

**AGENDA
COUNCIL MEETING #3-97
COUNCIL CHAMBERS
JANUARY 21, 1997**

SPECIAL NOTE: THIS AGENDA IS A WORKING AGENDA THAT INCLUDES BACKGROUND INFORMATION AND IS FOR DISTRIBUTION TO COUNCIL MEMBERS ONLY.

FROM: DALE C. OLMSTEAD, JR.

**TO: GENIE BEAULIEU, CHAIRPERSON, LARUE DRIVE
EDWARD CAMPBELL, VICE-CHAIRPERSON, GAY DRIVE
ALAN HINDLEY, WARDTOWN ROAD
KENNETH MANN, MANN ROAD
CHARLOTTE BISHOP, MAQUOIT DRIVE
STAFFORD SOULE, ARNOLD ROAD
DAVID SOLEY, ARNOLD ROAD**

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF #1-97 HELD ON JANUARY 7 AND #2-97 HELD ON JANUARY 14 AND ACCEPT THE MINUTES AS PRINTED.

**SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES
(NON-AGENDA ITEMS ONLY)**

THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON.

**COUNCIL MEETING #3-97
JANUARY 21, 1997**

**ITEM #6-97 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR
VICTUALER LICENSES FOR JAMES WILLEY & RUSSELL OAKES.
(PUBLIC HEARING).**

**MOTION: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD
CONVENE.**

ROLL CALL OF MEMBERS:

**CHARLOTTE BISHOP
GENIE BEAULIEU
ALAN HINDLEY
STAFFORD SOULE
PAT GOODWIN**

**DAVID SOLEY
KENNETH MANN
EDWARD CAMPBELL
DALE OLMSTEAD**

**MOTION: THAT THE FOLLOWING APPLICATIONS FOR
VICTUALER LICENSES BE SUBJECT TO PUBLIC HEARING.**

**JAMES A. WILLEY, D/B/A L.L. B. DESERT ROAD, CAMPUS
CAFETERIA, 3 DESERT ROAD.**

**RUSSELL E. OAKES, D/B/A THE WINE CELLAR/CHOWDER
EXPRESS, 2 MECHANIC STREET.**

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

**BE IT ORDERED: THAT THE APPLICATIONS ISSUED TO THE
ABOVE NAMED APPLICANTS BE APPROVED.**

**ITEM #7-97 TO CONSIDER ACTION RELATIVE TO THE ISSUANCE OF A
PUBLIC PEDDLERS LICENSE.**

**BE IT ORDERED: THAT A RENEWAL LICENSE ISSUED TO
BRENDA HODGSON D/B/A B & G'S GRILL II, BE APPROVED.**

**MOTION: THAT THE LICENSING BOARD ADJOURN AND THE
COUNCIL RECONVENE.**

COUNCIL MEETING #3-97
JANUARY 21, 1997

ITEM #259-96	TABLED DECEMBER 17, 1996 AND JANUARY 7, 1997. TO CONSIDER ACTION RELATIVE TO THE PROPOSED ABANDONMENT OF HIGH STREET.
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BE IT ORDERED: THAT THE PROPOSED ABANDONMENT OF HIGH STREET,
AS SUBMITTED TO PUBLIC HEARING ON DECEMBER 17,
1996, BE APPROVED.

OTHER BUSINESS:

1. REQUEST FOR USE OF THE BOW STREET PARK FOR THE JULY 4 L.L.
BEAN ROAD RACE.

COMMITTEE REPORTS:

ITEM #8-97	TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS CABLE T.V. FRANCHISE NEGOTIATIONS.
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MOTION: THAT THE COUNCIL ENTER INTO
EXECUTIVE SESSION WITH THE TOWN ATTORNEY TO
DISCUSS CABLE T.V. FRANCHISE NEGOTIATIONS.

MOTION: THAT THE TOWN COUNCIL RECONVENE.

ITEM 9-97	TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO CONSIDER A PROPOSED LEASE FOR THE B.H. BARTOL LIBRARY BUILDING.
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MOTION: THAT THE COUNCIL ENTER INTO
EXECUTIVE SESSION WITH THE TOWN LIBRARY AGENT
AND TOWN ATTORNEY TO CONSIDER A LEASE FOR THE
B.H. BARTOL LIBRARY.

MOTION: THAT THE TOWN COUNCIL RECONVENE.

END OF AGENDA

MINUTES
FREEPORT TOWN COUNCIL MEETING #3-97
January 21, 1997 - 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Chairperson Larue Drive	X		
Edward Campbell, Vice-Chairperson Gay Drive	X		
Alan Hindley Wardtown Road	X		
Kenneth Mann Mann Road	X		
Charlotte Bishop Maquoit Drive	X		
Stafford Soule Arnold Road	X		
David Soley Arnold Road	X		

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #1-97, HELD ON JANUARY 7, 1997, AND SPECIAL MEETING #2-97, HELD ON JANUARY 14, 1997, AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #1-97, HELD ON JANUARY 7, 1997, AND SPECIAL MEETING #2-97, HELD ON JANUARY 14, 1997, AND ACCEPT THE MINUTES AS PRINTED.
(Councilors Campbell & Soule) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES.

(There were no comments this evening.)

MOVED AND SECONDED: THAT THE PUBLIC COMMENT PERIOD BE CLOSED. (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

COUNCIL MEETING #3-97
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THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE
FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL
CHAIRPERSON.

ITEM #6-97 TO CONSIDER ACTION RELATIVE TO AN APPLICATION
FOR VICTUALAR LICENSES FOR JAMES WILLEY &
RUSSELL OAKES. (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE COUNCIL
ADJOURN AND THE LICENSING BOARD CONVENE.
(Councilors Campbell & Soule) (7 Ayes) (0 Nays)

ROLL CALL OF MEMBERS: (All present)

CHARLOTTE BISHOP	DAVID SOLEY
GENIE BEAULIEU	KENNETH MANN
ALAN HINDLEY	EDWARD CAMPBELL
STAFFORD SOULE	DALE OLMSTEAD
PAT GOODWIN	

MOVED AND SECONDED: THAT THE FOLLOWING
APPLICATIONS FOR VICTUALER LICENSES BE
SUBJECT TO PUBLIC HEARING.

JAMES A. WILLEY, D/B/A L.L. BEAN DESERT ROAD,
CAMPUS CAFETERIA, 3 DESERT ROAD.

RUSSELL E. OAKES, D/B/A THE WINE
CELLAR/CHOWDER EXPRESS, 2 MECHANIC STREET.

(Councilors Campbell & Soule) (9 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE PUBLIC
HEARING BE CLOSED. (Councilors Campbell & Bishop) (9
Ayes) (0 Nays)

BE IT ORDERED: THAT THE APPLICATIONS ISSUED
TO THE ABOVE NAMED APPLICANTS BE APPROVED.
ROLL CALL VOTE (Councilors Campbell & Bishop) (9
Ayes) (0 Nays)

**COUNCIL MEETING #3-97
JANUARY 21, 1997**

**ITEM #7-97 TO CONSIDER ACTION RELATIVE TO THE ISSUANCE
OF A PUBLIC PEDDLERS LICENSE.**

**BE IT ORDERED: THAT A RENEWAL LICENSE ISSUED
TO BRENDA HODGSON, D/B/A B & G'S GRILL II, BE
APPROVED. ROLL CALL VOTE (Councilors Soule &
Bishop) (9 Ayes) (0 Nays)**

**MOVED AND SECONDED: THAT THE LICENSING
BOARD ADJOURN AND THE COUNCIL RECONVENE.
(Councilors Soule & Campbell) (9 Ayes) (0 Nays)**

**ITEM #259-96 TABLED DECEMBER 17, 1996 AND JANUARY 7, 1997. TO
CONSIDER ACTION RELATIVE TO THE PROPOSED
ABANDONMENT OF HIGH STREET.**

**BE IT ORDERED: THAT THE PROPOSED
ABANDONMENT OF HIGH STREET, AS SUBMITTED TO
PUBLIC HEARING ON DECEMBER 17, 1996, BE
APPROVED. (Councilors Soley & Campbell)**

Claire Owen, resident of Somerset Condominiums, requested
that the wording in the easement remain the same so that the
residents at Somerset are not expected to maintain some part
of that road. She believes that the wording will remain the
same.

Councilor Campbell stated that the interests would not be in
any way tainted by the Council's action.

Discussion followed, re: the wording shall remain the same,
the abutters favor this proposal, etc.

ROLL CALL VOTE (7 Ayes) (0 Nays)

OTHER BUSINESS:

1. REQUEST FOR USE OF THE BOW STREET PARK FOR
THE JULY 4TH L.L. BEAN ROAD RACE.

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Chairperson Beaulieu stated that Manager Olmstead had received a letter from Lili Hall, L. L. Bean, regarding the use of Bow Street Park for the annual L. L. Bean's 4th of July Road races.

All councilors agreed that this was a worthy activity for the Community.

MOVED AND SECONDED: TO INTRODUCE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Campbell & Mann) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT L.L. BEAN BE ALLOWED TO USE BOW STREET PARK OVER JULY 3RD AND 4TH FOR THEIR ROAD RACE. (Councilors Campbell & Mann) (7 Ayes) (0 Nays)

COMMITTEE REPORTS:

1. Councilor Campbell, Library Committee, stated that he will have an update report for the Council on February 5, 1997; the project is progressing well. He added that revenue has been recovered which was not covered in the budget for the project.
2. Chairperson Beaulieu, LB-C3 Committee, stated that the committee will be meeting January 22 and is hoping to bring something forward this summer. She added that George Fraser has agreed to chair this committee. All land abutters will be asked to participate in this effort.
3. Councilor Soley stated that the Community Development Committee is considering forming an independent, non-profit corporation, with a balance of representatives of councilors and business members, to fit into the Economic Development group.

Chairperson Beaulieu stated that they need to bring something forward before the beginning of the budget season. The committee has talked to economic development groups in Scarborough, Gorham and Portland, to see how the other town progress, etc.

Councilor Mann asked for clarification as to how the \$25,000 appropriated for economic develop in the budget has been used.

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Chairperson Beaulieu stated that the funds have been used for Jack Lufkin, who has been working on the community development aspects, basically doing the legwork of gathering information from other communities.

Councilor Campbell stated that Mr. Lufkin has been framing out a mission statement, goals, etc., and how this should be built.

Chairperson Beaulieu stated that there will be a meeting this Friday at 1:00 P.M. to review the document to see if it is worded as it should be.

4. Manager Olmstead listed the upcoming subcommittees' meetings, Special Projects, Appointments, Ordinance and Municipal Facilities.

Councilor Bishop stated that people interested in any of these committees are welcome to attend. It is fair that people who have expressed interest should have the opportunity to serve.

Councilor Soley suggested that people who are not reappointed should be called.

Discussion followed re: people losing interest in not being selected, changing the people on committees, etc.

ITEM #8-97 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO DISCUSS CABLE T.V. FRANCHISE NEGOTIATIONS.

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION WITH THE TOWN ATTORNEY TO DISCUSS CABLE T.V. FRANCHISE NEGOTIATIONS. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE TOWN COUNCIL RECONVENE. (Councilors Mann & Hindley) (7 Ayes) (0 Nays)

ITEM #9-97 TO CONSIDER ACTION RELATIVE TO AN EXECUTIVE SESSION TO CONSIDER A PROPOSED LEASE FOR THE B. H. BARTOL LIBRARY BUILDING.

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION WITH THE TOWN LIBRARY

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AGENT AND TOWN ATTORNEY TO CONSIDER A LEASE FOR THE B. H. BARTOL LIBRARY BUILDING. (Councilors Soule & Bishop) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: THAT THE TOWN COUNCIL RECONVENE. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

MOVED AND SECONDED: TO INTRODUCE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Mann & Campbell) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE FREEPORT TOWN COUNCIL ENTER INTO A LEASE AGREEMENT WITH THE VERMONT TEDDY BEAR COMPANY, INC. UNDER THE TERMS AND CONDITIONS OUTLINED IN THE LEASE AGREEMENT DATED JANUARY 21, 1997.

BE IT FURTHER ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO SIGN THE LEASE ON BEHALF OF THE TOWN OF FREEPORT. ROLL CALL VOTE (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS A CONTRACT BETWEEN THE TOWN OF FREEPORT AND COMMERCIAL PROPERTIES. (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE TOWN COUNCIL RECONVENE. (Councilors Campbell & Soule) (7 Ayes) (0 Nays)

MOVED AND SECONDED: TO INTRODUCE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Campbell & Soule)

BE IT ORDERED: THAT UP TO \$60,600 BE EXPENDED FROM THE PROCEEDS OF THE SALE OF PROPERTY TO DR. TODD TRITCH TO PROVIDE FOR THE COMMISSION DUE TO RIDDLE & ASSOCIATES, INC., IN ACCORDANCE WITH THE CONTRACT. ROLL CALL VOTE (Councilors Soule & Campbell) (7 Ayes) (0 Nays)

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JANUARY 21, 1997**

**MOVED AND SECONDED: THAT THE MEETING BE
ADJOURNED AT 9:35 P.M. (Councilors Bishop & Mann) (7
Ayes) (0 Nays)**

Respectfully submitted,

Pat Goodwin, Recording Secretary

Memo:

To: Dale Olmstead, Town Manager

From: Al Thompson, Director of Public Works

Date: October 2, 1996

Re: High Street

The short section of High Street which is a Town road has long been a maintenance headache for Public Works. In working out the details of their housing development with Freeport Housing Trust, I have suggested that they take over this short section of Town road. They have agreed to do this, and the development plan approved by the Planning Board assumes that High Street will become the project driveway.

I would therefore request that you petition the Council to abandon High Street and turn over ownership of the land under the street to the FHT partnership which owns the housing project. The ownership entity is Freeport Affordable Housing, L.P. The only other property effected by this abandonment is the house in back of the project, 20 High Street. This house is now owned by the Housing Trust. Since all concerned parties are in agreement with the proposed change, there should be no opposition to the Council taking this action.

Sincerely,

Alton Thompson

Alton Thompson
Director of Public Works