONDED:** To hold a 30-minute Public Comment Period. (Councilors Mann & Bennett) **ROLL CALL VOTE** (5 Ayes) (2 Nays - Mann & Bennett)

**MOVED AND SECONDED:** To adjourn at 8:25 p.m. (Councilors Bradley & Campbell) (7 Ayes) (0 Nays)

Respectfully submitted,

  
Jane D. Brogli  
Council Recorder



RESULTS OF THE NOVEMBER 2, 1993 MUNICIPAL ELECTION

COUNCILMAN-AT-LARGE		
GLORIA DEGRANDPRE	1,392	
JOHN MICK MCGIVAREN	950	
COUNCILOR, DISTRICT 2		
KENNETH MANN	385	
JOHN ARSENAULT	239	
GERARD WELCH	58	
COUNCILOR, DISTRICT 3		
ROGER WOLD	458	
MARY KENNEDY	203	
COUNCILOR, DISTRICT 4		
EDWARD CAMPBELL	329	
LELAND ARRIS JR	271	
SCHOOL COMMITTEE		
JAMES DEGRANDPRE	1,338	
PETER MOULTON	863	
EDWARD NUNERY	837	
ROBERT TOOTHAKER III	726	
SEWER DISTRICT TRUSTEES		
TERRANCE MCDOUGALL	1,457	
KENNETH JENKINS	1,412	
WATER DISTRICT TRUSTEES		
JEFFREY RAYMOND	1,561	
REFERENDUM QUESTION		
BUDGET ADVISORY COMMITTEE		
NO	1,227	
YES	945	

THERE WERE 124 ABSENTEE BALLOTS

2,431 VOTERS CAST BALLOTS WHICH AMOUNTS TO  
42% VOTED

*Mary Wiscott*  
*Town Clerk*