

**AGENDA**  
**FREEPORT TOWN COUNCIL MEETING #19-97**  
**TOWN HALL COUNCIL CHAMBERS**  
**SEPTEMBER 2, 1997 - 7:00 P.M.**

**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 #18-97 August 5, 1997 Meeting 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 #19-97  
SEPTEMBER 2, 1997**

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**ITEM #148-97** To consider action relative to applications for victualer licenses for Vincent Migliaccio, William James, Leona Smith, Robin Wade, Jane Grant, Bonita Kirby, Susan Trotter and James M. Friedlander. (Public Hearing).

**MOTION:** That the Council adjourn and the Licensing Board convene.

**ROLL CALL OF MEMBERS:**

Charlotte Bishop	David Soley
Genie Beaulieu	Kenneth Mann
Alan Hindley	Edward Campbell
Stafford Soule	Dale Olmstead
Patricia Goodwin	

**MOTION:** That the following applications for Victualer Licenses be subject to Public Hearing.

Vincent Migliaccio, d/b/a Old World Gourmet, 315 U.S. Route 1 South.

William James, d/b/a The James Place Inn, 11 Holbrook Street.

Leona Smith, d/b/a Falcon Restaurant, 8 Bow Street.

Robin Wade, d/b/a Corsican Restaurant, 4 Mechanic Street.

Jane Grant, d/b/a Nicholson Inn, 25 Main Street.

Bonita Kirby, d/b/a Sandy Cedar Haven Campground, 19 Baker Road.

Susan Trotter, d/b/a Holbrook Inn, 7 Holbrook Street.

James M. Friedlander, d/b/a The Old Police Station B&B, 5 Independence Drive

**MOTION:** That the Public Hearing be closed.

**BE IT ORDERED:** That the applications issued to the above named applicants be approved.

**MOTION:** That the Licensing Board adjourn and the Council reconvene.

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**ITEM #149-97** To consider action relative to the use of proceeds from the sale of the 1982 Fire Ladder Truck.

**BE IT ORDERED:** That the proceeds from the sale of the 1982 Fire Ladder Truck be used towards the restoration of the 1939 Fire Truck.

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**ITEM #150-97** To consider action relative to an agreement between the Town of Freeport and the Maine Department of Transportation concerning the turn back of state roads.

COUNCIL MEETING #19-97  
SEPTEMBER 2, 1997

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**BE IT ORDERED:** That the agreement between the Town of Freeport and the Maine Department of Transportation concerning the turn back of state roads be approved.

**BE IT FURTHER ORDERED:** That the Town Manager be authorized to sign the agreement on behalf of the Town of Freeport.

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**ITEM #151-97** To consider action relative to an appointment to the Historical Resources Committee.

**BE IT ORDERED:** That Gloria DeGrandpre be appointed, effective immediately, to serve as a member of the Historical Resources Committee. ←

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**ITEM #152-97** To consider action relative to an appointment to the Winslow Park Commission.

**BE IT ORDERED:** That Charles Corthell be appointed, effective immediately, to serve as a member of the Winslow Park Commission, until March 1, 2000.

**BE IT FURTHER ORDERED:** That Mr. Corthell qualify by swearing an oath of office before the Town Clerk by September 12, 1997.

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**ITEM #153-97** To consider action relative to an appointment to the Design Review Board.

**BE IT ORDERED:** That Peter Moulton be appointed, effective immediately, to serve as a member of the Design Review Board, until October 1, 1999.

**BE IT FURTHER ORDERED:** That Mr. Moulton qualify by swearing an oath of office before the Town Clerk by September 12, 1997.

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**ITEM #154-97** To consider action relative to an appointment to the Design Review Board.

**BE IT ORDERED:** That Terry Coyne Agnese be appointed, effective immediately, to serve as a member of the Design Review Board, until October 1, 2000.

**BE IT FURTHER ORDERED:** That Ms. Agnese qualify by swearing an oath of office before the Town Clerk by September 12, 1997.

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**ITEM #155-97** To consider action relative to a re-appointment to the Assessment Review Board.

**BE IT ORDERED:** That Eric Huemme be re-appointed, effective immediately, to serve as a member of the Assessment Review Board, until August 1, 2000.

**BE IT FURTHER ORDERED:** That Mr. Huemme qualify by swearing an oath of office before the Town Clerk by September 12, 1997.

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**ITEM #156-97** To consider action relative to an appointment to the Assessment Review Board.

**BE IT ORDERED:** That Charles Swanson be appointed, effective immediately, to serve as a member of the Assessment Review Board, until August 1, 2000.

**COUNCIL MEETING #19-97  
SEPTEMBER 2, 1997**

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**BE IT FURTHER ORDERED:** That Mr. Swanson qualify by swearing an oath of office before the Town Clerk by September 12, 1997.

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**ITEM #157-97** To consider action relative to the acceptance of a Cemetery Trust Fund.

**BE IT ORDERED:** That the following Cemetery Trust Fund be accepted with the principal invested and the earned income used for care, upkeep and maintenance.

**FROM:** Adeline O. Woodard Trust

**AMOUNT:** \$10,000

**FOR LOTS:** Henry-Vann Memorial Lot  
Merrill B.W. Stackhouse Lot  
Leslie and Adeline Woodard Lot

**CEMETERY:** Burr Cemetery.

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**ITEM #143-97** Tabled August 5, 1997.

To consider action relative to proposed amendments to the Sign Ordinance concerning "Open Flags" (Chapter 17).

**BE IT ORDERED:** That the proposed amendments to the Sign Ordinance, as submitted to Public Hearing on August 5, 1997, be approved.

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**OTHER BUSINESS:**

1. Update on dispatch services to the Town of Durham.
2. Review request from the Town of Pownal concerning the review of town boundary lines.
3. Review request by the Design Review Board for a legal workshop.

**ITEM #158-97** To consider action relative to an executive session to discuss Cable T.V. franchise negotiations.

**MOTION:** That the Council enter into executive session with the Town Attorney to discuss Cable T.V. franchise negotiations.

**MOTION:** That the Council reconvene.

**BE IT ORDERED:** That the proposed franchise agreement between the Town of Freeport and FrontierVision, Inc., dated \_\_\_\_\_, be approved.

**BE IT FURTHER ORDERED:** That the Town Manager be authorized to sign the agreement on behalf of the Town of Freeport.

Mary Wescott

**TOWN COUNCIL MEETING #19-97  
SEPTEMBER 2, 1997 - 7:00 P.M.  
TOWN COUNCIL CHAMBERS**

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**SUMMARY AGENDA**

- Item #148-97 To consider action relative to applications for victualer licenses for Vincent Migliaccio, William James, Leona Smith, Robin Wade, Jane Grant, Bonita Kirby, Susan Trotter and James M. Friedlander. (Public Hearing).
- Item #149-97 To consider action relative to the use of proceeds from the sale of the 1982 Fire Ladder Truck.
- Item #150-97 To consider action relative to an agreement between the Town of Freeport and the Maine Department of Transportation concerning the turn back of state roads.
- Item #151-97 To consider action relative to an appointment to the Historical Resources Committee.
- Item #152-97 To consider action relative to an appointment to the Winslow Park Commission.
- Item #153-97 To consider action relative to an appointment to the Design Review Board.
- Item #154-97 To consider action relative to an appointment to the Design Review Board.
- Item #155-97 To consider action relative to a re-appointment to the Assessment Review Board.
- Item #156-97 To consider action relative to an appointment to the Assessment Review Board.
- Item #157-97 To consider action relative to the acceptance of a Cemetery Trust Fund.
- Item #143-97 Tabled August 5, 1997
- To consider action relative to proposed amendments to the Sign Ordinance concerning "Open Flags" (Chapter 17).

**OTHER BUSINESS:**

1. Update on dispatch services to the Town of Durham.
  2. Review request from the Town of Pownal concerning the review of town boundary lines.
  3. Review request by the Design Review Board for a legal workshop.
- Item #158-97 To Consider action relative to an executive session to discuss Cable T.V. franchise negotiations.

*Amended*

**MINUTES  
FREEPORT TOWN COUNCIL MEETING #19-97  
SEPTEMBER 2, 1997 – 7:00 P.M.**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
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(late 7:05 P.M.)		
David Soley Arnold Road	X		

**FIRST ORDER OF BUSINESS:** TO WAIVE THE READING OF THE MINUTES OF MEETING #18-97 HELD ON AUGUST 5, 1997 AND ACCEPT THE MINUTES AS PRINTED.

**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #18-97 HELD ON AUGUST 5, 1997 AND ACCEPT THE MINUTES AS PRINTED.  
(Chairperson Beaulieu & Bishop)

Mrs. Wilbur questioned whether the letter she had submitted was presented at the 8-5-97 meeting.

Councilor Mann stated that no one read the letter into the record. He suggested that the letter be entered into the record this evening.

**MOVED AND SECONDED:** TO AMEND THE MINUTES ON PAGE 11, RE: Item #146-97, TO CORRECT THE VOTE TO READ, "5 AYES, 2 NAYS-MANN, HINDLEY". (Chairperson Beaulieu & Councilor Soley) (6 Ayes) (1 Excused-Campbell)

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**FREEPORT TOWN COUNCIL MEETING #19-97**  
**SEPTEMBER 2, 1997 – 7:00 P.M.**

<b><u>CHAIRPERSON'S CALL TO ORDER:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>	<b><u>Excused</u></b>
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 (late 7:05 P.M.)		

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**MOVED AND SECONDED:** TO WAIVE THE READING OF THE MINUTES OF MEETING #18-97, HELD ON AUGUST 5, 1997 AND ACCEPT THE MINUTES AS AMENDED.  
(Chairperson Beaulieu & Bishop) (6 Ayes) (1 Excused-Campbell)

**SECOND ORDER OF BUSINESS:** PUBLIC COMMENT PERIOD

1. Councilor Mann stated that he had been asked to bring up a petition delivered to him by Tonya Sherwood, who had circulated a non-binding petition throughout the Wardtown Trailer Park. There are 28 signatures from the residents. The purpose of the petition is to try to have an effect on the Affordable Housing Trust and/or the seller of the trailer park. The residents have raised concerns for security, becoming a magnet for affordable housing, potential contract changes, etc. This is being presented to the Council for its awareness regarding the residents' concerns.

**MOVED AND SECONDED:** TO CLOSE THE PUBLIC COMMENT PERIOD. (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

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

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ITEM #148-97      TO CONSIDER ACTION RELATIVE TO APPLICATIONS FOR VICTUALER LICENSES FOR VINCENT MIGLIACCIO, WILLIAM JAMES, LEONA SMITH, ROBIN WADE, JANE GRANT, BONITA KIRBY, SUSAN TROTTIER AND JAMES M. FRIEDLANDER. (PUBLIC HEARING)

**MOVED AND SECONDED:** THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE.  
(Councilors Mann & Hindley) (6 Ayes) (1 Excused-Campbell)

**ROLL CALL OF MEMBERS:**

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

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

VINCENT MIGLIACCIO, d/b/a OLD WORLD GOURMET,  
315 U.S. ROUTE 1 SOUTH.



**WILLIAM JAMES, d/b/a THE JAMES PLACE INN, 11  
HOLBROOK STREET.**

**LEONA SMITH, d/b/a FALCON RESTAURANT, 8 BOW  
STREET.**

**ROBIN WADE, d/b/a CORSICAN RESTAURANT, 4  
MECHANIC STREET.**

**JANE GRANT, d/b/a NICHOLSON INN, 25 MAIN STREET.**

**BONITA KIRBY, d/b/a SANDY CEDAR HAVEN  
CAMPGROUND, 19 BAKER ROAD.**

**SUSAN TROTTIER, d/b/a HOLBROOK INN, 7 HOLBROOK  
STREET.**

**JAMES M. FRIEDLANDER, d/b/a THE OLD POLICE  
STATION B&B, 5 INDEPENDENCE DRIVE.**

**(Councilors Mann & Soule) (8 Ayes) (1 Excused-Campbell)**

**Chairperson Beaulieu stated that 2 of the applications (Trottier and  
Grant) are lacking a current State license.**

**Manager Olmstead stated Mr. Friedlander's license is pending,  
adding that the licenses could be approved on the condition that  
State licenses are obtained.**

**Miscellaneous discussion followed re: serving food, time limit,  
etc.**

**MOVED AND SECONDED: THAT THE PUBLIC HEARING  
BE CLOSED. (Councilors Mann & Hindley) (8 Ayes) (1  
Excused-Campbell)**

**BE IT ORDERED: THAT THE APPLICATIONS ISSUED TO  
THE ABOVE NAMED APPLICANTS BE APPROVED, AND  
THAT THOSE APPLICANTS WHO HAVE NOT SHOWN  
PROOF OF A STATE LICENSE BE REQUIRED TO DO SO  
BEFORE THEIR LICENSES ARE ISSUED, NAMELY, JAMES  
M. FRIEDLANDER, SUSAN TROTTIER AND JANE GRANT.  
ROLL CALL VOTE (Councilors Mann & Bishop) (8 Ayes) (1  
Excused-Campbell)**

**MOVED AND SECONDED:** THAT THE LICENSING BOARD  
ADJOURN AND THE COUNCIL RECONVENE. (Councilors  
Mann & Hindley) (8 Ayes) (1 Excused-Campbell)

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**ITEM #149-97**      **TO CONSIDER ACTION RELATIVE TO THE USE OF  
PROCEEDS FROM THE SALE OF THE 1982 FIRE LADDER  
TRUCK.**

**BE IT ORDERED:** THAT THE PROCEEDS FROM THE SALE  
OF THE 1982 FIRE LADDER TRUCK BE USED TOWARDS  
THE RESTORATION OF THE 1939 FIRE TRUCK. **ROLL  
CALL VOTE** (Councilors Soley & Bishop)

Ray Smith explained the need for this request. He stated that the  
sale price for the ladder truck was \$7,500.

Discussion followed re: preference of putting the \$7,500 into the  
reserve account, current policy for proceeds going into reserve  
accounts, fund raising efforts and donations received, etc.

**VOTE:** (2 Ayes) (4 Nays-Hindley, Soley, Mann, Soule) (1  
Excused-Campbell)

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**ITEM #150-97**      **TO CONSIDER ACTION RELATIVE TO AN AGREEMENT  
BETWEEN THE TOWN OF FREEPORT AND THE MAINE  
DEPARTMENT OF TRANSPORTATION CONCERNING THE  
TURN BACK OF STATE ROADS.**

**BE IT ORDERED:** THAT THE AGREEMENT BETWEEN  
THE TOWN OF FREEPORT AND THE MAINE  
DEPARTMENT OF TRANSPORTATION CONCERNING THE  
TURN BACK OF STATE ROADS BE APPROVED.

**BE IT FURTHER ORDERED:** THAT THE TOWN  
MANAGER BE AUTHORIZED TO SIGN THE AGREEMENT  
ON BEHALF OF THE TOWN OF FREEPORT. **ROLL CALL  
VOTE** (Councilors Soule & Hindley)

Chairperson Beaulieu reviewed the efforts and process regarding  
the roads turn back issue. She added that the agreement presented  
represents the results of the Town's efforts in dealing with the  
State.

Manager Olmstead clarified that the Town will get back 4.67  
miles, effective July 1, 1998, and those miles have to meet the  
definition of good condition. He added that some of the repairs  
have been done and some have not, but prior to July 1, 1998, these

repairs will have been completed. The State will be required to give the Town one-year notice(s) before turning back further roads. This agreement represents everything that the Town initially asked for when this process began over a year ago, i.e., that roads not be turned back until brought into a condition of good repair.

Chairperson Beaulieu added that the towns of Standish and Buxton have already approved and accepted this agreement.

Councilor Hindley raised concerns regarding the signing of the Agreement and the need to sign the Agreement.

Discussion followed re: meeting with the Commissioner, different interpretations of the law, need to change the bill, meetings in Augusta, the Memorandum of Understanding being Freeport's request, etc.

Councilor Mann requested clarification of status of specific roads, such as an area of Bow Street which is dangerous. He suggested that the study done be used for repairs.

Manager Olmstead stated that some of the roads are not yet repaired, but will be done per assessment of needed repairs.

Chairperson Beaulieu stated that we have \$4 million to upgrade all the roads under the plan in Buxton, Standish and Freeport.

Councilor Mann reiterated his concern that the work prescribed may not be done.

Manager Olmstead stated that this Memorandum of Agreement is the recognition of the Maine Department of Transportation that the three towns, Freeport, Buxton and Standish, fall under the new provisions of the law; without this agreement, we are left totally unprotected. Roads turned back to towns in the 1980's, such as Yarmouth, got their roads turned back in good condition.

**MOVED AND SECONDED:** TO MOVE THE QUESTION.  
(Councilors Soley & Bishop) (4 Ayes) (2 Nays-Mann, Hindley) (1 Excused-Campbell)

**VOTE:-** (4 Ayes) (2 Nays-Mann, Hindley) (1 Excused-Campbell)

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**ITEM #151-97**

**TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT  
TO THE HISTORICAL RESOURCES COMMITTEE.**

**BE IT ORDERED:** THAT GLORIA DeGRANDPRE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE HISTORICAL RESOURCES COMMITTEE. **BALLOT VOTE** (Councilors Hindley & Bishop) (5 Ayes) (1 Nay) (1 Excused-Campbell)

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ITEM #152-97      TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE WINSLOW PARK COMMISSION.

**BE IT ORDERED:** THAT CHARLES CORTHELL BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE WINSLOW PARK COMMISSION, UNTIL MARCH 1, 2000. **BALLOT VOTE** (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

**BE IT FURTHER ORDERED:** THAT MR. CORTHELL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 12, 1997. **ROLL CALL VOTE** (Councilors Bishop & Soule) (6 Ayes) (1 Excused-Campbell)

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ITEM #153-97      TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

**BE IT ORDERED:** THAT PETER MOULTON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD, UNTIL OCTOBER 1, 1999. **BALLOT VOTE** (Councilor Mann & Bishop) (6 Ayes) (1 Excused-Campbell)

**BE IT FURTHER ORDERED:** THAT MR. MOULTON QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 12, 1997. **ROLL CALL VOTE** (Councilors Mann & Bishop) (6 Ayes) (1 Excused-Campbell)

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ITEM #154-97      TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

**BE IT ORDERED:** THAT TERRY COYNE AGNESE BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD, UNTIL OCTOBER 1, 2000. **BALLOT VOTE** (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

**BE IT FURTHER ORDERED:** THAT MS. AGNESE QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 12, 1997. ROLL CALL VOTE (Councilors Soley & Bishop) (6 Ayes) (1 Excused-Campbell)

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ITEM #155-97

TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE ASSESSMENT REVIEW BOARD.

**BE IT ORDERED:** THAT ERIC HUEMME BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ASSESSMENT REVIEW BOARD, UNTIL AUGUST 1, 2000. BALLOT VOTE (Councilors Soule & Bishop) (6 Ayes) (1 Excused-Campbell)

**BE IT FURTHER ORDERED:** THAT MR. HUEMME QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 12, 1997. ROLL CALL VOTE (Councilors Soule & Bishop) (6 Ayes) (1 Excused-Campbell)

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ITEM #156-97

TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE ASSESSMENT REVIEW BOARD.

**BE IT ORDERED:** THAT CHARLES SWANSON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE ASSESSMENT REVIEW BOARD, UNTIL AUGUST 1, 2000. BALLOT VOTE (Councilors Hindley & Bishop) (6 Ayes) (1 Excused-Campbell)

**BE IT FURTHER ORDERED:** THAT MR. SWANSON QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY SEPTEMBER 12, 1997. ROLL CALL VOTE (Councilors Hindley & Bishop) (6 Ayes) (1 Excused-Campbell)

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ITEM #157-97

TO CONSIDER ACTION RELATIVE TO THE ACCEPTANCE OF A CEMETERY TRUST FUND.

**BE IT ORDERED:** THAT THE FOLLOWING CEMETERY TRUST FUND BE ACCEPTED WITH THE PRINCIPAL INVESTED AND THE EARNED INCOME USED FOR CARE, UPKEEP AND MAINTENANCE.

**FROM:** ADELINE O. WOODARD TRUST

**AMOUNT:** \$10,000

**FOR LOTS:** HENRY-VANN MEMORIAL LOT  
MERRILL B. W. STACKHOUSE LOT  
LESLIE AND ADELINE WOODARD LOT

**CEMETERY:** BURR CEMETERY

**ROLL CALL VOTE** (Councilors Bishop & Hindley) (6 Ayes)  
(1 Excused-Campbell)

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**ITEM #143-97**

**TABLED AUGUST 5, 1997.**  
**TO CONSIDER ACTION RELATIVE TO PROPOSED**  
**AMENDMENTS TO THE SIGN ORDINANCE CONCERNING**  
**"OPEN FLAGS" (CHAPTER 17)**

**BE IT ORDERED:** THAT THE PROPOSED AMENDMENTS  
TO THE SIGN ORDINANCE, AS SUBMITTED TO PUBLIC  
HEARING ON AUGUST 5, 1997, BE APPROVED. **ROLL**  
**CALL VOTE** (Councilors Mann & Hindley)

Chairperson Beaulieu clarified the ordinance as it came through  
the process VS. the emergency ordinance.

**MOVED AND SECONDED:** TO AMEND THE ORDINANCE  
TO READ, "FLAGS ARE PERMITTED IN ALL DISTRICTS  
EXCEPT FOR VCI AND VCII..." (Councilors Soley & Hindley)

Chairperson Beaulieu stated that this amendment represents a  
substantial change that perhaps should be voted down and brought  
back through the Public Hearing process.

Manager Olmstead stated that, first of all, the Council has to  
determine whether or not there has been a significant change that  
would necessitate going back through a public hearing process. It  
can be argued both ways; or during the public hearing on this  
proposal, there was thorough discussion and people are already  
aware of this; procedurally, if the Council feels this represents a  
significant change, it should vote this down and set a new public  
hearing.

Chairperson Beaulieu raised concerns for fairness, in the event of  
amending this tonight.

Discussion followed re: the emergency ordinance, perhaps  
removing the ordinance all together, the issue of procedure, i.e.,

changes that are less restrictive not necessitating further public hearings per the Town Attorney, concern for people who do not want this, etc.

Mrs. Wilbur stated she feels people have had ample opportunity to express their feelings.

Mr. Migliaccio stated that if people have no interest in this up to now, the process should go forward.

Councilor Mann offered clarified that "Welcome" flags are not permitted per the Code Enforcement Officer.

**VOTE ON AMENDMENT: (5 Ayes) (1 Nay-Beaulieu) (1 Excused-Campbell)**

**ROLL CALL VOTE ON ITEM #143-97 AS AMENDED: (4 Ayes) (2 Abstain-Beaulieu, Mann) (1 Excused-Campbell)**

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**OTHER BUSINESS:**

**1. UPDATE ON DISPATCH SERVICES TO THE TOWN OF DURHAM.**

Manager Olmstead stated that on August 18, 1997, the residents of Durham voted to continue the relationship with Freeport re: rescue services.

**2. REVIEW REQUEST FROM THE TOWN OF POWNAL CONCERNING THE REVIEW OF TOWN BOUNDARY LINES.**

Manager Olmstead explained the request; he suggested that this request be referred to the Municipal Facilities Committee.

**3. REVIEW REQUEST BY THE DESIGN REVIEW BOARD FOR A LEGAL WORKSHOP.**

Manager Olmstead reviewed the request, adding that the Town is eligible for 2 workshops under the cap agreement with the attorney. He added that Finance tracks these meetings.

Miscellaneous discussion followed re: combined workshops, taping the workshop for review for future board members, jurisdiction of the Design Review Board, etc.

**MOVED AND SECONDED:** TO MOVE AN ITEM NOT ON THE PRINTED AGENDA. (Councilors Mann & Soley) (6 Ayes) (1 Excused-Campbell)

**MOVED AND SECONDED:** THAT THE TOWN COUNCIL AUTHORIZE THE DESIGN REVIEW BOARD TO MEET IN A LEGAL WORKSHOP WITH THE TOWN ATTORNEY. (Councilors Mann & Soule) (5 Ayes) (1 Nay-Hindley) (1 Excused-Campbell)

**4. THE REQUEST FROM TOM WILBUR TO LOOK INTO ZONING OF THE VCIII.**

Chairperson Beaulieu reviewed this item. She suggested establishing a committee to work out what changes should be made. This committee would include membership made up from: 1 town councilor, 1 planning board member and people who work in the areas involved. She added that this would be placed on the next agenda for discussion.

Mr. Wilbur stated that the Marquis, the Birds and James Friedlander would be interested in serving on this committee.

(The Council reached consensus on this request.)

**5. LETTER FROM CHARLES TRUELAND, RV VISITOR.**

Councilor Bishop read the letter provided from Mr. Trueland which described his treatment in Freeport.

Councilor Mann stated that it had taken an estimated 5 years of effort to get the RV Ordinance passed; he added that we now have a very minimal problem with overnight parking. He thanked all of the people involved, including the Police Department and businesses.

Chairperson Beaulieu stated that this is a political situation and that there have been problems, but we have a system that has started; there are some "glitches" and we will work on them.

Mr. Kenney, Winslow Park Manager stated that they have never turned anyone away, even when the park is full, to make sure people are not turned away. They receive many thank-you notes from people who needed a place to camp.



**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 Soule & Bishop) (6 Ayes) (1 Excused-Campbell)

**MOVED AND SECONDED:** THAT THE COUNCIL  
RECONVENE. (Councilors Soule & Bishop) (6 Ayes)  
(1 Excused-Campbell)

**BE IT ORDERED:** THAT THE PROPOSED FRANCHISE  
AGREEMENT BETWEEN THE TOWN OF FREEPORT AND  
FRONTIERVISION, INC., DATED SEPTEMBER 2, 1997 , BE  
APPROVED.

**BE IT FURTHER ORDERED:** THAT THE TOWN  
MANAGER BE AUTHORIZED TO SIGN THE AGREEMENT  
ON BEHALF OF THE TOWN OF FREEPORT. ROLL CALL  
VOTE (Councilors Soule & Bishop) (6 Ayes) (1 Excused-  
Campbell)

Councilor Mann thanked Mr. Scully, the Cable Commission,  
FrontierVision and the consultants for their efforts.

**MOVED AND SECONDED:** THAT THE MEETING BE  
ADJOURNED AT 9:20 P.M. (Councilors Soley & Hindley) (6  
Ayes) (1 Excused-Campbell)

Respectfully submitted,

Pat Goodwin, Recording Secretary

**DRAFT AMENDMENTS**  
**CHAPTER 17 23**  
**FREEPORT SIGN ORDINANCE**

Section 4. Regulations Applicable to Signs in all Districts.

4.3 In addition, "Open" flags are permitted only as described in Section 5.7 below.

Section 5. Specific Standards

5.7 In addition to the maximum number, total square footage per lot and size of permitted signs, "Open" flags are permitted in all ~~C~~ (Commercial) Districts subject to the following conditions:

5.7.1. Only one flag per business establishment shall be permitted.

5.7.2. The flag shall be flown only during open business hours.

5.7.3. The flag area is limited to a maximum of sixteen (16) square feet.

5.7.4. Flag design shall be limited to the standard "Open" type with red, white and blue coloring only.

*Amended.*

~~all Districts~~ \* except VC I + VC II

*Approved  
9-3-87*